



## Youth Justice Conferences: Participant profile and conference characteristics

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*Aim: The aim of this brief is to describe the experience of attending a Youth Justice Conference (YJC), with regard to how long conferences take, who attends, what kinds of outcomes are agreed on, and whether these factors change in respect to the age, Indigenous status or gender of the young offender, or the location of the conference.*

*Method: This study utilised data from the Re-Offending Database (ROD) maintained by the New South Wales Bureau of Crime Statistics and Research (BOCSAR) for 2010, together with data from the Client Information Management System (CIMS) maintained by the Department of Juvenile Justice for the 2009–2010 financial year.*

*Results: 54.2 per cent of referrals to a YJC came from a court, however this varied by offender demographics and location. Four-fifths (81.4%) of young offenders were male, 23.9 per cent identified as Indigenous, and the average age was 15.6 years. One-half (52%) of YJCs were held in the Metropolitan region. The most frequent outcome task was an apology (1,484 plans, 79.6%) however the content of plans and the number of tasks varied by offender demographics and location. Most (88.7%) outcome plans were completed and this varied by offender demographics and location but not by type or number of tasks. A typical conference took place two months after referral, lasted 71 minutes, and nine weeks later the Outcome Plan was completed, although there were regional differences. The victim attended 41.5 per cent of the time and in 51.2 per cent of conferences the young offender's mother attended.*

*Keywords: Young offenders, Youth Justice Conferencing, outcome plans, restitution*

### INTRODUCTION

The Young Offenders Act (1997) was introduced to divert young offenders from the court system, and create a mechanism for dealing with young offenders in the least restrictive way possible. As such, a hierarchical system of sanctions was devised, the least serious being warnings, followed by cautions, Youth Justice Conferences (YJCs) and finally court appearances.

YJCs are based on the principles of restorative justice, which aim to give victims a voice and allow offenders to address the harm they caused, rather than dealing with matters via a court (Umbreit, Coates, & Vos, 2002). With regard to young offenders, additional goals are to encourage young people to take responsibility for their actions, and put them in touch with support services that can enhance their involvement in their community and help them to stay out of trouble with the law (Young Offenders Act 1997). As such, a condition of having a YJC is that the offender must admit to the offence(s). A typical YJC

is run as a meeting between all parties affected by the crime – the victim, the offender, support people and family members, community members and police – and involves discussion and explanation of the effect the crime has had. The young offender, together with any support people, is then required to formulate an outcome plan. This plan explicitly states what the young offender will do to repair the damage they caused, and it must be approved by the victim. Outcome plans can involve community service, financial reparation, completion of training or personal development programs, written or verbal apologies, direct work for the victim, or a number of other possibilities, and are tailored to the individual circumstances (Seeto, 2007).

Research into YJCs so far has focussed on recidivism and satisfaction with the proceedings. In a study which matched young offenders on the type of offence, those that attended a YJC re-offended approximately 20 per cent less than their court-appearing counterparts (Luke & Lind, 2002). Other studies, such as Trimboli (2000), have found that participants

in YJCs are generally very satisfied with the proceedings. This is a noteworthy finding considering that being the victim of a crime is generally an adverse experience.

## AIMS OF THE CURRENT STUDY

Although several studies have been conducted into the effect of YJCs on recidivism and victim satisfaction, little is known about the characteristic features of outcome plans or the profile of those who attend YJCs. The current study had three broad aims: (1) to describe the characteristics of YJC referrals, (2) to describe the characteristics of YJC outcome plans and (3) to describe the characteristics of YJC attendees. The specific research questions were as follows:

### Referrals

- (a) What percentage of YJC referrals come from police as compared with courts and how does this vary by age, gender, Indigenous status and location?

### Outcome plans

- (a) What are the demographics of young offenders undertaking YJC outcome plans?
- (b) What is the frequency distribution of different types of outcome tasks? What proportion involve restitution or referrals to address underlying problems?
- (c) Does the distribution of types of outcome tasks vary by age, gender, Indigenous status and location?
- (d) How many tasks are contained within each outcome plan and does this vary by age, gender, Indigenous status and location?
- (e) What proportion of outcome plan tasks are completed and does this vary by type of outcome task, age, gender, Indigenous status, location or number of tasks per plan? What proportion of plans involving restitution are completed, and does this vary by type of restitution?
- (f) Following a referral, how long does it take for a conference to be held? Does this vary by location?
- (g) Following a conference, how long does it take for the outcome plan to be completed? Does this vary by location?

### YJC attendees

- (a) What percentage of conferences include (i) a victim (ii) the offender's mother (iii) the offender's father (iv) another relative (v) a Youth Liaison Officer (YLO) (vi) another person?
- (b) How long does the average conference last and does this vary by the number of parties involved in the conference? Does conference duration vary by location?

## METHOD

### DATA SOURCES

Information about all young people who come into contact with the Department of Juvenile Justice (DJJ) is recorded on the department's Client Information Management System (CIMS).

The NSW Re-Offending Database (ROD) is a dataset compiled of information from DJJ, together with data from the NSW Police Computerised Operational Policing System (COPS) and from NSW courts. ROD is maintained by the NSW Bureau of Crime Statistics and Research (BOCSAR).

This study utilised ROD data in order to examine referral sources, demographic information (age, gender and Indigenous status [Aboriginal or Torres Strait Islander]), and conference location for 2010.

CIMS data for the 2009–2010 financial year was used to answer the remaining questions about outcome plans, the duration of conferences, the delay between referral, conference and completing outcome plans, and details of conference attendees, together with demographic information about the young offenders, and conference location.

## VARIABLES

### Referral data from ROD

The variables from ROD used to analyse YJC referral data in 2010 were:

- Referral source: whether the referral came from the police or a court
- Age: age of the young offender at the time of the conference. The actual range was 11 to 20 years, however due to small numbers at the extremities this was recoded into 13 years and under, 14 years, 15 years, 16 years, 17 years, and 18 years and older.
- Gender: male or female
- Indigenous status: Whether the young offender had ever identified as Aboriginal or Torres Strait Islander. Non-Indigenous or young offenders of unknown Indigenous status were grouped together and compared to Indigenous young offenders.
- Region: The location in which the incident took place. This is recorded as the Local Area Command (LAC) in ROD. For this study, LACs were grouped into the six NSW police regions – Central Metropolitan, Northern, South West Metropolitan, North West Metropolitan, Southern and Western.

### Conference data from DJJ

The variables from DJJ used to analyse YJCs in the 2009 to 2010 financial year were:

- Age: age of the young offender at the time of the conference, calculated by DJJ by subtracting the young offender's date of birth from the date of the conference. The actual range was 10 to 21 years, however due to small numbers at the extremities this was recoded into 13 years and under, 14 years, 15 years, 16 years, 17 years, and 18 years and older.
- Gender: male or female
- Indigenous status: Whether the young offender had ever identified as Aboriginal or Torres Strait Islander. Non-Indigenous or unknown Indigenous status were grouped together and compared to Indigenous young offenders.

- **Region:** The location in which the conference took place. This is recorded as the Youth Justice Conferencing office responsible for the conference. For this study, the offices were grouped into the three regions defined by DJJ – Northern, Metropolitan and Western.
- **Referral date:** The earliest recorded referral date for the young offender.
- **Time from referral to conference:** This was calculated by subtracting the date of the first referral to the conference from the date the conference was held.
- **Time from conference to first completed outcome task:** This was calculated by subtracting the date of the conference from the earliest date recorded for a completed outcome task.
- **Time from conference to completing the last outcome task:** This was calculated by subtracting the date of the conference from the latest date recorded for a completed outcome task.
- **Conference duration:** This was recorded in the DJJ system by the conference convenor.
- **Number of parties involved in the conference:** It was not possible to identify the total number of attendees per conference due to data limitations. It was, however, possible to identify whether one or more attendees fell within each of the attendee categories (i.e. police, victim support, offender support etc.). This variable was therefore calculated by counting the number of categories of attendee represented at each conference.

## ANALYSIS

Descriptive analyses were conducted on demographic features of the sample, together with chi squared tests of association where appropriate. Where the data was not normally distributed, Kruskal-Wallis and Mann-Whitney non-parametric tests of association were used.

## RESULTS

### REFERRALS

In this section, the following two research questions were addressed: (a) What percentage of YJC referrals come from police as compared with courts and how does this vary by age, gender, Indigenous status and location?

In 2010, 54.2 per cent (n=1,026) of referrals to Youth Justice Conferences came from a court. The remaining 45.8 per cent (n = 868) were referred by police. Females were referred by the court more often than males ( $\chi^2_1 = 12.460$ ,  $p < .001$ ), as were Indigenous young offenders ( $\chi^2_1 = 25.722$ ,  $p < .001$ ). There were also regional differences in referral source ( $\chi^2_5 = 90.168$ ,  $p < .001$ ), with 67.2 per cent of referrals in the Central Metropolitan Region and 69.4 per cent of referrals in the North West Metropolitan Region coming from a court, whilst between 40–50 per cent of referrals in the remaining regions came from the courts. When examining the effect that age had on referral source it was apparent that younger offenders were more likely

**Table 1. Demographics by referral source – 2010 (n = 1,894)**

| Demographics                 | Referrals         |         |                  |         |
|------------------------------|-------------------|---------|------------------|---------|
|                              | Court (n = 1,026) |         | Police (n = 868) |         |
|                              | n                 | (row %) | n                | (row %) |
| <b>Age**</b>                 |                   |         |                  |         |
| 13 years                     | 80                | (47.6)  | 88               | (52.4)  |
| 14 years                     | 130               | (50.0)  | 130              | (50.0)  |
| 15 years                     | 213               | (52.1)  | 196              | (47.9)  |
| 16 years                     | 269               | (57.8)  | 196              | (42.2)  |
| 17 years                     | 231               | (54.9)  | 190              | (45.1)  |
| 18 years and older           | 103               | (60.2)  | 68               | (39.8)  |
| <b>Gender ***</b>            |                   |         |                  |         |
| Female                       | 265               | (61.6)  | 165              | (38.4)  |
| Male                         | 761               | (52.0)  | 703              | (48.0)  |
| <b>Indigenous status ***</b> |                   |         |                  |         |
| Indigenous                   | 349               | (63.2)  | 203              | (36.8)  |
| Non-Indigenous/unknown       | 677               | (50.4)  | 665              | (49.6)  |
| <b>Region ***</b>            |                   |         |                  |         |
| Central Metropolitan         | 158               | (67.2)  | 77               | (32.8)  |
| Northern                     | 246               | (48.0)  | 266              | (52.0)  |
| South West Metropolitan      | 161               | (45.7)  | 191              | (54.3)  |
| North West Metropolitan      | 295               | (69.4)  | 130              | (30.6)  |
| Southern                     | 92                | (49.7)  | 93               | (50.3)  |
| Western                      | 74                | (40.0)  | 111              | (60.0)  |

*p*-values for chi squared test of association: \*  $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$ .

to be referred by police than by a court ( $\chi^2_1 = 7.948$ ,  $p = .005$ ). Table 1 shows the demographic breakdown by referral source.

### OUTCOME PLANS

In this section the following research questions are addressed: (a) What are the demographics of young offenders undertaking YJC outcome plans? (b) What is the frequency distribution of different types of outcome tasks? What proportion involve restitution or referrals to address underlying problems? (c) Does the distribution of types of outcome tasks vary by age, gender, Indigenous status and location? (d) How many tasks are contained within each outcome plan and does this vary by age, gender, Indigenous status and location? (e) What proportion of outcome plan tasks are completed and does this vary by type of outcome task, age, gender, Indigenous status, location or number of tasks per plan? What proportion of plans involving restitution are completed, and does this vary by type of restitution? (f) Following a referral, how long does it take for a conference to be held? Does this vary by location? (g) Following a conference, how long does it take for the outcome plan to be completed? Does this vary by location?

#### What are the demographics of young offenders undertaking YJC outcome plans?

Table 2 shows the demographic breakdown of young offenders undertaking YJC outcome plans during the 2009–2010 financial year. During these 12 months there were 1,865 instances of young offenders undertaking YJC outcome plans. Most

**Table 2. YJC outcome plan offender demographics 2009-2010 financial year (n=1,865)**

| Demographics                           | n     | (%)    |
|--|-------|--------|
| Age in years                           |       |        |
| ≤13                                    | 163   | (8.7)  |
| 14                                     | 263   | (14.1) |
| 15                                     | 404   | (21.7) |
| 16                                     | 456   | (24.5) |
| 17                                     | 396   | (21.2) |
| ≥18                                    | 183   | (9.8)  |
| Gender                                 |       |        |
| Male                                   | 1,519 | (81.4) |
| Female                                 | 346   | (18.6) |
| Indigenous status                      |       |        |
| Indigenous                             | 446   | (23.9) |
| Non Indigenous or unknown <sup>a</sup> | 1,419 | (76.1) |
| Region                                 |       |        |
| Northern                               | 648   | (34.7) |
| Metropolitan                           | 969   | (52.0) |
| Western                                | 248   | (13.3) |

<sup>a</sup> There were 213 people for whom Indigenous status was unknown.

plans (81.4%, n=1,519) were issued to young male offenders, one-quarter (23.9%, n=446 plans) were issued to Indigenous offenders, and around two-thirds (67.4%) of plans were issued to an offender aged between 15 and 17 years. Just over half (52.0%) of YJC outcome plans were overseen by the Metropolitan Region (n = 969), whilst the Northern Region was responsible for a little over a third (648 conferences, 34.7%), and the Western Region the remaining 13.3% per cent (248 conferences).

### What is the frequency distribution of different types of outcome tasks? What proportion involve restitution or referrals to address underlying problems?

Table 3 shows the breakdown of the different types of tasks contained within outcome plans. Outcome tasks fell into six broad categories: apologies, personal development tasks, community work, financial reparation, working for the victim, and giving a gift in kind.

Within the 1,865 plans recorded for the 2009–2010 financial year, the most frequent task was an apology (1,484 plans, 79.6%), which was most often written (1,202 plans, 64.5%) rather than verbal (591, 31.7%) though it was possible for the young offender to be required to do both. The next most frequent category was personal development tasks (1,273 plans, 68.3%), most often a behavioural program (657 plans, 35.2%) or behavioural undertaking (419, 22.5%). Behavioural programs and undertakings can be understood as attempts to address underlying problems, and can include tasks such as attending employment skills training, anger management courses, road safety lectures, drug and alcohol counselling, programs run by the PCYC, graffiti control programs or meeting with youth workers and counsellors.

**Table 3. Outcome task frequencies (n=1,865)**

| Outcome task                | n            | (% of plans containing a task of this kind) |
|-----------------------------|--------------|---|
| <b>Apology</b>              | <b>1,484</b> | <b>(79.6)</b>                               |
| Written                     | 1,202        | (64.5)                                      |
| Verbal                      | 591          | (31.7)                                      |
| <b>Personal development</b> | <b>1,273</b> | <b>(68.3)</b>                               |
| Behavioural program         | 657          | (35.2)                                      |
| Behavioural undertaking     | 419          | (22.5)                                      |
| Per. dev. tasks             | 248          | (13.3)                                      |
| Study options               | 193          | (10.3)                                      |
| Work options                | 95           | (5.1)                                       |
| School performance          | 52           | (2.8)                                       |
| Charity work donation       | 13           | (0.7)                                       |
| <b>Community work</b>       | <b>536</b>   | <b>(28.7)</b>                               |
| ≤ 20 hours                  | 344          | (18.4)                                      |
| 21–40 hours                 | 104          | (5.6)                                       |
| 41–70 hours                 | 30           | (1.6)                                       |
| >70 hours                   | 14           | (0.8)                                       |
| unspecified                 | 53           | (2.8)                                       |
| <b>Financial reparation</b> | <b>161</b>   | <b>(8.6)</b>                                |
| ≤\$50                       | 38           | (2.0)                                       |
| \$51–\$100                  | 46           | (2.5)                                       |
| \$101–\$500                 | 52           | (2.8)                                       |
| \$501–\$1,000               | 11           | (0.6)                                       |
| >\$1,000                    | 10           | (0.5)                                       |
| unspecified                 | 6            | (0.3)                                       |
| <b>Work for Victim</b>      | <b>92</b>    | <b>(4.9)</b>                                |
| ≤ 20 hours                  | 58           | (3.1)                                       |
| 21–40 hours                 | 7            | (0.4)                                       |
| 41–70 hours                 | 3            | (0.2)                                       |
| unspecified                 | 28           | (1.5)                                       |
| Gift in kind                | 12           | (0.6)                                       |

Note. Plans can contain more than one type of outcome task. Total number of plans is 1,865

The least common tasks were to do with restitution. The most frequent restitution task type was community work (536 plans, 28.7%), followed by financial reparation (161 plans, 8.6%), then work for the victim (92 plans, 4.9%). The final category consisted of giving a gift in kind (12 plans, 0.6%).

### Does the distribution of types of outcome tasks vary by age, gender, Indigenous status and location?

#### Apologies

Table 4 shows whether the likelihood of being required to apologise as part of the outcome plan varies according the demographic characteristics of those receiving the plan. There were no significant demographic differences between young offenders who were required to apologise (verbally or in writing) as part of their outcome plan.

#### Personal development tasks

Table 5 shows whether the likelihood of receiving a personal development task varies according the demographic

**Table 4. Offender demographics by whether apologies included in outcome plans (n=1,865)**

| Demographics                   | Was there an apology included in the outcome plan? |         |     |         |
|--------------------------------|--|---------|-----|---------|
|                                | Yes  |         | No  |         |
|                                | n  | (row %) | n   | (row %) |
| Age in years <sup>a</sup>      |  |         |     |         |
| ≤13                            | 126  | (77.3)  | 37  | (22.7)  |
| 14                             | 207  | (78.7)  | 56  | (21.3)  |
| 15                             | 324  | (80.2)  | 80  | (19.8)  |
| 16                             | 361  | (79.2)  | 95  | (20.8)  |
| 17                             | 316  | (79.8)  | 80  | (20.2)  |
| ≥18                            | 150  | (82.0)  | 33  | (18.0)  |
| Gender <sup>b</sup>            |  |         |     |         |
| Male                           | 1,219  | (80.3)  | 300 | (19.7)  |
| Female                         | 265  | (76.6)  | 81  | (23.4)  |
| Indigenous status <sup>c</sup> |  |         |     |         |
| Indigenous                     | 352  | (78.9)  | 94  | (21.1)  |
| Non Indigenous/unknown         | 1,132  | (79.8)  | 287 | (20.2)  |
| Region <sup>d</sup>            |  |         |     |         |
| Northern                       | 508  | (78.4)  | 140 | (21.6)  |
| Metropolitan                   | 787  | (81.2)  | 182 | (18.8)  |
| Western                        | 189  | (76.2)  | 59  | (23.8)  |

<sup>a</sup> chi squared test of association not significant: p = .920

<sup>b</sup> chi squared test of association not significant: p = .127

<sup>c</sup> chi squared test of association not significant: p = .698

<sup>d</sup> chi squared test of association not significant: p = .143

**Table 5. Offender demographics by whether personal development tasks included in outcome plans (n=1,865)**

| Demographics                   | Was there a personal development task included in the outcome plan? |         |     |         |
|--------------------------------|---|---------|-----|---------|
|                                | Yes   |         | No  |         |
|                                | n   | (row %) | n   | (row %) |
| Age in years <sup>***</sup>    |   |         |     |         |
| ≤13                            | 119   | (73.0)  | 44  | (27.0)  |
| 14                             | 182   | (69.2)  | 81  | (30.8)  |
| 15                             | 295   | (73.0)  | 109 | (27.0)  |
| 16                             | 326   | (71.5)  | 130 | (28.5)  |
| 17                             | 238   | (60.1)  | 158 | (39.9)  |
| ≥18                            | 113   | (61.7)  | 70  | (38.3)  |
| Gender <sup>*</sup>            |   |         |     |         |
| Male                           | 1,018   | (67.0)  | 501 | (33.0)  |
| Female                         | 255   | (73.7)  | 91  | (26.3)  |
| Indigenous status <sup>a</sup> |   |         |     |         |
| Indigenous                     | 315   | (70.6)  | 131 | (29.4)  |
| Non Indigenous/unknown         | 958   | (67.5)  | 461 | (32.5)  |
| Region <sup>b</sup>            |   |         |     |         |
| Northern                       | 442   | (68.2)  | 206 | (31.8)  |
| Metropolitan                   | 674   | (69.6)  | 295 | (30.4)  |
| Western                        | 157   | (63.3)  | 91  | (36.7)  |

p-values for chi squared test of association: \* p < .05, \*\* p < .01, \*\*\* p < .001.

<sup>a</sup> chi squared test of association not significant: p = .218

<sup>b</sup> chi squared test of association not significant: p = .169

characteristics of those receiving the plan. There were significant demographic differences between young offenders who were required to complete personal development tasks (such as behavioural programs, behavioural undertakings, work and study options) as part of their outcome plan. Older offenders were less likely to be given personal development tasks (60.1% of 17 years olds compared to 73% of offenders aged 13 and under), as were male offenders (67% of males compared to 73.7% of females).

### Community work

Table 6 shows whether the likelihood of being required to complete community work as part of the outcome plan varies according the demographic characteristics of those receiving the plan. There were significant demographic differences between young offenders who were required to complete community work as part of their outcome plan. In general older offenders were more likely to have a community work task (33.1% of 17 years olds compared to 17.8% of offenders aged 13 or under), as were males (31.1% vs 18.2% of females), and offenders in the Western region (41.5% vs 24.4% in the Northern region and 28.4% in the Metropolitan region).

### Financial reparation

Table 7 shows whether the likelihood of being required to pay financial reparation as part of the outcome plan varies according the demographic characteristics of those receiving the plan. There were significant demographic differences between young offenders who were required to financially

**Table 6. Offender demographics by whether community work tasks included in outcome plans (n=1,865)**

| Demographics                   | Was there a community work task included in the outcome plan? |         |       |         |
|--------------------------------|---|---------|-------|---------|
|                                | Yes   |         | No    |         |
|                                | n   | (row %) | n     | (row %) |
| Age in years <sup>*</sup>      |   |         |       |         |
| ≤13                            | 29  | (17.8)  | 134   | (82.2)  |
| 14                             | 68  | (25.9)  | 195   | (74.1)  |
| 15                             | 118   | (29.2)  | 286   | (70.8)  |
| 16                             | 137   | (30.0)  | 319   | (70.0)  |
| 17                             | 131   | (33.1)  | 265   | (66.9)  |
| ≥18                            | 53  | (29.0)  | 130   | (71.0)  |
| Gender <sup>***</sup>          |   |         |       |         |
| Male                           | 473   | (31.1)  | 1,046 | (68.9)  |
| Female                         | 63  | (18.2)  | 283   | (81.8)  |
| Indigenous status <sup>a</sup> |   |         |       |         |
| Indigenous                     | 125   | (28.0)  | 321   | (72.0)  |
| Non Indigenous/unknown         | 411   | (29.0)  | 1,008 | (71.0)  |
| Region <sup>***</sup>          |   |         |       |         |
| Northern                       | 158   | (24.4)  | 490   | (75.6)  |
| Metropolitan                   | 275   | (28.4)  | 694   | (71.6)  |
| Western                        | 103   | (41.5)  | 145   | (58.5)  |

p-values for chi squared test of association: \* p < .05, \*\* p < .01, \*\*\* p < .001.

<sup>a</sup> chi squared test of association not significant: p = .703

**Table 7. Offender demographics by whether financial reparation tasks included in outcome plans (n=1,865)**

| Demographics           | Was there a financial reparation task included in the outcome plan? |         |       |         |
|------------------------|---|---------|-------|---------|
|                        | Yes   |         | No    |         |
|                        | n   | (row %) | n     | (row %) |
| Age in years ***       |   |         |       |         |
| ≤13                    | 3   | (1.8)   | 160   | (98.2)  |
| 14                     | 10  | (3.8)   | 253   | (96.2)  |
| 15                     | 19  | (4.7)   | 385   | (95.3)  |
| 16                     | 43  | (9.4)   | 413   | (90.6)  |
| 17                     | 50  | (12.6)  | 346   | (87.4)  |
| ≥18                    | 36  | (19.7)  | 147   | (80.3)  |
| Gender***              |   |         |       |         |
| Male                   | 149   | (9.8)   | 1,370 | (90.2)  |
| Female                 | 12  | (3.5)   | 334   | (96.5)  |
| Indigenous status ***  |   |         |       |         |
| Indigenous             | 20  | (4.5)   | 426   | (95.5)  |
| Non Indigenous/unknown | 141   | (9.9)   | 1,278 | (90.1)  |
| Region <sup>a</sup>    |   |         |       |         |
| Northern               | 61  | (9.4)   | 587   | (90.6)  |
| Metropolitan           | 82  | (8.5)   | 887   | (91.5)  |
| Western                | 18  | (7.3)   | 230   | (92.7)  |

<sup>a</sup> chi squared test of association not significant:  $p = .568$

**Table 8. Offender demographics by whether tasks involving work for the victim included in outcome plans (n=1,865)**

| Demographics                   | Was there a work for the victim task included in the outcome plan? |         |       |         |
|--------------------------------|--|---------|-------|---------|
|                                | Yes  |         | No    |         |
|                                | n  | (row %) | n     | (row %) |
| Age in years <sup>a</sup>      |  |         |       |         |
| ≤13                            | 9  | (5.5)   | 154   | (94.5)  |
| 14                             | 12   | (4.6)   | 251   | (95.4)  |
| 15                             | 27   | (6.7)   | 377   | (93.3)  |
| 16                             | 17   | (3.7)   | 439   | (96.3)  |
| 17                             | 20   | (5.1)   | 376   | (94.9)  |
| ≥18                            | 7  | (3.8)   | 176   | (96.2)  |
| Gender**                       |  |         |       |         |
| Male                           | 86   | (5.7)   | 1,433 | (94.3)  |
| Female                         | 6  | (1.7)   | 340   | (98.3)  |
| Indigenous status <sup>b</sup> |  |         |       |         |
| Indigenous                     | 16   | (3.6)   | 430   | (96.4)  |
| Non Indigenous/unknown         | 76   | (5.4)   | 1,343 | (94.6)  |
| Region ***                     |  |         |       |         |
| Northern                       | 46   | (7.1)   | 602   | (92.9)  |
| Metropolitan                   | 21   | (2.2)   | 948   | (97.8)  |
| Western                        | 25   | (10.1)  | 223   | (89.9)  |

p-values for chi squared test of association: \*  $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$ .

<sup>a</sup> chi squared test of association not significant:  $p = .449$

<sup>b</sup> chi squared test of association not significant:  $p = .132$

recompense the victim as part of their outcome plan. Older offenders were more likely to have a financial reparation task (19.7% of offenders aged 18 or over vs 3.8% of 14 years olds), as were males (9.8% vs 3.5% of females) and young offenders who did not identify as Indigenous (9.9% vs 4.5% of Indigenous young offenders).

### Work for the victim

Table 8 shows whether the likelihood of being required to work for the victim as part of the outcome plan varies according the demographic characteristics of those receiving the plan. There were significant demographic differences between young offenders who were required to work for the victim as part of their outcome plan. Males were more likely to work for the victim (5.7% vs 1.7% of females), as were young offenders in the Northern (7.1%) or Western (10.1%) regions rather than in the Metropolitan region (2.2%).

### How many tasks are contained within each outcome plan and does this vary by age, gender, Indigenous status and location?

Table 9 shows the breakdown of number of tasks per outcome plan. The most common number of tasks per plan was two (42.4% of plans contained two tasks). Next most frequent was three tasks (28.5%), followed by one task (19.5%). The maximum number of tasks involved in a conference plan was six (0.2% of plans).

Table 10 shows the number of tasks per outcome plan broken down by the demographic characteristics of the young people receiving the plan. There were some significant differences in the number of tasks allocated to young offenders in terms of their demographics. Whilst there was no difference for offenders of different ages, there were gender differences, with more females than males receiving outcome plans with only one task (23.1% vs. 18.7%) and conversely, more males than females receiving outcome plans with 3 tasks (29.8% vs. 22.5%). Similarly, the number of tasks contained in a plan varied by Indigenous status, with more Indigenous young offenders receiving plans with either one task (21.7% vs. 18.8% of non-Indigenous young offenders) or three tasks (31.8% vs. 27.4% of non-Indigenous young offenders). Young offenders living in the Western region were also more likely to receive plans containing either one task or three tasks.

### What proportion of outcome plan tasks are completed and does this vary by type of outcome task, age, gender, Indigenous status, location or number of tasks per plan? What proportion of plans involving restitution are completed, and does this vary by type of restitution?

In the 2009–2010 financial year, 88.7 per cent ( $n = 1,655$ ) of outcome plans were completed. In 148 cases (7.9%) the offender did not complete the outcome plan, in 12 cases (0.6%) the conference was reconvened, and in 50 cases (2.7%) the plan was still in progress as at August 2011. Table 11 shows how the likelihood of completing the outcome plan varies according to the demographic characteristics of the young offenders, and the types and number of tasks included in the plan.

**Table 9. Number of outcome tasks per outcome plan (n=1,865)**

| Number of outcome tasks | n   | (%)    |
|-------------------------|-----|--------|
| 1                       | 364 | (19.5) |
| 2                       | 790 | (42.4) |
| 3                       | 531 | (28.5) |
| 4+                      | 180 | (9.7)  |

Note. 155 plans (8.3%) contained 4 tasks, 21 (1.1%) contained 5 tasks, and 4 (0.2%) contained 6 tasks.

**Table 10. Mean number of outcome tasks per plan by YJC young offender demographics (n=1,865)**

| Demographics                   | Mean number of outcome tasks per plan |
|--------------------------------|---------------------------------------|
| Age in years <sup>a</sup>      | n                                     |
| ≤13                            | 2.25                                  |
| 14                             | 2.26                                  |
| 15                             | 2.36                                  |
| 16                             | 2.33                                  |
| 17                             | 2.21                                  |
| ≥18                            | 2.36                                  |
| Gender*                        |                                       |
| Male                           | 2.33                                  |
| Female                         | 2.18                                  |
| Indigenous status <sup>b</sup> |                                       |
| Indigenous                     | 2.24                                  |
| Non-Indigenous/unknown         | 2.32                                  |
| Region <sup>c</sup>            |                                       |
| Northern                       | 2.31                                  |
| Metropolitan                   | 2.26                                  |
| Western                        | 2.40                                  |

p-values for chi squared test of association: \* p < .05, \*\*p < .01, \*\*\* p < .001.

<sup>a</sup> Chi squared test of association not significant: p = .905

<sup>b</sup> Chi squared test of association not significant: p = .102

<sup>c</sup> Chi squared test of association not significant: p = .095

**Table 11. Outcome plan status by demographics, type of task, and number of tasks (n=1,865)**

| Demographics                                 | Outcome plan status   |         |   |         |
|--|-----------------------|---------|---|---------|
|  | Completed (n = 1,655) |         | Not completed/ Still in progress/ reconvened (n= 210) |         |
|  | n                     | (row %) | n   | (row %) |
| Age in years <sup>a</sup>                    |                       |         |   |         |
| ≤13  | 140                   | (85.9)  | 23  | (14.1)  |
| 14   | 226                   | (85.9)  | 37  | (14.1)  |
| 15   | 366                   | (90.6)  | 38  | (9.4)   |
| 16   | 407                   | (89.3)  | 49  | (10.7)  |
| 17   | 350                   | (88.4)  | 46  | (11.6)  |
| ≥18  | 166                   | (90.7)  | 17  | (9.3)   |
| Gender *                                     |                       |         |   |         |
| Male   | 1,360                 | (89.5)  | 159   | (10.5)  |
| Female                                       | 295                   | (85.3)  | 51  | (14.7)  |
| Indigenous status***                         |                       |         |   |         |
| Indigenous                                   | 374                   | (83.9)  | 72  | (16.1)  |
| Non-Indigenous/unknown                       | 1,281                 | (90.3)  | 138   | (9.7)   |
| Region*                                      |                       |         |   |         |
| Northern                                     | 583                   | (90.0)  | 65  | (10.0)  |
| Metropolitan                                 | 865                   | (89.3)  | 104   | (10.7)  |
| Western                                      | 207                   | (83.5)  | 41  | (16.5)  |
| Type of outcome task                         |                       |         |   |         |
| Apology <sup>b</sup>                         | 1,320                 | (88.9)  | 164   | (11.0)  |
| Personal Development <sup>c</sup>            | 1,121                 | (88.1)  | 152   | (11.9)  |
| Community work <sup>d</sup>                  | 464                   | (86.6)  | 72  | (13.4)  |
| Work for Victim <sup>e</sup>                 | 80                    | (87.0)  | 12  | (13.0)  |
| Financial reparation <sup>f</sup>            | 146                   | (90.7)  | 15  | (9.3)   |
| Gift in kind <sup>g</sup>                    | 11                    | (91.7)  | 1   | (8.3)   |
| Number of outcome tasks in plan <sup>h</sup> |                       |         |   |         |
| 1  | 330                   | (90.7)  | 34  | (9.3)   |
| 2  | 688                   | (87.1)  | 102   | (12.9)  |
| 3  | 473                   | (89.1)  | 58  | (10.9)  |
| 4+   | 164                   | (91.1)  | 16  | (8.9)   |

Note: 12 conferences were reconvened, 50 plans were still in progress as at August 2011

\* p < .05, \*\*p < .01, \*\*\* p < .001.

<sup>a</sup> Chi squared test of association not significant: p = .339

<sup>b</sup> Chi squared test of association not significant: p = .573

<sup>c</sup> Chi squared test of association not significant: p = .173

<sup>d</sup> Chi squared test of association not significant: p = .059

<sup>e</sup> Chi squared test of association not significant: p = .579

<sup>f</sup> Chi squared test of association not significant: p = .414

<sup>g</sup> Chi squared test of association not performed due to low cell counts

<sup>h</sup> Chi squared test of association not significant: p = .206

A complete breakdown of completion status by type of outcome task is included in Appendix Table A1.

Offenders aged older than 15 were more likely to complete outcome plans than those aged 14 or less. Females completed their outcome plans less often than males (85.3% vs. 89.5%), as did Indigenous young offenders (83.9% vs. 90.3%). Young offenders in the Western region had the lowest rate of completion (83.5%) compared to young offenders in either the Metropolitan (89.3%) or Northern (90.0%) regions. Plan completion rates did not vary by the number of tasks contained within the plan (pp = .206), or by the nature of the tasks included in the plans. The variability in completion rates is further broken down by the various forms of restitution in Appendix Table A2.

### Following a referral, how long does it take for a conference to be held? Does this vary by location?

Table 12 shows the time delay between a referral and a conference taking place, by region. The median time from referral to conference was just over two months (62 days). One-quarter of conferences were held within 42 days, 75 per cent within 91 days, and 95 per cent within 168 days. The maximum time taken was just over 3 years (1,120 days).

**Table 12. Time from referral to conference by region (n=1,858)**

| Region                | Time in days from referral to conference |          |              |                         |                         |                         |
|-----------------------|--|----------|--------------|-------------------------|-------------------------|-------------------------|
|                       | Median                                   | Minimum  | Maximum      | 25% of conferences held | 75% of conferences held | 95% of conferences held |
| Northern (n= 648)     | 47                                       | 10       | 1,120        | 35                      | 63                      | 115                     |
| Metropolitan (n= 964) | 72                                       | 6        | 672          | 50                      | 98                      | 162                     |
| Western (n= 246)      | 76                                       | 7        | 587          | 47                      | 119                     | 261                     |
| <b>All</b>            | <b>62</b>                                | <b>6</b> | <b>1,120</b> | <b>42</b>               | <b>91</b>               | <b>168</b>              |

Western vs. Northern Region  $p < .001$   
Western vs. Metropolitan Region  $p = .139$

Note. 7 cases were excluded (5 in the Metropolitan region and 2 in the Western region) because they showed negative or zero values (probably due to data entry error), which left 1,858 cases.

<sup>a</sup> Mann-Whitney tests were used to investigate pair-wise differences between region and delay. A  $p$ -value less than 0.05 indicates a significant difference.

**Table 13. Time from conference to completing the last outcome task, by region (n=1,632)**

| Region               | Time in days from conference completing the last outcome task |          |            |                                 |                                 |                                 |
|----------------------|---|----------|------------|---------------------------------|---------------------------------|---------------------------------|
|                      | Median  | Minimum  | Maximum    | 25% of the last tasks completed | 75% of the last tasks completed | 95% of the last tasks completed |
| Northern (n=575)     | 67  | 0        | 743        | 33                              | 124                             | 183                             |
| Metropolitan (n=858) | 83  | 0        | 475        | 44                              | 140                             | 207                             |
| Western (n=199)      | 70  | 0        | 364        | 17                              | 115                             | 195                             |
| <b>All</b>           | <b>76</b>   | <b>0</b> | <b>743</b> | <b>35</b>                       | <b>132</b>                      | <b>194</b>                      |

Western vs. Northern Region  $p = .260$   
Western vs. Metropolitan Region  $p < .001$

Note. Data was missing or excluded for 8 cases in the Northern region, 7 in the Metropolitan region, and 8 in the Western region, leaving a total of 1,632 cases.

<sup>a</sup> Mann-Whitney tests were used to investigate pair-wise differences between region and delay. A  $p$ -value less than 0.05 indicates a significant difference.

There were significant regional differences in the time it took from referral to a conference being held (Kruskal-Wallis  $p < .001$ ). The delay was significantly shorter in the Northern region (median delay = 47 days) than in the Metropolitan (72 days), or Western regions (76 days).

### Following a conference, how long does it take for the outcome plan to be completed? Does this vary by location?

The CIMS system does not contain information about the date on which an outcome plan is completed. It does contain information on whether an outcome plan was deemed to have been completed and the date on which each outcome task was completed. In order to determine how long it takes for the outcome plan to be completed, this report computes the difference between the date on which the conference occurred and the date the last task was completed for those offenders who were deemed to have completed their outcome plan.

Table 13 shows the time delay between the conference taking place and the last outcome task being completed, by region. For the 1,632 (88.7%) young offenders who completed their outcome plans, the median time from the conference to completing the last outcome task was 76 days. One-quarter of the last tasks were completed within 35 days, 75 per cent were completed within 132 days, and 95 per cent were completed within 194 days. The minimum time was 0 days, and the maximum time was 743 days.

There were significant regional differences in the delay between holding a conference and completing the last outcome task (Kruskal-Wallis  $p < .001$ ). The time between attending a conference to last completing an outcome task was significantly longer in the Metropolitan (median = 83 days) than in the Western region (70 days) or Northern regions (67 days).

### YJC ATTENDEES

In this section the following research questions were addressed: What percentage of conferences include (i) a victim (ii) the offender's mother (iii) the offender's father (iv) another relative (v) a Youth Liaison Officer (YLO) (vi) another person? How long does the average conference last and does this vary by the number of parties involved in the conference? Does conference duration vary by location?

Whereas the preceding sections have analysed differences in the number of people referred to conferences (n=1,894) or the number of outcome plans issued at conferences (n=1,865), this section describes the characteristics of conferences held in 2009 and 2010 for which valid data were available (n=1,543).

What percentage of conferences include (i) a victim (ii) the offender's mother (iii) the offender's father (iv) another relative (v) a Youth Liaison Officer (YLO) (vi) another person?

Table 14 gives a breakdown of whether each of the groups (i) through (vi) were represented at conferences held in the 2009–2010 financial year. The most common category of conference



**Table 14. Conference attendees (n=1,543)**

| Role/ relationship to the offender       | n     | %    |
|--|-------|------|
| YLO                                      | 1,055 | 68.4 |
| Support for the YP – mother/stepmother   | 790   | 51.2 |
| Victim                                   | 640   | 41.5 |
| Support for the YP – non-family          | 571   | 37.0 |
| Support for the YP – other family/carers | 512   | 33.2 |
| Support for the YP – father/stepfather   | 405   | 26.2 |
| Other police                             | 373   | 24.2 |
| Victim representative                    | 244   | 15.8 |
| Victim support                           | 225   | 14.6 |
| Other <sup>a</sup>                       | 200   | 13.0 |
| Role not defined                         | 42    | 2.7  |

Note. Conferences can have more than one type of attendee.

a includes community representatives, approved observers, legal representatives and interpreters.

**Table 15. Number of categories of participant present (n=1,543)**

| Number of categories of participant present | n   | %    |
|---|-----|------|
| 0   | 20  | 1.3  |
| 1   | 78  | 5.1  |
| 2   | 336 | 21.8 |
| 3   | 506 | 32.8 |
| 4   | 343 | 22.2 |
| 5   | 178 | 11.5 |
| 6+  | 82  | 5.4  |

attendee (other than the young offender and convenor) was a Youth Liaison Officer (68.4% of conferences had a YLO present). In 41.5 per cent of conferences a victim was present, just over half of the time (51.2%) the young offender's mother or stepmother was present and acting in a supportive role (i.e. she was not the victim), in 26.2 per cent of conferences the young offender's father or step father was present and acting in a supportive role, and in a third of conferences (33.2%) another family member of the young offender was present and acting in a supportive role.

Due to the way that attendees are recorded in the CIMS database it was not possible to calculate how many people

attended each conference. Instead, the number of categories of participant was computed, for example, was there one or more YLO present, was there one or more victim representative present. Table 15 shows how many categories of participant attended each conference, not including the young offender or the conference convenor. Most conferences had three, four or five categories of participant represented at the conference.

**How long does the average conference last and does this vary by the number of categories of participant present? Does conference duration vary by location?**

Table 16 shows the breakdown of conference duration by region. Eighty-three conferences did not have duration recorded, and one was recorded as having a duration of 1 minute and so was excluded. This left 1,459 cases. The median conference length was 71 minutes. The shortest conference lasted 10 minutes, and the longest 220 minutes, while the most common (mode) conference length was 1 hour (25.2% of conferences lasted 1 hour).

**Number of Participants**

There was a moderate correlation between the number of categories of people attending the conference and the duration of the conference ( $r = .304, p < .001$ ). The more categories of people present, the longer the conference lasted. A conference with the minimum possible number of attendees (just the young offender and the conference convenor) lasted 55 minutes, and this increased by 6.7 minutes for each additional category of participant present. However, the number of people present at the conference only explained less than a tenth of the variation in conference length ( $r^2 = .093$ ).

**Region**

There were significant regional variations in conference duration (Kruskal-Wallis  $p = < .001$ ). Conferences in the Western region (Broken Hill, Dubbo, Orange, Queanbeyan and Wagga Wagga) were significantly shorter, with a median conference length of 60 minutes, compared to conferences in the Northern region (Armidale, Glen Innes, Gosford, Kempsey, Lismore and Newcastle) or the Metropolitan region (Blacktown, Campbelltown, Fairfield, Penrith, Petersham, Sydney and Wollongong) which had a median conference duration of 70 and 75 minutes respectively.

**Table 16. Conference duration in minutes, by region (n=1,459)**

| Region               | Time in minutes |           |            |                    |                    |                    |
|----------------------|-----------------|-----------|------------|--------------------|--------------------|--------------------|
|                      | Median          | Minimum   | Maximum    | 25% of conferences | 75% of conferences | 95% of conferences |
| Northern (n=480)     | 70              | 15        | 220        | 60                 | 90                 | 135                |
| Metropolitan (n=812) | 75              | 20        | 210        | 60                 | 90                 | 125                |
| Western (n=167)      | 60              | 10        | 180        | 60                 | 80                 | 125                |
| <b>All</b>           | <b>71</b>       | <b>10</b> | <b>220</b> | <b>60</b>          | <b>90</b>          | <b>130</b>         |

Western vs. Northern  $p = .042^a$   
Western vs. Metropolitan  $p < .001$

Note. Data was missing for 27 cases in the Northern region, 42 cases in the Metropolitan region, and 15 cases in the Western region, which left 1,459 cases.

<sup>a</sup> Mann-Whitney tests were used to investigate pair-wise differences between region and delay. A p-value less than 0.05 indicates a significant difference.

## SUMMARY

In 2010, 54.2 per cent of referrals to a Youth Justice Conference (YJC) came from a court. Younger offenders were more likely to be police rather than court referred, however young offenders who were Indigenous, female, or committed their crime(s) in the Central Metropolitan or North-West Metropolitan regions were more likely to be referred by a court.

Most (81.4%) outcome plans were issued to male offenders, 23.9 per cent were issued to Indigenous offenders, and half (52%) of the plans were issued in the Metropolitan region. The most frequent outcome task was an apology (1,484 plans, 79.6%), followed by personal development tasks (1,273 plans, 68.3%). Most commonly, plans involved two tasks. The content of the plans and the number of tasks varied both by the demographic features of the offender and by location. Almost 90 per cent (88.7%) of outcome plans were completed. Females and Indigenous offenders were less likely to complete their outcome plans, as were offenders in the Western region, however completion rates did not vary according to the type or number of tasks. The median time from referral to conference was just over two months (62 days), although this delay was significantly shorter (47 days) in the Northern region. It took around two and a half months for outcome plans to be completed (median time from the conference to completing the last outcome task was 76 days), though it took significantly longer in the Metropolitan region compared to the other regions.

Aside from the young offender and the conference convenor, the most common person attending a conference was a Youth Liaison Officer (68.4% of conferences). In 41.5 per cent of conferences the victim was present, just over half the time (51.2%) the young offender's mother or stepmother attended, and just over a quarter of the time the young offender's father or stepfather attended (26.2%). The median conference length was 71 minutes, however conferences in the Western region were significantly shorter than in the other regions (median 60 minutes).

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## NOTES

1. This is data is for all conferences held in 2010 independent of outcome, that is, conferences in which the outcome plans are incomplete are included. It does not include referrals for conferences that never took place. This question used a different dataset than the rest of the research questions.
2. Region was drawn from the NSW PF regional breakdown of Local Area Commands which can be found at: [http://www.police.nsw.gov.au/about\\_us/structure/operations\\_command/local\\_area\\_commands](http://www.police.nsw.gov.au/about_us/structure/operations_command/local_area_commands)

3. This was tested using linear-by-linear association as suggested by Agresti (1996).
4. These 1,865 outcome plans arose from 1,595 unique conferences involving 1,613 unique young offenders.
5. Note that outcome plans may be finalised without being completed, for example if the young offender has completed some of the plan, and then the matter is discussed with the referring police/court and they decide that the young offender has done enough. Another scenario may be that the service is not available (e.g. the young offender was supposed to partake in a particular program that is no longer available so they are unable to complete).
6. Youth Justice Centres across NSW were grouped into three regions: Northern: Armidale, Glen Innes, Gosford, Kempsey, Lismore and Newcastle; Metropolitan: Blacktown, Campbelltown, Fairfield, Penrith, Petersham, Sydney and Wollongong; Western: Broken Hill, Dubbo, Orange, Queanbeyan and Wagga Wagga, which can be viewed on the DJJ website at: [http://www.djj.nsw.gov.au/Contactus\\_Location\\_map.htm](http://www.djj.nsw.gov.au/Contactus_Location_map.htm)

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## APPENDIX

Table A1 gives a breakdown of the status of outcome plans by the nature of tasks included in the plans. As was evident in Table 11 in the main body of this report, there were no significant differences in the completion status of outcome plans according to the nature of the tasks they contained.

As shown in Table A2, 728 (39.0%) of outcome plans contained at least one form of restitution, defined as community work,

**Table A1. Outcome plan status by type of outcome task**

| Outcome task                | Outcome plan status   |               |                        |              |                            |              |
|-----------------------------|-----------------------|---------------|------------------------|--------------|----------------------------|--------------|
|                             | Completed (n = 1,655) |               | Not completed (n= 148) |              | Still in progress (n = 50) |              |
|                             | n                     | (%)           | n                      | (%)          | n                          | (%)          |
| <b>Apology</b>              | <b>1,320</b>          | <b>(89.4)</b> | <b>116</b>             | <b>(7.9)</b> | <b>40</b>                  | <b>(2.7)</b> |
| Written                     | 1,069                 | (88.9)        | 95                     | (7.9)        | 31                         | (2.6)        |
| Verbal                      | 547                   | (92.6)        | 29                     | (4.9)        | 14                         | (2.4)        |
| <b>Personal development</b> | <b>1,121</b>          | <b>(88.1)</b> | <b>107</b>             | <b>(8.4)</b> | <b>36</b>                  | <b>(2.8)</b> |
| Behavioural program         | 578                   | (88.0)        | 56                     | (8.5)        | 19                         | (2.9)        |
| Behavioural undertaking     | 370                   | (88.3)        | 36                     | (8.6)        | 10                         | (2.4)        |
| Per. Dev. tasks             | 221                   | (89.1)        | 18                     | (7.3)        | 6                          | (2.4)        |
| Study options               | 169                   | (87.6)        | 15                     | (7.8)        | 8                          | (4.1)        |
| Work options                | 95                    | (100.0)       | 0                      | (0.0)        | 0                          | (0.0)        |
| School performance          | 37                    | (71.2)        | 14                     | (26.9)       | 1                          | (1.9)        |
| Charity work donation       | 11                    | (84.6)        | 2                      | (15.4)       | 0                          | (0.0)        |
| <b>Community work</b>       | <b>464</b>            | <b>(87.2)</b> | <b>51</b>              | <b>(9.6)</b> | <b>17</b>                  | <b>(3.2)</b> |
| ≤ 20 hours                  | 303                   | (88.1)        | 29                     | (8.4)        | 9                          | (2.6)        |
| 21-40 hours                 | 88                    | (84.6)        | 9                      | (8.7)        | 7                          | (6.7)        |
| 41-70 hours                 | 25                    | (83.3)        | 5                      | (16.7)       | 0                          | (0.0)        |
| >70 hours                   | 8                     | (57.1)        | 6                      | (42.9)       | 0                          | (0.0)        |
| unspecified                 | 48                    | (90.6)        | 3                      | (5.7)        | 1                          | (1.9)        |
| <b>Work for victim</b>      | <b>80</b>             | <b>(87.0)</b> | <b>6</b>               | <b>(6.5)</b> | <b>5</b>                   | <b>(5.4)</b> |
| ≤ 20 hours                  | 48                    | (82.8)        | 5                      | (8.6)        | 4                          | (6.9)        |
| 21-40 hours                 | 6                     | (85.7)        | 1                      | (14.3)       | 0                          | (0.0)        |
| 41-70 hours                 | 2                     | (66.7)        | 1                      | (33.3)       | 0                          | (0.0)        |
| unspecified                 | 26                    | (92.9)        | 1                      | (3.6)        | 1                          | (3.6)        |
| <b>Financial reparation</b> | <b>146</b>            | <b>(91.8)</b> | <b>9</b>               | <b>(5.6)</b> | <b>4</b>                   | <b>(2.5)</b> |
| ≤\$50                       | 36                    | (94.7)        | 1                      | (2.6)        | 1                          | (2.6)        |
| \$51-\$100                  | 40                    | (87.0)        | 2                      | (4.3)        | 2                          | (4.3)        |
| \$101-\$500                 | 46                    | (88.5)        | 5                      | (9.6)        | 1                          | (1.9)        |
| \$501-\$1,000               | 9                     | (81.8)        | 2                      | (18.2)       | 0                          | (0.0)        |
| >\$1,000                    | 10                    | (100.0)       | 0                      | (0.0)        | 0                          | (0.0)        |
| unspecified                 | 6                     | (100.0)       | 0                      | (0.0)        | 0                          | (0.0)        |
| <b>Gift in kind</b>         | <b>11</b>             | <b>(91.7)</b> | <b>0</b>               | <b>(0.0)</b> | <b>1</b>                   | <b>(8.3)</b> |

Note. Plans can contain more than one type of Outcome Task. Broad headings refer to any task falling in that category. Total number of plans is 1,865

Note. There were also 12 conferences that were reconvened

Note. Chi squared tests of association between outcome task categories and completed plans vs not completed/reconvened/still in progress were not significant.

working for the victim, or making financial reparation. Most (n=633, 87.0%) of these were completed, seven conferences (1.0%) were reconvened, 24 (3.3%) were still in progress at August 2011, and 64 (8.8%) were finalised without the young offender completing part or all of the outcome plan.

Community work was the most common form of restitution (73.6% of outcome plans involving restitution contained community work), followed by financial reparation (22.1%) and working for the victim was the least common (12.6%).

**Table A2. Outcome plan status by type of restitution**

| Restitution          | Outcome plan status   |         |   |         |
|----------------------|-----------------------|---------|---|---------|
|                      | Completed (n = 1,655) |         | Not completed/ Still in progress/ reconvened (n= 210) |         |
|                      | n                     | (row %) | n   | (row %) |
| Community work       | 464                   | (86.6)  | 72  | (13.4)  |
| Financial reparation | 146                   | (90.7)  | 15  | (9.3)   |
| Work for victim      | 80                    | (87.0)  | 12  | (13.0)  |
| Any                  | 633                   | (87.0)  | 95  | (13.0)  |

Note. 12 conferences were reconvened, 50 plans were still in progress as at August 2011

Note. Plans can contain more than one type of restitution, hence the column 'any type of restitution' is not a total of the other three categories.

## Case Vignettes

### Case Study 1: Damage to property

A 17 year old Indigenous male with a criminal history became angry when he was denied a game for his Playstation, and subsequently punched three holes in a gyprock wall at his place of residence. This caused his carer to become fearful and call the police. The young offender admitted to the offence, and 12 days later he was referred by police for a Youth Justice Conference. He had previously received three cautions under the Young Offenders Act (1997). Approximately three months later the conference was held at a PCYC in the metropolitan area, at which the victim (the carer), the young offender and the convenor attended. No other people were invited or attended. The conference lasted for 65 minutes, during which the young offender made a verbal apology to his carer, and also wrote out a written apology. He also agreed to attend the first session of an anger management course, attendance at which was to be monitored by his carer. It was agreed that this was to take place within six weeks, although this timeframe was subsequently extended and the course was completed 18 months after the offence occurred.

### Case 2: Affray

An 18 year old male of unknown Indigenous status and no prior warnings or cautions was with six companions in the street when they began to heckle a passer-by. This passer-by then got into his car and attempted to drive away, however one of the young offender's companions spat at his windshield and stepped out in front of the car, causing the victim to swerve and run into the young offender's car. The young offender and his companions then began to assault the victim and damage his car, causing the victim to sustain scratches, red marks and lacerations from the broken glass. Police were called, and the young offender and two of his companions were arrested and conveyed to the police station, where support people were contacted and attended a short time later. The young offender was afforded the opportunity to contact Juvenile Legal Aid for legal advice however he declined the offer. He was then afforded the opportunity to participate in an electronically recorded interview in the presence of his mother, which he accepted. During this interview, the young offender made full and frank admissions to committing the offence, and was extremely remorseful for his actions, stating that he had a 'brain snap'. At the conclusion of the interview, he was taken back to the custody area and released a short time later.

Approximately five months later, the young offender was referred by police for a Youth Justice Conference. Three and a half months after this the conference took place at a PCYC in a metropolitan area. The conference lasted for an hour and a half, and was attended by the young offender's mother, the victim, one of the co-accused, and a community representative. The young offender's father, another police officer, a YLO and a witness were invited but did not attend.

During the conference, the young offender made a verbal apology to the victim, which was accepted, and also wrote a written apology. He also agreed to make financial reparation of \$250 for the damage to the car, to be paid in two instalments at the Juvenile Justice office. This was completed on time, one year later. The young offender also agreed to a behavioural undertaking – to make an appointment at a local psychological clinic, which he completed three and a half months later.

### Case 3: Assault

A 16 year old male of unknown Indigenous status and no prior cautions or warnings assaulted one of his year nine classmates, first calling him names, then putting him in a headlock and punching him on the side of his face. As a result of the assault the victim's front tooth chipped off and another tooth in the victim's mouth was hanging loosely from the gum. After the assault, the victim was assisted to the school's sick bay, before being taken to see a doctor for the injuries a short time later, after which he was treated by a dentist. The doctor informed the victim that the work done was only a temporary fix and the victim would require root canal surgery and crowns until the victim is old enough to have dental implants placed in his mouth. The school spoke to students in relation to the incident. The principal also spoke to the accused and the victim together to have the victim apologise, during which the young offender said "Sorry, I probably shouldn't have done it". The school informed the victim they would be making further investigations into the incident, however school ended for the year and no action was taken, so the victim attended the police station and made a report.

Nine months later, police referred the young offender to a Youth Justice Conference. Three and a half months after the referral the conference took place at a community centre in the Northern region. The conference lasted for an hour and a half and was attended by the young offender's mother and father, the victim and his mother and father, a Youth Liaison Officer, the investigating police officer, and a community representative. During the conference the young offender agreed to make financial reparation by paying \$1,100 towards the victim's dental expenses (which he fulfilled a month later), agreed to a behavioural undertaking not to interfere in the personal comfort and safety of the victim for six months, and to be suspended from school for four weeks. He also agreed to perform 120 hours of community service for the Salvation Army, which he started the week after the conferences and completed over six months.

### Case 4: Damage to property

A 17 year old non-Indigenous female ward of the state with two previous cautions became involved in an argument with one of her carers at the group home at which she resides after he refused to pick her up from the shops. The argument was also about the young offender wanting to return home to live with her mother. After the argument the young offender went to her bedroom and proceeded to kick holes in the wall, break a mirror and damage a chair. Her carer called police for assistance, who then arrested the young offender and conveyed her to the police station. She then spoke with Juvenile Legal Aid, who advised her not to participate in an electronic interview regarding the matter. She was then charged with 'destroy or damage property'.

Three weeks later she was referred by the court to a Youth Justice Conference. Nine weeks later a conference was held at a PCYC in the Northern region, which was attended by the victim, a victim representative, a Youth Liaison Officer, and two Department of Community Services' workers, one attending as support for the young offender, and one attending as a community representative. The conference lasted for an hour, during which the young offender agreed to undertake community work, in the form of repairing the holes she made in her bedroom, and repainting the room, which she completed two weeks later.

#### **Case 5: Receive stolen property and enter inclosed lands without lawful excuse**

*On a Saturday night at around 10pm a 16 year old non-Indigenous male with no prior warnings or cautions was at a mall with three companions. They rode down the service elevator, attempting to hide their faces from the security cameras with the hoods of their jumpers, then one of them broke into the storeroom of a florist and stole a Valentine's teddy bear, subsequently giving it to the young offender. They were identified by closed-circuit television (CCTV) and 25 days later the young offender was referred by the court to a Youth Justice Conference. Four and a half months later a conference was held at a PCYC in the Metropolitan region, at which the young offender's father attended. The florist was invited to attend, as was the manager of the mall and a Youth Liaison Officer however they all declined. The conference lasted for an hour, during which the young offender wrote apologies to the florist and the manager of the mall, and undertook to reimburse the florist \$80 for the stolen teddy bear, which he did one month later.*

#### **Case 6: Break and enter & Possess prohibited drug**

*A 16 year old non-Indigenous female with no prior cautions or warnings was told by her family that she was no longer welcome in the family home. Three months later she returned with a companion, located a spare key, and let herself into the house, stealing a camera, computer and accessories, a DVD player and various jewellery items. They were seen leaving the premises by an off-duty police officer who arrested them. Further police arrived and the young persons were cautioned and informed they were going to be searched, at which time the young offender reached inside the front of her pants with her right hand and removed a plastic clip-lock bag containing 12 foils of Cannabis individually wrapped and weighing 14.67 grams. She stated that she had it for personal use and that it cost her \$170.00. Police then asked the young offender what she intended to do with the property. She stated that she was going to keep the items for herself, and that she did not have permission to take the property or to enter the premises. Police spoke to the owners of the premises who provided them with a statement saying that they did not give any persons permission to enter the premises or take any property. The young offender made full admissions to the offence.*

*Approximately seven months later she was referred by the court for a Youth Justice Conference. Three months later the conference was held at a community centre in the Metropolitan region, and was attended by the young offender's mother, her carer, and a Youth Liaison Officer. The conference lasted for an hour and a quarter, during which time the young offender agreed to write a letter of apology to her family (which she completed 10 days later), and agreed to be referred to a youth drug and alcohol service for an initial assessment and subsequent family counselling, which was completed seven weeks later.*

#### **Case 7: Common assault**

*A 14 year old non-Indigenous female had been in the care of the Department of Community Services for the past nine years when she assaulted her carer. They had just returned from the beach when the young offender became unco-operative with her carer, entering her office (which is out of bounds) and refusing to leave. The young offender then took off her bikini top, that she was wearing under her shirt, and began whipping her carer with it, striking her on the upper arm and legs. The bikini top got caught on the finger of the carer who was then able to retrieve the bikini top. The carer then contacted the on-call case worker by phone, who advised the carer to try to "de-escalate" the situation. The young offender then picked up a small stool style chair and banged it into the legs of her carer. The carer then removed the stool and attempted to leave the office. The young offender struck her carer several more times on her upper arms. The carer left the premises. The case worker arrived and the young offender calmed down. The carer returned to the house and the young offender told the carer to get out of the house. The carer told the young offender that she had called the police and would be waiting for them at the location, whereupon the young offender poured two glasses of water over the carer. The carer then got in her car and drove up the road away from the young offender. The young offender walked across the road to a neighbour and used the phone to attempt to call her father. No call was made. The young offender then walked away from the house towards the main road. Police attended and obtained a signed statement from the carer, who had a bruise on her left bicep and her right knee.*

*Six weeks later the young offender was referred by police for a Youth Justice Conference as she already had three prior cautions for other matters. Three weeks after that, a conference was held in the Northern region, at which a youth worker and a Department of Community Services' worker attended as support for the young offender, a member of a youth service attended as the young offender's carer, and a Youth Liaison Officer attended. The victim was invited but did not attend. The conference lasted for an hour and a half, during which the young offender agreed to make the victim a card by way of apology (which she completed two weeks later), to attend a counselling session with a school counsellor (which she did 12 days later), and to be referred for anger management (which she did 5 weeks later).*