



NEWSLETTER

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Sino – Australian Seminar on the Protection of Criminal Victims

In February 2008, Presiding Judge Dang Jianjun led a delegation of Judges from the Supreme People's Court of China on a fact finding mission. The delegation's purpose was to examine the rights of victims of crime in New South Wales. The Human Rights and Equal Opportunity Commission (HREOC), which co-ordinates the China-Australia Human Rights Technical Cooperation Program, recommended that the Chinese delegation meet with Manager Kate Milner and Restorative Justice team members.

Judge Jianjun explained that the delegation was in Australia to learn how the rights of victims of crime are supported legislatively, procedurally and in policy in New South Wales. The Supreme People's Court representatives supported the modification of existing laws to provide stronger protection for victims and hoped to develop concrete programs to address the problems experienced by individuals as a

result of another person's criminal actions.

The Judges were so impressed with the operation of the Victims Register and our restorative justice initiatives that an invitation was extended to attend the "Sino – Australian Seminar on the Protection of Criminal Victims" in May in Qingdao, China. The seminar was intended to bring together judges, lawyers and academics. The invitation provided a significant opportunity to inform key Chinese criminal justice system professionals about the work of the Restorative Justice Unit.

In his role as Acting Manager Restorative Justice, RJ Co-ordinator Glenn Duhigg travelled to China as part of the New South Wales delegation. The delegation also included Ces Brahe from the Victims Compensation Tribunal, Michaela Wengert from the Department of Juvenile Justice

and Joshua Bird from (HREOC), who co-ordinated the visit. Sadly just before Glenn arrived in China massive earthquakes hit Sichuan Province and tens of thousands of people were killed. Judge Zhang, the Vice President of the Supreme Peoples Court, briefed the Australian delegation on the extent of the loss of life and a minutes silence was observed at the opening of the seminar.

Qingdao, the town in which the seminar was held, is a coastal city and site of the 2008 Olympic sailing competition, in Shandong Province. Glenn delivered a keynote address highlighting the importance of providing information to victims and providing victims with opportunities to have their voices heard – key outcomes achieved by our services to victims of crime. Glenn suggested that restorative justice initiatives such as victim-offender conferences can be significant mechanisms for reducing or transforming the conflict created by crime. This concept was well received by the Chinese Judges as they hold a strong belief that professionals in the criminal justice system have a responsibility to further the creation of social harmony. Following the seminar the delegates toured courts where

state operated victims' compensation schemes were being trialled. A highlight was a visit to a reforestation program in Laoshan where offenders on community orders roll their sleeves up and plant trees alongside the judges who sentenced them. The idea behind this radical program is that the judge can give moral instruction whilst working collaboratively with the offender to achieve a positive common outcome.

The seminar was a great success and HREOC reported that it provided a "valuable opportunity to establish closer working relations between Australian and Chinese experts in judicial training and human rights." On reflection Glenn felt that the seminar had provided a significant opportunity for the Department of Corrective Services to promote its services for victims of crime at the international level. The department's Restorative Justice Unit was also able to contribute to an important dialogue between China and Australia where victims' rights were promoted as fundamental human rights that should be protected and honoured by government agencies.