

Minister for Children and Youth  
Minister for Community Services  
Minister for Aboriginal Affairs

Level 5 4 Salamanca Place HOBART TAS 7000 Australia  
GPO Box 123 HOBART TAS 7001 Australia  
Ph: 03 6165 7670  
Email: [minister.jaensch@dpac.tas.gov.au](mailto:minister.jaensch@dpac.tas.gov.au)



Hon Ruth Forrest MLC  
Chair, Joint Sessional Committee  
[coir@parliament.tas.gov.au](mailto:coir@parliament.tas.gov.au)

Dear Chair

Thank you for your letter dated 31 March 2025, outlining questions that have emerged from the Joint Sessional Committee's stakeholder engagement conducted in February and March this year.

***In the context of the recent contracts of funding to JCP Youth:***

**1. How was the decision made to bypass the government Procurement Policy to directly fund JCP Youth, and by whom?**

The funding provided to JCP Youth was awarded as a 2024 election commitment through *2030 Strong Plan for Tasmania's Future*, and was allocated in recognition of the organisation's unique, targeted and established program offering.

It was made in the context of the Government's commitment to strengthening early intervention and support services for young people at risk of entering, or becoming further entrenched in the youth justice system.

The \$3.7 million grant is designed to enable JCP Youth to expand its services – specifically, the delivery of its high impact BEAST Program – ensuring that more young people receive intensive, targeted support aimed at fostering resilience, personal growth, and social connection. Given the urgency of addressing issues related to youth justice in Tasmania, the Government has sought to fund programs that have an immediate capacity to engage young people and deliver meaningful interventions.

**2. How the view was formed that JCP Youth was the sole Tasmanian business with the capability to deliver this service?**

The Government determined that JCP Youth provides a service that is not currently offered by other providers in Tasmania. This positioning, combined with the immediate need for tailored services for young people at risk, as well as the organisation's demonstrated service delivery capability and engagement with vulnerable young people, were key factors in the Government's decision to proceed with direct funding.

### **3. Why were other suitable, evaluated Tasmanian programs excluded from tendering for this service?**

The funding provided to JCP Youth as a 2024 election commitment through *2030 Strong Plan for Tasmania's Future*, and was allocated in recognition of the organisation's unique, targeted and established program offering. While this funding was not subject to an open tender process, it followed the necessary internal Government procurement requirements, including the direct sourcing request approval by the Procurement Review Committee.

The final direct sourcing submission to the Procurement Review Committee enabled the funding agreement between Government and JCP Youth and is attached for your reference at Appendix 1.

***Given that other youth shelters and emergency accommodation is contracted and managed through Housing Connect:***

### **4. Why is DECYP contracting youth crisis accommodation outside of the Housing Connect program rather than working with existing providers?**

The Department has not contracted youth crisis accommodation outside of the current available social housing options accessible through Housing Connect.

JCP Youth operates two short-term accommodation options: emergency and respite. These are referred to as the JCP Youth Safe Houses and only accessible by active participants in JCP Youth's BEAST Program. It is funded as part of the participation in the BEAST Program and is not a general emergency accommodation option contracted for other young people in the community.

Emergency/crisis accommodation for young people continues to be provided by the not-for-profit sector through contracts with Homes Tasmania. A Service Level Agreement exists between Homes Tasmania and DECYP about the provision of service that shelters offer young people at risk of homelessness or experiencing homelessness which does not interact with the JCP Youth funding agreement.

The Department continues to work with existing providers, as does JCP Youth, to support young people to transition into shelter accommodation or other accommodation through Housing Connect.

### **5. Will the requirements of JCP Youth align with those of Housing Connect Providers? If not, why not?**

The safety and wellbeing of young people engaged in government-funded programs is of the highest priority. JCP Youth has publicly stated its commitment to child safety, and as a recipient of public funding, it is expected to adhere to rigorous child protection and safeguarding standards.

To ensure the safety and wellbeing of vulnerable young people, the funding agreement between Government and JCP Youth includes compliance requirements under the *Child and Youth Safe Organisations Act 2023*. There is no formal national accreditation that designates an organisation as a 'Child Safe Organisation'. In Australia organisations, including JCP Youth, demonstrate their commitment to child safety by adhering to child-safe standards and principles, including the National Principles for Child Safe Organisations and Tasmania's *Child and Youth Safe Organisations Act 2023*.

JCP Youth operates under child protection policies, including a Child Safe Code of Conduct aligned with the Child and Youth Safe Organisations framework and their compliance with the *Child and Youth Safe Organisations Act 2023* is overseen by the Office of the Independent Regulator.

Further, the Department for Education, Children and Young People, as part of ongoing contract management will continue to monitor compliance with safeguarding measures. This is aimed at ensuring that JCP Youth complies with all relevant regulatory and accreditation requirements and ensure that all personnel involved in direct service delivery have the appropriate qualifications, clearances, and training to work with vulnerable young people.

***Noting the JCP Youth is being funded to expand the existing 24-hour, seven day a week mentoring program for vulnerable young men, particularly those at risk of entering, or who have already entered the youth justice system, and the statement from Minister Jaensch in announcing the funding decision, ‘JCP isn’t a formal part of those systems but we’ve seen that sometimes the program and their particular approach has worked when nothing else has.’:***

**6. What are the quality assurance policies and processes used in the program, and do they represent best practice?**

JCP Youth maintains comprehensive safeguarding measures, including robust risk management and child-safe policies aligned with or exceeding regulatory standards. Staff receive extensive training in trauma-informed practice, child-safe standards, and risk management. All employees and volunteers must have the required registration and clearances before working with young people. Policies are regularly internally reviewed and updated to reflect best practices and ensure maximum safety and protection for program participants.

**7. Given the program has not been subject to independent external evaluation, on what basis was the conclusion made that the program ‘has worked’?**

Outcomes will be measured through internal tracking systems, program assessments, and external evaluation to ensure accuracy, objectivity, and transparency in reporting.

The Government acknowledges the importance of robust evaluation to ensure that funded programs deliver measurable and meaningful outcomes for young people. As part of the funding agreement, an independent evaluation of the BEAST Program will assess its continuing effectiveness, appropriateness, and safety.

JCP Youth has indicated that considering any findings of the independent evaluation, it is committed to action findings from the evaluation to make improvements to the JCP Youth programs and operations.

**8. What documentation exists to support the contention that YCP Youth has a *track record* of success in this space?**

Independent evaluations require significant time, funding and resources. While formal evaluation outcomes are pending, the decision to provide initial funding support was informed by evidence of JCP Youth’s success, apparent in feedback, reports, and testimonials, including those provided by frontline government sector personnel.

***From its last available public accounts, JCP Youth had a total income of less than \$500,000 in 2022-23.***

**9. How did DECYP satisfy itself that the agency has the capacity to appropriately manage such a significant expansion in its funding?**

In assessing JCP's capacity to appropriately manage an expanded funding arrangement, DECYP considered governance structures, past performance, and oversight mechanisms.

JCP Youth is governed by a Board of Directors who oversee the organisation's strategic and financial direction. I am advised that the operational team is responsible for day-to-day program delivery and service management, while the Board maintains ultimate responsibility for financial oversight, risk management, and governance.

I have also been advised that JCP Youth has a demonstrated history of successfully managing philanthropic funding, including for example a previous grant administered through the Tasmanian Community Fund. The organisation has consistently met reporting requirements and maintained appropriate financial accountability. This track record, combined with strengthened internal governance, a capable leadership team, and Board-level financial stewardship, positions JCP Youth as an appropriate recipient of increased public funding.

***At the previous Scrutiny Hearing, you stated, "JCP has gone and found them in the middle of the night and been able to give them a safe place to be."***

**10. Please confirm the JCP Emergency Respite Accommodation is located at a house in South Launceston which is also the private home of the Director and two Board members of JCP Youth?**

It is important to note that JCP Youth do not provide funded respite through DECYP. JCP Youth are not an Out of Home Care provider and the JCP Youth Safe Houses are not accessible by the Out of Home Care service. To ensure the safety of participants, JCP Youth is required to comply with the *Child and Youth Safe Organisations Act 2023*, which is overseen by an independent regulator. JCP Youth staff also ensure that DECYP have readily available access to visit the JCP Youth Safe Houses as and when required.

JCP Youth provides two short-term accommodation options to BEAST Program participants: emergency and respite. Together, these JCP Youth Safe Houses have a combined capacity of eight beds. These are staffed by trained professionals and operate on an as-needed basis.

The Safe Houses are not 24/7 residential services, and do not house young people on a permanent basis. The location of either facility has not been disclosed to protect the privacy and safety staff and young people participating in the JCP Youth programs. Director Will Smith does not reside at either JCP Youth Safe House. No other JCP Youth staff members reside permanently at either JCP Youth Safe House.

**11. If so, what risks has DECYP identified in relation to this arrangement? On what basis is this deemed appropriate?**

N/A as per response to question 10.

**12. What has DECYP required of JCP Youth to demonstrate an appropriate understanding, policy and procedure around professional boundaries?**

To ensure the safety of participants, JCP Youth is required to comply with the *Child and Youth Safe Organisations Act 2023*, which is overseen by an independent regulator. JCP Youth staff also ensure that DECYP have readily available access to visit the JCP Youth Safe Houses as and when required.

Please also refer to response to question 5 for further information.

**13. Are the stringent requirements for foster carers providing respite in their own homes adhered to by the JCP Youth Emergency Respite Accommodation? If not, why not?**

Please refer to response to question 5 for details around these requirements.

***In the Question on Notice response dated 29 November 2024, you described the JCP Emergency Respite Accommodation as ‘not Out-of-Home-Care’, and confirmed that ‘program participation is based on the informed consent of the young person.’***

**14. What is the basis in law for this part of JCP Youth’s Service?**

In terms of the “legal basis” of this service, JCP Youth is an organisation that has received funding from the Government to expand its existing and established BEAST Program. The JCP Youth Safe Houses represent one aspect of that program delivery, which BEAST participants can access. The funding agreement between Government and JCP Youth requires all aspects of JCP Youth’s service delivery to comply with the *Child and Youth Safe Organisations Act 2023* and abide by the National Principles for Child Safe Organisations and Child and Youth Safe Standards.

**15. Does JCP Youth follow established processes for confirming Gillick competency and gaining informed consent?**

Regarding Gillick Competency/Dolli Incapax, the two JCP Youth Safe Houses can only be accessed by participants in the JCP Youth BEAST Program. A Legal Guardian must first provide consent for the young person to participate in the JCP Youth BEAST Program. The young person must also consent to voluntarily participating in the BEAST Program.

***It is well accepted that service provision should be evidence-based and this is included as a criteria in most contemporary tendering processes. In the Question on Notice response dated 29 November 2024 you responded to the Committee’s question about the evidence base of JCP Youth’s program by stating a number of principles, which do not equate to an evidence-base.***

**16. What is the evidence-base on which JCP Youth services are founded?**

While JCP Youth is a well-established organisation, it is an evolving diversion service. The organisation is focused on diversion practices for at-risk young males aged 11-17 years and is committed to continuous improvement and growth. Currently, evidence of individual participant outcome success is based on feedback from expert practitioners working with young people.

JCP Youth are committed to working with the Department and the independent evaluation organisation to contribute to the JCP Youth Program evaluation. To ensure this commitment is maintained, the evaluation component is built into the Funding Agreement schedule to ensure it is actioned within the term of the funding agreement.

**17. Please provide the Committee with the following written information:**

*a. Documentation of approval to purchase outside of Government policy.*

Please refer to Appendix 1- Submission to the Procurement Review Committee, Direct Sourcing.

*b. Documentation of the agency and service specifications DECYP established as required to deliver this service.*

The Funding Agreement between the Department for Education, Children and Young People and JCP Youth has been developed as a standardised Departmental agreement. To ensure the expected service and performance standards are delivered in accordance with the intent of the funding, and the safety of participants is maintained, the agreement includes significant funding and service requirements.

The contract includes the following service requirements:

- Delivery of services in accordance with the following special legislation:
  - *Registration to Work with Children and Vulnerable People Act 2013* (Tasmania)
  - *Personal Information Protection Act 2004* (Tasmania)
  - *Child and Youth Safe Organisations Act 2023* (Tasmania)
  - *Youth Justice Act 1997* (Tasmania)
  - *Children, Young Persons and Their Families Act 1997* (Tasmania)
  - *Family Violence Act 2004* (Tasmania)
  - *Disability Rights, Inclusion and Safeguarding Act 2024* (Tasmania)
  - *Bail Act 1994* (Tasmania)
- The service activities that must be met by JCP Youth for the duration of the Agreement, include:
  - Program scope and structure
  - Reporting structures and performance monitoring
  - Departmental process to refer young people to JCP Youth Beast Program
  - Multidisciplinary service support for young people participating in JCP Youth Programs
  - Program Operations
  - Exit strategies and transition planning
  - Service development and continuous improvement
  - Service governance and risk
  - Program evaluation
  - Key Performance Indicators to measure performance
  - Service specialised standards obligations:
    - Child and Youth Safe Organisations including reportable conduct scheme and information sharing
    - Youth Justice Diversionary Service Framework
    - Youth Justice Model of Care.

- c. *How DECYP assessed value for money, on each of the criteria specified in the Tasmanian Government procurement guidelines:*
- i. *Fitness for purpose*
  - ii. *Quality assurance*
  - iii. *Advantages of buying locally*
  - iv. *Capacity of supplier*
  - v. *Maintenance and running costs*
  - vi. *Energy conservation*
  - vii. *Disposal value*
  - viii. *Contribution to Government policy objectives*
  - ix. *Environmental considerations*
  - x. *Creating strategic partnerships*
  - xi. *Warranty*
  - xii. *Risks*
  - xiii. *The wider benefit to the state.*

Please refer to Appendix 1: Submission to the Procurement Review Committee, Direct Sourcing.

I appreciate the Committee's engagement in youth justice services and their commitment to ensuring that public funding is used with transparency, accountability, and in alignment with best-practice approaches to meeting the support needs of young people. The Tasmanian Government shares these values and remains committed to delivering high-quality, evidence-based initiatives that make a meaningful difference in the lives of young Tasmanians.

Thank you again for raising these important matters with me and my Department.

Yours sincerely



Hon Roger Jaensch MP  
**Minister for Children and Youth**

24 April 2025

Encl:

1. Appendix 1 - Direct sourcing submission to the Procurement Review Committee

# SUBMISSION TO THE PROCUREMENT REVIEW COMMITTEE

## DIRECT SOURCING

(Modified from Treasury and Finance Version 6 – August 2013)

Procurement No: DECYP - 2156

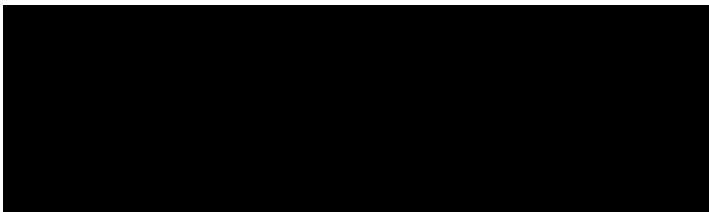
Procurement Name: Provision of the BEAST Program

Recommended Contractor/Consultant: JCP Youth Ltd.

Critical Dates (if applicable): 31 January 2025

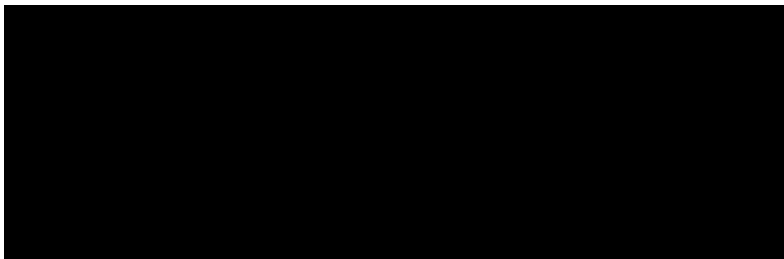
Other Issue/s: N/A

Source of Funds: 790 – Office of Youth Justice



Date: 13 January 2025

**Approval of Manager/Director where applicable for presentation to the PRC:**



Title: A/Director, Youth Justice Services

Date: 13 January 2025

Attachments:

- Evaluation Report



The Evaluation Panel should note that the following issues will be taken into account by the Procurement Review Committee when reviewing the procurement process undertaken:

- compliance with procurement requirements set out in the Treasurer's Instructions including;
  - that the offer represents value for money, including whether the appropriate weighting has been given to the cost component;
  - where appropriate, that the other value for money considerations in addition to price, including, the impact on climate change and / or opportunities for local suppliers, have been taken into consideration;
- whether a fair and equitable process has been followed;
- whether the principles and mandatory processes outlined in the *Free Trade Agreements Guideline* (where applicable) have been adhered to;
- whether the submissions were evaluated against the criteria set out in the Request documentation;
- whether the appropriate procurement process checklist has been satisfactorily completed;
- whether the process is appropriate and would withstand external scrutiny;
- whether the description of the evaluation in the evaluation report provides sufficient information for third parties to reach the same conclusion as the evaluation panel;
- whether the comparative assessment description in the valuation report matches the score and is consistent between suppliers; and
- if appropriate, an exemption has been obtained from the Department of Treasury and Finance to enable the appointment of external legal advisors or to not use whole-of-government common use contracts and
- any other matter the Committee considers appropriate.

**Summary Reporting Information:** *(To assist agencies in reporting in their Agency's annual report and in reporting on [www.tenders.tas.gov.au](http://www.tenders.tas.gov.au) )*

Does the contract relate to a consultancy?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Period of the contract:	01 February 2025 to 31 January 2028
Period of the contract including all possible extensions under the contract:	01 February 2025 to 31 January 2028
Actual/estimated value of the contract (excluding GST) for the period of the contract:	\$3 700 000
Actual/estimated value of the contract (excluding GST) for the period of the contract including all possible extensions under the contract:	\$3 700 000
Is the provider Tasmanian:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Decision of the Review Committee:

The Committee has reviewed this submission for conformity with applicable Government policies and guidelines and hereby:

- Endorses the procurement process and evaluation report undertaken, OR
- Does not endorse the procurement process and evaluation report for the reasons given below.

Qualifications/Comments:

---

---

---

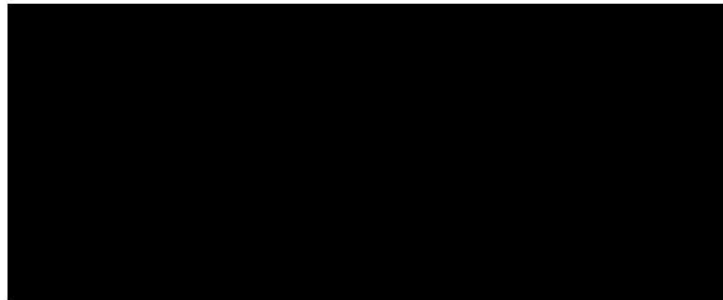
---

---

---

Signature of Chairperson:

Signature of Members:



Date:

14 January 2025

**Head of Agency or Delegate approval under PP-2**

Secretary or Delegate,  
Department



21 January 2025

#### 1 Background and Project Description

Approval is being sought to directly source services from JCP Youth Ltd. to deliver the BEAST Program for at-risk youth, with funding of \$3.7 million over three years. The BEAST Program is a high-impact mentoring and leadership initiative designed to support vulnerable young males aged 11-17. It provides structured activities, personal development, and community engagement opportunities aimed at reducing offending behaviours, increasing resilience, and fostering positive life outcomes.

This procurement is focused on expanding the reach of the established BEAST Program to accommodate additional placements and strengthen community-based supports for at risk young people who have contact with Services for Youth Justice and/or the Services for Children and Families. The initiative aligns with the Youth Justice Blueprint 2024-2034 and the Commission of Inquiry recommendations to increase diversionary options for children and young people in Tasmania.

The BEAST Program directly supports DECYP's strategic objectives by:

- Reducing the likelihood of reoffending and interaction with the justice system and related support provided through Services for Children and Families.
- Supporting participants in achieving educational engagement and personal growth.
- Delivering a mentoring program that is designed around the individual participants' needs and supports the Department's trauma-informed, therapeutic care objectives to address the complex needs of at-risk youth.

While initial plans considered using a grant funding mechanism, recent advice from the Crown Solicitor and internal review has clarified that this arrangement aligns with a service agreement. This is because the BEAST Program provides direct benefits to the State by delivering on key policy initiatives and statutory obligations, including the Youth Justice Blueprint 2024–2034 and the Commission of Inquiry recommendations. As a result, this procurement process will initiate a service agreement for the delivery of specified outcomes, ensuring compliance with procurement requirements.

The BEAST Program remains uniquely positioned to deliver the desired outcomes due to its established operational framework, and experience supporting at-risk youth. Utilising a Direct Sourcing approach, the Department ensures compliance with Treasurer's Instructions while securing a provider capable of delivering critical diversionary services aligned with state priorities in a timely manner.

## 2 Reason for direct or limited submission sourcing under TI PP-2

2.18 The Accountable Authority is permitted to approve use of a direct sourcing or limited submission sourcing approach where the following circumstances apply:

### Clause 2.18.10

\*For all other procurement that is not a covered procurement:

- the cost to the Agency and to suppliers of seeking submissions, including expressions of interest or requests for proposal, or adopting an open tendering methodology would outweigh the value for money benefits of adopting those methods;
- exceptional circumstances exist that justify the use of limited tendering rather than seeking submissions or undertaking an open tendering process.\*

NOTE: This procurement is deemed to be “covered” as it exceeds the threshold for international procurement agreements established by the Australian Government; therefore, the use of condition 2.18.10 for direct sourcing in this instance would not normally be applicable.

However, the publication issued by the Secretary of the Department of Treasury and Finance for the purposes of giving effect to Tasmania’s International Procurement Obligations provides the ability for the Accountable Authority to use condition 2.18.10 where the requirements for the service are deemed to be excluded by an enforceable procurement provision, or aligns with exclusions and exceptions contained in Appendix 4 of the document.

Appendix 4 excludes the procurement of health and welfare services from coverage under applicable international procurement agreements.

This service clearly fits the definition of a health and welfare service as it provides the participants with personal development, along with community engagement opportunities, which aimed at reducing offending behaviours, increasing resilience, and fostering positive life outcomes.

Therefore, it is appropriate for the Accountable Authority to approval proceeding under this condition.

The procurement of services for the BEAST Program from JCP Youth meets the criteria under Clause 2.18.10 for the following reasons:

- Conducting an open tender or broader procurement process would involve significant administrative costs and time investment, which are disproportionate to the value-for-money benefits. JCP Youth has established a program model that is currently operational and capable of addressing the needs of young people with highly complex needs.
- On 14 March 2024, as part of the 2030 Strong Plan for Tasmania’s Future, the Tasmanian Government announced an investment of \$3.7 million into JCP Youth

over three years to support at-risk young Tasmanians. This commitment is in direct response to the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (Commission of Inquiry) recommendations, notably recommendation 12.13, accepted in full by the Tasmanian Government in September 2023. An open tender process, including developing specifications, advertising, evaluating submissions, and awarding a contract, would take 4-6 months and require substantial staff resources. This would delay program commencement, undermining the Department's ability to fulfill policy objectives and deliver on the Government's election commitment, maintain public accountability and confidence.

- Suppliers would also incur significant costs in preparing tender submissions, with a high likelihood that JCP Youth would be the only viable provider due to their existing operational capacity. Internal advice from DECYP business units working with young people with highly complex needs indicates that no other provider offers a comparable level of service for this specific cohort.
- This procurement aligns with critical policy obligations under the Youth Justice Blueprint and the Commission of Inquiry recommendations, requiring the program's commencement by early 2025 to meet policy objectives. Any delay could negatively impact service delivery to at-risk youth and the Government's ability to fulfil these obligations.
- JCP Youth is already delivering services to 12 young people who have Tasmanian Government service interaction, with highly complex needs under their existing model. JCP Youth also support young people through community referrals into the BEAST program. Transitioning to a new provider, if one could even be identified, would disrupt service continuity and negatively impact vulnerable participants.

The use of direct sourcing for this procurement ensures value for money for the following reasons:

- JCP Youth has experience in delivering the BEAST Program and has reported positive impacts in supporting at-risk youth. Engaging a provider with an established diversionary program model and a strong commitment to improving outcomes helps mitigate potential risks associated with service delivery.
- Avoiding a competitive procurement process eliminates unnecessary costs and delays while ensuring that funds are directed toward program delivery rather than administrative overhead.
- By engaging a provider already operational and aligned with program requirements, the Department ensures that the funding directly contributes to achieving policy objectives and supporting vulnerable youth without additional costs or risks associated with onboarding a new provider.
- At approximately \$68,500 per participant, the program represents a cost-effective intervention compared to the financial and social costs of youth justice system engagement.
- As a Tasmanian provider, JCP Youth contributes to the local economy and community development, aligning with DECYP's commitment to supporting local suppliers.

For the above reasons, direct sourcing services from JCP Youth Ltd. for the delivery of the BEAST Program for at-risk youth is a justified and value-for-money approach. This procurement leverages the provider's established capabilities, ensures service continuity for vulnerable participants, and meets critical policy and statutory obligations under the Youth Justice Blueprint and Commission of Inquiry recommendations. By avoiding the costs and timeframes required to undertake an open tender process, the Department ensures the immediate and timely delivery of essential services while supporting local economic and social outcomes.

The agreement will seek to cover delivery of any youth services by JCP Youth across all areas of the Department. DECYP will seek agreement to have the prescribed performance and reporting conditions in this agreement apply consistently across any services provided by JCP Youth, including to any existing youth where services are being provided without formal contract.

### **3 Preferred Supplier/Contractor**


Full Legal Name: JCP Youth Ltd.  
Address: PO Box 7512, Launceston, TAS 7250  
ABN/ACN: 94 645 102 807

### **4 Term of the contract**

Initial contract period: 01 February 2025 to 31 January 2028 (one-off purchase)  
Period of extension/s:

### **5 Actual/Estimated Value**

Initial contract value: \$3 700 000  
Value of extensions: Nil  
Total possible value: \$3 700 000



Position: A/Director, Youth Justice Services  
Date: 13 January 2025