CONFERENCE PAPER:

WORKING TOGETHER FOR SUCCESS

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Introduction

This paper examines the experience of two organisations working together to achieve an outcome that could not have been achieved had we not collaborated. It defines inter-agency collaboration is, describes the background to the collaboration, explains the need for collaboration and then discusses some of the characteristics of this collaboration and why they are important.

This paper focuses predominantly on the collaborative process and only briefly touches on the actual project the two agencies were collaborating upon. This work was in part been informed by a doctoral candidature at RMIT University in Melbourne and acknowledges the contribution of Professor Susan Long, Research Supervisor.

What is inter-agency collaboration?
Increasingly the problems or issues confronting organisations today cannot be addressed by only focussing collaborative efforts within organisations as was the case in the past.

Systems issues, external pressures, globalisation and advances in technology all mean that the problems faced by organisations today cannot be solved by individual organisations alone (Gray Gricar, 1981). This increased interdependence has generated a need to focus on collaboration between organisations. That is, inter-agency collaboration.
In talking about inter-agency collaboration it expressly refers to those situations “where two or more groups of people come to work together because of their membership in other groups or institutions whose tasks overlap” (Zagier Roberts, 1994).

In the context of this paper, the two agencies were the Victorian Department of Justice and the Magistrates’ Court of Victoria who came together to implement a new model of practice to be implemented in the Magistrates Court.

**Background to our collaboration**

Tension had been a long-standing characteristic of the relationship between the court and the department. This tension was historical and in a large part could be attributed to structural reasons that emerge out of the separation of powers between a government and the court system; especially in the context where judicial independence is the paramount tenet (Popovic, 2006).

Specifically in the context of the provision of court support services, the tension was largely attributable to the fact that in the past, the Magistrates’ Court had been almost entirely responsible for the development of the services and emergence of the ethos of therapeutic jurisprudence which underpinned them. But the development was taken over entirely by the Department of Justice.

The tension played itself out in a number of ways including a lack of trust about budgeting and resource allocation and a struggle for power and control over policy-making. Additionally, some of the Magistrates’ Court personnel held concerns about what they saw as the erosion of judicial independence and jurisprudential principle.

The Magistrates’ Court in Victoria has a long history of leadership in the development of innovative ways of working, especially in the context of addressing the offence related needs of defendants.
This had been characterised by the progressive introduction of a range of
court support services from the mid to late 1990s focussing on intellectual
disability, mental health problems, Youth Justice, drug and alcohol
services and homelessness to name just a few. These support services
mushroomed in an ad hoc manner as the need for them was perceived
and funding was secured. Each of the programs was funded separately
and under the aegis of separate bodies. For example, mental health
nurses were provided to the Magistrates’ Court by the statutory body
Forensicare: juvenile justice workers were provided by Youth Justice from
the Department of Human Services; the Magistrates’ Court funded the
Disability Officer through its own budget; the drug program was initially
funded through a grant from a crime prevention fund, but then secured
ongoing funding from the Department of Justice and the Commonwealth
Drug Strategy and the Bail support program was funded through
Corrections Victoria. Because of the way these programs had emerged,
the support services lacked a cohesive structure and appropriate
framework.

Against this backdrop, and as part of the development of the Victorian
Attorney—General’s Justice Statement (2004), in 2004 the Department of
Justice saw an opportunity to further develop these services by looking at
the possibility of integrating the assessment, advice and referral services
in light of growing evidence of the co-occurring nature of needs under-
pinning peoples offending behaviour. The co-morbidity of drug and alcohol
use and mental illness for example, is well documented.

The Magistrates’ Court had for some time been urging that a framework
for court support services be developed and that appropriate on-going
funding be secured. The court welcomed the notion that such a project
was commenced. However, there was a sense of unease during the
twelve months it took to develop the concept and business case leading to
the announcement of funding for the new, integrated service.
Tension in the relationship throughout this time was played out in the Project Reference Group. In essence, the new project meant the pulling apart of all of the good work done by the Court over many years and rebuilding it into an integrated model. The Court’s representatives on the Reference Group struggled with the fact that their ideas had been appropriated, and that they had relinquished control and ownership of their cherished and hard fought for services. At Reference Group meetings, they had the sense that they had little voice among the many representatives from other government departments, agencies and statutory bodies.

The Department of Justice project team were in a ‘no-win’ situation. They had a brief for a project which needed to be prepared for submission for funding and were needing to manage an obviously recalcitrant major stake-holder as well as trying to get all the other stakeholders on-board.

It is in this context that the court and the department came to work together on the development and implementation of the new program.

**What was the Project?**

Briefly, the Courts Integrated Services Program, known as CISP, was an integrated model of support and services provided at the pre-sentence stage primarily for persons charged with criminal offences. It is currently available at three pilot court sites. Defendants are referred for an assessment to determine the level of intervention and nature of services required. Referrals can be made by police officers, lawyers, the defendants themselves, other services, court staff and magistrates. For defendants in custody, the assessing officer prepares a report for the Magistrate presiding over the bail application, and if bail is granted, participation on the CISP program becomes a condition of bail.

CISP is comprised of multi-disciplinary teams who can provide assistance in the following areas:

- Drug and alcohol issues;
- Homelessness;
Mental impairment (mental illness, personality disorders, acquired brain injury and intellectual disability); Youth Justice for defendants under 21 years of age; and Aboriginal Liaison.

The level of intervention for a person accepted onto the program can range from referral to community agencies to intensive case management. Program officers are considered to be ‘Officers of the Court’. They are able to provide case management, referral to treatment agencies, brokered treatment in the areas of drug and alcohol treatment, housing, mental health, disability services and acquired brain injury services among others.

Each participant has an individually developed case management plan which sets out all the services arranged for the defendant either internally or with outside agencies. A CISP officer, generally one with expertise in the defendant’s main presenting problem, is assigned to monitor progress. Judicial supervision is also encouraged, with progress reports provided to the presiding magistrate for each court appearance.

Case-managed defendants usually remain on the program for 3 to 4 months, although from time to time, longer periods may be required to ensure that appropriate treatment is in place.

The pilot is being evaluated and will hopefully be rolled out statewide in the future.

Why we needed to collaborate
Notwithstanding the level of mistrust between the protagonists and the anxieties that each brought to the project, it recognised that there was a need to collaborate. Both parties each wanted to ensure that the project succeeded. Their respective commitment to success was immutable. Success could only be achieved by collaboration. Additionally, both parties each wanted the best possible program model to be devised: one which would work on a practical level but would also be fiscally
accountable. Again, this could only be achieved if both parties collaborated. Neither agency was able to achieve these outcomes on their own.

**Necessary conditions**
The following describes some of the characteristics of the collaboration and what are thought to be the conditions necessary for effective inter-agency collaboration. Five of the key conditions out of a longer list are described.

**Primacy of the task**
The implementation of the project was of critical importance to both parties although for very different reasons. Data was gathered in an attempt to understand the impact the primacy of the task had on the collaborative process.

It was concluded that when achieving an outcome that is critical to both parties, albeit for different reasons, the primacy of the task supports the collaborative process and overcomes many of the differences that are encountered when two parties work together for the first time. Even when experiencing very difficult inter-group dynamics, especially in the early days of the project, both parties worked to find ways to work together because the achievement of the task was paramount. Not delivering on the project was never an option for either party so we always had to find a way forward even in the face of significant disagreement.

**Reflective space**
Given the background to this project there was always going to be some tension that arose out of us having to work together. The establishment of a reflective space turned out to be one of the most significant conditions that supported our collaboration and the eventual success of the project. This is particularly interesting as it came about in a serendipitous manner.

Ringer (2001) refers to reflective space as the imaginary psychic space in which thinking and feeling successfully occurs. He states that the
“existence of a reflective space in the group facilitates the group’s effective functioning and hence likelihood that group members will achieve the outcomes or processes sought by the group” (p. 85).

As part of the PhD research, a number of key representatives from both organisations were approached to participate in a Research Reflection Group. The original idea had been that this group work on the research process but it quickly turned into a reflective space where the two groups could also work together on the workplace task in a different way.

The Research Reflection Group emerged as a new group that sat between or across the two organisations; that is the court and the department. The dual roles of this new group then became to work on the research and the collaboration to achieve the task. The reflective space allowed the two parties to “link ideas together in pursuit of a shared task” (Krantz, 1995) and facilitated the collaborative process through the opportunity to reflect on the inter-group dynamics as they impacted on the collaborative process.

To think and work collaboratively, it is necessary to contain the anxiety that comes with working with another party and the loss of familiar structures. The Research Reflection Group became a place to contain both the negative and positive aspects of the collaboration. It contained the anxiety associated with the collaboration and allowed new ideas and ways of relatedness to emerge.

Traditional project governance mechanisms had failed to contain the anxiety associated with the implementation of the project. This might be because it was an attempt to institute an ‘old’ bureaucratic structure (or form of organisation) in a highly volatile environment. The Research Reflection Group recognised and enacted the need for new structures and containing functions.
The Research Reflection Group resulted in a number of unintended but positive outcomes and in fact became the heart of the collaborative process.

**Trust**

Mistrust was evident on both sides in the early days of the project. It took time for the parties to learn to trust each other. Trust is critical to the development of a true collaboration. Working together over time and being able to reflect on the relatedness between the two parties assists in the development of trust.

From the Magistrates’ Court’s perspective, the Court was not really sure whether the Department of Justice project team had a firm understanding of the Court’s needs, the way the Court worked and the Court’s culture. It came into the process from the perspective of its ideas and hard work having been hi-jacked. It took some time for the Court’s representatives to understand that it was not the intention of the project team to dismantle its services or to build new services performing identical roles along side existing services, but to bolster and improve the existing services with the implementation of the new program.

The Court had not effectively articulated its concerns to the project team. It became evident that the project team had been unaware of the Court’s concerns because the project team was always clear about what its brief was. The project team had assumed that the court knew from which perspective it was coming and did not articulate it clearly to the court. Once it was realised that we were both coming into the project with similar objectives, we were able to move forward.

In the context of this project, it was important that some of the protagonists, in particular, the co-authors of this paper, had previously successfully collaborated on projects and had a basis for a good working relationship. In light of a solid history, it was thought that with good will on both sides, the two parties could work well in the future.
Once the trust issues had been worked through and both parties were comfortable not only in revealing their own vulnerabilities and accepting that other people were also experiencing vulnerability, issues were able to be progressed through together.

**Being vulnerable together**

From a psychodynamic perspective, the social defenses theory put forward by Jaques (1955) and Menzies (1959) suggests that the primary task of some organisations generates high levels of anxiety that are then defended against by the use of unconscious and often maladaptive beliefs, assumptions, structures and practices.

It became clear that the department project team defended against the anxiety they experienced as a result of working with the other group on difficult tasks by over-strategising ahead of meetings. Rather than achieving the desired outcome, it created an adversarial situation which damaged the collaboration. It was decided that the strategy should be to have no strategy. Rather, the other party was invited to work through issues together. This meant both parties working with their vulnerability.

Being vulnerable together is about being prepared to learn in public with collaborating partners without fear of looking stupid. It is about linking thought and experience to find new solutions and the preparedness to ‘think out loud’. A tolerance for ‘not knowing’ is required as is the idea that the two parties can work together from a common, often naive base and allow an idea or solution to emerge as part of the dialogue.

The Research Reflection Group provided a safe space in which to be vulnerable together, and in doing so, opened up opportunities for full and frank dialogue. It allowed us to ask questions like “What I really don’t quite understand is”, “What really concerns me is” and “Why are you approaching it from this or that angle?” A “space [where] people can argue, fight, laugh and sometimes even agree in the knowledge that the situation is safe enough for relationships to endure while feelings are expressed” had been created. (Hoggett, 2002, p.121).
**Relatedness**
For the collaboration to succeed both parties had to learn to relate to each other in new ways. This went beyond the pre-existing personal relationships and previous workplace roles and refers to relations in terms of the task the parties were working on together. New roles, in relation to the new group that had emerged out of the collaborative process had to be taken up. At the same time, the everyday roles located in their respective organisations had to be continued.

Both parties had to be able to hold the ‘other’ in mind. They had to project themselves into to the perspective of that ‘other’ (Hoggett, 2002), be aware of and respect the boundaries of the other organisation and at the same time, understand the boundaries of the new group.

This new relatedness also required them to work with the new and different authority relations that emerged out of the collaborative process. In the early days of the project, both parties understood something about the role authority of the members of the other party. However, as the project progressed, both parties had to learn, as members of the new group, how their authority relations had changed in relation to each other and the task.

Finally, the emergence of the new group was accompanied by subtle shifts in allegiances that still holds good to this day. A shared set of values was built around the collaborative process.

**Opportunity for self-reflection**
The final characteristic is how the collaboration provided opportunities for self-reflection. The Research Reflection Group, and more particularly, the one-on-one interviews conducted as part of the PhD research, provided the space for self-reflection and improved communication. By coming together to talk through various issues related to the experience of the collaborative process on a one-on-one basis, interviewees had the opportunity to think about their individual responses and to think more
clearly and openly (in collaboration with the interviewer) about aspects of the program that were contentious.

The interviewer received invaluable insights into the thoughts and experience of the others in the group and a corresponding opportunity to review their own responses.

These conditions have been discussed as discrete elements while in reality they are often inter-connected and sometimes inter-dependant. A working hypothesis is that each must be present for a collaborative relationship to be established and flourish but they do not occur in isolation from each other. The quality of the collaboration is improved when a number of these elements occur together. It also makes sense that in some cases the relationship between some of these conditions is linear. That is, one needs to exist before another can emerge. For example, it is hard to believe that two parties can be vulnerable together in a low trust environment and that trust must exist before the parties can be vulnerable to learn together.

**Our experience of the collaboration**

In terms of the Courts’ experience of the collaboration, Deputy Chief Magistrate Jelena Popovic says “From the perspective of a judicial officer with an over-developed sense of ownership of the previous programs and a complete mistrust in the project team, the experience was an overwhelmingly positive one. I am able to pinpoint when my thinking began to change; this occurred when I made the realisation that the outcome that both sides wanted to achieve was almost identical. Our previous inability to communicate effectively had impeded me in seeing this clearly. The Research Reflection Group was instrumental in facilitating communication and opening up meaningful collaboration. We were able to strive together for success, and for the implementation of a stunning world-first program. As a result of what I have learnt from this collaboration; in future collaborations I will ensure that I fully comprehend the other party’s perspective, communicate my concerns more effectively and provide space for dialogue”.
From the perspective of a departmental officer, I have been stunned by the extent to which the collaboration allowed us to find new and creative solutions to complex problems. When I look back over my research journals I am reminded about how awash with anxiety the whole process had been in the early days and wonder that we ever got past that point. Like Jelana, I can pinpoint a moment in our journey where the process took a giant step forward and turned from struggle to collaboration. We were working together to find a solution to a longstanding problem in the court and all of a sudden a really creative solution emerged. We all got really excited and knew instantly that we were on a winner. I looked around the room and suddenly realised we were all on exactly the same page. It was one of those rare moments that we all hope to experience in our work.

Conclusions
It is clear from the experience of both parties that the establishment of the Research Reflection Group was paramount to the success of this collaboration. It provided the reflective space for all of the other elements to come develop and come together; it was the heart of the collaboration. It provided a container for the positive and negative aspects of the collaboration.

However, without the interplay of conditions such as the primacy of the task, trust, relatedness, being vulnerable together and self reflection among others; the collaboration would not have gotten off the ground. The two parties would still be struggling to deliver a product that would have been mediocre in comparison to what was achieved.

The experience was such that both the court and the department are keen to work together on projects in the future. The co-authorship of this paper is an example of that ongoing collaboration. The relations and the relatedness that emerged out of this process have continued to flourish.
What was achieved through the CISP collaboration allowed the development a framework for future collaborations either together or with other project partners.

Finally, one of the most powerful lessons that both parties learned was that sometimes organisations just have to sit with the tension and the anxiety until a new way of working emerges out of all of the chaos.

References


