

Government response to the Parliamentary Inquiry into Youth Justice Centres in Victoria

The Inquiry into Youth Justice Centres in Victoria

The Legal and Social Issues Committee of Parliament (the Committee) held an Inquiry into Youth Justice Centres in Victoria (the Inquiry). The Terms of Reference for the Inquiry were agreed to by the Legislative Council on 10 November 2016.

The Committee received 65 submissions between November 2016 and April 2017 and held public hearings in relation to the Inquiry between March and June 2017. The Committee tabled its final report on 6 March 2018.

In addition, the Department of Health and Human Services and Department of Justice and Regulation supported the Committee by providing over 2,900 pages of documentation to inform the Inquiry.

The Victorian Government thanks the members and staff of the Committee for their report and acknowledges the important contributions made by the range of stakeholders who participated in the Inquiry.

The Committee's final report made 39 recommendations relating to:

- the over-representation of Culturally and Linguistically Diverse (CALD) groups in Youth Justice
- improved reporting and oversight of the use of isolation, lockdowns and separations in Youth Justice centres
- therapeutic approaches to Youth Justice including mental health and alcohol and drug treatment programs
- the development and support of the Youth Justice custodial workforce including recruitment, training and rostering
- the introduction of more child friendly court procedures, and
- further review, analysis and research into a number of areas including diversion, group conferencing, training for bail justices and the increase of remand numbers.

The Government supports or supports in principle all 39 of the recommendations made by the Committee.

Almost three quarters of the Inquiry's recommendations align with the recommendations of the landmark and system wide Youth Justice Review, conducted by independent experts Ms Penny Armytage and Professor James Ogloff AM, as well as recommendations from other reviews and reports into the

Youth Justice system. The Government has already made significant investments across Youth Justice to implement reforms that address the recommendations from these reviews. These are discussed below.

The Government notes that the Youth Justice Review identified and compared the Inquiry as a concurrent review, indicating its terms of reference were far narrower, focusing only on the Youth Justice custodial system. This scope was further limited by the Committee's leadership and their partisan approach as they neglected to:

- examine how recommendations stemming from the 2010 Victorian Ombudsman's Investigation into Conditions at the Melbourne Youth Justice Precinct were acquitted by the Government between 2010 and 2014
- request any reviews, documentation and evidence that were commissioned between 2010 and 2014 to determine how long such infrastructure issues had existed within the Victorian Youth Justice system, or
- examine design and operating considerations when the secure site at Malmesbury Youth Justice Precinct was funded in 2012.

The Government acknowledges that recent challenges in the Youth Justice system have had their origins in long standing neglect and under investment. That's why we have invested an unprecedented \$1.2 billion to overhaul the Youth Justice system, delivering fit-for-purpose infrastructure, more and better trained and equipped staff, as well as addressing the recommendations of the Armytage Ogloff Youth Justice Review.

Youth Justice system reforms and investment

Armytage Ogloff Youth Justice Review

In August 2017, the Government released the over 700 page report by independent reviewers, Ms Penny Armytage and Professor James Ogloff AM, on youth support, youth diversion and Youth Justice services: *Youth Justice review and strategy, Meeting needs and reducing offending*. This was the first independent and system wide review of Victoria's Youth Justice system in 17 years.

The Youth Justice Review made 126 recommendations to create a more contemporary and effective Youth Justice system in Victoria. The Government accepted all recommendations from the Review, either in full or in principle.

Implementing the Review's recommendations will make our community safer by reducing recidivism through safe and secure facilities, better case management and access to key workers and establishing evidence based rehabilitation programs that work, delivered by a professional and supported workforce.

The Government made an initial investment of \$50 million to address the Review's priority recommendations, which included funding for the widest ever range and greatest ever volume of offence-specific rehabilitation programs in Youth Justice.

Since then, the Government has built on this with a record investment in Youth Justice.

Record investment in Youth Justice

The 2018-19 State Budget provides an additional \$145 million over four years to strengthen Youth Justice, support rehabilitation and ensure the safety of staff, young people and the community. The Government has invested an unprecedented \$1.2 billion over the past four years to overhaul the Youth Justice system, more than double the previous Liberal Government's expenditure. This includes over \$429 million in infrastructure investment, a 580 per cent increase when compared to the previous Liberal Government.

New and strengthened supervision, interventions and services

An evidence based, developmentally appropriate approach is required to reduce youth offending and rehabilitate young people. This requires an understanding of the causes of a young person's offending and appropriate interventions to challenge that behaviour and engage young people in prosocial activities and supports. In custody, it also requires a clear, consistent and well implemented operating model.

The Government has made significant investments and is implementing a range of initiatives across Youth Justice to prevent offending, to reduce overrepresented groups from entering the system and to ensure the availability and delivery of effective interventions and services. This includes:

- \$12.9 million to continue the Children's Court Youth Diversion Service to keep offending behaviour from escalating and to support rehabilitation.
- \$11.5 million to develop a new integrated case management framework across Youth Justice community services as well as Youth Justice custodial centres, and to assess the risks and needs of every young person in Youth Justice. This will ensure every young person has a case manager, completed case plan and better access to programs and services across both community and custodial Youth Justice.
- \$3.8 million for the creation of a new Custodial Classification and Placement Service to review the security risk of all young people in custody to ensure they are appropriately and safely placed.
- \$18.7 million to provide additional health and mental health services to young people in custody, to support their health and rehabilitation. This ensures young people in custody have access to an appropriate standard of primary physical and mental health services. This includes increased nursing, General Practitioner and psychological services as well as improved medication administration.
- \$14 million to fund youth mental health initiatives for young people in Youth Justice, including a specialist mental health service for young people in

custody, a forensic youth mental health service for young people in the community, expanding the Mental Health Court Liaison Service to the Children's Court and establishing, for the first time in Victoria, a dedicated secure forensic mental health unit.

- \$1.3 million for a strategy to reduce the overrepresentation of Aboriginal young people in Youth Justice. A further \$10.8 million for targeted interventions, including to continue the expanded Koori Youth Justice Program, establish a dedicated Aboriginal Youth Justice Taskforce to examine the current care of Aboriginal young people in Youth Justice, and to increase the number of Aboriginal workers in Youth Justice to their highest levels.
- \$2.5 million to reinstate and expand structured day programs across both Youth Justice precincts, such as Landcare initiatives and programs that teach life skills, to ensure a more secure custodial environment, promote positive behaviour and assist in the rehabilitation of young people.
- \$8.8 million towards new programs that directly address young people's offending behaviour, including programs targeting violent offending, family violence-related offending, sexual offending, substance use-related offending and motor vehicle-related offending behaviour. This will also deliver a suite of psychosocial programs to target offence-related behaviours for both remandees and sentenced young people.
- \$9.3 million to boost training and skills for Youth Justice staff and to deliver a dedicated recruitment campaign for our custodial centres and \$1.7 million to employ 21 new Safety and Emergency Response Team staff. Since 2014, the Government has funded and created more than 280 new jobs across the Youth Justice system to better manage young people in custody and the community.
- \$15 million for a whole of government approach to target youth offending, including to provide culturally responsive programs and additional Multicultural Liaison Officers to support young people from CALD backgrounds in custody to address their offending behaviour.
- \$14.3 million for increased security at our custodial centres, including an enhanced intelligence function and additional custodial staff to help prevent incidents.

Strengthening and expanding our custodial facilities

The Government recognises that a safe, secure and stable custodial environment is essential for rehabilitating young people and for their successful reintegration back into the community. The crumbling infrastructure the Government inherited was simply unacceptable. Reforms underway within custodial facilities will ensure we have a humane, safe and stable environment for staff and young people. This is integral to enabling effective case management, keeping the community safe and holding young people to account.

Furthermore, this year's Budget papers identify an anticipated increase in the average number of young people in custody on any given day, as a result of the Government's reforms to bail and sentencing laws.

That is why the Government has invested \$58 million to repair, strengthen and fortify both Youth Justice centres. Government also provided \$79 million to build an additional 68 beds across the system, and a new secure fence at Malmsbury, to meet growing demand. The 2018-19 Budget included a further \$73 million to ensure the right people are in place to bring new beds online and to flexibly and safely accommodate our young people. This investment provides greater scope for Youth Justice to be responsive to the circumstances, risks and vulnerabilities of each young person when placing them in our centres.

The Inquiry's final report did not make a single recommendation regarding Youth Justice custodial facilities. The Government considers this an endorsement of its reform agenda and investment across Youth Justice custodial infrastructure.

New Youth Justice facility at Cherry Creek

The Government is building a new \$288 million fit-for-purpose Youth Justice facility at Cherry Creek. This new Youth Justice facility is a vital investment for the state to ensure the safety of the wider community, Youth Justice staff and young people in contact with the justice system.

The new highly secure facility has been master planned for up to 300 beds for remand and sentenced young people, a 12 bed mental health unit and an intensive supervision unit of at least eight beds.

The facility will also have dedicated beds for young people in custody to provide specialist assessments and intensive alcohol and drug treatment. This will provide a therapeutic treatment model addressing young people's alcohol and other drug use and their offending behaviour.

John Holland was appointed as Managing Contractor in May 2017 and is responsible for building the new Youth Justice facility at Cherry Creek. John Holland, which has previously worked on custodial facilities, will drive the design, construction, commissioning and completion of the facility.

Work has already commenced on pre-design and master planning with expert architecture and design firm HDR.

While the most critical requirement for the final design of the new Youth Justice precinct is to provide a robust and highly secure custodial facility, the design will also focus on providing an environment that supports rehabilitation and a reduction in reoffending.

Unlike the previous Liberal government's lack of action on the 2010 Victorian Ombudsman's recommendation regarding the suitability of Parkville, the Andrews Labor Government is delivering fit-for-purpose infrastructure that will support the integrity of Victoria's Youth Justice system now and into the future.

Increased transparency and accountability

The Government has increased transparency and accountability across the Youth Justice system.

Robust reporting and review of incidents and the use of isolation and force provides an important protection to both staff and young people in Youth Justice.

That is why the Government enshrined in the *Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017* the requirement that all uses of isolation and force are reported to the Secretary of the Department of Justice and Regulation.

The Department of Justice and Regulation also publishes quarterly Youth Justice custodial incident reports on its website, which under the previous Liberal government were only published on an annual basis.

Following public hearings at the Royal Commission into Institutional Responses to Child Sexual Abuse, a practice change occurred in mid-2015 that has resulted in all young people being asked about events prior to being admitted to custody. Following this practice change, there has been an increase in the number of assault incidents reported. These incidents are alleged to have occurred prior to young people entering the custodial setting.

Since the Department of Justice and Regulation assumed responsibility for Youth Justice, there has been a further increase in the reporting of incidents following a concerted effort by staff to report and appropriately categorise all incidents that occur across Victorian Youth Justice centres.

In particular, there has been a focus on ensuring that the impact on young people and staff is appropriately considered when categorising incidents, resulting in a greater number of incidents categorised as Category 1.

This includes reporting threatening and assaultive behaviour towards staff, all self-harm attempts and reporting all assaults that not only result in admission to hospital, but have the potential to harm and are of serious intent. This was not the case under the previous Liberal government. The Government also recognises that the Commission for Children and Young People plays a key role in providing independent oversight in Youth Justice centres.

Our Government has legislated to ensure all adverse events including Category 1 incident reports in Youth Justice custodial facilities are disclosed to the Commission.

In line with the recommendations of the Commission for Children and Young People's report *The same four walls: inquiry into the use of isolation, separation and lockdowns in the Victorian Youth Justice system*, the Department of Justice and Regulation also provides the Commission with quarterly isolation, separation and lockdown reports.

We also support the Commission for Children and Young People's Independent Visitor program, which involves monthly visits by volunteers to Victoria's Youth Justice centres. This involves entering centres, talking directly to young people and staff and observing the general routines of the centre. Following each visit, observations and issues are discussed with the centre's General Manager and included in written reports.

These processes ensure transparency and accountability for delivering a safe, stable and effective Youth Justice system.

In contrast, the Inquiry's final report revealed the previous Minister, Ms. Wooldridge, changed the reporting system in 2011 to cover up serious incidents from public oversight, which led to a culture of underreporting within Youth Justice and to police.

New legislation

The Government is delivering a significant legislative reform agenda to address youth offending in Victoria.

Youth Justice Reform Act

The *Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017* is delivering a comprehensive suite of Youth Justice reforms to ensure that those responsible for serious offending are dealt with appropriately. All reforms in the Act have now commenced. Legislative changes include longer detention periods, a new offence targeting adults who use children to commit crime and stronger consequences for young people who commit crimes while in detention.

Youth Offender Compliance Bill

The Government has introduced the Children, Youth and Families Amendment (Youth Offender Compliance) Bill 2018 into Parliament. In a Victorian first, the Bill will establish a trial and evaluation of electronic monitoring for Category A and Category B serious youth offenders on parole, as well as drug and alcohol testing for any young person who is released on parole and is subject to an abstinence, treatment or testing condition.

Electronic monitoring will ensure young people on parole are complying with the conditions of their parole, such as maintaining a curfew or restricting movements in certain areas, assisting to reduce reoffending.

Drug and alcohol abuse is known to impact offending and reoffending. Alcohol and drug testing will enable early identification of increased risk and improved management of young people on parole.

These initiatives will hold young people to account and help keep Victorians safe.

The Government has detailed specific responses to the Inquiry's recommendations below.

Government Responses to Inquiry Recommendations

No	Recommendation	Government position	Comments
1	That the Department of Justice and Regulation consider developing an intake assessment system that takes into account other additional factors along with chronological age, such as developmental age and cognitive development.	Support	<p>The Government is addressing this recommendation through the reform program underway to implement the 126 recommendations of the Youth Justice Review.</p> <p>Significant progress has been made to implement the reforms, including through the Government's initial \$50 million investment in 2017-18 to address the Youth Justice Review's priority recommendations. This included \$3.8 million to create the custodial Classification and Placement Service. This service, which is now in place across custodial facilities, will review the security risk of all young people in Youth Justice centres to ensure they are placed at the appropriate security level, and that this is appropriate to their needs and/or vulnerabilities. This service exists in Victorian prisons and has been missing from Youth Justice facilities.</p> <p>Government's initial investment also included \$11.5 million to develop a new integrated case management framework across community and custody and to assess the risks and needs of every young person in Youth Justice. This includes introducing new validated assessment tools, which the department is currently procuring, to screen for the presence of cognitive impairment and/or intellectual disability and determine the need for comprehensive clinical assessment.</p> <p>The new Classification and Placement Service in custodial centres, and the introduction of a new validated assessment process across Youth Justice, will ensure that Youth Justice responds to young people based on their risks and needs. This will ensure young people's developmental age and cognitive development inform case management responses.</p>
2	That the Victorian Government develop programs to identify and respond to the causal factors contributing to the over-representation of CALD groups in Youth Justice.	Support	<p>The Government recognises the importance of ensuring our services and systems provide tailored and culturally effective responses. That is why the Government has accepted the Youth Justice Review recommendation to develop a strategy to reduce the over-representation of young people from CALD communities in Youth Justice.</p> <p>In the 2018-19 State Budget, the Government committed an additional \$15 million to support a whole of government approach to target youth offending. Through this funding, the Government is increasing our engagement and the availability of culturally appropriate services for young people from CALD backgrounds, both in the community and in our Youth Justice centres.</p> <p>This includes investing \$5.5 million through the Department of Health and Human Services in establishing three additional Community Support Groups (CSGs) in Melbourne's West and South-East. These groups will boost community engagement, resilience and ensure young people can be linked to appropriate services. The Centre for Multicultural Youth will manage two groups, in Dandenong and in Melton/Brimbank. Wyndham Community and Education Centre has been appointed the auspice of the third CSG, which will be located in Wyndham.</p> <p>The groups have been developed in close consultation with members of the South Sudanese community and each group has been funded to support its establishment and operation, including employing staff to work with young South Sudanese people and families and provide them with culturally sensitive support.</p>

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			<p>The funding will support parenting programs, youth mentoring, family support and the engagement of three new teams of youth alcohol and other drug (AOD) outreach workers.</p> <p>An AOD component has also been added to the African Communities Action Plan to respond to African youth treatment and pathways for 2018-19 and 2019-20.</p> <p>The Government's investment builds on the existing programs developed to better respond to the needs of young people from CALD backgrounds in the community. This includes recruiting new Multicultural Liaison Officers to better coordinate and support CALD young people in Youth Justice centres. The Government is providing additional funding for culturally appropriate programs in our centres to better engage young people to reduce offending behaviour. These programs will be developed in consultation with CALD communities.</p>
3	<p>That the Victorian Government implement programs to identify and respond to emerging trends in youth offending behaviour. These programs should evaluate effective responses to these trends, including identifying and addressing the underlying causes of the change in behaviour and how best to respond to these changes.</p>	Support	<p>The Government is committed to the effective assessment, case management and rehabilitation of young people to directly address young people's offending behaviour and the underlying causes of that behaviour.</p> <p>That is why the Government has invested \$11.5 million in 2017-18 to develop a new integrated case management framework across community and custody and to assess the risks and needs of every young person in Youth Justice. This includes introducing new validated assessment tools, which the department is currently procuring, to screen for the presence of cognitive impairment and/or intellectual disability and determine the need for comprehensive clinical assessment.</p> <p>The new case management framework is based on the Risk, Need and Responsivity (RNR) principles and allows for an individualised response that takes into account each young person's criminogenic risks and needs, including any change in their risks and needs that may indicate a higher likelihood of future offending.</p> <p>The Government also provided \$8.8 million in 2017-18 towards new programs that directly address young people's offending behaviour, which will be available to support case management of young people. These will include:</p> <ul style="list-style-type: none"> • offence-specific programs targeting violent offending, family violence-related offending, sexual offending, substance use-related offending, motor vehicle-related offending behaviour, and • offence-related programs such as drug and alcohol programs and psychosocial programs that address emotional and social skills related to offending and that prepare young people for more intensive interventions. <p>The Department of Justice and Regulation (DJR) is also establishing a Youth Justice Accreditation and Evaluation Panel that will evaluate new and existing programs. The panel, which will consist of experts from the field along with key stakeholders, will be established by DJR to ensure that programs are effective and fit for purpose.</p> <p>The Government will continue to monitor relevant system data, trends and outcomes in Youth Justice, which will inform the development and review of available initiatives and programs. DJR will work closely with the Youth Justice Reference Group, a stakeholder and expert advisory body designed to inform policy and program development, and other key bodies to inform responses to emerging trends.</p>

No	Recommendation	Government position	Comments
4	That the Victorian Government develop a program involving the Department of Health and Human Services and the Department of Justice and Regulation to identify links between out-of-home-care and young offending and respond appropriately.	Support in principle	<p>The Government notes the importance of a coordinated approach to reducing the likelihood of young people in out of home care coming into contact with the Youth Justice system.</p> <p>This is consistent with the findings of the Youth Justice Review, which highlighted the need to reduce the criminalisation of young people in out of home care.</p> <p>Agencies including Victoria Police, the Department of Health and Human Services (DHHS), the Department of Justice and Regulation and community service providers are working to reduce contact of young people in residential care with Victoria Police and the Youth Justice system. This focuses on providing therapeutic responses to young people and a more coordinated response between all parties.</p> <p>DHHS and the Department of Education and Training, Victoria Police and sector providers have partnered to deliver the East Division Building Resilience in Children and Young People Initiative, which began in 2016.</p> <p>The initiative aims to facilitate frontline police and the wider care team to better support and guide young people living in out of home care and to reduce their criminalisation. To date, there has been local positive results for young people and professionals from this initiative.</p>
5	That the Victorian Government provide sufficient ongoing funding for Victoria Police Youth Resource Officers to continue their work.	Support in principle	<p>The Government recognises the positive impact that proactive, specialised policing efforts can have in decreasing youth offending in Victoria.</p> <p>That is why the Government funded 42 new Youth Specialist Officers (YSOs) as part of its historic \$2 billion investment in the Community Safety Statement in 2017. The YSOs will work with young people aged between ten and 20 years old, who are involved in serious crimes and offending causing significant community harm.</p> <p>The YSOs will work closely to support the existing Youth Resource Officers, as well as Victoria Police investigators, police prosecutors and frontline members, to share information and provide increased coordination when responding to youth offending. The YSOs will also play a key role in working with at-risk young people, their families and their communities to intervene early and prevent them from reoffending.</p> <p>YSOs build further on the work of Youth Resource Officers, who deliver community engagement and preventative initiatives for young people with low level offending. The YSOs have already started working with young people and communities across Victoria, and combined with the work of the Youth Resource Officers, provide a coordinated and targeted response to improve community safety.</p>
6	That the Victorian Government express the concept of diversion in terms of ensuring young offenders avoid incarceration as well as being diverted from reoffending behaviour.	Support in principle	<p>The Government has a strong record of supporting effective diversion throughout a young person's contact with the Youth Justice system. This allows us to identify children and young people early in their contact with the criminal justice system to assist them to understand the impact of their offending and provide opportunities for rehabilitation.</p> <p>The Government recognises that diversion must only be used where it is appropriate, based on the risks and needs of the individual and having regard to the nature and seriousness of the young person's offending. This is consistent with the purpose and operation of the Children's Court Youth Diversion service (CCYD).</p>

No	Recommendation	Government position	Comments
			<p>The CCYD service builds on and strengthens a young person's existing relationships and interests, engaging them in the context of their family or carer and their community as well as engagement with education, training or employment to promote positive change.</p> <p>Legislation to deliver a statutory pre-plea youth diversion program in the Children's Court was introduced by the <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017</i> (the Youth Justice Reform Act). The Government has invested an additional \$12.9 million in funding over four years and \$3.4 million in ongoing funding for the Children's Court Youth Diversion service in the 2018-19 Budget.</p>
7	<p>That the Children's Court review its group conferencing program to determine whether it can occur prior to sentencing. This may include giving Victoria Police the power to refer young people to group conferencing or equivalent programs prior to contact with the Court.</p>	Support in principle	<p>The Government notes the effectiveness of restorative justice programs and is committed to their use in Youth Justice, including group conferencing.</p> <p>Victoria already provides Youth Justice Group Conferencing as a legislated rehabilitation intervention in the Children's Court at the pre-sentence stage. The objectives of the program are to increase the young person's understanding of the effect of their offending and the impact to victims, and to reduce their likelihood of reoffending and negotiate an outcome plan agreed to by the young person that makes reparation for their actions.</p> <p>In Victoria, group conferencing involves referral by a judicial officer, making it particularly effective. The Youth Justice Group Conferencing program continues to result in sentencing outcomes that divert young people away from the criminal justice system. Additionally, there are opportunities for similar restorative justice processes earlier in the process. For example, community or restorative conferencing may be ordered through the Children's Court Youth Diversion service and in some police areas informal group conferencing is undertaken.</p>
8	<p>That the Department of Health and Human Services and the Department of Justice and Regulation periodically review and publically report on the effectiveness of diversion programs.</p>	Support	<p>Government recognises the importance of effective diversion programs in helping young people to understand the effect of their offending, impact to victims and provide opportunities for rehabilitation.</p> <p>Legislation to deliver a statutory pre-plea youth diversion program in the Children's Court was introduced by the <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017</i> (the Youth Justice Reform Act). The Government has invested an additional \$12.9 million in funding over four years and \$3.4 million in ongoing funding for the Children's Court Youth Diversion service in the 2018-19 Budget.</p> <p>Consistent with the Youth Justice Reform Act, the Minister will undertake a review of this program three years after its commencement and table the report from this review in Parliament.</p> <p>The Government is committed to ongoing monitoring of the success of diversion programs and will continue to report on their effectiveness.</p>
9	<p>That the Victorian Government establish a rehabilitative mentoring program for young offenders.</p>	Support	<p>The Government understands the importance of positive role models in reducing offending behaviour and supporting rehabilitation.</p> <p>In line with the recommendations of the Youth Justice Review, the reforms to the custodial operating model and the development of a structured day in custodial precincts will include mentoring activities. This will focus on young</p>

No	Recommendation	Government position	Comments
			<p>people who lack pro-social adults or peers in their existing networks. The Government has provided \$2.5 million in the 2018-19 Budget to reinstate and expand structured day programs in custodial centres.</p> <p>The Government has also invested \$15 million to support a whole of government approach to target youth offending. This includes funding for a tailored and scalable youth mentoring program to meet the different needs and circumstances of culturally diverse young people in priority locations, which will be developed by the Department of Health and Human Services in partnership with the Department of Justice and Regulation.</p> <p>The Elder in-reach program funded by the Government in the 2018-19 Budget also provides mentoring and leadership skills for Aboriginal young people in custody.</p>
10	That the Children's Court use less formal language during trials to ensure that young people better understand the court process and the link between their sentence and their offence/s.	Support	<p>The Government understands the importance of ensuring that court processes for children and young people are accessible and appropriate for their age.</p> <p>The Children's Court remains committed to using appropriate language in proceedings, as required by the <i>Children, Youth and Families Act 2005</i> (CYFA). The Court exists as a child and young person-specific jurisdiction, as is reflected in its procedural guidelines and practices in the Court.</p> <p>The Court's general procedural guidelines require it to:</p> <ul style="list-style-type: none"> • take steps to ensure that the proceeding is comprehensible to the child • seek to satisfy itself that the child understands the nature and implications of the proceeding and any order made in the proceeding • allow the child to participate fully in the proceeding • consider any wishes expressed by the child • respect the cultural identity and needs of the child (and the child's parents and other family members), and • minimise the stigma to the child and his or her family. <p>The Government notes that the vast majority of young people appearing before the Court's Criminal Division are legally represented. Legal representation also facilitates a child's understanding of and participation in proceedings before the Court.</p> <p>The Government notes that the CYFA also requires that the Court explain the meaning and effect of any order it makes as plainly and simply as possible, and in a way which it considers the child will understand.</p> <p>It should be recognised that every child will have their own individual level of maturity and development. The CYFA calls for the Court to take steps to ensure that the proceeding is comprehensible to the child's parents, and that orders are explained in a way which it considers the child's parents will understand.</p>

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			<p>In addition to these relevant provisions in the CYFA, the Court has also created and deployed Court Assistance Officers whose role is to work with, support and assist young people (and other parties in the Court) to negotiate the court process.</p> <p>The Government also notes that the Children's Court has, in partnership with the Judicial College of Victoria, developed a two-day judicial education program on listening to the voice of the child and communication with children in Court.</p>
11	That the Children's Court develop protocols to ensure that young people on trial are better educated about the court process and supported by people they trust, such as family members or community leaders, throughout the court process.	Support	<p>The Government is committed to ensuring that young people are supported and understand their offending behaviours and the court processes they experience.</p> <p>The Children's Court observes the relevant statutory provisions in the <i>Children, Youth and Families Act 2005</i> (CYFA), which aim to ensure children and young people comprehend and participate in the Court process, as detailed above at recommendation 10.</p> <p>The Court also encourages and provides for the attendance of family, support services, and relevant members of the community in its proceedings.</p> <p>The CYFA allows for certain support people to attend group conferences and Youth Control Order planning meetings, including the child and the child's legal representative, members of the child's family and people of significance to the child or within the child's community.</p> <p>There are also Court Assistance Officers whose role it is to work with, support and assist young people to navigate the court process.</p> <p>There are a number of other support services available at the Children's Court, including:</p> <ul style="list-style-type: none"> • interpreters • a Victoria Legal Aid duty lawyer service, and • the volunteer Court Network support service, which provides personal support, information and referral to appropriate services. <p>The Court has worked with bodies such as the Sentencing Advisory Council in the development of brochures which are intended to be read by children attending the Criminal Division of the Court. The Court publishes on its website links to these publications, and other accessible and youth-specific publications available on the Sentencing Advisory Council and Victoria Legal Aid's community legal education website.</p> <p>The Government will continue to work with the Children's Court to ensure that young people are appropriately supported throughout the court process.</p>
12	That the Department of Justice and Regulation develop and implement	Support	The Government is committed to providing a suite of non-offence specific programs that are appropriate for delivery to young people on remand. This is supported by Government's \$8.8 million investment in 2017-18 for new programs for young people in Youth Justice.

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	rehabilitation programs suitable for young people on remand.		<p>In line with the recommendations of the Youth Justice Review, the Department of Justice and Regulation is procuring and developing a suite of new Youth Offending Programs. This includes psychosocial and educational programs for remandees that address emotional and social skills related to offending, drug and alcohol programs, as well as a version of the adolescent violence intervention program.</p> <p>Programs suitable for young people on remand will be offered in custodial precincts to ensure that all young people in custody are supported and provided with opportunities for personal development and rehabilitation. Additionally, the designs for the new fit-for-purpose Youth Justice facility at Cherry Creek include appropriate program space for young people on remand to engage in the new programs.</p>
13	That the Department of Justice and Regulation review the training provided to bail justices.	Support	<p>The Bail Review undertaken by the Hon Paul Coghlan QC included consideration of the training provided to bail justices. This review found that the training was extensive, but identified some areas for improvement.</p> <p>These areas are being addressed through additional specialised training on Aboriginal cultural awareness, children and young people, cognitive impairment, family violence, mental health, alcohol and other drugs, homelessness and cultural diversity. A phased roll out of this training commenced in May 2018.</p>
14	That the Department of Justice and Regulation conduct research into the drivers of the increase in remand in the Youth Justice system in Victoria.	Support	<p>The Department of Justice and Regulation (DJR), the Crime Statistics Agency and other related agencies will continue to work together to better understand trends affecting the Youth Justice system. This will include research into current remand trends.</p> <p>The new case management framework, supported by an \$11.5 million investment in 2017-18, will strengthen decision making across the Youth Justice system, including advice to the courts to inform bail and remand decisions.</p> <p>The Government has invested \$22.4 million in 2016-17 to deliver the new Intensive Monitoring and Control Bail Supervision Scheme and new statutory Youth Control Order, which commenced in June 2018. Intensive Bail will provide a higher level of supervision and support for young people who require intensive monitoring while on bail in the community.</p> <p>This year's Budget papers identify an anticipated increase in the average number of young people in custody on any given day, as a result of the Government's reforms to bail and sentencing laws.</p>
15	That the Victorian Government consider establishing a youth forensic mental health precinct.	Support	<p>The Government understands the complex mental health and rehabilitation needs that young people in contact with the Youth Justice system may have, including those with histories of abuse, neglect and trauma.</p> <p>Funding has been provided in the 2017-18 Budget for a two bed secure adolescent inpatient unit – a Victorian first. Construction of this unit is currently being planned.</p> <p>Additionally, the Government provided funding in the 2017-18 Budget for the establishment of the Custodial Forensic Youth Mental Health Service (Custodial FYMHS) and the Community Forensic Youth Mental Health Service (Community FYMHS).</p>

No	Recommendation	Government position	Comments
			<p>Custodial FYMHS will provide specialist forensic mental health assessment and treatment services in custody, and is currently in development.</p> <p>Community FYMHS will be an early intervention and capacity building model for young people with serious mental health needs exhibiting problem behaviours, in an attempt to prevent them from offending or reoffending.</p> <p>The new Youth Justice facility at Cherry Creek will provide youth forensic mental health services, including a dedicated 12 bed unit that will provide voluntary mental health treatment for young people at the centre.</p> <p>All young people in Cherry Creek will receive the comprehensive mental health supports available to young people in custody, including:</p> <ul style="list-style-type: none"> • initial health and mental health screenings within 24 hours of admission (12 hours for Aboriginal and Torres Strait Islander young people), followed up by a comprehensive health and mental health screening within 72 hours • an immediate response to mental health crisis from Registered Psychiatric Nurses • specialist psychiatric services for assessment and treatment of mental health conditions. <p>The Government will continue to consider and review the most effective way to provide youth forensic mental health services.</p>
16	That the Department of Justice and Regulation periodically evaluate mental health services in the Youth Justice system to ensure services meet ongoing needs.	Support	<p>The Custodial Forensic Youth Mental Health Service and Community Forensic Youth Mental Health Service will be periodically evaluated to ensure these services are operating effectively and to inform service configuration and expansion into the future.</p> <p>More broadly, mental health services in Youth Justice custodial centres will be monitored for performance and quality by the Department of Health and Human Services in collaboration with the Department of Justice and Regulation.</p>
17	That the Department of Education and Training's Early Childhood and School Education Group consider whether the successful methods at Parkville College, including teacher training and lesson structures, can be adapted to provide further assistance to at-risk students in mainstream schools.	Support	<p>The Government acknowledges the importance of education as a key protective factor that can build resilience and reduce offending, helping young people get their lives back on track.</p> <p>The Department of Education and Training (DET) provides a suite of initiatives to address disengagement and break the link between disadvantage and poor educational outcomes. This includes the expansion of the Education Justice Initiative to provide a link between DET and the Children's Court to improve access to education for young people involved with the justice system.</p> <p>Re-engagement in education is further supported by the Navigator program, which provides intensive case management to disengaged students, and LOOKOUT Centres that ensure that young people in the out of home care system are enrolled and supported to stay connected to school. The 2018-19 Budget demonstrated the Government's commitment to expanding and continuing these programs, with a further \$44 million allocated for the</p>

No	Recommendation	Government position	Comments
			<p>expansion of Navigator across the state over the next three years, and \$3.8 million over two years allocated to expand LOOKOUT supports into the early childhood sector.</p> <p>The Government will continue to focus on improving the educational outcomes of young people in contact with the justice system, and will draw on the expertise of Parkville College to continue to support at-risk students across the education system.</p>
18	That the Victorian Government provide a continuation of alcohol and other drug services for young offenders in need of treatment following their release from detention.	Support	<p>The Government appreciates the need for consistent, ongoing support to address the needs of young people in the Youth Justice system.</p> <p>In line with the recommendations of the Youth Justice Review, under the new Youth Offending Programs Service Delivery Model, offence-specific programs will be delivered in both custodial and community Youth Justice settings, in an open, rolling format.</p> <p>This is supported by Government's \$8.8 million investment in 2017-18 in new programs for young people in Youth Justice and will enable a young person to participate in a criminogenic alcohol and drug (AOD) program in custody and the community. This criminogenic AOD program is currently being developed by the Department of Justice and Regulation.</p> <p>The Youth Justice Community Support Service provides individualised intensive support to eligible young people exiting Youth Justice centres and complements the statutory case management and supervision provided by Youth Justice. This service supports access to a range of services, including AOD programs.</p> <p>The new statutory Youth Control Order, which commenced on 1 June 2018, provides a targeted and intensive community supervision option for the Courts to respond to complex and high risk young people.</p> <p>The Government's legislative reforms under the <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017</i> specifically provide for a Magistrate to include a condition under a Youth Control Order that the young person undergo treatment for drug or alcohol dependence. This will support the continuation of service for young people on remand who are also sentenced to a Youth Control Order.</p> <p>The Government invested \$22.4 million in 2016-17 to deliver the new Intensive Bail and new statutory Youth Control Order.</p> <p>The Government will continue to strengthen its transition and reintegration services, supporting the rehabilitation and independence of young people leaving custody.</p>
19	That the Victorian Government establish a trial program of Youth Therapeutic Orders based on the 'What Can Be Done' model.	Support in principle	<p>Young people in Youth Justice have complex health and rehabilitation needs and it is critical that appropriate interventions and services are available to support them and address their risk of offending.</p> <p>The Government recognises the benefits of Court ordered treatment for issues related to alcohol and other drugs (AOD), in the right circumstances.</p>

No	Recommendation	Government position	Comments
			<p>The new statutory Youth Control Order, which commenced on 1 June 2018, provides a targeted and intensive community supervision option for the Courts to respond to complex and high risk young people. The Government's legislative reforms under the <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017</i> specifically provide for a Magistrate to include a condition under a Youth Control Order that the young person undergo treatment for drug or alcohol dependence.</p> <p>Young people subject to a Youth Control Order report regularly to the Court and Youth Justice to ensure they comply with the conditions of their order</p> <p>The Government has invested \$22.4 million to deliver the new Intensive Monitoring and Control Bail Supervision Scheme and Youth Control Order.</p> <p>The Government also recognises the importance of having suitable alcohol and drug interventions available to young people on Youth Justice community based orders that target their offending behaviour. That is why the Government invested over \$2 million over four years to provide targeted interventions for young people in Youth Justice with AOD issues. This was part of the Government's \$50 million investment to address the Youth Justice Review's priority recommendations.</p> <p>Additionally, the Government has announced that the new facility at Cherry Creek will have up to 24 dedicated beds for young people in custody to provide specialist assessments and intensive AOD treatment. This will provide a therapeutic treatment model addressing young people's AOD use and their offending behaviour. Cherry Creek will also provide mental health services for young people, including a dedicated 12 bed unit.</p>
20	<p>That screening and assessment procedures for all young people who come into contact with the Youth Justice system be strengthened in areas including (but not limited to): physical and mental health; cognitive impairment; education; substance misuse; risk to and from others. This assessment should be carried out immediately by appropriate professionals to determine what services are provided while incarcerated and, if needed, post-release.</p>	Support	<p>The Government understands the importance of comprehensive, evidence-based risk and needs screening and assessment and the development of appropriate interventions based on these assessments.</p> <p>The Government has invested \$11.5 million in 2017-18 to develop a new integrated case management framework across community and custody and to assess the risks and needs of every young person in Youth Justice.</p> <p>The case management framework deals directly with offending behaviour to reduce reoffending and significantly improve outcomes for young people.</p> <p>The new screening tools used at intake include consideration of mental health, cognitive impairment, use of alcohol and other drugs, and risk of reoffending.</p> <p>Government invested a further \$3.8 million in 2017-18 to create the custodial Classification and Placement Service. This service, which is now in place across custodial facilities, will review the security risk of all young people in Youth Justice centres to ensure they are placed at the appropriate security level, and that this is appropriate to their needs and/or vulnerabilities. This service exists in Victorian prisons and has been missing from Youth Justice facilities.</p> <p>Based on the outcome of these screening tools, referrals will be made to Youth Offending Programs and other services to ensure that the young person has their needs appropriately assessed and addressed during their involvement with custodial and community Youth Justice. In addition, specialised assessments such as</p>

No	Recommendation	Government position	Comments
			<p>neuropsychological, cognitive or intellectual disability and mental health will be delivered by practitioners with relevant clinical expertise.</p> <p>A Youth Justice Reintegration Framework is being developed to guide the approach to system wide transition. This framework will address the support needs for young people in transition and articulate the connections between Youth Justice and other parts of the service system, including education, housing, child protection and family services.</p>
21	<p>That the Department of Justice and Regulation include all instances where young offenders are locked in a room separate from others and from the normal routine of the centre as isolation as per the Act.</p>	Support	<p>The Government is committed to ensuring safe outcomes for all young people in custody. The primary legislation that guides the treatment of young people in custody is the <i>Children, Youth and Families Act 2005</i> (CYFA). The CYFA provides clear direction that isolation must not be used as a punishment. It prohibits the use of restrictive practices, including isolation, unless there is an immediate risk that a young person will harm themselves or others, cause damage to property, or it is in the interests of the security of the centre.</p> <p>The Government is currently implementing changes to respond to the Commission for Children and Young People's (CCYP) report <i>The same four walls: inquiry into the use of isolation, separation and lockdowns in the Victorian Youth Justice system (The Same Four Walls)</i>. The report made 21 recommendations, all of which have been accepted or accepted in principle.</p> <p>In response to the report, substantial changes have been made to the reporting of isolation, separation and lockdowns, with auditing and reporting on use on a daily basis. In line with recommendation 21 of the report, the Department of Justice and Regulation (DJR) will also continue to provide quarterly isolation, separation and lockdown reports to the CCYP.</p> <p>DJR has updated the relevant procedures to ensure that the recording of isolations includes all instances where young people are locked in a room separate from others and from the normal routine of the centre. In addition, the <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017</i> put in place reporting measures to ensure transparency and accountability by requiring all uses of isolation to be reported to the Secretary of the Department of Justice and Regulation.</p>
22	<p>That the Department of Justice and Regulation continue audits of isolation registers begun by the Department of Health and Human Services. The registers should accurately record the use of isolation to ensure that any increased use of isolation is easily identified.</p>	Support	<p>The Department of Justice and Regulation (DJR) actively monitors and records the use of isolation on a daily basis and undertakes daily audits of the isolation register.</p> <p>In addition, the <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017</i> put in place reporting measures to ensure transparency and accountability by requiring all uses of isolation to be reported to the Secretary of DJR.</p>
23	<p>That the Department of Justice and Regulation develop a program that responds to identified trends in the improper implementation of isolation at</p>	Support	<p>The Government is committed to ensuring safe outcomes for all young people in custody. The primary legislation that guides the treatment of young people in custody is the <i>Children, Youth and Families Act 2005</i> (CYFA). The CYFA provides clear direction that isolation must not be used as a punishment. It prohibits the use of restrictive</p>

No	Recommendation	Government position	Comments
	Youth Justice centres, such as incorrect locations and poor document keeping.		<p>practices, including isolation, unless there is an immediate risk that a young person will harm themselves or others, cause damage to property, or it is in the interests of the security of the centre.</p> <p>The Government is currently implementing changes to respond to the Commission for Children and Young People's (CCYP) report <i>The same four walls: inquiry into the use of isolation, separation and lockdowns in the Victorian Youth Justice system (The Same Four Walls)</i>. The report made 21 recommendations, all of which have been accepted or accepted in principle.</p> <p>In response to the report, substantial changes have been made to the reporting of isolation, separation and lockdown, with auditing and reporting on use on a daily basis.</p> <p>This includes revising the way that isolations are recorded to enable better monitoring of the reasons for isolation, as well as daily reporting of isolations, which is audited to ensure appropriate recording of periods of isolation and staff compliance with procedures.</p> <p>Additionally, when there is an absolute need for a young person to be placed in isolation for a period until it is safe for them to return to their usual routine, there is a process for escalating authorisation level, dependent on the length of isolation. There is an increased level of authorisation for any isolation of young Aboriginal people, in recognition of their additional vulnerability.</p> <p>The Government is committed to addressing any issues with the implementation of isolation and will continue to work to improve policies and practice.</p>
24	That the Department of Justice and Regulation continue to publish quarterly isolation, separation and lockdown reports.	Support	<p>The Government has increased transparency and accountability across Youth Justice.</p> <p>In line with recommendation 21 of the Commission for Children and Young People's (CCYP) report <i>The same four walls: inquiry into the use of isolation, separation and lockdowns in the Victorian Youth Justice system</i>, the Department of Justice and Regulation (DJR) will continue to provide quarterly isolation, separation and lockdown reports to the CCYP.</p> <p>The <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017</i> put in place reporting measures to ensure transparency and accountability by requiring all uses of isolation to be reported to the Secretary of DJR.</p>
25	That the Department of Health and Human Services and the Department of Justice and Regulation develop an appropriate information-sharing system that ensures continuity of care for young people in their care.	Support	<p>The Government is committed to ensuring a coordinated approach to supporting young people who have contact with different services, particularly across the Department of Health and Human Services (DHHS) and the Department of Justice and Regulation (DJR).</p> <p>A new Child Information Sharing (CIS) Scheme will commence in September 2018, following legislative reform in response to a number of independent inquiries and reviews.</p> <p>The CIS scheme is being introduced concurrently with the second phase of the new Family Violence Information Sharing (FVIS) Scheme developed in response to the recommendations of the Royal Commission into Family Violence.</p>

No	Recommendation	Government position	Comments
			<p>These schemes strengthen the ability of authorised and trained professionals and organisations to work together to identify vulnerability and risk early to make sure children and families get the help they need as early as possible.</p> <p>From September 2018, Youth Justice will be prescribed as an information sharing entity under the FVIS and CIS schemes. Work is underway to implement the schemes across Youth Justice.</p> <p>Processes are being implemented to improve the information sharing between DHHS and DJR. This will be informed by the CIS scheme.</p>
26	<p>That the Victorian Government consider amending the <i>Protected Disclosure Act 2012</i> to allow the Victorian Ombudsman to interview witnesses of any age during investigations relating to the Youth Justice system.</p>	Support in principle	<p>The Government notes the importance of robust, independent investigations into the Youth Justice system to support transparency and accountability.</p> <p>The Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018, currently before Parliament, contains amendments which will allow a child who is under the age of 16 but of or over the age of 10 to:</p> <ul style="list-style-type: none"> • voluntarily provide information to the Ombudsman during an enquiry, and • appear in an Ombudsman investigation voluntarily. <p>It will remain that a witness summons cannot be issued to a person who is under the age of 16.</p> <p>As noted by the Inquiry, the Commission for Children and Young People (CCYP) conducts an Independent Visitor program which involves monthly visits by volunteers to Victoria's Youth Justice centres. The volunteers can enter centres and talk to any child or young person in custody. They can observe the general routines of the centre and talk to staff about services being provided to children and young people.</p> <p>After each visit, the volunteers meet with the centre's General Manager to talk about their observations and discussions and provide a written report to the CCYP's Principal Commissioner.</p>
27	<p>That the Commission for Children and Young People provide an annual report on the Youth Justice system to the Department of Justice and Regulation.</p> <p>The report should detail how well the Youth Justice system is adhering to the Act and relevant agreements.</p>	Support in principle	<p>The Government is committed to working with the Commission for Children and Young People (CCYP) to ensure ongoing, comprehensive oversight of the Youth Justice system.</p> <p>The Government notes the CCYP's powers to conduct inquiries concerning the provision of services to children and young people under section 39 of the <i>Commission for Children and Young People Act 2012</i>. The Department of Justice and Regulation will continue to support regular oversight as determined by the CCYP to ensure the safe and effective functioning of the Youth Justice system.</p> <p>The CCYP currently reports on its role in relation to the oversight of the Youth Justice system in its Annual Report, which is tabled in Parliament.</p>
28	<p>That the Victorian Government consider how best to give effect to the Optional</p>	Support	<p>The Government supports Australia's ratification of the Optional Protocol on the Convention Against Torture (OPCAT) and notes its requirements for independent oversight of relevant primary places of detention.</p>

No	Recommendation	Government position	Comments
	Protocol to the Convention against Torture.		The Victorian Government is working with the Commonwealth on its implementation of the OPCAT. This will include an Intergovernmental Agreement and implementation framework.
29	That the Department of Justice and Regulation commit to employing an appropriately qualified and diverse workforce in Youth Justice centres.	Support	<p>The Government recognises the importance and value of an appropriately qualified and diverse Youth Justice workforce. Proactive recruitment strategies are in place to attract new staff from diverse cultural backgrounds.</p> <p>In response to a number of recommendations from the Youth Justice Review, the Department of Justice and Regulation (DJR) is developing a workforce development strategy, which will include addressing workplace culture and staff retention, learning and development, as well as recruitment, including in local labour markets. Key activities to inform the strategy include a recruitment review and a review of current learning and development, which are commencing in 2018. A specific workforce plan for custodial Youth Justice centres will flow from the broader Youth Justice workforce development strategy.</p> <p>DJR is also undertaking work to better understand attrition and retention of the custodial workforce, including through exit interviews and interviews with new employees.</p>
30	That Youth Justice staff receive regular training in cultural competence topics, tailored wherever possible to meet the needs of young people in their care.	Support	<p>The Government appreciates the importance of the Youth Justice workforce being able to work effectively with young people from diverse cultures, and the need for staff training and support to achieve this.</p> <p>In custody, both Aboriginal and Multicultural Liaison Officers are available at both Malmsbury and Parkville Youth Justice precincts. This is in addition to programs designed to provide tailored and culturally effective responses.</p> <p>The Youth Justice Review recommended the development of a dedicated Aboriginal Young Offenders Strategy. In response, the Government has invested \$1.3 million in 2017-18 over four years towards an Aboriginal Youth Justice Strategy, and a further \$10.8 million in 2018-19 to provide culturally specific supports to divert Aboriginal young people from a custodial sentence, and to support and rehabilitate Aboriginal young people in custody.</p> <p>The Strategy is being developed in partnership with the Aboriginal Justice Caucus, under the umbrella of <i>Burra Lotjpa Dunguludja</i>, Aboriginal Justice Agreement Phase 4.</p> <p>From late 2017, all new Youth Justice custodial workers receive seven hours of cultural awareness training, including five hours delivered by the Koori Cultural Heritage Trust and two hours from the Department of Justice and Regulation's (DJR) internal cultural workers.</p> <p>DJR will work with the community and key agencies to develop a strategy to reduce the over-representation of young people from CALD communities in Youth Justice.</p> <p>Youth Justice has engaged with community leaders at both Youth Justice precincts to improve support for CALD young people in custody.</p> <p>In the 2018-19 State Budget, the Government committed an additional \$15 million to support a whole of government approach targeting youth offending. Through this funding, the Government is increasing culturally appropriate responses for young people from CALD backgrounds, both in the community and in our Youth Justice centres.</p>

No	Recommendation	Government position	Comments
			This investment will build on existing staff training to ensure that all staff are equipped with the cultural competence needed to work effectively with young people from diverse cultures.
31	That the Department of Justice and Regulation ensure a sufficient number of experienced, permanent Youth Justice staff is employed at facilities at all times. There must be a minimal reliance on agency or casual staff.	Support	<p>The Government notes the importance of an experienced, stable Youth Justice workforce to ensure the safety, security and effective management of young people in the Youth Justice system.</p> <p>In line with the recommendations of the Youth Justice Review, the Department of Justice and Regulation (DJR) is developing a workforce development strategy, which will include addressing workplace culture and staff retention, learning and development, as well as recruitment, including in local labour markets. Key activities to inform the strategy include a recruitment review and a review of current learning and development, which are commencing in 2018. A specific workforce plan for custodial Youth Justice centres will also flow from the broader Youth Justice workforce development strategy.</p> <p>DJR's objective is to reduce the use of agency employment, which it is progressing through a dedicated custodial recruitment campaign.</p> <p>As a result of the Government's unprecedented \$1.2 billion investment in Youth Justice, we have created and funded more than 280 new jobs across the system to better manage young people in community and in custody. This includes:</p> <ul style="list-style-type: none"> • \$10.5 million in the 2016-17 Budget for 41 new staff in Youth Justice centres • \$1.7 million in the 2017-18 Budget to employ 21 new Safety and Emergency Response Team staff to increase security and safety at Youth Justice centres, and • \$5.2 million in each of the 2017-18 and 2018-19 Budgets for Security and Emergency Services Group, Intelligence Team and Security and Standards Team staff.
32	That the Department of Justice and Regulation standardise staff rosters across Youth Justice facilities. This should be done in such a way as to increase stability for staff members and young offenders in the facilities.	Support in principle	<p>The Government appreciates the need for stable, standardised staffing in Youth Justice facilities.</p> <p>The Government will consider the implementation of this recommendation and corresponding recommendations from the Youth Justice Review in planning for the new custodial operating model across Youth Justice.</p> <p>Any changes to staff rosters will be subject to consultation with staff and the Community Services and Public Sector Union, and to budget considerations.</p>
33	That the Department of Justice and Regulation formalise the staff handover process for shift changes at Youth Justice centres to ensure information about clients	Support	Young people in custody often have complex histories of abuse, neglect and trauma which can sometimes lead to anti-social behaviour and violent incidents in custody. The Government is committed to ensuring staff in Youth Justice precincts have the tools, systems and training to work effectively and safely with the challenging young people in their care.

No	Recommendation	Government position	Comments
	in the centres is communicated among staff.		<p>Daily operational briefings were established in 2017 at both precincts to communicate all critical information to staff. The briefings summarise safety alerts, movements of young people across the precinct, incidents, and behaviour management plans.</p> <p>Staff in each unit are provided with additional information about young people's behaviour and wellbeing, safety concerns, operational matters, movement around precincts, safety concerns and strategies in place to manage them.</p> <p>This keeps staff informed to support a seamless transition from one shift to the next.</p> <p>To further boost access to and sharing of relevant security information, Intelligence Teams have been established at both Youth Justice precincts, supported by a \$5.2 million investment in each of the 2017-18 and 2018-19 Budgets.</p>
34	That the Department of Justice and Regulation review custodial Youth Justice workers' staffing structures to ensure that career development is encouraged.	Support in principle	<p>The Government is committed to supporting the learning opportunities and career development of Youth Justice workers.</p> <p>In response to the Youth Justice Review recommendations, the Department of Justice and Regulation is currently developing a workforce development strategy, which will include addressing workplace culture and staff retention, learning and development, as well as recruitment. Key activities to inform the strategy include a recruitment review and a review of current learning and development, which are commencing in 2018. A specific workforce plan for custodial Youth Justice centres will also flow from the broader Youth Justice workforce development strategy.</p>
35	That the Department of Justice and Regulation assess the effectiveness of post-release services provided to young offenders and publish the findings in the Department's Annual Report.	Support in principle	<p>The Government recognises the need to understand the effectiveness of transition and rehabilitation services and continually monitor results.</p> <p>Specifications are being developed for the establishment of the new Youth Justice Accreditation and Evaluation Panel. The Panel will review and evaluate the Youth Offending Programs to ensure they are high quality and fit for purpose. The panel, which will consist of experts from the field along with key stakeholders, will be established by the Department of Justice and Regulation (DJR) to ensure the program content and delivery adhere to minimum standards of service integrity, and to embed programs within an ongoing quality assurance process.</p> <p>In response to the Youth Justice Review, a Youth Justice Reintegration Framework is being drafted to guide the approach to system wide transition. This framework will address the support needs for young people in transition and articulate the connections between Youth Justice and other parts of the service system, including education, housing, child protection and family services.</p> <p>DJR has also commenced work on a performance management and outcomes framework for Youth Justice. These outcomes and measures will be used to better monitor and understand the effectiveness of post-release services.</p> <p>The Government will consider the evidence and effectiveness of these services, and publish key findings where appropriate.</p>

No	Recommendation	Government position	Comments
36	That relevant Victorian Government agencies consider a research project to establish why former young offenders stop offending. The project should measure the comparative influence of Youth Justice programs compared to individual traits.	Support in principle	<p>The Government notes the importance of robust evidence to underpin the Youth Justice system and the benefits of research into the factors influencing young people's offending behaviours.</p> <p>That is why the Government has invested \$11.5 million in 2017-18 to develop a new evidence based case management framework across community and custody and to assess the risks and needs of every young person in Youth Justice. This includes introducing new evidence based assessment tools, which the department is currently procuring, to screen for mental health concerns and the presence of cognitive impairment in order to determine the need for comprehensive clinical assessment.</p> <p>The new case management framework is based on the Risk, Need and Responsivity (RNR) principles and allows for an individualised response that takes into account each young person's risk and criminogenic needs. The RNR approach is recognised as a scientific, evidence based and empirically validated methodology for criminal justice service planning, prioritisation and interventions for offender assessment and rehabilitation.</p> <p>In response to the Youth Justice Review, the Department of Justice and Regulation (DJR) is also considering research partnerships with the Crime Statistics Agency and other experts to support the monitoring and analysis of available information on offending trends and the effectiveness of Youth Justice interventions in decreasing reoffending.</p>
37	That relevant Victorian Government agencies assess young offenders' support networks prior to their release to provide support services that help prevent reoffending.	Support	<p>The Government notes the importance of family and community support networks for young people transitioning out of custody.</p> <p>The Youth Justice Community Support Service (YJCSS) provides individualised intensive support to eligible young people exiting Youth Justice centres and complements the statutory case management and supervision provided by Youth Justice. The Government has allocated \$3.96 million to expand the service's after-hours response. This is in addition to the \$4.8 million per annum the government provides to eight community service organisations across Victoria to deliver the YJCSS. In 2016-17, a total of 490 young people received support through YJCSS.</p> <p>In response to the Youth Justice Review, a Youth Justice Reintegration Framework is being drafted to guide the approach to system wide transition. This framework will address the support needs for young people in transition and articulate the connections between Youth Justice and other parts of the service system, including education, housing, child protection and family services.</p> <p>Both YJCSS and the new Youth Justice Reintegration Framework will consider the impact of young people's support networks on their transition out of custody. The Department of Justice and Regulation and other relevant Victorian government agencies will work to establish a coordinated approach to reintegration and support for young people leaving custody.</p> <p>The Department of Education and Training is strengthening the transitional supports available for students in the Youth Justice system by ensuring that they remain enrolled and funded at their current school, to assist with their reintegration into the education system in the community following release from custody.</p>

No	Recommendation	Government position	Comments
38	That the Victorian Government improve access to appropriate housing options for young offenders leaving Youth Justice centres.	Support	<p>The Government understands the importance of housing options for young people transitioning out of custody, giving them the stability and safety to get their lives back on track.</p> <p>In response to the Youth Justice Review, a Youth Justice Reintegration Framework is being drafted to guide the approach to system wide transition. This framework will address the support needs for young people in transition and articulate the connections between Youth Justice and other parts of the service system, including education, housing, child protection and family services.</p> <p>Government invested \$109 million as part of the largest response to homelessness in the past decade. As part of this investment, \$10.1 million was provided for housing support for young people, including funding for Jesuit Social Services and Vincentcare to trial a new head-lease transitional housing model.</p> <p>The organisations will partner to head-lease 15 properties in metropolitan Melbourne, available to eligible young people involved with the Youth Justice system, including those transitioning out of custody and serving orders in the community. The program will develop housing and living skills and will support young people to transition toward living independently in private rental housing.</p> <p>In addition, the Youth Justice Homelessness Assistance program, funded by Department of Health and Human Services is also able to assist young people exiting Youth Justice centres with accessing other types of accommodation as required.</p>
39	That the Department of Justice and Regulation engage the Children's Koori Court to determine if its successful practices can be adapted more widely across court processes.	Support	<p>The Government is committed to working with the Children's Court on the ongoing improvement of Court processes, and notes the success of the Children's Koori Court.</p> <p>The Government notes that the Children's Koori Court provides a culturally appropriate forum which aims to foster positive participation by Aboriginal youth, their families and their community in the Court process. Court processes are designed to be more culturally accessible, leading to more culturally appropriate sentences and responses to offending by Aboriginal children and young people.</p> <p>The Government will engage with the Children's Koori Court to consider the opportunities to learn from the example of the Children's Koori Court and the possibility of adapting relevant practices more widely across Court processes.</p> <p>The Government supports and aims to develop initiatives which encourage broader engagement with families, community and support services in proceedings within the Criminal Division.</p> <p>The Government notes the Koori Court model is underpinned by specific legislative provisions in the <i>Children, Youth and Families Act 2005</i> (CYFA). Section 517(3) expressly allows the Children's Koori Court to exercise its jurisdiction with as little formality and technicality, and as much expedition, as is permitted for it to fulfil its requirements and have proper consideration of the matters before it. Section 520 gives the Children's Koori Court a broad discretion in its sentencing procedure. Careful examination of the relevant legislation would be required to support wider adaption of relevant Children's Koori Court practices.</p>