

Justice as Healing

A Newsletter on Aboriginal Concepts of Justice

Justice as Healing in a Small Australian Town

Margaret Thorsborne, Director (Queensland), Transformative Justice Australia (TJA). Ms. Thorsborne has a background in education and counselling with particular expertise in the management of behaviour, conflict and trauma in public and private sectors. She grew up in the country town of Goondiwindi which is eight kilometers from Boggabilla, the town in the case study.

Editor's Note: *TJA is recognised internationally as the foremost exponent of training in the Conferencing process. TJA is currently a consultant to the Royal Canadian Mounted Police and the Canadian Department of Justice.*

The following story is an account of the impact of a Community Conference¹ on the residents of the tiny Australia town of Boggabilla. Boggabilla lies close to the border of New South Wales (NSW) and Queensland in a wheat, sheep and cotton belt. It has a significant Aboriginal population and has an Aboriginal reservation called Toomelah some ten kilometres outside the town. In most rural towns in Australia there is a local chapter of the Country Women's Association (CWA). The CWA was formed by rural women to support women isolated on properties and country towns. Largely conservative in nature, it has become a powerful and highly respected political lobby group for women and rural issues. Most country towns in Australia would have a CWA hall which is used for a variety of purposes and is a central point for many town activities and meetings. John McDonald and David Moore, both directors of the Australian company Transformative Justice Australia (TJA), were touring through NSW to collect data on the conferencing program which was, at the time, being trialed by NSW Police Service. Senior Sergeant Steve Williams, the local Boggabilla police officer, had been recently trained in the process and so Boggabilla was a logical stop for the two men.

In a town where relations between Europeans and Aboriginals were poor, Williams was keen to use the earliest opportunity to try out this new Community Conference process. He had already made important changes in the town which had experienced considerable tensions over the last two decades, with a safety audit for the elderly, building relationships with the residents at the reservation, and instigating a dusk-tilldawn patrol by the local Aboriginal Cooperative to keep young people off the streets. It did not take long before Williams was presented with a chance to try out the new conference process. Four young Aboriginal children (aged four, five, six and eight) vandalised the CWA hall. Having broken in, they damaged panelling in the walls and ceilings, ruined preschool play equipment stored there, threw paint around, poured kerosene over the carpet and set fire, using a wall heater, to CWA branch records dating back some forty years. Luckily, the fire did not spread.

The damage was discovered by the CWA branch president, Thora Reeves, when she went to check the hall after returning from a holiday. She reported the incident to Sgt Williams, who soon discovered who the offenders were. He decided that this was a perfect case where the justice system would not produce the outcomes needed in this small community and where a conference might just do it.

The Conference

The conference was convened on the grass outside the CWA hall. The four young offenders (all boys) were accompanied by their mothers, fathers, aunts, uncles and grandmothers. The youngest boy sat on his grandmother's knee for the duration of the conference. Twenty-two CWA women also attended. The conference proceeded as usual with the young boys telling the story of what they had done, the older boy doing most of the talking.

The CWA women were then asked to talk about the impact of the vandalism of the hall on them. Thora Reeves, the CWA president, had just lost her husband and she spoke of finding the hall damaged and how it

[Sample Article]

had compounded her grief and loss. Other women spoke of the years of hard work and fundraising it had taken to build the hall as a community centre. They spoke about how they felt when they had found out it had happened and who had done it. They talked of their disappointment, hurt and anger at something they had worked so hard for being vandalised by some of the young people who had enjoyed its use.

The families of the boys spoke of their shame at what the boys had done, and their understanding of the CWA women's feelings. The young boys, by the end of this, understood very clearly the impact of their behaviour on the whole community.

An agreement was readily reached whereby the boys and their families would repair the damage to the hall over the next weekends.

After the conference

As it transpired, both the young boys and their families AND several local families and tradespeople became involved in the repair of the hall. The hall and the resulting activities became a magnet and great talking point for the locals, especially the children, who wanted to know if the young boys had been sent away to jail. People were able to explain that instead of being sent away, the boys had to face up to the harm they had caused and be part of fixing it. This had a sobering impact on the young people of the town.

This good news story attracted the local press who reported: "Boggabilla is at the forefront of a new judiciary process that is already getting the thumbs up from Boggabilla residents. And it has nothing to do with a court or jail. Called Family Group Conferencing, it was instrumental in cleaning up a break and enter case in more ways than one last week." The press went on to say:

Mrs. Reeves, the CWA president, said that things happened in the town in the past and the Police had been unable to do anything because of the offender's ages. But after the Family Group Conference that afternoon she was singing the praises of the process and of the man who had brought it to town, 'The whole thing worked out better than any of us expected. I have to thank Sergeant Williams, and also I have to take my hat off to the children and to their families.'

So impressed was the CWA that it has invited Sgt Williams to its North-West conference later in the year so he can speak about Family Group Conferencing.

Much later

McDonald and Moore spent time with both groups some months later during their visit to Boggabilla. They visited the four young Aboriginal boys at their grandmother's house. They were a little shy, but said the conference and the clean-up of the hall had been a good thing. The families of the boys spoke of how much they had appreciated the efforts of the police officer, who they felt at last had something to offer them. They also spoke of the trouble and frustration they had in disciplining their kids and that in the past it had been hard to make themselves understood. The CWA women invited McDonald and Moore to afternoon tea at the hall. Over scones and tea they reported the changes that had taken effect in the community as a result of the conference. The kids had stopped throwing rocks on their houses and stopped annoying their dogs and interfering with their property. They now greeted them in a friendly fashion around town.

The afternoon tea session also yielded a social history of the town and revived memories of some decades past where white and aboriginal women were friends, and shared time together in sporting and other community activities. They remembered that there was a time when they all got along, and how things had changed gradually in response to past government policy which had divided their community. They recognised that the Aboriginal people had been treated appallingly. They told McDonald and Moore that the conference was the first time in fourteen years that the two groups of women had sat down and talked together.

Both the CWA and the Aboriginal women spoke of their past frustrations and anger with the police, the courts, and the prisons which never dealt with the fundamental problems associated with crime and the cultural divide in the township. The relationship between the local police and the community was transformed from anger, frustration and distrust to respect and hope, thanks to Williams' efforts.

Transforming the community

It is important for readers to understand that we are not for one minute suggesting that the community conference worked some miracle within the community of Boggabilla and they became a model township. What is suggested here, though, is the process provided a bridge for the beginnings of reconciliation between two groups of people who have lived somewhat unhappily side-by-side in recent years.

The structure of the conference allows people to unburden themselves of the toxic emotions which play havoc with relationships and their lives. The young people, despite their ages, finally understood how they had harmed themselves, their families and the community. What was miraculous was transformation of those negative feelings into cooperation and disparate individuals and factions into a community. This community of people now shared the responsibility for deciding what needed to be done to repair the harm and minimise the chance of further harm, and who should do it. The first tentative steps were taken to heal the rifts in this small town.

1 Also known as Family Group Conference or (in Canada) Community Justice Forum.