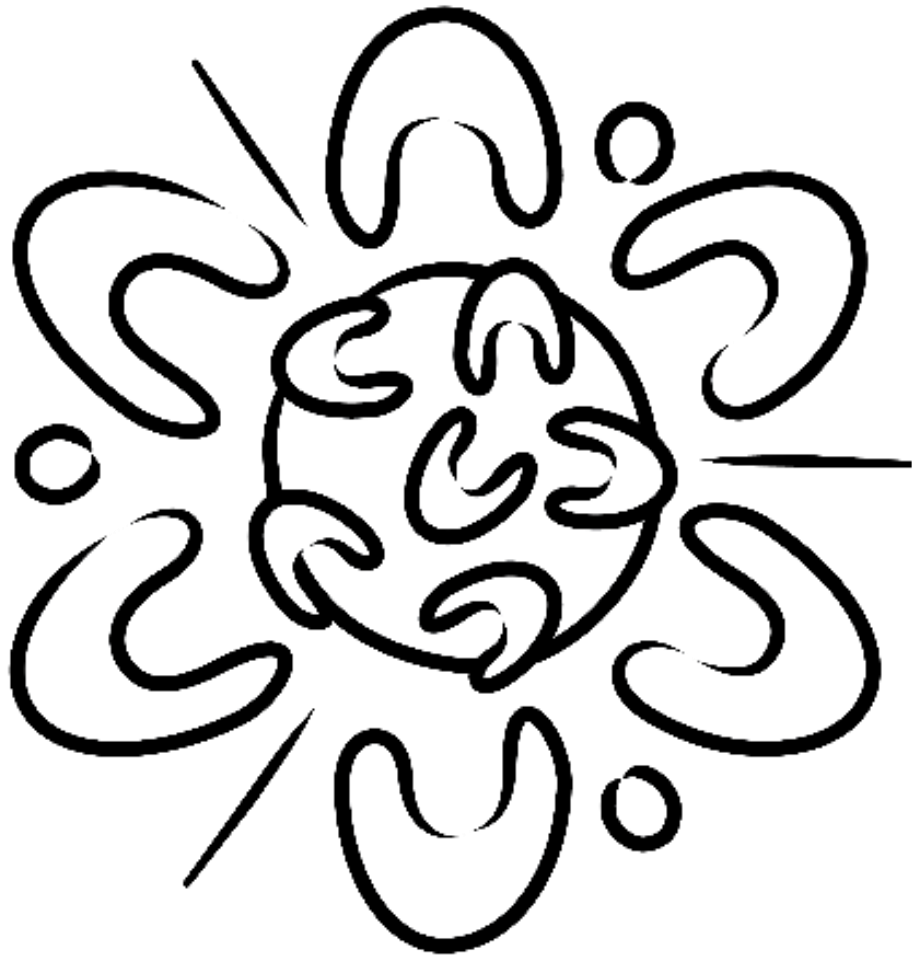


NSW Justice Reinvestment Grant Program

Grant Program Guidelines (Stage 2)

April 2024



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1 Key dates and information

Invitation to submit Full Grant Application	Tuesday 2 April 2024
Stage 2: Full Grant Application Opening	9am on Tuesday 2 April 2024
BOCSAR Data Information Session	9am – 10am Friday 5 April 2024
Stage 2: Full Grant Application Closing	5pm on Monday 13 May 2024
Application outcomes advised	June 2024
Project delivery timeframe (for successful applications)	From 30 June 2024 – 30 June 2027
Decision-maker	Secretary
NSW Government Agency	Department of Communities and Justice (DCJ)
Type of grant opportunity	Targeted, competitive
Grant value (total available funding for the grant and the available individual grant amounts, excluding GST)	<p>A total of up to \$7.5 million (excluding GST) in funding is available over three years.</p> <p>The minimum grant value, excluding GST, is \$500,000 and the maximum grant value is \$2.5 million (total over three years).</p>
Enquiries	<p>Justice Reinvestment team, DCJ, via email: justicereinvestment@dcj.nsw.gov.au</p> <p>Also available via phone: 02 8688 8940</p>

2 Support and contact

Contact us

You can contact the NSW Justice Reinvestment Grant team for help with:

- understanding the guidelines for this grant
- accessing data about your local community to support your grant application
- submitting an application in a way that is accessible to you and your organisation
- trouble shooting.

Email: justicereinvestment@dcj.nsw.gov.au

Phone: 02 8688 8940

Online meeting: contact us to schedule a meeting through Microsoft Teams.

Applicant support from Thirriwirri

The NSW Justice Reinvestment Grant Program is genuinely committed to building the Aboriginal Community Controlled Organisations (ACCOs) sector and community to support self-determination.

DCJ is partnering with Thirriwirri to support the NSW Justice Reinvestment Grant Program. Thirriwirri is available to provide support to applicants who are Aboriginal and/or Torres Strait Islander Community-Controlled organisations (ACCOs) to develop your Full Grant Application during Stage 2. All applicants who identified that they are an ACCO in Stage 1 will receive additional information on what support is available and how to contact Thirriwirri.

Thirriwirri is a 100 per cent Aboriginal owned business which makes available to others their knowledge and experience, to provide support in building their own strong, successful and adaptive communities and organisations.

Thirriwirri is the Muktung (Maneroo) word for Ironbark. Ironbark is tough, textured and enduring, rooted deeply and firmly in Country and culture. It represents their commitment to working with tenacity and perseverance to deliver quality services and solutions for our clients and partners.

You can read more about Thirriwirri on their website here: <https://www.thirriwirri.org/>.

BOCSAR Data Information Session

As part of Stage 2 of the NSW Justice Reinvestment Grant Program, all applicants will receive criminal justice system data on their Local Government Area/s which you may choose to use in your Full Grant Application.

The Bureau of Crime Statistics and Research (BOCSAR) will host an online information session to take applicants through the BOCSAR data provided from 9am to 10am on Friday 5 April. During Stage 2, BOCSAR is also available to provide support and to answer questions about the data.

Attendance at the Data Information Session is optional.

All applicants will receive a Microsoft Teams invitation for the Data Information Session. If you have not received an invitation, please email: justicereinvestment@dcj.nsw.gov.au. If you are unable to attend, a recording will be available after the session.

3 Overview of grants program

What is Justice Reinvestment?

Justice Reinvestment is an approach that supports Aboriginal communities to find local solutions to local issues. The aim of Justice Reinvestment is to resource communities to develop and deliver solutions that reduce contact with the criminal justice system, including the police, courts and prison.

The causes of Aboriginal over-incarceration are complex and systemic. DCJ genuinely commits to working together with Aboriginal communities towards justice systems reform through place-based leadership and collaboration. Justice Reinvestment supports communities to identify the reasons why people end up in the criminal justice system in the first place, and then come up with a plan that can make real change.

While Justice Reinvestment is about Aboriginal-led solutions, it is also about government supporting communities to develop a plan for change. Government support can include:

- providing data held by government to help identify and analyse options
- creating deeper relationships with local service providers or government agencies to support Justice Reinvestment initiatives
- Working together to remove blockages that may get in the way of reform.

About the NSW Justice Reinvestment Grant Program

The NSW Justice Reinvestment Grant Program has been created to provide funding to Aboriginal communities in NSW to develop Justice Reinvestment approaches to systems change. Up to \$7.5 million (excluding GST) in total funding is available for initiatives across a duration of three years.

Funding can be used to:

- create or support community governance and consultation
- investigate issues, including by using data, research or through local community meetings
- develop a plan for change, including specific initiatives and/or options for reform
- implement or pilot initiatives and/or options already developed to address identified issues.

DCJ recognises that organisations at different stages of their justice reinvestment journey may wish to apply for funding for different types of activities. Funding is available to communities who are familiar with Justice Reinvestment or are already working towards agreed community goals, as well as communities that are new to Justice Reinvestment. Communities and organisations at an early stage of their justice reinvestment work can apply for a grant to support the development of a community strategy and three-year plan.

Priority will be given to three-year proposals from Aboriginal and/or Torres Strait Islander Community-Controlled organisations (ACCOs). Applicants are encouraged to read all the details in these guidelines, and the FAQs, before applying.

Stages of the NSW Justice Reinvestment Grant Program

This is Stage 2 of the NSW Justice Reinvestment Grant Program.

Only eligible organisations who submitted an Expression of Interest (EOI) during stage 1 between 23 January 2024 and 18 March 2024 are eligible to submit a Full Grant Application in Stage 2. Applications from organisations who did not submit an eligible EOI will not be considered.

Further information about the NSW Justice Reinvestment Grant Program can be found on the DCJ website here: <https://www.dcj.nsw.gov.au/legal-and-justice/strategies-and-plans/justice-reinvestment.html>.

Objectives of grants program

The overarching objective of the NSW Justice Reinvestment Grant Program is to support Aboriginal communities to reduce contact between Aboriginal adults or young people and the criminal justice system at the local level.

This may be implemented through initiatives that address interactions with the criminal justice system itself and/or address the social determinants of crime, which can include: out-of-home care, poor school education, early police contact, unsupported mental health and cognitive disability, drug and alcohol use, unstable housing, and other factors.

Given the overarching objective involves local communities addressing issues at a local level, the objectives of the Grant Program also extend to capacity-building, including:

- Establishing or supporting Aboriginal-led local governance arrangements that can identify and drive place-based change
- Deepening collaboration between Aboriginal communities and local services and groups that have a role in developing and implementing local solutions
- Supporting communities to adopt a systems-focused approach to reform
- Providing communities with access to different forms of evidence, including data, to inform work.

4 Eligibility criteria

Note: only organisations who met this eligibility criteria during Stage 1 have received an invitation to Stage 2 of the NSW Justice Reinvestment Grant Program. If the structure of your organisation has changed since submitting your Stage 1 Application, you must inform DCJ and you can only apply in Stage 2 if your organisation continues to meet the eligibility criteria outlined below.

Eligible applicants

You must meet the eligibility requirements in the eligible applicant definitions below.

Applicants must:

- be an eligible legal entity located in NSW
- be able to enter into a funding agreement with Department of Communities and Justice
- have an Australian bank account
- have an Australian Business Number (ABN)
- have public liability insurance of at least \$10 million per claim or propose to include the cost of insurance if invited to submit a Full Grant Application in Stage 2.

Eligible applicant definitions

The Department of Communities and Justice is committed to funding Aboriginal and Torres Strait Islander Community-Controlled Organisations (ACCO). Priority in the NSW Justice Reinvestment Grant Program will be given to ACCO applicants.

For the purposes of this grant an ACCO delivers services, including land and resource management, that build the strength and empowerment of Aboriginal communities and people, and is:

- incorporated by relevant legislation (including Office of the Registrar of Indigenous Corporations (ORIC) or NSW Fair Trading)
- not-for-profit
- controlled and operated by Aboriginal and/or Torres Strait Islander people
- connected to the community or communities in which they deliver the services
- governed by a majority Aboriginal and/or Torres Strait Islander governing body.

Applicants will be required to provide documentation to support their ACCO status.

In addition to ACCOs, only organisations with one of the following legal statuses are eligible to apply for funding:

- Incorporated organisation registered and approved as a not-for-profit body by NSW Fair Trading
- NSW based not-for profit company limited by guarantee (must be registered with ACNC and/or have DGR status)
- NSW based Indigenous Corporation (must be registered with ORIC)
- NSW Local Aboriginal Land Council
- NSW non-government organisation established under its own Act of Parliament.

Organisations applying in partnership: auspice arrangements and sub-contracting

An unincorporated Aboriginal community group can apply for funding in partnership with an eligible auspice organisation as the 'lead applicant' For more information on auspicing see: <https://www.nfplaw.org.au/free-resources/working-with-others/what-is-auspicing>.

Projects delivered by a group of organisations (consortium) or through an auspice or subcontracting arrangement must have a 'lead applicant'. The lead applicant must be an eligible entity included in the list of eligible organisations mentioned above. The lead applicant will enter into a grant funding agreement with DCJ if successful and have contractual responsibility for delivering the project.

For more information about subcontracting please refer to the DCJ subcontracting policy: <https://www.facs.nsw.gov.au/providers/working-with-us/fcm-resources/subcontracting>.

Non-lead partner organisations can include:

- NSW Government agencies and Local Government Councils
- Unincorporated community groups
- Non-profit organisations (which do not meet the eligibility conditions above)
- For-profit organisations providing pro bono services, and/or
- Other eligible organisations listed above.

Ineligible applicants

You are not eligible if you are:

- An individual
- Federal and State Government agencies and bodies
- NSW educational facilities (public schools, private schools, TAFE)
- For-profit organisations, including Aboriginal businesses
- Unincorporated organisations or groups without an eligible auspicing organisation
- Organisations that have not met project requirements, including acquittal and reporting, for funding received from DCJ in the previous two years
- Organisations with Redress Obligations under the National Redress Scheme that have not joined the National Redress Scheme for Institutional Child Sexual Abuse.

5 Application process

Application portal

All Full Grant Applications must be completed online via Smarty Grants, the DCJ online grants platform. Only applicants who were eligible during Stage 1 will be invited to apply for a grant in Stage 2.

You can withdraw your application at any time by emailing justicereinvestment@dcj.nsw.gov.au with your name and application number.

Stage 2 – Full Grant Application

Full Grant Applications must be received between **2 April 2024** and 5pm on **13 May 2024**.

Full grant applications will require more detail on your proposal including the following:

- impact on adult and/or young people’s contact with the legal system, prisons, and re-offending
- Project Plan – including key milestones and activities
- Project Risk Plan – Key risks and processes for managing these
- Project Budget – Detailed budget breakdown
- how community governance will be incorporated
- supporting documentation.

Before applying, please read these NSW Justice Reinvestment Grant Guidelines alongside supporting information provided in the Questions and Answers (Q&A). This can be found here: <https://www.dcj.nsw.gov.au/legal-and-justice/strategies-and-plans/justice-reinvestment.html>.

Disclosure of funding: If you have existing funding from another source for your Justice Reinvestment work (for example, Commonwealth funding or philanthropic donations), you should disclose this in your application and explain how the NSW Justice Reinvestment Grant Program funding would further support your project.

Submitting more than one application

A single organisation can make more than one application via Smarty Grants if you are applying for unique initiatives. These applications will be assessed separately.

Organisations applying in partnership

We recognise that some organisations may want to join together as a consortium (group of 2 or more organisations) to deliver a justice reinvestment proposal.

In these circumstances, you must appoint a ‘lead organisation’. The lead organisation is required to satisfy all the eligibility criteria (see Section 4 above under ‘Organisations applying in partnership’).

Late applications

Late submissions will not be considered or accepted unless in emergency or extreme circumstances. Where possible, DCJ may ask for a Cultural Review from DCJ Aboriginal staff to determine whether a late submission should be accepted. DCJ’s decision on whether to accept the request will be final.

6 Assessment process

This is an open and competitive grants program. Applicants will be assessed and scored against the assessment criteria. Applications with the highest scores are more likely to be funded. The following principles will guide the assessment process and are contained in the Assessment Criteria:

Assessment Criteria

Principle	Criteria*	Weighting
Community Governance & Collaboration	The proposal utilises, strengthens, or establishes quality local Aboriginal community governance .*	25%
	The application demonstrates local Aboriginal community support, involvement and accountability in the development and delivery of the proposal.**	
	The application demonstrates collaboration with other local services or local groups, such as health services, youth services or other organisations with a role in developing and implementing local solutions.	
Outcomes	The application explains how the proposal will reduce contact between Aboriginal people and the justice system , including police, courts and prison.	35%
	The application includes evidence to support the work and/or explains how the applicant will establish an evidence base to support the work.	
	The application will work towards tangible and clearly articulated outcomes that can be measured and are consistent with the grant program objectives.	
Implementation	The lead organisation has the appropriate skills, expertise and capacity to deliver the project, which may involve external support.	30%
	The application demonstrates cultural safety and a commitment to local Aboriginal employment.	
	The key milestones and activities are measurable and achievable. The application identifies potential risks and how they will be addressed.	
Value for money	The application demonstrates the proposal is value for money in terms of the budget and overall costs.	10%

*DCJ understands that some applicants have not yet established community-led governance or had experience with Justice Reinvestment. The Assessment Panel will take this into consideration when applying the Assessment Criteria to applications at the early stage of Justice Reinvestment.

** This may include statements of support from community organisations. Statements of support may be provided in writing, an audio recording or a video recording. If the statement is not in writing, the name, position and contact information for the person making the statement should be provided.

Prioritisation

The Assessment Panel will prioritise the following factors when recommending applications for funding:

- delivery by Aboriginal and/or Torres Strait Islander Community-Controlled Organisations (ACCOs)
- projects that are three years in duration
- ensuring an equitable geographical spread of projects
- targeting areas with the highest demonstrated need
- avoiding service duplication.

Assessment Panel

Full grant applications will be assessed by an Aboriginal majority panel. DCJ will invite senior officers from DCJ, Council of Aboriginal Peak Organisation (CAPO), NSW Coalition of Aboriginal Regional Alliances (NCARA), and community representatives to sit on the Assessment Panel.

The panel will meet to assess applications and make funding recommendations. In making its recommendations, the panel will consider:

- project rank based on assessment criteria (see Section 6)
- prioritisation factors (see Section 6)
- funding allocation.

Decision-making

The Secretary, DCJ, is the final decision-maker for funding. The Secretary will consider the recommendations of the assessment panel in this decision-making. DCJ staff may request additional information and/or clarification from applicants at any time during the assessment process.

DCJ may offer successful applicants a grant amount lower than the amount requested, given the limited pool of funding available. Part funding may be offered where an application includes ineligible activities or budget items.

Independent probity advisors will provide guidance on issues concerning integrity, fairness, and accountability that may arise throughout the application, assessment, and decision process. This helps to ensure decisions are made with integrity, fairness, and accountability, while delivering value for money for NSW.

NOTE: DCJ may ask for a Cultural Review from DCJ Aboriginal staff in relation to applications with Aboriginal content and engagement.

Notification of application outcomes

All applicants will be notified in writing of the outcome of their application.

Justice Reinvestment Grant Program grant recipients will be announced publicly by the DCJ from June 2024 onwards.

Feedback on applications

After the grant application process is complete and all applicants have been advised of the outcome, applicants can request feedback by contacting DCJ. Feedback sessions will be held via Teams meetings.

There is no appeals process available for this grant program.

Publication of grants information

The Grants Administration Guide requires that certain information is published in relation to grants awarded no later than 45 calendar days after the grant agreement takes effect (see section 6.5 of the Guide and Appendix A to the Guide). This information is also open access information under the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act), which must be made publicly available unless there is an overriding public interest against disclosure of the information.

In accordance with these requirements, relevant information about the grants awarded will be made available on the NSW Government Grants and Funding Finder as soon as possible after the grant funding is approved or declined.

All records in relation to this decision will be managed in accordance with the requirements of the *State Records Act 1998* (NSW).

7 Successful grant applications

Grant agreement

Successful applicants are required to:

- enter into a Grant Funding Agreement with DCJ within two weeks of the grant offer being made
- start and complete funded activities and events within the dates specified in the Funding Agreement
- seek approval from DCJ for any proposed changes to a funded activity before the proposed changes being made
- acknowledge the support of the NSW Government in accordance with the Funding Agreement (acknowledgement guidelines: “The NSW Government proudly supports this community-led partnership with funding provided under the NSW Justice Reinvestment Grant Program”)”
- project variations may be accepted where the requested change aligns with the Program Guidelines and the original intent of the approved project.

NOTE: No grant agreements will be accepted after 19 June 2024 due to end of financial year deadlines. If you do not return your grant agreement by this date your grant will be forfeited.

Grant payment

Grants will be paid in instalments. The first instalment will be paid upon return of the fully executed Funding Agreement. The Funding Agreement will also specify future instalment dates.

What funds cannot be used for

- services delivered outside NSW
- wages, salaries, and on-costs for ongoing staff
- sitting fees, travel allowance, or costs associated with membership of boards/councils
- international travel costs (proposals for domestic travel costs need to demonstrate the benefits of travel to the project, organisation, and community)
- costs that are not directly associated with the delivery of the proposal that is funded by the grant
- proposal costs that are supported by another grant, subsidy or financial assistance
- proposal works or costs that have been or will be covered by insurance claims (for example, repairs following weather events)
- proposal costs incurred before the earliest possible start date of 30 June 2024
- costs to cover existing debts or budget deficits
- general operational or business as usual costs
- maintenance or construction of residential infrastructure
- infrastructure (capital works), equipment purchases and other assets, including the purchase of vehicles

- commercial activities
- cash payments
- management or administration fees

If you have questions about what funding can or cannot be used for, please contact DCJ at: justicereinvestment@dcj.nsw.gov.au.

Indicative reporting and acquittal requirements

Grant recipients will be required to:

- Work with DCJ to establish a reporting framework and reporting requirements
- Complete progress reporting as requested by DCJ
- Agree that DCJ staff may meet virtually or visit in person, during or at the completion of your grant activity, to review your progress. We will seek your permission to visit, in accordance with local protocols, and provide you with reasonable notice of any visit
- Complete a Final Report on project outcomes and Financial Acquittal within two months (56 days) of project completion
- Allow DCJ to inspect the records you are required to keep under the grant agreement.

If the acquittal is not complete within the required timeframe, you will not be eligible to apply for any DCJ grants for the following two years.

Evaluation

DCJ will work with all grant recipients to undertake an evaluation of initiatives funded under the NSW Justice Reinvestment Grant.

DCJ may seek your permission to use information from your application and progress reports for the purpose of completing this evaluation.

DCJ may also ask you for more information to help us understand how the grant is contributing to positive changes within your community in relation to reducing contact with the legal system among Aboriginal adults or young people. This will help us to understand local improvements supported by the program and evaluate how these local improvements are contributing to broader, whole-of-program, outcomes at the NSW level.

DCJ may contact you up to three years after you finish your grant for more information to assist with this evaluation.

Unspent funds

If a grant recipient's project is completed and there are unspent funds remaining, these must be returned to DCJ.

Alternatively, the recipient may request a variation to use the funds for other items related to the project, ensuring these items are eligible under the Program Guidelines and are within scope of the approved project.

8 Additional information

Complaint handling

Any complaints should be sent in writing to: justicereinvestment@dcj.nsw.gov.au

Access to information

Note that documents submitted as part of a grant application may be subject to an application under the GIPA Act or an order for papers under Standing Order 52.

The GIPA Act provides for the proactive release of government information by agencies and gives members of the public an enforceable right to access government information held by an agency (which includes Ministerial offices). Access to government information is only to be restricted if there is an overriding public interest against disclosure.

Before information is released in response to an application under the GIPA Act, there will be an assessment of the public interest considerations in favour of and against disclosure of that information, and there may be consultation requirements that apply.

The NSW Legislative Council has the power to order the production of State papers by the Executive Government. Standing Order 52 provides that the House may order documents to be tabled by the Government in the House. The Cabinet Office coordinates the preparation of the papers – that is, the return to order. The return to order may contain privileged and public documents. Privileged documents are available only to members of the Legislative Council.

Ethical conduct

Conflict of interest management

Conflicts of Interest between DCJ and applicants will be managed in accordance with the DCJ's code of conduct, and declarations are made and recorded by all persons involved in performing functions related to the assessment process.

Confidentiality

DCJ staff who assist any applicant with an application will not be involved in assessment for that application.

Information relating to the successful applications, including the name of the applicant, description of the funded project and the funding amount, will be included in: Public media releases, an announcement on the DCJ website, the NSW Grants finder website, and/or DCJ social media.

Disclaimer

Every effort has been made to ensure that this publication is free from error and/or omission at the date of publication. The authors, publisher and any person involved in the preparation of this publication take no responsibility for loss occurring to any person acting or refraining from action as a result of information contained herein.

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