

Table 1: Conferencing in Australia and New Zealand, updated July 2005

This table updates material given in Daly and Hayes (2001), 'Restorative justice and conferencing in Australia', *Trends & Issues in Crime and Criminal Justice No. 186*, by including New Zealand and by showing new developments in both countries.

Jurisdiction & area covered	Statutory basis	Date introduced & who runs	Organisational placement	Referring body, conference purpose & numbers	Jurisdiction features
New Zealand (country-wide)	<i>Children, Young Persons & Their Families Act 1989</i>	1989, youth justice coordinators	Child, Youth and Family Services	Police referral as diversion from court or court referral for sentencing; average 6,738 conferences per year from mid 2001 to mid 2004	Country-wide and systemic; first world jurisdiction to legislate conferences as component of juvenile justice system; conferences also used in family welfare cases
Australian Capital Territory (Canberra)	<i>Crime (Restorative Justice) Act 2004</i>	1995, police officers; police officers and civilian coordinators	Australian Federal Police units, 1995-2004; Dept of Justice and Community Safety, 2005-present	Police and court referrals as diversion from court or as sentencing option; approximately 100 cases per annum	Legislated scheme has two phases: 1) young offenders charged with less serious offences; 2) young and adult offenders charged with all types of offences
New South Wales (state-wide after introduction of the Act)	1991-97, non-statutory; <i>Young Offenders Act 1997</i>	1991-94, police trials; 1994-97, mediators; 1998, conference convenors	Police Service, 1991-94; network of Community Justice Centre mediators, 1994-97, under aegis of Attorney-General; after proclamation of Act, Dept of Juvenile Justice	Police & court referral as diversion from court or as sentencing option; average 1,373 conferences per year from 1 July 1999 to 30 June 2004	Has legal advice hotline; actively checks police referrals; has permanent staff of 17 administrators & large pool of 400 trained convenors
Northern Territory (state-wide)	<i>Juvenile Justice Act 1997</i> , as amended in 1999 & 2000; <i>Police Administration Act</i> , Part VII, Division 2b, as amended in 2000	1999, conference facilitators; 2000, police officers (uses police & non-police personnel)	Two sites: Community Corrections within the Dept of Correctional Services ('post court' conference) & NT Police (diversionary conference)	Court referral upon conviction of juvenile repeat property offender subject to mandatory sentence (15 -17 yrs old); less than 20 'post court' conferences per annum. Police referral to diversionary conference (10-17 yrs old).	Has both statutory- based scheme of 'post court' conferences as one of several programs in lieu of mandatory 28-day detention sentence & Wagga model conferences as diversion from court
Queensland (state-wide after 2002 amendments to Act)	1995-96, non statutory; <i>Juvenile Justice Act 1992</i> , as amended in 1996 and 2002	1995-96, planned police trials; 1997, conference convenors	Shifted from Dept of Justice (1997) to Dept of Communities (1998)	Police & court referral as diversion from court; court referral for pre-sentence or as sentencing option; with the introduction of state-wide conferencing in 2003, an estimated 2,000 conferences per year	Has no scheduled offences; conducts pre-conference interviews with victim & offender; high-volume jurisdiction
South Australia (state-wide)	<i>Young Offenders Act 1993</i>	1994, youth justice coordinators	Courts Administration Authority	Police & court referral as diversion from court; court referral for victim impact conference; average 1,669 conferences per year from Jan 1999 to Dec 2003	Has no scheduled offences; longest running, high-volume, statutory-based scheme in Australia
Tasmania (state-wide since 2000)	1994-99, non statutory; <i>Youth Justice Act 1997</i> (proclaimed in 2000)	1994-99, police trials; 2000, conference facilitators	Police service as part of formal cautioning; after proclamation of the Act, dual system with police using conferencing to administer formal cautions and Dept of Health & Human Services (DHHS) accepting referrals from police as diversion from court	Police referral as diversion from court; court referral for sentence; average 311 conferences per year from mid 2002 to mid 2004 (Tas Police); average 363 conferences per year from mid 2001 to mid 2004 (DHHS)	Dual system since 2000 with both police conferences (as caution plus) & facilitator conferences
Victoria (Children's Court, Melbourne & metropolitan areas)	none	1995+ (pilot project continuing); conference convenors	Anglicare Victoria, Victoria Police, Dept of Human Services, Dept of Justice & Victoria Legal Aid	Court referral only as alternative to a Supervised Order; about 40 conferences per year	Only non-legislated scheme in Australia; uses conferences for offenders with prior court appearances (not minor offences)
Western Australia (state-wide after introduction of the Act)	1993, non statutory; <i>Young Offenders Act 1994</i>	1993-94 (pilot); 1995+ juvenile justice teams	Ministry of Justice	Police & court referral as diversion from court; estimated 2,467 non-traffic referrals per year from mid 2001 to mid 2005.	Uses Juvenile Justice Teams composed of coordinators & police officers in 7 areas of Perth; has part-time Aboriginal supporter workers for conferences requiring support; handles large number of traffic offences (estimated 20% of metro conferences)

Notes

1. In September 2001, New Zealand began a pilot on court-referred adult pre-sentence conferencing in four areas: Auckland, Waitakere, Hamilton, and Dunedin.
2. In 2004, South Australia began a pilot on court-referred adult pre-sentence conferencing in Adelaide.
3. Before state-wide conferencing was introduced in Queensland, conferencing was limited to areas in Southeast Queensland, with about 180 conferences per year.
4. Western Australia handles a high volume of referrals annually, but about 20% of offences are traffic-related matters (based on figures from the metro teams).
5. We thank these people for assisting in updating developments: Jenny Barga (New South Wales) Craig Jenkins and Martin McMillan (Queensland), John Hinchey and Heather Strang (Australian Capital Territory), Helen Jessup (Tasmania), Grant Thomas (South Australia), Superintendent Ian Lea (Northern Territory), and Ennio Cicchini and Gary Cusack (Western Australia).