

Paul McDonald, the Director of Anglicare, Letter to the Age.

Rioters are sending the message that the juvenile justice system is broken.

The crisis in Victoria's juvenile justice system has unfolded slowly. It has been a long time coming, but in the past six months the situation has boiled over.

A decade or so ago, Victoria was regarded as the leader in juvenile justice. It had effective programs; a low and sensible sentencing culture ; effective dual track sentencing whereby magistrates could send older offenders to youth justice centres instead of adult jail; and recidivism rates of youth offenders were falling. Victoria juvenile justice led national directions in victim conferencing and youth koori courts. Magistrates of the Childrens Court criminal division were effusive in their praise of the system. So what happened? How did we get into this awful mess?

First, there was a cavalier approach to public service staffing cuts several years ago that saw decades of experience walk out the door. Cuts in the Department of Human Services crippled the crucial advisory and policy arms.

Second, over the past decade governments have started looking the other way on increasing numbers of offenders being remanded. Despite the rising trend, they ignored repeated requests from bureaucrats for bail and judicial resources to match demand.

Simultaneously bail judges were seemingly giving scant regard to crowded conditions at Parkville and continued to remand at whim.

The court system became clogged and frustrated young people on remand waited too long for their case to be heard.

Third, despite the Juvenile Justice Program's national reputation , it did not adapt to the changing profile of youth offenders. The changing demographics – age, ethnic origin, circumstance – are no more challenging than past trends. But different groups need different solutions and the program has been caught napping.

Fourth, the press is increasingly shrill in today's look-at-me environment . And journalists and editors know state governments are sensitive to law and order campaigns. The media stoke community fear, regardless of the consequences.

Fifth is the largely overlooked issue of the unprecedented prevalence of ice, which fuels impulsive violent acts. I hear the call " don't blame the drug" . Meanwhile, our other " aggro drug' ' – alcohol – is putting a lot of people in jail. Drug experts now talk about wanting to return to the old days of heroin usage , which never produced this level of sociopathic behaviour.

Sixth, and perhaps the most salient point regarding the detention centre riots, is the breakdown in the all-important relationship between young people and the youth officers inside. Over many years, difficult young offenders would say to me how highly they thought of individual staff. They would say “ Mr Suchand-such was good to me’ ’ or “ Mr Such-and-such told me a few things” . Today’s offenders no longer speak in these terms. The relationship between a young person and their detention has broken down and the result is, incredibly, a crisis in the juvenile justice culture of youth engagement.

Like all youth behave when in trouble or stressed, the rioters are acting up. In doing so, they are sending us a message that they want a better system. The message may not be put coherently or sent in an appropriate way but it is a message all the same. They do not respect the current system. And they have some cause for this feeling.

The unprecedented period of riots and breakouts over the past six months has been a slow train coming and the public need to understand it will take time to turn it around. Change needs to happen, particularly from the inside. The Department of Health and Human Services’ Juvenile Justice Program has to be given more policy priority. For too long it has been the poor cousin of child protection issues and left to languish.

The program also doesn’t need to be transferred to the Department of Corrections, as has been suggested . It simply needs to be prioritised and resourced by its parent department , thus helping to attract the best thinkers and reformers.

Calls for the minister’s head are also not the solution. Jenny Mikakos has a track record in reforming child protection and is the first minister in many decades to reduce by 30 per cent the number of children in the difficult and problem-plagued area of residential care.

She has the mindset to reform the system, but needs support from Cabinet and a better-resourced department . Moving juvenile justice to the Corrections Department would be a disaster, especially for the young people involved. It would also be an abandonment of the special responsibility we have for these young people, who are not the drugaddled violent criminals we may think they are.

It is time for cool heads in this overheated environment. The current review by the former secretary of the Department of Justice Penny Argytage and renowned forensic psychologist Professor James Ogloff is a smart move by the government and offers a way out. We should not pre-empt the outcome by calling for quick fixes .

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