

Youth Parole Board Annual Report 2016–17

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Youth Parole Board Annual Report 2016–17



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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

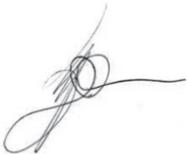
Dear Minister

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 2016 to 30 June 2017 for presentation to Parliament.

The report contains information about:

- 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
- the operation and activities of the Board and of youth parole officers generally during the 12-month period.

Yours sincerely



His Honour Judge Michael Bourke
Chairperson Youth Parole Board



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2016–17 highlights

The Larry Osborne Scholarship

In 2011 the Youth Parole 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 Youth Parole 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, staff working in youth justice centres and staff from the Youth Justice Community Support Service.

Congratulations to Teegan Rolfe, Emma Mitchell and Bridget McGeoch from the South East Metropolitan Region youth justice team on their completed project for the 2016–17 Larry Osborne Youth Parole Board Scholarship on *Youth gangs and the youth justice system*.

On 28 July 2017, His Honour Judge Michael Bourke, chairperson of the Youth Parole Board, presented the 2017–18 Larry Osborne Youth Parole Board Scholarship to Pascale Oates and Ali Duale from youth justice custodial services. Their proposed report on *Enhancing support for African young people on parole* will be completed in June 2018 and is expected to inform youth justice case practice, policy and program development in relation to this important issue.

A Youth Parole Board Scholarship Steering Committee formally oversees the acceptance and implementation of the recommendations of the scholarship reports.



From left: Pascale Oates, Ali Duale and His Honour Judge Michael Bourke.



Operations

- In 2016–17 the number of youth residential and youth justice centre orders issued decreased by four per cent compared with the previous year.
- During 2016–17 the Youth Parole Board considered 2,650 matters during 24 scheduled and 41 ad hoc meetings.
- The Youth Parole Board issued 201 parole orders compared with 193 the previous year.
- The Youth Parole Board gave formal warnings to 23 young people concerning unsatisfactory behaviour in custody or on parole.
- The Youth Parole Board cancelled 94 parole orders – 28 for reoffending and 66 for failure to comply with parole conditions.
- The Youth Parole Board transferred four young adults to prison (in accordance with s. 467 of the *Children, Youth and Families Act 2005*).
- The Adult Parole Board transferred four young adults from prison to a youth justice centre (in accordance with s. 471 of the *Children Youth and Families Act*).
- There were 74 parole orders successfully completed during 2016–17 (some parole orders issued in 2016–17 remain current).

Systemic changes to the youth justice system

On 6 February 2017 the Victorian Government announced reforms to the youth justice system. These included:

- moving the responsibility for the youth justice system from the Department of Health and Human Services to the Department of Justice and Regulation, effective from 3 April 2017
- providing specialist staff from Corrections Victoria to help maintain safety and security in youth justice centres
- building a \$288 million fit-for-purpose, high-security youth justice centre in Wyndham, to be completed by the end of 2020.

Youth Justice operates as a separate division within the Department of Justice and Regulation under the *Children, Youth and Families Act*. This structure provides increased accountability and executive oversight of the youth justice system. A Deputy Secretary, Youth Justice, who is responsible for all aspects of the system, leads the division. The Victorian Government recently introduced the *Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017* into Parliament to strengthen the youth justice system.

The Minister for Families and Children has commissioned a number of independent reviews. The Youth Parole Board expects these reviews and their consolidated recommendations will help youth justice to move forward and to make improvements that allow for a safer, more secure environment that optimises rehabilitation opportunities for children and young people.

The Youth Parole Board supports Victoria remaining committed to achieving rehabilitative outcomes for children and young people, with strong and transparent oversight of the youth justice system.



Youth Justice Review and Strategy: Meeting needs and reducing offending

The 'Youth Justice Review and Strategy: Meeting needs and reducing offending', conducted by Penny Armytage and Professor James Ogloff, marks the first attempt at systematic reform of youth justice services since 2000.

The Youth Justice Review and Strategy provides an opportunity to redesign the system to create an evidence-based response to youth offending and youth crime that is reflective of the needs and attitudes of young people and the broader community. The Youth Justice Review and Strategy recognises that there is a small and complex group of young people who require a concerted multidisciplinary approach.

The objectives of the Youth Justice Review were to:

- create an overarching policy framework for developing a contemporary youth justice system and accompanying service delivery model
- understand the needs of cohorts of young people, and segments of young offenders, that are particularly vulnerable to exploitation and at high risk of involvement with the youth justice system
- deliver a strategy to enhance and position the department's youth support, youth diversion and youth justice services to respond to the needs of vulnerable cohorts into the future.

The Youth Justice Review and Strategy provides several recommendations that will inform programmatic changes for the future youth justice service. The Youth Justice Review and Strategy was released in August 2017, and the Victorian Government has accepted or accepted in principle all its recommendations. The Department of Justice and Regulation, in collaboration with other relevant government departments and key stakeholders, will progress the implementation of the recommendations.

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 with responsibility 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 statewide committees focusing on community safety, education, drug and alcohol and homelessness services.



Community member, Dr Bernie Geary (AO), 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 in the service system 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 strong knowledge of the relevant policy and practice settings and extensive experience with the case planning and case management of complex young people, who can often have many support needs and 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.



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 Aboriginal young 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 South 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.

Youth Parole Board secretariat

Role	Details
Secretary	Sally Norton Kyling Dorsett , Acting Secretary, 7 September 2016 to 4 October 2016 Anna Vitacca , Acting Secretary, 29 December 2016 to 10 January 2017 and 29 May 2017 to 20 June 2017
Administrative Coordinator	Catherine Cusworth
Administrative Assistants	Alyssa Moore Tahlia Belcher , 1 July 2016 to 29 July 2016 Alex Crocker , 12 August 2016 to 30 June 2017

Address

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From left: Alyssa Moore, Alex Crocker, Sally Norton and Catherine Cusworth.

Chairperson's message



There were only two permanent changes to our personnel during this financial year. Talia Belcher left the secretariat early in the year to go to Court Services. She is also studying for a law degree. We thank her and wish her the very best.

Bernie Geary joined the Board as community member in August 2016. Bernie can be classified as an 'aged recruit'. He served on the Board from 1987 to 2005. It is great to have him with us. We all know him well and know his important contribution to children and young people over very many years. Bernie has also replaced Vic Gordon on the Parkville College Board.

I again thank Sally Norton and the secretariat (Catherine Cusworth, Alyssa Moore and Alex Crocker). As I have said before, there is a lot to do, both at and between meetings. There is a need to produce a great deal of varied material, information and data, which must be accurate and complete. There is also a need to respond quickly and competently to developments between meetings. All of this is done remarkably well.

I also thank those who at different times ably replaced Sally when she was away – Anna Vitacca and Kyling Dorsett.

It does not need to be said that this was a year of difficulty, serious developing challenges and scrutiny of the youth justice system.

This has included the following.

- (1) The continuing development of serious, concerning offending by what is a small but also an active part of Victoria's youth. The offending and offenders have become a focus of public attention and concern, understandably so.
- (2) During the year there were a number of serious incidents within custodial centres. Four were particularly serious – in October and November of 2016 and in January of 2017. (I make the point that less than 10 per cent of those involved were young people sentenced under the adult/dual-track system.)
- (3) There were several responses:
 - (i) The temporary establishment and gazetting of part of Barwon Prison as a youth justice centre. I visited that in its early stages in December 2016.
 - (ii) Proposed reform to parts of the youth justice and custodial system. Several reforms will affect the Youth Parole Board. The extent of that is of course not yet clear.
 - (iii) There has been departmental change, in that youth justice has become included into the Department of Justice and Regulation, although, as I best understand, remaining a separate and, to an extent, autonomous part.
 - (iv) There has been an inquiry into youth justice centres by the Victorian Parliament's Standing Committee on Legal and Social Issues. Bernie Geary and I gave evidence before that committee in March of this year. The report is pending.



Of course, and of high importance, there is also the broad review into youth justice by Penny Armytage and Professor James Ogloff, which was established and running prior to this financial year. As I understand, that report has been presented to government. I, and no doubt others who contributed, look forward to reading the review's findings when made available.

Accordingly, much has happened during 2016–17. Our system faces challenges.

Commentary by me as to all of it is not possible; nor as to some matters do I have the knowledge or expertise. However, I do seek to make some observations upon what I see as important developments within our system and future challenges, perhaps not focussed upon as much as other aspects.

There has been offending of growing seriousness, albeit limited to smaller numbers than the nature of some media coverage conveys. There were very serious incidents at custodial centres. (For example, the Board became very aware of the impact upon staff and management who appeared before it.)

These things must be addressed. Further, it is a political inevitability, and community expectation, that there be immediate or short-term measures. Some have, to my mind, been good. For example, the problem of court delays, difficulties in respect of bail and therefore long remand periods is being addressed. There is no doubt but that long periods of remand (up to and beyond 250 and 300 days) were a major originating cause of problems which came to be within custody.

However, it appears to me that the response and public discussion has been without sufficient reference to serious long-term factors and the now urgent need for action directed at those long-term factors.

A serious, really the primary example is the developing demographic in youth justice. This Annual Report indicates that now well over 40 per cent of those detained or on parole come from three groups: Aboriginal young people, Māori and Pacific Islander young people and young people from East Africa (mainly from the Sudan).

This is a glaring over-representation. Further, as to the first two groups, that over-representation or growth towards it has been present throughout my 10 years at the Board. There is an imminent risk of it becoming entrenched.

This should also be part of the equation. Those with present or past child protection involvement amount to almost 40 per cent of the detention and parole population. (The figures this year are in a different format. I am glad to see some reduction. There has been a consistent rise in my time.)

Self-evidently there is, or must be, overlap between those three cultural groups and child protection numbers. For example, I see a striking pattern of Aboriginal child protection clients detained at the very young end of the detention system. They often return on further sentences. However, it is my experience that, across the three groups, and particularly the other two, there is less overlap (that is, fewer child protection clients) than might be presumed.

Accordingly, it must be recognised, and confronted, that likely well over 50 per cent of the young people detained in our system come from those parts of our community which are disadvantaged, dislocated and often excluded.

There is a further context to this. Broadly viewed, the number of children (10–17 years) who have come before the courts has markedly dropped in the last decade. That decline is as much as 50 per cent according to Sentencing Advisory Council analysis. (I would note that figures in detention, as opposed to the broader picture, have not fallen nearly as much. They have perhaps fallen to some extent but are relatively consistent.)



That broad decline states, perhaps emphatically, the general benefit of the policy of diversion of youth offenders in the Victorian system. However, I see, as to 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 risk of an entrenched underclass within our young which feels no connection or aspiration to being part of a functional and hopeful community.

Other characteristics of the youth detention demographic are in line with this. Seventy-one per cent have been victims of abuse, trauma or neglect. Fifty-six per cent have been expelled or suspended from school. Twenty-two per cent have a history of self-harm or suicidal ideation. Twenty-six per cent present with issues concerning their intellectual functioning. Thirty-four per cent have a history of parental or sibling imprisonment. Thirteen per cent were homeless prior to custody. Such features have been consistent or growing in my time at the Board. This is disturbing.

Accordingly, there are important *long-term* challenges. For example, there needs to be an organised proactive system better outreaching to the three communities I have identified. There are leaders and people within them who are knowledgeable, respected and have insight into the problems affecting their young people. Our system needs to work hard to engage with and listen to them. I would like to see a structure whereby skilled, informed people within the department work permanently on this.

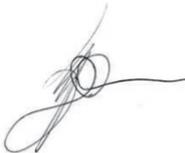
It is also disappointing that the issues I have raised have not become a more prominent part of the public discussion. There has not been a complete picture. I think it is very likely, if given that, the community would want solutions not just public condemnation, condemnation of young people, many of whom already feel excluded.

I think for example that the community would strongly support a well-resourced and structured child protection system aimed at removing the now apparent pathway from deprived, damaging childhood to offending and detention. It is not just a matter of criticising the present system.

I thank all of you for the year's work, youth justice and custodial managers and workers, also the government and non-government agencies that support so well the system.

As I have said, it has been a difficult year. This applies particularly to those in the custodial centres. Custodial managers and staff who come before the Board present to us as decent, insightful people, who care deeply about the young people under their care. To our eye you have maintained that in a very admirable way. We highly value your contribution.

Thank you all for an excellent year's work.



His Honour Judge Michael Bourke

Chairperson
Youth Parole Board

Note: Since the Chairperson's message the Youth Justice Review and Strategy: Meeting needs and reducing offending has been released.

Secretary's report



I would like to thank the secretariat team for providing administrative support to the Youth Parole Board and myself. I am proud of the work they do, which is integral to the effective and efficient operation of the youth parole system.

I appreciate the learnings I take from each member of the Youth Parole Board every year. I continually learn from Judge Bourke's expertise and balanced opinions. His support has been invaluable this year and very much appreciated. Judge Howie, Helen Dimopoulos, Bernie Geary, Andrew Higgs, Soula Kontomichalos, Yvonne Luke and Carmel Guerra are experts in their fields and I am thankful for their advice and experience.

Earlier this year, I took on the portfolio for the Larry Osborne Youth Parole Board Scholarship. This is an exciting development that will enable the Board to become closer to the scholarship and maintain a connection to all developments.

The Victim Register continues to be a valuable tool for the Board in managing the prospect of a victim being affected by a child or young person's parole into the community. In doing so, the register attempts 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. The register and its guidelines are constantly being refined and finessed. It is a complex piece of work. I would like to thank the members of Victoria Police who are critical to the effective operation of the register.

Thank you to everyone who has worked within the youth parole system over the past year.

A handwritten signature in black ink, which appears to read 'Sally Norton'. The signature is written in a cursive style and is positioned above the printed name.

Sally Norton

Secretary
Youth Parole Board



Introduction

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.

Objectives of parole

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.

Functions of the Board

The Youth Parole 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 concerning eligibility for and release on parole of young people sentenced to detention
- making decisions concerning 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 Youth Parole 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 concerning transfers between youth justice centres and transfers to 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.



Meetings of the Board

The Youth Parole Board generally meets twice each month on a Monday. In 2016–17, 24 scheduled Board meetings were held. In addition to scheduled meetings, ad hoc meetings are held to formally warn young people in relation to unsatisfactory compliance with parole conditions or unsatisfactory behaviour in custody. Ad hoc meetings may also be held to consider reports from the Department of Justice and Regulation regarding urgent cancellations or transfers of young people to prison. In 2016–17 the Youth Parole Board conducted 41 ad hoc meetings that dealt with 57 matters.

During 2016–17 the Youth Parole Board considered 2,650 matters during 65 scheduled and ad hoc meetings.

The Youth Parole Board uses the Parkville Youth Justice Precinct as a base for its meetings. On occasion, it may also hold meetings at the Malmsbury Youth Justice Precinct.

Prior to Youth Parole 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 Youth Parole Board also considers the victim register prior to making special conditions on parole orders.

The Youth Parole Board strongly support youth justice and other staff who work closely with young people to attend Board meetings to provide information and recommendations to the Board, where required.

The Youth Parole 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 Youth Parole Board so that it may be reinforced during the parole period.

The Youth Parole Board is always pleased to have family members or other support people attend the parole interview with the young person.

Visitors

The Youth Parole Board welcomes visitors with a special interest in youth justice at its meetings. The Youth Parole Board requires all approved visitors to adhere to procedures regarding confidentiality of Board proceedings. Visitors receive an explanation of how the Youth Parole 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 Youth Parole Board during this year.



Parole orders issued by the Board

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

The Youth Parole 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 Youth Parole Board also considers requests put forward by the young people themselves.

Factors considered by the Youth Parole 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 Youth Parole 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 Youth Parole 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 Youth Parole Board interviews each young person and explains the conditions of their parole. In addition to the core conditions, there were 455 special conditions placed on parole orders in 2016–17 (see Table 1) compared with 346 in 2015–16.

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 Youth Parole Board directed the issue of 201 parole orders during the period, which is eight more than the previous year (193).

Table 1: Parole orders issued by the Youth Parole Board

Gender/order type	Number of parole orders issued by the Board		
	2014–15	2015–16	2016–17
Females – youth parole order	15	11	9
Males – youth parole order	177	182	192
Females – youth residential parole order	0	–*	–*
Males – youth residential parole order	4	–*	–*
Annual total	196	193	201

Source: Department data extracted 13 July 2017

* In 2014 a number of amendments made to the Children, Youth and Families Act provided for the amalgamation of the Youth Residential Board and the Youth Parole Board. Therefore all orders issued by the Board are youth parole orders. There is no longer a separate youth residential parole order issued. When young people aged 10–14 years sentenced to a youth residential centre order are released on parole, they are issued with a youth parole order.

Warnings issued by the Board

Warnings from the Youth Parole 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 2016–17 the Youth Parole Board interviewed 23 young people (23 males and no females) 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 Youth Parole 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 Youth Parole Board and are encouraged to work closely with their youth justice parole officer. The Youth Parole Board emphasises the need to comply with conditions of parole and warns that further breaches can result in cancellation of parole.

The Youth Parole Board also interviewed young people about other issues such as aspects of their release plan, requests for transfers and issues concerning their offending behaviour and behaviour in custody.

Table 2: Warnings issued by the Youth Parole Board

Year	Warnings issued by the Board
2011–12	43
2012–13	31
2013–14	35
2014–15	14
2015–16	17
2016–17	23

Source: Youth Parole Board secretariat data



Cancellation of parole

The Youth Parole Board considers parole breaches to be a serious matter and often deals with such breaches by cancelling parole orders.

The Youth Parole Board considers two types of breach:

- breach by reoffending, resulting in conviction and sentence (reconviction)
- breach by failing to observe 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 s. 460 of the *Children, Youth and Families Act*, young people who breach 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 Youth Parole 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 Youth Parole Board takes into account the nature of the breach and the young person's response to parole supervision.

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

The Youth Parole 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 Youth Parole Board's actions in these circumstances.

Cancellations by the Board for the period 2016–17

The Youth Parole Board cancelled 94 parole orders, of which 49 were subject to Children's Court sentences and 45 were subject to Magistrates' and higher court sentences (see Table 3). The rate of parole cancellations has previously been significantly higher for the younger age group. However, the rate of parole cancellations for this financial year is similar for both those sentenced in the Children's Court and Magistrates' and higher courts. Fifty-two per cent of young people on Children's Court orders had their parole order cancelled compared with 48 per cent for those on Magistrates' and higher court sentences.

The difference in parole cancellation rates between young people subject to a youth justice centre order imposed through the Children's Court and those who had been sentenced in Magistrates' and higher courts through the dual-track system is an established trend. These outcomes illustrate young people's maturation as they progress towards adulthood and are in line with the principles underpinning the youth justice service, being that young people require different treatment from adult offenders due to their lack of maturity, propensity to take risks, susceptibility to peer influence, undeveloped consequential thinking and, importantly, their capacity to be rehabilitated.

There were fewer parole cancellations for offending (28) than for failure to comply with conditions of parole (66) (see Table 4).



As in past years, in 2016–17 a large percentage of young people whose parole orders were cancelled had serious substance misuse problems. The abuse of alcohol and drugs remains a serious concern of the Youth Parole Board, primarily due to its impact on the offending behaviour of young people but also because of the effect it has on their health and general wellbeing.

In some cases, the Youth Parole Board cancelled parole where it believed the young person was at serious risk of harm to themselves and others and unable to maintain themselves in the community without further offending.

Table 3: Parole cancellations issued by the Youth Parole Board for Children’s Court, Magistrates’ and higher court sentences

Jurisdiction	Number of parole cancellations		
	2014–15	2015–16	2016–17
Children’s Court sentences	38	53	49
Magistrates’ Court and Higher court sentences	33	32	45
Annual total	71	85	94

Source: Department data extracted 13 July 2017

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 court also had sentences from the Children’s Court.

Table 4: Reasons for parole cancellations issued by the Youth Parole Board

Reason	Number of parole cancellations		
	2014–15	2015–16	2016–17
Reconviction	22	34	28
Failing to comply with conditions	49	51	66
Annual total	71	85	94

Source: Department data extracted 13 July 2017

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 court also had sentences from the Children’s Court.



Parole plan

The parole plan is a report describing the current status and post-release plans of young people about to be paroled. The parole plan is prepared by the Department of Justice and Regulation's community youth justice service parole officer in consultation with the young person, youth justice centre staff and significant others. Parole plans are developed in the context of the young person's client service plan. Assessment is based on interviews with 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 managing the risk of reoffending, accommodation, education/employment, professional support (counselling), supervision and compliance with special conditions.

The officer submitting the parole plan, youth justice centre staff and/or specialist support staff can recommend special conditions. These conditions can arise from the offending history or from reports indicating specific problems that are likely to interfere with successfully completing the parole order.

In 2016–17 there were 455 special conditions imposed on a proportion of the 201 parole orders issued. There can be multiple conditions placed on a parole order.

Many young people being released on parole have a background of illicit drug use. The Youth Parole Board encourages young people to seek treatment for their drug problem. During 2016–17, 133 parole orders (66 per cent) had a special condition requiring the parolee to attend substance abuse treatment on the direction of their parole officer.

The Youth Parole Board again notes, with increased concern, that the mental health needs of young people within the youth justice service remains high. In 2016–17 there was an increase to 74 young people (37 per cent) who were paroled subject to a special condition in relation to psychiatric and/or psychological counselling.

In 2016–17 there was an increase to 37 young people on parole subject to a special condition to attend a motor vehicle offending program (18 per cent).

A breakdown of special conditions imposed by the Board in 2016–17 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.



Table 5: Special conditions imposed by the Youth Parole Board during 2016–17

Type of condition	Number of special conditions imposed by the Board
Substance abuse counselling	133
Psychological counselling	71
Psychiatric counselling	3
General counselling	27
Anger management or violence prevention	1
Attend Male Adolescent Program for Positive Sexuality	7
Attend a fire awareness course	3
Reside as directed	2
Attend a day program	4
No contact with an individual	47
Not to attend a geographical location	97
Abide by conditions of intervention order (IVO)	11
Motor vehicle offending program	37
Other	12
Total	455

Source: Youth Parole Board secretariat data

Table 6: Special conditions for parole

Direction	Meaning
You must attend substance abuse counselling.	The young person is to attend alcohol and/or other drug counselling, as and when directed by their parole officer.
You must attend anger management, psychological counselling and/or psychiatric treatment as directed.	The young person must follow instructions from their parole officer concerning anger management, psychiatric treatment or psychological counselling. Usually some contact has been initiated with a counselling service in the community prior to parole and this should be continued, as appropriate. In other cases, the parole officer may refer the young person to appropriate services once parole has been granted.
You must reside as and where directed.	The young person must live at the place specified in the parole order and must not change address without prior agreement from their parole officer.
You must not have contact with x.	The young person is to have no intentional physical contact or communication with a specified person(s).
That you do not attend x.	The young person is not to attend a specified location or premises.
You must attend the Male Adolescent Program for Positive Sexuality.	The young person must attend, as directed, an intensive program for young people convicted of sexual offences.
You must attend a day or rehabilitation program.	The young person must attend a day program or rehabilitation program such as education, training, work preparation or motor vehicle offenders program as directed by their parole officer.
You must submit for drug testing as directed.	The young person must submit for drug testing as and when directed.
You must attend a motor vehicle offender program.	The young person must attend a program that addresses motor vehicle offending behaviours, including dangerous driving and theft of motor vehicle.
You must attend a fire awareness program.	The young person must attend a program that addresses fire-lighting offending behaviours.
You must abide by the conditions of any intervention order.	The young person must comply with any intervention orders under which the young person is named for the duration of the parole order. This is to reinforce the conditions of any intervention order active during the parole period.



Parole supervision

Youth parole officers are authorised under s. 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 Youth Parole Board in relation to its parole orders. They are subject to the direction of the Secretary to the Department of Justice and Regulation 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 their 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. Parole officers regularly visit young people in custody during their sentence to establish or maintain a 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 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 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.

The Youth Parole Board acknowledges the excellent quality of information provided in reports by parole officers and their efforts to challenge offending behaviour and address the needs of young people with difficult, complex and pressing needs.

During the parole period, the Youth Parole Board receives regular reports from 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 Youth Parole Board and Adult Parole Board to transfer young people between jurisdictions. Table 7 lists the transfers issued by the Youth Parole Board in 2016–17.

Table 7: Transfers issued by the Youth Parole Board

Provision	Number of transfers issued by the Board		
	2014–15	2015–16	2016–17
Transfer from youth residential centre to youth justice centre (ss. 464 and 465)	3	1	1
Transfer from youth justice centre to prison (s. 467)	2	1	4
Young person's request for transfer to prison (s. 468)	1	0	0
Transfer from youth justice centre to youth residential centre (s. 470)	0	0	0
Transfer back to prison after transfer from prison to youth justice centre (s. 473)	0	0	0
Person in youth residential centre sentenced to detention in youth justice centre or imprisonment (s. 474)	0	0	0
Person in youth justice centre sentenced to imprisonment (s. 475)	7	12	12
Person in youth justice centre sentenced to detention in youth residential centre (s. 476)	0	0	0
Person in prison sentenced to detention in youth justice centre (s. 477)	2	0	0
Annual total	15	14	17

Source: Youth Parole Board secretariat data



Adult Parole Board transfers from prison to youth justice centre (s. 471)

Section 471(1) of the Children Youth and Families Act provides that, if the Adult Parole Board considers it appropriate, the Adult Parole Board may direct that a young person under the age of 21 be transferred to a youth justice centre from a prison. A report from the Secretary to the Department of Justice and Regulation concerning the suitability of the person for detention in a youth justice centre and the availability of a place in a youth justice centre informs this directive.

Any young person transferred under s. 471 comes under the jurisdiction of the Youth Parole Board for the duration of their time in a youth justice centre.

During 2016–17 the Adult Parole Board transferred four young people from prison to a youth justice centre under s. 471.

Young Offenders Transfer Review Group

The Youth Parole Board, the Sentence Management Division of Corrections Victoria and the Adult Parole Board has 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 discusses matters that affect 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 information about these young people.

The Young Offenders Transfer Review Group is not a decision-making body. Instead, these meetings provide an opportunity for all parties to monitor and receive progress reports on this group of young people.

Victim Register

The Youth Parole 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 Youth Parole Board takes seriously this impact 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 Youth Parole Board determines whether a young person is included in the register according to the following factors:

- violence involved in the offence
- the intimacy of the act
- whether the perpetrator is known to the victim or vice versa
- how close the perpetrator and victim live to each other
- the likelihood 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 Youth Parole Board determines a young person's case to be appropriate for including on the victim register, the Board secretary contacts the police informant and discusses 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 Youth Parole Board. The Youth Parole Board makes the final decision about whether recommendations are placed on the young person's parole order.

The register allows the Youth Parole Board to monitor the young person's release and manage the risks associated with them re-entering the community.



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



Overview

Characteristics of young offenders

The results of an annual survey of young people involved with youth justice in 2016 looked at 176 males and eight females detained on sentence and remand on 28 September 2016. The survey shows:

- 63 per cent had never been subject to a child protection order
- 14 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
- 4 per cent were subject to a current child protection order with no previous history of a child protection order
- 71 per cent were victims of abuse, trauma or neglect
- 56 per cent had previously been suspended or expelled from school
- 40 per cent presented with mental health issues
- 22 per cent had a history of self-harm or suicidal ideation
- 26 per cent presented with issues concerning their intellectual functioning
- 11 per cent were registered with Disability Services
- 4 per cent had a history of alcohol misuse
- 18 per cent had a history of drug misuse
- 65 per cent had a history of both alcohol and drug misuse
- 8 per cent had offended while under the influence of alcohol but not drugs
- 20 per cent had offended while under the influence of drugs but not alcohol
- 54 per cent had offended while under the influence of alcohol, and also while under the influence of drugs
- 9 per cent were parents
- 34 per cent had a family history of parental or sibling imprisonment
- 22 per cent spoke English as a second language
- 13 per cent were homeless with no fixed address or living in insecure housing before being taken into custody.

This information reinforces the Youth Parole Board's understanding that young people in custody present with great complexity. The Youth Parole Board acknowledges the skill and dedication of the custodial staff in their ongoing support and care of these vulnerable young people.



Case planning and reporting to the Youth Parole Board

Youth justice parole officers and others submit a large number of reports to the Youth Parole 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. The reports are vital to providing information to the Youth Parole 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 is a critical component of case management and planning. The Youth Parole Board recognises the considerable workload involved and appreciates the professional skill and advice provided by the statutory youth justice service and others to support the planning and decision making for young people preparing for and on parole.

Involvement with child protection

Children and young people who have suffered significant harm due to physical abuse, sexual abuse and serious neglect, and who also commit 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.

With the transfer of Youth Justice from the Department of Health and Human Services to the Department of Justice and Regulation, a memorandum of understanding was established between the departments. The memorandum of understanding reinforces the necessary working relationship between each department. The organisational environments of Child Protection in the Department of Health and Human Services and the Youth Justice Division of the Department of Justice and Regulation will be set out in new practice guidance for Youth Justice and Child Protection.

The Youth Parole Board considers it imperative 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 2016 showed that 71 per cent were a victim of abuse, trauma or neglect, with 36 per cent of young people in custody having been the subject of involvement with child protection services. Of the young people in custody aged 10–17 years, 18 per cent were on current child protection orders on the day of the survey.

Young people with disabilities

Young people with disabilities continue to be over-represented in youth justice centres. The majority of young people with a disability in custody have a mild intellectual disability, with a small number eligible for disability supports having an autism spectrum disorder or an acquired brain injury, although such cases are far less commonly diagnosed or assessed.

The Youth Parole Board recognises the complex nature of the work that youth justice staff undertake with young people who have a disability. Often these young people present with a range of complex behaviours and needs. Practice leaders and senior disability advisors actively coach and support youth justice staff in their work with these young people.



The first stages of the National Disability Insurance Scheme began in July 2013. The National Disability Insurance Scheme is being introduced in stages to ensure it is done correctly and is sustainable. At the time of writing, the Department of Health and Human Services areas of Barwon, Central Highlands, Loddon and North East Melbourne have transitioned to the National Disability Insurance Scheme. The scheme will become available in the remaining 13 areas in a staged approach, with the last three areas commencing transition in January 2019.

This work will identify and ensure the emerging service opportunities and gaps for young people involved with youth justice who are eligible for the National Disability Insurance Scheme are addressed. This work is expected to ensure youth justice and the National Disability Insurance Scheme as state and Commonwealth entities respectively can provide a more integrated and effective support model to young people in youth justice who have a disability and particularly to improve their reintegration into the community during parole.

The Youth Parole Board emphasises the importance of providing a high standard of coordinated and effective services to young people with a disability involved with the youth justice system.

Mental health issues

A significant risk factor for young people who come before the Youth Parole Board continues to be mental health issues. The annual survey of young people involved with youth justice 2016 shows that 40 per cent of young people in custody presented with a mental health issue and 22 per cent had a history of self-harm or suicidal ideation. The early assessment and effective treatment of mental health issues is critical to improve recovery, improve life outcomes and reduce the risk of further offending.

The Department of Justice and Regulation provides primary health and rehabilitation services for young people in youth justice through the Youth Health and Rehabilitation Service. This service works in partnership with the Youth Justice Mental Health Initiative, provided by the Department of Health and Human Services, and focuses on providing care to address the mental health needs of this group in custody and in their transition back to the community. A collaborative care team approach between these services and youth justice aims to ensure parole planning addresses identified risks and support needs.

The Youth Parole Board acknowledges the role of the Youth Health and Rehabilitation Service in providing health and rehabilitation services to young people in youth justice centres. These services include primary health with a 24-hour nursing model at Parkville and on call at Malmsbury, psychiatry, psychological support and health case management.

The Youth Parole Board is pleased that the 2017–18 Victorian State Budget will expand the forensic mental health services available to young people involved with youth justice. A dedicated secure two-bed forensic mental health unit will be established for young people detained in youth justice centres who require inpatient treatment. A specialist mental health in-reach service will also provide an increased level of support and treatment for young people in youth justice centres who experience mental health issues. For young people in the community an early intervention problem behaviour program targeting young people with mental illness and violence will also be established.



Alcohol and drug services

The annual survey of young people involved with youth justice 2016 shows that 65 per cent of young people detained on sentence and remand had a history of alcohol and licit and illicit drug use. This has long-term impacts on the health of young people involved in the youth justice service. The close and often complex relationship between substance misuse and offending is also concerning.

Alcohol and other drug misuse continues to be a significant factor in offending behaviour for the majority of young people the Youth Parole Board deals with. Rates of substance use among young people involved within the youth justice service are high and more prevalent than in the general population. This is highlighted in the annual survey of young people involved with youth justice 2016, which found that 82 per cent of young people in custody report that the use of either drugs or alcohol were a factor that contributed to their offending behaviour.

Addressing the harmful use of alcohol and other drugs among young people involved with the youth justice service is essential to improving their health and reducing the likelihood of further offending.

The Youth Parole Board acknowledges the importance of access to a range of drug counselling and treatment providers in the community and to providing primary health and rehabilitation services for young people in youth justice through the Youth Health and Rehabilitation Service.

The Board is pleased the Youth Health and Rehabilitation Service is expanding the suite of psycho-educational group-based programs for young people on remand, including an alcohol and other drug harm-minimisation program to the Malmsbury Youth Justice Precinct. These programs improve the range of interventions available to address young people's alcohol and other drug rehabilitation needs.

Programs for young people who have sexually offended

The Male Adolescent Program for Positive Sexuality began in 1993 and, since then, has provided assessment and treatment for young people who have committed a sexual offence. This service continues to be very useful to the Board regarding parole planning, with Male Adolescent Program for Positive Sexuality clinicians providing specialist advice in relation to treatment issues and dynamic risk assessment for young people who have sexually offended.

Young people and family violence

The impact of family violence on children and young people and their family relationships was highlighted in the Royal Commission into Family Violence (Victoria), tabled in Parliament on 30 March 2016. The Youth Parole Board commends the Victorian Government for committing to implement all 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 Youth Parole 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 Youth Parole 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 Youth Parole 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. The Youth Parole Board acknowledges the resilience of young people and their family members who experience family violence and those who work to address these issues to support positive outcomes for young people in the community.

During 2016–17 the Youth Parole Board observed an increase in offences relating to adolescents who commit acts of family violence. This observation is supported by an increase in the prevalence of the special condition requiring young people to abide by the conditions of a family violence intervention order, from six in 2015-16 to 11 in 2016-17. 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. The Youth Parole Board acknowledges the specialist skills required by youth justice to support the safety of families and address the underlying causes of family violence perpetrated by adolescents. This is in addition to the need for engagement with a range of services to address existing trauma caused by young people’s exposure to family violence.

Violence prevention programs

The Youth Parole Board is pleased that the Youth Health and Rehabilitation Service continues to focus on violence intervention. Many of the young people detained in youth justice precincts have committed violent offences. The Adolescent Violence Intervention Program aims to reduce the recurrence of violent offending behaviour. While operational challenges have impacted on the delivery of the Adolescent Violence Intervention Program in the group format, the Youth Health and Rehabilitation Service provides this program by way of one-to-one individual counselling.

The Youth Parole Board is pleased that the Department of Justice and Regulation and the Youth Health and Rehabilitation Service are working collaboratively to deliver the Adolescent Violence Intervention Program in group format at youth justice precincts and for young people living in the community, including those subject to parole.

The Youth Parole Board is pleased to learn of the addition of three psychologists at Malmsbury Youth Justice Precinct. The increase in clinicians will expand the delivery of the Adolescent Violence Intervention Program and forensic psychological counselling more generally.

Aboriginal young people

Forty-six Aboriginal young people came under the jurisdiction of the Board during 2016–17, a decrease of one from the previous year (see Table 8).

Table 8: Number of Aboriginal and non-Aboriginal young people who received youth residential and youth justice centre orders during 2016–17

Type of order	Aboriginal	Non-Aboriginal	Number of young people
Youth residential centre order	3 (50%)	3	6
Children’s Court youth justice centre order	25 (15%)	140	165
Higher court youth justice centre order	18 (16%)	96	114
Total	46 (16%)	239	285

Source: Department data extracted 13 July 2017



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 and Youth Employment 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 are subject to youth justice orders in the community, 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 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.

The Youth Parole Board welcomes the Department of Justice and Regulation's commitment to developing an Aboriginal youth justice strategy, and work is underway to provide more cultural-strengthening and leadership programs for Aboriginal young people in custody.

Young people from Māori and Pacific Islander backgrounds

The Youth Parole Board notes that 11 per cent of young people sentenced to detention during 2016–17 were from Māori or Pacific Islander backgrounds. This figure remains unchanged from the 2015–16 period. Of the 29 Māori and Pacific Islander young people who received a custodial sentence during this reporting period, 23 were sentenced through the Children's Court (79 per cent), an increasing trend noted over the past three reporting periods (37 per cent in 2013–14, 52 per cent in 2014–15 and 64 per cent in 2015–16).

The Youth Parole Board remains concerned about the violent nature of the offending for which many of these young people have been found guilty, as well as similar behaviours at times continuing in custody.

The Youth Parole Board is pleased that 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 Youth Parole Board is advised that the Mano Toa program has recently been introduced to young people in youth justice centres. The program is designed for young Māori and Pacifica people in custody and is delivered by the Pacifica community organisation Iron Armour. Starting in May 2017, the program operates after education classes, three days per week in both youth justice centres. The program seeks to foster the identity, strength and options for young Pacifica people to support a positive return to the community and live offending-free lifestyles. Through sport, fitness and traditional activities, Mano Toa facilitators build rapport and trust with young people. In the sessions, they explore, improve understanding and celebrate cultural identity and traditions. Mano Toa then supports the young people in their transition back into the community by linking them to Pacifica services and supports.

Young people from African backgrounds

The annual survey of young people involved with youth justice 2016 shows that 12 per cent of young people in remand or under sentence were from an African background. The Department of Justice and Regulation held a Sudanese community workshop at Parkville Precinct on 19 May 2017. Co-hosted by the Centre for Multicultural Youth, the purpose of the workshop was to seek ideas and strategies from the African community to stem the growing numbers of African young people entering youth justice custody in Victoria. Elders from the Sudanese community and community service organisations attended the workshop. Participants have continued to work together on a project that engages with young Sudanese people and their families in culturally appropriate ways and help them on the path to desistance from further offending.

The 2017–18 Youth Parole Board scholarship will focus on young people from African backgrounds who enter the parole and custody system and look at ways of reducing the numbers of these young people from entering custody. The Board looks forward to the recommendations resulting from this work.

Education services for young people in youth justice centres

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

The Youth Parole Board is pleased to see Parkville College continues to provide an innovative and specialist curriculum that includes literacy and numeracy skills, sport, personal development, music, art and wellbeing instruction, along with vocational classes. Parkville College is a registered Victorian Government School operating across both Parkville and Malmsbury, providing educational programs to all young people, six days a week, 52 weeks of the year.

The school offers a variety of pathways for young people to complete their secondary school education and tailors learning to each young person's needs. Teachers at Parkville College are trained to use a therapeutic approach when teaching young people in youth justice centres. The therapeutic approach involves the use of caring and deliberate strategies to have all students feeling safe, accepted and supported, effectively re-engaging children back into education.

Monthly education reports capture each student's growth and development. Monthly education reports are sent home to a parent, guardian or supportive adult who is nominated by the student. Reports are also provided to unit coordinators in the custodial centres to optimise information transfer from Parkville College to the youth justice service, assisting each student's transition to the community.



Depending on their age and ability, young people can participate in educational activities including the Victorian Certificate of Applied Learning (VCAL), the Vocational Education and Training and the Victorian Certificate of Education. Parkville College also supports students who undertake university study while in custody.

Parkville College operates a Flexible Learning Centre. The Flexible Learning Centre is a select-entry, transitional campus of Parkville College designed for young people who are, or who have been, detained in a youth justice centre or have been detained in the Department of Health and Human Service's secure welfare service. The Flexible Learning Centre offers VCAL classes with a focus on literacy, numeracy, personal development and work-related skills to students on release from custody who have been previously disengaged from education. The Flexible Learning Centre can also provide short-term, transitional programs to vulnerable young people who are experiencing difficulty finding educational or employment pathways in their local area. The Flexible Learning Centre provides an option for students to extend their enrolment with the school after leaving custody, giving them continuity and stability in their education.

Further to this, Parkville College manages the Education Justice Initiative. The Education Justice Initiative is a collaborative pilot initiative of the Department of Education and Training and the Children's Court of Victoria managed by Parkville College. It operates in the criminal division of the Melbourne Children's Court and the Koori Children's Court at Melbourne, Heidelberg and Dandenong courts.

The aim of Education Justice Initiative is to connect young people appearing before the courts to an appropriate, supported education pathway through liaison and advocacy with schools, alternative settings and training providers, and engagement with young people and their families, relevant support services and Department of Education and Training.

The Youth Parole Board notes that Parkville College provides a Koori Cultural Education program guided by Elders and delivered by Aboriginal and non-Aboriginal staff from Parkville College. The Board supports the assertion that a confident understanding and pride in cultural identity is essential for healthy development and growth for Aboriginal young people. The Youth Parole Board acknowledges the work this program does, with three dedicated positions focusing on Aboriginal education and support.

Employment support services

In February 2017 Jesuit Social Services began delivering the Justice Employment Training Transition Service. 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.

The Justice Employment Training Transition Service is designed to work alongside existing pre-vocational and educational programs that support young people in both Parkville and Malmsbury Precincts. This service acts as a bridge between key services, providing clearly articulated pathways from custody into employment, training and support opportunities in community.

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 to 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.



The Justice Employment Training Transition Service is closely integrated with the youth justice service and other supports such as the Youth Justice Community Support Service, the Youth Health and Rehabilitation Service, Parkville College, Transition to Work and the Jesuit Community College to ensure young people receive individually tailored support services with a strong focus on successful transition from custody. Justice Employment Training Transition Service staff play an active role in care teams both in custody and in the community.

Business continuity at youth justice precincts

The Youth Parole Board acknowledges the significant disruptions at both the Parkville and Malmsbury Precincts during the course of 2016–17 due to serious incidents of major property damage and riotous behaviour. The most significant of these occurred at Parkville in November 2016, resulting in the closure of four 15-bed accommodation units for several months. The department is undertaking a range of work to strengthen the fabric of the units to prevent a repeat event.

The Youth Parole Board acknowledges the considerable disruption these incidents have had on custodial services and the work involved in managing the transfer of young people to the Grevillea Youth Justice Centre at Barwon Prison while strengthening works were completed at Parkville.

New behavior management model

The Achieve Challenge Encourage (ACE) Rewards and Consequences Model for Young People and Youth Justice Workers in Victoria's Youth Justice Centres, is a new behaviour management model for young people in custody. The model has been developed by youth justice custodial services in collaboration with the Community and Public Sector Union. The model draws on national and international evidence and provides a framework for staff to recognise and foster positive behaviour among young people using tools to address inappropriate behaviour. The four components of the model are: a fair and transparent process; clear rewards and consequences for behaviour; rules and entitlements; and support and role modelling for staff. The Youth Parole Board welcomes the implementation of this model in youth justice centres.

Temporary leave

The Youth Parole Board acknowledges the important role of temporary leave from custody, granted at the pre-release stage, in reintegrating young people back into the community upon release. This provides an opportunity to begin engaging in post-release programs such as work experience, education and vocational training. Being able to access these programs enhances the parole planning process, helps to facilitate a more fluid transition into the community and increases the chances of successful parole completion.

Post-release support services

Ensuring that each young person on parole has access to appropriate post-release supports is a key factor in parole planning. The Youth Justice Community Support Service provides individualised intensive support to eligible young people exiting custodial facilities. The Youth Parole Board recognises the important role of Youth Justice Community Support Service support workers in complementing statutory case management and parole supervision provided by youth justice.



The Department of Justice and Regulation funds 10 community service organisations across Victoria to deliver the Youth Justice Community Support Service and 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, St Luke's Anglicare, Centacare Ballarat, Salvocare Brayton, Quantum Support Services, Salvation Army Eastcare and Mallee Accommodation and Support Services.

The Youth Justice Community Support Service 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 Youth Justice Community Support Service is able to continue to provide support services after statutory youth justice orders including parole have expired, based on the young person's ongoing needs to ensure positive linkages with broader community supports and reducing the risk of further offending. Broadening the availability and range of accommodation options available to young people at risk of homelessness on release and improving pathways to employment have continued to be a focus for the service.

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 a successful transition to the community. The Youth Parole Board is highly supportive of continuing joint initiatives between youth justice and housing services to ensure a stable transition to suitable accommodation upon release. This includes the Youth Justice Housing Pathways initiative component of Youth Justice Community Support Service that has the capacity to provide accommodation. This program has delivered 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.

VincentCare completed the Youth Justice Housing Brokerage pilot program in July 2016. The pilot program aimed to extend the range of housing options for young people exiting youth justice centres to prevent deferrals of parole due to a lack of suitable accommodation and to provide assistance to obtain essential household items. The pilot evaluation found there was significant demand for housing brokerage for young people who were exiting custody and at risk of homelessness. In addition the evaluation recommended expanding the pilot for a further 12-month period. The Youth Parole Board is pleased the Department of Justice and Regulation has committed funds to extend the brokerage pilot and to test a model of 'head leasing' made to enhance post-release accommodation options for young people.



Dillon House, part of the Next Steps program operated by Jesuit Social Services, is the only specifically-funded 24-hour supported accommodation accessible to young people involved in the youth justice system, and is limited to three beds. This program also provides early intervention and family therapy to prevent homelessness among at-risk young people by strengthening family relationships and includes head-leased private rental properties to expand housing provided in the program.

Youth FOYER models across Victoria, which can provide accommodation and support to young people while they participate in education or training, continue to be explored as a suitable housing option for some young people involved with youth justice.

Despite these positive initiatives the demand for secure and suitable housing for young people involved with youth justice remains unmet. The impact of a young person not having appropriate accommodation often results in 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.

Statistical supplement for the year ended 30 June 2017

Table 9: Releases and cancellations, 2006–07 to 2016–17

Year ending	Releases on parole	Paroles cancelled – compliance*	Paroles cancelled – reconviction	Paroles completed	Persons on parole at this date
30 June 2007	207	33	24	114	108
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

Source: Department data extracted 13 July 2017

Comment: As noted in the body of the report, the number of young people released on parole in 2016–17 has increased from the three previous reporting periods. These numbers remain low compared with previous years and are attributed to a significant reduction in the number of youth justice centre orders imposed on young people appearing before the Magistrates' and higher courts during the last four reporting periods (see Table 10). While the number of youth justice centre orders has increased in the Children's Court jurisdiction in 2016–17 compared with the previous year, this has not appeared to have affected releases on parole. This 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 10: Number of youth justice centre and youth residential centre orders, 2004–05 to 2016–17

Year	Children's Court youth residential centre	Children's Court youth justice centre	Magistrates' and higher courts youth justice centre	Total
2004–05	21	173	393	587
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

Source: Department data extracted 13 July 2017

Note: These figures include multiple orders for some individuals.

During 2016–17 the total number of youth justice centre orders decreased by two per cent from the previous year. This is due to an 18 per cent decrease of youth justice centre orders issued in the Magistrates' and higher courts from 243 to 200.

For the same period, there were nine fewer youth residential centre orders imposed on children aged 10–14 years and 32 more youth justice centre orders imposed in Children's Courts.

Table 11: Parole orders issued and parole cancellations by regions during 2016–17

Region	Parole orders issued	Parole orders cancelled
North West Metropolitan	54	21
South East Metropolitan	73	46
Barwon–South West	26	12
Gippsland	17	3
Grampians	10	8
Hume	14	3
Loddon Mallee	7	1
Total	201	94

Source: Department data extracted 13 July 2017

Note: Not all cancelled parole orders were issued in 2016–17.

Table 12: Youth justice centre and youth residential centre orders issued by jurisdiction 2016–17

Court	Gender	Base order	Order to be served concurrently or cumulatively	Total
Children's Court: youth residential centre	Male	5	2	7
Children's Court: youth residential centre	Female	1	1	2
Children's Court: youth justice centre	Male	167	134	301
Children's Court: youth justice centre	Female	13	8	21
Magistrates' Court	Male	78	93	171
Magistrates' Court	Female	5	2	7
County Court	Male	19	5	24
County Court	Female	0	0	0
County Court of Appeals	Male	6	2	8
County Court of Appeals	Female	1	0	1
Supreme Court	Male	0	0	0
Supreme Court	Female	1	2	3
Interstate order	Male	3	1	4
Interstate order	Female	0	0	0
Subtotal	Male	278	237	515
Subtotal	Female	21	13	34
Total		299	250	549

Source: Department data extracted 13 July 2017

Table 13: Sentences commenced 1 July 2007 to 30 June 2017 overseen by youth justice

Type of order	07–08	08–09	09–10	10–11	11–12	12–13	13–14	14–15	15–16	16–17
Probation	940	1,076	1,198	1,127	957	892	811	805	676	495
Youth supervision	400	538	518	527	479	453	359	422	438	454
Youth attendance	73	108	125	115	80	66	85	78	71	94
Youth residential centre	24	9	12	12	6	9	9	11	8	6
Youth justice centre	255	269	342	305	317	294	229	214	282	293
Total	1,692	2,000	2,195	2,086	1,839	1,714	1,493	1,530	1,475	1,342

Source: Department data extracted 13 July 2017

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

Custodial sentences do not include additional concurrent or cumulative orders.

Table 14: Sentences commenced 1 July 2014– June 30 2017 overseen by youth justice (individuals)

Type of order	2014–15	2015–16	2016–17
Probation	569	473	354
Youth supervision	247	249	260
Youth attendance	40	31	40
Youth residential centre	2	7	3
Youth justice centre	203	251	252
Interstate custody order	0	1	2
Total	1,061	1,012	911

Source: Department data extracted 13 July 2017

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 252 young people subject to a youth justice centre order in 2016–17, 101 were sentenced through the dual-track system and 151 were sentenced as children.

Table 15: Remand orders commenced 1 July 2007 to 30 June 2017

Type of order	07–08	08–09	09–10	10–11	11–12	12–13	13–14	14–15	15–16	16–17
Youth residential centre remand	170	123	133	137	181	158	144	225	214	193
Youth justice centre remand	368	439	526	467	585	559	601	687	765	876
Total	538	562	659	604	766	717	745	912	979	1,069

Source: Department data extracted 13 July 2017

Note: Youth justice centre remands increased by 111 (15 per cent increase) in 2016–17. Youth residential centre remands decreased by 21 (10 per cent decrease).

Table 16: Remand orders commenced from 1 July 2013 to 30 June 2017 (individuals)

Type of order	2013–14	2014–15	2015–16	2016–17
Youth residential centre remand	67	84	83	71
Youth justice centre remand	307	369	401	433
Total	374	453	484	504

Source: Department data extracted 13 July 2017

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 increased by 32 (eight per cent increase) in 2016–17 compared with the previous year. The number of individuals remanded in a youth residential centre decreased by 12 (14 per cent decrease) in 2016–17 from the previous year.

Appendix 1: Visitors to the Youth Parole Board meetings during 2016–17

Penny Armytage

Youth Justice Review

Liana Buchanan

Commissioner for Children and Young People
Victorian Commission for Children and Young People

Daniel Clements

General Manager, Justice Programs
Jesuit Social Services

Georgie Crozier

Shadow Minister for Families and Children
Victoria

Doctor Santino Atem Deng

Courth Sudanese Community Association

Seiya Fujita

Official – Bureau of Rehabilitation,
Ministry of Justice of Japan

Christine Galea

Independent Visitors Program Manager
Commission for Children and Young People

James Gunn

Chief Advisor, Minister for Families and Children

Jodi Henderson

Executive Director, Youth Justice Operations
Department of Justice and Regulation

Kot Monoach

South Sudanese Community Association

Professor James Ogloff

Youth Justice Review

Takeaki Otsuna

Chief – Bureau of Rehabilitation,
Ministry of Justice of Japan

Management and/or staff of:

Barwon Area Youth Justice (Geelong)

Bayside Peninsula Area Youth Justice
(Frankston)

Berry Street (Clayton)

Brimbank Melton Area Youth Justice (Sunshine)

Central Highlands Area Youth Justice (Ballarat)

Child Protection (Geelong, Ballarat, Preston,
Thomastown)

Commission for Children and Young People –
Independent Visitors Program

Disability Support Services (Dandenong)

Frankston City Council

Goulburn Area Youth Justice (Shepparton)

Hume Moreland Area Youth Justice

Inner and Outer Eastern Area Youth Justice
(Box Hill, Ringwood)

Inner Gippsland Area Youth Justice
(Morwell, Sale)

Jesuit Social Services

Loddon Area Youth Justice (Bendigo)

Malmsbury Youth Justice Precinct

North East Melbourne Area Youth Justice
(Fitzroy, Preston)

Ovens Murray Area Youth Justice
(Wodonga and Wangaratta)

Parkville Youth Justice Precinct

Parkville College

Priority Child and Family Projects,
Department of Health and Human Services

Salvocare (Boxhill)

Southern Melbourne Area Youth Justice
(Dandenong, Frankston)

Western Melbourne Area Youth Justice
(Footscray, Sunshine)

Wimmera South Western Youth Justice,
(Warrnambool, Horsham)

Wombat Housing (North Melbourne)

Vincentcare (Melbourne)

Youth Justice Community Support Services
(Bendigo, Boxhill, Brunswick, Dandenong,
Fitzroy, Morwell, Glenroy)

Youth Support and Advocacy Service

Students on placement from:

Federation University

RMIT

Victoria University

