

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into the 2022-23 Budget Estimates

Melbourne—Wednesday, 18 May 2022

MEMBERS

Ms Lizzie Blandthorn—Chair

Mr Danny O'Brien—Deputy Chair

Mr Rodney Barton

Mr Sam Hibbins

Mr Gary Maas

Mrs Beverley McArthur

Mr James Newbury

Ms Pauline Richards

Mr Tim Richardson

Ms Nina Taylor

WITNESSES

Ms Natalie Hutchins MP, Minister for Youth Justice,

Ms Rebecca Falkingham, Secretary,

Ms Jodi Henderson, Commissioner, Youth Justice,

Mr Joshua Smith, Deputy Secretary, Youth Justice, and

Ms Andrea Davidson, Executive Director, Youth Justice Operations, Department of Justice and Community Safety.

The CHAIR: I declare open this hearing of the Public Accounts and Estimates Committee.

I ask that mobile telephones please be turned to silent.

I begin by acknowledging the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their elders past, present and emerging as well as elders from other communities who may be with us today.

On behalf of the Parliament, the committee is conducting this Inquiry into the 2022–23 Budget Estimates. The committee's aim is to scrutinise public administration and finance to improve outcomes for the Victorian community.

I advise that all evidence taken by the committee is protected by parliamentary privilege. However, comments repeated outside this hearing may not be protected by this privilege.

Witnesses will be provided with a proof version of the transcript to check. Verified transcripts, presentations and handouts will be placed on the committee's website.

We again welcome Minister Hutchins, this time for the youth justice portfolio, and officers of the department. I invite you to make your presentation.

Visual presentation.

Ms HUTCHINS: Thank you, Chair. Can I begin by acknowledging the traditional owners of the land on which we meet and paying my respects to elders past, present and emerging.

To take you straight to the heart of these slides, we are diverting children from youth justice and improving custodial services with our two main investments in this year's budget: funding to divert children from the youth justice centre and improving custodial services for youth justice. Through the budget we are building on investments that have already seen young people successfully diverted from the youth justice system. These investments include funding more Aboriginal youth justice hubs to prevent children coming into contact with the justice system as part of the implementation of Wirikara Kulpa, which is the Aboriginal youth justice strategy that was launched earlier this year. The funding also expands the central after-hours assessment and bail service, and investment in the Children's Court and Victoria Legal Aid to ensure children and young people are not remanded unnecessarily. It also improves custodial settings. The budget provides \$390 million to continue to work to improve youth justice custodial settings by funding initiatives like behaviour support specialists and new remand beds. This includes \$54.3 million from the last budget to respond to COVID-19 in corrections and youth justice.

A key aspect of the government's focus on improving youth justice custodial settings is the investment of \$357 million to commission and open the Cherry Creek youth facility, with two neighbourhoods comprising 56 beds expected to open in the first half of next year. Opening Cherry Creek at this capacity is because of the success of the youth justice system in diverting young people and helping them get their lives back on track. It has a capacity of 140 beds and will be a specialised facility that focuses on staff safety and reducing reoffending, in particular amongst young males. Key design features at Cherry Creek include additional

outdoor space for every unit; new security and safety measures; an intensive intervention unit, which is a preventative detention unit; a specialised healthcare and mental healthcare unit; as well as an education and vocational centre, a recreation and faith and spiritual facility and alcohol and drug treatment support capacity, with additional facilities to underpin that. The facility will begin to accommodate young people at the start of next year.

Prevention, early intervention and diversion are the key focuses of our youth justice strategy. The latest Australian Institute of Health and Welfare report on youth justice shows Victoria is leading the way when it comes to improving community safety through effectively diverting young people away from the justice system whilst supporting them to remain connected to family, community and education. The report shows that we have the lowest rate of young people under community supervision in Australia and the second-lowest rate of young people under custodial supervision in Australia. It also shows that Victoria has the lowest rate of Aboriginal young people in detention. Over the last five years the rate of young Aboriginal people in detention on average decreased by 54 per cent. The quality of our diversion strategies is the key to driving youth justice supervision numbers down. This includes key diversion services such as the Children's Court youth diversion service and youth support services.

Youth justice recognises the pivotal role that family and community play when helping a young person turn their life around. That is why we are investing in services such as the multisystemic therapy service, the functional family therapy service and also the Putting Families First initiative. These services work alongside families, equipping them with the strategies and support needed to respond to young people involved in the youth justice system, both in custody and in the community.

Victoria's youth justice system has undergone significant reform in recent years, backed by a billion dollars of investment into the system since 2014. The investment is supporting reforms across youth justice, as outlined in the *Youth Justice Strategic Plan 2020–2030* and the *Wirkara Kulpa* plan, which is Victoria's first Aboriginal youth justice strategy. In February this year I launched *Wirkara Kulpa* along with the Aboriginal Justice Caucus. It really focuses a lot of its attention on healing and rehabilitation.

Our key focus on diversion has also been reflected in the diversion statement that I launched earlier this year. As the graph shows, we are seeing strong results with declining youth offending and declining offences in youth justice facilities. There are two key graphs up on that slide. We have seen signs of stabilisation in youth justice, and investments in the last two budgets will help us stay the course.

To improve safety within youth justice centres, we have also introduced targeted behavioural programs, an intensive intervention unit for the most high risk young people in custody, additional behavioural support services to support custodial staff to address challenging behaviours of young people and dynamic risk assessments. Initiatives in the workforce that are underpinned by our workforce plan are helping our staff to improve retention, including by practical supports such as squad leaders, mentors, peer-support programs, a dedicated health and wellbeing team and an onsite clinician to provide psychological support to staff where needed. These measures are working, and over the past three financial years we have seen category 1 incidents down by 42 per cent and security and behaviour-based isolations down by 46 per cent. Our investments are delivering for young people. Thanks.

The CHAIR: Thank you, Minister. Deputy Chair.

Mr D O'BRIEN: Thank you, Chair. Minister, good afternoon. Budget paper 3, page 90, covers the youth justice area. How long has the use of rotations, or locking young people in their rooms because of inadequate staffing, been in practice at Parkville?

Ms HUTCHINS: I might have to refer to the Commissioner around the length of time. I have only been in the portfolio for two years. But certainly the use of isolation has been a reality of us fighting COVID-19 over the last two years, and we have seen an increase of that. We have also had an isolation process in place for new entrants into the system or for young people that have transferred between sites or have had to leave a site to go to court and come back again in order to avert the spread of COVID-19 amongst our youth justice prisoners.

Mr D O'BRIEN: That is understandable, but I am talking about particularly because of inadequate staff numbers. Perhaps maybe a—

Ms HUTCHINS: Well, I think in the last two years it has been a significant contributing factor, because we have had staff furloughed who have had COVID themselves or had to furlough. So I have got to say we have made a significant investment in increasing our staff across both our sites, and certainly that has helped enormously, but certainly isolation has been really about managing COVID. But I might ask the Commissioner for Youth Justice to supplement.

Mr D O'BRIEN: I wonder, Ms Henderson, whether you are able to provide on notice—or if you have got it—a weekly breakdown of the number of times the practice has been used this year.

Comm. HENDERSON: Thank you, Mr O'Brien. I need to take on notice a weekly breakdown, but what I can tell you—

Mr D O'BRIEN: Do you have a figure. like how often it is happening per week at the moment?

Comm. HENDERSON: Well, no. I mean, I can give you numbers that I have got in front of me, which show it quarterly, but I do not have it on a day-to-day basis.

Mr D O'BRIEN: Sure. Yes.

Comm. HENDERSON: Let me just read them out. For January to March, behavioural-based isolations were 284 for the quarter. Isolations based on security of the centres were 5412—

Mr D O'BRIEN: 5412.

Comm. HENDERSON: and isolations based on COVID were 1816. The context that—

Mr D O'BRIEN: So is that—because the specific question was about inadequate staffing.

Comm. HENDERSON: No. That is what I need to contextualise. That is total isolations. We do not have a criteria to lock children and young people down based on staff shortage. It is not what the legislation allows us to do, and it is not appropriate. What we have is a safety and security assessment day-to-day at our precincts. Our staff go through a daily risk assessment for each child and each unit, and then staff make the decision on the grounds of whether they believe, depending on the staff numbers, it is safe to unlock or not.

Mr D O'BRIEN: So can I just clarify those figures? I mean, 5400-odd for security reasons. That is 5400 times a young person has been—

Comm. HENDERSON: So that is total number of all young people, multiple. So if you go into your room—

Mr D O'BRIEN: If you lock down the whole facility, that is 250 people at a time.

Comm. HENDERSON: Yes, that is different. That is right, yes. So these are individual children, regardless, in terms of going to their room.

Ms HUTCHINS: It could be multiple times in a day.

Comm. HENDERSON: It could be multiple times in a day.

Mr D O'BRIEN: Okay.

Comm. HENDERSON: Yes.

Ms HUTCHINS: For behaviours.

Mr D O'BRIEN: Can you categorically confirm that no young person has been locked down for more than 20 hours in a day?

Comm. HENDERSON: No.

Mr D O'BRIEN: So would that happen regularly?

Comm. HENDERSON: No.

Mr D O'BRIEN: Has that happened this year, do you know?

Comm. HENDERSON: I would have to come back to you, but—

Mr D O'BRIEN: Do you know what the longest time is, according to your records, that a young person has been locked down in their room over the current financial year?

Comm. HENDERSON: I would have to take that on notice, because in terms of our Sapphire unit, young people are coming into protective quarantine and they are on a seven-day lockdown regime. They are allowed to make phone calls and get out of their room, but it is based on risk, staff, our staff wearing full PPE and whether we are able to do that. I need to make sure that we are very clear that we do not lock children down just because.

Mr D O'BRIEN: Unnecessarily.

Comm. HENDERSON: Absolutely.

Mr D O'BRIEN: Can I ask—I am going to run out of time, but perhaps you might be able to take these on notice—how many medical incidents relating to the wellbeing of a young person, such as a seizure or a fit following being locked in their rooms, were reported in the financial year, as well as increased aggression reports and attempted suicides as a result of being locked in their room? Do you have that information?

Comm. HENDERSON: I do not have it on hand, but what I can tell you is that there have been no category 1 self-harm or suicide attempts recorded for the January to March 2022 year.

Mr D O'BRIEN: If I could ask for the full financial year so far on notice, that would be appreciated. Thank you.

The CHAIR: Thank you, Mr O'Brien. Mr Maas.

Mr MAAS: Thanks, Chair, and thank you, Minister. I would like to take you to the topic of the new youth justice facility, Cherry Creek. You referred to it of course in your presentation, and in budget paper 4 at page 77 it details the capital investment of \$419.651 million. I was hoping you could talk the committee through how that investment will help rehabilitate young people and keep Victorians safe.

Ms HUTCHINS: Thanks. This is a huge investment obviously in the system and not one of that the government took lightly, and it has come off the back of the youth justice review that occurred four years ago now. The new facility at Cherry Creek is a really key component in building a future response for our youth justice system that is based on rehabilitation. I need to say that having visited Parkville and Malmsbury numerous times—not as many times as I would like to, because of COVID—certainly from those times it really became evident to me that infrastructure does matter in this situation, because without a safe and stable and secure system you cannot do the important rehabilitation work that you need to do with these young people who have extremely complex needs. Our hardworking staff do an amazing job that at times is very challenging because of these complex behaviours that are brought forward.

Cherry Creek will help us to take some of the most difficult kids into that space and help turn their lives around. We have got much smaller accommodation units in terms of—I do not mean the physical room space but I mean the numbers per block of young people so that they can get that attention. So there will be either eight- or four-bed units, which is significantly smaller than other sites; an education and vocational training campus; specialised health care and, most importantly, a specialised mental health care facility; special community hubs; new, well-placed workstations for staff as well; a purpose-built intensive intervention unit to deliver therapeutic intensive interventions for those young people that are presenting with the most challenging behaviours; of course a new visitor centre where we can have better interaction with families and guardians as well; and on top of all of that, an alcohol and drug treatment support facility as well. I cannot emphasise enough what complex needs these young people have and the treatment that they need coming into a facility like ours, and Cherry Creek is going to offer us an opportunity to do those intensive supports and reduce the risk of reoffending by some of these young people.

It is a once-in-a-generation opportunity for investment in the youth justice system. I know that the actual project itself and its build period has been a major economic boost to the Werribee area, where it is located, and has generated 487 jobs, and many of those have been taken up by locals of the south-west region. This specialised facility is designed with a focus on staff safety and reducing offending amongst young people predominantly aged between 15 and 18. That will be located there. As I said, these are some of the most complex and challenging young people the state has, and this is a facility that will help us turn their lives around.

Mr MAAS: Excellent. Thank you. Youth justice staff are a really important asset. How will this investment assist the work that they do?

Ms HUTCHINS: I think one of the most important things is the behaviour change workforce model, which will see current youth justice workers and future youth justice workers have their roles enhanced by building new inherent job requirements that elevate the roles and the responsibilities of unit staff and integrate intervention and program delivery, which is something that we have heard from staff that they want to do. They do not want to just be security; they want to be able to work on the reform of the individuals that they work with, and this is a really important part of the investment we are making.

Mr MAAS: Excellent. Thank you, Minister.

The CHAIR: Thank you. Mr Hibbins.

Mr HIBBINS: Thank you, Chair. Just in budget paper 3, page 100, there is \$390.5 million allocated to improving custodial services for youth justice, and that has got a number of items next to it:

... Cherry Creek Youth Justice facility, behaviour support specialists, remand beds, and safe and stable workforce initiatives.

Do you have a breakdown of the spending on each of these items?

Ms HUTCHINS: The spending on each of those? Yes. The custodial strengthening initiative is \$58.16 million. That is kind of spelt out in BP4, page 77. The total delivery of the new youth justice facility, Cherry Creek, is \$419 million, which is again on BP4, page 77. And the new funding of \$0.128 million relates to the accommodation and fit-out primarily around VicPol's link to weekend online court components, which also sits in the broader budget as well, strengthening the three-precinct plan that we had outlined in the forward plan, the 10-year plan on youth justice, and further works to strengthen some of our facilities at Parkville as well. So that is an estimated expenditure of around \$15 million in the remaining works.

Mr HIBBINS: Is that capital you have outlined there?

Ms HUTCHINS: Yes.

Mr HIBBINS: I think I am looking for breakdown in terms of operational funding for that particular line item—budget paper 3, page 90.

Ms HUTCHINS: Yes. Well, there is \$11 million in the output funding for the diversion of children from youth justice.

Mr HIBBINS: It did not seem to be in the presentation.

Ms FALKINGHAM: That is the breakdown, Mr Hibbins—the \$11 million the minister has just referred to for diverting children from youth justice, and then the money for the custodial elements, which are bundled together.

Ms HUTCHINS: Which are \$390 million.

Mr HIBBINS: Right. Okay. So that is about \$390 million—that is what I was looking for. My understanding is within the \$390 million that there were a number of elements to that. You have got listed here:

... Cherry Creek ... behaviour support specialists, remand beds, and safe and stable workforce initiatives.

Do we have a breakdown of those individual items?

Ms FALKINGHAM: So you mean getting into the level of detail about the neighbourhoods that it is funding within the precinct? We can give you the \$390 million broken down in terms of what each element of the custodial build looks like—

Mr HIBBINS: Yes.

Ms FALKINGHAM: if that is what you are looking for. We can provide that to you on notice.

Mr HIBBINS: Okay. Great. Thank you. In regard to the safe and stable workforce initiatives, does that indicate that there is an issue with employee stability? Are you able to give an indication in terms of how many staff have left employment in the last 12 months compared to the previous 12 months?

Ms HUTCHINS: I might ask the Commissioner to comment.

Comm. HENDERSON: For the last two years we have had a retention rate that has been stable. Our attrition rate has been—let me just find it for you—around 70 per year for the system, and that has not changed in two years. For the stability of our staff I think it is also important and it is part of our workforce plan that we have introduced the certificate IV for all our new staff, so that is an uplift that all our staff now will be trained in recognising the complex needs and the challenges of working with children and young people and also in preparation for Cherry Creek. We also continue to recruit staff, both regionally and metro, in terms of maintaining as much backfill, and making sure that we are not having staff shortages, as we can. So we are very committed, and that has been stable over the last two years.

Mr HIBBINS: Okay. Thank you. Thanks, Chair.

The CHAIR: Thank you. Ms Richards.

Ms RICHARDS: Thanks, Minister and officials, for the work that you do and for your appearance this afternoon. I would like to explore *Wirkara Kulpa*, and in particular I refer you to budget paper 3, page 295. I note that the target for ‘Average daily number of Aboriginal children and young people (10–17 years) in custody’ has dropped from 14–18 to 8–13. I am interested in what measures there are in the budget that will assist in meeting this target.

Ms HUTCHINS: Thanks. I think the number one thing that I pointed to in the presentation in relation to this is our investment in the Aboriginal youth justice hubs initiative, of which there was one funded out of allocated funding from last year’s budget. We are hoping that this money of \$2.967 million will fund at least two, but of course that depends on location. It depends on a number of factors, how much the breakdown will be on that, and the locations are yet to be determined because we are approaching this as we approached the formation of the strategy—through the lens of self-determination. So we are not, as a government, telling the Aboriginal community that has to be located here. It is absolutely something that we will continue to work with the Aboriginal Justice Caucus to deliver—and finite in terms of the planning and the spend and the delivery of services there.

This plan in itself to obviously attack the over-representation of Aboriginal young people in the justice system by lowering the daily number is a really key element of the Aboriginal youth justice strategy that we refer to as *Wirkara Kulpa* and also is in response to a report that was released by the Commission for Children and Young People, the *Our Youth, Our Way* report, which was also done hand in hand with the Aboriginal commissioner for children and young people. There are many elements of that report that have been picked up in our strategy, and part of that is having these Aboriginal youth justice hubs to try and connect young people who are at risk of entering custody or coming into contact with the justice system to connect in a cultural way with community. The hubs will be run by Aboriginal-controlled organisations and provide a holistic, place-based, Aboriginal-led intervention, and my conversations with the Aboriginal Justice Caucus and the Koorie Youth Council really have showed how important these hubs will be in helping us to address this issue.

Ms RICHARDS: You have just mentioned *Wirkara Kulpa*. Can you explain a little bit more about what the strategy is, what it is setting out to achieve and how you think it will achieve the strategy’s aims?

Ms HUTCHINS: This was a report that was written for and by young people. The Koorie Youth Council were a really big part of putting this together, and it offsets 56 of the 75 recommendations that came from the

landmark report that I referred to before called *Our Youth, Our Way*. The government has supported either in full or in principle all but one recommendation of that inquiry. The strategy really goes to addressing the needs that have come out really strongly, and that is the need to build stronger connection with culture and families and communities for Aboriginal kids. Our commitment to this strategy goes beyond just the words that are in the document, and that has been backed up with, obviously, the budget commitment we have made here. We have also, as part of this, created a trusted worker role to ensure Aboriginal children also have the mentoring and support as they go through any interactions with the justice system. To try and get diversion as a first port of call there needs to be a trusted person involved. At its core is, obviously, the principle of self-determination. We are looking to really approach this in a much newer way than we have in the past, and that is through the coordination and the eyes of Aboriginal Victorian leaders.

Ms RICHARDS: Great. Thanks very much, Minister.

The CHAIR: Thank you, Ms Richards. Mr Newbury.

Mr NEWBURY: Thank you. Commissioner, the data that you read out before—the January through March data—do you have equivalent for Malmsbury with you?

Comm. HENDERSON: That is system wide, Mr Newbury.

Mr NEWBURY: Oh, right. Sorry. I probably—

Comm. HENDERSON: And I just also want to clarify: that is all publicly available on our website, so you can access all that data now. We publish that, so that is available in that level of detail, but we can provide it as requested.

Mr NEWBURY: No, no. Thank you. Can I ask in relation to the security incidents: if there was a staff shortage issue broadly on a particular day, would that fall in the security category of an isolation?

Comm. HENDERSON: It could, yes. Safety and security—in terms of if we had a staff shortage for whatever reason on one of our units and we were unable to let the young people out, once the risk assessment is done, that could fall into a safety or security issue.

Mr NEWBURY: Do you record that in any other way?

Comm. HENDERSON: Yes. All isolations are recorded in our isolation database, and all the decision-makings are logged, minuted and recorded.

Mr NEWBURY: So if there is a decision taken that because of a security assessment of a lack of staff there needed to be isolations, do you record that specifically?

Comm. HENDERSON: Yes.

Mr NEWBURY: Okay. Do you have any data on that with you?

Comm. HENDERSON: No, not on me.

Ms FALKINGHAM: Mr Newbury, I think it is worth pointing out that, as the Commissioner has pointed out, our attrition level has really stabilised over the last four years. We have removed most contract staff from our youth justice facilities. What we have seen over the last 12 months are significant issues around furloughing, and again a huge call-out to our staff that have gone above and beyond to make sure that they fill shifts to try and reduce the use of isolation. Any isolation is always in accordance with human rights obligations. We work really, really carefully with both the Ombudsman and the children's commissioner because we want to make sure that we keep shining a light on this issue, because it is really important to us that kids are getting access to education, to sports, to all the things kids should be getting access to. As the minister has pointed out, we have some really complex kids within our system at the moment. I just want to point out that—and it is a huge credit to the Commissioner—our staffing levels have never been more consistent, but like every workforce in this state, be it hospitals, be it our Victoria Police force, we have had to battle with furloughing and issues in relation to making sure we can have our staff at work, that they are healthy and that they are secure in coming to work.

Mr NEWBURY: And all I was asking was for data on that.

Ms FALKINGHAM: Sure, but I think it is important to contextualise that.

Mr NEWBURY: And in relation to the other data that you took on notice for Mr O'Brien, if you would not mind providing an equivalent for Malmsbury of anything that he requested.

Comm. HENDERSON: Yes.

Mr NEWBURY: That would be terrific. And on to Malmsbury, I understand that unit and office staff have been offered payout packages. Is that the case?

Ms FALKINGHAM: We have run an early retirement scheme, Mr Newbury, like every government department in accordance with a whole-of-government policy in relation to supporting staff at certain periods right across the department. So those offers have been made; that is right.

Ms HUTCHINS: And not just at Malmsbury; that is not confined to Malmsbury.

Mr NEWBURY: Okay. How many staff have been made those offers?

Ms FALKINGHAM: About 760 offers of early retirement have been made.

Mr NEWBURY: 760?

Ms FALKINGHAM: Keep in mind that is right across the justice department; we have an employee FTE of over 13 000. And that does not mean that those positions will not be backfilled. We do assessments in accordance with what the needs are, what the demand is right across the system.

Mr NEWBURY: Hang on. So you are saying you are offering 760 people early retirement but may re-employ some of those positions—did you say?

Ms HUTCHINS: No.

Mr NEWBURY: But you backfill the positions?

Ms FALKINGHAM: Each situation is quite different, so we have to make an assessment for everyone who has put up their hand for early retirement. You obviously cannot take out 50 staff at a time from one facility. So in accordance with the taxation office rules we have offered early retirement scheme packages, and we do make an assessment about whether those FTE need to be backfilled as well.

Mr NEWBURY: Minister, can I ask in the time that I have left: at a time when you have just given testimony that you are short on staff—I mean, I am using shorthand—and there are circumstances where people have been isolated because of a shortage of staff—

Ms HUTCHINS: No, that is what you inferred—

Mr NEWBURY: No, the Commissioner just confirmed it.

Ms HUTCHINS: You are inferring that—

Mr NEWBURY: Are you saying that is not true?

Ms HUTCHINS: There are a range of issues as to why—

Mr NEWBURY: Is it true? So it is true?

Ms HUTCHINS: No. What is true is that we have invested 106 new positions in the last 12 months in the youth justice system. That is what the truth is. We have increased our permanent workforce.

Mr NEWBURY: Now you are getting rid of 760.

Ms HUTCHINS: Not in this sector alone.

The CHAIR: Mr Newbury, your time has expired. Ms Taylor.

Ms TAYLOR: I was thinking it would be helpful to explore the youth diversion strategy. If we could go to budget paper 3, page 90, specifically the ‘Diverting children from youth justice’ initiative, can you please outline how you are supporting young people to turn their lives around out in the community and in turn keep our community safe?

Ms HUTCHINS: Thanks. A really important issue for us to discuss here is that youth justice is not all about custody; it is also who we manage in the community and how we stop crime from happening. Now, I have touched on the crime prevention kind of youth strategy stuff in previous sessions, but for us here in the youth justice space it is certainly a massive focus for us to do rehabilitation with the kids that we have got in custody or in contact in the time that we have that contact with them. Some of the key programs that we run are the early intervention youth support service and the Aboriginal youth support service, which supports around 1200 kids a year, which is quite substantial. We do youth justice group conferencing, which is looking at bringing the victims that were affected by crime in as well as looking at all of the needs for the young people going forward. The youth justice community support service, which provides intensive support to young people on community-based orders and gives them access to housing options as well and transitional housing, is funded to support 573 young people, including at high-risk times, such as evenings and weekends, making sure that that service is available.

And then evidence-based family support services such as multisystemic therapy and functional family therapy—those services have been provided to 472 families. That is a complete wraparound of the needs of that family, because quite often you can focus in on some of the issues that are affecting that young person and their decision to make the wrong decision that leads them into contact with the justice system, but when they go back into the family environment, if, for example, family violence is a huge issue in that household, then they need the therapy to wrap around how they are going to fix those issues and work together as a family or get the support to do that.

Research has repeatedly showed us that adolescent brains do not fully develop until early adulthood, well into their 20s, and this means that most young people have less ability to understand the consequences of their behaviour at a very young age—and that means we have to do a whole lot of rehabilitation work. These wonderful people every day—day in, day out—coordinate that. It is why diversion is a really key focus of our youth justice strategy. Getting wraparound services early means we can stop offending before it happens.

Just over a month ago I was able to launch the government’s youth diversion statement, which was keeping young people out of the justice system to lead successful lives. At that launch we heard from a number of young people who had had contact with the justice system and had turned their lives around. They talked about the services that they needed, and the key premise of that was the need for connection and mentoring—connection to services that they may individually require but connections to somebody that could help them and drive them to make good life decisions.

The statement that I launched also sits alongside the youth justice strategic plan, which identifies that prevention, diversion and early intervention are the most significant things that we can do, and the statement provides further details on how youth justice is committed to and delivering diversion pathways for young people to avoid progressing into serious crimes at later stages of their lives. If we can make that change of turning their lives around at the point that they make mistakes so they do not go on to keep reoffending, not only do we save lives and save money for the justice system but we give people an opportunity to thrive.

Ms TAYLOR: Thank you.

The CHAIR: Thank you, Ms Taylor. Mrs McArthur.

Mrs McARTHUR: Thank you, Chair. And thank you, Minister. We learned in Parliament last week from the Minister for Workplace Safety that WorkSafe conducted 195 inspections in response to serious safety concerns from July 2021 to April this year. Victoria Police data shows 1088 assaults were recorded at Malmsbury between January 2016 and December 2021. Can you name a more unsafe workplace in Victoria than the Malmsbury youth justice facility?

Ms HUTCHINS: I am not going to do a comparison of workplaces; that is probably best directed to WorkSafe. But what I can do is reassure the committee that we are doing all we can to drive down assaults against staff. That is why we have made the investments in this budget and the previous budget for new facilities and for upgrades and for a workforce plan. We take the incidents against staff very, very seriously, and violence against our staff is absolutely unacceptable. That is why we do contact the police when there has been an assault in place, and the young person does face the consequences of their actions.

Mrs McARTHUR: Minister, how many assaults have there been?

Ms HUTCHINS: Well, I can certainly tell you that category 1 incidents are down 42 per cent over the last three financial years.

Mrs McARTHUR: Is that changing the definition perhaps?

Ms HUTCHINS: No, that is not changing the definition. We have definitely seen a reduction and a decline across the entire system, and that is because we have been putting in place workforce plans, training and new facilities to assist in this. Look, we have the most complex and challenging kids with the most complex behaviours in our system.

Mrs McARTHUR: Just how many assaults, Minister? Can you confirm the number?

Ms HUTCHINS: I can tell you that category 1 assaults are down by 42 per cent.

Mrs McARTHUR: But how many were there?

Ms HUTCHINS: If you give me a minute, I will find the figures. So category 1, which is the highest category, is down 55 per cent, so from 53 to 24, over the past three financial years. So it is a decline—quite a significant decline—there.

Mrs McARTHUR: How many staff had to visit hospital following a shift at Malmsbury last year?

Ms HUTCHINS: Well, I can tell you that incidents are down by about 55 per cent at Malmsbury. Unfortunately there have been some incidents, and we have taken them very seriously. We have contacted the police. We are supporting our staff on the ground, and our Commissioner has done a fantastic job of helping us manage that. But certainly overall the incidents are down; they are trending down.

Mrs McARTHUR: But how many have had to go to hospital as a result of a shift at Malmsbury detention centre?

Comm. HENDERSON: So, I just want to clarify. At Malmsbury there has been—and I will read this out because it is right in front of me—a 55 per cent decrease in the past three years. From the January to March quarter 2022, so the last quarter, there has been a 33 per cent decline in category 1 incidents when comparing.

Mrs McARTHUR: What about all assaults, Commissioner?

Comm. HENDERSON: There has been a 60 per cent decrease in category 1 assaults—

Mrs McARTHUR: No, all assaults.

Comm. HENDERSON: The category 1 assaults are the assaults you are referring to. They are assaults where people will go to hospital or get injured.

Mrs McARTHUR: Okay, and what about all assaults?

Comm. HENDERSON: Well, that is category 2 incidents.

Mrs McARTHUR: Yes, how many?

Comm. HENDERSON: Well, I have not got that front of me, so I can take that notice. But when we talk about that—

Mrs McARTHUR: The category 3—

The CHAIR: Mrs McArthur, could you please stop interrupting?

Comm. HENDERSON: I am talking a decrease from five people in the first quarter this year to two. That is the decrease. That is a significant decrease in assaults or category 1 incidents at the Malmsbury Youth Justice Centre—significant.

Mrs McARTHUR: So, Commissioner, how many staff are unable to work because of a vaccine mandate?

Comm. HENDERSON: I think it is—

Ms HUTCHINS: They are no longer staff.

Comm. HENDERSON: We have very good compliance of around 97 or 98 per cent.

Mrs McARTHUR: So the people, the staff, that do not comply with your vaccine mandate—what happens to them?

Comm. HENDERSON: They do not work for us anymore.

Mrs McARTHUR: Okay. They have taken a package?

Comm. HENDERSON: No. They have left the department.

Mrs McARTHUR: No. They have just been sacked.

Comm. HENDERSON: No. They have left the department, and there are 25 of them across our system.

Ms HUTCHINS: And 106 new ones.

The CHAIR: Thank you, Mrs McArthur. Your time has expired. I will pass the call to Mr Richardson.

Mr RICHARDSON: Thank you, Chair. Thank you, Minister, for joining us this evening. Department officials, Commissioner, thank you for your time. I want to turn our attention now, Minister, to system performance. I take you to a consistent reference at budget paper 3, page 90, specifically to the youth justice custodial services. As we emerge from the pandemic are you able to provide the committee with an overview of how youth justice has performed over the last two years?

Ms HUTCHINS: I am very happy to talk about this. The last few years have been some of the most challenging years in history not only for this state but for the youth justice system. The challenges that are associated with managing a global pandemic are, simply, extremely hard, and for young people coming into the youth justice system unfortunately we saw high levels of contact, and initially when the pandemic started high numbers of young people were coming in and testing positive a number of days after being in isolation. And it has been really, really important that we continue the work of rehabilitation whilst we manage the pandemic and the restrictions that were needed.

So it has been no small task, and it has been an absolute testimonial of the hard work of our youth justice staff and what they have had to do over the last few years. Just to give you a picture of how tough things were, we had an entire unit dedicated to new entrants into the justice system who needed to be isolated. Staff had to wear full PPE for the entire time they were on shift. Those young people under regulations needed to be checked every 15 minutes. Not only did they need to be checked but they needed to be kept sane, and whilst they were isolated there were many new measures that we extended through the goodwill of our staff and support of our staff to keep those young people engaged and working through. It was a round-the-clock effort to make sure that we kept our facilities COVID safe and our staff safe as well.

A really important part of our response as well was certainly the vaccination program. A lot of young people coming into our facilities were not vaccinated and were not keen to get vaccinated, so it took a lot of work from the staff to work with them to convince them. I am happy to say 80 per cent of our youth justice clients in custody are now fully vaccinated with two doses, and we ran some really quite out-of-the-box initiatives to attract some of our young people out in the community who have had contact with YJ to get them along to get

vaccinated as well. That included a particular focus on Halloween last year to get young people there. So there has been a range of initiatives. We actually undertook stepping up an expert working group across youth services in the state, including doctors and nurses as well, to help us do that outreach work with young people to get them vaccinated—the ones that we know are already not on the radar of many, many organisations and systems—and we needed to do that outreach to make sure that they were safe as well.

Mr RICHARDSON: In the final minute, Minister, how does Victoria compare with other jurisdictions around the country on these benchmarks?

Ms HUTCHINS: In terms of COVID safety, I think we have been leading all states in our delivery of wrapping around our young people and keeping them safe during a COVID situation. But we have also seen a stabilisation of the youth justice system in this time as well. We have got the lowest rate of total young people under justice supervision in the country, particularly between 10 and 17; the lowest rate of total young people under community supervision in the country and the lowest rate of young people in custody; the lowest return to sentence supervision rate since 2014–15; and on top of this we have seen that Victoria has one of the lowest rates of Aboriginal and Torres Strait Islander young people in custody compared to all other states and territories. That is because of our close relationship with the Aboriginal community here and giving a real focus to self-determination.

Mr RICHARDSON: Thank you.

The CHAIR: Thank you, Mr Richardson. Mr Barton.

Mr BARTON: Thank you, Chair. Minister, kids with parents in custody: if I could refer to budget paper 3, page 90, the government has allocated \$11 million for diverting children from youth justice. Children who have parents in custody, we know, have a lower life expectancy and are less likely to complete their education and less likely to obtain long-term employment. When their parents are sent to prison there is no system in place that provides these kids with additional support. As the cycle of disadvantage goes, we know that a proportion of these kids will end up in custody themselves. Minister, has the government considered providing additional support to children with parents in custody as part of this initiative to divert children from youth justice?

Ms HUTCHINS: Thank you for your question. It is a really important question. Certainly our outreach services that we have stepped up funding for both last year and in the previous years are being able to offer a wraparound service 24/7—but particularly stepping up that work on a Friday and Saturday night when we know young people are most vulnerable of coming into contact with the justice system. I do not have the figures in front of me, but I am sure that many of these kids would be unfortunately the kids who have parents in prison. We also know from the stats of the young people that come into custody with us the seriousness of many other issues that are affecting them, certainly mental health issues, family violence issues. I do not think any of us can underestimate the prevalence of family violence and the effects that it has on young people's trajectory in life. Of course we have seen that reporting of family violence escalate over the last few years—

Mr BARTON: During lockdowns.

Ms HUTCHINS: No doubt we have seen that reflected by offenders being imprisoned and that flow-on effect affecting families. I guess our holistic approach has been to really target young people in need, the most vulnerable young people. I have no doubt that that would capture the young people that you are referring to.

Mr BARTON: Thank you, Minister. Improving educational outcomes in youth justice: budget paper 3, page 19, refers to improving educational outcomes in youth justice. How does the department identify those at risk of involvement with the youth justice system?

Ms HUTCHINS: Their needs? Their educational needs?

Mr BARTON: No. How does the department identify those who are at risk of losing their way?

Ms HUTCHINS: Okay, yes. There are a number of ways, but we have what we call MAPs, multi-agency panels, that look at, based on a geographical area, those kids that are at risk of coming into the system. It is usually that they have got family members that are already in the system and they have been identified by local social workers, local police, and they—

Mr BARTON: Through the schools.

Ms HUTCHINS: Yes, usually schools as well. We have our schools represented there as well. We have got a new initiative that has just rolled out across the department of justice in partnership with DFFH which is targeting families that have multiple contact points with government for government services—need for government services. One of the points of criteria for this program is a mother in that family who may have been in prison or a young person that has been in custody, and basically it is a wraparound service, with one person providing the wraparound service on behalf of government so that that family can have contact with all the services they might need. So it might be drug and alcohol rehabilitation, it might be reporting or fighting or getting away from family violence, it could be mental health issues or it could be disabilities that are not being identified. That program is about connecting services through one lens and then also offering the wraparound psychology that is needed to help these families turn their lives around.

Mr BARTON: Thank you, Minister.

The CHAIR: Thank you, Mr Barton. That concludes the time we have set aside for consideration of the youth justice portfolio today. The committee will follow up on any questions taken on notice in writing, and responses will be required within five working days of the committee's request.

The committee will now take a short break before moving to consideration of the victim support portfolio.

I declare this hearing adjourned.

Witnesses withdrew.