

PARTICIPATORY JUSTICE AND VICTIMS

Achieving justice for victims in local, national & international settings

17–18 September 2012

The Australian National University
Canberra, Australia



hosted by the
ANU College of Law
Victim Support Australia Inc
ACT Victims of Crime Commissioner

Sponsored by
Victim Support Australia; FaHCSIA; ANU Gender Institute and the Australasian Society of Victimology



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VICTIM SUPPORT ACT



Australian Government

Department of Families, Housing,
Community Services and Indigenous Affairs



Conference Venue	Manning Clark Centre Building 26a The Australian National University Canberra ACT
Dinner Venue	Rydges Lakeside Canberra Lake Michigan Room 1 London Circuit, Canberra ACT
<i>Dress code</i>	Neat casual
Conference Contacts	John Hinchey ACT Victims of Crime Commissioner Victim Support ACT T: 1800 822 272 E john.hinchey@act.gov.au
<i>Administrative matters</i>	COAST ANU College of Law The Australian National University ACT 0200 AUSTRALIA T: +61 (2) 6125 2906 E: coast@law.anu.edu.au
Taxi Canberra Cabs	T: 13 2227
Emergency & Security Police/Fire/Ambulance ANU Campus Security	000 6125 2249
Facilities near venue Chemist, bank, ATMs restaurants, fast food, bookshop	Located in the University concessions area, very close to the conference venue Ask staff on registration desk for directions

Monday 17 September 2012	
8.30am	Registration
9.00am MCC Theatre 2	WELCOME & INTRODUCTION Conference opening > Prof Michael Coper, Dean, ANU College of Law Welcome to Country > Auntie Agnes Shea Ministerial welcome > Mr Simon Corbell MLA, ACT Attorney-General
9.30am MCC Theatre 2	SESSION 1: KEYNOTE ADDRESS Republican Justice and Victims > Prof John Braithwaite, The Australian National University
10.15am	Morning tea in MCC foyer
10.30am MCC Theatre 2	SESSION 2A: PLENARY SPEAKERS Victim and community participation in intimate partner violence Circle Court hearings: stories from the field > Prof Elena Marchetti, University of Wollongong Promising practices for participation in justice for Aboriginal people > Ms Mandy Young, NSW Attorney General's Department
11.30am MCC Theatre 2	SESSION 2B: PLENARY PANEL Chair: Ms Mandy Young, NSW Attorney-General's Department Advocating for Aboriginal & Torres Strait Islander victims of violence > Dr Hannah McGlade (WA), Ms Shirley Slann (Qld), Ms Glyniss Church (ACT), Mr Darren Cochrane (NSW)
12.30pm	Lunch in MCC foyer
1.15pm MCC Theatre 2	SESSION 3A: KEYNOTE ADDRESS Victim participation: the thin edge of the wedge > Prof Kathleen Daly, Griffith University
2.00pm MCC Theatre 2	SESSION 3B: PLENARY SPEAKER Post-conflict Justice in East Timor: a long and winding road for victims > Mr Pat Walsh, Commission for Reception, Truth & Reconciliation, Timor-Leste
2.30pm	Afternoon tea in MCC foyer
2.45pm MCC Theatre 2	SESSION 4A: VICTIMS & POST-CONFLICT JUSTICE Participatory justice experiments in East Timor: victims and the CAVR > Dr Lia Kent, The Australian National University Best practice standards in victim advocacy before the International Criminal Court > Ms Elizabeth King, Monash University Breathing life into the Rome Statute: the ICC's application of reparations provisions > Ms Chantel Potter, International Criminal Court & Mr Rohan Kapur, Legal Aid ACT

<p>MCC Theatre 4</p>	<p>SESSION 4B: VICTIM ADVOCACY</p> <p>Levels of participatory justice</p> <ul style="list-style-type: none"> > Ms Julie Hourigan Ruse, Women’s Domestic Violence Court Advocacy Service Network Inc <p>Enabling victim participation: justice advocacy in a local context</p> <ul style="list-style-type: none"> > Ms Jane Caruana & Ms Robyn Higgins, Victim Support ACT <p>NZ Homicide Support Services: roles, relationships and potential for international networking</p> <ul style="list-style-type: none"> > Ms Paula Connolly & Ms Julie Hayton, Victim Support NZ
<p>MCC Theatre 5</p>	<p>SESSION 4C: MEDIATION & RESTORATIVE JUSTICE OUTCOMES</p> <p>Restorative justice and serious crime: what do victims want?</p> <ul style="list-style-type: none"> > Ms Jasmine Bruce, Ms Jenny Bargaen, Ms Janet Chan & Ms Jane Bolitho, University of New South Wales <p>Notes from the Front: Victim-offender Mediation (VOM) in WA’s adult criminal justice system since 2003</p> <ul style="list-style-type: none"> > Mr Roy Langrish, Victim-offender Mediation Unit (WA) <p>The benefits of justice mediation for victims of crime and adult defendants</p> <ul style="list-style-type: none"> > Mr Stephen Royce & Ms Kylie Mills, Queensland Department of Justice & Attorney-General
<p>MCC Theatre 6</p>	<p>SESSION 4D: ACCESS TO JUSTICE FOR ABORIGINAL TORRES STRAIT ISLANDER VICTIMS</p> <p>Domestic & family violence: is it a black and white issue?</p> <ul style="list-style-type: none"> > Ms Shirley Slann, Senior Worker/Rural & Remote Worker, North Qld Domestic Violence Resource Service <p>Aboriginal access to justice via communication technology</p> <ul style="list-style-type: none"> > Mr Darren Cochrane, Aboriginal Project Officer, NSW Victims Services, Attorney-General’s Department
<p>4.15pm MCC Theatre 2</p>	<p>SESSION 5: PLENARY PANEL</p> <p>Chair: Dr Gregor Urbas, The Australian National University</p> <p>Participatory Justice for Victims—lessons across post-conflict, international & national settings</p> <ul style="list-style-type: none"> > Prof John Braithwaite, Prof Kathleen Daly, Pat Walsh, Elizabeth King, Michael O’Connell
<p>5.00pm</p>	<p>Close Day One</p>
<p>7.00 for 7.30pm</p>	<p>CONFERENCE DINNER at Rydges Hotel</p> <p>Guest speaker: Dr Hannah McGlade</p> <p>A human rights approach to child victimisation</p>

Tuesday 18 September 2012	
9.00am	WELCOME
9.10am MCC Theatre 2	SESSION 6A: KEYNOTE ADDRESS Rhetorics, realities and potentials: thinking about justice for victims > Prof Liz Kelly, London Metropolitan University, UK
9.45am MCC Theatre 2	SESSION 6B: KEYNOTE ADDRESS A tale of two countries: victim participation in Japan and the United States > Prof John Dussich, California State University, USA & Tokiwa University, Japan
10.30am	Morning tea in MCC foyer
11.00am MCC Theatre 2	SESSION 7: PLENARY SPEAKER Procedural justice through victim impact statements > Ms Clare Morton, Victims Support Agency Victoria
11.30am MCC Theatre 4	SESSION 8A: DEVELOPMENTS IN VICTIM PARTICIPATION An emerging victim assistance regime? Implications for international law > Ms Netta Goussac, Attorney-General's Department Active participation in justice policy—challenges and opportunities for victims of crime > Mr Michael Herder, New Zealand Ministry of Justice Snakes & ladders: rethinking victim participation in justice > Ms Robyn Holder, The Australian National University
MCC Theatre 5	SESSION 8B: VICTIM-CENTRED RESTORATION Giving victims a voice: ACT restorative justice conferencing—a victim-centric practice > Ms Dymphna Lowrey, ACT Restorative Justice Unit Community justice and victims > Ms Michelle Stevens & Ms Maree Foelz, Neighbourhood Justice Centre, Victoria
MCC Theatre 6	SESSION 8C: STATUTORY VICTIMS' RIGHTS PROTECTION Statutory rights protection > Mr Michael O'Connell, Victims' Rights Commissioner, SA Limits and possibilities of statutory rights protection > Mr John Hinchey, Victims of Crime Commissioner ACT Protecting the rights of children > Ms Patricia Mackey, A/g Community Advocate, ACT
MCC Theatre 2	SESSION 8D: PANEL DISCUSSION Chair: Prof Kathy Daly, Griffith University Is 'Gender Justice' a relevant concept for domestic settings? > Prof Liz Kelly, Dr Lia Kent, Betty Ochogo, Dr Rochelle Braaf, Dr Shirley Jülich
1.00pm	Lunch in MCC foyer

<p>1.45pm MCC Theatre 2</p>	<p>SESSION 9A: PLENARY SPEAKER The victim is not the person on trial: adapting common law processes to respect victims > Dr Andrew Cannon, Deputy Chief Magistrate and Senior Mining Warden, South Australia</p>
<p>2.15pm MCC Theatre 2</p>	<p>SESSION 9B: PLENARY SPEAKER Harmony between victim agency and ‘justice’ in the criminal justice system > Prof Meg Garvin, National Crime Victim Law Institute, USA</p>
<p>2.45pm</p>	<p>Afternoon tea in MCC foyer</p>
<p>3.00pm MCC Theatre 2</p>	<p>SESSION 10A: ENABLING SEXUAL ASSAULT VICTIMS Delivering justice and equality: sexual violence and restorative justice > Dr Shirley Jülich, Massey University, New Zealand Wraparound: enabling victims of sexual assault to participate in justice > Ms Chrystina Stanford, Canberra Rape Crisis Centre & Ms Jane Caruana, Victim Support ACT</p>
<p>MCC Theatre 4</p>	<p>SESSION 10B: COMMUNITIES & OFFENDERS The Badilika Project (Kenya): just work with sex offenders to construct community safety > Ms Betty Ochogo, Coast Women in Development, Kenya & Dr Chris Laming, Monash University Restoration transformation and healing: is this what justice entails? > Ms Kate Milner, NSW Restorative Justice Project Restore (NZ): restorative justice for sexual violence—a collaborative model working with sexual violence sector agencies to improve outcomes for survivors and whanau > Ms Fiona Landon, Ms Jennifer Annan & Mr Tony Lindquist, Project Restore New Zealand</p>
<p>MCC Theatre 5</p>	<p>SESSION 10C: ISSUES IN VICTIM PARTICIPATION Procedure without substance: false hope for victims of crime? > Dr Tyrone Kirchengast, University of New South Wales Love, hate and personal pride: complicated relationships and the Victim Impact Statement > Ms Fiona Tait, University of Sydney</p>
<p>MCC Theatre 6</p>	<p>SESSION 10D: NEXT GENERATION IDEAS Presentations from Criminal Justice students Chair: Dr Gregor Urbas, Australian National University > Ellie Hobba, Harry Hobbs, Holly Louise, Katrina Marson, Claire Natoli & Georgina Vallance, ANU College of Law</p>
<p>4.30pm MCC Theatre 2</p>	<p>SESSION 11: CLOSING PLENARY PANEL Chair: John Hinchey, ACT Victims of Crime Commissioner Imagining the future for victim participation in justice > Meg Garvin (USA), Harvey Hatch (VSA), Michael Herder (NZ), Chrystina Stanford (ACT), Robyn Holder (ANU)</p>
<p>5.00pm</p>	<p>Conference close</p>

[In order of appearance]

SESSION 1: KEYNOTE ADDRESS

Republican Justice and Victims

Professor John Braithwaite, The Australian National University

Western criminal jurisprudence calls for equal justice for equal wrongs. As soon as victim voice is taken seriously this ideal is unsustainable. Because victims have different needs, responsiveness to their needs makes it hard to preserve equal punishment for equal wrongs. Equal concern for the justice claims of all stakeholders is one path from the dilemma. The republican ideal of freedom as non-domination justifies equal concern for the justice claims of all stakeholders, including victims. Two empirical case studies are used to show the limits of western jurisprudence in terms of listening to needs expressed by victims. One is Kathleen Daly's results on restorative justice in cases of gendered violence by juveniles in South Australia. The second is mass rape in Luvungi in the Democratic Republic of the Congo. A minimizing domination test is suggested as a better ethic than extant western jurisprudence for deciding the right thing to do in Adelaide and Luvungi. One reason for this is that an ethic of non-domination creates more space for victim participation.

Professor John Braithwaite is founder of RegNet (the Regulatory Institutions Network) at The Australian National University and a former Australian Research Council Federation Fellow. He is embarking on a 20-year comparative project called 'Peacebuilding Compared' with Hilary Charlesworth, Valerie Braithwaite and Kate Macfarlane. In the past he has worked on a variety of areas of business regulation and on the crime problem. His best-known work is on the ideas of responsive regulation and restorative justice. John has been active in social movement politics around these and other ideas for 40 years in Australia and internationally. His most recent book is *Regulatory Capitalism: How it works, ideas for making it work better* (2008).

SESSION 2A: PLENARY SPEAKERS

Victim and community participation in intimate partner violence Circle Court hearings: stories from the field

Professor Elena Marchetti, Faculty of Law, University of Wollongong

When it comes to intimate partner violence, current practices tend to favour a resort to traditional criminal law proceedings rather than alternative justice practices that are more participatory in nature. Those that support the use of alternative justice processes do so because they recognise that victims and the community are afforded a greater opportunity to participate in the process and voice their concerns. Some feminist scholars, however, are opposed to involving victims of intimate partner violence in court processes because they believe such involvement places the victim at risk of further victimisation by the perpetrator. These debates inform this presentation, which will focus on findings from interview data collected from over 20 victims and offenders of intimate partner violence who have appeared before Circle Sentencing Courts in two regional NSW towns and in Canberra. These courts involve the participation of Elders and Community Representatives when sentencing Indigenous offenders in an attempt to imbue the sentencing hearing with cultural knowledge and community values. The manner in which such participation affects the experiences of victims who appear before a Circle Court process will be explored.

Professor Elena Marchetti recently joined the Faculty of Law at the University of Wollongong as a Research Professor. She was previously an Associate Professor at Griffith University, Brisbane and until late 2011, a Sessional Member of the Queensland Civil and Administrative Tribunal. In 2009, Elena (with Professor Kathleen Daly and Dr Jackie Huggins) was awarded a five-year Australian Research Council Discovery Grant and Research Fellowship to research the use of Indigenous sentencing courts in sentencing intimate partner violence offenders. Elena's other research interests include intersectional race and gender analyses of justice processes, and access to justice for minority groups.

Promising practices for participation in justice for Aboriginal people

Ms Mandy Young, Victims Services, NSW Attorney-General's Department

Aboriginal people who become victims of crime often find it difficult to engage in the criminal justice system. There is a legacy of past injustices that have resulted in a deep mistrust of the system and perceived lack of engagement. The fact is that Aboriginal people are often engaging and participating in the process, the western system just doesn't necessarily see things the same way. Healing is also critical to the path of participation for all victims of crime, but it is even more so for Aboriginal people. Aboriginal people have a long history of being oppressed and being victims of crime through colonisation practices. To heal, a person must be able to come to a place that is safe and allows them to deal with the pain of past, process this and begin their healing journey in the present and the future. If people don't heal, they will not be able to change their behaviours and actively participate in the western process for addressing crime, they will continue to be victims again and again. Service and policy responses need to be holistic and incorporate healing to be effective. Additionally, for victims of crime to effectively participate in criminal justice processes they need to have confidence and consistency in the responses that they receive. This presentation will consider how Aboriginal people participate in the criminal justice system and why they choose to do it in this way. It will also consider a range of promising practices and programs both in Australia and internationally to improve Aboriginal people, who are victims of crime, access to and participation in the justice system.

Mandy Young has worked in the fields of child protection, domestic violence and sexual assault and victims of crime. This includes roles as a: child protection caseworker; hospital Social Worker; Sexual Assault Counsellor; policy developer; policy manager; program manager and she is now the Director of Victims Services for the Department of Attorney General and Justice (DAGJ). Prior to taking on this role, she managed the development and implementation of the NSW Aboriginal Child Sexual Assault Taskforce and DAGJ Domestic and Family Violence unit. Mandy is a strong Aboriginal woman who is committed to ensuring that all victims of crime are able to access the support and services they need to help them in their recovery.

SESSION 2B: PLENARY PANEL

Advocating for Aboriginal & Torres Strait Islander victims of violence

Chair: Ms Mandy Young, Director, Victims Services, NSW Attorney-General's Department

Panelists: Dr Hannah McGlade (WA), Ms Shirley Slann (Qld), Ms Glyniss Church (ACT),
Mr Darren Cochrane (NSW)

SESSION 3A: KEYNOTE ADDRESS**Victim participation: the thin edge of the wedge**

Professor Kathleen Daly, Griffith University

The desire for greater victim participation in justice activities is a broad and multi-faceted quest. It requires greater specificity and a method of evaluating the degree to which it is achieved in a justice activity. It also can be seen as the thin edge of the wedge, when additional justice interests might also be pursued. This paper introduces the construct of 'victims' justice interests', which has five elements: participation, voice, validation, vindication, and offender accountability. I define these elements and show how they can be used to evaluate and compare conventional and innovative justice mechanisms. In particular, they offer an advance over thin measures of victim satisfaction or a focus on therapeutic effects of justice processes. They can also be used to make normative claims about the standing of victims as citizens in justice processes. Examples are drawn from my research on conventional and innovative responses to sexual victimisation.

Kathleen Daly is Professor of Criminology and Criminal Justice, Griffith University (Brisbane). She writes on gender, race, crime, and justice; and on restorative, Indigenous, and international/transitional justice. Her book, *Gender, Crime, and Punishment* (1994, Yale University Press) received the Michael Hindelang award from the American Society of Criminology. With Lisa Maher, she co-edited *Criminology at the Crossroads: Feminist Readings in Crime and Justice* (1998, Oxford University Press); and with Andrew Goldsmith and Mark Israel, *Crime and Justice: A Guide to Criminology* (2006, Lawbook Company). First based in the United States, she travelled to Australia in 1995 as a Senior Fulbright Scholar to study restorative justice at the Australian National University. From 1998 to 2006, she received three Australian Research Council (ARC) grants to research restorative justice and the race and gender politics of new justice practices. In 2008, she began an international project on innovative justice responses to sexual violence; and in 2009, with Elena Marchetti and Jackie Huggins, a project on Indigenous partner violence, both funded by the ARC. In addition to books and edited volumes, she has published over 75 journal articles and book chapters. She is an elected Fellow of the Academy of the Social Sciences in Australia, and immediate past President of the Australian and New Zealand Society of Criminology (2005-09).

SESSION 3B: PLENARY SPEAKER**Post-conflict justice in East Timor: a long and winding road for victims**

Mr Pat Walsh AM, Commission for Reception, Truth & Reconciliation, Timor-Leste

Victims of the widespread and systematic violations of human rights perpetrated in East Timor 1975–1999 have seen three formal responses to the crimes they suffered. Only one of these responses, however, set out to include and meaningfully involve victims in its processes and activities. The Commission for Reception, Truth and Reconciliation (CAVR), the first of its kind in the region and regarded by experts as one of the top five commissions globally, consulted victims in the design of the commission, facilitated their participation across the range of its functions, especially its truth-seeking inquiry and ground-breaking community reconciliation procedures, and put victim's rights at the heart of its recommendations. The presentation will explain why and how CAVR undertook this victim-friendly approach and discuss its merits vis-à-

vis the other two institutional responses. The paper will also argue, however, that political developments since the dissolution of CAVR have favoured the interests of perpetrators over victims, frustrated the expectations and rights of victims and compromised the work of the CAVR.

Pat Walsh has recently returned to Australia after working in East Timor during the nation's first ten years following independence from Indonesia. In East Timor, he was seconded by the UN to help establish the CAVR truth and reconciliation commission, and served as its Special Advisor (2001–05). He subsequently worked as senior advisor to the Post-CAVR Technical Secretariat until 2010 and is now involved with the CHART archival project in Australia and with plans to publish the CAVR report, entitled *Chega!* (enough, no more), in English and establish an Institute of Memory in East Timor. He has also had a long involvement with Indonesia as a teacher, as co-founder of *Inside Indonesia* magazine and as director of the Australian Council for Overseas Aid (ACFOA now ACFID) regional human rights program (1985–2000). He recently published *At The Scene of the Crime: Essays, Reflections and Poetry on East Timor*, 1999–2010. He was awarded the Ordem de Timor-Leste in 2009 and the Order of Australia (AM) in 2012 for his contribution to human rights and reconciliation.

SESSION 4A: VICTIMS & POST-CONFLICT JUSTICE

Participatory justice experiments in East Timor: victims and the CAVR

Dr Lia Kent, The Australian National University

East Timor's Commission for Reception, Truth and Reconciliation (CAVR) was established in aftermath of the 1999 referendum violence to establish the truth about the 24-year Indonesian occupation and foster reconciliation. A key component of its work involved the implementation of an innovative community reconciliation process (CRP) informed by restorative justice principles, which sought to reintegrate perpetrators of minor crimes back into their communities. Resonating with a broader trend towards the embrace of local justice systems to resolve legacies of mass violence in post-conflict societies, the CRP built upon pre-existing local dispute resolution practices, which promised to offer 'local ownership, access and efficiency' (Waldorf 2006: 3–4) in the context of a nascent and overwhelmed formal justice system. Drawing on extensive interview data, this paper offers a critical perspective on the CRP. While acknowledging that the CRP was participatory and accessible, it argues that the process did not overcome the established power dynamics within local communities that restricted the voices of many victims, especially women. The paper also highlights how broader tensions between the 'justice' and 'stability' goals of the CAVR contributed to victims' dissatisfaction with the process.

Lia Kent is a post-doctoral fellow in the School of International, Political and Strategic Studies at The Australian National University. She is the author of numerous articles on transitional justice and a monograph, *The Dynamics of Transitional Justice: International Models and Local Realities in East Timor* (Routledge, 2012).

Best practice standards in victim advocacy before the International Criminal Court

Ms Elizabeth King, Monash University & Victorian Bar

Elizabeth King is a barrister and current doctoral student in international criminal law at Monash University. She has practised in public law in areas including child protection, juvenile justice,

mental health law, Crimes Mental Impairment and Unfitness to be Tried proceedings, public health law and disability law. Elizabeth is the Vice-Chair of a project titled 'Best Practice standards for victim advocates appearing before the International Criminal Court', a joint initiative of the Australian Advocacy Institute and the Monash Forensics Studies Program. Elizabeth has previously taught in International Public Law, International Humanitarian Law and Criminal Justice. Elizabeth is a prior chair of the Human Rights Committee of the Law Institute of Victoria and a former International Humanitarian Law Officer with the Australian Red Cross (Vic Division). Elizabeth has recently undertaken roles as the Victorian Representative of the Australasian Society of Victimology and as a member of the Norms and Standards sub-committee of the World Society of Victimology. Her areas of interest include the role of the victim-advocate in international criminal law proceedings, the utilisation of interdisciplinary thinking in international criminal law victim-advocacy and the emblematic role of art and cultural motif in meaningful reparation for victims of international crimes.

Breathing life into the Rome Statute: The ICC's application of reparations provisions

Ms Chantel Potter, International Criminal Court, The Hague, Netherlands &

Mr Rohan Kapur, Legal Aid ACT

[Ms Potter will to present via skype from The Hague (Rohan Kapur will attend in person)]

The definition of 'victims' and their access to procedural rights for in-trial participation under the Rome Statute of the International Criminal Court form a developing practice across trials before the court (McGonigle Leyh, B 'Procedural Justice? Victim Participation in International Criminal Proceedings' in *The Office for Public Counsel of Victims, Representing Victims before the International Criminal Court; a Manual for Legal Representatives the Office of Public Counsel for Victims* (ICC, 2010)). With the conclusion of the Lubanga trial the next phase of victim's rights is soon to be implemented; the reparations proceedings. Trial Chamber I has invited (*Prosecutor v Lubanga* 'Scheduling order concerning timetable for sentencing and reparations,' (14 March 2012) ICC-01/04-01/06, at 5) and received submissions from the case stakeholders containing different conceptions of reparations based on the Statute. In addressing issues of; collective and individual reparations, the measurability of the extent of harm suffered, the indigence of the accused and the available funds in the Trust Fund for Victims, the divergence of proposed approaches indicates the constructive ambiguity of the Statute (Trumbull, 'The Victims of Victim Participation in International Criminal Proceedings', (2008) 29 *Michigan Journal of International Law* 777, 793. See also S. Zappalà, 'Judicial Activism v. Judicial Restraint in International Criminal Law', in Cassese et al. (eds), *Oxford Companion to International Criminal Justice* (Oxford: OUP, 2009) 562-564; (eds), *Companion*, supra, 216-223, at 220-221). This paper will compare the submissions of the stake holders; the Registry, Trust fund for victims, Office of Public Counsel for Victims, Victims legal representatives, Prosecution and Defence which will assist Trial Chamber I in determining the procedural modes and substantive outcomes of restorative justice for victims under the Rome Statute.

Chantel Potter currently works as a legal intern at the Office of Public Counsel for Victims at the International Criminal Court (ICC) and is completing her Masters at Vrije Universiteit of Amsterdam in the Law and Politics of International Security. She graduated with a Bachelors in Arts (Anthropology) and an LLB (Hons) from ANU in July 2011. Chantel's interest in legal representation for victims of international conflict developed while interning at the ICTY from 2009-2010 where no legal representation has been made available to victims. Her honours thesis examined victims' participatory and protection rights at the ICC, exploring the founding

documents and the developing jurisprudence. She now works in a daily capacity with these issues at the Court.

Rohan Kapur graduated with an LLB (Hons) degree from the Australia National University and expects to complete a Master of Laws (International Law) in November 2012. He has carried out research for several overseas institutions including the Hong Kong Law Reform Commission, and his honours thesis assessed the contemporary significance of traditional modes of international commissions of inquiry. He is currently works in the civil section of Legal Aid ACT where he has obtained first hand exposure to victims' rights and victims' compensation issues.

SESSION 4B: VICTIM ADVOCACY

Levels of participatory justice

Ms Julie Hourigan Ruse, Women's Domestic Violence Court Advocacy Service Network Inc

Established in 1996, the Women's Domestic Violence Court Advocacy Service Network is the peak body assisting women and children seeking legal protection from domestic violence. The Network comprises 28 WDVCS that operate in 108 local courts throughout New South Wales. Most WDVCS have specialist workers to help Aboriginal women and women from culturally diverse backgrounds. Each WDVCS works locally in collaboration with government agencies, non-government organisations and the private sector to deliver an integrated service to clients. WDVCS organise the roster for Domestic Violence Practitioner Service solicitors to attend 32 local courts to give free independent legal advice on a range of matters, or refer to other services. The Network works to achieve better outcomes for women and children by identifying and advocating on domestic violence issues within social, political and legal contexts. We are informed by a feminist analysis of power and recognise domestic violence and family violence as a crime and a violation of the human rights of women and children. In 2010/2011, the WDVCS provided 73,765 services to 21,219 clients, and made 39,200 referrals. This presentation will explore the benefits professional and independent advocacy support for women and children as they seek protection through the legal system.

Julie Hourigan Ruse is the Executive Officer of the Women's Domestic Violence Court Advocacy Service Network. Julie is responsible for the Network's political advocacy and policy development. Julie has extensive management experience in engaging and working with people across the community sector including clients, welfare agencies, solicitors and government agencies. Previously, Julie was the Coordinator of the Homeless Persons' Legal Service where she worked closely with many clients whose experience of homelessness was directly related to incidents of domestic violence. Julie maintains her practising certificate as solicitor, and has a Masters in Law (Human Rights and Social Justice).

Enabling victim participation: justice advocacy in a local context

Ms Jane Caruana & Ms Robyn Higgins, Victim Support ACT

Jane Caruana has worked within the victims area for the last 12 years, both in the Victims of Crime Coordinator's Office and Victim Support ACT. As a Manager within Victim Support ACT, Jane is responsible for the justice advocacy programs that assist victims to access their rights and entitlements in the justice system.

Robyn Higgins has worked as a Justice Advocate for Victim Support ACT for the past four years. She developed a strong interest in advocacy while working in the Northern Territory where she was the manager of a community service agency.

NZ Homicide Support Services: roles, relationships and potential for international networking

Ms Paula Connolly & Ms Julie Hayton, Victim Support NZ

New Zealand Victim Support offers emotional and practical support and advocacy services to victims and family/whanau members affected by serious crimes such as homicide, sexual violence and death by a criminal act. Most referrals come direct from New Zealand Police by virtue of the Memorandum of Understanding between both organisations, and the growing victim-centric approach of New Zealand Police. In 2010 the New Zealand Government created an offender levy, administered by the Ministry of Justice. This levy enabled Victim Support to establish a specialist Homicide Support Service. This service monitors and coordinates local support, financial grants and liaises with other agencies in New Zealand and overseas, to ensure all victims affected by the homicide of a close family/whanau member receive full support and financial assistance enabling them to participate throughout the judicial and parole process. These extensive financial grants cover the varied needs and costs for victims and/or family and whanau after a criminal event. For example: counselling; travel within New Zealand or overseas to court fixtures such as trials; sentencing; parole, coronial and inquest hearings. This presentation outlines the role, function and processes of the Homicide Support Service and considers opportunities for strengthening trans-Tasman networks and relevant international connections.

Paula Connolly has more than 30-years' experience in Welfare, Education and the Not for Profit sectors as a trainer, consultant, manager and supervisor. For over 9 years Paula has worked in various roles for Victim Support NZ and is currently the Homicide Service Specialist covering the Lower North Island. Both Paula and Julie are founding members of the Homicide Service team, responsible for establishing service guidelines, procedures and standards. They provide support, oversight and best practice guidance to staff and volunteers working with families of homicide victims and both are committed to delivering a quality service to families of serious crime and homicide.

Julie Hayton has worked for Victim Support in New Zealand for eight years, directly supporting victims of crime, training volunteer support workers and specialising in best practice guidance. She is now the Homicide Support Coordinator for the Central North Island providing support and best practice guidance to staff and volunteers working with families of homicide victims. Julie is an original team member who has provided valuable input into this service. She is passionate about providing a quality and consistent service to victims. Prior to her involvement with Victim Support, Julie trained in adult education, supervision and as a counsellor.

SESSION 4C: MEDIATION & RESTORATIVE JUSTICE OUTCOMES**Restorative justice and serious crime: what do victims want?**

Ms Jasmine Bruce, Ms Jenny Borgen, Ms Janet Chan & Ms Jane Bolitho,
University of New South Wales

This paper presents preliminary findings from a study of restorative justice and serious crime. Whether or not restorative justice processes are appropriate for serious crimes such as murder, manslaughter, sexual assault and armed robbery is the subject of ongoing debate. While critics fear the risks are too high given the serious nature of the crime and the associated trauma, advocates argue that these types of cases are precisely the ones that could be of most benefit to victims in particular. We present a series of case studies to highlight what victims of serious crime said they wanted from a restorative process. In doing so, we explore some of the potential benefits and challenges for meeting the needs of victims at the post-sentencing stage of the criminal justice system.

Jasmine Bruce, Jenny Borgen, Janet Chan and Jane Bolitho are researchers at the University of New South Wales (UNSW). They are working in collaboration with the Restorative Justice Unit at Corrective Services NSW on a study funded by the Australian Research Council (led by Chan and Bolitho). Jasmine Bruce is presenting the paper. She is a Research Fellow at UNSW Law School. She is the editor (with Jane Bolitho and Gail Mason) of a forthcoming book titled *Restorative Justice: Adults and Emerging Practice* which will be published in 2012.

Notes from the front: Victim-offender Mediation (VOM) in WA's adult criminal justice system since 2003

Mr Roy Langrish, Victim-offender Mediation Unit (WA)

This presentation will begin with a brief overview of VOM in WA's adult criminal justice system, and the when, why and how of reparative, protective and therapeutic mediation. It will examine the importance of remorse. Some victims of crime need to see 'genuine' offender remorse, or simply to tell their story, while others care little about it. PJ (like RJ) is a broad church, while reparative VOM has limited goals. VOM works within legal constraints and facts of a criminal case. Parties to VOM may have no conscious commitment to PJ/RJ principles. The WA legal system enables but also constrains reparative VOM. There are differing interests of court and parties before it, some of whom don't see or seize VOM opportunities. Adversarial legal process constrains the scope of VOM, unless all parties agree to widen that scope beyond court matters. VOM sets out to be a win-win situation, but what happens when that doesn't occur? Offenders can dig themselves big judicial holes by making grandiose promises they don't keep—or score an easy sentencing 'free kick' should a victim decline to participate. The presentation will look at what is 'successful VOM'—or is that notion itself a moving feast? How is it a court may be satisfied with certain VOM outcomes, while the victim sees nothing of benefit?

Roy Langrish has worked as a Mediation Officer for the Victim-offender Mediation Unit (VMU) since 2004 and, since January 2010, has managed the unit's court-based reparative mediation service as Senior Mediation Officer (courts). Roy has a particular interest in restorative justice and in promoting its use within the WA criminal justice system. Roy first trained in mediation with the Institute of Arbitrators and Mediators (IAMA) in 2003 and is currently a LEADR and Nationally Accredited Mediator.

The benefits of justice mediation for victims of crime and adult defendants

Mr Stephen Royce & Ms Kylie Mills, Queensland Department of Justice & Attorney-General

The Justice Mediation Program is a restorative justice program for adult offenders which has been in operation in Queensland for over 20 years. The program, which is managed by the Dispute Resolution Branch, Department of Justice and Attorney-General, was expanded to three other Queensland centres in 2008: Cairns, Townsville and the Gold Coast. This presentation covers key elements from an internal research project by one of the presenters into the reasons for the much lower re-offending rates in one of the centres. Successful mediations in this primarily diversional program have frequently resulted in the discontinuance of charges for various indictable and non-indictable offences committed by adult offenders. Feedback from victims of crime and adult defendants shows a consistently high level of satisfaction on a broad range of indicators. Our hypothesis is that greater benefits can be gained for the community—including the reduction in re-offending rates—by changes in the use of re-integrative shaming; increasing the sense of occasion; and reinforcing the impact of participation in a justice mediation through including specialist intervention on any identified underlying issue as part of the monitored outcomes. Data from the Dispute Resolution Branch's Justice Mediation program in 2009 has been used to consider this hypothesis and the results clearly support it.

Stephen Royce is a seasoned mediator with the Dispute Resolution Branch, Queensland Department of Justice and Attorney-General, with twelve-year's experience. He is currently the Justice Mediation Officer in the Gold Coast Office which he set up in 2008. He also acted as the state-wide coordinator of the Justice Mediation Program for several periods. He is a nationally accredited mediator and an inaugural mediator with the state's electricity board. He has trained mediators and has conducted over 500 mediations for the Dispute Resolution Branch - half of these being criminal matters involving, indictable and non-indictable charges. He has assisted in legislative reviews, policy and procedural development. Stephen was a mediator in private practice prior to his appointment.

Kylie Mills has over ten-years' experience working for Queensland Department of Justice and Attorney-General across various departments including civil claims, criminal registry, coroners and domestic violence. The last three years Kylie has specialised in criminal mediations for the Dispute Resolutions Branch as the Justice Mediation Intake Officer in the Gold Coast office and has direct involvement with the defendant, victims of crime and their respective families. Her role involves assessing parties' suitability; negotiating potential heads of agreement including specialist interventions; and providing ongoing information sessions to agencies including Police, DPP, judiciary and the legal fraternity. Kylie is a nationally accredited mediator.

SESSION 4D: ACCESS TO JUSTICE FOR ABORIGINAL TORRES STRAIT ISLANDER VICTIMS**Domestic & family violence: is it a black and white issue?**

Ms Shirley Slann, Senior Worker/Rural & Remote Worker, North Qld Domestic Violence Resource Service

Shirley Slann will talk about the issues and barriers and justice responses facing Indigenous communities in the Mount Isa North West region and the impact of Domestic & Family Violence. Shirley will also talk about how her service has changed over the years from working only with

victims of violence to also working with perpetrators of violence and why this approach is necessary.

Shirley Slann is an Indigenous woman from Mount Isa and has worked in the area of Domestic & Family Violence for over 14 years. Shirley is employed by North Qld Domestic Violence Resource Service and provides domestic and family violence assistance, support and community education to Mount Isa and the outlying communities in the North West region. Shirley is a strong women's advocate in the stand against domestic & family violence and is fully aware that Domestic & Family Violence affects everyone regardless of culture or race. Her current positions include: National Indigenous representative for WESNET (National peak for Women's services); Qld Domestic & Family Violence Strategy Implementation Advisory Group (DFVSIAG) member; Indigenous Reference Group member for the Queensland Centre for Domestic & Family Violence Research; Qld Aboriginal & Torres Strait Islander Justice Task Force (Just Futures Strategy) member; Mount Isa Domestic & Family Violence Action Group member; Global Network of Women's Shelters Board—Indigenous member.

Aboriginal access to justice via communication technology

Mr Darren Cochrane, Aboriginal Project Officer, NSW Victims Services,
Attorney-General's Department

Are Aboriginal victims engaging services through the telephone and Internet? Anecdotally they are not. This is a concern because the most victimised people might be missing out on accessing their entitlements or rights. It is a fact that Aboriginal people are over-represented in the criminal justice system both as offenders and victims of crime. Aboriginal people and more specifically Aboriginal victims of crime are unaware of their rights: how they should be treated, how they should be assisted and how they can access help and support in the criminal justice system. In a world increasingly relying on technology to relay information how do we connect with those with limited access to technology? How do we convince Aboriginal victims of crime to access and participate with our services via communication technology such as the telephone and Internet? To illustrate the lack of connection I will examine my years of consulting with Aboriginal communities that are indicative of the caution and reluctance they feel to engage through these means. The obstacles and issues, hindering access to communication technology, will be considered and explanation provided. There will also be examination of increasing accessibility for Aboriginal victims of crime through this medium.

Darren Cochrane is the Aboriginal Project Officer at Victims Services NSW. He has experience in policy and project development in the NSW Public Sector and has a keen interest in improving the outcomes for Aboriginal victims of crime. Darren has worked extensively with Aboriginal organisations and communities over the last 12 years. He has experience working in the areas of restorative justice, mediation, and Aboriginal participation for both victims of crime and offenders. Prior to working at Victims Services, Darren worked as a Crime Prevention Advisor for the Aboriginal Services Division, Department of Attorney General and Justice. Where he worked with selected NSW Aboriginal Community Justice Groups to examine, target and then reduce the incidence of crime and offending behaviours in their regions.

SESSION 5: PLENARY PANEL**Participatory Justice for Victims—lessons across post-conflict, international & national settings**

Chair: Dr Gregor Urbas, The Australian National University

Panel: Prof John Braithwaite, Prof Kathy Daly, Pat Walsh, Elizabeth King, Michael O'Connell

GUEST DINNER SPEAKER**A human rights approach to child victimization**

Dr Hannah McGlade

Hannah McGlade is a Noongar woman living in Perth. She holds a Bachelor of Laws (Murdoch University 1995), a Masters in Law (Murdoch University 2001) and a PhD (Curtin University 2011). Admitted as a Barrister and Solicitor to the Supreme Court of Western Australia in 1996 Hannah has specialised in human rights law and her work has been the subject of many publications and test cases concerning Aboriginal human rights. In 2011, Hannah was named the recipient of the prestigious Stanner Award for her PhD thesis concerning Aboriginal child sexual assault and the justice system. Hannah is currently a member of the Migration and Refugee Tribunal.

SESSION 6A: KEYNOTE ADDRESS**Rhetorics, realities and potentials: thinking about justice for victims**

Professor Liz Kelly, Child and Woman Abuse Studies Unit, London Metropolitan University, UK

For over a decade new laws, policies and practices have emerged purporting to 're-balance' legal systems, affording rights to victims and generating discussion on procedural and/or parallel justice. This paper will explore whether the changes have been long on rhetoric and short on transformation. The focus will be primarily on Europe, which affords a comparison of both investigative and adversarial legal systems alongside rigid and more open justice systems. Responses to adults and children in cases of interpersonal violence offer a window on possibilities, potentials and limitations.

Liz Kelly holds the Roddick Chair on Violence Against Women, and has spent 30 years as a engaged academic, seeking to create 'useful knowledge' for practitioners, victim-survivors and policy makers. In this time she has written many papers and research reports, but fewer books, which have provided new concepts and frameworks and/or have influenced the direction of policy in the UK and more widely in Europe. Some of these contributions include the concept of the 'continuum of sexual violence', that 'woman protection can be the best form of child protection' and that child pornography is not just images, but a record of abuse. CWASU continue to innovate in methodology and teaching, with the only MA in Europe on Woman and Child Abuse, 11 PhD students. Current projects include an innovative approach to perpetrator programmes asking what they contribute to co-ordinated community responses and following 100 women and their children, to explore how they rebuild their lives after intimate partner violence, including using mapping of social networks and creative methods. She is regular

consulted by government and state agencies, including the Metropolitan Police and Crown Prosecution service and is co-chair of the influential End Violence Against Women coalition, which links women's NGOs with the Trade Union Congress and Amnesty UK.

SESSION 6B: KEYNOTE ADDRESS

A tale of two countries: victim participation in Japan and the United States

Professor John Dussich, California State University, USA & Tokiwa University, Japan

Japan and the United States of America are very different countries in many ways, including in their legal traditions. Today, in Japan and the USA, victim participation in the administration of justice is an essential part of both systems. Following the recommendations as stated in the 1985 United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, these two countries successfully embarked on courses of actions aimed at providing respect and dignity for victims, each using similar and different procedures and instruments. In the USA, in 1999 the 'Third Model of Criminal Process' proposed by Douglas Beloof, provided a legal foundation for significant advancement in legal reforms at state and federal levels. In 2002, the US Congress passed the Crime Victims Rights Act giving participatory rights for victims in federal courts that are enforceable and thirty-three states now have victim rights in their constitutions. At the federal level victims can now be represented by an attorney to assert their participatory rights in the criminal proceedings. Japan has also made significant strides in recent years. In 2000 two criminal proceedings acts were passed which resulted in in-court changes to give victims a presence and the chance to speak about the impact of their victimization. In 2007 again an act was passed amending the criminal procedures known as the 'Victims Participation System' coming into force in December of 2008 giving them the right to sit next to the prosecutor and attend the entire trial as key participants and allowing them to state their opinions, ask questions and after all the evidence is presented, to state their opinions concerning the facts. During the first year after this last act was passed, 850 victims or their bereaved families attended the trials as participants. Both countries have successfully challenged the previous boundaries thereby significantly increasing the participation of victims in the administration of justice in their respective countries.

Professor Dussich has degrees in Clinical Psychology (BS), Corrections and Criminology (MS), and Criminology and Sociology (PhD) from Florida State University. For the past 39 years he has been working in the field of victimology and victim services. He is the creator and founder of the National Organization for Victim Assistance (NOVA), which he launched in Fresno, CA in 1976. He served as its first Executive Director for four years. He has also had key roles in the World Society of Victimology serving as its founding Secretary General (1979–85) serving for two terms and recently another 3-year term as (2000–03); he is its immediate past President (2006–09). Currently he is the editor of the journal: *International Perspectives in Victimology*. He is a trained crisis responder and has logged hundreds of hours as a volunteer working with victims in disasters around the world. He serves as a consultant to nations on issues of victim services and systems' advocacy, recently working with such countries as the Sudan, Colombia, El Salvador, Indonesia, and Nepal. He has published 16 books, written 101 articles and made 198 presentations. His most recent work has been as the Chair of the United Nations Liaison Committee of the World Society of Victimology at the UN Headquarters in Vienna on behalf of international victim rights.

SESSION 7: PLENARY SPEAKER**Procedural justice through victim impact statements**

Ms Clare Morton, Victims Support Agency Victoria

Victims of crime are often surprised to learn that the prosecutor responsible for bringing the case against the accused, does so on behalf of the State and that they, as the people directly affected by the crime, have no legal status in those proceedings. The only opportunity for the victim to have a voice is through submission of a Victim Impact Statement if the accused is found guilty of the crime. Legislation providing for victims to make a Victim Impact Statement exists in all Australian jurisdictions and, in Victoria, since 1994. It was however, not known how effectively this legislation was achieving its purpose in promoting greater recognition and inclusion of victims in the criminal justice process. Research conducted by the Victims Support Agency in Victoria identified a number of factors which influenced the outcome for victims and led to further legislative reforms in Victoria in 2011. The nature of these reforms and the way in which they have been implemented will be discussed, together with their impact on prosecutors, defence counsel, judges, magistrates and most importantly, victims themselves. The implications of the fact that legislation, which gives victims the right to make a Victim Impact Statement does not alone provide the means for victims to feel they have been included in the justice process and that their voice has been heard will be explored.

Clare Morton has been the Director of Community Operations and the Victims Support Agency in the Department of Justice since 2008. In this position she is responsible for victim services (including the policy, reporting, monitoring and evaluation of the statewide Victims Assistance and Counselling Program, the Victims Register, the Prisoner Compensation Quarantine Fund, the victims of crime Helpline and the Aboriginal victims of crime team), policy and strategic projects (including victims policy, Victims' Charter implementation and evaluation, family violence and Working with Children Check policy), the Child Witness Service, Diversity Issues Unit and the Justice for Refugees Program. Diversity Issues Unit coordinates cultural diversity and disability across the Department of Justice. Clare is a member of the Detention and Supervision Review Board, the Ministerial Community Advisory Committee for Corrections and the Accredited Purchasing Unit. Clare has qualifications in law and social work and previously practised as a solicitor and also established and co-ordinated a community legal centre specialising in immigration and refugee law. Clare's involvement in immigration and refugee law continues in a voluntary capacity as President of the Board of the Refugee and Immigration Legal Centre.

SESSION 8A: DEVELOPMENTS IN VICTIM PARTICIPATION**An emerging victim assistance regime? Implications for international law**

Ms Netta Goussac, Attorney-General's Department

This paper examines the obligation on States to provide assistance to victims of conduct prohibited under international law. 'Victim assistance provisions' can require States to provide economic, medical, rehabilitative or psychological assistance to victims, assist the social inclusion of victims or facilitate their representation in judicial proceedings. Victim assistance provisions are present in the field of disarmament, namely, the instruments related to anti-personnel mines (1997), explosive remnants of war (2003) and cluster munitions (2008). The provision of assistance to victims is also mandated by the Convention against Transnational

Organised Crime (2000), and its Protocol on the trafficking in persons (2000). The Rome Statute of the International Criminal Court (1998) required the establishment of a Trust Fund for the benefit of the victims of crimes within the Court's jurisdiction, and their families. This paper analyses and compares these provisions with the aim of identifying common elements and determining whether they are indicative of an emerging victim assistance regime under international law. This paper will assess the implications of such an emerging regime for international law, including the impact on the remedies traditionally available under international law, and the relevance of victim assistance provisions in other areas of international law.

Netta Goussac is a Senior Legal Officer in the Office of International Law in the Attorney-General's Department, where she works in the fields of international security law, disarmament, international humanitarian law and international criminal law. She completed her Master of Laws (International Law) at the Australian National University in 2009 and her Bachelor of Laws and Bachelor of Arts (Political Science) at the University of Western Australia in 2006.

Active participation in justice policy—challenges and opportunities for victims of crime

Mr Michael Herder, New Zealand Ministry of Justice

New Zealand has undertaken a comprehensive work programme to enhance the role of victims in the criminal justice system, and make the process more responsive to the needs and wishes of victims of crime. This has included legislative changes through the Victims of Crime Reform Bill, and further operational reforms to enhance victims' rights and give victims a greater voice. One initiative has been drafting a code for victims that outlines their rights, lists the services provided to victims of crime, and highlights the duties and responsibilities of agencies when dealing with victims. The Ministry of Justice has been leading this work over the past year, and commissioned an innovative consultation process to engage with victims and communities on decisions about the structure and content of the Victims Code. This presentation discusses key findings from establishing a reference group of victims of a serious crime, engaging with service providers, community leaders and Māori iwi. Findings from recent qualitative research which captured victims' experiences within the criminal justice system will also be discussed. The presentation concludes with observations about the how these activities have shaped the development of the Victims Code and future policy thinking on opportunities for victim services.

Michael Herder is a Policy Advisor at the New Zealand Ministry of Justice, working predominantly in the areas of victims' rights reform and restorative justice. Michael has a professional policy background in central government, with previous roles at Parliament House and the Department of Internal Affairs in New Zealand. In 2012 Michael has led reforms to enhance the role of victims in the criminal justice system, and make the process more responsive to the needs and wishes of victims of crime. This has included legislative changes through the Victims of Crime Reform Bill, as well as wider developments with the introduction of a Victims Code which outlines victims' rights, and highlights the duties and responsibilities of agencies when dealing with victims. This work has involved an innovative consultation process to engage victims and communities to inform the structure and content of reforms, and creating avenues for victims to play an active role in contributing to justice policy. To support this work Michael has directed two victims research projects on behalf of the Ministry of Justice in the past year, a literature review and a qualitative study, which build on the evidence base relating to victims' experiences through the criminal justice system and appropriate service responses to victims' of

crime. Michael was educated at Victoria University of Wellington where he studied Criminology and Public Policy, and is currently completing a Master of Public Policy. He is also a tutor for the Victoria University School of Government, teaching under-graduate courses in Public Policy and Political Studies.

Snakes & ladders: rethinking victim participation in justice

Ms Robyn Holder, Regulatory Institutions Network, The Australian National University

Citizen participation has become a potent paradigm in many areas of contemporary public policy. In areas of health, social services, employment, and in the cultural domain the emphasis on participation has become pronounced (White & Pettit 2004). In the political realm, participatory democracy is discussed as a key—if not the—element in measures to address the profound legitimacy deficit and dissatisfaction with liberal democracy (Beetham 2005; Barber 1984). Yet the domestic criminal justice system has stood resolutely against the trend despite significant disquiet in many countries about how the principles of fairness, equality and effectiveness are deployed in the everyday (Indermaur and Roberts 2009). This presentation explores some of the arguments against increased participation of the victim-citizen within justice. These arguments are set alongside data from a small sample of victims of violence who reflect on their voice, their treatment, their relationship to decision-makers, and what this says about the role(s) they might look for as participants. I return to Arnstein's ladder of participation (1971) to argue against the 'dispositive' straightjacket imposed by Edwards (2004). I suggest that the citizen-centred ladder creates a more nuanced framework for inclusion as well as for a more participatory justice.

Robyn Holder has worked on issues of violence and justice for over 20 years in the UK, Europe and Australia. In the UK she was responsible for innovations in multi-agency, community and criminal justice responses to violence against women, and wrote and trained extensively in this area. She is a member of the international research network, the Canadian Observatory on Justice System Responses to Intimate Partner Violence, and was a site manager for the Australian component of a 4 country study using comparative court data. With the University of Melbourne, Robyn worked on an ARC Discovery national research project examining victims' experience of procedural justice. From 1996 to 2011 she was the independent statutory advocate promoting victims' rights in the ACT under the Victims of Crime Act 1994. She was chairperson of the national professional body—Victim Support Australia—for 10 years and remains a member of its Executive Committee. She has written and spoken extensively on victim and justice issues. Robyn is currently a member of the ACT Law Reform Council and a member of the Research Ethics Committee of the Australian Institute of Criminology. She is completing her PhD at The Australian National University.

SESSION 8B: VICTIM-CENTRED RESTORATION

Giving victims a voice: ACT restorative justice conferencing—a victim-centric practice

Ms Dymphna Lowrey, Restorative Justice Unit, Justice & Community Safety Directorate ACT

The ACT restorative justice scheme is governed by the *Crimes (Restorative Justice) Act 2004*, (the Act) and has been in operation since January 2005. The underlying principles of the Act, place the needs of victims as a central priority from the referral and conference participation

stage through to the monitoring and compliance of the agreement. The scope of the Act is known for its comprehensive capacity for victims to participate in a restorative justice process at many points along the criminal justice system—as a diversion to court, in parallel to a court process or post-sentence. When it comes to the application of restorative justice to violent offences, the ACT has undertaken extensive consultation in the development of key guidelines that inform the way conferences for serious violence offences would be conducted. This paper will explore the ACT Restorative Justice Act, its victim-centric nature and the important steps required when undertaking participatory justice for victims of violent offences.

Dymphna Lowrey has worked for over seven years in the field of restorative justice and is the manager of the ACT Restorative Justice Unit. She was instrumental in the implementation of the Crimes (Restorative Justice) Act 2004 and the development of guidelines and policies for conducting face-to-face and indirect RJ conferences. Dymphna has over 20-years' experience in the ACT criminal justice system. She developed expertise in working with men who use violence in her role as the coordinator of the Family Violence Intervention Program, an internationally recognised coordinated response to family violence. Dymphna has also worked as a Victim Liaison officer for the Sentence Administration Board and engaged in research on the families of homicide victims for Victim Support ACT and interviewed victims of family violence as part of an Australian Institute of Criminology evaluation. Dymphna has first-hand insight into the needs of victims of serious crime and the limitations inherent within the formal justice system to address these needs. Her work on developing restorative justice guidelines for the management of family violence cases are testimony to her sound understanding of both restorative justice and the justice needs of victims. Utilising the theme of participatory justice, Dymphna's presentation today will take us through the Crimes (Restorative Justice) Act a unique piece of legislation that places the needs of and participation of victims at the centre of the process. The presentation will also look at the extensive consultation process undertaken in the development of a set of guidelines for the management of serious offences such as family violence in a restorative justice setting.

Community justice and victims

Ms Michelle Stevens & Ms Maree Foelz, Neighbourhood Justice Centre, Victoria

The Neighbourhood Justice Centre in inner city Melbourne, Australia, implements the *community justice model*—trailing innovative practices and approaches to justice. The Centre brings together a multi-jurisdictional court, mediation services, integrated support services and works to prevent crime and strengthen the local community. The aim of community justice is not merely to process criminal cases but to restore order, strengthen community cohesion, repair the damage from crime, and build partnerships that nurture a more beneficial community life (Community Justice, Todd R Clear, John R Hamilton, Jr & Eric Cadora. 2nd Edition, 2011). The NJC works broadly with the Yarra community to strengthen capacity to respond to crime based on the concept that *Strong communities provide the foundations for community safety*. How does this equate to a new approach to victim participation? With community at the centre, the administration of justice is required to go beyond its usual approaches. Michelle Stevens, from the NJC's Program Innovations Team, will discuss how collaborative approaches in Yarra have enhanced the development of victim's responses. Several specific case studies will be outlined including:

- Coordinated service responses for Family Violence & Personal Safety Intervention Order (IVO) clients.

- Intervention Order Support for Public Housing Residents Project -strengthening systemic responses.
- Effective service responses for offenders.

Michelle Stevens is a Project Manager in the Program Innovations Team at Australia's only Neighbourhood Justice Centre, located in Collingwood, Victoria. Michelle leads projects that support community justice initiatives including the implementation of the Centre's Victims Strategy. Michelle has extensive experience working in the justice system—including ten years as a lawyer in Community Legal Centres in both NSW and the Northern Territory. Much of that work was with women living in or leaving violent relationships. She has subsequently worked on a range of projects addressing the impacts of crime and social disadvantage.

Maree Foelz is a Project Officer at Australia's only Neighbourhood Justice Centre in Collingwood, Victoria. She assists in the development and management of projects, practices and processes associated with crime prevention, family violence and victim support, and community engagement, and currently chairs the Yarra Family Violence Network. Maree was previously employed for 25 years, as a police officer in Queensland, working in crime prevention, family violence liaison and facilitating training.

SESSION 8C: STATUTORY VICTIMS' RIGHTS PROTECTION

Statutory rights protection

Mr Michael O'Connell, Victims' Rights Commissioner, SA

Michael O'Connell, Commissioner for Victims' Rights in South Australia, also teaches victimology locally and internationally; and has written chapters and articles on victimological issues such as victims' rights. He is a life-member and a Secretary-General of the World Society of Victimology. In 1995 he was awarded the Australian Police Medal for his victimological work; in 2003 a finalist in Australian of the Year 2004 (South Australia); and in 2010 Victim Support Australia presented him with its national award for advancing victimology and promoting victims' rights.

Limits and possibilities of statutory rights protection

Mr John Hinchey, Victims of Crime Commissioner ACT

John Hinchey is chair of the ACT Family Violence Intervention Program Coordinating Committee, a member of the ACT Domestic Violence Prevention Council, Domestic Violence Crisis Service Management Committee, ACT Victims Advisory Board and a member of a number of steering committees. John has a Diploma in Social Welfare and has worked in community welfare services, community corrections and restorative justice. He managed a non-profit making welfare service before joining ACT Corrective Services in 1990 where he worked as a probation and parole officer and later manager of policy. After time spent managing the ACT Sentence Administration Board (parole board) and ACT Community Corrections he left ACT Corrective Services in 2004 to establish the ACT restorative justice scheme, managing the ACT Restorative Justice Unit for six years. In 2009–10 he acted as the ACT Victims of Crime Coordinator and was appointed the ACT Victims of Crime Commissioner and ACT Domestic Violence Project Coordinator in August 2011.

Protecting the rights of children

Ms Patricia Mackey, A/g Public Advocate, ACT

Patricia Mackey is currently acting as Public Advocate. She has been Principal Advocate with the Public Advocate of the ACT since mid-2007, being responsible for advocating for the rights and best interests of children and young people involved with care and protection services and the justice system and for people with a disability. She is responsible for monitoring services for the protection of children and has a statutory oversight role for mental health services. Patricia has held leadership positions and clinical practitioner roles with government and the non-government sector, particularly in child protection and out of home care in NSW where she has implemented whole of government reforms and programs across NSW. Patricia has presented papers at national conferences and overseas on topics such as innovative intensive support programs for young people, interagency cross-border programs in child protection and recently on the significance of public advocacy in promoting the rights and interests of children and young people involved with care and protection services and the ACT Children's Court and for those people with a mental illness or mental dysfunction. Initially qualified as an Occupational Therapist, Patricia also has a Social Work (Honours 1st Class) degree and a Masters degree in Social Science (Welfare & Social Policy). She is well regarded in the field of child and social welfare and is an active member of the ACT Branch Management Committee for the Australian Association of Social Workers and is on the Executive Committee for the University of Sydney Canberra Alumni Association. Patricia is committed to promoting the rights and best interests of vulnerable individuals, particularly for those unable to do this for themselves.

SESSION 8D: PANEL DISCUSSION

Is 'Gender Justice' a relevant concept for domestic settings?

Chair: Prof Kathy Daly, Griffith University

Panelists: Prof Liz Kelly, Dr Lia Kent, Betty Ochogo, Dr Rochelle Braaf, Dr Shirley Jülich

SESSION 9A: PLENARY SPEAKER

The victim is not the person on trial: adapting common law processes to respect victims

Dr Andrew Cannon AM, Deputy Chief Magistrate & Senior Mining Warden, South Australia

The common law adversary process is a lawyer controlled confrontational battle model designed to achieve due process for the defendant. The victim is put on trial to see if guilt can be established beyond reasonable doubt. This paper briefly explores the origins of the common law process and contrasts it to the role of victims in civil code inquisitorial procedure. Against this background suggestions are made to better involve victims in common law criminal procedure at all stages of the processes. The following topics are discussed:

- offender victim conferencing to divert criminal matters from courts;
- offender victim conferencing within court processes;

- placing an onus of the defendant to disclose his or her defence once prosecution disclosure is complete;
- victims being represented in the trial and sentencing process.

Dr Andrew Cannon AM is Deputy Chief Magistrate and Senior Mining Warden in South Australia. He manages the Adelaide CBD court and therapeutic and restorative justice programs in the Magistrates Court, including mental health, drug, family violence courts and Aboriginal Sentencing Conferences which combine victim offender conferencing with the Nunga court model. He established the civil procedure for the court in the Magistrates Court (Civil) Rules 1992. Andrew has a PhD from the University of Wollongong on court policy and he is an Adjunct Professor at the Flinders Law School and also at Münster University, in Germany. He has published articles on a variety of topics including therapeutic jurisprudence, restorative justice, family violence, mediation, practice and procedure reform, comparative law, costs and more effective fact finding. He is convenor of the education committee of the national policy and research body the Australasian Institute of Judicial Administration (AIJA) and Deputy Chair of LEADR, the leading ADR organisation in Australia and New Zealand.

SESSION 9B: PLENARY SPEAKER

Harmony between victim agency and ‘justice’ in the criminal justice system

Professor Meg Garvin, National Crime Victim Law Institute, Portland, Oregon USA

The concept of victim agency does not easily reside within the dominant criminal justice paradigm. It is presumed antithetical to the paradigm’s articulation of justice and the goals of formal equality of treatment and punishment. The result is that system actors are encouraged to articulate victims’ ‘best interests’ based, in part, on the belief that victims lack capacity for authentic agency. The implications are significant: disempowered victims may refuse to engage the system; believing that victim-initiated participation will be abandoned, system actors may resort to coercive tactics to compel participation thereby further alienating victims; and victims who engage the system only to be later silenced may suffer increased re-victimization. Consequently, victim advocates who continue to argue for victim agency and system actors who continue to argue for the paradigm’s traditionally conceived processes and outcomes find themselves at an impasse. This paper argues that when victim agency is fully enabled through enforceable rights protected by legal representation it can exist in harmony with the processes, goals, and principles of the traditional criminal justice paradigm. Using the victims’ right to be heard and the power of narrative as the key example, the paper discusses how the impasse can and should be overcome.

Meg Garvin MA, JD, is the executive director of the National Crime Victim Law Institute (NCVLI) and a clinical professor of law at Lewis & Clark Law School in Portland, Oregon, USA. Meg Garvin is recognized as a leading expert on victims’ rights in the United States. She testifies before Congress and state Legislatures on the state of victim law and serves on a variety of legislative and policy committees and task forces across the country. She previously served as co-chair of the American Bar Association’s Criminal Justice Section Victims Committee, and as a member of the board of directors for the National Organization of Victim Assistance. Prior to joining NCVLI and the faculty at Lewis & Clark, Ms Garvin practiced law in Minneapolis, Minnesota and clerked for the Eighth Circuit Court of Appeals. She received her bachelor of arts degree from the University of Puget Sound in Washington State, her master of arts degree in communication studies from the University of Iowa, and her JD from the University of Minnesota.

SESSION 10A: ENABLING SEXUAL ASSAULT VICTIMS**Delivering justice and equality: sexual violence and restorative justice**

Dr Shirley Jülich, Massey University, New Zealand

This paper outlines research in which adult survivors of historical child sexual abuse were asked about their understandings of justice and the processes that might enable them to experience a sense of justice. Although, they identified processes similar to those of used in restorative justice, when it came to their own circumstances they seemed reluctant to consider it. An analysis of the interviews led to the conclusion that there were a number of practice issues that would have to be addressed before restorative justice could address either current or historical sexual violence. Such issues included the definition of community, a negotiated community response, the transfer of power to the community and the challenge for restorative justice to provide substantive equality. The paper discusses how restorative justice might meet these challenges and draws on a recent evaluation of Project Restore to build a case for specialist services that use restorative justice to address sexual violence.

Dr Shirley Jülich is a Senior Lecturer in the School of Health and Social Services, Massey University, Albany. She comes from a background of working in the social services with intellectually disabled people and children at risk in Western Australia and New Zealand. Shirley's PhD investigated the complex relationship between the criminal justice system, restorative justice, and child sexual abuse from the perspective of adult survivors of child sexual abuse. Following the completion of her PhD her research interests have continued to focus on the intersection of gendered violence, recovery, and justice, including the economic consequences this has for victim-survivors, offenders, their families and the broader society. She currently supervises a number of PhD students researching in the area of restorative justice. Shirley has remained active in community practice in both the restorative justice and sexual violence sectors. She was a member of Te Oritenga, the first restorative justice provider group in New Zealand, through the second half of the 1990s. She is a founding member of Project Restore, a programme that aims to address sexual violence by using restorative justice processes, and sits on the executive and practice committees of this community group.

Wraparound: enabling victims of sexual assault to participate in justice

Ms Chrystina Stanford, Canberra Rape Crisis Centre &
Ms Jane Caruana, Victim Support ACT

Chrystina Stanford as the Executive Officer of the Canberra Rape Crisis Centre comes here today with extensive experience and knowledge in trauma and sexual assault. Chrystina has spent 18 years working in the field across a range of community services, 15 years working directly in prevention and response to sexual violence against women, men and children. Chrystina is actively involved in many areas of sexual violence and violence against women prevention by means of participation through the Victims Advisory board and the NASASV board (National Association of Services Against Sexual Violence). Chrystina has demonstrated commitment to political and societal change that equalizes power among people. Within her working career, and personal life, she has a commitment to recognizing and reducing the pervasive influences and effects of oppressive societal attitudes. Chrystina hold strong to the belief that 'personal is political', and in the equal worth of all people.

Jane Caruana has worked within the victims area for the last 12 years, both in the Victims of Crime Coordinator's Office and Victim Support ACT. As a Manager within Victim Support ACT, Jane is responsible for the justice advocacy programs that assist victims to access their rights and entitlements in the justice system.

SESSION 10B: COMMUNITIES & OFFENDERS

The Badilika Project (Kenya): Just work with sex offenders to construct community safety

Ms Betty Ochogo, Coast Women in Development, Kenya &
Dr Chris Laming, Monash University

This paper appraises a project that the Pwani Gender Based Violence (GBV) Network, along with the Shimo la Tewa Rehabilitation Centre (Prison), established in Mombasa, Kenya, for incarcerated sex offenders. This initiative is called the Badilika (Change) Project and aims at challenging abusive attitudes and behaviour, to reduce recidivism by participants and hence enable greater safety and well-being in the community. The project began in June 2011 with groups in the Rehabilitation Centre and in the Borstal, facilitated by victim advocates from the GBV network. A post release group is planned in the community, to support re-integration and monitor risk and safety concerns. The project design encompasses men's behaviour change groups, theatre, song and dance, with narratives of remorse and responsibility. Badilika members are supported to become ambassadors of respect, reconciliation and non-violence. Stories of hope, told by men and youths who have committed sexual violence in the past, are recorded and used in community education groups to promote alternatives to violence and abuse. This paper looks at the Badilika project's underlying philosophy, theories, implementation, related issues and ongoing dilemmas. The Badilika model supports a strong justice response to GBV, combined with rehabilitative interventions by victim advocates.

Ms Betty Sharon Ochogo is the Executive Director for Coast Women in Development, (<http://cwid.weba100.com/>) an award winning NGO that she pioneered in Mombasa. As a grassroots activist Sharon has led a number of campaigns to challenge gender based violence and improve the health and well-being of women and children in the region. Sharon coordinates the Pwani Gender Based Violence Network and part of that role is to lead the Badilika (change) team, working with incarcerated sex offenders towards rehabilitation and the reduction of recidivism. Sharon is a focal person for GBV prevention in the Horn of Africa and in 2009 was one of the nominees for the Johnathan Mann Award. In 2010 Sharon presented her study on Child Tourism Prostitution In the Development Context. Sharon has been awarded an AusAid Australian Leadership Awards Fellowship Program (ALA) to visit Australia from August to November 2012.

Dr Chris Laming is a senior lecturer at Monash University Gippsland, teaching in the Community Welfare and Counselling discipline and involved in practice based research projects with colleagues, through the Social and Community Research Unit (SACRU) at the university. Chris is a member of the SAFER (ARC Linkage) research team that looks at the effectiveness of family violence reforms by Government and the impact of an integrated service system response, on the safety of women and children and the accountability of violent men, in Victoria. The main focus of his ongoing research is Gender Based Violence and challenging men's violence against women and children, using a Constructivist approach, with a view to long term desistance. Chris supports the possibility of change by abusive men who take responsibility for their behaviour and who are held accountable. Some men, including sex offenders, who have a change of heart and

seek reconciliation and healing and who achieve desistance from violence, given the right circumstances, might become ambassadors of safety and respect for others. Chris was invited to help found the Badilika (change) project of Mombasa in 2011. Badilika is about engaging incarcerated sex offenders in an individual and group process, towards rehabilitation and desistance, for the safety of women and children in the community, by reducing recidivism.

Restoration transformation and healing: is this what justice entails?

Ms Kate Milner, NSW Restorative Justice, Corrective Services NSW

Anecdotal feedback from victims of serious and violent crimes in NSW indicates that participation in a victim-offender conference facilitated by the Corrective Service's Restorative Justice Unit, some time down the track, is (often to their surprise) what they want. Post-conference feedback suggests that the post-sentence and purist practice of Restorative Justice (RJ) addresses individual needs previously unmet through traditional justice processes or through more traditional rehabilitative avenues focussed on victim rights. Corrective Service's practises RJ very much at the deep end in terms of the seriousness of the offences and the level of trauma. Much of the RJ literature has historically identified face to face meetings between victims and offenders as most appropriate in entirely different contexts. Are we to suppose that restorative practice is therefore best suited to responding to wrongdoing at the softer end of the spectrum? Has the vision applied thus far has been somewhat limited? A growing body of research on RJ and serious violent crime indicates that RJ may in fact be most helpful in a context where the trauma experienced by victims is greatest. This presentation will provide insight into this topic from the perspective of a practitioner / manager. It will include an overview of the victim offender conferencing initiative, and the promise of an Australian Research Council partnership project to undertake research on the potential benefits of victim-offender conferencing for victims of serious crime.

Kate Milner is Manager of the Restorative Justice Unit (RJU) in Corrective Services NSW which was established in 1999. Kate is an experienced manager, an accredited mediator and RJ conference facilitator. Kate manages the team in which members facilitate victim-offender conferences that take place post sentence involving adult offenders. Most conferences are in response to serious crimes with significant human impact; crimes including murder, manslaughter, armed robbery, assault and dangerous driving occasioning death are the common offence categories conferenced. The RJU and University of New South Wales have received an Australian Research Council Linkage Grant to conduct a research project which aims to examine the prospects and issues relating to the use of RJ processes at the post-sentence stage to resolve conflict following serious criminal offending. The research project is currently underway and includes a census of case histories, a study of current cases and a follow up study of cases. Kate and the Restorative Justice Unit team share a vision of Restorative Justice capable of transforming the conflict generated by criminal behaviour, healing people affected by the crime and enhancing human relationships.

Project Restore (NZ): restorative justice for sexual violence—a collaborative model working with sexual violence sector agencies to improve outcomes for survivors and whanau

Ms Fiona Landon, Ms Jennifer Annan & Mr Tony Lindquist, Project Restore New Zealand

Project Restore combines restorative justice values with a survivor-driven process. The purpose of this workshop is to look at the collaborative model used by Project Restore to provide a process that empowers participants in gaining both an experience of justice and healing and to

assist then in re engaging with their support networks and whanau within a new paradigm. During the workshop we will discuss some of the difficult clinical issues we have come across in our work and how to resolve them—this will be an interactive discussion.

Fiona Landon has been working in the area of restorative practise for the last 13 years. She is a trained nurse and has worked in sexuality education, advocacy for family violence victims and drug and alcohol rehabilitation. She has been working with Project Restore NZ Inc since its inception in 2004. Project Restore has developed a specialist service to address sexual violence using restorative processes. Project Restore is an unique example of how victim, and offender treatment agencies, restorative justice providers and academics can come together and work cooperatively to provide services in the sexual violence field. Fiona is the programme director and restorative justice facilitator for Project Restore and works in a case work team with her co presenter Jennifer Annan.

Jennifer Annan works for Auckland Sexual Abuse Help where, for the last 11 years, she has supported survivors of sexual violence on the 24 hour crisis phone line, through initial police process of forensic medical, statement and then on to court support preparation and in-court support. She has also provided long-term therapy to survivors. She is a founding member of Project Restore (2004) and has worked as the Survivor Specialist alongside the Offender Specialist and Restorative Justice Facilitator (Fiona Landon). She brings an in-depth knowledge and understanding of survivor needs to the restorative justice process. Jennifer has a Masters degree in counselling and specific training in trauma models that support both short term intervention and long term healing. She has also studied Restorative Justice Practices under the guidance of Shirley Julich at Auckland University of Technology. Jennifer's specialist training combined with clinical experience provides the platform to ensure survivors emotional, spiritual and physical safety is held throughout the restorative justice process.

Tony Lindquist is a trained counselor, ex-probation officer and has previously worked in the Te Piriti Programme sex offenders treatment programme. He works with this project as the community offender specialist.

SESSION 10C: ISSUES IN VICTIM PARTICIPATION

Procedure without substance: false hope for victims of crime?

Dr Tyrone Kirchengast, Faculty of Law, University of New South Wales

The rise of procedural justice for the integration of victims into processes from which they are otherwise excluded has been met with widespread praise. The ability to participate in court and associated processes where, formerly, no role was accorded has challenged those normative assumptions that see the victim relegated to the sidelines of justice. New and innovative processes such as conferencing and intervention programs provide victims with a means of participation that affords victims the option of making a substantive contribution that stands the change of affecting the outcome of the matter. Other processes, however, have been created to better integrate the victim without the ability to affect the outcome. This paper will outline to rise of 'therapeutic processes' that provide no opportunity to contribute to substantive decision-making. The victim impact statement movement will be discussed with a view to challenging the tendency to acknowledge such statements as providing a therapeutic process despite such statements not being taken seriously, and in some instances, disregarded as prejudicial to the objects of sentencing and justice.

Tyrone Kirchengast is a senior lecturer in criminal law at the University of New South Wales, Australia. His research focuses on various facets of criminal justice, including, victims of crime, law and governance and the development of institutions of criminal justice.

Love, hate and personal pride: complicated relationships and the Victim Impact Statement

Ms Fiona Tait, School of Law, University of Sydney

This paper will look at the difficulties facing primary victims of crime in deciding whether to make a Victim Impact Statement (VIS) to the Court in Domestic Violence, Sexual Assault and Historical Sexual Assault matters based on respondent interviews with victims of crime performed in 2010/11 for the NSW VIS Study. Using victim's own words, the paper will discuss the nature of empowerment VIS can provide these victims and also reveal how the VIS process can compound their distress. Whilst the crimes of Domestic Violence, Sexual Assault and Historical Sexual Assault differ, data collected suggests that there may be similarities in the issues facing victims from these cohorts when considering a VIS. Finally the paper will suggest some possible responses that might assist in alleviating some negative outcomes of the VIS process for victims of crime in these matters, to offer those intimidated or challenged by the concept of VIS the opportunity to have a more positive personal experience of their sentencing proceedings.

Fiona Tait is a final year part-time research masters student in the Department of Criminology, University of Sydney. Her research project is entitled: An Evaluation of the Victim Impact Statement process in NSW with regard to the Therapeutic Consequences for Victims of Crime. Fiona has been working as a part-time Research Officer for the UTS Faculty of Nursing through the Health and Aging Unit on a variety of studies to include the Person Centered Environment and Care Study, Nursing in Aged Care Retention Study, Parkinson's Medication Protocol Study, and also works as a Behavioural Recruitment Assessor for various employers.

SESSION 10D: NEXT GENERATION IDEAS

Presentations from Criminal Justice students

ANU College of Law

Chair: Dr Gregor Urbas, Australian National University

Presenters: Ellie Hobba, Harry Hobbs, Holly Louise, Katrina Marson, Claire Natoli & Georgina Vallance

SESSION 11: CLOSING PLENARY PANEL

Imagining the future for victim participation in justice

Chair: John Hinchey, ACT Victims of Crime Commissioner

Panelists: Meg Garvin (USA), Harvey Hatch (VSA), Michael Herder (NZ), Chrystina Stanford (ACT), Robyn Holder (ANU)