

ASHLEY, YOUTH JUSTICE AND DETENTION COMMITTEE - LEGISLATIVE COUNCIL MET IN PARLIAMENT HOUSE, MELBOURNE ON THURSDAY 22 FEBRUARY 2007.

DISCUSSION WITH **Ms JAN LOBLETT**, DIRECTOR OF JUVENILE JUSTICE AND YOUTH SERVICES.

Ms LOBLETT - In setting the context, I wanted to provide you with an overview of the system in Victoria, some of the policy contexts and overarching objectives of Juvenile Justice, and to talk about service delivery in broad terms and potentially some of the priorities that Juvenile Justice faces in Victoria. Overarching policy responsibility sits with the Juvenile Justice and Youth Services branch within the Office for Children, which is a division of the Department of Human Services. The service delivery component is largely managed through the operations division of the Department of Human Services. There are two points to that. One is Custodial Services, and you will no doubt in your visits see the custodial centres. They are managed through the Director of Juvenile Justice and Custodial Services, Karyn Myers. Community-based juvenile justice units are located in the eight DHS regions within Victoria. Those juvenile justice units are managed through the regional line management to a regional director, who reports to the operations divisions.

The objectives of the juvenile justice program in Victoria are similar to many jurisdictions: to maximise the appropriate diversion of young people from court, to minimise progression into the juvenile justice and adult corrections system, and to minimise the likelihood of re-offending and to maximise rehabilitation. In terms of a policy overview, the particular document relating to the policy for Victoria is called 'A Balanced Approach to Juvenile Justice in Victoria', which may be familiar to you. That constituted the juvenile justice reform strategy of 2000. That was a three-pronged approach to tackle the challenges of increasing client complexity and numbers at that time. There was a challenge in relation to demand. It had a three-pronged approach: diverting young people from entering the juvenile justice system or from progressing further, and so there were a set of activities related to that; providing better rehabilitation of high-risk offenders; and expanding pre-release, transition and post-release support.

The second policy domain was the Attorney-General's justice statement in 2004, which heralded a commitment by government to increase the age jurisdiction of the criminal division of the Children's Court from 16 to 17. That brought Victoria in line with many other jurisdictions. The third area that is a particular policy driver for Victoria is the Victorian Aboriginal Justice Agreement 2005. This is the second such agreement that has been signed in Victoria. There are several ministers across government who are signatories to that. Particular to juvenile justice in that agreement is increasing support for Aboriginal young people in contact with or at risk of contact with the justice system. Clearly there are indicators of over-representation of Aboriginal young people in Victoria, as there are in other States.

Mr WILKINSON - Do you have the percentage for Victoria?

Ms LOBLETT - It is probably in the vicinity of 9 per cent as an overall but there is some data I am including that gives you a better picture of the rate and the comparison with other States.

Mr WILKINSON - The statistics we are getting are 60:40 for Aboriginal people as opposed to non-indigenous people.

Ms LOBLETT - In?

CHAIR - In, say, South Australia.

Ms LOBLETT - Victoria is not the highest rate of over-representation and that varies depending on the statistics that you refer to. The two major sources are the Australian Institute of Criminology, which provides a report per annum in relation to juveniles in detention and that measures it as a rate per 100 000. The recently released juvenile justice report measures that at a rate per 1 000, so that is a little more finely tuned.

Mrs JAMIESON - What about other ethnic groups in Victoria?

Ms LOBLETT - I don't have that data in relation to other ethnic groups.

Mrs JAMIESON - Is it collected?

Ms LOBLETT - It can be in Victoria. We have recently introduced a new client management system which we are still trying to get further reporting from, but at this time I can't tell you percentage rates.

Mrs JAMIESON - I was thinking of some of the Asian-based groups.

Ms LOBLETT - Yes, that's correct. We have had, and indeed developed, some strategies around what we perceive to be an increased rate of particular populations in Victoria. We found that, though I can't give you the statistics, that sometimes a particular population will rise and then dissipate in another particular population will rise. I think that is something we have to continue to monitor.

Mrs JAMIESON - Within your police force, do you have police who are specifically race-trained, as it were?

Ms LOBLETT - I couldn't tell you that. I know that they have particular people focussed on youth - youth resource officers.

That gives you a sense of the three particular areas. In relation to the Victorian Aboriginal Justice Agreement, the objectives within that in relation to Koori young people are: improving the connection to education and employment, providing additional support to young people on bail, increasing pre- and post-release support services, improving outcomes of transition, and improving access to cultural programs in the centres. When we talk about rates it is worth noting that sometimes the actual number is quite small, so it could be 126 or 130 or something over a year.

In Juvenile Justice Custodial Services we have three centres. One is Parkville Youth Residential Centre and that accommodates boys aged 10 to 14 years. It is a discrete unit and it caters for girls from 10 to 21 years, both sentenced and remand. That is at the Parkville Prison. The Melbourne Juvenile Justice Centre caters for boys 15 to 18 years and Malmsbury Juvenile Justice Centre caters for 18 to 21 years. In approximate terms, the total custodial population represents 20 per cent or below of the overall juvenile justice client population in Victoria.

Mr MARTIN - Do they automatically move from one to the other when they turn 18?

Ms LOBLETT - No, not necessarily. There is capacity for the youth parole board to transfer young people between the ages of 15 and 17 if they are, for example, deemed to be unsuitable to be in the younger boys area. The parole board can activate a transfer of that kind.

Mr MARTIN - Factors other than age are taken into account?

Ms LOBLETT - Yes, behaviour et cetera. There tends not to be movement and that might be a question Karyn can answer for you more directly.

CHAIR - Jan, just to clarify, tomorrow morning we are going to Parkville and the Melbourne Detention Centre. Are they at the same location?

Ms LOBLETT - Yes.

CHAIR - Is Malmsbury out of town?

Ms LOBLETT - That's correct.

Mr MARTIN - All the girls, all ages, are in Parkville?

Ms LOBLETT - That's right. They are a very much smaller part of our population.

Mrs JAMIESON - They would be segregated within their age groups?

Ms LOBLETT - Yes, absolutely. They are segregated on the basis of gender and they would have particular management operations within the unit.

Mr DEAN - Your youth justice system is up to 19 years?

Ms LOBLETT - I should explain the dual-track system. Victoria has a unique sentencing practise which was allowed for in the Sentencing Act. We have a dual-track system in that there are two ways of entering the juvenile justice program, or detention in particular. One is through the Children's Court and that caters for young people aged 10-18.

Mr DEAN - Does that mean that once they turn 18 that's the end?

Ms LOBLETT - Yes. We have increased the jurisdiction from 16 to 17, so 17 year olds now are incorporated in the Children and Young Persons Act.

Mr WILKINSON - Does that depend on the date of the crime?

Ms LOBLETT - This is the technical issue, and I am not always particularly sound on this, but it is the date for which it is listed in court.

Mr WILKINSON - In Tasmania it is the time of the commission of the crime.

Ms LOBLETT - No, here it's not that; it is the point at which it is registered with the court. There are provisions in the legislation around those kinds of parameters. My recollection is that it is before they are 19, or some such date - it could be 18 or 19.

In relation to the dual-track component, the Sentencing Act enables the Magistrates Court or other courts to seek a suitability assessment from Juvenile Justice as to the appropriateness of a young person between the ages of 18-21 going into a youth training centre. That would be based on their vulnerability and prospects for rehabilitation. That applies only to sentenced young people; it doesn't apply to remand or to community-based orders. The majority of the young people in Malmsbury are those sorts of clients.

Mr WILKINSON - So it's a bit like classification, is it? Normally when an offender commits a crime and goes to prison they go before a classification board in the prison. The classification board says which division they are in or whether they go to Hayes Prison Farm or wherever it might be. Is that the same here?

Ms LOBLETT - This dual-track system operates through the court itself. The magistrate has at his disposal the capacity to sentence a young person aged 18-21 to a youth training centre. At that point the court would seek a suitability assessment from Juvenile Justice, which would do an assessment of the young person to determine their how vulnerable they are in respect of living in either system and their prospects for rehabilitation. If they were deemed unsuitable, they would then go to the adult system. It is an unusual and unique system in Victoria.

Mr MARTIN - How long has this system been in place - since 2000?

Ms LOBLETT - The dual-track system has been in for longer than that. I couldn't give you the originating date, but it has been running for some time.

Mr WILKINSON - Statistics can say anything, but have the statistics on benchmarks, recidivism rates and so on proved that the dual-track process is worth pursuing? In other words, your benchmarks for recidivism rates for that 18- to 21-year age group -

Ms LOBLETT - That hasn't been, to my knowledge, mooted over time but certainly the courts provide us the feedback that the preference is to have that opportunity, especially where there are concerns about the young person being in an environment that they think will lead them to further progression into the criminal justice system. So in the main the courts' advice to us is that they are fully supportive of the system.

Mrs JAMIESON - To your knowledge have other States looked at this and said, 'We will trial this'?

Ms LOBLETT - No, I am not aware of anyone exploring it formally but other States have different parameters around how young people move or grow older in the system. I think there is capacity for various other jurisdictions to transfer to and from and I should add that there is also capacity through the Adult Parole Board and the Youth Parole Board to transfer young people to adult prisons should that be deemed appropriate, so there is another capacity to say this young man is no longer suitable for a youth training centre and the Youth Parole Board can activate that transfer.

Mr DEAN - You refer to males, can females be in that category as well?

Ms LOBLETT - Yes, that's correct. We have such a small proportion of young women, which is why that age range exists in Parkville.

In terms of statutory community-based services, I mentioned that we have the supervision of community-based orders delivered through eight regional units. They are juvenile justice workers, they are trained staff and their role is to supervise orders and provide comprehensive case management services to all clients. They are involved in supervision of the supervisory orders such as probation, youth supervision and youth attendance orders, and they would be involved in parole and the supervision of parole orders.

Mr WILKINSON - How is that going? In a number of States probation officers are crying out that there is not enough of them. They have too much work to do. They can't cope with the back-log work orders or community service orders as they are now called. They say they can't properly monitor those because they haven't got enough people on the ground. Is that the same here?

Ms LOBLETT - That is not what I am hearing from our juvenile justice staff. We went through a process with the age change of understanding, or predicting to the best that we could, the increase in demands that we would experience and we factored in additional staffing for that purpose but I think we have a manageable resource within Victoria at this time. I think being a small system it is subject to demand fluctuations that can have a significant result because you can have a modest increase and that can have a significant impact but I wouldn't think that's our circumstance.

The other services that we provide within the community are what we call court advice and that is services to the courts, both the children's and the adults' court. That is the provision of advice every day to the particular courts and that advice would be about suitability of the young person for the dual track system, the provision of pre-sentence reports to the court, assessments of plans that the young person could undertake during bail or otherwise and supervision of bail and deferral of sentences. That advice is provided to the court on a daily basis throughout the State.

We have another service called the Central After Hours Assessment and Bail Placement Service which is a small service used by police. It is part of the police standing orders that where they are considering the remand of a young person they contact Juvenile Justice and in the main the assessment process is about whether there are alternatives to remand, in essence to undercut the possibility of the young person being remanded for welfare issues as opposed to criminal sanctions. In the main they would be trying to access accommodation services after hours for young people.

We also have a program called the Koori Juvenile Justice Program and its staff are employed by Aboriginal-controlled organisations whose role is both diversionary and supportive of young Aboriginal people who are likely to come in contact with the criminal justice system. They work with young people both in the community and in custodial centres. There is a Koori juvenile justice worker in each of the three centres and we have recently implemented what we termed cultural plans. So it is the role of the Koori juvenile justice worker to establish a cultural plan for every Koori young person in our system.

The other thing I will mention is the Youth Parole Board and Youth Residential Board. I do not know if Tasmania has a parole board.

Mr WILKINSON - We have a parole board but not a youth parole board.

Ms LOBLETT - This is distinctly different from the adult parole board in Victoria and runs quite differently. They see all the young people. They provide warnings to young people who are within the centres and they issue parole orders for young people leaving custodial centres and the Youth Parole Board would activate cancellations of parole. So warrants would be issued for apprehension from the Youth Parole Board. An annual report is provided every year to Parliament from the Youth Parole Board which gives you a sense of the numbers of parole orders issued and those that are cancelled by either reconviction or by breaches of the conditions of the orders.

Mr DEAN - Who sits on that parole board?

Ms LOBLETT - The Youth Parole Board is chaired by a judge of the county court and in this instance, Judge Barnett is the chair. The membership is comprised of the chair, two community representatives and a member of the Department of Community Services. Then there is an alternative chair as well, who is also a judge of the county court. So it is a semi-judicial body. It is written into the legislation and it has powers, not just about parole but also for the transfer of young people from juvenile justice centres to the Adult Parole Board.

Mr WILKINSON - It the make-up of the Youth Parole Board pretty well the same as the make-up of the Adult Parole Board?

Ms LOBLETT - The Adult Parole Board is significantly larger. I am not entirely clear if it is exact membership, but I think it is chaired by a Supreme Court judge and there are many more of them. I suspect it is not dissimilar. They will interview young people, so they will meet with the young people who are eligible for parole. They will anticipate a parole plan which would be established by both the community-based juvenile justice worker alongside the custodial juvenile justice worker. So a parole plan is established for their transition back to the community and often that might engage other services, such as post-release support services. Once the Parole Board is satisfied that an adequate plan is in place they will then issue parole for the young person and anticipate also progress reports about the young person on release, if they are particularly concerned. So they can require further parole reports.

In relation to some of the data that we were talking about, the most recent data available to Juvenile Justice on a national basis was the recently released Juvenile Justice Report of 2003-04. The only points I was going to highlight for you were the rates for Victoria and you can access that in relation to those of all the other jurisdictions. In Australia the overall rate of young people between 10 and 17 being supervised by the Juvenile Justice Program is 2.6 per cent and that includes both our community-based and custodial-based Juvenile Justice clients and that compares with an Australian rate of 4.6 per cent.

CHAIR - Sorry, the Victorian rate is 2.6 per cent and -

Ms LOBLETT - The Australian rate is 4.6 per cent.

Mr WILKINSON - Do you have the Tasmanian rate?

Ms LOBLETT - It is 11.9 per cent. In relation to detention, Victoria has the lowest rates of detention for young people aged 10 to 17 and it is 0.5 per cent, compared to the national rate of 2 per cent.

Mr WILKINSON - And Tasmania?

Ms LOBLETT - Tasmania is 1.3 per cent, which is the second lowest by these statistics. We think that that is indicative of potentially good prospects of our diversion system and the capacity of the system more broadly to divert. There are several intersecting points of diversion: there is what the police do to divert, what the courts do to divert, how the juvenile justice centre acts with that system of diversion, so it is not necessarily one of two variables, it is just a complex of many variables.

Mrs JAMIESON - Are there any actual statistics on those who are in community detention of any sort - when I say 'detention' I mean community orders? Are there any comparative statistics on that sort of thing with the States?

Ms LOBLETT - The same rates are applied to community-based orders. For example, Victoria has a rate of 2.5 - this is for community-based supervision - and the Australian rate is 3.7.

Mrs JAMIESON - What is Tasmania?

Ms LOBLETT - 11.8.

CHAIR - Have you actually got the numbers that are on remand or detention in Victoria at the moment?

Ms LOBLETT - I could check that for you.

CHAIR - Thanks.

Ms LOBLETT - That gives you a sense of the overall representation. What we believe in Victoria is that as of 2003-04 the representation of young people in juvenile justice is less than 1 per cent in our centres.

The other matter that I was going to mention to you is our approach to case planning and rehabilitation. I believe Tasmania has worked with us in relation to some of these issues but we have a system called client assessment of planning and our expectation is that a CAP - a client assessment plan - will be established within six weeks of the making of an order and embedded in that is a risk assessment for each other person which we call the VONIY - Victorian Offender Needs Indicator for Youth.

Mr WILKINSON - It is obvious really, isn't it?

Laughter.

Ms LOBLETT - The VONIY is designed to do an assessment of both the risk factors, the criminogenic factors and the protected factors within a young person and to summarise that in an actuarial way, if you like, to determine levels of intervention that we should engage in and the types of programs that we should be involved in. I think it is the case that most jurisdictions are moving towards risk assessment models. Ours was implemented in 2004 and there will be a time at which we will have to validate that so at this point it is not a validated tool because it takes many years to validate but we are hoping and anticipating that we will be able to get further material about client profile from that.

Mr MARTIN - At what stage is the VONIY done - when they first enter the juvenile justice system?

Ms LOBLETT - Yes, for all young people who are placed on orders within the system. So if they are on a particular order it is our expectation that they will have a VONIY and a case plan done within six weeks and that case plan should be in the main established with the young person so that there are agreed goals in relation to how they are going to deal with their offending behaviour. We have programs related to their offending behaviour and in fact the underlying issues that contribute to their offending behaviour such as drug and alcohol, mental health, homelessness and all those other matters that characterise our population.

Mr MARTIN - In the process of that there is a good flow of information between Human Services and Juvenile Justice? Most young people we know enter the juvenile justice system are already in the loop -

Ms LOBLETT - In that respect are you talking about the child protection program as an example?

Mr MARTIN - Yes.

Ms LOBLETT - Yes, there would be an expectation that the Juvenile Justice Service would endeavour to find out whether the young person has had a history in Child Protection and will engage in dialogue with the child protection worker about their history and their background. We have a protocol with Child Protection to that effect.

Mr MARTIN - The protocol works well?

Ms LOBLETT - I think it does. I think there are always opportunities for improvement and enhancement, and we intend to monitor that protocol. I should add that very often the juvenile justice workers are working in the same office as the child protection workers. It depends on the location, of course, but within each region Child Protection and Juvenile Justice are managed in the main by the same line-management arrangements.

Mr MARTIN - Terrific, that is good.

Ms LOBLETT - So it is a very close system and often they will collaboratively exchange information about high-risk clients in particular. Often we will have young people who are on dual orders. So they are on both a child protection order and a juvenile justice order, in which case there has to be collaborative case work. It is assisted by the fact that they are in the same program area and that they are contained within the same department.

Mr MARTIN - Is the Juvenile Justice department part of Human Services?

Ms LOBLETT - Yes. Juvenile Justice is in the Office for Children and the Office for Children has responsibility for many early years programs - a lot of children's services - but also for child protection, family services, Juvenile Justice, youth services and all of those children's areas. I think that makes for far closer relationships and a better policy overview.

Mr MARTIN - That is a perfect model.

Mr DEAN - You have special magistrates who deal with children's issues?

Ms LOBLETT - In Melbourne there is the Melbourne Children's Court, and that is headed by the President of the Children's Court, who is a county court judge. He has jurisdiction over Children's Court. In local areas, magistrates courts will adjourn and then sit as a children's court. So there will be many magistrates that have both experience in the Children's Court and in the Magistrates Court.

Mr DEAN - In Melbourne you have magistrates specifically for Children's Court?

Ms LOBLETT - Yes, that is correct. They will sit in both the family division of the Children's Court, which relates to child protection matters, and in the criminal division of the Children's Court. The legislation that underpins the juvenile justice area is called Children and Young Persons Act, soon to be the Children, Youth and Families Act. That has two divisions: one is the family division, which governs the child protection legislation; and the criminal division. So it is within one act.

Mr DEAN - I take it there would be huge benefits from having specifically children's magistrates dealing with children's issues?

Ms LOBLETT - Yes. We are able to have dialogue with the President of the Children's Court to understand the sorts of matters that are before the court and the concerns that they might have. As I understand it, the President of the Children's Court will meet with other magistrates to talk through matters of that kind. So whilst we only have a select

number who are specialists within the Melbourne court itself, there is a capacity for him to disseminate information.

Mr MARTIN - So what happens outside of Melbourne?

Ms LOBLETT - In other regional courts they would sit as a magistrates court and then they can close that off and sit as a children's court, depending on the matter.

Mr WILKINSON - The President of your Children's Court is a judge?

Ms LOBLETT - That is correct. In terms of the priorities that Juvenile Justice in Victoria is working on currently, certainly we are constantly wanting to improve our client service plan, which is embedding the Victorian Offender Needs for Youth policy, and our suitability assessments - how we conduct those and how we assess the vulnerability of young people and their prospects for rehabilitation. We are looking at improving our responses to priority client populations, in particular the over-representation of Aboriginal young people. What we see also is a growing number of young people with intellectual disability in our centres, and with mental health problems. So we are continuously trying to improve the services within custody and in transition into the community.

Mr WILKINSON - Around the country, as you know, they are endeavouring to get people out of the disability areas. We used to have New Norfolk and places like that where people with mental disabilities used to go and they pretty well used to lock them up in these institutions. Now they have gone away from that model and are pushing them out into the community, therefore there seems to be more people with these disabilities coming before the criminal justice system because previously they were locked away. Now they are in the system therefore they commit the crime.

Ms LOBLETT - That may be true for adult corrections - and I wouldn't be able to comment on it in that regard - but in relation to young people our experience is that they are often undiagnosed or unregistered in that sense. At the same time - and this is somewhat of a hypothesis though possibly borne out by local evidence - often young people experience delay as a consequence of very disruptive childhood experiences or acquired brain injury from drug and alcohol abuse over a period of time, so what we see in a custodial centre is a better capacity to unveil that. Similarly, with mental health problems, often a young person's mental health issues will emerge more clearly in a custodial centre because it is not masked by their drug and alcohol abuse. The trend you are describing may be true for adult corrections but our experience is probably more about emerging issues because of their young age.

Mrs JAMIESON - If a youngster was remanded in an alcoholic haze, what do you do with them first? Do they go into a hospital first until they have detoxed?

Ms LOBLETT - Within the centres we have a fairly extensive procedures manual that was redone over a period of years. The requirement is that our health services conduct a health assessment on admission to the centres and there are time frames in which that has to be done. Health services are provided in both the centres, so adolescent forensic health services are provided to Melbourne Juvenile Justice Centre and to Parkville, and

at Malmsbury they have in-house health services. Adolescent forensic health services are associated with the Royal Children's Hospital, so an assessment must be conducted.

We don't have young people in police cells in the main. There are some parameters that are different around that, but Juvenile Justice really does all our health assessment work.

Mrs JAMIESON - In that assessment process, would they be assessed to see if there is any undiagnosed acquired brain damage, for example?

Ms LOBLETT - That might not happen at the first assessment unless it is apparent but it would happen probably over a period of time in custody. Access to mental health services would be activated at that point. There are psychiatrists and psychological services, drug and alcohol input and primary health services.

We have a sex offender program - MAPPS - which stands for Male Adolescent Program for Positive Sexuality. That program is for young sex offenders and is provided to both community-based and custodial-based offenders.

Mr WILKINSON - How is that going? There was a fellow sentenced for a sexual offence and he had done it on a number of occasions beforehand. The Crown made application that he be given an undetermined sentence but they didn't do that as a result of his going through that sex offenders program. One of the real problems is that the sex offenders program can only be enacted for people whom they think it is going to assist, but you can't enact it in certain circumstances. With a matter in Tasmania they said, 'We want to make you a life inmate, therefore you can't go through the sex offenders program.' The argument on the other hand was how will you know whether the sex offenders program is going to work for this person unless you let him go through it, so there was a bit of a catch-22. They are only allowing certain people through it, mainly because only one person can deliver the course. Is that the same here?

Ms LOBLETT - No. I couldn't give you an estimate of numbers who go through that program, nor the explicit criteria offhand. I can follow that up if you want me to. I don't believe that we have a parameter around their entry into that program at all. In fact, we would encourage all young people who offend sexually to be a part of that. I think the criterion is that they must be proved to have committed those offences, because then therapy can begin as opposed to denial.

Mr WILKINSON - Is it still only a 10 per cent success rate?

Ms LOBLETT - I couldn't tell you. There were previous evaluations done on the MAPPS program but that was probably prior to my time in Juvenile Justice.

Mrs JAMIESON - So once they've been through the MAPPS program are they then followed up for any length of time?

Ms LOBLETT - If they are on a supervisory order then there is the potential to do so, but if they are released from custody and there are no further orders, parole or otherwise, then there wouldn't be an opportunity to follow that through.

Mrs JAMIESON - Even after they've done the MAPPS?

Ms LOBLETT - That is my understanding. I am just not as clear about the beginning and end of that program as perhaps I could be.

Mrs JAMIESON - There is the potential to re-offend anyway.

Ms LOBLETT - Yes. That might be a matter that Karyn and her staff could give you further detail on.

Mr MARTIN - Going back to the categorisation of a young person into one of the centres, if, say, a 14 year old committed a violent crime, including a sex offence, don't they automatically finish up in Parkville?

Ms LOBLETT - My understanding is that they do go to Parkville, but I think if it was the view of the centres that that behaviour couldn't be contained in that way then they would make an application for them to go to the older population. The custodial centre could tell you how they manage that. There could be a range of things they do to manage that behaviour; they would be best able to address that.

With the sex offenders program, there are health services provided to the centres. The detail of these I think you could best get from the centre staff. Education and TAFE programs are provided in the centres, and other offender-specific programs such as violence prevention. There is work done in the units as well in terms of behaviour. I think that detail would be very usefully unpacked with the staff because each residential unit will run a particular way and have particular sanctions.

Once young people are transitioning from the centres there is a range of services provided by community service organisations. We fund post-release support through three particular agencies that provide additional intensive support for young people. They would be woven into the planning around transition. We also fund, in partnership with Housing, what we call 'transitional housing'. Housing provides properties for an individual young person and Juvenile Justice funds the support service to provide additional support. We also fund a number of other programs. I think you are going to speak with Whitelion, which provides mentoring services. There are a variety of other programs like Hand Brake Turn and others. The critical ones that I am talking about are post-release support. The Koori justice program provides a transition service. We have a number of initiatives that we are looking to implement as a result of the Aboriginal justice agreement. These will focus on supporting Aboriginal young people on their release from custody because we know that the highest risk period is post-release.

Mrs JAMIESON - Are they fully government funded to non-government organisations?

Ms LOBLETT - Yes, to non-government organisations.

As I mentioned, for post-release education we provide mentoring and the other thing we do is group-conferencing. It is different obviously in other jurisdictions but group-conferencing in Victoria has now been enshrined in legislation as of last year and will be enacted this year. Within the Children, Youth and Families Act there will be provision for the court to activate a group conference. Group conference will sit as part of the pre-sentencing program, so a magistrate can defer a matter for a period of up to four

months for a group conference to take place where the magistrate is considering a supervisory order, like probation, or a youth supervision order. It is designed for low-level offending, or at least it excludes serious violent offences or sexual offences.

Mr DEAN - Our diversionary conferencing process is similar to it. It operates around all of the interested parties so I would suspect it is similar.

Ms LOBLETT - Ours is slightly different in where it sits. Other jurisdictions have it at the point of police contact or in other parts of the system.

Mr WILKINSON - What does your group-conferencing involve?

Ms LOBLETT - The convenor basically doing some preparatory work with all of the relevant players. Within the legislation there are some who must attend and some who may attend. At the end of the day it is up to the convenor as to who should attend but it is usually the young person's lawyer, the young person's family or support people, the victim or the victim's representative - it could be a victim's support agency representative - any support people relevant to the victim, and a convenor. The intention is to develop a plan for the young person to redress the harm caused by the offence. Some of that can be very modest in their outcomes and our intent is to try and make those plans the sole responsibility of the young person. In some jurisdictions there is a tendency for young people to have to be supervised in relation to those outcome plans. Our philosophy is that we would hope it is the young person who takes responsibility for that, which means if it is modest, it is achievable.

It might be that the young person washes the victim's car or mows their lawn or pleads the offence, rather than a plan that looks like a case plan that has a series of goals that four people need to support them to do.

Mr DEAN - Do the police also have a diversionary conferencing program before they get into the justice system?

Ms LOBLETT - No, but they are also involved in group-conferencing and at pre-sentence.

Mr DEAN - Right. So they do not use that structure?

Ms LOBLETT - No. It is not used as the cautioning end like it is in other jurisdictions, but we are doing some work with the police about cautioning.

Mr MARTIN - The act is really based on a restorative justice model for the detention centre?

Ms LOBLETT - Not necessarily restorative justice, though I think restorative justice principles underpin group-conferencing. Its focus is diversion and rehabilitation, characterised in everyone's terms.

Mr MARTIN - Are all three centres based on the same philosophy?

Ms LOBLETT - Yes. The basic philosophy and the objectives of the juvenile justice program are about diversion, rehabilitation and transition.

Mr MARTIN - Is Malmsbury more a detention-based prison?

Ms LOBLETT - No. Some time ago the three centres were brought together under the management of the Director of Juvenile Justice Custodial Centres, which means there is capacity to maintain a consistent approach across all three centres, whereas previously they were managed in different regions. Does that answer your question?

Mr MARTIN - Yes, it does.

Ms LOBLETT - The broad philosophy and the policies and the procedures are consistent across all three areas. For example, we revised our operations manual and that applies in all three centres. There is provision for locally based differences - I cannot tell you what they are but I think it is about emergency management and it is about various locally based things that the operations manual applies across all three areas.

Mr MARTIN - And there are the actual schools within the -

Ms LOBLETT - Education has a role with the 10- to 14-year-old boys and TAFE, as I understand it, provide services to the other young people or as appropriate. It may be that some young people are engaged in university courses and Karyn and others will tell you about what efforts they make to try to continue that.

Mr MARTIN - How many hours a week would they spend?

Ms LOBLETT - I could not tell you that.

CHAIR - Jan, we are winding down in about five minutes so if there is anything you wanted to cover.

Ms LOBLETT - I think I have covered most areas.

Mrs JAMIESON - What focus does the Government actually have on pre-detention? We have a focus on detention and post release but what about before the event for kids at risk?

Ms LOBLETT - There a range of initiatives for crime and violence prevention and there are a number of initiatives and projects under way in relation to that. One is called YRIP - Youth Referral and Independent Policing - the example of which is that a young person must have an independent person or a parent at the point at which they are being interviewed. This service is a more consolidated version for young people in that they are trained. It is run by a non-government organisation and they have a capacity to provide referrals for young people in that sense as well, so they are trained for the purposes of assisting young people.

There are a number of initiatives such as the early school leavers' initiative, which is designed to keep young people at school. I suppose the approach about youth more broadly is across government so there will be initiatives within Education that are designed to keep young people at school. There are initiatives within local government and other areas that pick up that preventative arm and the police themselves have reformed the youth resource officer's role to have a more locally based focus on youth.

To answer your question in brief terms, the youth services across government are probably in varying different areas. They will come out of Housing, because there will be issues to do with youth housing, Drug and Alcohol Services, Mental Health Services, Education and beyond.

Mr DEAN - Do the statistics show that in Victoria juvenile offending is increasing or is it static?

Ms LOBLETT - It would suggest a decrease in terms of our numbers in Juvenile Justice. Since 2000 we have seen a decline in the numbers of young people on orders. At various times there have been, in our experience, peaks and troughs in relation to various places but because the numbers are so small it is hard to see that as a trend in any shape.

Mr WILKINSON - In Adelaide we heard about these ram-raiders, the indigenous people getting into cars and banging into shops, taking what they can and taking off. There is an operation at the moment that will stop that from occurring -

Ms LOBLETT - Periodically there are those sorts of things. In a particular suburb there has been racing of cars -

Mr WILKINSON - Drag racing.

Ms LOBLETT - Yes, that is right - and the police have concentrated their efforts around a particular spot at a particular time. Those are the sorts of episodes that we get periodically. There was some years ago a discussion about gangs but when they did some further work in relation to that I do not think that they found that it was gangs in the formal sense, but they were unhappy young people gathering rather than gang formations. So periodically and in different pockets there will be a different approach in the local area to address those issues.

Mr WILKINSON - What do they put down as the major reason for the decrease in Victoria?

Ms LOBLETT - It is hoped that the diversion work that has been done in relation to the court system and the provision of court advice and those sorts of things has had an effect. The other component would probably be related to availability of drugs and how that affects crime populations. Because of the numbers decreasing over time, we think we see in our system - and we think it has something to do with diversion - the concentration of more serious offences as a likely outcome. So we probably have fewer young people convicted for property offences in detention, but more in relation to offences against people.

Mrs JAMIESON - Would you have any indications to whether the crimes are more serious and more aggressive?

Ms LOBLETT - Given the nature of offences against the person rather than offences against property, that is the nexus that we would probably draw in that context. We certainly feel a need to do a lot more profiling of our client population and I hope that our new system will give us more detail.

CHAIR - Thank you very much Jan. You have obviously given us a lot of food for thought there and that is good.

THE WITNESS WITHDREW.