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LAW REFORM COMMITTEE

Inquiry into alternative dispute resolution

Melbourne — 25 February 2008

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Witnesses

Mr T. Hayes, Project Coordinator, Community Justice Program, and

Mr R. Jeffrey, Convener, Youth Justice Group Conferencing Program, Jesuit Social Services.

The CHAIR — Welcome and thank you very much for coming along to the hearing. Just a couple of preliminaries that you may have heard before. Firstly, the proceedings here this morning are covered by the Parliamentary Committees Act. That affords both of you parliamentary privilege, so that anything you say in the hearing today will be protected by parliamentary privilege but if you say the same things outside the confines of this hearing you will not be afforded that privilege. Secondly, Hansard is recording what we discuss this morning. You will be sent a draft transcript of that after the hearing and you can make changes to detail to just clarify things but obviously not of a substantive nature.

Obviously we have received your submission and thank you very much for it and the document that you sent as well. The way we have found it works effectively is that we will leave it open to you to make any setting up comments — 10 or 15 minutes, as long as you like — and then we will hop in with some questions and discussion that grows out of what you say and some of the things that we prepared in advance. Over to you.

Mr HAYES — Our submission is not extensive because I am aware that you have seen other people in relation to the programs that we run. We are from Jesuit Social Services and we have been operating the group conferencing program in the Melbourne metropolitan area since it started in 2003, funded by the Department of Human Services. As Peter mentioned earlier, there were two programs operating in the country at the same time. Since last year — or the year before, in October 2006 — group conferencing was introduced in the other parts of Victoria, in the Children's Court, and other agencies, and I guess you might be aware of who they are, run programs in the country.

You have talked to Judge Grant and Brayton Youth and Family Services from Shepparton. As a result, we did not do an extensive submission, but what we put in we thought would try to help you understand what happens in relation to group conferencing when it is actually done by conveners like ourselves. For that reason, we have included some case studies in attachment 2. I am not sure if you have had a chance to read those, but we have asked that they not be published because of potential confidentiality issues.

The CHAIR — Yes, we have been advised of that and as a consequence we will not be asking you any questions about that.

Mr HAYES — We do not mind you asking questions about them.

The CHAIR — A record of the discussion will go on the website so it is probably best that we leave that out of the picture this morning.

Mr HAYES — It was an attempt to try to give you some idea of what happens when we deal with young people in conferences. Another attachment talks about the sorts of voluntary work that young people do in the community and the various hours that that entails, and also the sorts of statements they make about how they will stay out of trouble in the future. Those two aspects — making amends to the victim and staying out of trouble in the future, preventing reoffending — are part of the outcome plan which is what happens in a group conference.

In terms of ourselves, our submission basically makes some comments around data collection. We believe that there should be ongoing evaluation of the group conferencing program and that funding should be provided for that evaluation to continue on. That means that data should be collected from the service providers that will assist in an ongoing evaluation rather than appointing someone every few years to do an evaluation of the program and to see how things are going.

We have mentioned in our document, and it has been mentioned by another agency as well, that at a conference an outcome plan is developed. That is one of the practical things that comes out of conferencing, an outcome plan by the young person and those people that are present at the conference. The outcome plan consists of two parts. One is how to make amends for some of the harm that has been done to the victim or victims, and the second part is how the young person can stay out of trouble in the future — prevent reoffending is the term they use.

In terms of our funding and in terms of the program guidelines we had from DHS, there is no acknowledgement or recognition of that phase in the conferencing process. Basically the view is that once a conference is finished, the follow-up on that outcome plan and its implementation belongs to the participants — that is, the young person, his or her family and also whoever has been appointed as a key person. Since we started our program we have always made it a point to follow up because we believe it is a practice issue. To have good practice you have to follow up

because if the young person does not do what they agreed to, the victim is re-victimised or unsatisfied with the process, and anything that has been promised to them does not happen.

We place a big emphasis on follow-up and I think, as mentioned in our document at the end of the attachments, in terms of the follow-up on outcome plans, 87 per cent of the outcome plans we have done in the last four and a half years have been fully completed. By that I mean the agreement that was made to make amends to the victim has been followed through and finalised. In the other ones that were not done, the 13 per cent, most of the outcome plan was done but maybe one task was not completed or followed through by the young person.

We consider that service providers should be funded for that and that it should be acknowledged in the program guidelines because that is such an important part. Otherwise you have a program that does not have credibility and victims are just being re-victimised by a failure to follow up.

In terms of qualifications and standards, there should be some effort made to have qualifications and standards available for people who run conferences so that the recipients of the service can be sure they are getting the service from people who are qualified or trained properly, but not necessarily legislated by government but by the agencies that are available, like VARJ and these other agencies in the country that deal with mediators and people who run alternative dispute resolution operations. They were the main points that I thought I would mention initially. Did you want to say anything at this stage, Russell?

Mr JEFFREY — No, I do not think so.

Mr HAYES — So really we are interested in your questions.

The CHAIR — Let us just open it up. You have given us a bit of a bird's eye view of the main steps where you engage in the process. What I would be keen for you to talk to us a bit about is what it feels like on the ground. What are the kinds of issues that you deal with, without obviously going to the case studies and all the rest of it, but just that currency of when you get the first referral and that all-important area of the follow-up and that step-through that you talked about? How are people feeling? What are some of the difficulties, some of the issues that you deal with on the ground?

Mr HAYES — Perhaps Russell might like to deal with that and then if you have questions just ask them as we go along.

Mr JEFFREY — With a young person, when he or she is referred to a group conference — it happens in the Children's Court, obviously — it is the magistrate or the legal rep who normally suggests it. Once the magistrate agrees initially that it is okay, the young person is assessed as suitable by the youth justice court advice worker. There is an initial assessment there to make sure that the young person understands what they are putting their hand up for, I guess, and also that they have a degree of — well, they have pleaded guilty in the initial stages, so they agree with that.

The CHAIR — Is the admission of guilt connected to the option of conferencing?

Mr JEFFREY — Yes. They have to plead guilty. However, I guess the degree to which young people own that initially might differ a little bit. Their understanding, and what they understand to be guilty, is what is in a police summary and what their legal rep has said in court. It does not necessarily mean that they take full responsibility for what they have done at this particular stage. Once a young person is referred, they are seen as suitable for the program. The matter is stood down for about 8 to 10 weeks normally and within that period the convener works with the young person, and potentially the victim, to prepare them for the conference. The two happen in parallel, of course.

I guess if I can talk about the victim initially, in the Victorian model we are reliant on the police to pass on the victim's details, so in the initial part of the program we will contact the informant, talk to them a little bit about the program and ask them to contact the victim and gain their permission to have their contact details shared with us so that we can talk to them. This is a difficulty within our program because we are reliant on the police. While they are not selling the program, I guess that when they talk to a victim they might have a bit of bias there, and they may not. In the initial stages we do not have direct access to the victims, which is difficult because, as you would be aware, when a victim might hear: 'Somebody from the group conference program has contacted me — the

informant — and they are arranging a meeting with you and the offender. What do you think about that?'. So that is fraught with problematic issues there.

The CHAIR — Has Jesuit Social Services got ideas about how that can be improved?

Mr JEFFREY — Maybe Tony might want to speak about that.

Mr HAYES — In New South Wales the court will send victim details through the coordinator of the program, who will then allocate it to a sessional convener. That is in New South Wales, because in all the other states police refer to conferencing. They do not do that in Victoria. If the court were to send the group conference services the details of the victim and the service provider could contact the victim and maybe explain and send information, we might have a better chance of getting more than 52 per cent of victims at conferences, which is one of my attachments. So you have got 10 000 police in Victoria and you rely on whoever you talk to — either a constable or a senior constable or a detective — to explain this program to the victim.

One of the guidelines talks about the excluded offences categories. Manslaughter and sex offences cannot be referred to conferencing, nor crimes of serious violence. I think that is how it is talked about in the guidelines. We do get some problems sometimes when the police say, 'How come this has been referred to conferencing? It is too serious'. But with the new legislation that was put into effect with the new Children, Youth and Families Act 2005, there is no stipulation in the act about what offences cannot come to conferencing, so therefore magistrates are not restricted by types of offences. They know manslaughter and sex offences will not come to conferencing, but the serious offences category is a bit unclear. We have asked DHS to clarify that, but the response we got was, 'Leave it up to the magistrates'.

Not only have we got to ask the police to try to talk to the victims about this program and explain it to them, but we have also sometimes got to deal with police unhappiness with why this has gone to conferencing, because they are dealing with the victims in a direct fashion, and victims sometimes say, 'How come this is going for a conference? It is a soft option; they will get off easy'. It is a bit of a problem in the way the system has been set up, so if you want more victims at group conferences, I think you have to look at what the current system is.

Mr JEFFREY — I guess in the event that we do have access to the victim, the victim contacts us or we contact them and we talk a little bit about the program, and what we do then is do an assessment with the victim and talk to them a little bit about the process. What I mean by 'assessment' is essentially how they are feeling about what happened, where they are at with it. Depending on that, we will organise support for the victim.

We have good links with the Victims Support Agency. If a victim has agreed to participate at the conference, we recommend that they bring some support people with them — if they are young, their parents, possibly; if they are older, their spouse, friends, whatever — to assist them through that process. Similarly, if they have nobody there, we look at the Victims Support Agency to be there, because effectively we do not want anybody hurt by the process, so we look at that. We talk to the victim also about what they will expect at the conference, the types of questions we would ask, how they might feel emotionally going through that process, and try to answer any questions. Victims come to conferences for many different reasons. Some of them are just curious, others are very angry, and others think, 'It has been mandated by the court; I should go'. It is not necessarily one particular reason why victims attend, so we need to understand that and where they are coming from.

In my experience of running over 60 conferences, I have only had one victim who I thought was probably not suitable to attend, and the only reason for that was they had pretty serious psychiatric health issues and, in consultation with that person's worker, we felt it was not appropriate. However, they did participate in terms that they spoke to a Victims Support Agency representative and were able to have their views about the crime shared at the conference.

In the event that the victim does not want to attend, we try to get somebody from the Victims Support Agency to act on their behalf, which would mean speaking to them first, or somebody else that they might like to attend. If the victim, at the stage where the informant speaks to them, says, 'No, I do not want anything to do with this', we leave it at that, and we will contact the Victims Support Agency and they will attend the conference and speak in more general terms about the type of offence and what the victim might have experienced.

As I said, in parallel to working with the victim or victims issues, I guess, we work with the young person. We normally meet with the young person about four times, possibly more. The sequence of meetings normally goes

like this. At the first meeting will be talking about what is going to happen. We try to have that first meeting with the young person's parents or carers. It is often very confronting for the young person at that stage, because at that stage he or she realises that they need to talk about what they did in front of all these people. It is an extremely transparent process, and normally at that point, if mum and dad are there, if they are lucky enough to have two parents, a lot of the time the parents are not aware of what actually happened and they can be quite shocked. It is about talking about the process, making sure that the young person understands clearly what is happening and then starting to open up discussions about what needs to happen in the future in terms of getting that young person and their supports ready for the conference.

Again, I would do an assessment of that young person, on the types of issues or problematic issues that they might have in their life, and that can range from drug and alcohol issues, it could be homelessness, unemployment, anger management or health issues. If these issues are not currently being addressed — —

The CHAIR — Could I ask, out of the 60 is there only 1 person with a mental health issue?

Mr JEFFREY — Sorry, that is a victim.

The CHAIR — Sorry, my mistake.

Mr JEFFREY — Certainly young people normally come with a raft of problems. I guess that many of the young people who come to group conferencing might already have workers in their lives who have been linked in at school, or they might have been in contact with the youth justice system and they might have workers there. Then again, they might not. If the young person has those issues we will try to link them in with community supports. There is a very pragmatic way of helping the young person with their problems.

The second point, and what we are trying to do, is to prepare them for the conference and get them to a stage where they can speak about what happened and can start to think about what they need to do in the future to both make amends for some of the harm and to prevent further offending. In terms of addressing any problematic issues in the young person's life, that goes a long way to helping them to stop reoffending. A pragmatic way of looking at that would be with drug and alcohol issues, if they have got an addiction to a substance, they can address that and that can prevent their offending, hopefully, in the future, or go a long way to that.

With young people, like I said, ideally if they have got parents that is fantastic because the parents might attend the conference to support that young person, and there might be other people — there might be a footy coach, there might be a netball coach, there might be a schoolteacher; there might be some type of youth group where that young person is supported. However, with young people who are essentially homeless and have got many issues in their life they might not have anybody. It is quite rare that somebody has nobody, but it has happened. It is about identifying those people in the community.

The role of support people for a young person at a group conference in the first instance is to talk about the young person and to support them at the conference, but I guess that very often it is the parents who have been traumatised by what has happened and they are hurt. When I speak to groups I always say, at my initial meeting if there is a mum and dad there, that the dad wants the kid locked up and the mum just wants to hug them to death. It is very much like that. Very often the parents do not talk and it has caused a rift between them in the relationship. Mum says, 'If we had done this, he would be all right'. So a lot of that healing process needs to begin before we get into the conference. Of course a lot of that happens.

Also, somebody needs to be identified within that young person's life who can support that young person to complete their outcome plan; what is agreed to at the conference. That is normally not the parents if we can help it, and somebody who is a bit abstract from the family, like a sports coach or teacher or something, is ideal there. We have had meetings with the victim, we have had meetings with the young person and their family and their supports, and we have tried to initiate some support services for the young person possibly and we are ready for the conference.

Did you want to talk about the conference, Tony?

Mr HAYES — I am not sure if people want to hear what we do at the conference, the questions we might ask people and why we ask those questions.

The CHAIR — This is very valuable, what you are telling us. This is what we get face to face, whereas the other stuff we can look up.

Mr HAYES — Do you want a break?

Mr JEFFREY — No, I will do it. Essentially there are three questions: what happened, how are people affected and what needs to happen in the future? When my other colleagues talked about this in terms of the technology of group conferencing, it's tried and true and we pretty much stick to that format. The way we run them begins with the police giving a summary of what happened. The reason for that is essentially that it is undisputed that that is what happened, and it gets that on the table straightaway.

What will happen then is that we will go to the young person and ask what happened and he will tell his story. They cannot just turn around and say, 'Well, like I told you, Russ, at that home meeting the other day, it is okay. I was with friends. I might have been drinking right through to the offence', and what happened afterwards. What it was like to get arrested by police, what it was like when his parents or his caregiver came to collect him from the police station and how things have been since. We ask, 'What effect has this had on you; how do you think this has affected others', so it is what happened and the effect of that.

After the young person has spoken we will normally go to the victim. The victim will talk about their experience. By this stage, I guess, some of those questions they might have had in terms of what the victim's attitude was and why they did it possibly have been answered, but they will go through and talk about their experience in the same way: what happened and then how they are affected.

Then we will continue to ask the victim's supporters, 'How did this affect you, when did you first find out that Sally had been robbed and what effect has this had on her? How did you feel about that and how has it affected you?'. There is a real transparency and a real feeling of reality in a conference. It is an emotional process.

We will then go to the young person's supporters — it might be parents. And keep in mind that we have been through this preparation so hopefully things do not come out for the first time, in terms of what parents might feel about the young person, but they do not tend to hold back. They tend to say how disappointed they are and how it has affected them. The example I gave earlier about the parents talking about how it has affected their relationship might be something that comes up. So it goes from police to young person, to victims, then the young person's support, and then the professionals in the room.

Normally the professionals take a professional approach in terms of, if there are any youth workers involved, they can talk about their disappointment with the young person and how it has affected them, right through to the legal representative who is invited to speak — sometimes they do and sometimes they do not. I guess this is about getting the hurt out.

Then what I will do is just open it up for questioning. Very often you can sense that a victim might be holding on to something; you can sense that somebody might want to ask something. It might just be like, 'Why did you do it?' or 'What did you do with my camera after you stole it?' or 'Why did you trash my car?' — very simple straightforward things.

It is important to get all that hurt out and as a convener you can sense when that occurs. Then you will look to the young person and they might say something like, 'Is there something you would like to say?', or there is a pause and at that stage that is the appropriate time to apologise. If you can imagine a balloon being full of anger, once that young person has said sorry it is just like the wind is taken right out of it. I guess when there are victim's parents there and the young person's parents, very often there will be this empathy that will go through the room that a young victim of crime's parents can look at the offender's parents and understand what they are going through in terms of the difficulties young people experience, and how hard their parenting life might be.

It is after that point that then we can talk about moving on and talk about the future and what that young person needs to do to make amends to the victim for some of the harm caused and how to prevent further offending. Then, again, we will go through the participants and ask them and everybody has an opportunity to have a say on what they think should happen.

At that point the participants who are not known to the victim and, I guess, the police who do not know the young person that well have an understanding about their capacity to make amends and maybe what they need to do to

keep out of trouble; so they can have an informed discussion about that at that particular time. Once that has happened we have a break that will last 10 or 15 minutes or so, when the young person will meet in private with their support people. They might or might not include their lawyer, but invariably it is their parents or caregivers, and they will talk about what they are going to do to make amends and prevent further offending. They come back to the meeting after a break and then they will talk about that plan. I guess in our program it is important that that plan is fair. What I mean by that is that it can be no more onerous on the young person than what they might have got had they not volunteered to go through the conferencing process, and that is the reason their legal rep is there — to give them legal advice. However, there have been cases where young people against the wishes or the instructions of their lawyers have said, ‘No, I will pay back more restitution’, or ‘I will do more community work because I think that is what needs to happen here’.

Once agreement is reached about the plan, that is the end of the meeting. Hopefully everybody gets up and shakes hands and everybody feels a lot better afterwards than they did beforehand. We have got plenty of anecdotes about victims actually feeling that sense of relief and making statements like — the typical one might be, ‘I thought you were a lot bigger when you assaulted me. All this time I’ve been carrying this image of a big huge person. But you’re not. And I’m not scared of you anymore’. They will not say that to the offender, but they might come up to me afterwards. So there is a sense of letting go of that fear and it can be almost therapeutic, as I heard somebody say earlier on.

At that point a court report is written. The young person goes back to court, the magistrate has read the report, the legal rep and the young person have a copy of that, and the magistrate sentences the young person. Normally what they do is place a condition on the order, whatever the sentence is, that the young person comply with their group conference outcome plan. As Tony said earlier, we are not actually funded to follow up with that, but we do because of the integrity of the program. So for instance if a young person has agreed to do community work — and Tony has given some examples of that— or restitution, we will ensure that that is followed up. So we will keep in contact with the young person and in some cases we will collect money and give it to the victim. Similarly, if we feel like the victim might need some support afterwards I will certainly contact them and talk to them about the process, as much as it takes to ensure that that person has dealt with the conference and whatever came up from it.

The CHAIR — Thank you very much for that, Russell. That was very clear.

Mr FOLEY — Even though you are not funded you have indicated that you took it on because of the need to see the scheme through — the post-hearings and the sentencing arrangements. In regard to your figure of, I think it was, 87 per cent of completed — —

Mr HAYES — Outcome plans.

Mr FOLEY — Yes, outcome plans. Did you have a view as to what should happen if there is only one or a range of factors in the remaining 13 per cent if the outcome plan is not delivered whilst trying to maintain the principles of restorative justice, or therapeutic justice, from your experience?

Mr HAYES — Of the ones that were not finished, there might have been a task for the young person to go down to the school and help out at lunchtime or to go for an appointment with a counsellor — we do not say that young people have to go to counselling all the time; they have to go for an initial session; that is what the people at the meeting agree to. We do not make the decisions; the conference makes the decisions. We have only gone back to court once because a young person agreed to pay an amount of money to a victim and at the time the young person insisted that they wanted to do that — they had a job and they lived at home — but then circumstances changed and they left home, they went interstate, they lost their job and that person could not pay it. They came back to the state and I ended up writing to the magistrate to say, ‘This has not been done’, and the magistrate took it back to court. But that was the only time I have ever had someone go back to court for — —

Mr FOLEY — So the system largely works — —

Mr HAYES — Oh, yes!

Mr FOLEY — Even where the outcome plans are not adhered to. They are adhered to almost overwhelmingly. It is relatively minor — —

Mr HAYES — In the ones that are not, we just make a decision about whether it is serious enough to tell the court about, and often they are only the little things. They did not do 2 hours of community work but they have already done 12. So we do not sort of go to war about that stuff.

Mr JEFFREY — Can I say one thing about that? The conferencing process by nature tries to support that young person with their life after the conference. So I guess that is why we try and identify a key person who is going to support that young person with the completion of their outcome plan. I guess that dealing with young people who have extremely problematic issues in their lives where they might not necessarily have that key person to help them presents problems, because for that young person to do things without support and without some guidance is a difficult thing — for example, in Tony's example of a young person trying to pay money. It is a difficult thing to ask a 16 or 17-year-old to be that responsible sometimes. I think that the more difficult a young person's circumstances, the more we have to be vigilant and take on that role to support that young person to complete their plan,— because they do not have those natural supports in the community.

Mrs KRONBERG — As far as the conferencing is concerned is there a sense that you have productivity regimes attached to it, in that there is a given period of time as an average period of time for conferencing?

Mr JEFFREY — In the statistics that the Department of Human Services, Youth Justice, give us there is an ideal turnaround of — is it six weeks or eight weeks?

Mr HAYES — Is it the hours that you mean — from the start of the process to the finish?

Mrs KRONBERG — No, the time within the actual conferencing setting.

Mr HAYES — That is held for an hour-and-a-half to 2 hours. Is that what you mean, the conference?

Mrs KRONBERG — Yes.

Mr HAYES — They are on average an-hour-and-a-half to 2 hours; they are longer if there are more people.

Mrs KRONBERG — If the victims are overcome, is there an opportunity for a recess or things to be reconvened?

Mr JEFFREY — Absolutely. And that happens — that people are overwhelmed by emotions. It is just that the process of telling one's story is difficult. It does not happen all the time of course. That is a small percentage, but sometimes you need to stop a conference. It is not about bulldozing your way through it. If somebody needs to stop and gather their thoughts or be supported for a little while in private by somebody who is there to support them, yes, we do that.

Mr HAYES — Generally victims are very supportive of the young people, we have found in our experience, once they hear the stories — and everyone tells their story. Victims are very supportive of the young people. They ask that they not do it again to anyone else. We have had some victims say to the young person, 'I do not want anything from you. The fact that you had the courage to come here and face up to me is enough for me'. That has occasionally been said by victims. We are dealing with young people here — 16, 17. They are still young, they are still developing, and they have to face up to maybe 10 people in a room and talk about what they did, accept responsibility for that, say sorry, listen to their mother say, 'I never brought my child up to be like this; I expect better of my son', and those sort of things in a conference. Victims are very supportive of young people.

David Moore spoke about it earlier, about that change in emotion from the start of the meeting to the middle to the end, and in the end people cooperate. The victim wants the young person to stay out of trouble in the future and have a good life. That is what they often say. The victims come along and they are being helped because they did come along and they have asked questions like, 'How long were you watching my house?'. And the young person will say, 'We just walked past then and we thought someone might be home and we just checked, went around the back, and no-one was there, so we went in. But we have not been watching your house or stalking or anything like that'. So the victim knows then that it was just a one-off decision.

Young people make bad decisions, like the rest of us. But the opportunity for them to go to a conference and have to stand on their own two feet, face people, accept responsibility, say sorry, make amends, and work out some idea of how they will stay out of trouble in the future and not reoffend is a really good process, compared to going to

court, sitting behind a lawyer, not saying anything and walking out of the court with a sentence and then saying to the lawyer, 'What actually happened?'. I have worked with young offenders for a long time and this process helps them think about the effects of their behaviour. While sitting behind a lawyer in court they may not do that; in fact I am pretty sure a lot of them do not.

I think this process of conferencing young people, even for adults — a lot of young offenders who have done the wrong thing have made a bad decision; they have been to court — they want the opportunity to say sorry to somebody for it, and this provides it.

Mr BROOKS — My question related to a comment you made about young people in that process having a think about how they are going to stay out of trouble in the future. The obvious question is: have you guys done any follow-up on whether they actually do stay out of trouble in the future, and do you have any work on the rates of reoffending or recidivism, even just anecdotal experience?

Mr HAYES — We do not have the capacity to do that in the organisation, but DHS got some people from outside to do an evaluation in 2005, and in 2006 the results. They only did a follow-up for one year after the first lot of young people went through the conference; and it is only one year which means you have got to be careful about what you draw from that. Of those who had done the conference, 16 per cent of young people had reoffended, compared to a group of young people put on probation, of whom I think 40 per cent had reoffended. Promising, but you cannot really draw conclusions from that because when you get into the research and look at the figures about reoffending rates and all that, there are a whole lot of research implications that researchers will talk to you about. It is promising, but you would need to follow it up after three years and five years.

The other thing is that group conferencing is not a panacea for crime, but it is a very good rehabilitative intervention, in our view, because we have seen kids really benefit from it — and their parents and victims.

Mr JEFFREY — Also on that evaluation, it happened before the program went into legislation. Once it went into legislation it could be offered to young people who were on existing orders. A worker from youth justice, the Department of Human Services, for example, might be working with a young person who is committing similar crimes who just does not get it, and their work is not going in the direction that they would like — car theft, for instance. Now group conferencing is an option for that young person and hopefully an alternative to break that cycle. It will be interesting to see that.

The CHAIR — Our time is up. Thank you both very much for sharing with us your experiences of this program. It has been very rich and important for us to hear that and have it on the record. It is much appreciated. You will be sent a copy of the transcript. As I said before, you can make some slight changes to it, but basically what you have said is what you have said.

Witnesses withdrew.