

YOUTH PAROLE BOARD

Annual Report 2019–20





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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. Natalie Hutchins MP
Minister for Youth Justice
Level 26, 121 Exhibition 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 2019 to 30 June 2020 for presentation to Parliament.

The report contains information about:

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

Yours sincerely



Her Honour Judge Claire Quin
Chairperson Youth Parole Board

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CHAIRPERSON'S MESSAGE



My first year as Chairperson of Victoria's Youth Parole Board has been both challenging, particularly with COVID-19 pandemic issues, and rewarding. The transition from Alternate Chair to Chair in July 2019 was well planned and greatly supported by all of those involved with the Board, including its members and importantly, my predecessor Judge Michael Bourke.

Thanks to Murray Robinson, Sonia Mosca, Mishell Warner and the Secretariat

I want to take this opportunity to thank Murray Robinson, Mishell Warner and the members of the Secretariat, Alyssa Moore, Esther Lin and Valentina Spasevski.

Can I add to that list Sonia Mosca who took on Murray's responsibilities for a number of months during the year. There is a great deal of work that goes on both before, between and during meetings. It is necessary for the Secretariat to promptly provide analytical and accurate information to the Board, as well as follow up with different regions the Board's specific queries or requests.

Their task became much more complicated with COVID-19 and the challenges that presented. Within a week, the Secretariat converted the Board's paper-based record system to a fully digital system and established a video platform for the Board to hold its meetings. Through the collective effort, hard work, creativity and patience of them, setting up the digital system ensured no-one's parole was adversely affected by the COVID-19 crisis. With the video platform the Board was able to continue to function and did not miss a meeting.

Those leaving the Board

The shift to a fully digital system to replace the paper-based version, with manual delivery of a large black brief case on a fortnightly basis to each member, coincidentally occurred around the time of the moving on of the "old guard". This year the Youth Parole Board lost over a combined 30 years' service when Judge Bourke, Bernie Geary and Soula Kontomichalos left the Board.

Soula left her position as the Department Member of the Board after a period of 3 years. Drawing from her role as General Manager of a Youth Justice unit in the Community, Soula brought knowledge and expertise in case management and insight into the deleterious impact of trauma on the lives of young people involved with Youth Justice. With great passion, she ensured that the therapeutic needs of young people were considered in parole planning and supervision. She made me feel particularly welcome as a new member and was patient and informative in contributing to my understanding of youth justice and issues relevant to our cohort of young people.

Bernie was previously a member of the Board and together with his most recent time, served a remarkable total of 18 years. His first stint was interrupted by his appointment as Victoria's first Child Safety Commissioner, a position he held for over 10 years. Bernie brought over half a century of experience and expertise in working with disadvantaged young people and their families to the Board. He has worked at all levels in the sector, from an outreach worker in West Heidelberg in the 70s to the CEO of Jesuit Social Services and had expertise in areas relating to youth alcohol, drugs and employment issues.

Despite these impressive career highs, Bernie was always able to quickly strike a rapport with young people and their families. I will miss his incisive analysis and straight-talking. He was particularly helpful to me in understanding the practical needs of many of the young people who appeared before the Board. He would quickly cut to the chase with young people in what he perceived to be the real issues challenging them and relate to them in a personable, authoritative and sometimes humorous manner. He clearly always had the interest of the young person at the forefront of his thinking, and encouraged young people to engage in employment, education or other pro-social activities. He was a member of the school council at Parkville as a representative of the Board, and remains so today, consistent with his interest and commitment to the education of and transition into the community of our young people. I would like to personally thank Bernie for his encouragement, guidance and support since I joined the Board. The Board has lost a wise, well respected and generous member who has made a huge contribution due to his experience and broad knowledge acquired over a significant period of time.

I wish to thank both Soula and Bernie for their warm, friendly and loyal support.

They were replaced by Department members Gavin Green, Tom Wills and Community member Katie Dietrich. Gavin Green and Tom Wills are now the new Departmental members on the Board. Gavin brings his background as a senior lawyer in Legal Aid and youth work. Tom brings practice wisdom from a 30 year career in working at all levels in Community Corrections teams.

Katie is an experienced forensic psychologist, she brings clinical expertise and helps the Board to better understand risk assessments, clinical interventions with young people and interpreting mental health diagnosis and treatment.

I wish to thank all of the Board members who have provided input and advice at various meetings throughout the year. Each of them has brought a broad range of experience and wisdom to discussions and decisions of the Board. I appreciate that each of them have been prepared to be flexible and accommodating, with participation in a growing number of “ad hoc” meetings, that is those held outside the usual fortnight meeting, and quickly adapting to changes in the workings of the Board in this COVID-19 time.

Retirement of Judge Bourke 14 years

Judge Bourke approached me to ascertain my interest in joining the Board more than 2 years ago – it was at the time when Judge Howie had retired as the alternate chair. It was clear that he had the plan for me to ultimately take over as Chair from him, after a time when I had had the opportunity to understand the workings of the Board and some of the issues facing young people in custody and on parole. It quickly became apparent to me the dedication and commitment that Judge Bourke had devoted to the Board and I can only hope that ultimately I will be able to serve as Chair in a similar manner – with confidence, compassion, good humour and care.

Judge Bourke has ensured there is a dedicated parole board for young people who are sentenced in Victoria. He is universally admired for the way he respectfully engages with young people and their families and carefully considers the advice of all professionals who appear at the Board. In his role as Chairperson, he has ensured that all young people leaving custody have the right supervision, have access to services which meet their often-complex needs and are given every opportunity to lead constructive and non-offending lives. He has advocated for improved services, particularly accommodation, and highlighted issues such as the disproportionately high amount of young people who are part of, or are a product of, the state child protection system or belonging to Aboriginal or Maori/Pacifika groups or more recently East African groups. He described his fears in respect of this as a “disturbing development and growth of the youth detention demographic.” The challenge in respect of this issue remains. In respect of most of these groups the numbers have remained consistent, however, in the latter group there are increased numbers.

Some progress has been made as a consequence of initiatives either introduced or encouraged by Judge Bourke. He insisted that an Aboriginal member sit on all matters concerning young Aboriginal people. The Board relies upon the advice from Aunty Marion Hansen and the Aboriginal Youth Justice Unit in helping the Board understand Aboriginal history and culture and that these are critical considerations in their parole planning and decision-making.

Judge Bourke has also encouraged and participated in plans to build on the momentum from forums conducted with the African and Pacific Australian Communities. These were an initiative of Carmel Guerra (AO) who is the CEO of Centre for Multicultural Youth and a community member of the Youth Parole Board. There is an evident need to providing culturally responsive programs for young people from these communities which fosters connection to their communities and develops bespoke programs, particularly transition support and employment. As noted, the challenge remains and I am committed to continuing to finding alternative ways to attempting to reduce the numbers of those belonging to these groups who are disproportionately represented in our system.

At his farewell, the Youth Justice Commissioner spoke of her respect for him, admiring how he not only stood firm during a crisis but also how he stood for what was the right thing to do for young people. She extolled his leadership, his commitment to getting the best outcomes for young people, his grace and integrity and his sense of humour. Judge Bourke will be greatly missed by the Youth Parole Board and those involved in Victorian Youth Justice. He leaves an impressive and enduring legacy.

COVID-19

In the context of the COVID-19 pandemic, which has affected the health and wellbeing of many Victorians and bringing great disruption to the community and business, I have been greatly impressed by the endeavours of the Youth Justice workforce.

There are examples in youth detention centres in other jurisdictions across the world where young people have been locked in their rooms and only have restricted access to education, programs and exercise. Young people in Parkville and Malmsbury have, as much as restrictions have allowed, continued to leave their rooms and participate in critical activities such as school and rehabilitation programs. This continued over an extended period and with more restrictive lockdown measures, where new and significant challenges arose for custodial staff. Their achievement in continuing to run the facilities attests to the organisation skills of those who operate and manage the custodial centres and demonstrates their commitment to ensuring the best for the young people in their care.

Similarly, youth justice case managers and community agencies have continued to support and supervise young people on parole during COVID-19, allowing them to continue with school or work, engage in rehabilitation programs and meet their parole obligations. This continued service delivery in testing circumstances bears testimony to the dedication and ingenuity of the Youth Justice workforce and leadership.

As noted above, the Board has also had to adapt to COVID-19, most significantly through the use of video communications for meetings. The challenge was great given that many had not regularly used this as a medium, and it was the only option if our work was to continue. Issues and frustration with connectivity needed to be overcome. Connections to some regional areas, particularly Malmsbury, originally caused great challenges in conducting meetings in this manner, though fortunately improvements have been made. Matters improved as time progressed, and now, well into the 2nd lockdown period in this state, is working relatively well.

Holding Board meetings in this alternative manner is clearly not the optimal situation and I will continue to review its use. I and other members miss the ability to speak directly and face-to-face with young people and their families and fear that its use compromises the Board's meaningful engagement with young people.

The new legislative provisions in the COVID-19 Omnibus (Emergency Measures) Bill 2020 which allows for the appointment of additional Chairperson for the Board are greatly welcomed and appreciated. The workload of the Board is ever increasing and the need to properly devote the time and attention required for important decisions requires additional manpower. Such is reflected by the increase in the amount of warnings that have been given to young people either on parole or whilst in custody over the last 12 months, which have almost doubled. This proactive involvement of the Board plays a pivotal role in getting a young person "back on track" and reflective of the unique approach required for young people involved in the criminal justice system.

Case management

Now in its second year, the Board have seen continued improvement in the quality of parole planning under the Youth Justice Case Management Framework.

The Board sees best practice in parole planning when it starts early in a young person's sentence and is constructed on the five building blocks of: accommodation; education training and employment; health; substance misuse; and offending programs. Successful engagement in these services is dependent on the case manager's skills in engaging the young person in the planning, and allowing them to take control of their future, and how they see themselves living non-offending lives. Effective plans build on the young person interests and desires in order to develop an alternative future. The Board's review of parole cancellations has highlighted the corrosive impact that disengagement from school or work has on the likelihood of an individual successfully completing parole.

Case management recognises that no one agency has the answers and therefore uses a team approach in coordinating the delivery of the services and holding them to account. All planning is underpinned by a sound risk assessment which acknowledges that risk factors for young people are not discrete variables but are integrally related. For example, a young person will find it difficult to keep a job if they are unable to manage their emotions or problem solve without using threats or violence.

Putting these objectives into practice can be difficult and requires adequate resources so that goals are realistically attainable. The model is based on an assumption that accommodation is suitable and available for young people on parole. Housing remains an issue particularly with limited obtainability of transitional housing for the older cohort, and the suitability and security of placements of some of the younger clients in residential units. This is particularly so for those who are or have been child protection clients and no family options are available for accommodation. Delays or deferral of parole are routinely required when accommodation is not available.

Additionally, there has been a significant increase in the number of young people on remand, a trend which last year decreased, but this year was again on the rise. Many of the young people become eligible for parole not long after their sentence has been imposed because of their pre-sentence detention. The engagement process with programs and relevant assessments are delayed and serves to hinder a young person's involvement with offence specific and other programs. I am uncertain as to the reason for this increase, though suspect that it may be related to changes to the bail legislation and also uplifting from the Children's Court of serious matters. This trend needs to be reversed to ensure that assessments and positive engagement in programs is the main focus for a young person in custody.

The job for youth justice caseworkers is thus made more difficult due to these kinds of issues. The Board values the skills and positivity of the case managers in their difficult work with complex young people. It supports case managers as they endeavour to keep young people focused on their pro-social goals and sustaining them through inevitable issues and relapse episodes. The Board appreciates their frankness and support to young people.

Youth Justice Strategic Plan

In May, I was pleased to be invited to participate in the launch of the ten-year Youth Justice Strategic Plan by the Hon Ben Carroll, the former Minister for Youth Justice. The ten-year Youth Justice Strategic plan has a number of initiatives which will improve the support and supervision of young people as they leave custody to serve parole and live pro-social and constructive lives.

I concur with the Minister's belief that community safety is improved through supporting young people's rehabilitation through access to housing, education, health care, mental health care and a job. I believe that the Board plays an important role in setting that rehabilitation plan, facilitating access to those services and holding the young people and services accountable to that plan.

I endorse the Plan's focus on tailoring rehabilitation plans to the risks, needs and interests of young people and seeks to build on the young person's personal strengths and the supports provided by their family and community.

I also endorse the push to continue to enhance the capacity and skills of case managers, custodial workers and community workers. The commitment of the youth justice workforce is without question. Given the growing complexity of young people involved with Youth Justice, the workforce needs to be skilled and kept abreast of latest practice.

The Board has been impressed by the work of Orygen Youth Health in providing a responsive and high-quality assessment and treatment program for young people with mental health needs in the community. The Annual Survey of young people in custody has highlighted the prevalence of mental health problems for young people with a 20% increase this year. The adequacy of care and treatment of those suffering from mental illness is a significant issue for the whole of the community, but also for our young people, particularly those in custody. The custodial environment is not conducive to related care and treatment of mental health issues, and the challenge for Youth Justice and the Board is to ensure that young people can have access to equivalent services across the State. I appreciate the work done by a number of mental health professionals in attempting to find optimum treatment and services and their commitment to providing the Board with the best advice as to the most appropriate course to adopt however, it is troubling that the options for very unwell young people are limited and that response in a timely way is difficult.

Finally, I wish to thank all of you who have contributed to and supported the youth justice system, both in the community and in custody. With the circumstances of this year, the challenges have been difficult and somewhat unusual. From my observations, you carry out your respective roles with a high level of commitment, professionalism, dedication and care for the young people in the system. I look forward to continuing to work with you and thank you for an excellent year's work.



Her Honour Judge Claire Quin
Chairperson
Youth Parole Board

BOARD MEMBERS

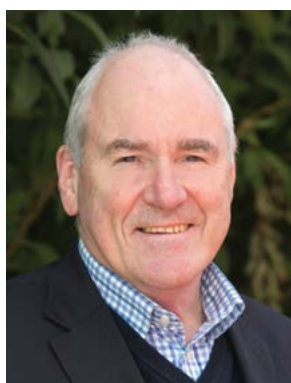


The Youth Parole Board of Victoria.



Chairperson, Her Honour Judge Claire Quin

Judge of the County Court of Victoria. Appointed as alternate chairperson on 1 January 2018. Appointed as chairperson on 1 July 2019.



Alternate Chairperson, His Honour Judge Michael Bourke

Judge of the County Court of Victoria. Appointed as alternate chairperson on 24 October 2006. Appointed as chairperson on 23 November 2007. Appointed as alternate chairperson on 1 July 2019.



Community member, Ms Helen Dimopoulos

Helen Dimopoulos has held management roles at BAYSA / Barwon Youth (now part of the new Barwon Child, Youth and Family) for 18 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, Ms Katie Dietrich

Katie Dietrich is the Senior Psychologist and Community Services Manager at Caraniche Forensic Youth Services. As a registered Psychologist with AHPRA, she has spent the past 16 years working with young people on youth justice orders in the community and custody. In addition to her clinical work, Katie trains Community Correctional Officers, court staff and AOD (Alcohol and Other Drugs) clinicians. Katie is the co-developer and implementer of the Adolescent Violent Intervention Program and is seen as an expert in working with high risk young offenders.



Alternate community member, Ms Carmel Guerra OAM

Carmel Guerra is the founder and Chief Executive Officer of the Centre for Multicultural Youth, the first and largest organisation in Australia to work exclusively with migrant and refugee young people. Carmel has advocated for young people of refugee and migrant backgrounds for over 30 years and she has a longstanding involvement in youth justice and policing issues. Carmel sits on numerous Boards and Committees including the Victorian Police Commissioner's Human Rights Strategic Advisory Committee, the Victorian Children's Council, the SBS Community Advisory Committee and she is the Chairperson of the Multicultural Youth Advocacy Network, the national peak body representing multicultural youth issues in Australia. Carmel was awarded a Medal of the Order of Australia in 2016 and the Victorian Premier's Award for Community harmony in 2015.



Alternate community member, Ms Marion Hansen

Marion Hansen is a Gamilaroi woman from Moree, NSW. Marion moved to Victoria in the early 1970s and has worked in various positions within the Aboriginal community for more than 40 years. In the early 1990's Marion was elected to the Aboriginal and Torres Strait Island Commission, serving four terms, including two terms as Victorian Commissioner. As Commissioner, Marion played an important role in the establishment of the Djirra, formerly known as the Family Violence Prevention Legal Service and Aboriginal Radio Station 3KND. She has been a member of Dandenong & District Aborigines Cooperative for over 40 years. Marion is the current chair of the Djirra and has been the Chair of the Southern Regional Aboriginal Justice Advisory Committee for a number of years. She has been a signatory to all four Aboriginal Justice Agreements. Marion has taken a lead role in advocating for the prevention of family violence in Aboriginal communities. Marion's leadership in this area is well recognised through her representation on key state-wide forums, and other committees.



Departmental Member, Mr Tom Wills PSM

Starting his career as youth worker in the mid-80s Tom Wills has more than 35 years' experience in the Community and Public Sector, working in case management, supervisory, and Senior Management roles. Most of his working life Tom has worked with the vulnerable and disadvantaged with a strong focus on youth and Corrections. In his current role as General Manager Community Services Loddon Mallee Region Tom has oversight of a diverse range of community services including Crime prevention, Dispute settlement, Consumer Affairs, Employment Pathways and Funded programs. Tom was awarded the Public Service Medal in 2009 for outstanding service in enhancing justice services in regional Victoria.



Alternate departmental member, Mr Gavin Green

Gavin Green is an experienced legal professional in the Department of Justice and Community Safety who develops criminal law and youth justice legislation, including the proposed new Youth Justice Act. Gavin has a background in youth work and the community legal sector. He focused on the legal needs of young people through Youthlaw – Young People's Legal Rights Centre and a youth specific legal service at Werribee Legal Service. He practised almost exclusively in criminal law for 15 years, including at the Neighbourhood Justice Centre. Gavin held senior leadership roles at Victoria Legal Aid where he was an accredited criminal law specialist for 10 years.

Farewell to His Honour Judge Michael Bourke



In 2006, Judge Bourke thought it was an honour to be asked by his mentor and the incumbent Chair, the late John Barnett, to be the Alternate Chairperson of the Victorian Youth Parole Board. Due to a convulsion of events however, his tenure in the Alternate role was short lived and he soon found

himself as the Chairperson of the Board in 2007. He was to remain in that role for the next 12 years until being replaced by Judge Quin in 2019.

Judge Bourke chaired the Board solo until Ross Howie joined him as his deputy in 2013. He explained

focus on the young people throughout a challenging period for Youth Justice.

He regards fiercely guarding the independence of the Board and introducing a register which allows victims to have input in setting conditions for young people on parole as the legacy which he will leave for the system. For those who worked with him in his 14 years, however, they will remember him for so much more.

Judge Bourke will be remembered for his commitment to fairness and his careful deliberation before making decisions. Having made his decision, he would then deliver it with his customary sign-off "...there it is". This meant there would be no further discussion. Young people have appreciated the way he relates with them on a personal level – despite the evident power imbalance. They know he is genuine and is interested in their well-being. Their parents too have appreciated being treated with dignity and respect and how he partners with them

Young people have appreciated the way he relates with them on a personal level – despite the evident power imbalance. They know he is genuine and is interested in their well-being.

that he would not have been able to manage this load without the expertise of the Board members and the support of the then Secretary, Colette Crehan.

Judge Bourke takes great pride in Victoria's unique position in having a separate parole board for young people. He believes that the Board meets its mandate in ensuring that the criminogenic and developmental needs of young people are met in an increasingly complex and high-profile criminal justice environment. He attributes the Board's success and survival to the outstanding people who have been appointed as Board members in his time, and the commitment of the people who work in the Community and Custodial Youth Justice systems. He greatly admires how they have continued to

to try and work out what is best for their son or daughter.

The Board members have valued Judge Bourke's insights, his vast knowledge and sense of humour. He has played a steadying role in often tumultuous periods and maintained his infectious optimism and faith in young people and their capacity to turn their lives around.

Judge Bourke described it as an honour to chair the Youth Parole Board for 14 years. Conversely, we have found it an honour and privilege to work with him.

Farewell to Bernie Geary OAM Dr (H.C) M.S.W FIPAA(Vic) JP



Spending 18 years on the Youth Parole Board forms a significant part of Bernie's impressive 50-year cannon of work with some of Victoria's most vulnerable young people and their families. Outside his time on the Board, Bernie held key leadership roles which have improved the lives and futures of many

young people. Bernie was Victoria's first independent Children's Commissioner between 2005 to 2016, the CEO of Jesuit Social Services and foundation board member of the Youth Substance Abuse Service (now the Youth Support and Advocacy Service).

As a highly respected youth worker in the public housing estates of West Heidelberg and Preston, Bernie was invited to be a member of the Board

many young people would thank Bernie for his frank advice and faith in their ability to make the most of their lives. Bernie has always held an indefatigable faith in young people to make change and has a huge confidence in those who work with them.

Bernie is modest and self-effacing when talking of his time on the Board and his work with young people, playing down his impact and skills. However, he is effusive in his praise of his fellow Board members, particularly the Chairs. He calls Judge Cullity one of his heroes, describing him as wise, ethical and often humorous and laying foundations for Victoria's unique parole board for youth. He also admires Judge Bourke for the way he led the Board through its most challenging times and kept the Board aligned to the Cullity model. Bernie also acknowledged the work of the Board Secretariat over his tenure, highlighting their skills, extraordinary commitment and patience.

Bernie believes that the Board and the workers who support parole orders provide the last real chance for each young person to lead a positive and meaningful life. With growing awareness and focus on the behaviour of young people, he retains his

"I reckon young peoples' responses to the world that we adults have given them is amazing. Our responses in Youth Justice have traditionally been to address the complexities, diffuse the anger, and forgive...I am honoured to have served."

in 1987. Bernie's reputation in working with young people on the edge had earned him respect from these communities and respect from the Police, Courts and Youth Justice system.

Bernie brought an enormous presence to the Board. With his trademark no nonsense style, he was able to cut through any hyperbole and help the Board focus on the critical issues facing the young person and their workers. This approach allowed the Board to have meaningful engagement with young people to support their planning for parole and help them reset if things were going awry. Given the chance,

faith in them and their capacity to change and deal with a rapidly changing world; a world he believes is angrier, more complex and less forgiving. He said *"I reckon young peoples' responses to the world that we adults have given them is amazing. Our responses in Youth Justice have traditionally been to address the complexities, diffuse the anger, and forgive...I am honoured to have served."*

GENERAL MANAGER'S REPORT

In 2019–20, the Youth Parole Board considered 2,110 matters during 24 scheduled and 75 'ad hoc' meetings. From those matters, the Board issued 160 parole orders, compared to the 185 which were issued in the previous year. This decrease reflects the continued declining trend in the number of active Youth Justice Centre Orders and Youth Residential Centre Orders in the year. The total number of these orders declined from 424 in 2018–19 to 278 in 2019–20. The declining trend in sentences contrasts with the increase in numbers of remand orders from 946 in 2018–19 to 1,324 in 2019–20.

After signing a parole order and leaving the structured environment of custody, young people are closely supervised by their case manager and supported by specialist community workers. They must continue their rehabilitation programs and are expected to attend school, work or another approved purposeful activity. They must also abide by a raft of conditions which may include attending specialist counselling for mental health and or drug issues. The case managers play a critical role during this period. In 2019–20, 78 young people met their commitment to the Board and completed their parole orders.

During the year, the Board issued 40 warnings and cancelled 83 parole orders. These numbers demonstrate how the Board and Youth Justice case managers work together to monitor and respond decisively to non-compliance with parole order conditions or further offending. The young people who have their orders cancelled are returned to custody to reset and undertake further rehabilitation and treatment. The Board recognises that young people who leave custody benefit from intense support and close supervision of a parole order in helping them to lead constructive and non-offending lives in the community.

In 2018–19, the Board transferred three young persons to prison (in accordance with section 467 of the *Children Youth and Families Act 2005*).

In response to the restrictions imposed by the COVID-19 pandemic, the Youth Parole Board Secretariat took the opportunity to significantly upgrade its record-keeping and report dissemination systems. As a result, the Board has a secure fully digital record-keeping system and now securely distributes reports to Board members in a timely way and which are accessed easily.



Marion Hansen, Helen Dimopoulos and Katie Dietrich.

From early April 2020, all regular Board meetings have been conducted on the audio-visual platform. The young people and their youth justice workers have shown great patience and forbearance as the Board moved from the face-to-face to the virtual. The Secretariat greatly appreciates the support from the department's Technological Solutions team in setting this platform up overnight. In a small number of serious custodial matters, such as warnings and requests to transfer, the Board meets face-to-face with the young people and their workers.

Despite this considerable disruption to normal operations, the Board was provided with comprehensive and accurate reports to make informed decisions and met each fortnight. The Board considered the possibility of parole for each eligible young person according to specified timelines. The industry and creativity of the Secretariat team should be acknowledged for completing this complex project in remarkably short timelines and under pressing circumstances.

The Secretariat is currently enhancing its quality assurance and reporting on its compliance with the Victorian Protective Data Security Standards and has met its obligations under Part 4 of the *Privacy and Data Protection Act 2014* which protects all official information held by the Victorian public sector, including individuals' personal information.

In partnership with one of the Board members, Carmel Guerra, who is also the Chief Executive Officer of the Centre for Multicultural Youth, the Secretariat organised a consultation forum early this year with over 20 members of the Pacifica Australian community. The forum explored the range of issues which impact on the lives of young Pacifica young people who are involved in Youth Justice and provided advice to the Board on how it can be more culturally competent in engaging with young people on parole and drawing strength from families and the wider Pacifica families. The Board will be building on the positives from this engagement once the restrictions from COVID-19 are eased.

The COVID-19 pandemic has also put a temporary hold on the Larry Osbourne Scholarship but is planning to honour Dr Osbourne's legacy by holding a professional development forum for all Youth Justice staff by the end of the year.

The Secretariat acknowledges Judge Bourke who retires after 14 years as the Chairperson of the Board. The Board will miss his support, expertise and wisdom. The Secretariat also farewells Bernie Geary and Soula Kontomichalos and thanks them for their expertise and generosity in their time on the Board. Finally, the Secretariat thanks Mark Oirbans, who has provided data sets to the Board for over a decade and Catherine Cusworth, who performed the roles of Secretary and Coordinator with great diligence and attention to detail. We wish both well in their retirements.

Murray Robinson

General Manager
Youth Parole Board Secretariat

YOUTH PAROLE BOARD OVERVIEW

The Youth Parole Board (the Board) was first established in 1961 by the Social Welfare Act 1960 and now continues under section 442 of the *Children, Youth and Families Act 2005* (the Act).

The Board is made up of a chairperson, who is a Judge of the County Court, two community members and one member representing the Secretary of the Department of Justice and Community Safety. The chairperson and all sitting members have an alternate member who can sit in their absence. As matter of policy, one community member is an Aboriginal person. The Board members are appointed for a period of up to three years and may be re-appointed.

In April 2020, the COVID-19 Omnibus (Emergency Measures) Bill 2020 expanded the eligibility for the Youth Parole Board chair and alternate chairperson to allow more flexibility and capacity to meet the growing operational requirements of the Board. The legislation provides for the appointment of a second alternate chairperson and allows chairpersons to be selected from a broader pool including retired judges, serving, reserve and retired magistrates and experienced lawyers.

Whilst the Board is a statutory body and its independence is important, the Board does not and cannot operate in isolation. The Board plays an integral role in the broader Youth Justice system and seeks to operate in a way that promotes the cohesiveness of that system and collaboration across a range of services.

The Board occupies a unique and privileged position which lends itself to being able to meaningfully inform and contribute to policy discussions about parole. It is important that the Board is kept abreast of and consulted on matters of policy or practice reform and members encouraged to identify, discuss and advocate for any developments that may affect parole.

The purpose of youth parole

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

The Youth Parole Board exercises jurisdiction over all young people sentenced by a court to a period of detention in a Youth Residential Centre or Youth Justice Centre as per sections 462 and 463 of the Act. Section 458 empowers the Youth Parole Board to release, or grant parole to, young people subject to its jurisdiction.

Youth parole allows young people on a Youth Justice Centre Order (15–20 year olds) or Youth Residential Centre Order (10–14 year olds) to serve part of a custodial sentence in the community. Case managers in regional youth justice units supervise young people on parole orders, enabling young people to receive support and assistance through rehabilitation programs and services, which aid transition from detention to the community. Section 453 of the Act stipulates that a parole officer (case manager) is, in relation to a parole order made by the Youth Parole Board, subject to the direction of the Youth Parole Board.

The Board makes decisions within a framework that focuses on the long-term protection of the community through the rehabilitation of young people. The Board's decision-making is informed by the behaviour of the young person in custody and their engagement in evidence-based rehabilitation programs. The risk of earlier supervised release with the re-offending risk of unsupervised release at the end of the sentence, is the prevailing consideration. In that context, the Board's decision-making regarding eligibility for parole takes into account the extent to which the degree of re-offending risk of earlier release on parole can be reduced through supervision and conditions on the order.

While on parole, the young person is still serving their sentence of detention and must formally undertake to comply with the conditions of their parole for the duration of the order. There are, for example, order conditions mandating the young person to attend offending programs or alcohol and drug counselling.

At any time during the parole order, the Board can cancel the order and require the young person to serve the whole of the parole period (including the time that they have been in the community and the time remaining on the sentence) back in detention, under section 460 of the Act.

In carrying out its 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 for the purpose of granting parole; considering requests for transfers; and addressing issues concerning their offending behaviour and behaviour in custody, visa matters and compliance with parole conditions
- receives and considers case histories, summaries of offences, outcomes of risk assessments using validated tools and reports on young people's progress in custody and on parole to assist in their decision-making
- requests and considers special reports and court documents, for example, court transcripts, victim impact statements, school reports, police summaries, psychiatric and psychological reports
- amends, cancels or varies conditions of parole orders
- hears from victims and/or their families, and
- makes decisions about the transfer of young people between a Youth Residential Centre and a Youth Justice Centre and between a Youth Justice Centre and prison, as per sections 464 to 477 of the Act.

The Board may warn a young person who is demonstrating non-compliance or problematic behaviour in a Youth Justice Centre that their behaviour is delaying or even jeopardising their prospects of being granted parole. The Board works with the young person, case manager and custodial worker to promote and encourage behaviour which is consistent with the Youth Justice Centre's expectations. In rare circumstances, where the Board considers that the young person (aged 16 years or more) cannot be effectively managed and is threatening the good order and safe operation of the Youth Justice Centre, the Board may transfer the young person to an adult prison.

Dual track system

In Victoria, section 32 of the *Sentencing Act (1991)* provides that 18–20 year olds convicted of 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 establishes what is commonly referred to as the "dual-track" system. The Youth Parole Board has jurisdiction over both children sentenced in the Children's Court and young people between the ages of 18 and 21 years sentenced in the adult courts to detention in a Youth Justice Centre.

Youth Parole Board Secretariat

The Youth Parole Board Secretariat provides administrative support to the Board. The General Manager maintains oversight of the Secretariat and is responsible for the operations and practice direction of the Secretariat. The General Manager provides critical support to the Board to ensure it is provided with comprehensive and timely information by the Youth Justice service and key stakeholders.

The Secretary of the Youth Parole Board is the conduit between the Board, Youth Justice, community members and external stakeholders. The Secretary analyses information to ensure that critical advice is conveyed to and from the Board to facilitate decision making.



The Youth Parole Board Secretariat.

OPERATIONS AND DECISION MAKING

Youth Parole Board decision-making

The Youth Parole Board generally sits twice each month, typically on a Monday. Usually two boards sit concurrently. Board meetings are generally held at the Parkville Youth Justice Precinct but may also be held at the Malmsbury Youth Justice Precinct. Under COVID-19 restrictions in the last three months, meetings have been held on an audio-visual platform.

In addition to scheduled meetings, the Board also convenes ad hoc meetings 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. In 2019–20, the Board considered 2,210 matters during 24 scheduled and 75 ad hoc meetings.

In making decisions concerning parole, the Board considers each case individually. The Youth Parole Board's decisions are informed by a range of factors, including:

- the interests of, or risk to the community
- the interests of the young person
- comments by the sentencing court
- the age of the young person
- the capacity for parole to assist the young person's rehabilitation
- the nature and circumstances of the offences
- outstanding charges or pending court appearances
- the young person's criminal history
- previous community-based dispositions and compliance
- risk assessments using validated tools
- family and community support networks
- access to appropriate and stable accommodation
- reports from psychologists, psychiatrists, teachers, medical practitioners and other professionals

- submissions made by victims and police informants
- submissions made by the young person, the young person's family, friends and potential employers.

Importantly, the Board will scrutinise: the extent to which young people have progressed towards rehabilitation, their behaviour in custody and participation in youth offending programs. This provides an incentive for young people to actively participate in such programs and to take steps to address factors that underlie their offending behaviour and attitudes.

The parole plan presented to the Board by the case manager 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.

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. Given the restrictions, imposed by the COVID-19 pandemic, young people have been interviewed by the Board on an audio-visual platform.

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. A young person's case manager attends the interview to observe the advice issued by the Board so that it may be reinforced during the parole period. The Board normally welcomes family members or other support people who attend the parole interview with the young person. In COVID-19 times, the case manager has presented to the Board on an audio-visual platform. Unfortunately, it has not been possible for families to attend the Board meetings given the COVID-19 restrictions. Once these restrictions are lifted, the Board will again encourage families to attend the Board meetings to support their children.

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 the confidentiality of Board proceedings. Visitors receive an explanation of how the Board performs its statutory responsibilities and are able to observe its operation. In COVID-19 times, only essential visitors have attended on an audio-visual platform.

Appendix 1 outlines the individuals and agencies that have visited the Board during this year.

Strong Parole Planning

Parole is an integral stage of the rehabilitation of young people leaving custody in Victoria. This stage affords young people with the opportunity to spend the final stages of their sentence in the community under close supervision and with intense support. Case management provides the framework for this stage and is premised on collaborative work with the young person and the agencies involved in their lives. It features a structured process of assessment, planning, intervention and review that determines and responds to a young person's individual risks and criminogenic needs in order to reduce reoffending and improve community safety. Multi-agency collaboration is vital to coordinating key statutory and non-statutory agencies' service delivery to meet the young person's needs.



Tom Wills, Her Honour Judge Quin and Carmel Guerra.

The parole plan (the plan) encapsulates the tenets of the case management model and provides the details of the services, interventions and conditions that inform the Board's decision-making and the scope of the conditions of the resulting Youth Parole Order.

Exit planning needs to start as soon as the young person enters custody. Planning for Youth Parole Orders involves detailed work and uses screening and assessment tools in combination with the Case Plan and interventions to support and guide the development of the parole plan and to manage the young person subject to the Youth Parole Order.

The parole plan is informed by a range of validated assessment tools that identify risk of re-offending, and as well as more broadly, family violence risk (victimisation/use of violence). The parole plan informs the Board about the criminogenic risk/need factors for the young person, in addition to their non-criminogenic needs such as housing and mental health. The plan also describes the young person's previous compliance with supervised orders, and the circumstances involved in their current offences.

The plan provides the Board with information about how the young person is progressing in programs and case management intervention while in custody; and about any incidents or poor behaviour by the young person, either as a participant or victim.

The case manager uses the plan to guide the young person's reintegration and transition from custody into the community. The plan is prepared in close collaboration with other members of the young person's care team who will have a role in the reintegration process.

The parole plan outlines interventions and support for the young person in key areas such as addressing offending behaviour and attitudes, accommodation, education/employment, professional support (counselling), and supervision. The aim is to support the young person as they transition back into the community and reduce the likelihood of reoffending.

The case manager may recommend special conditions for a young person's parole order, intended to reduce the risk of reoffending. These conditions can arise from the young person's offending history, a consideration of victim issues resulting from the offending, or from specialist reports indicating specific problems that are likely to interfere with the young person successfully completing the parole order.

Youth Parole Orders

Mandatory parole conditions

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

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

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

- (h) any other condition the Youth Parole Board considers necessary for the protection of any victim of an offence referred to in subsection(1) (b);

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

Special conditions

As part of the parole planning process, special parole conditions can be recommended and imposed by the Board beyond the standard conditions that attempt to address the risks and needs specific to the young person being proposed for parole.

As per Table 1, in 2019–20 there were 501 special conditions imposed on the 160 parole orders issued during the year. There can be multiple conditions placed on a parole order. A breakdown of the special conditions imposed are listed as per Table 1.



Mishell Warner and His Honour Judge Bourke.

Table 1: Special conditions imposed by the Youth Parole Board during 2019–20

Type of condition	Number of special conditions imposed by the Board
You must attend substance abuse counselling as directed.	80
You must attend psychological counselling as directed.	20
You must attend general counselling as directed.	5
You must reside as and where directed.	46
You must not have contact with an individual as directed.	85
That you do not to attend a geographical location as directed.	79
You must attend a motor vehicle offending program as directed.	6
You must be available for telephone supervision	5
You must attend forensic counselling as directed.	6
You must abide by conditions of intervention order (IVO).	6
You must attend the Adolescent Violence Intervention Program as directed.	4
You must attend Male Adolescent Program for Positive Sexuality counselling as directed.	3
You must attend offence Specific counselling as directed.	36
You must attend a day program as directed.	16
You must abide by a curfew as directed.	2
You must engage in youth offending programs as directed.	22
You must attend offence specific assessments and interventions as directed.	49
That you do not have contact with a co-offender as directed.	15
You must attend mental health treatment / counselling as directed.	8
You must comply with Sex Offender Register conditions.	1
You must not to be in possession of a firearm/weapons.	1
Other.	6
Annual Total	501

Source: Youth Parole Board Secretariat data

Parole orders issued by the Board

On the day set for possible parole, the Board interviews the young person, raises matters relevant to their parole, and also explains and reinforces the conditions of parole. At the end of that parole hearing, the young person signs the parole order indicating that they consent to and understand the conditions of parole. During 2019–20, the Board issued 160 parole orders.

Table 2: Parole orders issued by the Youth Parole Board

	Number of parole orders issued by the Board			
Gender/order type	2016–17	2017–18	2018–19	2019–20
Females – youth parole order	9	16	14	11
Males – youth parole order	192	227	171	149
Annual total	201	243	185	160

Source: Department data extracted 6 July 2020

Active Parole Supervision

Case managers are authorised under section 453 of the *Children, Youth and Families Act 2005* to provide parole supervision for young people upon their release. They are subject to the direction of the Board in relation to its parole orders, but are subject to the direction of the Secretary to the Department of Justice and Community Safety in relation to any other duties and responsibilities they may have.

Case managers 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 co-ordinated response during a young person's sentence.

Along with risk assessment, planning and interventions, parole supervision is an important component part of the case management model. Supervising young people in the community often takes place in a dynamic and complex environment. Young people's circumstances can change regularly, without notice and significantly. Case managers need to ensure that they are constantly reviewing levels of risk and monitoring the impact of interventions on their rehabilitation. They must be prepared to react swiftly and work with the Board to take decisive action such as issuing warnings and cancelling parole orders if risk levels become unacceptable.

Parole supervision includes supporting and assisting the young person on parole to improve their connection to the community through family, accommodation, education, employment and recreation. It also involves direct case work through motivational interviewing and challenging offending attitudes, cognitive distortions and criminogenic beliefs. The role involves monitoring young people's 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 reports to the Board.

Case managers are instrumental in supervising and supporting young people throughout their sentences both in Youth Justice Centres and in the community. Case managers are required to deal with complex issues when young people

are released into the community. A considerable amount of time and effort is put into establishing appropriate 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 case managers to provide services on the ground to support some young people on parole.

During the parole period, the Youth Parole Board receives regular reports from case managers about the progress of young people. The Board sees some of the young people during their parole period to discuss issues that have arisen, to warn them about inadequate compliance, or to acknowledge and reinforce positive progress they have made.

Youth Justice community case managers continue to supervise children and young people on parole orders during the COVID-19 pandemic. To mitigate the risk of transmission of COVID-19, most community-based Youth Justice supervision functions and programs are being conducted virtually using technology. This change came into effect on 26 March 2020. In-person meetings with children or young people may occur by exception, based on identified needs and risks.

Remote supervision involves case managers working from home while engaging and supporting young people to meet their order and address their offending with the assistance of secure technology supplied or authorised by Youth Justice. For young people who do not have access to such technology, Youth Justice has sourced additional secure tablet devices for distribution to them to facilitate their ongoing supervision. The Youth Justice case management model remains consistent although the mode of supervision has changed to mostly remote delivery.

The level of service provided to a young person under Youth Justice supervision continues to be determined by Youth Justice's evidence-based case management framework. In exceptional cases, an in-person meeting with a young person can be authorised. Authorisation is determined on a case by case basis where there is a particular need for personal contact (e.g. if a young person needs assistance attending an appointment that cannot be facilitated remotely through technology).

Warnings issued by the Board

The Board may issue a warning to a young person in custody or on parole, on its own initiative or on request from the Youth Justice Custodial management or youth justice case manager. 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.

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 examined and discussed. The Board emphasises the need to comply with conditions of parole and warns that further breaches can, or will, result in cancellation of parole. Young people have the opportunity to put their case before the Board and are encouraged to work closely with their youth justice case manager.

During 2019–20 the Board issued 40 warnings. The increase in the annual numbers of warnings can be attributed to the focus on risk. Risk is a feature of Victoria's case management model and is a critical part of the supervision of young people on parole in the community. Case managers are continuously monitoring risk levels in complex and dynamic environments. The Board has seen case managers calling upon the Board to support them in reinforcing for young people the need to maintain a non-offending lifestyle and meet the conditions of their parole order, such as to attend rehabilitation programs or drug counselling.

Table 3: Warnings issued by the Youth Parole Board

Year	Warnings issued by the Board
2013–14	35
2014–15	14
2015–16	17
2016–17	23
2017–18	29
2018–19	22
2019–20	40

Source: Youth Parole Board secretariat data

Parole Cancellation

Under section 460 of the *Children Youth and Families Act (2005)*, young people who do not comply with conditions of parole can have their parole cancelled by the Board. The Board considers noncompliance to be a serious matter and often deals with such noncompliance by cancelling parole orders.

The Board considers two types of cancellation:

- by reoffending, and
- by failing to observe conditions of the order, for example, failure to report to their case manager, failure to comply with the special conditions of the order and (more generally) failure to meaningfully engage with parole and its programs.

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 their 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.

A key consideration for the Board in deciding whether to cancel parole is the safety and protection of the community. Accordingly, the Board will cancel parole if the risks of the young person remaining on parole have come to outweigh the benefits of the young person continuing on parole.

The Board will cancel parole where it believes young people are at serious risk of harm to themselves or others and they are unable to maintain themselves in the community without risk of further offending.

Parole cancellations for the period 2019–20

In 2019–20, the Board cancelled 83 parole orders, of which 70 per cent were related to Children's Court sentences and 30 per cent were related to Magistrates' and higher court sentences (see Table 4).

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

Jurisdiction	Number of parole cancellations			
	2016–17	2017–18	2018–19	2019–20
Children's Court sentences	49	59	58	58
Magistrates' Court and Higher court sentences	45	53	35	25
Annual total	94	112	93	83

Source: Department data extracted 6 July 2020

Note: Some cancellations were for parole orders issued prior to the current reporting period.

Some parole cancellations from sentences issued in the Magistrates' and higher courts also had sentences from the Children's Court.

Transfers

Sections 464 to 477 of the *Children, Youth and Families Act 2005* deal with the power of the Board and Adult Parole Board to transfer young people between jurisdictions. Table 6 outlines the transfers issued by the Youth Parole Board in 2019–20.

Table 5: Transfers issued by the Youth Parole Board 2019–20

Provision	Number of transfers issued by the Board			
	2016–17	2017–18	2018–19	2019–20
Transfer from youth residential centre to Youth Justice centre (sections 464 and 465)	1	1	0	0
Transfer from Youth Justice centre to prison (section 467)	4	7	1	3
Young person's request for transfer to prison (section 468)	0	0	0	4
Transfer from Youth Justice centre to Youth Residential centre (section 470)	0	0	0	0
Transfer back to prison after transfer from prison to Youth Justice centre (section 473)	0	0	0	0
Person in Youth Residential centre sentenced to detention in Youth Justice centre or imprisonment (section 474)	0	0	0	0
Person in Youth Justice centre sentenced to imprisonment (section 475)	12	11	14	12
Person in Youth Justice centre sentenced to detention in Youth Residential centre (section 476)	0	0	0	0
Person in prison sentenced to detention in Youth Justice centre (section 477)	0	0	1	0
Annual total	17	19	16	19

Source: Youth Parole Board secretariat data

Young offenders Transfer Review Group

The Youth Parole 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.

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 the conditions of a parole order for a young person. The trauma associated with being a victim, particularly of a violent, personal or intimate offence, does not necessarily dissipate over time. The Board takes the impact on victims of such offending seriously.

The Board's Register of Offenders with Victims identifies young people whose offences have had a particularly adverse impact on their victims who is either known to them or likely to have any contact with them on their re-entry to the community. Based on one or all of these factors, a young person who is considered eligible for parole may be placed on the Register.

The Register is intended to alert the Board of the possible need for victim conditions to be applied to a parole order to mitigate the potential for a victim to be re-traumatised by a young person's reintegration into the community.

There are occasions when the victims or families of victims request to meet and speak with the Board directly. The Board views it as important to meet with victims or their families who make this request and endeavour where possible to accommodate such requests.

The Register allows the Board to apply additional conditions to the young person upon their release on parole. These conditions, in tandem with supervision from the case manager, reduce the risk of further harm to victims when young people re-enter the community.

YOUTH JUSTICE OVERVIEW

Characteristics of young offenders

The results of an annual survey of 173 males and 12 females detained on sentence and remand at the Parkville and Malmsbury Youth Justice precincts on 31 December 2019 are presented in Table 6.

Table 6: Characteristics of young offenders during 2019–20

Characteristic of young offenders	2018/19	2019/20
Had never been subject to a child protection order	64%	58%
Had been subject to a previous child protection order and were subject to a current child protection order	16%	22%
Were previously subject to a child protection order but were not subject to a current child protection order	18%	16%
Were subject to a current child protection order with no previous history of a child protection order	1%	5%
Were victims of abuse, trauma or neglect	67%	71%
Had previously been suspended or expelled from school	68%	68%
Presented with mental health issues	48%	68%
Had a history of self-harm or suicidal ideation	27%	28%
Presented with cognitive difficulties that affect their daily functioning	38%	42%
Were linked with the Forensic Disability Service offered through DHHS	12%	11%
Were accessing NDIS funded disability supports or services	4%	9%
Had a history of alcohol misuse	7%	2%
Had a history of drug misuse	22%	29%
Had a history of both alcohol and drug misuse	54%	56%
Had offended while under the influence of alcohol but not drugs	10%	6%
Had offended while under the influence of drugs but not alcohol	26%	29%
Had offended while under the influence of alcohol, and also while under the influence of drugs	43%	43%
Spoke English as a second language	25%	23%

Further, following completion of the annual survey, it was possible to ascertain the accommodation outcomes of those young people who had participated in the survey and had then been released from custody. Of the young people who had been released from custody, 21 per cent were residing in accommodation other than living with family, relatives or kin, or a residential care or out of home care placement (such as transitional or public housing, refuges or foyers) compared to 24 per cent in 2018/19.

Aboriginal Young People

Under the Aboriginal Justice Agreement, the Department of Justice and Community Safety committed to close the gap in the rate of Aboriginal and non-Aboriginal young people under youth justice supervision by 2031. To be on track to meet the target, Aboriginal Justice Agreement (phase 4), Burra Lotjpa Dunguludja stated that the average daily number of Aboriginal children aged 10–17 years under youth justice supervision in detention and the community needed to be reduced by at least 43 young people by 2023. Progress to date has been promising with reductions in the numbers and rate of Aboriginal young people (10–17 years) under youth justice supervision.

In 2019–20, 31 Aboriginal young people came under the jurisdiction of the Board, a 24.4 per cent reduction from the previous year (41 Aboriginal young people in 2018–19).

Table 7: Number of Aboriginal and non-Aboriginal young people who received Youth Residential and Youth Justice Centre orders during 2019–20

Type of order	Aboriginal	Non-Aboriginal	Number of young people
Youth Residential Centre order	0	3	3
Children's Court Youth Justice Centre order	21	90	111
Higher court Youth Justice Centre order	10	56	66
Total	31	149	180

Source: Department data extracted 6 July 2020

Custodial and Community Programs

Aboriginal young people involved with Youth Justice, are supported through a range of culturally informed programs and initiatives in both community and custody.

All Aboriginal children and young people are allocated an Aboriginal Liaison Officer (ALO) upon admission into custody and receive cultural support throughout the duration of their custodial period and through to transition into the community upon leaving custody. The allocation of a dedicated ALO establishes continuity of care, allowing young people to develop stronger and safer relationships. The ALO also ensures kinship ties for Aboriginal children and young people are maintained. All Aboriginal children and young people are offered the opportunity to complete a Cultural Support Plan which is used to identify kin and country and ways to strengthen connection to culture.

Aboriginal young people in custody are offered a suite of culturally specific supports and programs, to build new, and reinforce existing cultural connections, whilst supporting cultural safety and rehabilitation. This includes the Women's Leadership Program for women led by the Korin Gamadji Institute (KGI), an Art Therapy program, Parkville College's *Maggolee Mang* program, mentoring from Uncle Ron Murray, a dedicated Aboriginal programs room at Malmsbury and dedicated Aboriginal gardens to use culturally safe spaces to celebrate significant dates. Other cultural programs to be implemented in custody are a formalised Elders support program and Connect to Country program.

In community, Aboriginal young people are supported through the Aboriginal Youth Justice Program. The Aboriginal Youth Justice Program is currently delivered through 14 funded agencies with a total of 23 EFT staff. Thirteen of these agencies are Aboriginal Controlled Community Organisations and one is a mainstream community-based agency. The suite of programs provide preventative, early intervention and case management services for Aboriginal children and young people at risk of Youth Justice involvement, or subject to a Youth Justice Order. The program suite includes the Aboriginal Community-Based Youth Justice

Program, Aboriginal Early School Leavers Program, Aboriginal Intensive Support Program, Aboriginal Liaison Officers and a Koori Court Advice Worker.

ALOs work in partnership with the Community Based Aboriginal Youth Justice Program (CBAYJP) worker to ensure culturally appropriate transition support is provided to Aboriginal young people exiting custody settings into community. With the consent of the young person, the ALO will contact their family and maintain communication with them throughout the young person's time in custody.

Youth Through-Care Project

Introduced in 2019, the Youth Through-Care Project is a co-designed initiative funded by the Commonwealth and supported by the Victorian government as a new model to help address underlying factors contributing to re-offending behaviours and better support Aboriginal young people, their families and community to reduce recidivism rates. The Victorian Aboriginal Childcare Agency (VACCA) is the selected service provider for Victoria. Planning, design and consultation to inform the model's development finished in February 2019, implementation of the model to trial and refine design is expected to conclude in December 2020.

The Youth Through Care Program developed by VACCA is an intensive, client centred, holistic, culturally appropriate, trauma-informed program, with a connection to country and family that supports Aboriginal and Torres Strait Islander young peoples aged 10 to 17 years while in custody and exiting detention. The Through Care program has received a positive response from participants and good engagement with young people. The introduction of the Through Care project pilot, as well as the Through Care workers working in partnership with the ALO team at both Youth Justice precincts has improved cultural transition support for young people.

COVID-19 Response

COVID-19 poses serious risks to the Aboriginal community and additional measures have been made to the way Aboriginal children and young people in contact with Youth Justice are being supported during this time. Responses to COVID-19 have also ensured a focus remains on addressing the overrepresentation of Aboriginal children and young people who are at risk of entering or re-entering the justice system.

In custody, arrangements have been put in place to support Aboriginal children and young people's connection to family, community and culture is maintained. All young people have been given additional phone calls and visits from family and community members are facilitated through video link and skype calls. Consideration can be given to face-to-face family visits on a case by case basis in exceptional circumstances.

Aboriginal children and young people have been provided with appropriate resources to keep cultural connection and feelings of safety. This has included issuing possum skins, purchasing culturally appropriate jigsaw puzzles and activities and providing children with cultural journals and seedlings to plant in the garden.

Aboriginal Liaison Officers are continuing to work in both the Parkville and Malmsbury Justice precincts. The Victorian Aboriginal Childcare Agency (VACCA) is providing the Aboriginal Youth Through-Care Project which focusses on the provision of culturally based transition support and continuity of care is continuing to be provided to Aboriginal young people at Parkville.

In community, support has included the allocation of \$10,000 in flexible brokerage to each organisation contracted to provide community-based Youth Justice programs, to provide additional support for young people engaged with Youth Justice services. A COVID-19 factsheet was developed to assist ACCOs and Community-Based Aboriginal Youth Justice Program Workers currently working with Aboriginal young people. Youth Justice partnered with the Koorie Youth Council to develop a series of communication materials to ensure Aboriginal young people receive accessible information within an Aboriginal youth cultural context about the health risks posed by COVID-19 and how to keep themselves, their families, Elders and community safe; and how to access support to keep them on track.

STATISTICAL SUPPLEMENT FOR THE YEAR ENDED 30 JUNE 2020

Table 8: Releases and cancellations, 2008–09 to 2019–20

Year ending	Releases on parole	Paroles cancelled	Paroles completed	Persons on parole at this date
30 June 2009	210	73	134	110
30 June 2010	256	95	106	111
30 June 2011	240	80	103	136
30 June 2012	257	87	115	133
30 June 2013	231	73	112	126
30 June 2014	195	68	102	124
30 June 2015	196	71	97	112
30 June 2016	193	85	93	94
30 June 2017	201	94	74	81
30 June 2018	243	112	120	95
30 June 2019	185	93	112*	75*
30 June 2020	160	83	78	74

Source: Department data extracted 6 July 2020

* The published number in the 2018–19 annual report was 119 at the time of reporting. This number, as well as the adjustment for persons on parole at this date, has been updated to reflect the latest available information.

Table 9: Number of active Youth Justice centre and Youth Residential centre orders, 2006–07 to 2019–20

Year	Children's Court Youth Residential Centre	Children's Court Youth Justice Centre	Magistrates' and higher courts Youth Justice Centre	Total
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
2018–19	15	295	114	424
2019–20	5	197	76	278

Source: Department data extracted 6 July 2020

Note: These figures include multiple orders for some individuals.

Table 10: Parole orders issued and parole cancellations by regions during 2019–20

Region	Parole orders issued	Parole orders cancelled
North West Metropolitan	58	32
Southern Metropolitan	45	28
Eastern Metropolitan	11	4
Barwon-South West	16	8
Gippsland	8	3
Grampians	12	6
Hume	6	1
Loddon Mallee	4	1
Total	160	83

Source: Department data extracted 6 July 2020

Table 11: Youth Justice centre and Youth Residential centre orders issued by jurisdiction 2019–20

Court	Gender	New admission	Already on custodial sentence	Total
Children's Court: Youth Residential Centre	Male	2	3	5
Children's Court: Youth Residential Centre	Female	0	0	0
Children's Court: Youth Justice Centre	Male	88	85	173
Children's Court: Youth Justice Centre	Female	9	7	16
Magistrates' Court	Male	15	18	33
Magistrates' Court	Female	1	0	1
County Court	Male	38	3	41
County Court	Female	0	0	0
County Court of Appeals	Male	3	3	6
County Court of Appeals	Female	0	0	0
Supreme Court	Male	3	0	3
Supreme Court	Female	0	0	0
Subtotal	Male	149	112	261
Subtotal	Female	10	7	17
Total		159	119	278

Source: Department data extracted 6 July 2020

Table 12: Sentences commenced 1 July 2009 to 30 June 2020 overseen by Youth Justice

Type of order	09–10	10–11	11–12	12–13	13–14	14–15	15–16	16–17	17–18	18–19	19–20
Probation	1,198	1,127	957	892	811	805	676	495	537	465	358
Youth supervision	518	527	479	453	359	422	438	454	420	362	310
Youth attendance	125	115	80	66	85	78	71	94	70	58	59
Youth control	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	20	4
Youth Residential Centre	12	12	6	9	9	11	8	6	15	9	2
Youth Justice Centre	342	305	317	294	229	214	282	293	290	196	157
Total	2,195	2,086	1,839	1,714	1,493	1,530	1,475	1,342	1,332	1,110	890

Source: Department data extracted 6 July 2020

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

Custodial sentences do not include additional concurrent or cumulative orders.

N/A* - note that Youth control order data was only available from late 2018

Table 13: Sentences commenced 1 July 2016 to 30 June 2020 overseen by Youth Justice (individuals)

Type of order	2016–17	2017–18	2018–19	2019–20
Probation	354	370	335	241
Youth supervision	260	245	220	198
Youth attendance	40	38	28	29
Youth control	N/A*	N/A*	10	2
Youth Residential Centre	3	11	3	1
Youth Justice Centre	252	297	172	141
Interstate custody order	2	0	2	0
Total	911	961	770	612

Source: Department data extracted 6 July 2020

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.

Table 14: Remand orders commenced 1 July 2009 to 30 June 2020

Type of order	09–10	10–11	11–12	12–13	13–14	14–15	15–16	16–17	17–18	18–19	19–20
Youth Residential Centre remand	133	137	181	158	144	225	214	193	164	181	279
Youth Justice Centre remand	526	467	585	559	601	687	765	876	613	765	1045
Total	659	604	766	717	745	912	979	1069	777	946	1324

Source: Department data extracted 6 July 2020

Table 15: Remand orders commenced from 1 July 2015 to 30 June 2020 (individuals)

Type of order	2015–16	2016–17	2017–18	2018–19	2019–20
Youth Residential Centre remand	83	71	68	96	113
Youth Justice Centre remand	401	433	392	429	473
Total	484	504	460	525	586

Source: Department data extracted 6 July 2020

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

APPENDIX 1: VISITORS TO THE YOUTH PAROLE BOARD MEETINGS DURING 2019–20

Management and/or staff of:

Aboriginal Support Worker
 Aboriginal Liaison Officer
 Aboriginal Youth Justice Supervision
 Anglicare
 Barwon Area Youth Justice (Geelong)
 Barwon Child, Youth & Family (Geelong)
 Barwon South West Youth Justice (Warrnambool)
 Berry Street (Ballarat)
 Caraniche
 Chaplains – Malmsbury Youth Justice and Parkville Youth Justice Precincts
 Child Protection
 Children Youth and Family Services (Ballarat)
 Commission for Children and Young People
 Community Engagement Officers (Dandenong)
 DET (Footscray)
 DHHS (Preston)
 Gippsland Region Youth Justice (Morwell)
 Grampians Region Youth Justice (Ballarat, Horsham)
 Hume Region Youth Justice (Shepparton, Wangaratta, Wodonga)
 Jesuit Social Services – The Brosnan Centre
 JETTS (Brunswick)
 Loddon Mallee Region Youth Justice (Bendigo)
 Malmsbury Youth Justice Precinct
 Mission Australia (North Melbourne)
 NDIS (Central Victoria)
 North West Area Youth Justice (Broadmeadows, Brunswick, Fitzroy, Footscray, Preston, Sunshine, Werribee)
 Orygen Youth Health (Psychiatrist)
 Parkville College (Collingwood, Malmsbury, Parkville)
 Parkville Youth Justice Precinct
 Perry House
 PIVOT (Dandenong)
 Reignite (Geelong)
 South East Area Youth Justice (Box Hill, Frankston, Ringwood)

Southern Melbourne Area Youth Justice (Dandenong)
 Victoria Police
 Victorian Aboriginal Child Care Agency (VACCA) (Multisystemic therapist, Preston)
 Vincent Care – Youth Justice Homelessness Assistance
 Youth Justice Community Support Services
 Youth Support Advocacy Service (Dandenong)

Students on placement from:

Deakin
 RMIT
 Swinburne



