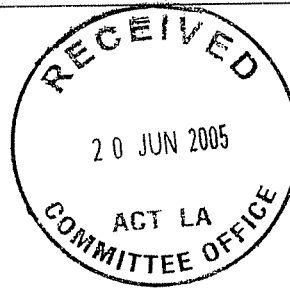




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10 JUN 2005

Ms Mary Porter MLA
Chair
Standing Committee on Education, Training and Young People
Legislative Assembly for the Australian Capital Territory
GPO Box 1020
CANBERRA ACT 2601

	A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE
SUBMISSION NUMBER	11
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Dear Ms Porter

INQUIRY INTO RESTORATIVE JUSTICE

Thank you for your letter of 20 April 2005 concerning the Legislative Assembly for the Australian Capital Territory Inquiry into restorative justice.

The attached information provides details about some restorative justice programs being implemented in Victoria. I have provided copies of this letter to the Hon Sherryl Garbutt MP, Minister for Community Services and the Hon Tim Holding MP, Minister for Police and Emergency Services, who have responsibility for these areas.

I wish you success with the Inquiry and I would appreciate receiving advice about the outcomes when they become available.

Yours sincerely

JACINTA ALLAN MP
Minister for Employment and Youth Affairs

cc The Hon Sherryl Garbutt MP, Minister for Community Services
cc The Hon Tim Holding MP, Minister for Police and Emergency Services

Victorian Restorative Justice Programs

Program

Family Group Conferencing - Child Protection, Department of Human Services

Family Group Conferencing (FGC) was introduced in Victoria in 1992, piloted by child protection in 1994 and implemented statewide in 1996. 'Family' is defined broadly to include extended family, friends and cultural groups. A Family Group Conference is a meeting that is held with members of the extended family to make plans for a child or young person. Family Group Conferences can happen when the Department of Human Services has assessed that there is abuse or neglect or where the child or young person is on a Protection Order from the Children's Court.

Domain (family/school/youth service setting/youth justice setting)

Family - convenors are well prepared and skilfully apply the model in often difficult and volatile family situations.

Strategies for involving young people

FGC in child protection is a process that provides for maximum involvement of family in decision making. Children and young people are encouraged to attend the family meeting and a support person can attend with a family member (child or young person) if needed. Child protection workers explain what risks there are to the child or young person's safety and the reasons for their involvement.

Outcomes

The evaluation of the statewide implementation of FGC was undertaken by a team from Monash University Social Work Department at the request of the Victorian Department of Human Services. The report of the evaluation was published in February 1999. Outcomes included that FGC is successful in involving families in planning, FGC focuses on family strengths, FGC is successful in building positive partnerships between worker and family members, FGC influences other programs and practices in that it promotes a child centred family focused philosophy, families were satisfied with the FGC process and with the decisions that were made, families felt more satisfied with what the child protection workers did and said in the family group conferences.

Contact for further information

Ms Chris Asquini, Director Child Protection and Family Services, DHS. Tel: (03) 9616 7086.

Program

Group Conferencing program – Juvenile Justice, Department of Human Services

The Group Conferencing Program was originally established in Victoria under the auspice of a community service organisation and funded by a philanthropic trust. The program was later funded by the Department of Justice between 1998 and 2001 and in July 2001 responsibility for the pilot program was transferred to the Juvenile Justice program, Department of Human Services (DHS). In 2002/03 DHS provided additional funding to expand the Group Conferencing Program to cover all metropolitan Children's Courts and two rural programs.

A statewide advisory committee, which includes representatives from the Children's Court, Victoria Police, Victoria Legal Aid and the Department of Justice, advocates for and supports the program. In the Spring 2005 session of Parliament in Victoria, it is proposed that Group Conferencing be embedded in legislation and that access to the program be expanded across Victoria from July 2006.

Domain (family/school/youth service setting/youth justice setting)

Youth Justice – the Victorian Group Conferencing Program is a pre-sentence diversionary intervention with voluntary participation of all parties. The juvenile justice system in Victoria has a strong focus on diversion and this is one of the aims of the Group Conferencing Program.

Strategies for involving young people

The Group Conferencing Program is a restorative justice initiative which brings together the young offender, their family, victims and community supports to address the young offender's offending behaviour and increase the understanding of the impact of their offending.

Outcomes

The effectiveness of the pilot program is currently being reviewed.

Contact for further information

Ms Jan Noblett, Director, Juvenile Justice and Youth Services, DHS. Tel: (03) 9616 7533.

Program

Restorative Justice Mentoring Program

The Restorative Justice Mentoring Program commenced operation through a community service organisation in November 2004 in the southern and eastern metropolitan regions of Victoria. The State 'Community Support Fund' has provided \$1.2 million over three years to deliver the program.

Domain (family/school/youth service setting/youth justice setting)

Youth Justice – the Restorative Justice Mentoring Program's purpose is to connect eligible young people on custodial sentences or on youth attendance or supervision orders to employment, education and training opportunities. For young people on custodial orders, this forms part of their post release support services.

Strategies for involving young people

The Mentoring Program aims to build a relationship with a young person with the purpose of linking them to employment, education and training. By linking mentoring with employment, education and training, the Mentoring Program combines opportunities that have been identified as reducing recidivism.

Outcomes

The mentoring program has a strong evaluation focus that examines whether involvement in the program enhanced the employment, education and training opportunities and/or the achievements of young people and provided young people with the opportunity to participate in community activities that seek to develop their health, well being and social connection.

Contact for further information

Ms Jan Noblett, Director, Juvenile Justice and Youth Services, DHS. Tel: (03) 9616 7533.

Program

Criminal Justice Diversion Program (Magistrates Court of Victoria)

Diversion provides mainly first time offenders with the opportunity to avoid a criminal record by undertaking conditions that benefit the offender, victim and the community as a whole.

Domain (family/school/youth service setting/youth justice setting)

Youth Justice – the Magistrates Court intends the Program to provide a range of benefits including ensuring appropriate restitution is made to the victim of the offence (and where appropriate to tender an apology to the victim either by letter or in person), the prevention of re-offending and assisting local community projects with voluntary work and donations.

Strategies for involving young people

Prior to any appearance before a Magistrate, the Diversion Co-ordinator interviews the offender so as to identify the major issues in the case and to formulate a suggested outcome. This is done to assist the presiding Magistrate and lessen the required amount of court time.

Outcomes

At the diversion hearing the Magistrate assesses the suitability of the offender for Diversion and a diversion plan is developed. The plan may require the offender to apologise to the victim by way of a letter or in person, compensate the victim, perform voluntary work or make a monetary donation to a charitable organisation, local community project or the like.

Contact for further information

Mr Joseph Shields Senior Diversion Co-ordinator, Melbourne Magistrates' Court, Tel: (03) 9628 7862.