



Law Council  
OF AUSTRALIA

Office of the President

**30 August 2023**

Senator Paul Scarr  
Chair  
Senate Legal and Constitutional Affairs References Committee  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

**By email:** [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Chair

### **Questions on notice: Current and proposed sexual consent laws in Australia**

The Law Council of Australia appreciates the opportunity to have appeared before the Senate Legal and Constitutional Affairs References Committee (the **Committee**) on 27 July 2023 in relation to its inquiry into current and proposed sexual consent laws in Australia (the **Inquiry**).

During the hearing, we were asked to take several questions on notice. Responses to these questions, to the extent to which they can be addressed in the time available, are provided below.

#### Rules of evidence

At page 8 of Hansard,<sup>1</sup> Senator Waters asked the Law Council to provide further views on how evidence rules, particularly those in relation to tendency and coincidence evidence, could be revised to address the perceived imbalance against a complainant in sexual assault proceedings.

While evidentiary rules will vary between jurisdictions, the test for admissibility for tendency or coincidence evidence under the *Evidence Act 1995* (NSW) is whether the evidence has significant probative value, which must outweigh the danger of unfair prejudice to the defendant.<sup>2</sup> Notably, several recent High Court decisions have clarified the thresholds in relation to tendency and coincidence evidence.<sup>3</sup>

Importantly, the Royal Commission into Institutional Responses to Child Sexual Abuse recommended changing the laws to make it easier to admit tendency and coincidence evidence in child sexual abuse trials. This includes a presumption that tendency evidence about a defendant's sexual interest in children will have significant probative value for the purposes of determining whether it is admissible.<sup>4</sup> Priority 1.2 of the *Meeting of Attorneys-General Work Plan to Strengthen Criminal Justice Responses to Sexual Assault* refers to the need to consider recent reforms that facilitate greater admissibility of tendency

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<sup>1</sup> Commonwealth, *Senate Committee Hansard: Current and proposed sexual consent laws in Australia*, Legal and Constitutional Affairs References Committee (27 July 2023).

<sup>2</sup> See, s.97 and s101 of the *Evidence Act 1995* (NSW).

<sup>3</sup> See, *Hughes v The Queen* (2017) 263 CLR 338; *IMM v The Queen* [2016] HCA 14; *The Queen v Bauer* (2018) 266 CLR 56.

<sup>4</sup> See, for example, s97A of the *Evidence Act 1995* (NSW).

and coincidence evidence, including whether additional reforms should apply to sexual offence proceedings involving adult victim-survivors.

The Law Council supports further consideration of these issues, and encourages the Committee to recommend that this be an area of focus for the Australian Law Reform Commission (**ALRC**) in its forthcoming inquiry.

In relation to Senator Waters' comments on the admissibility of evidence relating to sexual experience, the Law Council notes that rules about the admissibility of evidence about a complainant's sexual experience and sexual activities will differ across jurisdictions. For example, in New South Wales, section 294CB of the *Criminal Procedure Act 1986* (NSW) expressly excludes cross-examination of a complainant's sexual activity or experience with only limited exceptions. As noted in the Criminal Trial Courts Bench Book, there has been some controversy associated with the restrictiveness of this provision since it was first enacted.<sup>5</sup>

In other jurisdictions, admissibility is typically a matter for the judicial officer's discretion, the exercise of which is subject to legislative criteria. For example, in Victoria, leave will not be granted to lift the restriction on questions and evidence concerning a complainant's sexual activities unless the court is satisfied that the evidence has substantial relevance to a fact in issue and that it is in the interests of justice to allow the cross-examination or to admit the evidence, having regard to:

- (a) whether the probative value of the evidence outweighs the distress, humiliation and embarrassment that the complainant may experience as a result of the cross-examination or the admission of the evidence, in view of the age of the complainant and the number and nature of the questions that the complainant is likely to be asked; and
- (b) the risk that the evidence may arouse in the jury discriminatory belief or bias, prejudice, sympathy or hostility; and
- (c) the need to respect the complainant's personal dignity and privacy; and
- (d) the right of the accused to fully answer and defend the charge.<sup>6</sup>

The Victorian Law Reform Commission (**VLRC**) considered a narrower approach to permitting such evidence (in line with what currently exists in NSW), however concluded that this could be unfair to both the complainant and the accused, especially for unique situations not contemplated by legislation.<sup>7</sup>

#### Trauma-informed training for judicial officers

At page 10 of Hansard, Senator Waters asked the Law Council to comment on the availability of trauma-informed training made available to, and undertaken by, judicial officers.

As noted at the hearing, the Law Council does not have a direct role in the development and training of the judiciary. However, it maintains an interest in ensuring that judicial officers are committed to ongoing professional education. Indeed, the Law Council's recent advocacy in favour of a Federal Judicial Commission is premised on the principle that such a body will be

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<sup>5</sup> Judicial Commission of New South Wales 2023, *Criminal Trial Courts Bench Book*, [5–100], citing *Jackmain (a pseudonym) v R* [2020] NSWCCA 150.

<sup>6</sup> *Criminal Procedure Act 2009* (Vic), section 349.

<sup>7</sup> Victorian Law Reform Commission, *Improving the Justice System Response to Sexual Offences* (September 2021), [21.161].

able to identify and facilitate training and education opportunities for the federal judiciary, in response to identified systemic issues and challenges.<sup>8</sup>

As the Committee may be aware, the National Judicial College of Australia (**NJCA**) was established in 2002 following an inquiry and recommendations of the Australian Law Reform Commission.<sup>9</sup> The NJCA provides professional development for Commonwealth judicial officers and other participating states and territories, and plans and coordinates judicial education at the national level for federal and state judicial officers. Along with formal judicial education bodies, most courts in each federal and state jurisdictions have their own education committees.

The Law Council is highly supportive of efforts to encourage judicial officers to undertake continuing professional development (**CPD**) across a range of areas related to sexual assault proceedings. It agrees that such training should be trauma-informed and appropriately reflective of community expectations. To this end, the Law Council endorses the approach adopted in the *National Plan to End Violence against Women and Children 2022–2032* which, in acknowledging that the adversarial criminal justice system can be an unsafe place for victim-survivors, highlights the importance of ongoing judicial education about:

- the drivers, forms, and dynamics of domestic, family and sexual violence;
- trauma-informed court practices; and
- the impact of these crimes on victim-survivors, including how perpetrators may use the system against them.<sup>10</sup>

Further questions relating to the availability and take-up of such training are best directed to the judiciary and organisations such as the NJCA.

#### *Continuing professional development for legal practitioners*

At page 10 of Hansard, Senator Waters asked the Law Council to comment on the legal profession's training and development in relation to engaging with vulnerable parties and preventing the inadvertent perpetuation of 'rape myths' when conducting cross-examination in sexual assault matters.

While the Law Council maintains a leadership and oversight role as to the development of rules relating to CPD, the design and delivery of education for the legal profession is generally undertaken at the state and territory level, including by the Law Council's constituent bodies. The CPD framework allow practitioners to shape their continuing education to their particular, often specialised, needs while mandating compulsory annual development in areas such as legal ethics and professional responsibility.

While not mandatory, the provision of CPD that is specific to engaging with vulnerable individuals (including witnesses) in an effective, ethical and professional manner is routinely offered by state and territory peak bodies. For example, a review of courses currently offered by the New South Wales Bar Association includes several programs directed towards receiving instructions and obtaining evidence from vulnerable witnesses, consistent with latest research and informed by recommendations such as those arising from the Royal Commission into Institutional Responses to Child Sexual Abuse (the most recent training being offered on 8 August 2023). Such training is developed and delivered by a range of experts, from

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<sup>8</sup> Law Council of Australia, *Principles underpinning a Federal Judicial Commission* (5 December 2020, updated 5 March 2023).

<sup>9</sup> Australian Law Reform Commission, *Managing justice: a review of the federal civil justice system* (ALRC Report 89, 2000), Recommendation 8.

<sup>10</sup> Commonwealth of Australia, *National Plan to End Violence against Women and Children 2022-2032* (October 2022), 64.

members of the judiciary to senior practitioners, including those from the community legal sector and civil society bodies.

Importantly, the Law Council is currently in the process of commencing, with its constituent bodies, a process of better understanding what is available nationally in CPD for the legal profession, including what is working well, what is not, and where gaps may exist. It anticipates that this process will address the availability of a range of important continuing legal education topics, including on sexual violence, cultural awareness, and family violence, including the extent to which specific CPD topics should be mandated.

The current Inquiry, and broader work being done nationally on addressing sexual violence in the criminal justice system, including by the Standing Council of Attorneys-General, the ALRC, and the Attorney-General's Roundtable (which the Law Council attended), provides further impetus for continuing efforts by the legal profession in this area.

### Continuing professional development in family violence

At page 11 of Hansard, Senator Waters requested further details on proposed rule changes with regards to CPD training in family violence across the legal profession.

Family violence is already a matter that informs the assessment requirements of the successful completion of Specialist Accreditation in Family Law. Accreditation programs are overseen by state and territory law societies, and each involves structured assessment processes combined with professional experience requirements and continuing education obligations.

The Law Council recognises that there is scope to improve training for other legal practitioners on the complex dynamics relating to family violence, to improve abilities to identify risk flags relating to family violence, or to properly advise someone in those circumstances. This is particularly important in the context of a greater appreciation and recognition of legal concepts such as coercive control.

In 2020, the Attorney-General's Department (**AGD**) undertook a targeted consultation process with key stakeholders on options to enhance the family safety competency of legal practitioners. Based on these consultations, the AGD presented six possible options for how family violence training can be better integrated into existing CPD frameworks. In summary, these options included:

- requiring all lawyers to undertake at least one CPD unit per year in family safety, in addition to the four core currently prescribed;
- requiring all lawyers to undertake at least one CPD unit per year in family safety as part of the four core requirements currently prescribed;
- requiring all 'family violence related' lawyers to undertake at least one CPD unit per year in family safety, in addition to the four core requirements currently prescribed;
- strongly recommending that all 'family violence related' lawyers undertake at least one CPD unit per year in family safety, as part of the four core requirements currently prescribed;
- requiring all accredited family and criminal lawyers to undertake at least two to three CPD units per year in family safety as part of their additional ten CPD points; and
- requiring all lawyers to undertake one CPD unit in family safety in each of their first three years, then ongoing at lawyer's discretion but with strong recommendation that 'family violence related' lawyers undertake regular refresher training.

In responding to the AGD, the Law Council set out the following skills that could be incorporated into any CPD units focussed on family violence:<sup>11</sup>

- professional development and skills advancement in recognising and responding to family violence;<sup>12</sup>
- an understanding of professional obligations regarding client confidentiality and taking instructions if the mental capacity of the client is in question (emphasising, however, that practitioners should not be required to assist beyond providing legal information, legal advice, and appropriate referrals);
- awareness of referral pathways and options to enhance client safety or mitigate the risk their client may pose;
- sound knowledge and understanding of the dynamics of family violence, including how control may manifest and the impact of additional vulnerabilities and trauma, with a view to contributing to safer outcomes and to mitigating risks posed by the perpetrator;
- the ability and accountability to recognise when legal systems are being used to further intimidate and harass victims and to not be complicit in this. Examples of how legal systems may be used in this way include commencing multiple court processes across multiple jurisdictions to intimidate, harass and wear the victim down;<sup>13</sup>
- the ability to encourage behavioural change and non-collusion, where a practitioner is representing a perpetrator, including through an improved understanding that the use of violence and control in personal relationships is a choice;<sup>14</sup>
- the ability to respond to the physical, psychological and financial abuse of vulnerable people including survivors of family violence, elder abuse, child abuse and discrimination; and
- the ability to meaningfully assess and reassess risk at each contact, to ensure the victim's safety needs (including physical, emotional and psychological) are considered when providing services.

Most recently, on 21 July 2023, the Law Council produced a submission to the AGD regarding its discussion paper titled *Continuing Professional Development for Legal Practitioners on Coercive Control*.<sup>15</sup> This submission highlights that understanding and responding to coercive control is an important part of preventing and responding to family violence.

In its submission, the Law Council supported measures that will promote an increased understanding within the legal community of coercive control which will, in turn, lead to effective recognition and improved responses. Targeted and ongoing community education, including for the legal profession and others within the justice system, can be an important component of such measures.

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<sup>11</sup> Law Council of Australia, *Options for improving the family violence competency of legal practitioners: Consultation Paper* (30 September 2019), <<https://lawcouncil.au/resources/submissions/options-for-improving-the-family-violence-competency-of-legal-practitioners-consultation-paper>>.

<sup>12</sup> Examples of this type of training include the Law Society of New South Wales continuing professional development programs which incorporate skills-based training in areas such as family violence and 'fundamentals' for family law practitioners. The Law Council understands that Legal Aid NSW also offers comprehensive training for panel solicitors, and that private consultancies offer training on trauma informed practice.

<sup>13</sup> See, Heather Douglas et al, 'Legal Systems abuse and coercive control' (2018) 18(1) *Criminology & Criminal Justice* 84-99.

<sup>14</sup> See, Centre for Innovative Justice, *Pathways towards accountability: Mapping the journey of perpetrators in family violence - Phase 1*, 2016.

<sup>15</sup> Law Council of Australia, *Continuing Professional Development for Legal Practitioners on Coercive Control* (21 July 2023), <<https://lawcouncil.au/resources/submissions/continuing-professional-development-for-legal-practitioners-on-coercive-control>>.

The Law Council's submission suggested that priority be given to the development of national standards and objectives for CPD focussed on coercive control. The Law Council also emphasised the need for providers of any training to engage with individuals who have extensive knowledge and experience when dealing with coercive control behaviours, and the need to incorporate services which are in connection with victim survivors.

### Reflections on the evidence of Dr Quilter and Dr McNamara

At page 13 of Hansard, Senator Scarr asked that the Law Council consider and reflect on the evidence of Dr Julia Quilter and Dr Luke McNamara in relation to the operation of consent laws and efficacy of jury directions.<sup>16</sup> The Law Council welcomes the contributions of Dr Quilter and Dr McNamara to the Inquiry, and more broadly in the context of an ongoing dialogue on improved justice system responses to sexual violence. The availability of evidence-based research remains a critical aspect to the consideration of reform in this area.

Legislative reform pertaining to sexual assault proceedings, and the development and refinement of jury directions, are products of carefully considered processes that must balance the fundamental right to a fair trial with the rights and welfare of victim-survivors. It is therefore disappointing that the research of Dr Quilter and Dr McNamara indicates that such reform measures are not always having the desired effect in practice, especially in the context of acceptable limits on cross-examination.

The Law Council notes that it is important to be aware of the limitations within Dr Quilter and Dr McNamara's most recent research.<sup>17</sup> As acknowledged in the paper titled *Experience of Complainants of Adult Sexual Offences in the District Court of NSW: A Trial Transcript Analysis*, reliance has been placed on a 'small non-representative sample', and there is limited basis for assuming that the cases in the data set are illustrative of how sexual offence trials have been or are conducted in cases outside the data set.<sup>18</sup> While informative and an important area of inquiry, the non-representative nature of the sample for the study is such that caution should be exercised when making generalisations based on its findings. Further, it is noteworthy that this latest study was based on transcripts from sexual offence trials finalised in the District Court of NSW between 2014 and 2020, meaning that significant reforms, including the new 'affirmative consent' provisions, several new jury directions, and updates to the *Criminal Trial Courts Bench Book* in late 2022 relating specifically to sexual assault proceedings, are not reflected in the data set.

Jury directions can play a powerful educative role by clarifying the law and legal standards of behaviour required in the context of sexual relations, and, if they are applied appropriately, are important mechanisms by which myths and misconceptions about consent can be addressed.

The Law Council maintains that it is important to ensure that the framework for prescribing jury directions accommodates the need to preserve flexibility and discretion. However, coinciding with this approach is the need for judicial officers and advocates to have a clear understanding of the role and purpose of jury directions. This underscores the desirability of contemporary training for legal advocates, in addition to judicial officers.

As stated already, the Law Council is currently commencing, with its constituent bodies, a process of better understanding what is available nationally in continuing legal education for the legal profession. It anticipates that this process will canvass the availability and appropriateness of training with regards to cross-examinations and jury directions in sexual

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<sup>16</sup> Dr Julia Quilter and Dr Luke McNamara, 'Submission on current and proposed sexual consent laws in Australia' (Submission 17, 14 March 2013).

<sup>17</sup> Dr Julia Quilter and Dr Luke McNamara, *Experience of Complainants of Adult Sexual Offences in the District Court of NSW: A Trial Transcript Analysis* (August 2023).

<sup>18</sup> *Ibid*, 8.

assault proceedings. The research of Dr Quilter and Dr McNamara will no doubt be an important resource for this process.

Finally, in light of the inconsistencies highlighted by Dr Quilter and Dr McNamara as to the application of jury directions and procedural rules across jurisdictions, the Committee may wish to recommend that this be an area of focus for the ALRC in its forthcoming inquiry.

### Restorative justice in practice

At page 13 of Hansard, the Law Council was asked by Senator McLachlan to provide examples of jurisdictions where restorative justice is working and providing societal benefits. In response, the Law Council has had the benefit of considering the substantial evidence collated by the VLRC in its report entitled '*Improving the Justice System Response to Sexual Offences (the Report)*'.<sup>19</sup> Overall, the VLRC found restorative justice for sexual offences has 'strong support'<sup>20</sup> and is supported by positive program evaluations and the findings of recent inquiries.<sup>21</sup>

There is evidence that restorative justice has broader social benefits by seeking to repair the social relationships damaged by crime, and address the root causes of reoffending behaviour. For instance, a recent study by the Australian Institute of Criminology found that restorative justice, when implemented appropriately, 'goes beyond' the traditional justice system and as a result can achieve a 'substantial' positive impact on individuals involved and the community at large. That study observed that: 'restorative justice is about more than traditional notions of justice; it is about repairing harm, restoring relationships, and ultimately, it is about strengthening those social bonds that make a society strong'.<sup>22</sup>

By way of qualification, there is ongoing academic debate on the effectiveness of restorative justice in realising various objectives, including reducing reoffending.<sup>23</sup> One recent meta-analysis considered ten previous studies employing randomised controlled trials in which victims and offenders consented to meet for a face-to-face restorative justice

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<sup>19</sup> Victorian Law Reform Commission, [Improving the Justice System Response to Sexual Offences](#), (Report, Tabled 12 November 2021).

<sup>20</sup> *Ibid*, 189-194.

<sup>21</sup> *Ibid*, 191. See in particular, Victorian Law Reform Commission, [The Role of Victims of Crime in the Criminal Trial Process](#) (Report, Tabled 22 November 2016), 177 Recommendation 32 (The Vic LRC recommended a statutory scheme for restorative justice conferencing for indictable offences in Victoria supplementary to the criminal trial process). See more generally, the findings of the Royal Commission into Family Violence that '*[r]estorative justice processes have the potential to meet a broad range of victims' needs that might not always be met through the courts and to help victims recover from the impact of the abuse they have suffered'*: State of Victoria, Royal Commission into Family Violence, Summary and Recommendations, Parl Paper No 132 (March 2016) 31. See also, an international literature review commissioned for the Royal Commission into Institutional Responses to Child Sexual Abuse to examine the research evidence on the use, justification and effectiveness of restorative justice approaches in relation to child sexual abuse: Jane Bolitho and Karen Freeman, *The Use and Effectiveness of Restorative Justice in Criminal Justice Systems Following Child Sexual Abuse or Comparable Harms* (Report, March 2016).

<sup>22</sup> Australian Government, Australian Institute of Criminology, Jacqueline Joudo Larsen, *Restorative justice in the Australian Criminal Justice System* (AIC Reports, 2014) 127, viii.

<sup>23</sup> See for example, John Braithwaite, *Restorative Justice & Responsive Regulation* (2002) Oxford: Oxford University Press for a cautiously optimistic view on the effect of restorative justice measures on crime prevention. For a contrary perspective, see Don Weatherburn & Megan Macadam, 'A review of restorative justice responses to offending,' *Evidence Base* (2013) 1 1-20. The latter study found 'little support' for the hypothesis that restorative justice is more effective than court in reducing re-offending and suggested future research might focus on, for example, 'whether victims who participate in (restorative justice) process are more satisfied than victims who attend court for comparable types of case' and to what extent victim satisfaction with restorative justice is affected by failure on the part of an offender to complete the undertakings given during the course of restorative justice processes.

conference. It confirmed that, on average, restorative justice conferences cause a ‘modest but highly cost-effective reduction in repeat offending, with substantial benefits for victims’.<sup>24</sup>

Appendix E to the Report provides a brief description of the restorative justice scheme and applicable risk management frameworks in the Australian Capital Territory, New South Wales, Queensland, Victoria and New Zealand. In the Report, the VLRC refers to two jurisdictions ‘often cited as best practice’: Project Restore—NZ and the Australian Capital Territory.<sup>25</sup> Some additional observations about the Australian Capital Territory are set out below.

In the Australian Capital Territory, the restorative justice scheme is established by the *Crimes (Restorative Justice) Act 2004* (ACT) (the **ACT Act**). Under that scheme, restorative justice is available where all of the following conditions are met:

- (a) there is an eligible victim<sup>26</sup> or eligible parent in relation to the offence;
- (b) the offender is an eligible offender;<sup>27</sup>
- (c) the offence is referred for restorative justice by a referring entity;<sup>28</sup> and
- (d) the Director-General decides that restorative justice is suitable for the offence.<sup>29</sup>

The ACT scheme has been incrementally expanded over time, reflecting positive results that demonstrate high participant satisfaction and reductions in reoffending. The first phase, which has been in operation since 2005, applied the restorative justice scheme to less serious offences committed by young people, excluding sexual offences and offences of domestic violence. The ACT scheme was expanded in 2016 to accept referrals for adult offenders. From 2018, the scheme was expanded to include domestic violence and sexual offences.

Since 2018, the ACT Act has been applied in relation to sexual offences in the following circumstances:

- ‘less serious sexual offences’<sup>30</sup> committed by a young offender or an adult offender; and
- ‘serious sexual offences’<sup>31</sup> committed by a young offender or an adult offender, if the offender pleads guilty to the offence, or, the offender is found guilty of the offence.

While there have been no evaluations of the ACT scheme since its expansion to sexual offences in 2018, previous evaluations of the scheme generally support its effectiveness. In July 2018, the Australian National University and Australian Institute of Criminology conducted

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<sup>24</sup> Heather Strang, Lawrence W Sherman, Evan Mayo-Wilson, Daniel Woods & Barak Ariel, ‘[Restorative Justice Conference \(RJC\) Using Face-to-Face Meetings of Offenders and Victims: Effects on Offender Recidivism and Victim Satisfaction. A Systematic Review](#),’ *Campbell Systematic Reviews* (2013) 9 (1) 1-59.

<sup>25</sup> Victorian Law Reform Commission, *Improving the Justice System Response to Sexual Offences*, (Report, Tabled 12 November 2021), 189.

<sup>26</sup> The victim must be at least 10 years old and must be a victim of either a ‘less serious offence’ or a ‘serious offence’ under Part 4 of the Act: the ACT Act, s. 17(1).

<sup>27</sup> An eligible offender must, among other conditions, either accept responsibility for the commission of the offence or, in some cases for young offenders, not deny responsibility. An eligible offender must also agree to take part in restorative justice. The ACT Act, ss. 19(1)(b).

<sup>28</sup> Referring entities include the Chief Police Officer, Director-General (restorative justice), Director-General (children and young people); Director of Public Prosecutions; and the Magistrates Court (including the Childrens Court) and Supreme Court. The ACT Act, s. 22.

<sup>29</sup> Part 7 of the ACT Act sets out the procedure for determining suitability for restorative justice.

<sup>30</sup> ‘Less serious sexual offences’ are offences under *Crimes Act 1900* (ACT), Part 3 that are punishable by a term of imprisonment of 10 years or less.

<sup>31</sup> ‘Serious sexual offences’ are offences under *Crimes Act 1900* (ACT), Part 3 that are punishable by a term of imprisonment of more than 10 years.



an impact evaluation<sup>32</sup> of the restorative justice conferencing program consisting of two components:<sup>33</sup>

- analysis of surveys of offenders, victims and their support persons conducted by the ACT Restorative Justice Unit; and
- use of criminal history data provided by ACT Policing to conduct an analysis of reoffending among the 1,143 participants in restorative justice conferencing, compared with 4,668 young offenders dealt with at the same time through the court process.

That study found 93 percent of conference participants reported being satisfied with the outcome of their conference.<sup>34</sup> Additionally, the study found a positive reduction in the risk of recidivism for restorative justice participants.<sup>35</sup>

As states and territories take steps towards employing restorative justice measures in relation to sexual offending by adults, there is a need for greater data collection and analysis. This will enable greater understanding of the form of restorative justice interventions that are most effective.

### Contact

If the Law Council can be of any further assistance to the Committee in the course of its inquiry, please contact [REDACTED] [REDACTED] [REDACTED] [REDACTED] on [REDACTED] [REDACTED] [REDACTED] or at [REDACTED].

Yours sincerely



**Luke Murphy**  
**President**

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<sup>32</sup> Australian National University and the Australian Institute of Criminology, Australian Capital Territory [Restorative Justice Evaluation: An Observational Outcome Evaluation: Report of Findings for Australian Capital Territory Justice and Community Safety Directorate](#) (Report, July 2018).

<sup>33</sup> Ibid, 3.

<sup>34</sup> Ibid, 10.

<sup>35</sup> Ibid, 3.