



The Honourable Warren Pitt MP
Member for Mulgrave



**Queensland
Government**

Our reference: A/05/07260
CMM02958

12 JUL 2005

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

 A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE	
SUBMISSION NUMBER	9
DATE AUTH'D FOR PUBLICATION	26/7/2005

Minister for
**Communities,
Disability Services
and Seniors**



Dear Ms Porter

I refer to your letter of 20 April 2005 to the Honourable Rod Welford MP, Attorney-General and Minister for Justice concerning the Standing Committee on Education, Training and Young People of the Legislative Assembly for the ACT inquiry into restorative justice programs in youth settings. As this matter falls within the portfolio responsibilities of the Honourable Warren Pitt MP, Minister for Communities, Disability Services and Seniors your letter has been forwarded to his office for reply.

As Parliamentary Secretary to the Minister for Communities, Disability Services and Seniors, I have been asked to respond on the Minister's behalf.

The restorative justice framework underpins the Youth Justice Conferencing process available to both police and courts for dealing with young people aged 10-16 years who commit offences.

Youth Justice Conferencing was introduced to Queensland in 1996 through amendments to the *Juvenile Justice Act 1992*. It was originally available in three pilot programs with each location having a different model of service delivery and management. In 2001, the Department of Communities became responsible for each service and the development and delivery of the conferencing program. This legislation can be accessed via the Queensland Government website: <http://www.legislation.qld.gov.au/Legislation%20Docs/CurrentJ.htm>.

Following positive evaluation by Griffith University, a statewide roll-out of conferencing commenced in 2002. An additional \$2.4M over two financial years was allocated in the 2002-2003 State Budget to allow for Youth Justice Conferencing to be conducted in all areas of Queensland. This expansion was completed in December 2003 and as a result, conferencing is now accessible statewide.

13th Floor 111 George Street
Brisbane Queensland 4000
PO Box 187 Brisbane Albert Street
Queensland 4002 Australia
Telephone +61 7 3235 4280
Facsimile +61 7 3210 2186
Email CandDS@ministerial.qld.gov.au
Website www.communities.qld.gov.au
Website www.disability.qld.gov.au
DOC ABN 38 872 506 567
DSQ ABN 25 791 185 155

Ten million dollars (\$10M) has been allocated over four years (\$2.5M in 2005-2006) in the 2005-2006 State Budget to expand the capacity of Queensland's Youth Justice Conferencing program to meet increased demand.

The Department of Communities operates Youth Justice Conferencing from 12 services across Queensland. A coordinator located in each service manages a pool of mainly casual convenors who facilitate the Conference preparation with participants and run the Conferences. The Department of Communities' Youth Justice Conferencing Unit, located in the Office for Youth, supports these services. This Unit provides policy and practice support to the Conference services. The annual budget for 2004-2005 for Youth Justice Conferencing is \$4.2M.

Conferencing serves more than one function in the Queensland youth justice system:

- It is a diversionary response available to police as an alternative to starting a Court proceeding once a young person has admitted to an offence (Police referral);
- Conferencing is available to courts when a finding of guilt is made against a young person and the Court considers it appropriate to refer the young person to a Conference as an alternative to sentencing them (Indefinite referral); and
- A Court may refer a young person to a Conference where it believes a Conference would help the Court to make an appropriate sentence (Conference before sentence referral). There is no limit to the type of offence that may be referred to a Youth Justice Conference.

The Youth Justice Conference is a meeting between the people who have been most affected by a young person's crime. This includes the young person, their family or other support people, the victim and their supporters, the police and community members. Family involvement and the participation of Indigenous Elders and communities play crucial roles in Conferences, participating in the process as supporters for young people and victims, supporting young people's performance of Conference agreements and assisting with the reintegration of young people and victims into their wider communities.

At the Conference, the parties have the opportunity to talk about what happened and how they have been affected by the crime with the purpose of reaching an agreement on how the young person might work towards repairing the damage or harm done and minimise further harm.

An agreement could include various undertakings by the young person, including an apology; replacing or repaying for the damage; or performing voluntary work for the victim or wider community. The agreement cannot provide for the young people to be treated any more severely than what a Court could order. Youth Justice Conferencing agreements are legal documents and compliance is monitored by the Youth Justice Conferencing service.

Youth Justice Conferencing has demonstrated excellent outcomes, with 2004-2005 (to May) results including:

- 1,508 Youth Justice Conferences held;
- Agreements reached in 95% of matters conferenced;
- Over 97% of victims who participated in Conferences reported that they felt the Conference process was fair and were satisfied with agreements made; and
- Only 6% of young people were breached for failing to comply with their agreements.

Youth Justice Conferencing aims to be a safe participatory process that facilitates a positive transition from the past crime to a future-focused, solution based outcome. The process draws upon the strengths of the young person, family and community, to develop positive and empowering agreements that send messages of reparation of harm for all involved and reintegration of the young person back into the community.

If you require any further information or assistance in relation to this matter, please contact Mr Shane Ryan, Acting Manager, Youth Justice Conferencing, Office for Youth, Department of Communities on (07) 3405 6404.

I trust that this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Neil Roberts', with a stylized flourish at the end.

Neil Roberts MP
Parliamentary Secretary
to the Minister for Communities,
Disability Services and Seniors
Member for Nudgee

