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13 September 2024

Hon Ruth Forrest MLC
Chair
Joint Sessional Committee
Commission of Inquiry Recommendations Scrutiny Committee
coir@parliament.tas.gov.au

Dear Chair

Thank you for your letter of 2 September 2024 following the hearing of the Joint Sessional Committee – Recommendations of Final Report of the Commission of Inquiry relating to the Children and Youth portfolio.

As agreed at the hearing, attached is a written update on the progress of recommendations in the Children and Youth portfolio (Chapter 12 and Chapter 21) that were not discussed during the hearing.

Yours sincerely

Hon Roger Jaensch MP
Minister for Children and Youth

Update on Progress

Recommendation 12.6

The Tasmanian Government is committed to ensuring children and young people in youth detention are supported by a skilled, capable and supported workforce that demonstrates the changes in attitudes and behaviours required for child safety and child-centred practice.

- Leadership in Youth Justice has been strengthened with the addition of an SES 2 leadership position (Director Community and Custodial Youth Justice) as well as the addition of an Assistant Principal at the Ashley School, to enable the Principal to have a greater role in leadership across the centre.
- The creation of the Executive Director, Youth Justice Operations (SES 3) position is underway.
- Leadership training for managers and supervisors in youth detention will occur in 2025.
- Achieving cultural change requires a strong commitment from leaders, including a willingness to embrace change and take informed risks as well as implement key performance measures for the Secretary, Associate Secretary, Executive Director and other Executives.

Implementation of this recommendation will be completed by 1 July 2026.

Recommendation 12.7

The Tasmanian Government is committed to developing a Youth Justice System that achieves better outcomes for young people and their families and keeps our community safe.

- Departmental leaders in youth justice are engaging in a continuous cycle of improvement with a major focus on culture. This includes development of an agreed set of cultural drivers aligned with the Department's values. These will provide an important foundation for future work which will be driven by the new cultural change lead being recruited.
- The Youth Justice Blueprint 2024-2034 will be monitored and evaluated over its ten-year life, with a plan that details how we measure progress against the intent of the Blueprint and short and long term outcomes across each of the five strategies.
- Evaluation is also being considered as part of individual actions associated with the Blueprint. To inform the community on progress on the Blueprint, reports will be released containing information about implementation of actions and the success and effectiveness of actions.
- The Youth Justice Reform work is underpinned by a Governance Framework which supports a co-ordinated and collaborative response from all stakeholders for the implementation and monitoring of the Youth Justice Blueprint.
- The Youth Justice Reform program of work is currently placed with the Department of Premier and Cabinet and is occurring through a Youth Justice Taskforce. DECYP is continuing to work with the Taskforce to ensure a collaborative approach to youth justice system reform.
- Leadership in Youth Justice has been strengthened with the addition of an SES 2 leadership position (Director Community and Custodial Youth Justice) as well as the addition of an Assistant Principal at the Ashley School to enable the Principal to have a greater role in leadership across the centre.

- A Statement of Duties for the Executive Director, Youth Justice Operations (SES 3) has been finalised and creation of the Office is underway.
- Planning for the recruitment of the Cultural Change lead has commenced. This position will lead change and facilitate cultural change at AYDC, and ensure leaders have the appropriate skills and core capabilities required to facilitate change.
- Youth justice leaders have worked with staff and young people to develop positive centre-wide behavioural expectations aligned with the department's values. This work is foundational to establishing a child safe culture.
- DECYP will develop measures to monitor and evaluate cultural change at the Youth Detention Centre to deliver a therapeutic model of care, and child safe organisation, which may include the development of surveys of staff and key stakeholders.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.8

The Tasmanian Government is committed to improving outcomes for children and young people in detention by increasing their agency and contributing towards a child-centred culture in every setting.

The Department consulted with children and young people during the development of the Strategic Plan to understand what is important to them, and how the Department's employees need to be. Participation and Empowerment is one of the Department's four strategic priorities.

The Commission of Inquiry recommended that the DECYP develop a Participation and Empowerment Strategy for children and young people in out of home care (Recommendation 9.6) and youth detention (Recommendation 12.8).

To realise the Department's Strategic Plan and uphold the rights of children and young people, the Department has identified the need to go beyond the Col recommendations and to develop a Strategy that builds the lived experience of children, young people, and families into the Department's culture, governance, policies, practices and service delivery across all services.

- The Department has scoped the work to develop a Participation and Empowerment Strategy for children and young people in out of home care and detention (Recommendations 9.6 and 12.8).
- This work will benefit children and young people by giving them more opportunities to contribute to decisions that affect their lives. When they have input into these decisions, they are more likely to be kept safe, well and thriving by the organisations and individuals that provide services and support to them.
- Recommendation 12.8(b) from the Commission of Inquiry required a review of the Resident Advisory Group at Ashley Youth Detention Centre (AYDC), which has led to the establishment of the Young People Consultation Group.
- This group has met monthly since commencing in June 2024. The group provides a safe and inclusive environment for young people in detention to form and express their views, make requests, and raise questions and concerns. The young people's views are actively sought and taken into account in decision-making processes, e.g., in relation to policy and procedure development.

- The AYDC Young People Consultation Group Procedure and Terms of Reference have been developed in consultation with young people at Ashley Youth Detention Centre, the Office of the Commissioner for Children and Young People and the Custodial Inspector.
- The meetings are chaired by an independent chairperson who has a therapeutic focus and experience engaging with young people and facilitating meetings, to ensure that young people are empowered to express their views freely. The Advocate for Young People in Detention is also invited to attend each meeting to support the young people.
- The new Procedure and Terms of Reference align with Commission of Inquiry Recommendation 12.8 and Article 12 of the *UN Convention on the Rights of the Child* and is informed by the Lundy Model of Child Participation to ensure that young people at AYDC can effectively participate in all matters that affect them.
- The Department's Participation and Empowerment Strategy will document and build on existing work across the Department and also include the co-design of:
 - an overarching and comprehensive guide that outlines best practice principles, ethics, and models for children and young people's participation at the individual and systemic levels.
 - a Rights of the Child education and awareness campaign that builds understanding of children's rights within the DECYP workforce, and with parents, carers, children and young people.
 - a lived experience advisory model that represents all the distinct groups we serve – young people with experience of out of home care and youth justice; students; parents and carers. Once the model of advisory groups is co-designed, we will establish them in future stages of the Participation and Empowerment Strategy.
- The Strategy and its range of supporting activities previously mentioned, will enable the lived experience of children, young people and families to be reflected in the Department's culture and ways of working to better deliver services that meet their needs.
- Updated induction and information resources will be developed in consultation with children and young people at Ashley Youth Detention Centre to support their understanding of their rights, available supports, and relevant programs and processes while in detention.
- These resources will be provided to young people on admission to the Centre and to their families or carers.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.9

The Department is committed to recruiting and maintaining an appropriate level of staff in youth justice and ensuring that the youth justice workforce has the aptitudes, attitudes and capabilities to deliver a therapeutic model of care.

- A concentrated effort to recruit more Youth Workers to Ashley Youth Detention Centre has occurred. Since October 2022, there have been six Youth Worker recruitment campaigns, with an additional recruitment round underway.

- Improvements to the youth worker onboarding program have already been implemented, along with the ongoing implementation of more robust policies and procedures.
- The positive impact of the implementation of other recommendations, including strong leadership and governance arrangements to drive cultural change, and the implementation of appropriate qualifications, training and support for all youth workers, will be important considerations in determining the approach to this recommendation.
- The Department is finalising procurement for contextualised Certificate IV training to ensure youth workers have the appropriate skills and training to build positive relationships and work therapeutically with children and young people in detention.
- The recent staffing changes have resulted in a shift in the staffing demographic relating to cultural diversity, age, gender, qualifications, and experience, particularly at AYDC.
- A Youth Justice Workforce Action Plan is being developed for staffing youth justice. This will include workforce planning, marketing and recruitment and ongoing workforce management. The Action Plan will have a strong leadership focus, have values and capability-based recruitment and include clinical supervision.
- Clinical support including supervision for youth workers at AYDC is provided on an ongoing and regular basis. This supervision is focused on how to support young people at AYDC with intensive support needs.
- Leadership in the youth detention system has been strengthened to drive and support cultural change, including improving governance arrangements for youth detention and establishing means to ensure accountability for cultural change and links to the DECYP strategic directions and values.
- A customised package of staff wellbeing supports is available for AYDC staff including after critical incidents. This includes critical incident debriefing through the Department's Employee Assistance Program.
- A dedicated Work Health and Safety consultant is based at AYDC to coordinate Centre response and supports. Ongoing proactive supervision is in place for staff, whilst coaching and supervision is available for leaders to build their capability to manage their staff's wellbeing and support their teams. following critical incidents and after allegations of sexual abuse against a colleague.
- Youth justice leaders have worked with staff and young people to develop positive centre-wide expectations or cultural drivers and are currently working through the behaviour attributes of these expectations. This work is a foundational element of establishing the culture we want and the culture we are working to achieve.
- Planning has begun on the development of a Workforce Strategy for Youth Justice. This strategy will draw on appropriate levers to strategically attract, employ and retain a safe, well and qualified workforce.
- A 12-hour roster for youth workers that incorporates dedicated training days is currently under development. This aims to ensure that staff training can be carried out without affecting operations of the centre.
- The Department for Education, Children and Young People will be evaluating the level of resources needed to support ongoing delivery of onboarding and training both in Ashley Youth Detention Centre and any future detention facility.
- Further work will be done to refine induction and professional development programs to provide staff with appropriate qualifications, training and support.

- Development and implementation of this recommendation is progressing as part of the broader Youth Justice Services Workforce Action Plan.

Implementation of this recommendation will be complete by 1 July 2029.

Recommendation 12.10

The Tasmanian Government is committed to ensuring the protection of children and young people is prioritised through clear and enforceable policies and processes, and a culture that champions the rights of children.

- The Department has completed the development of a Conduct and Behaviour Policy, General Conduct Standards for all workers and an additional set of conduct standards for workers in a detention centre and residential youth justice settings.
- These documents have been developed with key internal stakeholders which enabled identification of areas for improving and strengthening of the existing framework to provide a clear structure and practice for safeguarding children and young people from abuse.
- The Policy and Standards clearly describe expected standards of behaviour for workers who have contact with children and young people, reporting obligations and the consequences of a breach of the policy, including that a breach of the policy may be a breach of the Code of Conduct.
- The Policy and Standards applies to all workers, including employees, volunteers, contractors, sub-contractors, and, where relevant, trainees and work experience students.
- Compliance with the Department's Conduct and Behaviour Policy and Standards for staff who have contact with children and young people in Youth Detention and Residential Youth Justice settings will be achieved through instructive communications with all employees, ongoing professional learning and work by the Office of Safeguarding Children and Young People to provide direction on the Department's culture and systems as they relate to protecting children and young people from harm.
- The Department will develop guidance material and information sessions for children in youth detention or youth justice facilities about the expected behaviour of staff, volunteers and adults in their lives.
- A communication campaign to staff and all other workers will be implemented to ensure awareness of understanding of the required standards of conduct and behaviour.
- A professional learning module will be developed in the second half of 2024.
- The Department will also ensure the policy is regularly reviewed, publicly available and communicated to children and young people and their families.
- The Department is working closely with the Department of Premier and Cabinet to ensure this work aligns with the whole of Government approach under recommendation 20.2.
- The Conduct and Behaviour Policy and Standards sit alongside other work to strengthen DECYP's status as a Child Safe Organisation which is captured in 'Safe. Secure. Supported – Our Safeguarding Framework'.

Implementation of this recommendation was due on 1 July 2024. The documents were finalised on 29 August 2024 and have been published on the [DECYP website](#).

Recommendation 12.11

Recommendation 12.11(a) and (b) are being led by the Department of Justice.

Recommendation 12.11(c) is being led by the Youth Justice Reform Taskforce.

This Government has committed to raise the minimum age of detention to 16 years as part of our comprehensive reform of the Youth Justice System in Tasmania.

- Raising the minimum age of detention will require legislative amendment to the Youth Justice Act 1997. This will occur together with a suite of amendments identified as part of our whole system reform.
- The Youth Justice Reform Taskforce is considering service impacts of this proposed change as part of its service and facility planning process, consistent with the Commission's suggested reform timeframe.

Implementation of this recommendation will be complete by 1 July 2029.

Recommendation 12.12

The Department for Education, Children and Young People has a broad Legislative Review Program already underway including substantive reviews of both the *Youth Justice Act 1997* and the *Children, Young Persons and Their Families Act 1997*.

The scope of these reviews includes giving effect to the recommendations of the Commission of Inquiry as well as delivering a contemporary, child-centred, trauma-informed approach for children and young persons involved in youth justice or in care.

- Extensive research has been undertaken on contemporary understandings of child development and models to underpin the updated Act including public health, child-centred, trauma informed and rights-based approaches to youth justice.
- DECYP is committed to working with the Department of Justice, the Youth Justice Taskforce, key stakeholders including people with lived experience and the community to implement all relevant legislative amendments recommended by the Commission of Inquiry.
- This process will include public consultation opportunities at various points.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.13

This Government is committed to developing a youth justice system that achieves better outcomes for young people and their families and keeps our community safe.

Election Commitments

- Work is underway to progress operationalisation of two diversion programs that were committed to during the 2024 State Election.
- Our 2030 Strong Plan investment of \$3.7m in JCP Youth and \$2.3m in local, place-based initiatives will seek to divert and prevent young people from offending.
- JCP Youth's innovative BEAST program delivers state-wide, high impact interventions for children and young people by providing outreach and mentorship that is available 24 hours a day, seven days a week.

- The program works with at risk children and young people, and those who have offended, to build the life skills they need to be happy, healthy and positive members of their community.
- The new diversionary programs (JCP Youth and Place-based Initiatives) will commence delivery by 2025, in line with recommendation 12.13.

Youth Justice Diversionary Services Framework

- The Youth Justice Reform Taskforce has commenced development of the Youth Justice Diversionary Services Framework (the Framework) which will identify criteria and measures for diversionary programs to ensure they are effective, evidence-based, and regularly monitored and evaluated.
- This is being developed in consultation with:
 - Government agencies that deliver programs and services to children and young people
 - Non-government organisations
 - Aboriginal Community-Controlled Organisations
 - Children and young people with lived experience of the youth justice system, including Tasmanian Aboriginal children and young people.
- The Youth Justice Diversionary Services Framework will be released later this year, along with an implementation plan.
- In addition to developing the Framework, the Government will also commence examining the exercise of police discretion for cautioning and community conferencing, as well as commissioning research to examine the effectiveness of these processes.

Implementation of this recommendation will be complete by 1 July 2029.

Recommendation 12.14

This Government is committed to developing a youth justice system that achieves better outcomes for young people and their families and keep our community safe. We are also committed to reducing the number of children and young people in detention and, in particular, on remand.

- Scoping for a model to deliver a state-wide 24-hour bail support system has commenced.
- Work will continue to identify a model for the bail support system, which will include consultation with relevant agencies and community sector stakeholders.

Implementation of this recommendation will be complete by 1 July 2029.

Recommendation 12.15

The Department for Education, Children and Young People has a broad legislative review program already underway including substantive reviews of both the *Youth Justice Act 1997* and the *Children, Young Persons and Their Families Act 1997*.

- The review is in the initiation phase.
- Extensive research has been undertaken on contemporary understandings of child development and models to underpin the updated Act including public health, child-centred, trauma informed and rights-based approaches to youth justice.

- DECYP is committed to working with the Department of Justice, the Youth Justice Taskforce, key stakeholders including people with lived experience and the community to implement all relevant legislative amendments recommended by the Commission of Inquiry.
- This process will include public consultation opportunities at various points.

Implementation of this recommendation will be complete by 1 July 2029.

Recommendation 12.16

This recommendation was discussed at the 29 August 2024 Scrutiny Hearing.

Recommendation 12.17

The Tasmanian Government is committed to ensuring the safety of children and young people in youth detention. Enhancing electronic surveillance is one way to ensure that the risk of harm to these children and young people is reduced.

These safety measures will also be considered in the design of the new youth detention facility, replacing Ashley Youth Detention Centre.

Body Worn Cameras

- Body Worn Cameras were introduced in a trial capacity in Ashley Youth Detention Centre in December 2023 to support the safety and security of young people and staff.
- Their introduction was supported through jurisdictional research, consultation with key internal and external stakeholders, staff training, and appropriate infrastructure.
- An independent evaluation of the trial is underway and planned to be completed by the end of 2024, to determine the effectiveness of the Body Worn Cameras in supporting the safety and security of young people and staff in the Centre. Input from young people at the Centre, together with feedback from key internal and external stakeholders will form part of the evaluation report.

CCTV

- There are more than 170 CCTV cameras operational throughout Ashley Youth Detention Centre, which ensures there are no black spots in any communal and public spaces.
- The Department is committed to continuous improvement, which includes the CCTV system, to ensure the safety of young people and staff at the Centre.
- CCTV and Body Worn camera footage assists to thoroughly investigate formal complaints and reported incidents at the Centre.
- The Department will continue to monitor, evaluate and improve the use of Body Worn Cameras and CCTV cameras within the Centre.
- Planning is underway on the installation of an integrated control room to support the monitoring of surveillance systems throughout the centre.
- The Department is developing a policy for managing and retaining surveillance footage in line recommendation 12.17(d).

Viewing Panel Swipe Readers

- Implementation of the electronic access control re-keying system on all bathroom viewing panels has been completed.

- The technology solution uses a smart key that is programmed to the individual locks, to control and monitor access.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.18

Behaviour Development Program

- The Commission of Inquiry recommended abolishing the current Behaviour Management Program in Ashley Youth Detention Centre and work has commenced towards this.
- A Risk Benefit Analysis has been conducted which includes a jurisdictional scan to identify best practice model elements that should be considered as part of a replacement program.
- The Principal at Ashley School has developed and rolled out centre-wide behavioural expectations in consultation with both young people and staff.
- The expectations outline the expected modelled behaviours we want to see in the centre. Posters and other supporting materials have been developed and are displayed, along with examples of what the modelled behaviours look like as reminders to staff and young people throughout daily practice.
- A new incentives-based program for positive behaviour that aligns with the centre-wide expectations is also being considered.
- Behaviours that fall outside of the expected behaviours would be addressed separately as part of a Therapeutic Support Plan tailored to each young person.
- Any new program will be trauma-informed, therapeutic and non-punitive. It will not include a punishment connotation, nor infringe on the rights of young people – for example to access physical exercise, education or contact with family and community support groups.
- Any new program will also be fair, equitable and predictable to support young people in developing positive behaviours.
- The development of any new program will include consultation with experts and incorporate the voice of children and young people in detention.

Model of Care

- One of the key actions the Tasmanian Government is progressing under the Youth Justice Blueprint is the development of a Youth Justice Model of Care.
- The Commission of Inquiry's recommendations are informing work on the development of the Model of Care for children and young people engaged in the youth justice system.
- The Model of Care is being developed with children and young people, Aboriginal communities and staff from government and non-government organisations across the youth justice system.
- We are also working closely with the community services sector and have held two workshops with the Youth Justice Community Engagement Group in July and August, with a further meeting planned shortly.
- The model of care is in its final draft and is currently undergoing further targeted stakeholder consultation.

- Progress has already been made in working towards a therapeutic approach across the youth justice system. Some of the key projects already underway across community and custodial youth justice that align with a therapeutic approach include:
 - increased recognition of the voice of young people through the reintroduction of the Resident's Advisory Group within the Ashley Youth Detention Centre
 - work to support a contemporary approach to case management of young people under youth justice supervision, including identification of evidence-based assessment tools to support case planning and goal setting for young people
 - a review of the organisational structure and governance arrangements to support continuous practice improvements across Services for Youth Justice
 - the establishment of a clinical services team to provide specialist assessment, interventions, and advice for young people with the most complex needs.
- The model of care will also support the design of our new youth justice facilities to ensure they incorporate both therapeutic design elements and support the ability of staff to practice in therapeutic ways.

Implementation of this recommendation will be complete by 1 July 2029.

Recommendation 12.19

Through the comprehensive reforms outlined in the *Youth Justice Blueprint 2024-2034*, responses across the entire service system will be enhanced to ensure a collaborative, multidisciplinary and therapeutic approach.

- Work is currently underway on the development of a Case Management Policy Framework to support case planning and service delivery to young people in detention, as well as those under community supervision orders.
- Implementation of the case management framework will ensure a coordinated approach to assessing and responding to the individual needs of young people and will maximise access to services and supports that address each young person's needs in a therapeutic and culturally safe manner.
- The Department is also implementing a new Clinical Services team within Services for Youth Justice. This new team will undertake specialist assessments and evidence-based interventions for young people where required to inform services involved in the throughcare of the young person.
- The Director of Clinical Services has commenced. Planning is underway to determine the appropriate structure and roles required for the Clinical Services team.
- The Clinical Services team will provide services statewide across both community and custodial youth justice services. It will provide professional advice and practice support for young people with the most complex and intensive needs and will drive the delivery of safe and high-quality therapeutic services across Services for Youth Justice.
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Implementation of this recommendation will be complete by 1 July 2026

Recommendation 12.22

The Commission of Inquiry noted that most children and young people in detention have experienced significant disruption to their schooling, with some completely disengaged from education. They also heard evidence of quality educational and vocational training programs accessible for children and young people at Ashley Youth Detention Centre.

The Ashley School offers access to education for all young people in youth detention or on remand. It offers an array of specialist subjects and highly differentiated literacy and numeracy opportunities. Young people work towards individualised learning plan goals in which they have a voice.

- Ashley School has appointed an Assistant Principal with extensive experience in Years 11 and 12. This has supported the development of scope and sequences aligned to all curriculum areas and increased the school's capacity to monitor Tasmanian Assessment and Standards Certification (TASC) achievement and assessment. This alignment of curriculum allows evidence of learning for students transitioning to an 11/12 program to be shared to support TASC attainment.
- Ashley School is engaging with statewide Year 11-12 moderation days to further support the effectiveness of their TASC planning and assessment.
- An education engagement, monitoring and transition team has been established, including the involvement of Youth Justice Education Liaison Officers, AYDC Case Management and Student Support Coordinators, to support student engagement and attainment, and more effective education transitions. Ashley School also provides “at the elbow support” to young people and families to facilitate transition visits and meetings with prospective schools offsite.
- In February 2024, Ashley School introduced Pathways as a subject. Pathways is offered for 100 minutes a week. This is a work preparation class that supports young people to work towards their individual career goals through attainment of vocational qualifications, job application preparation and employment coaching.
- Ashley School has worked with an external Literacy Coach to deliver Professional Learning for all school staff on tiered reading interventions. This work has led to the development of an explicit multi-tiered system of supports to increase reading outcomes for young people. This includes significant investment in high-quality classroom practice and the explicit teaching of reading across all curriculum areas.
- A more structured and rigorous baseline data procedure is proving very effective in gathering evidence to inform teaching and learning. Some initial data has indicated some young people engaging in tier 3 reading intervention have increased their reading age by up to 1.5 years in just one month of participation. As many young people have not accessed mainstream education for an extended period, this data is also crucial in supporting educational transition future planning.
- Ashley school is ensuring high-quality educational and vocational training programs are accessible for children and young people in detention, with developed employment and training opportunities made available when they leave detention.
 - As AYDC staffing levels increase, the school will have more opportunities to facilitate offsite transition and explore workplace and vocational experiences.
 - A Trade Training Week is being planned, with representatives from various trades coming onsite to talk with young people about their jobs and the required training and pathways.

- Ashley School has had some initial engagement with Beacon Foundation to further support their work in this space. Beacon Foundation is a not-for-profit organisation that works with schools, businesses and communities, delivering career readiness programs and services.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.23

Implementation of this recommendation is complete.

A new policy titled *Connection with Family and Community Policy* and a procedure titled *Financial Assistance Procedure* was implemented on 24 June 2024. The purpose is to provide a foundation for children and young people in detention to build and maintain connections with family and community, which is recognised as being critical for wellbeing.

The policy and procedure were informed by consultation with key stakeholders including capturing the voices of children and young people currently in detention.

The new policy and procedure information has been incorporated into internal staff practice manual resources, and information sheets are being provided to young people in admissions packs and placed around the centre.

Now that the new policy and procedure has been implemented, there is also:

- increased financial assistance for families and Aboriginal (and other) community group members to visit children and young people in youth detention
- clear direction to staff that visits and access to visits that are therapeutically important cannot be denied on the basis of behaviour
- increased technology-facilitated access for children and young people in detention.

The *Connection with Family and Community Policy* and *Financial Assistance Procedure* are available to staff on the Department's intranet. To support DECYP's work on recommendation 12.23, the following information was published on the DECYP website in June 2024: [Custodial and Community Youth Justice brochure](#).

Review of the policy and procedure will occur in accordance with DECYP's policy review schedule and in line with other related recommendations, including recommendation 12.29 regarding admissions procedures and case management frameworks.

Recommendation 12.24

This Government aims to achieve a throughcare approach for children and young people in touch with the youth justice system in Tasmania that facilitates and supports transition between services, facilities and the community in a responsive and child and young person-centred manner.

- Custodial Youth Justice staff are using a care team model that includes exit planning from a very early point to work with children and young people in detention with supports from their own community.
- Continuity and consistency of support for children and young people with trauma is incredibly important and the care team works to connect young people with supports such as 54 reasons, child safety services, the advice and referral line, and their parents and relatives that can continue to support them when they leave custody. If the child or young person is engaged with an Aboriginal service, that service will be invited into the care team to continue to support them

- The importance of throughcare across the youth justice continuum, including the transition out of detention, is being considered as part of the development of the Youth Justice Model of Care.
- Work has also commenced on the development of practice frameworks for different elements of the youth justice continuum, detailing how the model of care should be implemented in different settings, and how services need to work collaboratively, including with government and non-government service providers and Aboriginal communities.
- A small group of community sector providers has also been convened in a case management-focused workshop to collaboratively identify the elements of an intensive case management model as a potential option for young people who otherwise may have been remanded to AYDC.
- Throughcare will continue to be a focus across the youth justice reform project, particularly in the development of operational service models for community and custodial youth justice.
- Throughcare will also underpin the development of supported accommodation options for young people bailed or transitioning out of detention.
- Consultation on an intensive case management model with the intention to bring a proposed model for consideration to key internal and external stakeholders during September.

Implementation of this recommendation will be complete by 1 July 2029.

Recommendation 12.25

The Tasmanian Government is committed to delivering child-centred policies and services that show children compassion, protect them from harm and uphold their rights.

This includes ensuring that a transfer of a young person from Ashley Youth Detention Centre (AYDC) to an adult facility is only made once all options have been considered, through processes that ensure their best interests have been adequately taken into consideration.

- The Department is scoping a new process for transfers that takes into consideration the Commission's recommendations, including approval and notification processes.

Implementation of this recommendation will be complete by 1 July 2026

Recommendation 12.27

This Government is working with Tasmanian Aboriginal people to reduce the over-representation of Aboriginal children and young people in the youth justice system.

It is recognised that Tasmanian Aboriginal people, with support from Government, are best placed to address the over-representation of Aboriginal children and young people in the youth justice system.

Supporting Aboriginal Community-Controlled Organisations to develop services and programs that promote wellbeing and sustain connectedness with community and culture, is a fundamental strategy to reduce the number of Aboriginal children and young people in the youth justice system and will be the focus of the Aboriginal Youth Justice Strategy.

- Work on development of the Aboriginal Youth Justice Strategy has commenced.

- A Youth Justice Reform Aboriginal Reference Group has been established to provide input on Youth Justice reforms, starting with the Youth Justice Model of Care and the Aboriginal Youth Justice Strategy.
- In developing the Aboriginal Youth Justice Strategy, the Government will consider and address the issues raised in the Commission of Inquiry and matters raised in discussion with our partners on the project from Aboriginal organisations.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.28

This Government is progressing its plan to close the Ashley Youth Detention Centre and transition to new youth justice facilities that support a therapeutic model of care, as one part of comprehensive reforms of the entire youth justice system.

- \$50 million has already been invested to commence the transition to a new contemporary fit for purpose facility in the south of the state.
- Site assessments such as Aboriginal cultural heritage, natural values and geo-technical assessments are either completed or underway.
- Site fencing work at 466 Brighton Road has been completed.
- Consultation with the local community and key stakeholders is underway and will continue as the build progresses.
- Early works (including power, sewer, water and NBN infrastructure) is proposed for the second half of 2024.

This recommendation is due for completion by 1 July 2026.

Recommendation 12.29

The Tasmanian Government is committed to ensuring that Ashley Youth Detention Centre (AYDC) and the future facility are culturally safe for Aboriginal children and young people.

- As part of the admissions process, young people are asked whether they identify as Aboriginal and, if so, staff at AYDC advise the relevant Aboriginal community organisation.
- Connections with Aboriginal organisations are fostered through case management and possible involvement in Care Team meetings.
- Culturally specific programs are provided to support Aboriginal young people, in partnership with the Aboriginal Education Service, the Circular Head Aboriginal Corporation, and the Tasmanian Aboriginal Legal Service.
- There are also programs in place at the Ashley School and we are working on strengthening these programs to ensure a high level of cultural support to children and young people while they are in detention.
- Although there are already processes in place to ensure children and young people are provided the opportunity to engage with Aboriginal organisations or community members, policies, procedures, and case management processes will be updated to emphasise the central importance of connection to family, community and culture for the wellbeing of Aboriginal children and young people in detention.
- The Ashley Youth Detention Centre (AYDC) Learning and Development Framework aims to ensure all staff are well equipped with knowledge and skills to provide trauma

informed and safe care for young people within the centre. It is founded on six principles, one of which is that cultural awareness will be embedded in all learning and development opportunities to ensure a culturally safe environment for Aboriginal children and young people.

- The Learning and Development Framework, as well as the AYDC Practice Framework have been reviewed and DECYP is working with the Australian Childhood Foundation to finalise the review with recommendations to inform ongoing implementation within the centre.
- The Review will also inform work to reform the youth justice system including the new Service Delivery Model and Practice Approach for the new youth detention centre.
- The role of Aboriginal Liaison Officer at the Ashley Youth Detention Centre will be established to support Aboriginal children and young people. This will include facilitating cultural support and involvement in case planning, case management and exit planning.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.30

The Department is committed to improving how it responds to instances of harmful sexual behaviours.

- The Department's Student Support team provides expert policy and operational advice on preventing, identifying and responding to instances of harmful sexual behaviour in schools and Child and Family Learning Centres.
- Work will continue to ensure that this support is extended to out of home care and youth detention facilities. Currently, instances of harmful sexual behaviour in youth detention are identified and addressed through the case management process and supports put in place to support young people in addressing these behaviours on an individual basis.
- The qualified and experienced staff within the Student Support team have developed training on child sexual abuse and harmful sexual behaviours and, in September 2023, began delivering this training to professional support staff in schools. This includes Social Workers, Psychologists and School Nurses. The training is being offered more broadly to other education staff throughout the 2024 school year. Once in place, the Harmful Sexual Behaviours Support unit will offer training to staff in child safety, out of home care and youth justice.
- The Department has started work on the development of the Harmful Sexual Behaviours Support Unit in consultation with relevant business units including Student Support, Office of Safeguarding Children and Young People, Services for Children and Families, Out of Home Care and Youth Justice, as well as the Department of Premier and Cabinet.
- The Unit will:
 - review the Department's governance processes, training and guidance to ensure its responses to harmful sexual behaviour across all areas of the Department are clearly defined, consistent, proactive, therapeutic, and underpinned by ongoing training and development.
 - develop youth justice-specific policies, protocols and practice guidelines to support best practice responses to harmful sexual behaviours in youth justice facilities.

- develop a reporting system to enable data on harmful sexual behaviours to be monitored in youth detention and other youth justice facilities and ensuring that timely, specialist therapeutic interventions are provided to young people.
- The Department is exploring the potential to implement Power to Kids, or a similar program or approach, in youth justice facilities to help build young people's understanding about healthy relationships, sexual safety, and to help strengthen their capacity to keep themselves safe.
- This work will be informed by the Tasmanian Government's statewide framework and plan to address harmful sexual behaviours being developed under recommendation 21.8.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.31

The Tasmanian Government is committed to moving towards a therapeutic approach to youth justice with laws and custodial practices that uphold children's rights and dignity. Personal searches are only completed, when necessary, to maintain the safety of young people and staff at Ashley Youth Detention Centre.

Procedures currently in place at Ashley Youth Detention Centre prohibit fully unclothed searches and include a hierarchy of search options from least to most intrusive.

De-escalation strategies are applied as the first step and the least intrusive search methods such as body scanner or wand scanner used when possible and appropriate.

The Department for Education, Children and Young People has a broad legislative review Program already underway including substantive reviews of both the *Youth Justice Act 1997* and the *Children, Young Persons and Their Families Act 1997*. Implementation of this recommendation will be considered as part of this review.

- To further uphold the rights and dignity of young people in detention, a body scanner has been installed and is now operational at the Centre.
- The introduction of the body scanner ensures that prohibited and unauthorised items can be detected by staff in the least intrusive manner possible and prevents such items from unknowingly entering the Centre.
- The Personal Searches Procedure has been updated to incorporate the use of the body scanner. This procedure was developed in consultation with the Custodial Inspector's Office and the Commissioner for Children and Young People's Office prior to implementation. The personal searches procedure also includes mechanisms to ensure the safety of young people which include multiple staff members being in attendance and searches undertaken with staff remaining in view of CCTV where appropriate. No personal searches are undertaken automatically – all personal searches must be based on reasonable grounds, appropriately authorised, and recorded in the Search Register
- Extensive research has been undertaken on contemporary understandings of child development and models to underpin the updated Youth Justice Act including public health, child-centred, trauma-informed and rights-based approaches to youth justice.
- As part of the broader review, the Department will ensure personal searches reporting aligns with the Commission of Inquiry's recommendations, including reports to the Secretary and Quality and Risk Committee, and the register itself to the Commission for Children and Young People, both of which aim to ensure transparency and uphold the rights of the child.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.32

The Tasmanian Government is committed to delivering a more therapeutic youth justice system with laws and custodial practices that uphold children's rights and dignity.

DECYP has a broad legislative review program already underway including substantive reviews of both the *Youth Justice Act 1997* and the *Children, Young Person and Their Families Act 1997*.

The scope of these reviews includes giving effect to the recommendations of the Commission of Inquiry as well as delivering a contemporary, child-centred, trauma-informed approach for children and young persons involved in youth justice or in care.

- The AYDC *Use of Isolation Procedure* is currently under review and is being updated to align with Recommendation 12.32.
- Within the scope of this review, a proposed new model of isolation has been developed in consultation with the Commissioner for Children and Young People and the Office of the Custodial Inspector, and approved in principle by the Department.
- The proposed new model of isolation aligns with recommendations, standards and conventions to ensure the rights and dignity of children and young people are upheld, including:
 - Recommendation 12.32, *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings Report*
 - Standard 8.9, *Inspection Standards for Youth Custodial Centre in Tasmania*
 - Rule 37 and Rule 45, *Nelson Mandela Rules*.
- Extensive research has been undertaken on contemporary understandings of child development and models to underpin the updated Youth Justice Act including public health, child-centred, trauma-informed and rights-based approaches to youth justice.
- Alongside this legislative review, improvements to the way in which isolation is recorded have been introduced to the Centre. A new automated system prompts Youth Workers to track young people's movement and complete wellbeing checks at 15-minute intervals, and records when and why movement was restricted, providing a more robust way of recording isolation.
- To support this system, the Department has introduced a monthly safety and security isolation reporting process. The report is forwarded to the Commissioner for Children and Young People, the Custodial Inspector as well as key Departmental stakeholders.
- To support this change in practice, information sheets have been developed for Youth Workers to outline their roles and responsibilities in the new process.
- Further work on updating registers and improving reporting on instances of isolation will be progressed to align with the Commission's recommendations.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.33

The Tasmanian Government is committed to ensuring that a more therapeutic youth justice system can be delivered with laws and custodial practices that uphold children's rights and dignity.

Force is used in Ashley Youth Detention Centre (AYDC) only when necessary to ensure the safety and security of young people and staff. Force is used for the minimum time required and is not used as a form of punishment.

- DECYP has a legislative review program already underway including substantive reviews of both the Youth Justice Act 1997 and the Children, Young Person and Their Families Act 1997.
- DECYP recently completed a review of the current use of force model, called 'Maybo', including the procedure and training materials, to ensure it is fit for purpose and aligns with best practice.
- The review found the Maybo approach requires updating. A decision has been made to implement a Use of Force and Relational Security model and training package. A Use of Force/Relational Security model is being developed which customises de-escalation, occupational violence and aggression, and conflict resolution training.
- Extensive research has been undertaken on contemporary understandings of child development and models to underpin the updated Youth Justice Act including public health, child-centred, trauma informed and rights-based approaches to youth justice.
- Planned next steps to fully implement this recommendation involve scoping new processes on use of force within the youth detention centre context, including updating procedures and reporting functions in alignment with the COI recommendations.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.34

The Tasmanian Government is committed to ensuring that frontline staff and leaders in our youth justice system are valued, supported, and that their ongoing professional development is prioritised and resourced.

This prioritisation of ongoing professional development will ensure that workers have the contemporary skills they need to provide child safe organisations.

This includes ongoing mandatory training and professional development for youth justice staff on legislation, policies and procedures, including training on use of isolation, use of force and searches of children and young people in detention.

- Work is currently underway to review and develop contemporary youth detention policies and procedures with consultation from experts to ensure they are reviewed and developed using a therapeutic, trauma-informed approach which considers and incorporates the rights of the child. This includes scoping new processes on isolation and use of force within the youth detention centre context, including updating procedures, reporting functions, and isolation recording processes to improve practices in alignment with COI recommendations.
- DECYP will communicate with Tasmania Police on the new use of isolation, use of force and searches procedures to ensure consistency across Government in understanding of practices, including where alleged conduct may fall outside the parameters of acceptable professional conduct.
- Improvements to the youth worker onboarding program have already been implemented along with the ongoing implementation of more robust policies and procedures.
- A body scanner has been installed at the centre and is now operational, along with strict policies and procedures to support its use.

- The Personal Searches Procedure, which has been updated to incorporate the use of the body scanner, was developed in consultation with the Custodial Inspector's office and the Commissioner for Children and Young People's office prior to implementation.
- The introduction of the body scanner ensures that prohibited and unauthorised items can be detected by staff in the least intrusive manner possible, in order to further uphold the rights and dignity of young people in detention.
- The Department will finalise its Searches procedures and scope new processes on isolation and use of force within the youth detention centre context, including updating procedures and reporting functions in alignment with the COI recommendations.
- Training will be then delivered to youth justice staff on the new procedures and provide updated procedures to Tasmania Police.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.35

The Tasmanian Government is committed to ensuring that children and young people in these settings are protected from adults who may pose a threat to them through strong mechanisms that actively address risk and prevent harm.

Currently, in youth detention, young people have a range of avenues available to raise concerns and lodge complaints, including through the Commissioner for Children and Young People's Advocate for Young People in Detention, through the new phone system as well as a 'help form' in their unit where they can tick a box that determines who their complaint is referred to. This may include the Centre Manager, Secretary of the Department for Education Children and Young People or Ombudsman.

- The Department has recently completed a review of the complaint management practices and has established a Complaint Management Oversight Unit to strengthen the complaints management process for children and young people.
- The Complaint Management Oversight Unit will support the Department to meet the requirements of the Child and Youth Safe Organisations Act 2023 and deliver the mechanism to comply with the Reportable Conduct Scheme which came into effect on 1 January 2024.
- Recruitment for the Complaint Management Oversight Unit roles is completed. Also, the Complaints and Project Officer has commenced with Services for Youth Justice.
- The establishment of the Complaint Management Oversight Unit and associated systems enables the Department to collect data on the occurrence of child sexual abuse (including harmful sexual behaviour) and supports that are being provided. This data will be used by the Harmful Sexual Behaviour Unit (recommendation 9.28) to inform their work.
- Children and young people and their families will benefit from a new operating model which has been designed to eliminate key person dependencies, enable a greater focus on supporting complaint resolution at the point of service, and improve transparency, consistency and oversight of complaint management.
- The Complaint Management Oversight Unit provides a mechanism for internal reviews of complaint decisions to be undertaken by staff with independence from the complaint so that children and young people can be confident that there is always a mechanism for their concerns to be heard and decisions re-visited if required.

- A strengthened Incident Review Committee at the Ashley Youth Detention Centre critically reviews all serious incidents occurring in the centre in the previous week, including those that lead to complaints, to ensure:
 - compliance with policies, laws and international conventions
 - sufficient grounds to justify actions
 - learning opportunities are identified
 - practice feedback is provided to operational managers and youth workers.
- The Incident Review Committee has been meeting since January 2024 with a new Terms of Reference and an independent Chair. A representative from the office of the Commissioner for Children and Young People has been invited to attend as an observer on an ongoing basis.
- Body Worn Cameras were introduced in a trial capacity in Ashley Youth Detention Centre in December 2023 to support the safety and security of young people and staff. Body Worn Camera footage is retained to support complaint investigations.
- Now established, the Complaint Management Oversight Unit is focussed on:
 - determining system and reporting requirements and overseeing the development or procurement process to establish this
 - establishing an internal review process
 - ensuring that every child and young person involved with Youth Justice Services is provided with accessible and child-friendly information about how to make a complaint.
- Services for Youth Justice is currently reviewing complaint management practices and processes to strengthen investigations and communication with young people and other stakeholders.
- The Body Worn Camera trial independent evaluation is scheduled to be completed by end 2024.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.36

The establishment and resourcing of an Independent Community Visitor Scheme will ensure children and young people in high-risk settings have a trusted advocate to champion their rights and monitor child safe practices.

- Current arrangements for oversight specific to AYDC include the Commissioner for Children and Young People, the Ombudsman and the Custodial Inspector. The Advocate for Young People in Detention, who represents the Commissioner for Children and Young People, is onsite and available to young people several days each week and the Commissioner also attends the site regularly. The Advocate has access to children and young people to help them raise concerns or make complaints.
- A policy and procedure to support connection with family and community for young people at AYDC has been finalised and implemented in response to recommendation 12.23. This includes financial provisions to support increased visits for young people in AYDC, including visits by community members.
- These changes recognise the importance to children and young people in detention of maintaining or building connections with their family and Aboriginal culture and community. The policy and procedure clearly outline that children and young people

must not be denied visits that are therapeutically important to them. Also, Aboriginal young people must not be denied visits from Aboriginal community members.

- Financial assistance is provided to enable family members and significant others to visit ADYC, noting its location and barriers to access. Further financial assistance is also available to Aboriginal community group members visiting the centre.
- The procedure is supported by an Information Sheet developed for and provided to young people at AYDC. It is also displayed around the Centre to remind young people of their right to connection to family, community and culture.
- Implementation of the legislative framework for the Independent Community Visitor Scheme continues to progress and will meet the COI timeline. The model will align with the recommendations of the COI.
- DECYP will initiate the planning and scoping of work needed to establish the independent community visitor scheme and investigate how to best accommodate and facilitate increased visits from key stakeholders.
- The Department has already commenced work to increase access, insight and transparency in day-to-day centre operations. This has included:
 - extending invitations to key stakeholders to visit the Centre
 - drafting brochures for families and carers to provide information on what they need to know when their young person is in detention.

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 12.38

The Commission of Inquiry found that significant reform is required to ensure that Tasmanian children and young people are protected from abuse and harm in the organisations that care for them.

There are more than 15 Commission of Inquiry recommendations that relate directly to the establishment or operation of the new Commission and its role, functions, and powers.

- The Department of Premier and Cabinet is working collaboratively with the Department of Justice, the Department for Education, Children and Young People, the Independent Regulator and the Acting Commissioner for Children and Young People to co-design the new Commission and develop the enabling legislation for the new Commission, and this includes consideration of the powers and functions outlined in this recommendation.
- In addition to ensuring that the new Commission has the powers specified in this recommendation, broader consideration of measures to divert children and young people from the youth detention system, and to improve the safety and wellbeing of children and young people in detention, is being considered by the cross-agency Youth Justice Taskforce (the Taskforce).
- The Taskforce is focussing on improving the wellbeing of children, young people and their families, through addressing the underlying drivers of offending behaviours and improving community safety.
- This means reducing both the numbers of children and young people entering the youth justice system in the first place, and those re-entering the youth justice system, as well as reducing the amount of time children and young people are in the youth justice system, and their safety and wellbeing whilst in detention.

- These measures will be complemented by the enhanced oversight arrangements provided for under this recommendation (12.38).

Implementation of this recommendation will be complete by 1 July 2026.

Recommendation 21.9

Protecting the health, safety and wellbeing of Tasmania's vulnerable children and young people is a priority for the Tasmanian Government.

The Government has committed to providing the Magistrates Court explicit power to order that a child who has displayed harmful sexual behaviours engage in therapeutic intervention, and adjourn criminal proceedings to enable the child to engage in such intervention.

This will ensure children can get the support they need to stop engaging in harmful sexual behaviour. It will also protect other children and young people from harmful sexual behaviour.

- In November 2023, the Premier committed a further \$1 million to the Sexual Assault Support Service (SASS) to support the expansion of services across SASS and Laurel House. This funding commitment was for the period 1 March 2024 to 31 December 2024.
- The funding commitment included harmful sexual behaviour training and response for Ashley Youth Detention Centre.
- DECYP has liaised with DPAC regarding the expanded services provided by SASS and Laurel House.
- Implementation of Recommendation 21.9 will require legislative amendments to the *Youth Justice Act 1997* and the *Children, Young Persons and Their Families Act 1997* to confer powers on the Magistrate Court to enable a child to engage with therapeutic intervention for harmful sexual behaviours.
- Scoping work is now well underway for a comprehensive review of the Youth Justice Act and the Children, Young Persons and Their Families Act to achieve the relevant Commission of Inquiry recommendations.
- The scope of these reviews includes giving effect to the recommendations of the Commission of Inquiry as well as delivering a contemporary, child-centred, trauma-informed approach for children and young persons involved in youth justice or in out of home care.
- DECYP is committed to working with the Youth Justice Taskforce and the Department of Justice to implement all relevant legislative amendments recommended by the Commission of Inquiry.

Implementation of this recommendation will be complete by 1 July 2029.

Recommendation 21.10

Updating the *Keeping Children Safe Handbook* (the Handbook) to reflect the Tasmanian Government's statewide framework and plan for addressing harmful sexual behaviours will contribute to ensuring a coordinated approach to preventing, identifying and responding to harmful sexual behaviours across government agencies.

This will mean the occurrence and impacts of harmful sexual behaviours towards children and young people in Tasmanian government schools and institutions will be decreased.

- DECYP is working with Tasmania Police to update the Handbook given that it was originally published in 2021, before the new Department was established.

- The Handbook sets out roles and responsibilities of departmental staff and Tasmania Police in responding to the safety and wellbeing of children, including information sharing arrangements and processes for joint responses.
- The progression of recommendations relating to harmful sexual behaviours and sexual exploitation will be significant pieces of work, and the Handbook will be updated as this work is delivered.
- Once the work on recommendations relating to harmful sexual behaviours (recommendation 9.28) and sexual exploitation (recommendation 9.29) is completed, the Handbook will be further reviewed and updated. This work will need to be planned and sequenced.

Implementation of this recommendation will be complete by 1 July 2026.

