

Youth Parole Board

Annual Report 2022–23



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The department is committed to the safety and wellbeing of children and recognises that children's rights need to be respected, their views welcomed and valued, and their concerns taken seriously and acted upon.

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Where the term 'Aboriginal' is used it refers to both Aboriginal and Torres Strait Islander people. Indigenous is retained when it is part of the title of a report, program or quotation.

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Letter to the Minister

The Hon. Enver Erdogan
Minister for Youth Justice
Level 16, 121 Exhibition Street
MELBOURNE 3000

Dear Minister,

In accordance with the requirements of section 452 of the *Children, Youth and Families Act 2005*, I submit this report on the operations of the Youth Parole Board for the period 1 July 2022 to 30 June 2023 for presentation to Parliament.

The report contains information about:

- the operation and activities of the Board and of Youth Parole officers during the 12-month period
- the number of persons released on parole by the Board
- the number of persons returned to a Youth Justice centre or Youth Residential centre on cancellation of parole.

Yours sincerely

Her Honour Judge Claire Quin
Chairperson Youth Parole Board

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Chairperson's Message



I want to commence by thanking the alternate Chairs, all the other Board members and staff at the Secretariat who have provided great support to me in carrying out my role as Chairperson this year. I like to acknowledge the expertise, industry, and dedication of the Board's Secretariat: Murray Robinson, Mishell Warner, Alana Mondre, Rebecca Smith, Alyssa Moore and Alyssa Fava. I would not be able to properly carry out my functions without the involvement of the other Board members who provide valuable advice and knowledge from different perspectives. Finally the alternate Chairs, Paul Grant and Judge Scott Johns, have provided a great sounding board and assistance to me, as well as doing a wonderful job for the Board. It is fair to say that we are united in attempting to ensure the best results for the young people who come before the Board, and ultimately the community benefit.

I am pleased that this year's message does not need to begin with reference to COVID and restrictions that were placed on the operations of the Board in the last few years. In 2022–2023, the Board returned to in-person meetings at Parkville and Malmsbury Youth Justice centres. I want to thank all staff who made this possible. It is far easier to engage with staff and young people in person, than on Teams or any other medium, and I will not miss the technical issues that invariably arose when compelled to adopt those kinds of technologies. Young people appear to value the opportunity to discuss their hopes, goals, challenges and concerns face-to-face with the Board, and the Board members welcome the chance to engage with young people, their family and key members of their care team, in a relatively informal environment.

It is important not to underestimate the value of meeting with the individual young person, their case manager and their assessment and coordination officer. Each have the opportunity to discuss with the Board the individual's parole plan or options, along with the expectations of each of them, including the young person. The Board anticipates that relationships between each of them, but particularly the case manager and the young person, will be well established in preparation and planning for a successful reintegration into the community with parole. The Board views it as essential that the case manager meets with the young person in custody on a regular basis to build that relationship. Alternative means of communication, utilised during COVID but no longer necessary, may be more time and cost efficient, but are not optimal for development of a meaningful relationship, which must be a priority with a young person seeking to re-integrate into the community.

The foundation of that relationship should continue and be fostered whilst the young person is on parole. Case managers who have a close therapeutic relationship with young people, based on a clear understanding of the purpose and limits of their relationship, are uniquely placed to help address the underlying drivers of a young person's offending behaviour, and ensure that parole is a restorative and rehabilitative process. There are

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clearly challenges that a young person faces whilst on parole, particularly with the transition from the highly structured and social environment of custody to the relative freedom and isolation of life in the community. Once in the community, the key objective of supervision is to reduce reoffending by supporting the young person to address their reintegration needs, through encouragement and guidance. Often a young person needs to be assisted to work through these episodes to avoid a fatalistic attitude and consequent decline in engagement, and ultimately breach of parole. If there is a strong relationship developed, positive outcomes with parole are more likely and the focus primarily on compliance monitoring reduced.

Cherry Creek – Malmsbury

Since I was appointed to the Board in 2018, I have frequently attended Board meetings at Malmsbury. During that time I have observed a committed and hard-working group of employees who have remained so, even though they have been required to work in an ever increasing challenging environment. Ultimately, Malmsbury has been considered inadequate for the current needs of many of the young people in that facility, particularly those with mental health or other behavioural issues. Initially designed for a less

complex or dual track cohort, makeshift changes to accommodate others were not conducive to the more difficult to manage young people. It is disappointing that Malmsbury will close though I am hopeful that the new Cherry Creek facility will be better equipped to deal with challenges facing young people in custody and maintain a rehabilitation focus for each individual.

In April 2023, the Board toured the new Youth Justice custodial centre at Cherry Creek. The facility appears to be set up to support positive outcomes for young people. The Board was heartened to see that the facility has been designed and built to enable young people to be accommodated in small groups so staff can provide more targeted, individual support in a safe environment. The inclusion of an Intensive Intervention Community, a specialised health care facility, two mental health units, an education and vocational skills centre, recreation amenities, faith and spiritual facilities are all positive developments for young people. Youth Justice custodial services provides care and support to some of the most complex young people in Victoria. These young people have a wide range of needs which require specialised service and infrastructure, and the facilities at Cherry Creek appear to provide for those needs.



Caption

The Board were provided with a detailed presentation from Kyra Low, Justice Health who outlined the relevant primary health, mental health and AOD enhancements, Secure Treatment Order processes, and responses or steps taken to address the recommendations of the Royal Commission into Victoria's Mental Health relating to young people. These are all areas that I have previously outlined as requiring attention, particularly within the Youth Justice custodial system. I am hopeful that with the provision of these services, and adequate funding, that some of these issues will be properly addressed.

Youth Justice's commitment to establishing a pre-release program for dual track young people at Parkville, with increased access to supported temporary leaves and vocational education and training is reassuring. Dual track young people have been sentenced to a Youth Justice centre in recognition of their prospects for rehabilitation, immaturity, or impressionability, which would make them vulnerable to undesirable influences in adult custody. By providing a step-down model, Youth Justice is providing these young people with a meaningful opportunity to develop the skills to rehabilitate while under sentence. Placing dual track young people in the metropolitan area at Parkville will also enhance their transition and rehabilitation with improved access to family, community, services and amenities. The Board is also heartened to hear that young people at Cherry Creek or Parkville with a disability will be supported by specialist disability advisors to obtain the necessary assessments to confirm a diagnosis, and access specialist disability services, including the NDIS.

Finally, the Board is keen to see the impact of the Bail Act reforms, which will remove the presumption against bail and ensure that young people cannot be remanded for an offence that is unlikely to result in a sentence of imprisonment. As I remarked last year, the figures reveal a high level of young people on remand. That situation has not changed in the course of this year. It is troubling that on any given day approximately two thirds of young people in custody in Victoria are on remand with no underlying sentence of detention. The detrimental impact of any exposure to a custodial environment for most of these individuals is obvious.

The Board welcomes the government's acknowledgement that there are better ways of responding to young people who come to the attention of the criminal justice system and that remand should be restricted to those who pose a significant risk to community safety. When remand is required, it should provide young people with the opportunity to address the causes of their behaviour to enable their safe and swift return to the community. The Board hopes that this opportunity will be provided at Cherry Creek and assist in returning remand numbers to pre-2019 levels.

Farewells and acknowledgements

In conclusion, I want to acknowledge the members of the Board and Secretariat who have left the Board or retired.

Katie Dietrich served as the community member of the Board from January 2020 to June 2023. During her three-year tenure, Katie's enquiring mind, astute attention to risk, and solution's focussed mindset was a valuable asset to the Board. Similarly, her expert knowledge of psychological assessments and treatment was of great benefit. Katie guided the Board through many complex cases and her commitment to maximising the opportunities available to young people in the criminal justice system was evident in her decision making. I hope the Board is able to find a replacement that demonstrates the same level of skill and tenacity as Katie, and I wish her all the best in her new role at Cherry Creek.

Mr Paul Grant commenced as alternate chair in July 2020. He brought with him an astounding 40 years of experience in the criminal justice and child protection systems. He was able to immediately add value to the Board's operations, by delivering training to community Youth Justice case managers, and by sharing his immense experience in youth justice.

I want to sincerely thank Paul for his hard work and dedication. After retiring from his duties on the County Court, he was eventually persuaded to accept the position as alternate Chair. His experience, knowledge of Youth Justice and issues surrounding young people involved in the criminal justice system, and child protection, is extraordinary

and has been invaluable. The support that he was able to give me after an extended period of the Board operating with no alternate Chair, provided me with incredible support as well as both guidance and advice. Paul was a wonderful source of information in respect of many issues relating to youth parole and was particularly helpful in treatment of young people with a Koori background.

One of Paul's outstanding qualities is his ability to foster strong connections with stakeholders to foster a collective desire for service system improvement. Paul believes in the power of graduated and proportionate responses to offending. In doing so, he recognises the importance of addressing the underlying issues that lead young individuals into the justice system and empathised with their experiences of abuse and disadvantage.

Paul retired from the Board in March 2023 to spend time with family. I will miss his wisdom, measured and balanced approach to decision making, sound advice and friendship. I am reassured that he will continue to chair the Youth Justice Independent Expert Advisory Group on the proposed Youth Justice Bill, which contains important legislative reform.

Finally, one cannot underestimate the contribution that Murray Robinson has made to the Board and also youth justice over the years. Murray retired in the middle of this year. He was the General Manager of the Board Secretariat for the majority of the time since I was appointed in January 2018. I was able to draw on his extensive experience gained over decades of involvement with youth justice and the custodial system. He has been instrumental in the development of culturally appropriate responses and support to young people belonging to different groups including Koori, Islander and African young people, all of whom are significantly overrepresented in the custodial context.

I have valued his full and frank advice on issues that arose and have had the confidence that his analysis or recommendation regarding a response would be informed, just and appropriate. I will miss him in the regular meetings and the phone contact that we had. I wish him and his family all the best in his retirement and as I sit here, a week before the 2023 grand final, I hope that his Pies will make him happy!!

I look forward to the year with the opening of Cherry Creek and the appointment of a new alternate chair Judge David Sexton.

Board Members



Chairperson, Her Honour Judge Claire Quin

Her Honour is a sitting Judge in the County Court of Victoria. She was appointed as alternate chairperson on 1 January 2018 and chairperson on 1 July 2019. She has three decades experience in criminal law, starting as a volunteer solicitor at the Western Suburbs Legal Service, becoming a judge's associate in the County Court and then a barrister in private practice. Judge Quin was also senior legal counsel in the Victorian Parliament's Family and Community Development Committee inquiry, which resulted in the Betrayal and Trust Report, and a crown prosecutor in the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations. These roles allowed Judge Quin to fine tune her understanding of the impact of complex trauma on children, young people, and adults.



Alternate chairperson, Mr Paul Grant

Mr Paul Grant was appointed as alternate chair in July 2020. The Board were privileged to have him as a member and grateful to him for sharing his 40 years of experience in the criminal justice and child protection systems. As the President of the Children's Court of Victoria from 2006 to 2012, Paul is an expert in criminal law, has a deep understanding of the community sector, strong connections to stakeholders and an unfailing commitment to the development of innovative approaches to support the rehabilitation of children and young people.

Paul consistently emphasised the importance of graduated and proportionate responses to offending and the use of detention as a last resort. He acknowledged children and young people's experiences of abuse and disadvantage and was a strong advocate and leader in many inquiries, reviews, investigations, and initiatives aimed at improving outcomes for young people.



Alternate chairperson, Judge Scott Johns

His Honour Judge Johns was appointed as alternate Chairperson of the Youth Parole Board in April 2021. He is a serving judge in the County Court and is the judge in charge of the County Koori Court. His interest in improving the experience of Aboriginal people in the criminal justice system led to work as a solicitor at the North Australian Aboriginal Legal Aid Service in 2001. He is generous with advice and feedback to workers. The Board benefits from his wealth of experience from his work as a solicitor for the Office of Public Prosecutions, a senior public defender for Victoria Legal Aid, barrister and silk in private practice.



Community member, Ms Katie Dietrich

Katie Dietrich is the Senior Psychologist and Community Services Manager at Caraniche Forensic Youth Services. As a registered Psychologist with AHPRA, she has spent close to twenty years working with young people on Youth Justice orders in the community and in custody. Katie is the codeveloper and implementer of the Adolescent Violence Intervention Program (AVIP) and is regarded as an expert in working with high-risk young people. Katie also has experience in facilitating training to Community Correctional Officers, court staff and AOD (Alcohol and Other Drugs) clinicians. Katie resigned from her role on Board in June 2023 to take up an opportunity at Cherry Creek Youth Justice Centre.



Community member, Dr Stephane Shepherd

Dr Shepherd is Professor of Forensic Psychology and Criminology at Deakin University. He holds a Bachelor of Arts (Criminology), and a Masters degree and PhD in Forensic Psychology. Dr. Shepherd has produced an extensive body of research and writing on the social, cultural and mental health needs of young people who have contact with the justice system. His work also considers how practitioners and support professionals can work more effectively and culturally responsively with justice-involved young people from culturally and linguistically diverse (CALD) backgrounds. Dr. Shepherd has received multiple awards in recognition of his work in the sector. He was awarded the Victorian Government Multicultural Award for Justice in 2020 and was named one of ABC's Top 5 Scientist's Under 40 in 2020. He also received the American Psychology-Law

Society Early Career Award in 2019, the International Association of Forensic Mental Health Services Young Scholar of the year in 2016 and was a Fulbright Scholar in 2015. Dr. Shepherd has extensive community board experience and holds adjunct academic positions at the Centre for Forensic Behavioural Science (Swinburne University) and The Johns Hopkins University.



Alternate community member, Ms Carmel Guerra OAM

Carmel Guerra is the founder and Chief Executive Officer of the Centre for Multicultural Youth, which is both the first and largest organisation in Australia to work exclusively with migrant and refugee young people. Carmel is widely recognised for her knowledge of multicultural issues and her involvement in youth justice and policing issues. Over a career of 30 years, Carmel has been a committed agent for social change and policy reform, with her work resulting in a national support system for the multicultural young people and families who seek to build a life in Australia.

Carmel is Chairperson of the Multicultural Youth Advocacy Network (MYAN), the national peak body representing multicultural youth issues in Australia and sits on numerous boards and committees including: the Social Policy Group and the

Victorian Police Chief Commissioner's Human Rights Strategic Advisory Group. Carmel was awarded the Victorian Premier's Award for Community Harmony in 2015, a Medal of the Order of Australia in 2016 and an Honorary Doctorate by Deakin University in 2022.



Alternate community member, Aunty Marion Hansen

Aunty Marion Hansen is a Gamilaroi woman from Moree, NSW. Marion moved to Victoria in the early 1970's and has worked within Aboriginal community organisations for more than 40 years. In the early 1990's Marion was elected to the Aboriginal and Torres Strait Island Commission (ATSIC), where she served four terms, including two as Victorian Commissioner.

As Commissioner, Aunty Marion was a signatory to the first Aboriginal Justice Agreement, the landmark agreement that established a partnership between Aboriginal communities and the Victorian Government, and the Regional Aboriginal Justice Advisory Committee (RAJAC) and Aboriginal Justice Caucus. Aunty Marion remains chair of the Southern RAJAC and co-chair of Caucus.

Between her roles as Commissioner of ATSIC and co-chair of Caucus, Aunty

Marion was influential in establishing Djirra, formerly known as the Family Violence Prevention Legal Service, Ngwala Willumbong Aboriginal Corporation, a residential rehabilitation service for Aboriginal people, Winja Ulupna Women's Recovery Centre, and Aboriginal Radio Station Kool'N'Deadly. Aunty Marion has also been a member of Dandenong and District Aborigines Cooperative for over 40 years. She is a highly regarded Elder, passionate solutions seeker, and powerful conduit between the Victorian Government, non-government and Aboriginal community-controlled organisations. Consequently, she was added to the Victorian Government Aboriginal Honour Roll in 2022.



Department member, Chuol Puot

Chuol Puot has extensive experience working directly with young people involved in the justice system and in the development of policy. He has held roles as the South-eastern Metropolitan Region as a Community Engagement Officer and as Senior Practice Advisor and Children's Court Youth Diversion Coordinator. Chuol holds a Master of Criminology at the University of Melbourne, a Bachelor of Arts (Criminology), and a Bachelor of Social Work from Monash University. His expertise has been recognised through his appointment to the Victorian Government's Anti-Racism Taskforce, his receipt of the Victorian Police Community Exemplary Award for Multicultural Excellence, and as the recipient of the Dr Larry Osbourne Scholarship for innovative practices for young people in the criminal justice system. Chuol also generously lent his wisdom to the Royal Commission Research Report – *Care, Criminalisation of children with disability in child protection systems*.



Alternate Department member, Michelle Wood

Michelle Wood is the Executive Director, West Area, Department of Justice and Community Safety. As a law graduate Michelle began her career working as a community corrections officer. From there she held a range of senior management roles in Corrections Victoria where she led significant improvements across the adult corrections system. Michelle was the Project Director for the Community Correctional Services Sentencing Reform, which resulted in a significant expansion of community corrections officers, introduction of a new intensive case management model, a regionalised community work framework, and expanded range of programs to address offending behaviour. In her current role, Michelle is responsible for the delivery of integrated justice services in the Grampians and Barwon South-West regions which includes community Youth Justice services. Michelle currently leads and participates in a range of processes

across government, and within the service sector, to address the needs of complex and vulnerable young people and adults who are involved in the justice system.

General Manager's Report

In 2022–23, the Youth Parole Board Secretariat supported the Board to establish and operate 50 in person meetings to consider 987 matters. Over the course of the financial year, the Board issued 70 new parole orders, conducted 19 warnings and cancelled 27 orders, from orders issued in the current and previous financial years. The Board increased the use of warnings in the last five years, in proportion to the number of young people sentenced to detention, in recognition of the value of intervening early to provide the young person with clear and direct feedback on their behaviour, and the support to address risks or non-compliance.

The Board utilised lessons from their Learning and Development Program to implement continual improvement. In the 2022–23 financial year, the Board covered a wide range of topics and heard from key service providers and stakeholders, including the African Australian Foundation for Retention and Opportunity (AAFRO), Victorian Aboriginal Australian Child Care Agency (VAACCA), Youth Support + Advocacy Service (YSAS), Victoria Police, Victorian Public Sector Commissioner, Department of Families Fairness and Housing Therapeutic Treatment Orders Unit, Berry Street, OzChild, Anglicare, South Sudanese Australian Youth Justice Expert Working Group, and the Community, Diversion and Programs team. The Board values the opportunity to hear about best practice approaches to engaging with young people and means to assist young people to build an identity and lifestyle free from offending.

The Secretariat team continued to enhance record-keeping and reporting systems and made changes to its meeting operations to adapt to a reduction in numbers and provisions on site at Parkville and Malmsbury Youth Justice Centres. The team also led reviews into areas of practice, on behalf of the Board, to improve knowledge and encourage best practice by the Board and Youth Justice in the transition of young people from custody into the community. In the 2022–23 financial year, the reviews addressed deferral of a young person's release to parole, cancellation of a young person's parole order and recommendations to make young people not appropriate for parole. These reviews highlighted the importance of family centred case planning, rapport building, crisis, and safety planning.

The Secretariat team also supported the Board to deliver the annual Dr Osbourne Lecture to community and custodial Youth Justice staff. The lecture was established in memory of Dr Larry Osbourne, who died in 2011 while serving as a member of the Youth Parole Board. Dr Osbourne was a general practitioner with special interest in youth drug and alcohol and mental health issues and was committed to innovation and best practice in parole planning and supervision. The 2022 keynote speaker was Dr Robyn Miller from MacKillop Family Services. She delivered a lecture on a trauma informed approach to working with young people and their families.

Dr Miller drew on her experience as a social worker, psychotherapist and principal practitioner at the (then) Department of Health and Human Services to highlight the impact of trauma on attachment, developmental, emotional regulation, risk taking behaviour and offending. Dr Miller emphasised the importance of specialist training, coaching and supervision of workers, as well as quality assurance frameworks and audits to promote empowerment of families. She relayed anecdotes about her early work in the private sector and not for profit organisations, to convey practical strategies to build rapport and develop the confidence to have difficult discussions with young people. Through her experience, case managers were able to understand the complex interplay between environmental, developmental and cognitive factors and behaviour and the means to confidently respond to these behaviours. Staff appreciated the opportunity to learn from Dr Miller and reflect on their own strengths and capacity for growth.



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Recognising Murray Robinson

Over the past four years, I have had the privilege of working closely with Murray Robinson and witnessing firsthand the impact he has had on the Board as the General Manager. Murray is a remarkable person, who has a passion for change, a deep commitment to improving the lives of vulnerable young people in the youth justice system, and an easy readiness to mentor and support all those he has contact with.

One of Murray's most significant contributions as the General Manager was the introduction of a comprehensive professional development program for Board members. Under his guidance the Board were able to address key learning needs such as understanding validated risk assessments, Family Violence, mental health, disability, and working with Aboriginal, African Australian, and Pasifika young people. This initiative not only enhanced the effectiveness of the Board but also demonstrated Murray's dedication to fostering a compassionate and inclusive system. As General Manager, Murray also demonstrated his commitment to the provision of culturally appropriate supports. He established community consultation forums

with representatives from the Māori and Pasifika communities, and actively sought out expert guidance from established and emerging leaders within the South Sudanese community. This instigated the establishment of the South Sudanese Youth Justice Expert Working Group.

Prior to his role as General Manager, Murray had a career journey that was nothing short of remarkable. He made substantial contributions to the Youth Justice Operational Reform Project, developing operating models for the Intensive Intervention Unit, the 32-bed Transition Unit, and the 'Communities in Custody' model. He also played a pivotal role in finalising the operational framework for the STREAT Café and Bakery, which provides training and employment opportunities for young people in custody. The STREAT Café and Bakery operates onsite at the Parkville Youth Justice Precinct for members of the public. It provides intensive work experience, pre-vocational training and work readiness classes for young people who have had a disrupted educational journey and would benefit from exposure to a supported work environment that understands their needs. Once young people have finished their training and work experience, STREAT provides intensive support to



Caption

the young person to enter the paid workforce, and where possible, paid employment with a partnered restaurant, café or catering service.

As the Manager of Client Services for Youth Justice and Secure Services, Murray co-designed and implemented the Achieve Challenge Encourage (ACE) behaviour management model. ACE is an evidence-based program that enables Youth Justice Workers in custody to support young people to learn about the impact of their behaviour on themselves and others, how to regulate their behaviours and deal with conflict constructively, and how to cultivate their empathy towards their peers, adults and family. Murray implemented the program with the support of the Community and Public Sector Union, Youth Justice Centre Operations, and the DFFH Office of Professional Practice, which was a testament to his commitment to nurturing young minds in custody and his ability to collaborate with stakeholders to achieve change. As the Manager of Client Services, Murray also had a role in managing Youth Justice's operational interface with health services, Parkville College and the vocational training unit. Here he further demonstrated his dedication to providing young people with the services and supports they need

to address their complex needs and successfully reintegrate into society.

Murray also extended his expertise to tackling complex challenges, such as leading the Youth Justice Custodial response to young people convicted of terrorism offenses, managing various organisations providing after-school work, sport, music, and arts programs to young people in custody, and community organisations that provide out of home care to young people subject to child protection orders.

Murray has been a friend, mentor and inspiration to us. He always led with empathy, creativity, and vision and left an enduring impact on all of us who had the privilege of working with him. On behalf of the Board and the Secretariat team, I wish him all the best in the next chapter of his life and know that he leaves behind him a legacy that will continue to shape Youth Justice and the Youth Parole Board.

Mishell Warner

Acting General Manager
Youth Parole Board Secretariat



Caption

Youth Parole Board Overview

The Youth Parole Board (the Board) was first established in 1961 by the Social Welfare Act 1960 and now continues to operate under section 442 of the *Children, Youth and Families Act 2005* (the Act). The Board is made up of a chairperson, who is a Judge of the County Court, a nominee who acts on behalf of the Secretary of the Department of Justice and Community Safety, and two community members. Each of the four members may have an alternate member sit in their absence, and the chair is able to have two alternates, bringing the total number of Board members to nine. As matter of policy, one community member is an Aboriginal person.

While the Board is a statutory body and its independence is important, the Board does not and cannot operate in isolation. The Board plays an integral role in the broader Youth Justice system and seeks to operate in a way that promotes collaboration and the cohesiveness of the system. The Board occupies a unique and privileged position which lends itself to being able to meaningfully inform and contribute to policy discussions about parole.

The purpose of youth parole

The purpose of youth parole is to promote public safety by supervising and supporting the transition of young people from custody back into the community, in a way that promotes rehabilitation and seeks to minimise the risk of reoffending, in terms of both frequency and seriousness of offending behaviour.

The Youth Parole Board exercises jurisdiction over all young people sentenced by a court to a period of detention in a Youth Residential Centre or Youth Justice Centre, as per sections 462 and 463 of the Act. Section 458 empowers the Youth Parole Board to release or grant parole to young people subject to its jurisdiction. Youth parole allows young people on a Youth Justice Centre Order (15–20-year-olds) or Youth Residential Centre Order (10–14-year-olds) to serve part of a custodial sentence in the community.

The Board plays an integral role in the broader Youth Justice system and seeks to operate in a way that promotes collaboration and the cohesiveness of the system.

Community Youth Justice case managers supervise young people on parole orders and support young people to access rehabilitation programs and services and supports that aid transition from detention to the community. Section 453 of the Act stipulates that a case manager (parole officer) is subject to the direction of the Youth Parole Board and while on parole the young person is still serving their sentence of detention. During this period, they must formally undertake to comply with the conditions of their parole order. These conditions mandate supervision by a parole officer and compliance with any reasonable direction. Young people typically have a range of additional conditions attached to their parole orders including to attend education or training and participate in treatment and rehabilitation programs to reduce their risk of offending. These conditions are tailored to their risks, needs and responsivity factors.

Under section 460 of the Act, the Board may cancel the young person's parole order at any time and require the young person to serve the whole of the parole period, including the time that they have been in the community and any remaining period, back in detention.

The Board works with the young person, their community and custody case managers and cultural support workers, to promote and encourage behaviour which is consistent with the Youth Justice Centre's expectations and rules.

In carrying out its functions, the Board:

- meets with young people in custody or in the community to grant parole, consider requests for transfers, and address poor behaviour or compliance with parole conditions
- receives and considers summaries of offences, submissions from victims, and specialist reports to inform in their decision-making regarding release on parole, special conditions and management on parole
- amends, cancels or varies conditions of parole orders, on the basis of advice from Community Youth Justice, and
- makes decisions about the transfer of young people between a Youth Residential Centre and a Youth Justice Centre, and between a Youth Justice Centre and prison, as per sections 464 to 477 of the Act.

The Board works with the young person, their community and custody case managers and cultural support workers, to promote and encourage behaviour which is consistent with the Youth Justice Centre's expectations and rules. They may counsel and warn a young person who is not meeting these expectations. They will explain how their behaviour and/or non-participation in rehabilitation programs and activities may delay or even jeopardise their prospects of being granted parole. In rare circumstances, where the Board considers that the young person (aged 16 years or more) cannot be effectively managed and is threatening the good order and safe operation of the Youth Justice Centre, the Board may transfer the young person to adult prison.

Dual track system

In Victoria, section 32 of the *Sentencing Act (1991)* provides that young people convicted of offences they committed between the ages of 18–20-years can be detained in a Youth Justice Centre instead of an adult prison. This is available in circumstances where the court assesses that the young person has reasonable prospects for rehabilitation, is particularly impressionable, immature or likely to be subjected to undesirable influences in the adult system. This establishes what is commonly referred to as the Dual-track system.

Youth Parole Board Secretariat

The Youth Parole Board Secretariat provides administrative support to the Board. Its purpose is to ensure that the Board's deliberation is informed by accurate, comprehensive, and timely information. The General Manager is responsible for the operations and practice direction of the Secretariat. The Secretary of the Youth Parole Board is the conduit between the Board, Youth Justice, community members and external stakeholders. The Secretary analyses information to ensure that critical advice is conveyed to and from the Board to facilitate decision making.

Operations and Decision Making

Youth Parole Board decision-making

The Youth Parole Board has two scheduled sittings per month. Board meetings are held at either the Parkville Youth Justice Precinct or the Malmsbury Youth Justice Precinct. In addition to scheduled meetings, the Board also convenes adhoc meetings to:

- formally warn young people about improving their compliance with parole conditions or behaviour in custody
- consider cancellations of parole
- release a young person on parole, or
- transfer a young person to adult prison.

In 2022–23, the Board considered 987 matters during 24 scheduled and 26 ad hoc meetings. The Board makes decisions within a framework that focuses on the long-term protection of the community through the rehabilitation of young people. Decisions are informed by a range of factors, including:

- the age and maturity of the young person
- the nature and circumstances of the young person's offending behaviour
- information contained in sentencing remarks from higher courts
- the young person's criminal history
- the young person's compliance with any previous community-based dispositions
- the nature of any outstanding charges and the potential outcome of pending court appearances
- the outcome of validated risk assessments tools
- the young person's behaviour in custody
- the capacity for parole to assist the young person's rehabilitation
- the availability of appropriate and stable accommodation
- the young person's attitude to and demonstrated willingness to participate in appropriate rehabilitation and treatment programs, including education, training, employment, offence specific, alcohol and other drug, and mental health services

- reports from psychologists, psychiatrists, teachers, medical practitioners and other professionals
- submissions made by victims, police informants, the young person, the young person's family, support persons, potential employers, and cultural representatives.

The Board weighs the behaviour of the young person in custody, their engagement in evidence-based rehabilitation programs and the risk associated with supervised release, against the risks of reoffending if the young person is released without any supervision or support. In that context, the Board's decision-making accounts for the degree that the risk of re-offending risk can be reduced through supervision and conditions on the parole order.

The young person's early participation in programs is important as it enables them to address the factors that underpin their offending behaviour prior to release and focus their time in the community on participating in positive, pro-social activities that support their future. Likewise, the young person's behaviour in custody is important as it demonstrates their readiness for release and capacity to lead an offence free lifestyle.

Parole Planning

Parole is an integral part of the young person's rehabilitation journey. It affords young people in custody the opportunity to spend the final portion of their sentence in the community under the close supervision of Youth Justice, with intensive support from community organisations. The parole planning process commences as soon as the young person receives their sentence, with Youth Justice utilising their knowledge of the young person to inform the identification of appropriate interventions and supports.

The parole planning process is guided by the Youth Justice Case Management Framework, which provides a structured process for assessment, planning, intervention and review of the young person's case plan. The parole planning process is conducted in collaboration with a range of statutory

and non-statutory agencies who provide expert advice on evidence-based approaches to support the young person to address their developmental, health, disability and criminogenic needs. This collection of professionals is known as the care team. The care team work together to formulate the plan for the young person's release into the community, with this plan forming part of a parole report tendered to the Board.

The parole report provides the results of validated assessment tools. These tools identify the young person's general and offence specific risk of re-offending, as well as their individual risks, needs, responsivity factors. The tools also identify their strengths and potential vulnerabilities, including the likelihood of an intellectual disability, suicide or self harm, or a physical or mental health condition that may impact their capacity to participate in parole planning, behave in custody, or successfully complete their sentence in the community. It provides the Board with the details of the recommended programs, services and conditions that will form part of the young person's case plan in the community and any special conditions on their parole order. The case manager may recommend special conditions on the young person's parole order to target criminogenic risks, such as peers or alcohol and other drug use, to reduce the risk of reoffending. These conditions are informed by the young person's offending history, a consideration of victim issues resulting from the offending, and/or from specialist reports indicating specific problems that are likely to interfere with the young person successfully completing their parole order. Collectively, this information provides the Board with an informed assessment of the young person's readiness and suitability for release.

Visitors

The Board welcomes visitors with a special interest in Youth Justice to its meetings. The Board requires all approved visitors to adhere to confidentiality and privacy provisions of Board proceedings. Visitors receive an explanation of how the Board performs its statutory responsibilities and are able to observe its operation.

Youth Parole Orders

Mandatory parole conditions

Under section 458 (4) of the *Children, Youth and Families Act (2005)*, the Board is required to consider imposing the following parole conditions on orders for young people on parole:

- (a) the person must not break the law;
- (b) the person must be supervised by a parole officer;
- (c) the person must obey any lawful instructions of that parole officer;
- (d) the person must report as and when directed by that parole officer;
- (e) the person may be interviewed by that parole officer at any reasonable time and place directed by that parole officer;
- (f) the person must, within two days of changing his or her address, advise that parole officer of the change of address;
- (g) the person must not leave Victoria without the written permission of the Youth Parole Board.

For young people who have committed serious offences, the Board is required under section 458A (3) of the *Children, Youth and Families Act (2005)*, to impose the above conditions and the following additional conditions on their Youth Parole Order:

- (h) any other condition the Youth Parole Board considers necessary for the protection of any victim of an offence referred to in subsection(1)(b);
- (i) if the Youth Parole Board considers it appropriate having regard to the circumstances of any offence referred to in subsection(1)(b), one or more of the following –
 - (i) that the person not visit particular places or areas, or only visit the places or areas at specified times;
 - (ii) that the person not contact specified persons or classes of person;
 - (iii) that the person undergo rehabilitation and treatment ordered by the Youth Parole Board;
 - (iv) that the person attend a day program specified by the Youth Parole Board.

Special conditions

As part of the parole planning process, special conditions can be added to the young person's parole order by the Board. These special conditions are tailored to the young person's specific needs and circumstances. As outlined in Table 1, the Board imposed 263 conditions on 70 parole orders.

Table 1: Special conditions imposed by the Youth Parole Board during 2022–23

Condition	Meaning	Number
Abide by a curfew	The young person must remain at a specified address for set hours each night, to prevent their exposure to or engagement in risk taking activities and offending behaviour	21
Abide by conditions of intervention order (IVO)	The young person must comply with any active intervention orders for which they are named as the respondent	10
Attend a day program	The young person must attend an education, training, employment support or volunteer program, or participate in paid employment	21
Attend offence specific assessments and interventions	The young person must be assessed for offence specific programs, and if found suitable, attend and participate in individual or group sessions with a clinician. These interventions are directly related to the young person's offending behaviour and include programs that specifically address violence, motor vehicle offending, alcohol and other drug use or sexual offending	47
Comply with the conditions of the Sex Offender Register	A person on the Sex Offenders Register in Victoria must report to police within seven days of their release from custody and again each year. They must also report any changes to their details within seven days, including changes to their address, phone number, internet, vehicles, appearance, and contact with young children	2
General, substance abuse or mental health counselling	To support the young person to improve their mental health, address substance abuse or any other risks or responsivity factors that may impact their capacity to successfully complete their parole order	48
No contact with a co-offender	The young person is to have no direct or indirect contact with their co-offender, including through friends, text messages and social media	26
No contact with an individual	This condition is imposed to mitigate the potential for a victim to be re-traumatized by contact with the young person	39
Not to attend a geographical location	The young person is prohibited from attending a particular area or premises, where they may have deliberate or unintentional contact with the victim of the offences	29
Not to be in possession of a firearm/weapons	This condition is imposed where the young person has a history of offending with a weapon and it is assessed that a special condition is necessary to prevent engagement in high impact violent offending	2
Other	Other conditions as appropriate to mitigate specific risks	5
Reside as directed	The young person must live at an address specified on their parole order and must not change address without prior agreement from their case manager	12
That you comply with Disability Client Services	Where the young person has a forensic mental health condition	1
Total		263

Victim Condition Register

The Board recognises the impact that a young person's offending has on their victim and the community. When considering the conditions of a young person's release, the Board considers the potential trauma for the victim, and understands that this trauma can be pervasive and debilitating. The Board structures parole orders to minimise trauma and enable recovery for victims, including through the imposition of special conditions. To inform special conditions, the Board seeks information from the Youth Justice and Victoria Police about:

- the young person's prior knowledge of or relationship with the victim
- the factors that motivated the young person's offending
- the young person's current attitude towards the victim or victim's family
- the likelihood of further deliberate or unintentional contact with the victim or their family, such as through associates or through frequenting the same areas
- the young person's need to reside in or access supports in relation to the location of the offence or areas frequented by the victim
- the young person's history of committing offences in a particular area
- the receptiveness of the victim to further contact with the young person, such as through mediated restorative discussions or familial or intimate relationships with the young person
- current or prior intervention orders
- the victim's need to be protected from further contact, and
- the capacity for special conditions to prevent further harm to the victim.

There are occasions when the victims or families of victims request to meet with or communicate with the Board directly. The Board views it as important to meet with victims and their families and endeavours where possible to hear their submissions.

Based on one or all of these factors, a young person who is considered eligible for parole may be listed on the Youth Parole Board Victim Condition Register. The Secretariat team maintains this register of special conditions that have or will be imposed to protect the victim of the young person's offending. This register lists the details of the offences, information from informants and submissions by victims and their families. These special conditions, in tandem with supervision from the case manager and oversight by the Board, reduce the risk of further harm to victims when young people re-enter the community.

Parole orders issued by the Board

On the day of the Board meeting, the Board interviews the young person, discuss their understanding of parole, their commitment to their parole plan, aspirations for their future, concerns, anticipated challenges, and strategies to manage stressors and triggers for offending. The Board will then decide if the young person is ready for parole. If the Board decides to parole the young person, the Board will explain the conditions for the young person's parole and expectations for community supervision, ask them to sign their parole order, indicating that they have consented to and understood the conditions of parole, and release them immediately thereafter.

During 2022–23, the Board issued 70 parole orders. Table 2 shows the number of parole orders by year and gender. Young people can receive more than one parole order in the financial year.

Table 2: Parole orders issued by the Youth Parole Board, by gender and financial year

Gender/ order type	2012– 2013	2013– 2014	2014– 2015	2015– 2016	2016– 2017	2017– 2018	2018– 2019	2019– 2020	2020– 2021	2021– 2022	2022– 2023
Females – youth parole order	14	6	15	11	9	16	14	11	5	3	4
Males – youth parole order	213	184	177	182	192	227	171	149	129	84	66
Annual total	227	190	192	193	201	243	185	160	134	87	70

Active Parole Supervision

Case managers are authorised under section 453 of the *Children, Youth and Families Act 2005* to supervise young people on parole. Case managers are in youth justice teams across Victoria and provide supervision and support for young people approaching parole and on parole. They report through line management to the Secretary of the Department of Justice and Community Safety and are subject to the direction of the Board. Community based case managers work alongside unit staff and assessment and coordination officers in custody to develop a consistent and co-ordinated response to the management and support of a young person during their sentence.

Case managers are the principal case managers, responsible for supervising and supporting young people throughout their sentences, when they are in custody and in the community. A considerable amount of time and effort is put into preparing the young person for their transition to the community, particularly to securing appropriate accommodation and education programs for young people with high needs. Once the young person is in the community, supervision takes place in dynamic and complex environments.

Young people's circumstances can change significantly and without notice. Case managers need to ensure that they are constantly assessing risk levels and monitoring the impact of interventions on the young person's rehabilitation. If a young person's risk escalates, case managers must be prepared to react swiftly and work with the Board to take decisive action, such as through assertive outreach, work with the family, formal directions or warnings, or a recommendation to cancel parole. In recognition of this, the Board requests and receives regular reports from case managers about the young person's progress on parole. The Board may request the young person to appear before the Board during their parole period to discuss emerging issues, warn them about inadequate compliance, or to acknowledge and reinforce positive progress.

Warnings issued by the Board

Warnings can be initiated by the Board or Youth Justice and can address the young person's behaviour in the community or in custody. Warnings provide the young person with the opportunity to reflect on their behaviour and to make changes that will result in successful release or completion of their parole order. In the warning interview, the Board provides the young person with the opportunity to explain the reasons for their behaviour and the external factors that contributed to their actions. The Board communicates expectations for improvement and possible consequences if the young person fails to accept this opportunity for change. The consequences can include deferral of parole, transfer to adult prison (for young people aged 16 years and over), increased supervision or additional conditions for parole, or cancellation of their parole order and return to youth custody. The Board always encourage the young person to work closely with their care team to access supports to make any necessary changes.

The Board has increased the use of warnings in the last five years, in proportion to the number of young people in the community on parole. The increased use of warnings recognises the value of intervening early to provide the young person with clear and direct feedback on their behaviour, and the opportunity to work through solutions. At the interview the Board issues the young person with a clear direction as to how they need to improve their behaviour.

Table 3: Warnings issued by the Youth Parole Board by financial year

Year	Warnings issued by the Board
2012–2013	31
2013–14	35
2014–15	14
2015–16	17
2016–17	23
2017–18	29
2018–19	22
2019–20	40
2020–21	41
2021–22	33
2022–23	19

Table 4: Number of active Youth Justice Centre Orders by year and sentencing court

Year	Children's Court Youth Residential centre	Children's Court Youth Justice centre	Magistrates' and higher courts Youth Justice centre	Total
2012-13	14	206	401	621
2013-14	13	193	272	478
2014-15	20	193	259	472
2015-16	18	308	243	569
2016-17	9	340	200	549
2017-18	22	405	213	640
2018-19	15	295	114	424
2019-20	5	197	76	278
2020-21	3	183	66	252
2021-22	2	123	33	158
2022-23	3	58	38	99

Parole Cancellation

Under section 460 of the Children Youth and Families Act (2005), young people who do not comply with conditions of parole can have their parole cancelled by the Board at any time. The Board considers non-compliance to be a serious matter. The Board can cancel a young person's parole order following reconviction, or failure to observe conditions of parole. For example, failure to report to their case manager, reside at a particular address, comply with the special conditions of their order or, more generally, failure to attend and meaningfully engage in programs and services.

The key consideration for the Board in deciding whether to cancel a young person's parole order is the safety and protection of the community. Accordingly, the Board will cancel parole if the risks of the young person remaining in the community outweigh the benefits of the young person continuing parole.

The cancellation of a parole order triggers a warrant for the arrest of the young person who is then returned to youth justice custody to serve

the unexpired portion of their original sentence. In some cases, the Board may a credit young person with time served in the community where they have demonstrated compliance with their parole plan and order conditions. To be credited for time served, the young person must have demonstrated an effort to comply with the conditions of their release. The Board will consider this alongside the nature and circumstances of the breach of parole. If the Board considers it appropriate, it can again release a young person on parole after his or her parole has been cancelled.

In 2022–23, the Board cancelled 30 parole orders, four of these cancellations were for reconviction and 26 for failure to comply with parole. Of the 30 cancellations, eight were Children's Court sentences and 22 County Court and Magistrates' Court sentences. By cancelling the young person's parole for failing to comply with the conditions of their release, the Board seeks to prevent the young person from committing further offences prior to their return to custody.

Table 5: Parole cancellations issued by the Youth Parole Board for Children's Court and Magistrates' Court and higher courts

Jurisdiction	2012–2013	2013–2014	2014–2015	2015–2016	2016–2017	2017–2018	2018–2019	2019–2020	2020–2021	2021–2022	2022–2023
Children's Court sentences	40	34	38	53	49	59	58	58	47	24	8
Magistrates' Court and Higher court sentences	33	34	33	32	45	53	35	25	34	19	22
Total	73	68	71	85	94	112	93	83	81	43	30

Table 6: Parole cancellations issued by the Youth Parole Board by cancellation type

Reason	Number of parole cancellations										
	2012–2013	2013–2014	2014–2015	2015–2016	2016–2017	2017–2018	2018–2019	2019–2020	2020–2021	2021–2022	2022–2023
Reconviction	25	23	22	34	28	27	18	26	16	10	4
Failing to comply with conditions	48	45	49	51	66	85	75	57	65	33	26
Total	73	68	71	85	94	112	93	83	81	43	30

Note: Some cancellations were for parole orders issued prior to the current reporting period. Some parole cancellations from sentences issued in the Magistrates' and higher courts also had sentences from the Children's Court.

Transfers

Sections 464 to 477 of the *Children, Youth and Families Act 2005* deals with the power of the Youth Parole Board and Adult Parole Board to transfer young people between jurisdictions.

Table 7: Transfers issued by the Youth Parole Board

Provision	Number of transfers issued by the Board										
	2012–2013	2013–2014	2014–2015	2015–2016	2016–2017	2017–2018	2018–2019	2019–2020	2020–2021	2021–2022	2022–2023
Transfer from youth residential centre to Youth Justice centre (sections 464 and 465)	0	0	3	1	1	1	0	0	0	0	0
Transfer from Youth Justice centre to prison (section 467)	10	4	2	1	4	7	1	3	6	7	1
Young person's request for transfer to prison (section 468)	3	2	1	0	0	0	0	4	0	1	1
Transfer from Youth Justice centre to Youth Residential centre (section 470)	0	0	0	0	0	0	0	0	0	0	0
Transfer back to prison after transfer from prison to Youth Justice centre (section 473)	0	1	0	0	0	0	0	0	1	0	0
Person in Youth Residential centre sentenced to detention in Youth Justice centre or imprisonment (section 474)	0	0	0	0	0	0	0	0	0	0	0
Person in Youth Justice centre sentenced to imprisonment (section 475)	16	21	7	12	12	11	14	12	10	3	10
Person in Youth Justice centre sentenced to detention in Youth Residential centre (section 476)	0	0	0	0	0	0	0	0	0	0	0
Person in prison sentenced to detention in Youth Justice centre (section 477)	16	2	2	0	0	0	1	0	0	3	2
Annual total	45	30	15	14	17	19	16	19	17	14	14

Young offenders Transfer Review Group

The Youth Parole Board and the Sentence Management Division of Corrections Victoria have jointly established the Young Offenders Transfer Review Group to monitor and discuss young people who have been, or will potentially be, transferred between a Youth Justice Centre and prison. The Young Offenders Transfer Review Group reviews the status of each young person until they complete their sentence or turn 21 years of age and are no longer eligible for return to a Youth Justice Centre. This forum ensures that both jurisdictions maintain contemporary knowledge about these young people and the service system response. The Commissioner for Children and Young People, the Commissioner for Aboriginal Children and Young People and the Director, Office of Professional Practice, and Chief Practitioner Human Services regularly join this group.



Caption



The lecture was established in memory of Dr Larry Osbourne, who died in 2011 while serving as a member of the Youth Parole Board. Dr Osbourne was a general practitioner with special interest in youth drug and alcohol and mental health issues and was committed to innovation and best practice in parole planning and supervision.

Youth Justice Overview

Characteristics of young people in custody

A survey was conducted of the Youth Justice records of 488 males and 52 females in custody on 2 June 2023 to gather qualitative and quantitative data and provide insight into the needs of young people who are in Youth Justice custody. Questions were consistent with the 2022 survey. The results of the 2023 survey are presented in Table 7. They demonstrate the disadvantage, trauma and complexity of young people in custody, and provide Youth Justice with important information about the programs, services and supports required by these young people.

Table 8: Characteristics of young people in custody

Characteristics of young offenders	
Has never been subject to a child protection order	48%
Has been subject to a previous child protection order and has an open child protection case	15%
Were previously subject to a child protection order but do not have an open child protection case	28%
Currently has an open child protection case with no previous history of a child protection order	7%
Were victims of abuse, trauma or neglect as a child	64%
Has experienced family violence	42%
Is accessing mental health support in relation to their diagnosed mental illness	68%
Has a history of self-harm, suicidal ideation or suicide attempts	24%
Has a active cognitive difficulty diagnosed or documented by a professional	25%
Has a history of use or misuse of alcohol	67%
Has a history of use or misuse of drugs (illicit or prescription)	82%
Has a history of use or misuse of alcohol and drugs (illicit or prescription)	61%
Has offended while under the influence of alcohol but not drugs (illicit or prescription)	7%
Has offended while under the influence of drugs (illicit or prescription) but not alcohol	22%
Has offended while under the influence of both alcohol and other drugs (illicit or prescription)	55%

Aboriginal Young People

Aboriginal children and young people remain disproportionately over-represented in the youth justice system, compared to their non-Aboriginal peers. While there is much more work to do, there is a concerted effort to address over-representation of Aboriginal children and young people in partnership with Aboriginal partners, and it will remain a critical focus for youth justice.

Our system data shows that there has been some progress made in recent years to reduce over-representation of Aboriginal children and young people in the youth justice system. From 2016–17 to 2021–22, the number of Aboriginal children and young people (aged 10 to 17 years) under Youth Justice supervision on an average day has reduced by 67 Aboriginal children and young people (from 122.0 to 55.2 Aboriginal children and young people). This means that Youth Justice has achieved the Burra Lotjpa Dunguludja (Aboriginal Justice Agreement 4) milestone to reduce the number of Aboriginal children and young people (aged 10–17) under Youth Justice supervision on an average day by 43 by 2023 (a target of 89 Aboriginal children and young people aged 10–17 on an average day).

Further, from 2016–17 to 2021–22, the rate of Aboriginal young people aged 10 to 17 in detention on an average day decreased by 54 per cent (from 20.7 to 9.5 per 10,000 of the population). Youth Justice has met the target of reducing the rate of Aboriginal and Torres Strait Islander young people (10–17 years) in detention by at least 30 per cent (a target of 12.3 Aboriginal children and young people per 10,000), by 2031.

Consistent with these trends, in 2021–22, 16 Aboriginal children and young people came under the jurisdiction of the Youth Parole Board, a 33 per cent reduction from the previous year (24 Aboriginal children and young people in 2020–21). This included young people aged 18–21 years of age who are part of the dual track system.

Although significant progress has been made, Aboriginal children and young people are still over-represented in the Victorian youth justice system. In 2021–22, Victorian Aboriginal children and young people (aged 10 to 17) were 11 times more likely than their non-Aboriginal peers to be under

Youth Justice supervision on an average day. It is important to maintain efforts and continue to exceed the Burra Lotjpa Dunguludja milestones, focus on reaching parity with non-Aboriginal children and young people and close the gap by 2031.

Wirkara Kulpa – Aboriginal Youth Justice Strategy (2022–2032)

- On 17 February 2022, Wirkara Kulpa, Victoria's first Aboriginal Youth Justice Strategy was released.
- It is another important step in improving justice outcomes for Aboriginal children and young people and closing the gap (in the rate of Aboriginal and non-Aboriginal people under Youth Justice supervision) by 2031.
- The development of Wirkara Kulpa was led by the Aboriginal Justice Caucus, under the umbrella of the Aboriginal Justice Agreement, as a key initiative of Burra Lotjpa Dunguludja (Aboriginal Justice Agreement 4), and the Youth Justice Strategic Plan 2020–2030.
- Wirkara Kulpa's vision is that no Aboriginal child or young person is in the youth justice system because they are strong in their culture, connected to families and communities, and living healthy, safe, resilient, thriving, and culturally rich lives.
- It commits to a series of initiatives that will address the over representation of Aboriginal children and young people in contact with the youth justice system.

Wirkara Kulpa sets out five key priorities to be achieved over the next 10 years:

- empowering young people, families and community to uphold change
- protecting cultural rights and increasing connection to family, community and culture
- diverting young people and reducing overrepresentation
- working towards an Aboriginal-led justice response
- creating a fair and equitable system for Aboriginal children and young people.

Our Youth, Our Way Inquiry report

The Our Youth, Our Way (OYOW) report presents the findings and recommendations of the Koori Youth Justice Taskforce (a joint project of DJCS and Commission for Children and Young People (CCYP)) and the CCYP's subsequent systemic inquiry.

The report has 75 recommendations that impact DJCS, DFFH, Department of Education (DE), police and courts, recognising that Aboriginal children and young people who come to the attention of Youth Justice will often have complex needs requiring response across one or more social or justice services. This includes through their interactions with police, the courts, child protection, child and family services, mental health, alcohol and drug services and housing. A whole of Government response to the 75 recommendations was publicly released in February 2022, alongside the launch of Wirkara Kulpa. The Government supports (in full or in principle) 67 of those recommendations:

- Eight are under review (relating to police powers, age of criminal responsibility, Aboriginal community-controlled crisis accommodation, expansion of the Children's Court, increasing the age of detention and proposed changes to bail laws). Since the release of the Government's response, the Government has committed to raising the age of criminal responsibility and introduced a bill to amend bail laws.
- 56 recommendations are addressed through Wirkara Kulpa, with a number of funded Wirkara Kulpa initiatives in development or underway.

Current Funding and investment

Over \$55 million has been invested to deliver on priority actions deriving from Wirkara Kulpa. The 2023–24 Budget provided \$50.92m over two years to continue critical initiatives in Youth Justice, including culturally responsive services to support Aboriginal young people in custody.

The 2022–23 Budget provides:

- \$11.0 million in funding over two years for key initiatives to divert young people from the Youth Justice system. This includes further funding for additional Aboriginal Youth Justice Hubs to help prevent Aboriginal children and young people from coming into contact with the justice system.

The 2021–22 State Budget supported two initiatives targeting Aboriginal young people from a \$33.1 million package:

- early intervention family services to keep Aboriginal children aged 14 years and under out of the criminal justice system; and
- residential diversion for young Aboriginal males and females at Barooka Youth Healing Program.

The 2020–21 State Budget provided \$11.898 million to address the overrepresentation of Aboriginal children and young people in Youth Justice by:

- establishing an Aboriginal Youth Justice hub to provide place-based Aboriginal-led services to children and young people;
- amplifying the voices of Aboriginal children and young people in the design and delivery of youth justice services;
- enhancing and expanding the Community Based Aboriginal Youth Justice Worker program to assist young people to complete diversion and community supervision orders and provide gender specific responses;
- re-establishing Balit Ngulu, a specialist youth legal service in metropolitan Melbourne and Shepparton, to provide a specialist holistic legal service for Aboriginal young people; and
- establishing case management review panels to support Aboriginal young people with complex needs.

Key programs and services for Aboriginal young people in youth justice

These new investments build on the range of culturally centred programs and initiatives in community and custody for Aboriginal children and young people involved with Youth Justice. The Aboriginal Youth Justice Program (AYJP) consists of a suite of programs delivered through Aboriginal community organisations and Youth Justice. The AYJP aims to provide a culturally safe and responsive service for Aboriginal children and young people at risk of or in contact with the justice system at all stages from early intervention and prevention, to diversion and statutory intervention. AYJP programs delivered by Aboriginal community controlled organisations include the Community based Aboriginal Youth Justice Program, Aboriginal Early School Leavers Program and the Aboriginal Youth Support Service. These programs are delivered by 13 funded Aboriginal Community Controlled Organisations, one Aboriginal organisation and one mainstream community-based agency. Additionally, a range of programs within the AYJP suite are delivered directly by Youth Justice in a mix of locations across the state. These are:

- Aboriginal Intensive Support Program (AISP);
- Aboriginal Liaison Officers (ALOs);
- Koori Court Advice Workers; and
- Aboriginal Focus Team.

Table 9: Number of Youth Residential and Youth Justice Centre Orders during 2022–23, by Aboriginal status and sentencing jurisdiction

Type of Order	Non-Aboriginal	Aboriginal	Number of young people
Youth Residential centre Order	0	1	1
Children’s Court Youth Justice centre Order	6	41	47
Higher Court Youth Justice centre Order	0	30	30
Total	66	9	78

Statistical supplement for the year ended 30 June 2023

The following section provides supplementary statistics for the year ended 30 June 2023. All data, including parole data sourced from Victorian Youth Justice systems, undergoes routine data validation. As such, all data can be subject to minor changes over time. Numbers contained in this report may not be directly comparable to subsequently published reporting.

Table 10: Releases and cancellations, 2012–13 to 2022–23

Year ending	Releases on parole	Paroles cancelled	Paroles completed	Persons on parole at this date
30 June 2012	257	87	115	133
30 June 2013	231	73	112	126
30 June 2014	195	68	102	124
30 June 2015	196	71	97	112
30 June 2016	193	85	93	94
30 June 2017	201	94	74	81
30 June 2018	243	112	120	95
30 June 2019	185	93	112	75
30 June 2020	160	83	78	80
30 June 2021	134	81	76	57
30 June 2022	87	43	49	42
30 June 2023	70	30	39	36

Table 11: Number of active Youth Justice and Youth Residential Centre Orders as at 30 June 2012 to 2023

Year	Children's Court Youth Residential centre	Children's Court Youth Justice centre	Magistrates' and higher courts Youth Justice centre	Total
2012-13	14	206	401	621
2013-14	13	193	272	478
2014-15	20	193	259	472
2015-16	18	308	243	569
2016-17	9	340	200	549
2017-18	22	405	213	640
2018-19	15	295	114	424
2019-20	5	197	76	278
2020-21	3	183	66	252
2021-22	2	123	33	158
2022-23	3	58	38	99

Table 12: Parole orders issued and parole cancellations by region during 2022-23

Region	Parole orders issued	Parole orders cancelled
North Metropolitan	8	4
West Metropolitan	20	7
South Metropolitan	20	6
East Metropolitan	7	3
Barwon-South West	4	4
Gippsland	2	0
Grampians	3	0
Hume	6	6
Loddon Mallee	0	0
Total	70	30

Table 13: Parole orders issued by jurisdiction during 2022–23

Court	Gender	New admission	Already on a custodial sentence	Total
Children’s Court: Youth Residential centre	Male	1	2	3
	Female	0	0	0
Children’s Court: Youth Justice centre	Male	44	9	53
	Female	3	0	3
Magistrates’ Court	Male	3	6	9
	Female	1	0	1
County Court	Male	21	3	24
	Female	1	0	1
County Court of Appeals: Youth Residential centre	Male	0	0	0
	Female	0	0	0
County Court of Appeals: Youth Justice centre	Male	1	0	1
	Female	1	0	1
Supreme Court	Male	3	0	3
	Female	0	0	0
Subtotal	Male	73	20	93
	Female	6	0	6
Total		79	20	99

Table 14: Number of sentences commenced 1 July 2012 to 30 June 2023, overseen by Youth Justice

Type of order	12–13	13–14	14–15	15–16	16–17	17–18	18–19	19–20	20–21	21–22	22–23
Probation	892	811	805	676	495	537	465	358	289	216	170
Youth supervision	453	359	422	438	454	420	362	312	274	182	182
Youth attendance	66	85	78	71	94	70	58	59	49	54	20
Youth control	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	20	4	5	3	2
Youth Residential centre	9	9	11	8	6	15	9	2	3	2	3
Youth Justice centre	294	229	214	282	293	290	196	157	150	119	89
Total	1,714	1,493	1,530	1,475	1,342	1,332	1,110	892	770	576	466

Table 15: Number of individual young people subject to Youth Justice supervision 1 July 2012 to 30 June 2023

Type of order	2012–2013	2013–2014	2014–2015	2015–2016	2016–17	2017–18	2018–19	2019–20	2020–21	2021–22	2022–23
Probation	659	599	569	473	354	370	335	241	200	170	170
Youth supervision	296	226	247	249	260	245	220	198	154	119	182
Youth attendance	45	47	40	31	40	38	28	29	28	35	20
Youth control	N/A	N/A	N/A	N/A	N/A*	N/A*	10	2	2	3	2
Youth Residential centre	6	2	2	7	3	11	3	1	1	1	1
Youth Justice centre	262	198	203	251	252	297	172	141	129	105	70
Interstate custody order	0	1	0	1	2	0	2	0	0	0	0
Total	1268	1073	1061	1012	911	961	770	612	514	433	445

Table 16: Remand orders commenced 1 July 2012 to 30 June 2023

Type of order	2012–2013	2013–2014	2014–2015	2015–2016	2016–2017	2017–2018	2018–2019	2019–2020	2020–2021	2021–2022	2022–2023
Youth Residential centre remand	158	144	225	214	193	164	181	279	195	116	119
Youth Justice centre remand	559	601	687	765	876	613	765	1045	885	622	617
Total	717	745	912	979	1069	777	946	1324	1080	738	736

Table 17: Individual young people subject to remand 1 July to 30 June 2023

Type of order	2012–2013	2013–2014	2014–2015	2015–2016	2016–2017	2017–2018	2018–2019	2019–2020	2020–2021	2021–2022	2022–2023
Youth Residential centre remand	50	67	99	83	71	68	96	113	76	52	47
Youth Justice centre remand	209	307	413	401	433	392	429	473	392	311	292
Total	254	374	512	484	504	460	525	586	468	363	339

