

Appendix B: Restorative Justice Practices available in Australian criminal justice systems

Yellow: Aboriginal and Torres Strait Islander Specific

State:	Youth Conferencing	Adult conferencing	Victim-Offender mediation
New South Wales	<p>Youth Justice Conferences: http://www.djj.nsw.gov.au/conferencing.htm</p> <p>Conferences bring young offenders, their families and supporters face-to-face with victims, their supporters and police to discuss the crime and how people have been affected. Other experts and respected members of the community may also be invited to participate. Together, they agree on a suitable outcome that can include an apology, reasonable reparation to victims, and steps to reconnect the young person with their community to help them desist from further offending.</p>	<p>Forum Sentencing: http://www.lawlink.nsw.gov.au/lawlink/cpd/ll_cpd.nsf/pages/forum_index</p> <p>Forum Sentencing brings together an offender, their victim(s), and other people affected by a crime at a 'Forum'. The aim is to help repair harm to the victim and the community, and reduce the offender's likelihood of re-offending. It also gives an offender the opportunity to learn about the impact of their behaviour on victim(s) and other people.</p>	<p>Victim-offender conferencing (Restorative Justice Unit): http://www.correctiveservices.nsw.gov.au/information/restorative-justice</p> <p>The Restorative Justice Unit facilitates a range of restorative processes, specialising in Victim-offender conferences, which take place after an adult offender is sentenced and in relation a wide range of offences. A victim-offender conference will only take place if the offender accepts responsibility for the offence, and both the victims of crime and the offender agree to take part.</p>
Victoria	<p>Youth Justice Group Conferencing: http://www.dhs.vic.gov.au/for-service-providers/children,-youth-and-families/youth-justice/contacts-and-locations/youth-justice-court-advice-service-yjcas-contacts</p> <p>Group conferencing is a</p>		

	<p>program based on restorative justice principles. It is a problem-solving approach to offending that aims to balance the needs of young people, victims and the community by encouraging dialogue between individuals who have offended and their victims.</p>		
Queensland	<p>Youth Justice Conference: http://www.justice.qld.gov.au/youth-justice/youth-justice-conferencing</p> <p>A youth justice conference is a meeting facilitated by a convenor. A conference brings the young person and their family together with the victim (if they wish to attend) as well as a police officer. The aim of a youth justice conference is for the victim, the young person and their family to come up with an agreement about how the young person can begin to repair the harm caused by the offence.</p>		<p>Justice Mediation Program: https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/setting-disputes-out-of-court/justice-mediation/</p> <p>Justice mediation is a face-to-face meeting between a person who has been harmed in an incident (the complainant) and the person responsible for it (the defendant). It's voluntary, confidential and free.</p> <p>The complainant can discuss how they were affected by the defendant's actions and the defendant can try to repair the harm they caused. Friends or relatives may attend for support.</p>
South Australia	<p>Family Conferencing: http://www.courts.sa.gov.au/OurCourts/YouthCourt/Pages/Family-Conferences.aspx</p> <p>Family conferences occur when a youth (a young person of ten years or older but under the age of eighteen years) admits the commission of a "minor offence" within the meaning of the Young Offenders Act.</p>	<p>Port Lincoln Aboriginal Conferencing: http://www.courts.sa.gov.au/Community/Pages/Aboriginal-Programs.aspx</p> <ul style="list-style-type: none"> Operates monthly (when conferences are referred) on a Monday Conference is held out of court, without Magistrate Attendees are defendant, victim, Elders, family members, support 	

	<p>Referrals are made to the Conferencing Unit by the police and occasionally, by the Youth Court. Family conferences are able to be flexible where they are held and the times they are listed, to suit the parties.</p> <p>At a family conference the young offender, their parents, guardians, family and friends, the victim of the offence and their supporters, and a police youth officer are brought together by the youth justice coordinator to discuss the offence and to decide how the offence will be dealt with.</p>	<p>agencies, Prosecution, Conference Coordinator (Family Conference Team) and AJO</p> <ul style="list-style-type: none"> • Facilitated by Conference Coordinator and AJO • Report of conference given to Magistrate on following Wednesday for consideration in sentencing • Supported by Youth Justice Coordinator (Family conference Team) and AJOs. • LINK to Conferencing Unit information re Port Lincoln Aboriginal Conferencing 	
<p>Western Australia</p>	<p>Family Group Conferencing (Juvenile Justice Team [JJs]): https://www.correctiveservices.wa.gov.au/youth-justice/prevention-diversion.aspx</p> <p>JJs make sure young people are held accountable for their offending behaviour. Referrals are generated by police or the Children's Court. JJs arrange meetings with the young person, their families, victims and police to find out the best way a young person can make up for their offence. This is called an action plan. If a young person successfully completes the</p>		<p>Victim-offender mediation: https://www.correctiveservices.wa.gov.au/victim-services/victim-offender-mediation/default.aspx</p> <p>The Victim-offender Mediation Unit (VMU) provides a mediation service between victims of crime and offenders.</p> <p>This service is available to both adult and juvenile offenders and the respective victims of their crimes.</p> <p>The mediation is free, impartial and private.</p> <ul style="list-style-type: none"> •

	<p>action plan they will not receive a criminal record.</p> <p>JJs may also offer a court conferencing service for young people with more serious offending backgrounds to encourage them to start an action plan before being sentenced to show their willingness and ability to change their behaviour. Referrals to Court Conferencing are only made by the Children's Court and there usually needs to be a known victim willing to participate in the process.</p>		
<p>Northern Territory</p>	<p>Youth Justice Conference (Youth Justice Division): http://www.correctionalserVICES.nt.gov.au/YouthJustice/TheYouthJusticeDivision/Pages/default.aspx</p> <p>The Youth Diversion Scheme (YDS) operated by Northern Territory Police operates within a Restorative Justice framework and includes verbal and written warnings and family and victim-offender conferencing. Conference outcomes can include referral to formal programs, and conditions</p>		

	such as an apology to the victim and engagement with school.		
Tasmania	<p>Community conferencing (Community Youth Justice Teams): http://www.dhhs.tas.gov.au/youth/youth_justice/community_justice</p> <p>Young people are assisted to stay out of the criminal justice system through a restorative justice approach, including services such as Community Conferences.</p> <p>Youth Justice Workers support the young person through a range of methods, to help reduce offending and increase pro-social behaviour.</p>		<p>Victim-offender Mediation (Department of Justice): http://www.justice.tas.gov.au/victims/mediation</p> <p>Victims Support Services is able to provide Victim/Offender Mediation where appropriate. Requests for Victim/Offender Mediation can be received from either the victim of the crime, the family of the victim and/or the offender.</p> <p>A formal process will be undertaken before Victim/Offender Mediation occurs. This includes:</p> <ul style="list-style-type: none"> • ensuring both the victim and offender are prepared and able to take part in mediation • finding out what each party expects from mediation • finding out if the expectations of both are reasonable and are likely to be met • ensuring as much as possible, that the process will be positive for all concerned • ensuring the safety of all involved is not compromised
Australian Capital Territory	<p>Restorative Justice Unit: http://www.justice.act.gov.au/criminal_and_civil_justice/restorative_justice</p> <p>The ACT Restorative Justice Unit's (RJU) primary objective is to provide restorative justice to members of the ACT</p>		

	<p>community who have been affected by an offence in a forum that provides:</p> <ul style="list-style-type: none">• victims with an opportunity to talk about how the offence has affected them and others close to them;• offenders with an opportunity to accept responsibility for their actions;• victims, offenders and supporters an opportunity to discuss the harm and what needs to be done to repair that harm; and• offenders with an opportunity to repair the harm done by the offence.		
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