Youth Parole Board Annual Report 2017–18

VICTORIA
State Government

Youth Parole Board Annual Report 2017–18

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

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Letter to the Minister

The Hon. Jenny Mikakos MP
Minister for Families and Children
Level 22, 50 Lonsdale Street
MELBOURNE 3000

Dear Minister

In accordance with the requirements of section 452 of the *Children, Youth and Families Act 2005,* I have pleasure in submitting to you this report on the operations of the Youth Parole Board for the period 1 July 2017 to 30 June 2018 for presentation to Parliament.

The report contains information about:

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

Yours sincerely

His Honour Judge Michael Bourke
Chairperson Youth Parole Board

Contents

Board members

Chairperson, His Honour Judge Michael Bourke, Judge of the County Court of Victoria. Appointed as alternate chairperson on 24 October 2006. Appointed chairperson on 23 November 2007.

Community member, Ms Helen Dimopoulos, appointed as community member on 22 December 2011.

Ms Dimopoulos has held management roles at Barwon Youth (now Barwon Child Youth and Family) for many years and has been responsible for a range of youth services including mentoring, drug and alcohol support, education and community support programs. With expertise as a Youth Justice worker, she has also been involved in developing and implementing programs across regional and rural Victoria with a focus on pre- and post-release support, early intervention, crime prevention and Youth Justice group conferencing. She has been a member of regional and state-wide committees focusing on community safety, education, drug and alcohol and homelessness services.

Community member, Dr Bernie Geary (OAM), appointed as community member on 2 August 2016.

Dr Geary has spent more than 45 years working with and advocating for vulnerable children and young people. He started as a youth worker and then service management. Dr Geary was Victoria's first Commissioner for Children and Young People from 2005 to 2015. Dr Geary was the community member of the Board from 1987 to 2005 and returned to serve as community member on the Board in August 2016.

Departmental member, Mr Andrew Higgs, General Manager, Youth Justice, Loddon Mallee Region, Department of Justice and Regulation. Appointed as departmental member on 19 April 2016.

Mr Higgs has worked in the statutory child protection and Youth Justice service systems for more than 20 years in case practitioner, manager and advisor roles. Mr Higgs has detailed knowledge of the relevant policy and practice settings, and extensive experience with case planning and case management of complex young people who often have many support needs and with multiple service involvement.

Alternate chairperson, His Honour Judge Ross Howie, Reserve Judge of the County Court of Victoria. Appointed as alternate chairperson on 23 March 2010 to 31 December 2017.

Alternate Chairperson, Her Honour Judge Claire Quin, Judge of the County Court of Victoria. Appointed as alternate chairperson on 1 January 2018.

Alternate community member, Ms Carmel Guerra, Chief Executive Officer, Centre for Multicultural Youth. Appointed as alternate community member on 3 April 2012.

Ms Guerra is the founder and CEO of the Centre for Multicultural Youth, a Victorian not-for-profit organisation supporting young people from migrant and refugee backgrounds to build better lives in Australia. She has brought a multicultural perspective to many committees, advisory groups and forums at the Commonwealth, State and community levels concerning alcohol and drugs, mental health, suicide prevention and policing issues.

Alternate community member, Ms Yvonne Luke, retired Aboriginal welfare worker. Appointed as alternate community member on 9 March 2010.

Ms Luke is an Aboriginal Elder who has worked for many years in government and non-government organisations to develop and implement programs and services to assist disadvantaged young Aboriginal people and their families. She is a former Respected Person (Elder) of the Broadmeadows Koori Court. She received the Robin Clark Memorial Award in 2003 for her dedication and advocacy for Aboriginal young people.

In 2010 she was placed on the International Women's Day Honour Roll. Ms Luke is currently a director at Baluk Arts, an Aboriginal organisation in Mornington. In 2015 and 2017 she was awarded the Frankston Mornington Peninsula NAIDOC Elder Award.

Alternate departmental member, Ms Soula Kontomichalos, General Manager, Youth Justice East Metropolitan Region, Department of Justice and Regulation. Appointed as alternate departmental member on 19 April 2016.

Ms Kontomichalos has extensive experience and held management roles in the Department of Health and Human Services. Her responsibilities have included regional oversight of disability client services and residential facilities, Youth Justice, housing assistance advice and reception services.

Chairperson's message

This year the Secretariat farewelled Alex Crocker. Alex has been at the Secretariat from August 2016 and has now moved on to take up a case management role in the regions. I enjoyed working with Alex very much and wish her the best in her future position

With the addition of three new Secretariat staff, it now appears that the Secretariat is resourced and staffed to something like what is needed. For a long time (most of my over ten years) it has battled with and against being under supported. Both secretaries of my time, Collette Crehan and Sally Norton, have dealt with this admirably. A restructure has also meant that Murray Robinson was appointed as General Manager, Youth Parole Board Secretariat, in February of this year. This has been an invaluable addition and one I think greatly appreciated and supported by Sally. It is also appreciated by me.

I have known Murray over some time in other roles. Whilst glad he is here, I see as strange his reluctance to see Collingwood as a certainty to at least play off this year. Perhaps his involvement in Youth Justice over years has taught him caution.

Sally has been replaced at times away by Catherine Cusworth. She has done so very well and we thank her.

Finally on this, we deeply appreciate the support Sally and the Secretariat gave the Board again this year. It becomes no easier. Sally (and her team) is greatly valued.

Ross Howie left the Board at the end of 2017. Ross has little talent for autobiography. It is as well that I say something about what he has done.

In 1975, Ross Howie went north to Alice Springs as principal Legal Officer for the Australian Aboriginal Legal Aid Service and then Central Land Council. He worked there for several years, I would say as one of the pioneers of Aboriginal legal representation and land claims. He became Director of Legal Service with the Central Land Council. In the 1970s, all of this was tough work. Through that time and continuing for over twenty years at the Bar, Ross appeared for Aboriginal people in local courts and also the Federal and High Courts. He was a significant contributor for example to large parts of the Northern Territory returning to freehold title to the benefit of Aboriginal people, perhaps handling as many land claims as anyone else in Australia. This included other parts of the country, such as Victoria. He is highly regarded. It was said at his Court welcome to the Bench as a County Court judge: *"The hallmark of Your Honour's legal life has been a concern for others … those who know you well speak of your deep commitment to the welfare of the less fortunate, your drive to ensure justice, your sense of fairness."* They are true words. That has continued in Ross's eight years at the Board. I am personally very grateful to him.

Ross Howie is also one of the dwindling number of people who have seen both of Footscray's Grand Final victories. It is only old age that has caused him to leave us.

Happily, Ross has been replaced by Claire Quin. Claire has had a distinguished career at the Victorian Bar as a senior Crown Prosecutor and now (for over four years) as a County Court judge. She was also Counsel assisting the Victorian Parliamentary Inquiry into the handling of child abuse by religious and non-Government organisations. As a barrister Claire had extensive experience in child protection work. The Board is very glad to have her.

Again, the Board had a number of important visitors. They included Julia Griffith, Deputy Secretary, Youth Justice; Jodi Henderson, Executive Director, Youth Justice Operations; Jan Noblett, Executive Director, Justice Health; Neil Robertson, Executive Director, Criminal Justice Strategy & Coordination; Tess Mullenger, Director, Community Services, Youth Justice; Sudha Joseph, Director, Youth Justice Policy and Service Design, Youth Justice; Dr Kyra Low, Manager, Youth Rehabilitation Programs; Paula Murray, Manager, Koori Youth Justice Operations, Youth Justice; and Shaun Braybrook of Wulgunggo Ngalu Learning Place.

It is particularly good to be engaging and hopefully developing relationships with people like Paula Murray and Shaun Braybrook. Aboriginal young people remain over represented in the Youth Justice population. That includes the younger; but also older group, over eighteen. It would be of great benefit, if feasible, for suitable young Aboriginal people to have more access to culturally supportive and rehabilitative accommodation programs, upon being paroled. There is a need to develop further communication and coordination between Youth Justice and Aboriginal communities on this. I hope work can continue on it.

The still growing need for such engagement with over-represented groups applies to other communities. Last year I raised that approximately 40 per cent of young people detained in Youth Justice centres come from three groups: Aboriginal, Maori and Pacific Island and East African, mainly Sudanese young people. As I said, one needs to consider also the over represented child protection part of the population. I said this: *"... it must be recognised and confronted that likely well over fifty per cent of the young people detained in our system come from those parts of our community which are disadvantaged, dislocated and often excluded... I see among those sentenced to youth detention, a growing disproportion of disadvantaged and excluded young people. It is the growth of this that is significant. In my view, there is a risk of an entrenched underclass within our young which feels no connection or aspiration to being part of a functional and hopeful community."*

The trend continues to move, in the wrong direction. I estimate that the representation of those three groups stands this year at about 50 per cent. The child protection population remains constant. Now, I would confidently say, well over sixty per cent of the young people detained are within that "disadvantaged, dislocated and often excluded" part of our young community. In my view, this is a situation any decent society would want to address.

I might add that other notable movements in the Youth Parole Board data are that now 53 per cent of those detained present with mental health issues (a rise from 40 per cent since last year) and 30 per cent have a history of self-harm or suicidal ideation (up from 22 per cent). Again in my view, it all fits in.

There is a more positive note and one which arises out of the recent 2017 *Children and Justice Legislation Amendment (Youth Justice) Act 2017.*

The Board now communicates to Victoria Police information, including parole conditions, in essentially two categories. One, it is mandated in respect of young people who have committed certain, prescribed serious offences. Two, beyond that where the Board, based on its discretion or assessment individual to the particular young person, sees it as necessary to parole aims.

The Board has embraced consideration and exercise of this discretion. There is an important aspect to this (and also to the "mandated category"). The information the Board provides goes particularly to the recently formed Victoria Police Offenders' Management Project. The aims of the project include specialist trained officers, positive outreach and engagement with offenders, including parolees; and also with families, for example younger siblings. I have had a number of meetings

with senior Victoria Police and welcome their initiative. I see it as both an intelligent and necessary response to the now emerged demographic of youth offenders I have described.

On another note, that demographic has also created a new issue and challenge for youth parole. This is related to developing government policy and practice of the Department of Home Affairs. Visa cancellation of young people in Youth Justice Detention has become significantly more common. Its usual form is by way of s501 of the *Migration Act,* "Refusal or cancellation on character grounds".

Parole in a youth system necessarily into immigration detention presents the Parole Board with special problems, particularly in relation the Board's capacity both to supervise and rehabilitate the young people when in detention. In order to address these issues, the Board looks forward to working with Immigration and Citizenship Services in the Department of Home Affairs in order to jointly develop procedural options.

The present Board policy is prima facie not to parole, albeit there must be some flexibility. In the event of the Board paroling a young person into immigration detention, the Board recognises that it has no control of the young person's circumstances but is seeking timely advice from the Department of Home Affairs on the movement of young people.

The Board also recognises that a young person may wish to return to their country of origin. In this case, the Board would see advice on whether there are appropriate rehabilitation supports there. A further problem is what seems long periods awaiting decision upon a youth detainee's application against visa cancellation and deportation. This is usually an application for ministerial revocation of visa cancellation. Such an application is often made by a young person who has family here and little support in the country of origin. Such periods reach up to eighteen months. It is common that the detainee's sentence expiry or release date is reached and the young person is then taken into immigration detention. The Board welcomes the opportunity to work with Home Affairs on the possibility of accelerating this process.

To my mind the trend in the statistical data most requiring attention is the now quite rapid rise in the Board's parole cancellation rate. There are three important features.

One is the increase. The percentage has grown over my time at the Board. That rise has accelerated in recent years. The most conservative interpretation of the figures marks an increase in cancellation of active parole orders from 22 to 34 per cent between July 2015 and July 2018. On my estimate, cancellations, simply measured against the number of paroles ordered this year, reached well over 40 per cent. Statistics aside, in its work the Board has become well aware of the rise. It is very apparent.

A second aspect is this. Throughout, the majority of cancellations have tended to be for noncompliance and not reoffending. Hitherto I have seen this as healthy. However, it has become by this year a much greater majority; and I have concerns about it. This year the percentage of cancellations being for non-compliance has moved from under 70 in 2016–17 to 85 per cent in 2017–18.

Thirdly, the data shows that there is a significantly higher number of cancellations early in parole (19 per cent in the first month).

I might add that there is now little distinction between older and younger parolees. For years cancellation has been notably higher for the younger group, those sentenced in the Children's Court. There are now roughly equal numbers.

There are multiple possible or likely causes of this rise in cancellation and those features of it.

(1) Youth offending is more serious, offenders more dysfunctional and complex, risk is higher.

(2) The Youth Justice system, including the Board, has become more "risk averse". This can be seen as understandable given the more serious nature of offending, greater complexity of offenders; but also the nature and tone of the public conversation.

(3) However, also in my view, there are other causes, fundamental problems which can and should be addressed. I see little improvement, perhaps decline, in important supports to the Youth system. They are in accommodation (particularly, where it is needed, properly supervised and supported transitional accommodation); access to and support by mental health services (particularly to treat those with serious diagnosed conditions); and access to drug rehabilitation programs, particularly residential programs. This also includes consistently available detoxification facilities, not something six or more weeks into the future. I might add as to need for mental health support, the data to which I have earlier referred marks an over 30 per cent rise in the proportion of youth offenders who present with mental health issues.

These deficits in many respects are long term. In various ways over the past ten years my contribution to the Annual Report has raised problems related to them. I see these problems to have become more critical.

What I say is also reflected in and given logical support by the rise in deferrals of parole. Now a very significant number of young people detained have parole deferred. It is often because suitable accommodation, given need related both to themselves and risk, is not yet achieved. As to those with serious mental health conditions, it is very often because of difficulty in arranging support in the community for that. It is similar with those who may particularly need drug rehabilitation support.

Later, cancellation for noncompliance with parole often mirrors these things. Accommodation has fallen over. There has been lapse into drug abuse. It is not uncommon that the young person has nowhere pro-social or safe to live, he or she is using drugs. Often there are also underlying mental health conditions. The risk to the community, and sometimes to themselves, becomes too high. They are cancelled.

Accordingly, the same deficits exist at both ends. When parole becomes as problematic and high risk as I have described, there is little capacity to respond in the community. For example drug rehabilitation placement, even detoxification, is too far away in time. Alternative accommodation can be little more than of unsuitable emergency style, or even motels. Mental health services are hard to readily access.

It is not the fault of these services. They are under stress, under supported and resourced.

The other, earlier end (parole release) is perhaps even more important. For some young offenders there is a pressing need for closely supervised, supported transitional accommodation. There needs to be intensive supervision and support in the first part of parole. I have earlier referred to the disproportionate number of cancellations early in parole, 19 per cent in the first month. Similarly others need early, intensive mental health and drug rehabilitation support. It is clear to me that the early weeks are a critical period. I deal with many young persons who, I am convinced, truly want a pro-social life; but they need close supervision and help.

I feel that I understand the lack of resources available; but some things can be done. For example as to transitional accommodation, early in parole, the Board advocates a model whereby perhaps four suitable young people, likely the older eighteen to twenty years' group, are housed at that early stage with 24-hour supervision and support. There would need to be a number of such houses. However, it seems to me a modest program. We hope this gets favourable consideration.

These problems are not consistent with a youth system which focuses upon rehabilitation together with prevention of offending.

Such aims are not mutually exclusive.

Condemnation of children and young people for failure at parole is not fair, nor rational and helpful, if there is a lack of supports necessary to help them succeed at it.

Long-term answers lie with honest recognition of what are primarily the origins of youth dysfunction and crime. I point to the quickly growing demographic I have earlier described. The data is compelling and there is a need to address this. In my view purely restrictive measures, for example proposed electronic monitoring, are unlikely to really solve the endemic problems.

A final comment. The Board has great respect, and admiration, for the people (parole officers, team leaders, case managers in the community and those managing and working in custody) who stand at the coalface of our system. In difficult times that admiration has grown. I include others who come to the Board, YJCSS workers, people from other support agencies such as drug and alcohol services, housing providers and child protection.

I am deeply grateful for your work.

His Honour Judge Michael Bourke
Chairperson
Youth Parole Board

General Manager's report

In 2017–18, the Youth Parole Board (the Board) considered 3,099 matters during 24 scheduled and 80 'ad hoc' meetings. From those matters, the Board issued 243 parole orders, compared to the 201 which were issued in the previous year. This is a 21 per cent increase in matters for consideration and stems from the 17 per cent increase in the numbers of Youth Residential and Youth Justice Orders issued by the Courts.

Of the 243 parole orders issued, 120 young people successfully completed their order. It should be acknowledged that these young people have made significant changes in their behaviour, attitudes and the direction of their lives. The skills, work and dedication of their families, youth justice workers, teachers, employers and other support workers should also be acknowledged.

In the same period, the Board issued 29 warnings to young people on parole or in custody and cancelled 112 parole orders in the same period – 27 for reoffending and 85 for failure to comply with conditions of their orders. This demonstrates how closely young people are supervised when they are on parole and how responsive the Board is when the parole starts to go awry.

In 2017–18, the Board transferred seven young people to prison (in accordance with s467 of the *Children Youth and Families Act 2005)* and conversely the Adult Parole Board transferred one young person to Youth Justice (in accordance with s471 of the *Children Youth and Families Act 2005).*

I would like to recognise the work of the Board secretariat in diligently and accurately completing the administration required to process all of the above transactions.

Finally I would like to thank all the Board members for their support and guidance and wish Judge Howie a productive retirement.

Murray Robinson
General Manager
Youth Parole Board Secretariat

Youth Parole Board Overview

Jurisdiction and powers of the Youth Parole Board

Section 442 of the *Children, Youth and Families Act 2005* makes provision for establishing the Youth Parole Board.

Sections 462 and 463 of the Act stipulate that each young person ordered by a court to be detained in a Youth Residential centre or a Youth Justice centre is subject to the jurisdiction of the Youth Parole Board.

Section 458 empowers the Youth Parole Board to release, or grant parole to, young people subject to its jurisdiction.

Section 453 stipulates that a Parole officer is, in relation to a parole order made by the Youth Parole Board, subject to the direction of the Youth Parole Board.

Sections 464 to 477 deal with the power to transfer young people between Youth Justice centres and Youth Residential centres and to transfer to prison.

Dual-track system

Section 32 of the *Sentencing Act 1991* legislates that some 18–20 year olds convicted of serious offences can be detained in a Youth Justice Centre instead of an adult prison if the court believes the young person has reasonable prospects for rehabilitation, or is particularly impressionable, immature or likely to be subjected to undesirable influences in an adult prison. This is commonly referred to as the dual-track system.

Parole objectives

Parole permits a young person to serve part of their sentence in the community, under the guidance and supervision of their Parole officer.

Parole enables a young person to receive the support and assistance they require to adapt successfully in their transition from detention to the community. The role of a Parole officer to monitor progress is a critical factor in the overall program of rehabilitation.

Youth Parole Board functions

The Board carries out the following general functions:

- exercising jurisdiction over all young people sentenced by a court to a period of detention in a Youth Residential centre aged 10–14 or in a Youth Justice centre aged 15–20 and those transferred by the Adult Parole Board
- making decisions about eligibility for and release on parole of young people sentenced to detention
- making decisions about the transfer of young people between a Youth Residential centre and a Youth Justice centre and between a Youth Justice centre and prison.

In carrying out these functions, the Board:

- interviews young people in detention either at the request of centre management, a young person, or on the Board's own initiative
- requests, receives and considers case histories, client service plans, progress reports on young people who are detained and parole plans and parole progress reports
- requests and considers special reports and court documents, for example, Male Adolescent Program for Positive Sexuality reports, court transcripts, psychiatric and psychological reports
- interviews young people for the purpose of granting parole and issuing warnings
- amends, cancels or varies conditions of parole orders
- makes decisions about transfers between Youth Justice centres and prison
- prepares an annual report for the Minister for Families and Children.

Youth Parole Board members (from left): His Honour Judge Michael Bourke, Carmel Guerra, Andrew Higgs, Yvonne Luke, Helen Dimopoulos, Dr Bernie Geary AO, Soula Kontomichalos and His Honour Judge Ross Howie.

Youth Parole Board Secretariat

The Youth Parole Board Secretariat provides administrative support to the Board and comprises seven staff members.

The General Manager maintains oversight of the Secretariat and is responsible for the policy and practice direction of the Secretariat and the quality of information provided to the Board by the Youth Justice service and key stakeholders.

The secretary is the conduit between the Board, Youth Justice, community members and external stakeholders. The secretary analyses information to ensure that critical advice is conveyed to and from the Board to facilitate decision making. These two roles work closely together to ensure there is consistency and quality control of process and policy for the secretariat, the Board and the Youth Justice program.

The administration team is managed by the administration co-coordinator and comprises four administration staff. This team manages and maintains information on behalf of the Board.

Legislative reforms to the Victorian Youth Justice system in relation to parole

The *Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017* contains a number of reforms designed to strengthen Victoria's Youth Justice system, and improve safety and security in Youth Justice facilities. The Act commenced in stages between 30 November 2017 and 1 June 2018.

In relation to parole, the Act inserted new provisions requiring the Board to impose certain conditions when granting parole to young people serving a sentence of detention for a serious youth offence. Conditions may include that the young person not visit particular areas or contact certain people, as well as conditions requiring the young person to undergo rehabilitation and treatment.

The Act also inserted new provisions requiring the Board to:

- be notified of any critical incidents involving young people in detention, which are taken into account when considering parole eligibility, and
- notify Victoria Police when young people serving a sentence of detention for a serious youth offence are released on parole.

These provisions all commenced on 26 February 2018.

Board meetings

The Board generally meets twice each month on a Monday. In 2017–18, 24 scheduled Board meetings were held. In addition to scheduled meetings, ad hoc meetings are held to formally warn young people about unsatisfactory compliance with parole conditions or unsatisfactory behaviour in custody. Ad hoc meetings may also be held to consider reports from the department regarding urgent cancellations or transfers of young people to prison.

During 2017–18 the Board considered 3,099 matters during 104 scheduled and ad hoc meetings.

The Board uses the Parkville Youth Justice Precinct as a base for its meetings. It may also hold meetings at the Malmsbury Youth Justice Precinct.

Prior to Board meetings, Board members read court transcripts, background information, psychological and psychiatric reports, progress reports and other information submitted by Youth Justice staff and other workers for each case to be considered at the meeting. The Board also considers the victim register prior to making special conditions on parole orders.

The Board strongly supports Youth Justice and other staff who work closely with young people attending Board meetings to provide information and recommendations to the Board, where required.

The Board interviews each young person individually on the day they are to be released on parole to discuss issues that may impact on their ability to successfully complete their parole, and to ensure they clearly understand what the Board requires of them. A young person's Parole officer attends the interview to support the young person and to observe the advice issued by the Board so that it may be reinforced during the parole period.

The Board welcomes family members or other support people who attend the parole interview with the young person.

Visitors

The Board welcomes visitors with a special interest in Youth Justice at its meetings. The Board requires all approved visitors to adhere to procedures regarding confidentiality of Board proceedings. Visitors receive an explanation of how the Board performs its statutory responsibilities and are able to observe its operation. Appendix 1 details the range of interested individuals and agencies that have visited the Board during this year.

Parole plan

The parole plan is a report describing the current status and post-release plans for young people who are being considered for parole. The parole plan is prepared by the department's Youth Justice Parole officer in consultation with the young person, Youth Justice centre staff and significant others. Assessment is based on information provided by the prospective parolee, parents, relatives, support service providers, prospective or current employers, teachers and other relevant sources.

The parole plan outlines arrangements to be put in place for the parolee in key areas such as addressing offending behaviour and attitudes, accommodation, education/employment, professional support (counselling), supervision and compliance with conditions. These conditions mandate the young person to adhere to specific directions and/or access specific treatment or support. The aim is to support the young person as they transition back into the community and reduce the likelihood of reoffending.

The officer submitting the parole plan, Youth Justice centre staff and/or specialist support staff can recommend special conditions. In 2017–18 there were 555 special conditions imposed on a proportion of the 243 parole orders issued. There can be multiple conditions placed on a parole order.

A breakdown of special conditions imposed by the Board in 2017–18 is outlined in Table 5. Special conditions that can be imposed, either singularly or in combination, include, but are not restricted to, those listed in Table 6.

Parole Plan conditions

The officer submitting the parole plan, Youth Justice centre staff and/or specialist support staff can recommend special conditions. In 2017–18 there were 555 special conditions imposed on a proportion of the 243 parole orders issued. There can be multiple conditions placed on a parole order.

A breakdown of special conditions imposed by the Board in 2017–18 is outlined in Table 1.

Table 1: Special conditions imposed by the Youth Parole Board during 2017–18

Type of condition	Direction of Special Condition of Parole	Number of special conditions imposed by the Board
Substance abuse counselling	You must attend substance abuse counselling as directed.	156
Psychological counselling	You must attend psychological counselling as directed.	67
Psychiatric counselling	You must attend psychiatric treatment as directed.	1
General counselling	You must attend general counselling as directed.	63
Anger management or violence prevention	You must attend anger management or violence prevention as directed.	21
Attend Male Adolescent Program for Positive Sexuality	You must attend the Male Adolescent Program for Positive Sexuality as directed.	1
Offence Specific counselling	You must attend for offence specific counselling as directed.	2
Reside as directed	You must reside as and where directed.	5
Attend a day program	You must attend a day program as directed.	10
No contact with an individual	You must not have contact with an individual as directed.	45
Not to attend a geographical location	That you do not attend a geographical location as directed.	96
Abide by conditions of intervention order (IVO)	You must abide by the conditions of any intervention order.	13
Motor vehicle offending program	You must attend a motor vehicle offender program as directed.	55
Adolescent Violence Intervention Program	You must attend the Adolescent Violence Intervention Program as directed.	1
Abide by a curfew	You must abide by a curfew as directed.	7
Men's behaviour change program	You must attend the men's behaviour change program as directed.	6
Other		6
Total		**555**

Source: Youth Parole Board Secretariat data

Parole orders issued by the Board

In making decisions concerning parole, the Board considers each case on its merits while using flexible guidelines to streamline the process and assist in transition planning.

The Board bases its decisions on information from a range of sources, including comments by the sentencing court and reports from custodial staff, Parole officers, psychologists and psychiatrists, medical practitioners and other professionals working with the young person. The Board also considers requests put forward by the young people themselves.

Factors considered by the Board include:

- interests of or risk to the community
- victims' wellbeing
- interests of the young person
- age of the young person
- capacity for parole to assist the young person's rehabilitation
- intentions and comments of the sentencing authority
- nature and circumstances of the offences
- outstanding charges or pending court appearances
- young person's criminal history
- previous community-based dispositions and compliance
- family and community support networks
- release plans
- reports, assessments and recommendations made by a variety of professionals, including medical practitioners, psychologists, psychiatrists, custodial staff, Parole officers and support agencies
- submissions made by victims and police informants
- submissions made by the young person, the young person's family, friends and potential employers.

The parole plan presented to the Board by the Parole officer must provide comprehensive information about the young person's plans for living in the community on parole. Most importantly, the Board must be satisfied that suitable accommodation is available before granting parole.

Youth parole orders have core terms and conditions that are prescribed in the Children, Youth and Families Regulations 2017 as follows:

(a) the parolee must not break any law
(b) the parolee must be supervised by a Parole officer
(c) the parolee must obey any lawful instructions of his or her Parole officer
(d) the parolee must report as and when reasonably directed by his or her Parole officer
(e) the parolee may be interviewed by his or her Parole officer at any reasonable time and place that the Parole officer directs
(f) the parolee must advise his or her Parole officer within two days after the change if the parolee changes his or her address
(g) the parolee must not leave Victoria without the written permission of his or her Parole officer
(h) the Parole officer of the parolee must not unreasonably withhold written permission under paragraph (g).

On the day of parole, the Board interviews each young person and explains the conditions of their parole. In addition to the core conditions, there were 555 special conditions placed on parole orders in 2017–18 (see Table 1).

At the end of a parole hearing, the young person signs their parole order indicating that they understand and consent to the expectations and conditions of parole.

The Board issued 243 parole orders during 2017–18, which is 42 (21 per cent) more than the previous year (201). This is largely attributable to the 17 per cent increase in the number of active Youth Justice centre and Youth Residential centre orders issued by the Victorian courts.

Table 2: Parole orders issued by the Youth Parole Board

	Number of parole orders issued by the Board		
Gender/order type	2015–16	2016–17	2017–18
Females – youth parole order	11	9	16
Males – youth parole order	182	192	227
Annual total	**193**	**201**	**243**

Source: Department data extracted 10 July 2018

Warnings issued by the Board

Warnings from the Board provide a young person with an opportunity to reassess their behaviour and to make changes that will result in successfully completing their sentence in a Youth Justice centre and/or on parole. Warnings are delivered firmly but with the objective of motivating a young person towards positive action.

During 2017–18 the Board interviewed 29 young people (27 were male and two were female) in relation to unsatisfactory behaviour in custody or noncompliance with parole conditions during their parole period (see Table 2). This is an increase of six from the previous year.

For those in custody, the Board discusses the young person's behaviour with them, sets expectations for improvement and warns of possible action by the Board including refusing parole or, for young adults, transfer to prison.

For those on parole, the reasons for failure to comply with the conditions are ascertained and discussed. Young people have the opportunity to put their case before the Board and are encouraged to work closely with their Youth Justice Parole officer. The Board emphasises the need to comply with conditions of parole and warns that further non-compliance with parole conditions can result in cancellation of parole.

Table 3: Warnings issued by the Youth Parole Board

Year	Warnings issued by the Board
2012–13	31
2013–14	35
2014–15	14
2015–16	17
2016–17	23
2017–18	29

Source: Youth Parole Board Secretariat data

Parole cancellation

The Board considers parole cancellation to be a serious matter and often deals with non-compliance by cancelling parole orders.

The Board considers two types of non-compliance:

- by reoffending, resulting in conviction and sentence (reconviction)
- by failing to comply with conditions of the order, for example, failure to report to their Parole officer or failure to comply with the special conditions of the order.

Under section 460 of the *Children, Youth and Families Act,* young people who do not comply with conditions of parole can have their parole cancelled. Cancellation of a parole order results in a warrant for the arrest of the young person who is then returned to Youth Justice custody to serve the unexpired portion of his or her original sentence. In some cases, the Board may grant a credit for part of the unexpired sentence for the period the young person complied with their parole. In making this decision, the Board takes into account the nature of the breach and how well the young person complied with conditions of parole.

If the Board considers it appropriate, it can again release a young person on parole after his or her parole has been cancelled.

The Board works closely with Youth Justice Parole officers to devise flexible responses that address the difficulties experienced by a young person in adhering to their parole conditions. Nonetheless, a young person's attitude and compliance with supervision and efforts in addressing their problems plays a large part in determining the Board's actions in these circumstances.

Parole cancellations for the period 2017–18

The Board cancelled 112 parole orders, of which 20 per cent were related to Children's Court sentences and 18 per cent were related to Magistrates' and higher court sentences (see Table 3).

Table 4: Parole cancellations issued by the Youth Parole Board for Children's Court, Magistrates' and higher court sentences

	Number of parole cancellations		
Jurisdiction	2015–16	2016–17	2017–18
Children's Court sentences	53	49	59
Magistrates' Court and Higher court sentences	32	45	53
Annual total	**85**	**94**	**112**

Source: Department data extracted 10 July 2018
Note: Some cancellations were for parole orders issued prior to the current reporting period.
Some parole cancellations from sentences issued in the Magistrates' and higher courts also had sentences from the Children's Court.

In 2017–18, there were significantly fewer parole cancellations for offending (27) than for failure to comply with conditions of parole (85) (see Table 4).

Table 5: Reasons for parole cancellations issued by the Youth Parole Board

	Number of parole cancellations		
Reason	2015–16	2016–17	2017–18
Reconviction	34	28	27
Failing to comply with conditions	51	66	85
Annual total	**85**	**94**	**112**

Source: Department data extracted 10 July 2018
Note: A young person may be subject to more than one category of order.
Some cancellations were for parole orders issued prior to the current reporting period.
Some parole cancellations from sentences issued in the Magistrates' and higher courts also had sentences from the Children's Court.

Parole supervision

Youth Parole Officers are authorised under section 453 of the Children, Youth and Families Act to provide parole supervision for young people upon their release. Youth Parole Officers are subject to the direction of the Board in relation to its parole orders. They are subject to the direction of the Secretary to the department in relation to any other duties and responsibilities they may have.

Youth Parole officers are located in community-based Youth Justice teams across Victoria to provide post-release supervision for young people on parole. There are close links between the Youth Justice centres and community-based Youth Justice teams to ensure a consistent and appropriate response during a young person's sentence.

Parole supervision includes supporting and assisting the parolee to improve their connection to the community through family, accommodation, education, employment and recreation. It also involves monitoring parolees' behaviour in the community, assessing their attendance and performance at work or school, checking their compliance with the conditions of the parole order and providing progress reports to the Board as required.

Youth Parole officers are instrumental in ensuring young people are supervised and supported throughout their sentences both in Youth Justice centres and in the community. Youth Parole Officers regularly visit young people in custody during their sentence to establish or maintain a working relationship, collaborate with Youth Justice centre staff and begin release planning at an early stage of the sentence.

Parole officers are required to deal with complex issues when young people are released into the community. They put a considerable amount of time and effort into setting up plans and preparing for their transition to the community, particularly securing appropriate accommodation for young people with high needs. Support workers from the Youth Justice Community Support Service work in partnership with statutory youth Parole officers and have been effective in providing services and post-release support to young people on parole and beyond the expiry date of the parole order to support reintegration in the community and minimise the risk of further offending.

During the parole period, the Board receives regular reports from Youth Parole Officers about the progress of parolees. The Board sees some of the young people during their parole period to discuss issues that have arisen, to warn them about inappropriate behaviour or to acknowledge and reinforce positive action they have taken.

Transfers

Sections 464 to 477 of the Children, Youth and Families Act deal with the power of the Board and Adult Parole Board to transfer young people between jurisdictions. Table 6 includes the transfers issued by the Youth Parole Board in 2017–18.

Table 6: Transfers issued by the Youth Parole Board

	Number of transfers issued by the Board		
Provision	2015–16	2016–17	2017–18
Transfer from Youth Residential centre to Youth Justice centre (sections 464 and 465)	1	1	1
Transfer from Youth Justice centre to prison (section 467)	1	4	7
Young person's request for transfer to prison (section 468)	0	0	0
Transfer from Youth Justice centre to Youth Residential centre (section 470)	0	0	0
Transfer back to prison after transfer from prison to Youth Justice centre (section 473)	0	0	0
Person in Youth Residential centre sentenced to detention in Youth Justice centre or imprisonment (section 474)	0	0	0
Person in Youth Justice centre sentenced to imprisonment (section 475)	12	12	11
Person in Youth Justice centre sentenced to detention in Youth Residential centre (section 476)	0	0	0
Person in prison sentenced to detention in Youth Justice centre (section 477)	0	0	0
Annual total	**14**	**17**	**19**

Source: Youth Parole Board secretariat data

Young Offenders Transfer Review Group

The Board, the Sentence Management Division of Corrections Victoria and the Adult Parole Board have jointly established the Young Offenders Transfer Review Group to provide a forum to focus on young people who have been, or are likely to be, transferred between a Youth Justice centre and prison. External stakeholders including the Victorian Commissioner for Children and Young People and the Aboriginal Commissioner for Children and Young People are included in this group. The Young Offenders Transfer Review Group reviews the status of the young people who straddle both the adult and youth jurisdictions. These young people are usually 18–21 years of age and may be sentenced in either the Children's, Magistrates' or higher courts. This forum provides an opportunity for information exchange to ensure that both jurisdictions maintain contemporary knowledge about these young people.

Victim Register

The Board recognises the importance of taking victims' issues into consideration when preparing to parole a young person. The trauma associated with being a victim, particularly of a violent, intimate offence, does not necessarily dissipate over time. While acknowledging that parole is rehabilitative and of benefit to the community by reducing the risk of further offending, the Board takes seriously the impact of crime on victims.

The Victim Register is maintained to mitigate the potential for a victim to be re-traumatised by a young person's reintegration into the community when subject to a parole order.

It identifies young people in custody who have committed a serious intimate offence against a person who is either known to them or likely to have recurring contact with them on their re-entry to the community.

The Board determines whether a young person is included in the Register according to the following factors:

- violence involved in the offence
- whether the perpetrator is known to the victim or vice versa
- how close the perpetrator and victim live to each other
- the likelihood of the victim and perpetrator seeing each other.

Based on one or all of these factors, a young person who is considered eligible for parole may be placed on the Register.

Once the Board determines a young person's case to be appropriate for including on the Victim Register, the Board secretary contacts the police informant and seeks advice on any recommendations the informant may have for special conditions on the parole order to protect the victim. The secretary also asks the informant to consult with the victim so their views are put forward to the Board. The Board makes the final decision about whether recommendations are placed on the young person's parole order.

The Register allows the Board to manage the risks associated with the young person re-entering the community.

Youth Parole Board (from left): His Honour Judge Ross Howie, Andrew Higgs and Helen Dimopoulos.

Youth Justice Overview

Characteristics of young offenders

The results of an annual survey of 226 young people involved with Youth Justice in 2017 looked at 209 males and 17 females detained on sentence and remand on 1 December 2017. The survey shows:

- 63 per cent had never been subject to a child protection order
- 18 per cent had been subject to a previous child protection order and were subject to a current child protection order
- 18 per cent were previously subject to a child protection order but were not subject to a current child protection order
- 1 per cent were subject to a current child protection order with no previous history of a child protection order
- 70 per cent were victims of abuse, trauma or neglect
- 65 per cent had previously been suspended or expelled from school
- 53 per cent presented with mental health issues
- 30 per cent had a history of self-harm or suicidal ideation
- 41 per cent presented with cognitive difficulties that affect their daily functioning
- 11 per cent were registered with Disability Services
- 7 per cent had a history of alcohol misuse
- 22 per cent had a history of drug misuse
- 58 per cent had a history of both alcohol and drug misuse
- 11.5 per cent had offended while under the influence of alcohol but not drugs
- 25 per cent had offended while under the influence of drugs but not alcohol
- 45.5 per cent had offended while under the influence of alcohol, and also while under the influence of drugs
- 24 per cent spoke English as a second language
- 9 per cent were accessing private rental accommodation, public housing or some form of housing support.

This information reinforces the Board's understanding of the complexity of young people involved with Youth Justice.

Case planning and reporting to the Youth Parole Board

A large number of reports are presented to the Board, including assessments, custodial progress reports, parole plans and parole progress reports. These reports identify the needs and risks of the young people, detailing targeted interventions, goals and progress made towards addressing problems and post-release plans. These reports provide information to the Board and inform its decision making. Consultation and coordination with other program areas such as those within the Department of Health and Human Services including Child Protection and Disability Services are critical components of case management and planning.

Involvement with child protection

Children and young people who have suffered significant harm due to physical abuse, sexual abuse and serious neglect, and who are involved in serious, frequent or chronic offending, benefit from a cross-program response from welfare and justice services. These young people present with multiple issues and complex needs, requiring a comprehensive, collaborative response to ensure their safety and wellbeing and to improve their prospects for rehabilitation.

The department is working with the Department of Health and Human Services to revise a memorandum of understanding between the departments which will reinforce the necessary working relationship. The organisational environments of Child Protection in the Department of Health and Human Services and the Youth Justice Division of the department will be set out in new practice guidance for Youth Justice and Child Protection.

Aboriginal Children in Aboriginal Care, implemented in November 2017, is the program established under section 18 of the *Children, Youth and Families Act 2005* which enables the Secretary of the Department of Health and Human Services to authorise the principal officer of an Aboriginal agency to undertake specified functions and powers in relation to a Children's Court protection order for an Aboriginal child or young person. This means that once a protection order for an Aboriginal child or young person has been made by the Children's Court, an approved Aboriginal Community Controlled Organisation may be authorised to take on responsibility for the child's case management and case plan.

This new practice guidance for Youth Justice will provide direction for Youth Justice in its collaboration with Aboriginal agencies responsible for Aboriginal Children in Aboriginal Care.

It is important that the Child Protection and Youth Justice services work collaboratively to implement supports to help young people overcome, as much as possible, the effects of traumatic experiences early in life. In custody, the annual survey of young people involved with Youth Justice in 2017 showed that 70 per cent were a victim of abuse, trauma or neglect, with 37 per cent of young people in custody having been the subject of involvement with Child Protection services. Of the young people in custody, 19 per cent were on current Child Protection orders on the day of the survey.

Young people with disabilities

The annual survey of people involved in Youth Justice in 2017 showed that 41 per cent of young people in custody on the survey date presented with cognitive difficulties that affect their daily functioning. Sixteen per cent of young people in custody had a diagnosed intellectual disability, and three per cent had a diagnosed Autism Spectrum Disorder.

A significant proportion of young people in contact with the criminal justice system have disabilities compared with the general population, and young people with disabilities continue to be over-represented in custody.

The work currently undertaken by the Youth Justice service in assisting young people with disabilities in the Youth Justice system is complex, especially during a time of significant reform with the National Disability Insurance Scheme (NDIS) being rolled out across Victoria and recent reviews.

For areas that have transitioned to the NDIS, the NDIS funds reasonable and necessary supports to meet the needs of an eligible person's functional impairment resulting from disability. This includes eligible young people in contact with the Youth Justice system. The Department of Health and

Human Services will continue assisting young people with disability in the Youth Justice system by providing appropriate forensic disability treatment and support services.

A number of measures are in place to ensure that young people with disability are able to access services, including on their return to the community. The Youth Justice Senior Disability Advisor is dedicated to supporting young people with disabilities at Parkville and Malmsbury Youth Justice precincts by monitoring service provision and providing training to Youth Justice custodial staff and care teams. The Senior Disability Advisor also oversees young people's access to community-based disability services, including the NDIS, on return to the community.

Two recommendations arising from the 2017 Youth Justice Review were directed at meeting the specific needs of young people with disabilities who are in contact with the Youth Justice system. The recommendations relate to improving the capacity of Youth Justice to meet the specific needs of young people with disabilities, including designing a Youth Justice Disability Framework which will embed a systems approach to identifying and meeting the needs of young offenders with disabilities, and ensuring all offender rehabilitation programs are adjusted to enable the participation of young people with disabilities. The Youth Justice Disability Framework is currently under development and will explore key interfaces between the Youth Justice system and other services and programs to facilitate a coordinated and coherent approach to support for young people with disabilities in the justice system.

The Youth Justice service continues to promote coordinated and streamlined services to young people with disabilities involved in the Youth Justice system while they are supervised in custody as well as when they make the transition back into the community.

Mental health issues

It is well understood that young people involved in the Youth Justice system have high rates of mental health issues. This was demonstrated in the annual survey of young people involved with Youth Justice in 2017 which showed that 53 per cent of young people in custody presented with a mental health issue and 30 per cent had a history of self-harm or suicidal ideation. This represents a significant risk factor for young people who come before the Board and highlights the critical need for early assessment and effective treatment of mental health problems to improve recovery, improve life outcomes and reduce the risk of further offending.

The department provides primary health and rehabilitation services for young people in Youth Justice through the Youth Health and Rehabilitation Service (YHARS). This service provides a range of health and rehabilitation services at Parkville and Malmsbury, including medical, nursing, psychiatry, psychological support and health case management services.

There is work being undertaken by the department for recontracting primary health and rehabilitation services due to the expiry of existing contractual arrangements with YHARS in January 2019.

The department is working in collaboration with the Department of Health and Human Services to develop the initiatives announced in the 2017–18 Victorian State Budget that will expand forensic mental health services for young people involved with Youth Justice. This includes establishing:

- the Custodial Forensic Youth Mental Health Service in Youth Justice centres to expand services for young people with mental health issues requiring specialist treatment. This has involved both departments jointly developing the service requirements and working with the preferred service provider to ensure the successful implementation of the service in the second half of 2018.

- the Community Forensic Mental Health Service which is an early intervention problem behaviour program for young people with mental illness and problematic behaviours and will be provided in the North West metropolitan region and Southern metropolitan region from July 2018.
- a dedicated secure two-bed forensic mental health unit for young people detained in Youth Justice centres who require compulsory inpatient treatment. This will be established at the Footscray Hospital as part of a broader capital works program in the Ursula Frayne Centre. A feasibility study and project schedule have been finalised and an operational model of care is being developed by Melbourne Health.

The combined efforts of the department and the Department of Health and Human Services support the delivery of mental health services for young people involved in Youth Justice in the community or for those detained in custody.

Alcohol and drug services

The annual survey of young people involved with Youth Justice in 2017 shows that 58 per cent of young people detained on sentence and remand had a history of both alcohol and drug misuse. This has long term impacts on the health of young people involved in the Youth Justice system. That impact – and the often complex and close relationship between substance misuse and offending – is of ongoing concern.

Alcohol and other drug misuse continues to be a significant factor in the lives of many young people who present to the Board. The annual survey of young people involved with Youth Justice in 2017 also found that a combined total of 82 per cent of young people in custody reported that they had offended while under the influence of either drugs or alcohol, or both drugs and alcohol.

Addressing the harmful use of alcohol and other drugs among young people involved with Youth Justice is essential to improving their health and reducing the likelihood of further offending. It is important that primary health and rehabilitation services for young people are provided within Youth Justice precincts through primary health providers and YHARS. Specialist alcohol and drug assessment, Opioid Substitution Therapy or alcohol and drug treatment for young people assessed as having alcohol and drug addiction concerns are provided. Alcohol and drug programs include harm reduction, relapse prevention for young people on remand, and group programs to address the relationship between drug and alcohol use and offending behaviour for those completing a sentence.

Programs for young people who have sexually offended

The Male Adolescent Program for Positive Sexuality continues to provide assessment and treatment for young people who have committed a sexual offence. Young people's participation in this group program is very useful to Youth Justice parole planning, with clinicians who deliver this program providing specialist advice on treatment issues and dynamic risk factor assessment for young people who have sexually offended.

Programs for young people who have committed violent offences

Young people who have committed violent offences are eligible for violence intervention programs. Where available, the Adolescent Violence Intervention Program aims to reduce the recurrence of violent offending behaviour, and is delivered in both a group setting and individual format.

Young people and family violence

The impact of family violence on children and young people and their family relationships was highlighted in the 2016 Royal Commission into Family Violence (Victoria). The Victorian Government has made a commitment to implement all Royal Commission recommendations and to the breadth of reforms underway to build a stronger, more coordinated system to prevent family violence.

Many young people appearing before the Board are victims of family violence, either directly or as a result of being exposed to family violence during childhood and continuing into adolescence. The Board's observations align with the findings of the Royal Commission into Family Violence, in that the negative effects on victims are profound, often resulting in young people having an increased risk of aggression and criminal behaviour, homelessness, disrupted schooling and unemployment. In addition the Board has observed the correlation between the experience of family violence and complex issues such as substance use, lack of life skills and poor mental health outcomes, including post-traumatic stress disorder and intergenerational effects.

During 2017–18 the Board observed an increase in offences relating to adolescents who commit acts of family violence. This observation is supported by an increase in the number of cases where the special condition requiring young people to abide by the conditions of a family violence intervention order – from 11 in 2016–17 to 13 in 2017–18 – was imposed on a parole order. Parole planning and supervision in the community can be additionally complex where family violence intervention orders exist against young people by their family members and/or partners.

Aboriginal young people

Fifty-two Aboriginal young people came under the jurisdiction of the Board during 2017–18, an increase of six from the previous year (see Table 7).

Table 7: Number of Aboriginal and non-Aboriginal young people who received Youth Residential and Youth Justice centre orders during 2017–18

Type of order	Aboriginal	Non-Aboriginal	Number of young people
Youth Residential centre order	4 (31%)	9	13
Children's Court Youth Justice centre order	32 (16%)	173	205
Higher court Youth Justice centre order	16 (13%)	106	122
Total	**52 (15%)**	**288**	**340**

Source: Department data extracted 11 July 2018

The Koori Youth Justice Program aims to reduce the over-representation of Aboriginal young people in Youth Justice by providing a range of culturally-specific intensive supports to reduce, divert and rehabilitate young Aboriginal people who are at risk of offending.

Aboriginal Liaison Officers support Aboriginal young people in custody at both the Malmsbury and Parkville Youth Justice Precincts to strengthen connections with family, community and assist the Board to understand the complexities of the young person's situation.

The Koori Intensive Support Program provides intensive outreach support to Aboriginal young people on Youth Justice orders as well as those on bail, deferred sentences and those reintegrating with their community after release from custody.

The Koori Early School Leavers Program (Mildura and North Eastern Melbourne) connects young Aboriginal people (aged 10–20 years) with alternative educational, vocational or employment pathways to counteract disconnection from education or employment.

Community-based Koori Youth Justice workers work with Aboriginal young people who are at risk of engaging with the criminal justice system, or who are subject to Youth Justice orders in the community, to assist them to comply with their order and engage in their local and cultural communities. Their work includes strengthening connections with culture, identity and family. Thirteen Aboriginal community-controlled organisations and one community service organisation are funded to deliver this program across Victoria.

The Aboriginal Youth Support Service operates in the Northern Metro and Mallee areas providing early intervention and support for Aboriginal young people in contact with police, or at risk of contact with the justice system, and their families.

Work has commenced on developing an Aboriginal Youth Justice Strategy within the Aboriginal Justice Agreement to address the over-representation of Aboriginal young people in Youth Justice. The Strategy will be developed in partnership with the Aboriginal community and be guided and informed by the Government's overarching policy of furthering Aboriginal self-determination. There is a continued focus on providing more cultural strengthening, Elders in-reach, leadership development and programs for Aboriginal girls. In addition, the department has committed to resource and support the Commissioner for Aboriginal Children and Young People to establish the Koori Youth Justice Task Force for every Aboriginal young person involved in Youth Justice.

Young people from Māori and Pacific Islander backgrounds

The 2017 annual survey of young people involved with Youth Justice showed that 15 per cent of young people detained on remand or under sentence were from Māori or Pacific Islander backgrounds.

Māori and Pacific Islander young people in custody continue to benefit from the support of the two Pasifika cultural workers at both Malmsbury and Parkville Youth Justice precincts. Cultural support workers help young people to address their criminal behaviour by providing counselling and mentoring services, as well as working with community groups to identify connections with appropriate organisations to assist young people following their release.

The Board is advised that the Tu Tane program provided for Maori and Pacific Islander young people in custody commenced during 2017. The Tu Tane program has the objective of sharing Maori culture as a form of therapeutic intervention to at-risk young people during their time in custody.

Young people from African backgrounds

The 2017 annual survey of young people involved with Youth Justice indicated that 19 per cent of young people detained on remand or under sentence were from an African background. Of these, the majority were from South Sudan, followed by a small number from Ethiopia and Somalia respectively.

The department continues to provide Cultural Support Workers across the two custodial precincts to support young people from African backgrounds. The Cultural Workers also provide advice to Youth Justice staff on working with this group of young people and outreach to their communities.

During 2017–18 the Centre for Multicultural Youth commenced a soccer program at both Malmsbury and Parkville Precincts. The program has a cultural focus and aims to develop links with prosocial mentors for the young people who participate. It provides a sporting interest for young people from African backgrounds that can continue after their release from custody and encourages teamwork and positive communication between participants.

Education services for young people in Youth Justice centres

The Board recognises the important role that education plays in the rehabilitation and development of young people who have historically been disengaged from formal education.

Education provided to children and young people in custody recognises the impact of trauma on their lives. Teachers at Parkville College are therefore trained to use a therapeutic approach when teaching in Youth Justice centres. This acknowledges the importance of predictable, supportive relationships with trusted adults for children and young people who may not have experienced these in their lives before custody.

A range of pathways are offered for young people to complete their school education, and these are tailored to each young person's needs. The school supports students through all levels of education, from early primary years, to secondary school, and beyond. The majority of Parkville College students undertake the VCAL (the Victorian Certificate of Applied Learning) however VCE (Victorian Certificate of Education) and tertiary studies are also available. VET (Vocational Education and Training) subjects and units offered at Parkville College are fully accredited through Melbourne Polytechnic.

Parkville College provides a Koori Cultural Education program guided by Elders and delivered by Aboriginal and non-Aboriginal staff from Parkville College. A confident understanding and pride in cultural identity is essential for healthy development and growth for Aboriginal young people.

Monthly education reports capture each student's growth and development. Reports are sent home to a parent, guardian or supportive adult nominated by the student. Reports are also provided to Unit Coordinators in the custodial centres to optimise information transfer between Youth Justice and Parkville College.

Parkville College continues to operate a Flexible Learning Centre. Park Street Flexible Learning Centre (PSFLC) is designed for young people who are, or who have been, involved with the Youth Justice system, both remanded and sentenced, or secure welfare services. Upon release from custody, the PSFLC offers VCAL classes to students who have previously disengaged from education. PSFLC has a focus on literacy, numeracy, personal development and work-related skills.

Employment support services

Jesuit Social Services has delivered the Justice Employment Training Transition Service in Youth Justice precincts since 2017. The Justice Employment Training Transition Service works with Youth Justice custodial and community staff to identify and support young people aged 15 or older who want to enrol in training or move into employment after their release. Jesuit Social Services staff complete a vocational assessment and develop an individualised training and employment transition plan for the young person based on their skills, strengths and aspirations.

In addition to working with young people to improve their chances of gaining employment, the service also works with those who have existing jobs to gain required qualifications to support their ongoing employment.

Jesuit Social Services has a long history of working collaboratively with Youth Justice services, and the Justice Employment Training Transition Service is able to draw on this experience to provide practical outcomes for young people.

Temporary leave

Temporary leave from custody plays an important role in rehabilitating young people serving a custodial sentence.

The Temporary Leave program, subject to extensive risk assessment, provides young people with an opportunity to begin engaging in post-release services such as work experience, education and vocational training. It also supports young people to sustain family relationships – an important aspect of rehabilitation.

Being able to access these services and supports enhances the parole planning process, helps to facilitate a more fluid transition into the community and increases the chances of successfully completing parole.

Post-release support services

Access to appropriate post-release support is a key factor in planning for young people on parole. The Youth Justice Community Support Service (YJCSS) provides individualised intensive support to eligible young people exiting custodial facilities. This service complements the statutory case management and parole supervision provided by Youth Justice.

The department funds community service organisations across Victoria to deliver YJCSS. These organisations provide young people with access to employment, education, training, mental health and drug and alcohol treatment and transitional and housing support services. Lead agencies include Jesuit Social Services, Barwon Child Youth and Family, Brophy Family and Youth Services, Anglicare Victoria, Centacare Ballarat, Salvocare, Quantum Support Services and Mallee Accommodation and Support Services.

The YJCSS works in collaboration with the Youth Justice service to ensure the early identification and referral of young people in custody who will require intensive post-release support, improved exit planning through formalised care teams and outcome-focused support plans. Importantly, the YJCSS may continue to provide support services after statutory Youth Justice orders, including parole, have expired. This continued support is based on the young person's ongoing needs to ensure positive linkages with broader community supports and to reduce the risk of further offending. The service continues to focus on broadening the availability and range of accommodation options available to young people at risk of homelessness upon release, and improving pathways to employment.

The department has extended the hours of after-hours outreach support available through the Youth Justice Community Support Service. This provides access to structured programs and pro-social activities during peak times of offending and is intended to improve compliance with ordered conditions.

Accommodation

The availability of stable accommodation for young people remains one of the most crucial considerations for granting parole to a young person and for their successful transition to the community. There are joint initiatives between Youth Justice and housing services which aim to ensure young people have a stable transition to suitable accommodation upon their release.

The Youth Justice Housing Pathways Initiative component of YJCSS is the primary funded housing model for young people involved with Youth Justice. This program aims to provid accommodation and intensive support in 55 dedicated transitional housing properties across Victoria. In addition, there is a protocol between homelessness services entry points and Youth Justice to strengthen housing pathways for young people exiting custody.

VincentCare's Youth Justice Homelessness Assistance Service continues to work with young people exiting Youth Justice centres by developing early housing pathways before their release from custody, when they cannot access dedicated Youth Justice transitional housing properties.

Dillon House is part of the Next Steps program operated by Jesuit Social Services. It is the only specifically-funded 24-hour supported accommodation accessible by young people involved in the Youth Justice system, and is limited to three beds. This program provides links to training, educational, and employment services, and delivers early intervention and family therapy to prevent homelessness among at-risk young people by strengthening family relationships.

Despite these positive initiatives the demand for stable and suitable housing for young people involved with Youth Justice continues to far exceed the accommodation available. The consequence of a young person not having appropriate accommodation is often multiple deferrals of parole or a parole to less than optimal accommodation arrangements. This can affect a young person's ability to successfully re-engage in the community and desist from recidivist offending behaviours. The Youth Parole Board is highly interested in further work being undertaken to expand the range of suitable housing options available to young people on parole.

The Larry Osborne Scholarship

In 2011 the Board marked 50 years of operation. To commemorate this, the Board established an annual scholarship to encourage innovation and best practice to support young people subject to the Victorian Youth Parole system. Dr Larry Osborne, who served on the Board as an alternate community member for 11 years, proposed the idea of a scholarship in September 2011 before his unexpected death in November 2011. The scholarship is a fitting tribute to his valued contribution to the Youth Parole system.

Applications for the scholarship are open to community Youth Justice staff and those working in Youth Justice centres.

The recipients of the 2017–18 Larry Osborne Youth Parole Board Scholarship, Pascale Oates and Ali Duale, presented the findings of their report – *Enhancing support for African young people on parole* – to the Chairperson and members of the Board on 18 June 2018.

Statistical supplement for the year ended 30 June 2018

Table 8: Releases and cancellations, 2007–08 to 2017–18

Year ending	Releases on parole	Paroles cancelled – compliance	Paroles cancelled – reconviction	Paroles completed	Persons on parole at this date
30 June 2008	235	43	32	105	137
30 June 2009	210	47	26	134	110
30 June 2010	256	44	51	106	111
30 June 2011	240	44	36	103	136
30 June 2012	257	51	36	115	133
30 June 2013	231	48	25	112	126
30 June 2014	195	45	23	102	124
30 June 2015	196	49	22	97	112
30 June 2016	193	51	34	93	94
30 June 2017	201	66	28	74	81
30 June 2018	243	85	27	120	92

Source: Department data extracted 11 July 2018

Comment: As noted in the body of the report, the number of young people released on parole in 2017–18 has increased from the five previous reporting periods. These numbers are high compared with previous years and are attributed to a significant increase in the number of Youth Justice centre orders imposed on young people appearing before all courts during the 2017–18 reporting period (see Table 9). The higher number of Youth Justice centre orders in all sentencing jurisdictions in 2017–18 compared with the previous year appears to have affected releases on parole. Release on parole can depend on sentence length (as young people on orders with a sentence of less than six months are not eligible for release on parole). It is noted that some cancellations were for parole orders issued before the current reporting period.

Table 9: Number of active Youth Justice centre and Youth Residential centre orders, 2005–06 to 2017–18

Year	Children's Court Youth Residential centre	Children's Court Youth Justice centre	Magistrates' and higher courts Youth Justice centre	Total
2005-06	27	214	369	**610**
2006-07	14	246	298	**558**
2007-08	24	264	387	**675**
2008-09	19	337	308	**664**
2009-10	32	358	391	**781**
2010-11	30	356	336	**722**
2011-12	13	299	371	**683**
2012-13	14	206	401	**621**
2013-14	13	193	272	**478**
2014-15	20	193	259	**472**
2015-16	18	308	243	**569**
2016-17	9	340	200	**549**
2017–18	22	405	213	**640**

Source: Department data extracted 11 July 2018

Note: These figures include multiple orders for some individuals.

During 2017–18 the total number of Youth Justice centre orders increased by 17 per cent from the previous year. This is due to a 19 per cent increase of Youth Justice centre orders issued in the Children's court from 340 to 405.

For the same period, there was a 14 per cent increase in Youth Residential centre orders imposed on children aged 10–14 years and a 7 per cent increase in Youth Justice centre orders imposed in the Magistrates' and higher courts.

Table 10: Parole orders issued and parole cancellations by regions during 2017–18

Region	Parole orders issued	Parole orders cancelled
North West Metropolitan	78	31
Southern Metropolitan	68	34
Eastern Metropolitan	28	19
Barwon-South West	19	8
Gippsland	11	4
Grampians	15	8
Hume	11	6
Loddon Mallee	13	2
Total	**243**	**112**

Source: Department data extracted 11 July 2018

Note: Not all cancelled parole orders were issued in 2017–18.

Table 11: Youth Justice centre and Youth Residential centre orders issued by jurisdiction 2017–18

Court	Gender	New admission	Already on custodial sentence	Total
Children's Court: Youth Residential centre	Male	12	5	17
Children's Court: Youth Residential centre	Female	3	2	5
Children's Court: Youth Justice centre	Male	174	184	358
Children's Court: Youth Justice centre	Female	19	6	25
Magistrates' Court	Male	42	121	163
Magistrates' Court	Female	4	3	7
County Court	Male	33	8	41
County Court	Female	2	0	2
County Court of Appeals	Male	15	6	21
County Court of Appeals	Female	0	0	0
Supreme Court	Male	0	0	0
Supreme Court	Female	0	0	0
Interstate order	Male	1	0	1
Interstate order	Female	0	0	0
Subtotal	**Male**	**277**	**324**	**601**
Subtotal	**Female**	**28**	**11**	**39**
Total		**305**	**335**	**640**

Source: Department data extracted 11 July 2018

Table 12: Sentences commenced 1 July 2008 to 30 June 2018 overseen by Youth Justice

Type of order	08-09	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17	17-18
Probation	1,076	1,198	1,127	957	892	811	805	676	495	537
Youth supervision	538	518	527	479	453	359	422	438	454	420
Youth attendance	108	125	115	80	66	85	78	71	94	70
Youth Residential centre	9	12	12	6	9	9	11	8	6	15
Youth Justice centre	269	342	305	317	294	229	214	282	293	290
Total	**2,000**	**2,195**	**2,086**	**1,839**	**1,714**	**1,493**	**1,530**	**1,475**	**1,342**	**1,332**

Source: Department data extracted 11 July 2018

Note: Community-based orders includes young people on multiple orders, if applicable.

Custodial sentences do not include additional concurrent or cumulative orders.

Table 13: Sentences commenced 1 July 2015 to June 30 2018 overseen by Youth Justice (individuals)

Type of order	2015–16	2016–17	2017–18
Probation	473	354	370
Youth supervision	249	260	245
Youth attendance	31	40	38
Youth Residential centre	7	3	11
Youth Justice centre	251	252	297
Interstate custody order	1	2	0
Total	**1,012**	**911**	**961**

Source: Department data extracted 11 July 2018

Note: Young people who received more than one order in the reporting period and/or those with multiple concurrent orders counted once only.

Where a young person received two or more orders in the reporting period, only the highest tariff order is counted.

Of the 297 young people subject to a Youth Justice centre order in 2017–18, 105 were sentenced through the dual-track system and 192 were sentenced as children.

Table 14: Remand orders commenced 1 July 2008 to 30 June 2018

Type of order	08-09	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17	17-18
Youth Residential centre remand	123	133	137	181	158	144	225	214	193	164
Youth Justice centre remand	439	526	467	585	559	601	687	765	876	613
Total	**562**	**659**	**604**	**766**	**717**	**745**	**912**	**979**	**1,069**	**777**

Source: Department data extracted 11 July 2018

Note: Youth Justice centre remands decreased by 263 (30 per cent decrease) in 2017–18. Youth Residential centre remands decreased by 29 (15 per cent decrease).

Table 15: Remand orders commenced from 1 July 2014 to 30 June 2018 (individuals)

Type of order	2014-15	2015-16	2016-17	2017-18
Youth Residential centre remand	84	83	71	68
Youth Justice centre remand	369	401	433	392
Total	**453**	**484**	**504**	**460**

Source: Department data extracted 11 July 2018

Note: Young people who received more than one remand order in the reporting period counted once only.

The number of individuals remanded in a Youth Justice centre decreased by 41 (ten per cent decrease) in 2017–18 compared with the previous year. The number of individuals remanded in a Youth Residential centre decreased by 3 (4 per cent decrease) in 2017–18 from the previous year.

Appendix 1: Visitors to the Youth Parole Board meetings during 2017–18

Julia Griffith, Deputy Secretary, Youth Justice, Department of Justice and Regulation

Robyn White, Specialist Technical Strategic Advisor, Youth Justice, Department of Justice and Regulation

Jodi Henderson, Executive Director, Youth Justice Operations, Department of Justice and Regulation

Jan Noblett, Executive Director, Justice Health, Department of Justice and Regulation

Neil Robertson, Executive Director, Criminal Justice Strategy & Coordination, Department of Justice and Regulation

Tess Mullenger, Director, Community Services, Youth Justice, Department of Justice and Regulation

Sudha Joseph, Director, Youth Justice Policy and Service Design, Department of Justice and Regulation

Dr Kyra Low, Manager, Youth Rehabilitation Programs, Justice Health, Department of Justice and Regulation

Paula Murray, Manager Koori Youth Justice Operations, Department of Justice and Regulation

Shaun Braybrook, Manager, Wulgunggo Ngalu Learning Place

Management and/or staff of:

Anglicare (Bendigo)

BCYF – Reignite (Geelong)

Berry Street (Eaglemont, Gippsland, Southern Region)

Bunjilwarra

B.W.A.Y.S.

Chaplains – Malmsbury Youth Justice and Parkville Youth Justice Precincts

Child Protection (Cheltenham, Footscray, Preston, Gippsland)

Concern Australia

Dillon House

Disability Client Services (Morwell, Ballarat, Dandenong)

Gatehouse – Preston

Jesuit Social Services (Brunswick, Richmond, Wodonga, Preston, Dandenong)

Mackillop Family Services Community Programs (Footscray, Preston, Dandenong)

Multiple and Complex Needs Initiative (Box Hill)

Mission Australia

Next Steps – North West area

Ovens Murray Area Youth Justice (Shepparton, Wodonga)

Parkville College

Perry House

PIVOT (Dandenong)

RAJAC (Dandenong)

Rumbalara

Salvocare (Box Hill, Preston)

Springboard (Ballarat)

Synergy (North Melbourne)

VACCA

VICSEG

Westcare

Wombat Housing (North Melbourne)

Youth Health and Rehabilitation Services

Youth Justice Homeless Assistance (Glenroy)

YSAS (Dandenong)

Students on placement from:

Federation University

University of Melbourne

Deakin University

RMIT