

Your Ref: COM 04188-2012, 1927716

Our Ref: Children's Law Committee: 2100037/86

24 July 2012

Mr Barry Leahy
Director-General
Department of Justice and Attorney-General
GPO Box 149
BRISBANE QLD 4001

By Post and Email to: [REDACTED]

Dear Director-General

PRE-CONFERENCE COUNSELLING FOR SEXUAL OFFENCES

Thank you for your response dated 3 June 2012 regarding the issue of pre-conference counselling costs for sexual offences referred to a youth justice conference. We seek further information on issues raised in your correspondence.

1. Meeting the costs of pre-conference counselling

Your letter states that, on occasions, families have agreed to pay the gap costs where there is an outstanding fee for counselling services for their child. We request clarification regarding:

- the position of the Department in circumstances where the families are not able to pay the outstanding fees for counselling; and
- whether there are any circumstances under which a young person may be called upon to pay outstanding fees for counselling.

We note that attendance at a youth justice conference forms part of a court order under Part 7, Division 2 of the *Youth Justice Act 1992* or as part of a police referral under Part 2, Division 3 of the *Youth Justice Act 1992*. Counselling is a pre-condition for attending a youth justice conference, and therefore forms part of orders that are mandated by legislation. In these circumstances, we consider it unacceptable for any child or young person to be forced to meet the costs at his or her own expense in order to attend this counselling.

2. Specialist counselling service providers

Your letter refers to 'Departmental guidelines and tools' that are used to determine the suitability of service providers. We request access to these guidelines and tools, which will inform our understanding of how these service providers are chosen.

The letter also states that the Department 'continues to consult with experts in the field to inform the refinement of a service delivery model for services to young people referred to a youth justice conference for offences of a sexual nature.' We request particulars on who these experts are, and whether the Griffith Youth Forensic Program is consulted in this process.

The Society would be pleased to meet with you or your representatives to discuss this issue. Please contact our Senior Policy Solicitor, Ms Binny De Saram on [REDACTED] or Policy Solicitor, Ms Raylene D'Cruz on [REDACTED] for further information.

We look forward to your response on these matters.

Yours faithfully

[REDACTED]

Dr John de Groot
President