

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into the 2023-24 Budget Estimates

Melbourne – Thursday 15 June 2023

MEMBERS

Sarah Connolly – Chair

Nicholas McGowan – Deputy Chair

Michael Galea

Paul Hamer

Mathew Hilakari

Lauren Kathage

Bev McArthur

Danny O'Brien

Ellen Sandell

WITNESSES

Mr Enver Erdogan MLC, Minister for Youth Justice,

Ms Kate Houghton, Secretary,

Mr Ryan Phillips, Acting Associate Secretary,

Mr Josh Smith, Deputy Secretary, Youth Justice, and

Ms Andrea Davidson, Commissioner, Youth Justice, Department of Justice and Community Safety.

The CHAIR: I declare open this hearing of the Public Accounts and Estimates Committee.

I ask that mobile telephones please be turned to silent.

On behalf of the Parliament, the committee is conducting this Inquiry into the 2023–24 Budget Estimates. The committee's aim is to scrutinise public administration and finance to improve outcomes for the Victorian community.

I advise that all evidence taken by the committee is protected by parliamentary privilege. However, comments repeated outside of this hearing may not be protected by this privilege.

As Chair I expect that committee members will be respectful towards witnesses, the Victorian community joining the hearing via the live stream this afternoon and other committee members.

Witnesses will be provided with a proof version of the transcript to check. Verified transcripts, presentations and handouts will be placed on the committee's website.

I welcome the Minister for Youth Justice as well as officers from the Department of Justice and Community Safety. Minister, I am going to invite you to make a 5-minute opening statement or presentation, and this will be followed by questions from the committee.

Visual presentation.

Enver ERDOGAN: Thank you, Chair. I would like to begin by acknowledging the traditional owners of the land on which we meet today and pay my respects to their elders past, present and emerging. You will see on the table a bit of an overview of our budget. Before I get into the details of that, I just want to start with what these numbers and programs are all about. The number of young people in custody is currently the lowest since the turn of the century. We have the lowest rate of young people in custody in the nation and the second-lowest rate of Aboriginal young people in custody. For the first time in years we do not have a single person under the age of 14 in custody, as of yesterday.

These outcomes are not an accident. They are the result of the Andrews Labor government's commitment and sustained investment in keeping Victorians safe and providing children and young people with genuine opportunities to turn their lives around. We are continuing that investment in this budget, with \$53.92 million to support our custodial and community corrections operations and address over-representation of at-risk young people and those in contact with the justice system. We are also supporting other investments, including \$5 million to deliver reforms that will keep young people out of the justice system.

We are continuing effective service delivery. We are seeing the positive impact of our investments in the youth justice system, including declining numbers of children and young people under our supervision. The 2023–24 budget invests a further \$53.9 million over two years to continue these initiatives, initiatives that have been proven to deliver results, and invest in new initiatives. This includes maintaining frontline staffing across custodial and community operations, enhancing our effective diversion program to deliver targeted support to reduce offending and continuing the delivery of culturally responsive services to support Aboriginal young people in custody.

We are supporting progressive reforms. The 2023–24 state budget also invests \$5 million to provide early intervention, diversion and family therapy programs for 10- to 11-year-old children to support raising the

minimum age of criminal responsibility. I will work with the Minister for Child Protection and Family Services, and I know our respective departments are working closely on the design and delivery of these services, because we know the best outcome is to divert young people away from the criminal justice system in the first place. These investments are just part of our whole-of-government investment in early intervention, another record investment in this budget.

The 2023–24 state budget builds on more than \$2 billion that has been invested in Victoria's youth justice system since 2014. We continue to deliver on significant reforms, supported by the *Youth Justice Strategic Plan* and *Wirkara Kulpa*, Victoria's first Aboriginal youth justice strategy. That includes investing in world-class infrastructure such as the Cherry Creek facility, which I will come back to later. It includes investing in our staff and working to recruit more staff. It includes delivering the programs and support services to help young people in our care get their lives back on track, and it includes our substantial focus on diverting young people away from the youth justice system and helping them turn their lives around. These investments and strategies are working: the latest crime agency statistics show a long-term decline in the rate of alleged offender incidents by 10- to 17-year-olds.

You will see in the tables there that Victoria is leading the way when it comes to improving community safety through diverting young people away from the justice system while supporting them to remain connected to family, community and education. Especially in the graph that you will see at the top – in Victoria we are much lower than our comparative other jurisdictions on almost all measures. Our focus on addressing over-representation has also shown positive results, but we still know we have a lot more work to do. Victoria is currently ahead of our target in the *National Agreement on Closing the Gap* to reduce Aboriginal young people in detention.

As I said, Cherry Creek – the announcement I spoke about on Tuesday – our flagship, purpose-built facility, is focused on rehabilitating young people and providing the best working environment for our staff. The new flagship facility is set to open in the coming weeks, by August this year. Initially it will open with 56 rooms plus eight mental health rooms. It aligns with the recommendations of the Armytage–Ogloff review and has been designed to effectively rehabilitate and provide the best working environment for staff. Cherry Creek has been purpose built with a focus on rehabilitation, with smaller units and more targeted, individualised support. It also includes new security and safety features, more outdoor space, an education and vocational skills centre and dedicated cultural and multifaith facilities. As I announced on Tuesday, given the low numbers of young people in custody, we have the opportunity to reconfigure our youth justice system and transition out of the ageing Malmsbury precinct. It will be managed as a progressive transition. Let me be clear: we will be supporting the staff and young people every step of the way. We are supporting staff to continue working at Malmsbury over the next six or so months and will support them in their transition, whether they stay in youth justice or look elsewhere. Thank you.

The CHAIR: Thank you, Minister. The first 7 minutes of this session is going to go to the Deputy Chair.

Nicholas McGOWAN: Thank you. Thank you, Minister, for the presentation. The Malmsbury Youth Justice Centre – what date will that close in December?

Enver ERDOGAN: Thank you very much, Deputy Chair, for that question. Our plan is to have it closed by the end of December, so approximately 29 December is the target date.

Nicholas McGOWAN: Minister, was there a reason why you did not advise the staff yourself?

Enver ERDOGAN: We had our commissioner out there speaking with the staff about the announcement, and I was obviously here informing the public about the announcement.

Nicholas McGOWAN: Okay. There are a number of concerns I have in this portfolio. One is obviously the workers involved. Do you know how many workers it affects in total?

Enver ERDOGAN: Yes, I do have that information in front of me. Just one moment. There are currently 200 staff at Malmsbury – 240.

Nicholas McGOWAN: Sorry, 240 or 200?

Enver ERDOGAN: 240.

Nicholas McGOWAN: Sorry, 204 or 240?

Enver ERDOGAN: 240.

Nicholas McGOWAN: 240. I understand that there will be some additional incentives in order to retain those staff between now and when it does close. Is that correct?

Enver ERDOGAN: Yes. We have announced a Malmsbury staff support package. With the support package, there are a number of features of that. Some are obviously opportunities for retraining and career advice. Others are obviously incentive payments for them to continue working until the closure date, the decommissioning date. There are also supports in terms other separation packages as part of the enterprise agreement in place for employees in our youth justice system. There are a number of supports provided to staff.

Nicholas McGOWAN: I also understand that in order for those staff to apply for the new facility they will have to reapply through an external agency. Is that correct?

Enver ERDOGAN: Are you saying for redeployment?

Nicholas McGOWAN: Essentially, yes. I mean, you could redeploy, but as I understand it, in order for the existing staff at Malmsbury to work in the new facility at Cherry Creek they have to go through and apply through an external agency.

Enver ERDOGAN: In terms of the way the transition is handled and redeployment or how people will apply for new opportunities, I might pass over to the Commissioner, who can provide those details.

Nicholas McGOWAN: Thank you, Commissioner.

Andrea DAVIDSON: Staff will be supported where they want to redeploy into YJW1 positions, so a redeployment at level. They will be supported through that process to be able to use that redeployment option. Where we have staff that are interested in the uplifted workforce model, so in parallel to the closure of Malmsbury, we will now see a workforce model across the youth justice system that is uplifted – that is the behaviour change workforce model that has been rolled out at Cherry Creek initially. In the same process or a very similar process to what staff that are currently at Malmsbury and Parkville have gone through to engage in those new roles at Cherry Creek, a similar process will be applied to the uplifted roles if they are seeking to transfer into those.

Nicholas McGOWAN: So will they have to apply for those roles, though?

Andrea DAVIDSON: They will, because they are new roles. They are roles with a higher level of capability and a fresh position description very much focused on case management and supporting young people rehabilitatively.

Nicholas McGOWAN: How many staff do you anticipate you will need in the new facility initially for this financial year, obviously, but moving forward?

Andrea DAVIDSON: In relation to the Cherry Creek facility?

Nicholas McGOWAN: Correct, Commissioner.

Andrea DAVIDSON: The Cherry Creek facility has a total of 338 FTE that are funded. Of that 338 FTE, we currently have 212 of those positions filled, 100 of which are youth justice workers, so youth justice workers at the YJW2 and YJW1 level. That is for 56 beds at Cherry Creek, so it is the initial tranche of funding for that workforce at Cherry Creek and obviously we will keep a very close eye on the numbers in custody. It may be that if further beds are funded to the future, we would of course be encouraging our staff to apply for those roles too.

Nicholas McGOWAN: Okay. Forgive my quick math – so you need 338 FTE, you have already 212. We are losing 240 from Malmsbury, so there is quite a number from Malmsbury who simply will not be employed, is that correct? They will then –

Andrea DAVIDSON: Just in relation to the Malmsbury FTE, it is probably worthwhile noting that of the 240 that the minister noted, 143 of those are frontline positions. The remainder of those are adjunct and support positions within the precinct.

Nicholas McGOWAN: So what are you saying? Some of those will come over, or they are not included in your 212 figure?

Andrea DAVIDSON: I would certainly anticipate that some of those staff would come over, and from talking with staff on the ground they are certainly interested in transitioning to the uplifted workforce model that will apply at both Cherry Creek and Parkville.

Nicholas McGOWAN: Okay, but in total you have got 452 staff and you only need 338 FTE, correct?

Andrea DAVIDSON: Sorry, I just missed that.

Nicholas McGOWAN: In total you have got 212 already acquired, you are losing 240 at Malmsbury – that is 452 – but you need 338. I am just trying to understand how many people – how many Victorians – will have to look for work somewhere else, potentially.

Enver ERDOGAN: I think in terms of that, Mr McGowan –

Nicholas McGOWAN: Sorry, Minister, with respect, just for the Commissioner to answer that question first. I am happy to come to you, Minister, if you can add light.

The CHAIR: Mr McGowan, I know I have said this over the past two weeks and I have said it today and you may not have been in the room, but I will say it again: you can ask the questions, but I will not have you directing which witness can and cannot answer your question.

Danny O'BRIEN: No, that is not right, Chair.

Nicholas McGOWAN: No. No, on the point of order –

The CHAIR: There is no point – you have not raised a point of order, Mr McGowan.

Nicholas McGOWAN: Point of order.

The CHAIR: Right, on the point of order?

Nicholas McGOWAN: What you are saying is nonsensical, Chair. I am asking questions. I am absolutely entitled to do that. I have asked the Commissioner a question, and I simply extended the courtesy to the minister that while he might want to add to that, and I welcome that at the end of the Commissioner's answer, I would like an answer from the Commissioner.

The CHAIR: Well, apologies. If we go to Ms Davidson, and then it looks like the minister has something to add.

Andrea DAVIDSON: Perhaps it would be worthwhile, Mr McGowan, just mentioning that in terms of the redeployment opportunities for those staff, that those redeployment opportunities will be across the department. A number of our staff are also very interested in potentially transitioning into corrections, into community youth justice jobs and also into jobs in the community corrections space. So in terms of the numbers of staff that we have or the number of availabilities across the system, our staff will have the opportunity to look more broadly across justice as well.

Nicholas McGOWAN: Minister, sorry, you wanted to add something?

Enver ERDOGAN: Well, that was the point I was going to make. The fact that they are going to be provided opportunities –

Nicholas McGOWAN: I will move on if you are not going to add to it, only because I have got limited time.

Enver ERDOGAN: for redeployment. Sure, Deputy Chair.

Nicholas McGOWAN: Commissioner, can you guarantee that no-one will be without a job, if they seek a job, of the Malmsbury staff?

Andrea DAVIDSON: That is not something that we can guarantee, but we can guarantee we will give every support to our staff because we deeply value them and want to maintain that experience within our system.

Nicholas McGOWAN: Obviously, there is legal action that is about to be on foot, if it is not already –

The CHAIR: Apologies, Mr McGowan. The time is up. We will go to Mr Galea.

Michael GALEA: Thank you, Chair. Afternoon again, Minister; afternoon, officials. Minister, I would also like to discuss Cherry Creek and, referring to budget paper 4, page 81, the new youth justice facility. I understand, and also from your presentation, there will be a number of features of this new facility. You referenced that it had been built with rehabilitation and safety being at the centre of it. Could you explain what this means in practice and how it was achieved?

Enver ERDOGAN: Yes. Thank you, Mr Galea. As I announced on Tuesday, we are embarking on a new chapter in our youth justice system. The reason why we are able to close a facility and obviously utilise our new modern facilities is because we are at a record low number of people in our youth justice custodial settings, the lowest since the turn of the century, about 100 young people on the day I made the announcement. As I stated in the presentation, Cherry Creek is a modern, state-of-the-art facility. The first cohort is going to be accommodated in the coming weeks, by August. It has design features in terms of making sure improved staff and community safety help the young people turn their lives around. It is obviously as a result of a \$419 million investment, which is in the budget papers you will see, in terms of the capital expenditure. It will also support ongoing jobs in the area.

One of the strategic advantages, I will say, that we found is not just the state-of-the-art new model and the design – whether that be the vocational facilities or whether that be other educational facilities, the primary healthcare improvements, the mental health beds that Cherry Creek has, the increased security offerings for the staff that work at the facility, because of the implementation of newer technologies – it is also the pool of people. I know Mr Hilakari and our committee Chair Sarah Connolly would know the pool of talent in the western suburbs of Melbourne. The reason why we are able to fill the 200 roles already, up to 300 – and the recruitment is going very well from what I am informed – is because of the pool of catchment we have. The western suburbs of Melbourne are the largest growth corridor. Again Mr Hilakari is nodding because he knows that, and there are a lot of talented, skilled people, passionate people, who want to take up these roles. That is one of the strategic advantages that Cherry Creek provides.

Obviously I have talked about some of the other amenity, whether it be recreational and vocational skills training or dedicated cultural and multifaith facilities. That is an important factor. Part of the move to the new model, as our Commissioner was talking about, does mean a higher level of care towards the young people, I guess a higher skill level, but that is also recognised with higher remuneration. The Cherry Creek remuneration model is a YJ level 2, where the current model is a level 1 of pay grade, so that will mean better pay and recognition. Something that may have been missed from my announcement on Tuesday was also that at Parkville we are going to be transitioning to this higher level of care and service from the staff, so we are going to better support the staff there through a pay model. Obviously people will need to apply for that promotion to get that additional pay, because it entails greater responsibility as part of that as well at Parkville. Thank you, Mr Galea, for that question.

Michael GALEA: Thank you, Minister. Referencing Malmsbury again, do you see Cherry Creek as being a straight-up replacement for Malmsbury?

Enver ERDOGAN: I think in my presentation you will see that Cherry Creek is a new model. It is a flagship-designed youth facility really. It is not a youth detention facility. It is a healthcare facility. It is an

educational and vocational training facility. It is all in one because we want to give the young people in our care the best chance to turn their lives around. I said this in my corrections appearance earlier and I will say it in youth justice: as part of the criminal justice system, by the time people enter our custodial settings – and I am pleased to say we do not have what is happening in other jurisdictions; we have got record low numbers of young people in custodial settings – we are at the end of the process. Once they come into contact with our system it is upon us to give those young people the best chance to turn their lives around. I believe our facilities provide that, but Cherry Creek even elevates that to a new level. It was designed with that in mind. It was designed following the Armytage and Ogloff review of our youth justice system. Obviously, we took all those perspectives and the design features out there and incorporated them into the physical construction, but also the staffing model that goes with it and the support staff – like I said, whether it is the cultural aspects to it or whether it is the education and training, and we have a great partnership out there with Gordon TAFE. Those of you from the west will be familiar with Gordon TAFE. It is a new model of education and training for young people, and it truly is a new chapter in our youth justice system. That is why I was so proud to make that announcement. It has got to be a planned transition, but it is not a like-for-like replacement; this is a higher-level, purpose-built facility. There are different aspects to it. I am expecting as it goes on, like any new premises, that obviously the systems will be tested, and that is why we will be incrementally increasing the amount of young people at that facility. Thank you.

Michael GALEA: Thank you, Minister. You did talk about this being a big opportunity to reconfigure the system, and I appreciate that response. If I can pick up a little bit from what we were discussing previously with Mr McGowan, and that is in terms of the staff, what measures have you put in place to support the workers with the transition?

Enver ERDOGAN: We will be supporting the Malmsbury staff the whole way through this process. There are plenty of opportunities for redeployment, not only in youth justice or corrections but across our department of justice. There will be support packages in terms of financial incentives for people to continue until the closure date. But you need to understand, our regions are booming. I have been out to the Malmsbury premises and the surrounding regions. For some people they may decide to go another way, and like I said, there are plenty of job opportunities and employers more broadly in that Bendigo region. Our staff are dedicated, committed people. I am sure they will be highly sought after if they were to decide to go down a different path, but we want to keep them engaged and we will be providing that career guidance and support. Hopefully some of them will be redeployed in youth justice. I know there are opportunities in corrections, and there will be opportunities across our justice system to do that work. Thank you.

Michael GALEA: Thank you, Minister. With 23 seconds to go, I will yield the rest of my time.

The CHAIR: Thank you, Mr Galea. The next 7 minutes belong to the Deputy Chair.

Nicholas McGOWAN: Minister, I am a little bit concerned, because you spoke a moment ago about incentives for the staff to remain – I know the union talked about this today, and so they should. There is a requirement, I understand, that they must work 90 per cent of the next six months. Is that correct, in order to receive some of these entitlements?

Enver ERDOGAN: Under the Malmsbury staff support package it states that you must have 90 per cent attendance of your ordinary hours.

Nicholas McGOWAN: Okay. But isn't that –

Enver ERDOGAN: That will mean something different for different workers, because people's ordinary hours change.

Nicholas McGOWAN: I understand that, but isn't that like holding a gun to someone's head? I mean, some of these staff will have booked school holidays; they will have sick leave. Any of those various leave entitlements means they will fall below this threshold.

Enver ERDOGAN: I might let the Commissioner answer. But before she does that, I think we need to understand this is additional money on top of existing support that will be provided. There are contingencies to factor in pre-planned events, but the Commissioner will be able to go over the detail of it.

Nicholas McGOWAN: I understand that, Minister. But if for the very employees you intend to give this support to, you make it so hard for them to access that support, it becomes –

Enver ERDOGAN: I think attendance at work is an expectation I have across our justice system. Our Commissioner will be able to run over the detail about the exceptions, so it is not one size fits all.

Nicholas McGOWAN: Thank you, Commissioner.

Andrea DAVIDSON: I think a really important point about the bonuses that will be offered to staff during the period of time is that they occur in tranches, so there will be three periods of time in which the staff's attendance will be factored in. Across that period of time we have expressed to staff – initially there was some confusion – that annual leave will still be available to them during that time, so they will still be able to access that annual leave. But I do acknowledge that there was initially some confusion. We have now corrected that with staff, so they understand that that is the case.

Nicholas McGOWAN: So their annual leave will not contribute to this 90 per cent threshold, is that correct?

Andrea DAVIDSON: That is correct.

Nicholas McGOWAN: And sick leave, will that?

Andrea DAVIDSON: Sick leave is on a case-by-case basis, so we have to consider the individual circumstances, and I think, really importantly, overarchingly there is a commitment to our staff that we will work with them on the individual circumstances of each case. We have a dedicated hotline, if you like, to be able to respond to staff in real time in terms of those questions they might have or queries they might have around issues such as sick leave, carers leave and the like.

Nicholas McGOWAN: And who holds that discretion in respect of carers leave and sick leave?

Andrea DAVIDSON: Our Executive Director and I hold that delegation.

Nicholas McGOWAN: From a human perspective I do not quite understand that, because if someone is sick they should not be coming into work. In fact we are encouraging them to do precisely that – not come to work when they are sick. Why would we penalise them, potentially, or even give someone the discretion to penalise them and not therefore allow them to have these, as you said, bonuses or financial packages? They are incentives to keep them there and keep them working so the facility works right up until the last moment.

Andrea DAVIDSON: Yes, they are incentives, and the incentives are really focused around ensuring that we are able to maintain our operational safety on the ground and that we are still at the same time ensuring that we are accommodating for people's individual needs throughout that process and ensuring in particular that they are allowed to continue to exercise their own entitlements to annual leave in particular.

Nicholas McGOWAN: I know, but back to my question: if I am sick, surely no-one should have the discretion to be able to say, 'You're not going to reach your threshold, therefore you should come to work.' You would not want to see that perverse pressure for staff to come to work sick and deal with inmates who are also young people, surely.

Andrea DAVIDSON: Absolutely. We would not be suggesting that anybody should be coming to work sick. I think the important thing is that we take a case-by-case consideration of those circumstances as they arise.

Nicholas McGOWAN: But wouldn't it be prudent, though, simply to say that if you are sick and you are legitimately sick – because we have to assume that, unless there is some claim that there is some fraud occurring – that should not be part of the 90 per cent consideration?

Andrea DAVIDSON: The consideration around sick leave is really about understanding the details around sick leave, and that is I guess where there is case-by-case consideration. We have a smaller scale workforce in many ways, so it does allow us to take that case-by-case basis, roster to roster, shift to shift. We understand people's circumstances, and we take those into consideration.

Nicholas McGOWAN: What about long service leave, Commissioner?

Andrea DAVIDSON: Long service leave is again one of those considerations. It is a case-by-case basis, but where it is taken as planned leave and it is taken as approved leave then, absolutely, they will be able to ensure that that is not taken into account in the 90 per cent calculation.

Nicholas McGOWAN: But, again, there is that discretion, so it may or may not be taken into account. Is that correct?

Andrea DAVIDSON: It is planned and approved leave, so in the same way as annual leave that is planned and approved by our standard means and processes, long service leave would come into that as well.

Nicholas McGOWAN: But if I am wanting to initiate my leave now, then is that too late?

Andrea DAVIDSON: No, absolutely not. The usual policies would apply to leave, and we have stepped this through with staff, because understandably – we have not been in this situation before in youth justice – there were a lot of questions. In town halls that we have held with staff in the last two days we have spent many hours working through the detail with them, and in some cases staff have very readily come to understand that. In other cases we have needed to talk to them around their individual circumstances and work those matters through.

Nicholas McGOWAN: I would implore you on their behalf, Commissioner, to exclude sick leave and carers leave, because I just do not see how that would make sense. But nonetheless, I will leave that with you. That is more a statement than a question unless you are happy to commit to that.

Andrea DAVIDSON: I take that on board.

Nicholas McGOWAN: Thank you. Have you got a contingency if in fact a number of staff do leave? Obviously these programs are geared at making sure they do not, but if they do, is there a backup plan?

Andrea DAVIDSON: Absolutely. We have contingencies worked out in youth justice on a day-to-day basis, and we have certainly worked contingencies into our planning for the Malmsbury closure all the way through.

Enver ERDOGAN: And I think it is important to understand, Deputy Chair, that the number of young people at Malmsbury is, to be honest, almost at record lows as well. There were only 40 young people there when I made the announcement on Tuesday. Obviously, the capacity of Malmsbury is much larger than that. There are 89 rooms across six units, but we only had 40 young people. Obviously in terms of a full cohort of staff we are below our capacity already, so we are quite confident of being able to make sure that the premises is safe until its closure at the end of December – 29 December was the day I gave you, and that is the target.

Nicholas McGOWAN: Thank you, Minister. Commissioner, can you explain just a little bit about the contingency plan? I am particularly concerned if there is strike action of course; it is about to go to the Fair Work Commission. What do you have in place in case there is strike action?

Andrea DAVIDSON: There is a suite of contingencies – that is the way I would describe it. Initially, in the first instance, we actually have had for a number of months now our Cherry Creek staff providing support into Malmsbury as part of their training.

The CHAIR: Apologies, Commissioner. Apologies, Deputy Chair. I am going to throw to Ms Kathage.

Lauren KATHAGE: Thank you, Chair, Minister and officials. In your presentation you spoke about the reform government is undertaking to raise the minimum age of criminal responsibility to 12 in the first instance. There has been a lot of public discussion about this. Are you able to step us through why you see these reforms as being so important?

Enver ERDOGAN: Thank you very much for that, Ms Kathage. I know there is great public interest in raising the age of criminal responsibility across this committee room, in the chambers of Parliament and out in the community. For many of the Indigenous stakeholders I have had the opportunity to have discussions with I know this is an important issue. Obviously, the discussions were led, in terms of raising the age of criminal

responsibility, by our Attorney-General in Victoria. It has been work over a number of years. Before being elevated to this portfolio I was fortunate enough to be the Parliamentary Secretary to the Attorney-General in the lead-up to last year's election. I was able to also attend a meeting of attorney-generals, and at that meeting I know broadly speaking, without revealing the details and confidence of the attorney-generals across the nation, there was a discussion about raising the age. There was not a commitment but a broad agreement that it needs to be moved towards 12. That was the broad kind of picture we were talking about. But obviously we have led the way, and I was very proud to support our Attorney-General in making the announcement of our two-stage process.

I mean, we are doing this because we know that children belong at home and at school and not in custody, and that is why I am also proud that in Victoria our government has been able to, through our investments and work with young people, divert them away from the custodial settings. But experience and international evidence show that the younger a child is when they are first sentenced the more likely they are to reoffend, and more frequently and violently, as adults. The evidence also shows that the majority of young people exhibiting at-risk or antisocial behaviours will typically age out of the behaviour if given the chance. Helping young people who show harmful behaviours to turn their lives around with rehabilitative support services is not only good for them but it makes our whole community safer in the longer term. The medical evidence also shows that very young people or young children are at a critical stage of cognitive development and may be incapable of understanding their behaviour is seriously wrong. Put another way, they may be unable to form criminal intent as defined by law. That evidence base – the medical evidence about cognitive development and the psychological evidence about ageing out and the impact of early involvement with the youth justice system – explains why we are acting to raise the age of criminal responsibility.

We know that many stakeholders and in particular First Nations communities have been calling for this reform for some time. They have been very loud and clear. I have had meetings with the Aboriginal Justice Caucus co-chairs. I have had meetings with some of the co-chairs of other Aboriginal organisations and the First Peoples' Assembly that have told me that this is what they would like to see the government do. That is their stakeholder view. So we have heard that, and I know that some of the existing common-law presumptions around *doli incapax* are not well understood and are not been applied consistently. That is another thing that we have heard from legal stakeholders, for example. The *doli incapax* is the presumption that a child under 14 lacks the mental capacity to commit a crime unless the prosecution proves beyond reasonable doubt that the child knew their conduct was seriously wrong at the time of offending. Codifying this *doli incapax* to make it apply consistently will help improve outcomes and fairness across the criminal justice system and reduce the number of young people in youth justice custody that should not be there.

The Attorney-General and I are working closely to progress this important reform. The next step is targeted consultation with key stakeholders, including Victoria Police, the Office of Public Prosecutions, the Children's Court of Victoria, Victoria Legal Aid, the commissioner for Aboriginal children and young people and the victims of crime commissioner to make sure we get the reforms right. We are working towards introducing legislation later this year, so all the committee members will have an opportunity to be part of that debate, and I look forward to seeing it pass through the upper house.

Lauren KATHAGE: Thank you, Minister.

Enver ERDOGAN: Thank you.

Lauren KATHAGE: There is the public commitment by the government for the second step, to increase the age of criminal responsibility to 14 by 2027. As you mentioned, some or many stakeholders have wanted that to take place immediately. I have certainly hosted discussions with people in my office, with constituents, who feel that way. With the two-step process, or the reasoning for that, can you talk to that at all?

Enver ERDOGAN: Yes. Thank you for sharing your perspective as well from your constituency. I know as a member of Parliament, I guess being a minister but also being a member of the legislature, I have had that feedback about this issue as well. I know there is a diversity of views, so not everyone thinks the same or has the same approach, but that is why it is important that we incorporate all of that. It is about striking the right balance between supporting children to stay out of the justice system, because we know that leads to better outcomes in the medium and long term, but to also make sure that community safety concerns, particularly about violent crime and serious offences, are treated appropriately.

What we do not want to see is children who are starting to exhibit offending behaviours falling through the cracks and similarly ending up in youth justice as soon as they turn 14. We need to get them the help and support they need to turn their lives around. The evidence shows that there are relatively few aged 10 and 11 that are charged with committing offences and even fewer charged with serious offending. This means that raising the age to 12 without exceptions is a safer first step. The evidence also shows that the numbers increase materially for 12- and 13-year-olds and the nature and seriousness of offending also changes. That is why I say it is not a one-size-fits-all approach in youth justice, because that is just not what the evidence supports. I know some stakeholders were disappointed – and I can tell you I received quite robust feedback during this process – and would like to move straight to 14 now. But this is a careful and considered approach that supports the care of vulnerable young people as well as making sure we continue to keep the community safe. These changes will still make us the first state in the country to raise the minimum age of criminal responsibility to 12 and to announce our intention to raise it further to 14 by 2027. Victoria is leading the way on these reforms. I am very proud to be part of that process. It really is whole of government. As a minister in this government I have taken a lot of feedback from members and backbenchers, who play an important role, because they feed that information through to my –

Nicholas McGOWAN: No, surely not!

Enver ERDOGAN: They feed important information from their constituents, whether that is in Yan Yean, whether that is in the south-western suburbs or whether that is in Laverton or Point Cook. Your feedback is crucial, because obviously that leads to broader discussions at the cabinet level about the right settings because we do balance community safety but also the need to act on this, because we know it will make our community safer. So I am proud to be undertaking that work on behalf of the government.

The CHAIR: Thank you, Minister. We go back to the Deputy Chair for the next 7 minutes.

Nicholas McGOWAN: Thank you very much. Commissioner, are you able to tell me the average duration of isolation or lockdown episodes in the various facilities – Malmsbury and Parkville in particular, obviously? Cherry Creek will not have any.

Andrea DAVIDSON: What I can give you is a breakdown of episodes of isolation across each quarter for the system. That is data that I have if you would like me to share that.

Nicholas McGOWAN: Yes, that would be fantastic. Thank you. Can you also share with the committee how many hours are spent in isolation or lockdown per week?

Andrea DAVIDSON: I do not have the data on that basis. I have quarterly data. However, I am most willing to take that on notice.

Nicholas McGOWAN: Okay. Thank you. That would be great. Are you able to share for the committee – I am interested in how many hours of school and programs the children are able to access, however you measure that, per week, per day.

Andrea DAVIDSON: When it comes to education attendance, that is something that we record in partnership with our education providers, noting the reasons why non-attendance might occur, such as if a young person was subject to a period of isolation. However, very importantly, when it comes to young people who are subject to a period of isolation, throughout that time we would continue to care for and support them. It is really important to acknowledge the difference between isolation, as we are engaged in in youth justice in Victoria, as opposed to solitary confinement. Solitary confinement is an illegal practice in Victoria. It is not something we undertake, and so whilst young people are isolated, their health and wellbeing continues to be attended to, inclusive of their educational needs. So isolation does occur most predominantly for less than 2 hours, and during that time, again, most predominantly in young people's bedrooms. Throughout that time they are offered support services but also the opportunity to engage in education. Our education provider is able to provide materials to young people. We also have such a dedicated workforce of teachers that work very, very closely with our custodial staff to provide education, for example, on units when young people are up and out of their room and to flexibly ensure that young people are able to access as much education as they possibly can during those periods, noting, as I said, that the majority of episodes of isolation are less than 2 hours.

Nicholas McGOWAN: How many non-custodial staff do you have at Malmsbury and how many do you plan to have or do have at Cherry Creek?

Andrea DAVIDSON: Sorry, non- –

Nicholas McGOWAN: How many non-custodial style staff do you have presently?

Andrea DAVIDSON: In terms of support staff?

Nicholas McGOWAN: That is right.

Andrea DAVIDSON: I certainly have those numbers for Cherry Creek. If I am to go to Cherry Creek, we have a total of 338 FTE that are funded and 238 projected to be onboarded for the first tranche of funding for the 56 beds. I do not have a breakdown of the specific custodial staff within that number, but I can tell you that of that we have 212 now recruited, 100 of which are youth justice workers. So there is a significant – at Cherry Creek, to the minister's point earlier around a significant difference in model. We also, within justice, have a number of clinical staff at Cherry Creek. That is a new undertaking for youth justice. So we have an in-house clinical model and an enhanced behaviour support model that sees justice staff working alongside those operational staff in, effectively, new roles and also supporting the delivery of programs more broadly, both psychosocial programs as well as dedicated rehabilitation programs.

Nicholas McGOWAN: Are you able to provide a breakdown in terms of staffing for those clinical staff that deliver those programs?

Andrea DAVIDSON: I can provide that on notice, yes.

Nicholas McGOWAN: That would be great. Thank you very much. Do you have any measurement in terms of how many of the children do not receive their minimum 1 hour of fresh air per day – as in outside, obviously?

Andrea DAVIDSON: The only circumstances in which a young person would not be coming out of their room in the 24-hour period is due to COVID-19 restrictions. All delegations of isolation beyond the 24-hour period sit with me, so I am acutely aware of all of those isolations. There has been certainly no isolation in my time sought beyond 24 hours that is not COVID related.

Nicholas McGOWAN: That leads me on nicely, Commissioner: are there still COVID-restriction isolations that occur this year?

Andrea DAVIDSON: Yes, there are, but we have certainly shifted our settings for COVID. At this point in time it is only young people who are COVID positive who are subject to isolation, and that is for a period of up to five days, at which time a medical clearance will be sought and that isolation will be ceased. We have also had a shift in our settings, based on dynamic risk assessment and the individual circumstances of young people, so that those isolations are not necessarily always 24 hours. Based on dynamic risk assessment, we are able to look at ensuring that a young person is able to come out of their room during that time on a case-by-case basis. There have been a number of evolutions to our settings for COVID over time, but they are the current settings that we are working with.

Nicholas McGOWAN: Thank you, Commissioner. Minister, are we still going to have a youth justice Act? Where is that at?

Enver ERDOGAN: Yes, I think that is a very important question. There is some work going on towards a youth justice Bill, a new Act.

Nicholas McGOWAN: Do you have any idea when that will be introduced?

Enver ERDOGAN: I am hopeful that this year it will be introduced – in the second half of this year, I am hopeful. That work is going to go ahead. We will obviously move through the legislative process. I am always careful about giving a strict time frame, but it is my goal to have a copy before the legislature in the second half of this year, probably towards the end of the year.

Nicholas McGOWAN: And while we are talking about those kinds of things, the national preventative mechanism – where are we at with that?

Enver ERDOGAN: Are you talking –

Nicholas McGOWAN: OPCAT.

Enver ERDOGAN: of OPCAT, yes. The responsibility for the interpretation of OPCAT lies with the Attorney-General. As a government – the Attorney-General I know, because I was a parliamentary secretary there – we agree with the principles of OPCAT, but obviously there is an element of difference of view between us and the Commonwealth about funding for the implementation for a treaty that they have signed up to. Those negotiations are going on. Obviously OPCAT is in my custodial settings, but the actual implementation sits with the Attorney-General.

Nicholas McGOWAN: Okay, thank you. Minister or Commissioner, in May the Commission for Children and Young People noted that girls and young women at Parkville still had no access to an outdoor secure area, meaning they had less access to fresh air and exercise compared to their male counterparts. Has this situation been rectified?

The CHAIR: Apologies.

Nicholas McGOWAN: Could you take that on notice, please?

Andrea DAVIDSON: Yes.

The CHAIR: Mr Hilakari.

Mathew HILAKARI: Thank you, Minister, and thank you, officials, for your attendance this afternoon. Minister, I refer to your presentation, and it was very pleasing to hear that we have got the lowest youth numbers since the turn of the century. I think I heard you say there are no people under 14 currently in custody.

Enver ERDOGAN: That is right, Mr Hilakari, yes.

Mathew HILAKARI: I think that is something really to be proud of as a youth justice portfolio area. I am just interested in understanding, while it is low and it is trending down, what are some of the causes of that trend?

Enver ERDOGAN: It is a very, very important question. We need to look at data, and as I stated, it is the lowest figure since 2000–01, so the turn of the century. It is the first time we have had such low numbers in youth justice custody. I have, since taking on the role in the last six months, been looking closely at data and seeing if there are any patterns and what is working and what is not. We should not take for granted this downward trend, because I do not want to point it out, but in other jurisdictions the challenges are quite acute and quite visible, whereas in Victoria, to be honest, we have a much more successful system in youth justice. Obviously I hope to see it prosper and become a better system. In terms of what is happening and what is working, I think it is some of the programs that are leading the way. Some of the success has been, for example, effective early intervention services such as the Children's Court Youth Diversion Service, supporting young people. It was our government that made this investment, but it is also further investments we have made in youth diversion programs. Last year we established the youth justice bail after-hours service and Children's Court weekend online remand court, both initiatives that divert young people away from being remanded into custody in the first place, so they do not have to go into that cell setting in the first place.

We are also working in partnership with community service organisations to deliver early intervention and rehabilitative supports to prevent children and young people from becoming entrenched in the justice system. These programs include the youth support service and Aboriginal youth support service, providing early intervention support to at-risk young people; the youth justice conferencing for restorative conferences; there is the Youth Justice Community Support Service, including establishing an after-hours service in 2022–23; and multisystemic therapy and functional family therapy. And I cannot understate the importance of family engagement. We find that especially our cohorts in youth justice can be sometimes different from what is in the adult system, so I think that engagement with families – and our youth justice team do amazing work, so I do want to thank them because they play a very proactive role. I guess they can as well with the lower numbers

compared to the adult custodial system, but they do really play a really proactive role in trying to get families engaged.

I think that is another advantage, and I am sorry to harp on, of the Parkville precinct, for example. It is centrally located in the heart of the city. It has access to multidisciplinary services within close reach, and for young people that come into contact I think a key transformation is that educational engagement piece. I think that is what we find, but also when I look at it, it is also employment opportunities for post release. In youth justice what we are seeing is that there are opportunities. One of the earliest visits I did – and thank you, Commissioner, who was able to take me to the Streat program, a program for young people that are at Parkville. They get to work in a cafe setting connected to cafes in the city, in Collingwood and across the CBD, where they are getting really hands-on skills in the service sector where there is demand for young workers.

That is just one example. There are other vocational examples in the construction sector. We know we have got a Big Build, and our government is delivering record amounts of schools. We have got some in your electorate as well, but across Yan Yean – I am looking at some of the growth corridor members of Parliament here today – so a number of schools. So young people have a pathway to transition to other vocational fields as well. I think some of those programs are working and paying dividends. Obviously it is still early to tell. I do not want to predict the future, because obviously we have come at the end of the COVID global pandemic and we are still recovering from the global pandemic, but I think our programs are working. It is a continual process. It takes ongoing commitment, and as a government I feel we are committed and we will do the work necessary to keep the numbers as low as possible.

Mathew HILAKARI: Thank you, Minister. I agree, the staff's role in getting these numbers down so low is really critical and I appreciate their work, and thank you, Commissioner, for being with us today. I will take us to budget paper 3, page 279, Minister, something which is probably one of these more difficult ones but I think there is a good story to tell, which is around the annual daily average number of young people in custody for males 15 years plus, which seems to me to be the largest cohort. I am glad to see that the target from 2022–23, 170 to 210, is going to be down in 2023–24 to 140 to 180, and the expected outcome is in fact even lower, at 100. Could you please outline what we have been able to do to reduce these numbers, but also what can we do to keep driving these numbers down?

Enver ERDOGAN: Thank you, Mr Hilakari. That is a very important question. You are right that males 15-plus is the largest cohort in youth justice custody, and the broader trend in the total number of young people in custody. The numbers in the cohort have also been trending down in recent years, so we have been able to revise our expected outcomes and reflect that in the budget papers. As you mentioned, the expected outcome for 2022–23 is 100. It is worth noting that figure represents an average over the year, so it will fluctuate, and when you have got smaller numbers I think the fluctuations can be larger as a percentage term – 10 people could be a 10 per cent change because the numbers are so low.

But our focus on diversion and early intervention is helping prevent that cohort of males 15-plus from entering the youth justice system in the first place. That is clearly good for these young people, because we want them to be safe at home and engaged in education. That is the key, I think: educational engagement. It is something that rings true through the stakeholders I have met and the evidence I have read. Engagement with education seems to be one of the causes, and that is why I think a whole-of-government approach is needed, and we are doing those investments. We are building 100 new schools. We are doing work in early childhood education even at a younger age, that kind of diversion work for this younger cohort, but in terms of the first steps we are taking it is really important that we talked about the opening of Cherry Creek. It is important because the initial costs of the transition to Cherry Creek are around the 15- to 17-year-old males – so that largest cohort. It is a bit of a more complex cohort, with some of the more serious offending, so there are definitely challenging behaviours there that our experts and our professionals will need to work on with those young people. That was, again, a lesson that we learned from the Armytage–Ogloff review, keeping the needs of this cohort in mind in the designing of Cherry Creek. Like I said, it was not a coincidence, it was purpose-built, so I look forward to seeing the operation of Cherry Creek.

Mathew HILAKARI: Thank you, Minister.

The CHAIR: Thank you, Minister and Mr Hilakari. We will now go to Ms Sandell for the next 7 minutes.

Ellen SANDELL: Thank you, Chair. I would like to ask about Malmsbury. How much was spent on the recent upgrades? I think they started in about 2020. Is that correct?

Enver ERDOGAN: I do not have that exact figure in front of me – the exact amount spent in 2020 – but I will –

Ellen SANDELL: But since 2020, on the upgrades.

Enver ERDOGAN: Since 2020. I understand that there was \$80 million spent on Parkville and Malmsbury since the 2019–20 budget.

Ellen SANDELL: Okay. But we do not have the split between Parkville and Malmsbury?

Enver ERDOGAN: I will ask the Commissioner.

Andrea DAVIDSON: We can certainly take that on notice. That was for what was referred to as our bed expansion works. At that point in time obviously we had a very different system – over double the numbers of young people that we have at this point in time. Just to take minds back to that point in time, government was very much about a three-precinct strategy and that was our approach, given the young people we had in the system at the time and also the recovery from the challenges that predated the Armytage–Ogloff review. So that \$80 million amount in bed expansion was to cover both sites, where there were new beds built post youth justice coming across to the department of justice.

Enver ERDOGAN: And I might add that obviously there was the upgrade to facilities as well, because Malmsbury had been in operation since 1965. You can see the different builds during that cycle and different time periods. So obviously –

Ellen SANDELL: I understand that. When were the final works completed at Malmsbury?

Andrea DAVIDSON: 2020.

Ellen SANDELL: So there has been nothing since 2020?

Andrea DAVIDSON: No, not in terms of bed expansion. As the minister mentioned, we have continued to engage in strengthening works on a needs basis across both Parkville and Malmsbury.

Ellen SANDELL: Okay. I think some would be asking whether that money might have been better spent on services, but I will leave that. I would like to talk about budget paper 3, pages 82 and 83. Obviously the government has committed to raise the age of criminal responsibility. One of the reasons the government has repeatedly given for not being able to do it earlier than 2027 is that supports need to be in place to keep young people out of the justice system. I guess we would expect to see in the budget a significant increase in funding for supports to make sure that we are ready to make sure that kids are staying out of the justice system. There are two line items I can see in here. So one is on page 82: ‘Preventing youth offending through early intervention’. That is staying static at about \$4.6 million a year. The other one is on page 83, ‘Continuing Youth Justice initiatives’, which is cut significantly next year and then looks like it ceases. Could you just explain why those projects are either static or ceasing and where the funding is for these expansion and support services for young people?

Enver ERDOGAN: Thank you, Ms Sandell. I did see you ask that question to the Attorney-General last week, so I do have –

Ellen SANDELL: Yes. I thought you might be prepared for it.

Enver ERDOGAN: I came prepared. To look at that line item, especially the one on page 83 about ‘Continuing Youth Justice initiatives’, in terms of that decrease, it is a pretty straightforward explanation for this. All the programs and services in this initiative are funded over two years at the same level, plus some indexation. So existing programs are actually being funded, except for one element that I will come to. But the programs that are being funded within that \$19.1 million are delivering culturally responsive services to Aboriginal young people, delivering programs to young people at risk of offending and recruitment and development of frontline staff. The one element that does not continue the second year is in relation to one-off

insurance provision for historical claims, so that is what explains the difference: the historical claims that have already been –

Ellen SANDELL: And you are expecting no more need for that?

Enver ERDOGAN: No, not in our budget papers.

Ellen SANDELL: All right. And so is there an expansion of other programs? Where else should I be looking to find all these wonderful support services to keep young people out of the justice system?

Enver ERDOGAN: There are a number of programs that are running in our youth justice system. I might ask the Commissioner to go through some of them. There are a number of youth justice strategies. The *Wirkara Kulpa* strategy –

Ellen SANDELL: Specifically around funding, I guess.

Enver ERDOGAN: Yes. I think there is \$5 million to the Department of Families, Fairness and Housing to deliver the early intervention, diversion and family therapy programs as part of raising the age as well. That is new money that –

Ellen SANDELL: So \$5 million. Do we have an idea of roughly how many people you can reach with \$5 million?

Kate HOUGHTON: We are working through the details of that with the Department of Families, Fairness and Housing. There is a very, very small cohort of 10- to 11-year-olds, and that is what that money is targeting – to not make them go into custody and detention.

Ellen SANDELL: Okay. And then for 12- and 13-year-olds?

Kate HOUGHTON: That is where we work with, again, that department on the alternative service model to be ready for 2027.

Ellen SANDELL: But there is not specific funding for programs for them yet?

Kate HOUGHTON: Well, there are existing programs through multiple different departments for those, but to have an alternative to custody and justice we need to develop that in time for 2027.

Ellen SANDELL: I would have expected, I guess, to see funding for that, given the government has used that as the reason why we cannot raise the age earlier – because we do not have support services – but then if we do not fund support services, we do not have support services. You can see where I am going.

Enver ERDOGAN: Yes, I definitely do. Also look at it as the whole of government, because some of it does fall into my portfolio, as I said, at the end of the justice system, but a lot of it is in crime prevention. There are different line items in the budget, and I guess in previous years we invested \$11 million to expand the central after-hours assessments, the weekend online remand Children's Court, youth support services and additional Aboriginal youth justice hubs. That was a big feature of previous budgets, and as part of this budget there is other money. A lot of it is at the front end, again, with early intervention and diversionary crime prevention space, so not necessarily in my portfolio, but obviously it is all intertwined, and I want to see that work come together.

Ellen SANDELL: So that \$5 million for the program is for 10- and 11-year-olds, is that something that you would then seek to expand later on for 12- and 13-year-olds?

Kate HOUGHTON: Yes. I think the needs of 10- and 11-year-olds are very different to 12-, 13- and 14-year-olds, so it will be tailored to the needs of the child and that cohort and particularly their offending. I just want to assure you the work has already started, so we are not waiting for the budget. From a departmental and public service perspective, the design, the work of the alternative service model, has already started, and we have an independent panel also to help us when we appoint them through advice to the minister. They will help us as well in the design.

Ellen SANDELL: All right. Well, I hope to see the next budget having significantly more funding for those programs as well.

Enver ERDOGAN: Yes, and I look forward to having your support, Ms Sandell, in undertaking that work. Thank you.

The CHAIR: Thank you, Ms Sandell. Thank you, Minister. We are going to try the IT again. Fingers crossed it works for Mr Hamer.

Paul HAMER: Thank you, Minister, and thank you, officials. I also wanted to just follow on from Ms Sandell's question about the initiative on continuing youth justice initiatives. You outlined the various initiatives in that program. I was just wondering if you could expand on what outcomes you are hoping to see out of that investment.

Enver ERDOGAN: Thank you for that, Paul. It is an important question. I think when we talk about investments we obviously talk about the physical infrastructure, our staff, which are the most crucial part of the system, and also improving the range of care and rehabilitative services for young people in our custodial settings or out in the community. There is a range of stuff, and some of it precedes my time. Some of the work engaged in this space was done by previous ministers during the Andrews Labor government, but some of it extends as far back as the work done by the Bracks government, so the Aboriginal justice agreement. There are various phases of work that have been done, and we continue to do that work. But I guess the additional funding in this cycle is about \$53.9 million into our youth justice system. This will be about boosting staff training and development; continuing key programs that were lapsing; supporting Aboriginal young people in custody; and addressing over-representation across the youth justice system.

It is a small proportion of young people that do end up in our custodial settings. We are focused on providing them with a safe and stable environment, and I truly believe that our facilities and our youth justice team give these young people the best chance to turn their lives around. We understand they are a complex cohort. Because the numbers are so small, because we are able to divert the other children away, the ones that come into our care are a very complex cohort. We are investing an additional \$3 million to reduce the number of young people from over-represented cohorts in the youth justice system. We have got nation-leading results that I guess speak for themselves. Thank you.

Paul HAMER: Thanks, Minister. In the line items under 'Continuing youth justice initiatives' on page 91 it does refer to 'culturally responsive services to support Aboriginal young people in custody'. I was just wondering if you could expand a little bit on what those services will be and what they are designed to achieve.

Enver ERDOGAN: I think that item in the budget is about our government's commitment to improving the lives of Aboriginal people, whether that is through our commitment to truth, justice and treaty or through our commitment to supporting Aboriginal self-determination in Victoria. This obviously extends across to our youth justice system, and we have a strategy, *Wirkara Kulpa*, which guides that. It is our youth justice strategy plan for Aboriginal youth, and it has as its sole focus the wellbeing of Aboriginal children and young people at its heart. It is a close partnership with the Aboriginal Justice Caucus. With the design and its implementation we are walking together. It is important. It is a true partnership.

I can say that in the time I have been here I have seen our youth justice team – and I must give a shout-out to our Deputy Secretary Josh Smith and our Commissioner – and I have seen firsthand their level of engagement with our Aboriginal stakeholders as being first class. Really, they are setting an example for everyone across, I guess, the public sector in the way they do this work. Our goal, aspirational as it may be, is to see no young Aboriginal people in custodial settings. At the very bare minimum we want to see an end to the over-representation. That is a legacy of colonisation in our state, and we want to see that end. So for those that do come into contact, we want to provide a culturally safe environment. We are investing in programs to do that, and we are seeing meaningful results. We have the second lowest percentage of Aboriginal young people in youth justice custody in the nation. I want to make that even lower.

Mathew HILAKARI: I am going to take you to a different [inaudible], which is the South Sudanese expert working group.

Bev McArthur interjected.

Mathew HILAKARI: Of course. I mentioned that he is an engineer; of course he has done such things. Actually, it is important to me as well and the community that I represent. You have talked about addressing over-representation around Aboriginal people. It is a very worthy and important thing to be doing, but I am just wondering about the \$3 million investment in this budget that builds on the work of previous budgets – particularly focused on the South Sudanese community, if I could.

Enver ERDOGAN: Yes, that is right. I think what we do find in our youth justice system is some of the cohorts are different from the adult custodial system. So there do need to be different approaches. I was talking about the work that our youth justice team do with families and communities. This is brought up because the numbers are low and we can probably do some more of that intensive work. I think the South Sudanese working group is part of that. Previous budgets have invested into that working group, and there is a further investment in this budget. It is about addressing over-representation of South Sudanese Australian young people in contact with the criminal justice system as a whole. The purpose of this expert working group, led by Dr Santino Deng, is to engage with the South Sudanese Australian community across the board. Thank you for your concern, Mr Hilakari. As you know, there is a large South Sudanese community in the western suburbs and across your electorate, and it is important that we work with the community and bring them along on this journey. They have been keen, and I know Dr Santino Deng is leading that work that is about identifying the root causes of this over-representation of South Sudanese Australian young people and working on developing solutions together, in partnership.

We have built a long-lasting partnership with our Aboriginal stakeholders, and I talked about the Aboriginal justice agreement we have had for over 20 years. So I think this engagement with the South Sudanese community is a new one. It is probably one of the first of its kind that I can recognise that we are doing with some of the multicultural groups directly. So this investment and this funding will help us to do that work. There are a number of elements to this work. There is a South Sudanese expert working group. They are going to inform where this investment will be made, so they will provide guidance to me and our youth justice team about where they see the money being best spent and where we can get the best potential return to address the root causes of this behaviour and over-representation across a range of groups. Like I said, I think this is an example of Victoria leading the way. We are a progressive state; we are taking progressive options to end this over-representation.

Mathew HILAKARI: Expertise really does come from the community as well, and that is really important.

Enver ERDOGAN: Spot on, Mr Hilakari.

The CHAIR: Apologies to interrupt, gentlemen, but the time has come –

Danny O'Brien interjected.

The CHAIR: Excuse me?

Danny O'BRIEN: You are never really sorry. You apologise every time, but you still do it.

The CHAIR: Obviously, I need a poker face, Mr O'Brien. I will be sure to get one before next estimates. Minister and department officials, thank you very much for appearing before the committee this afternoon.

The committee will follow up on any questions taken on notice in writing, and responses will be required within five working days of the committee's request.

This brings the committee's nine-day Inquiry into the 2023–24 Budget Estimates to a close. On behalf of the committee and the Deputy Chair I would like to thank all ministers and officials who have given evidence to the committee over the course of this inquiry.

I also want to thank very much the staff from Hansard – thank you – and our parliamentary attendants who have looked after us.

To the committee secretariat – and I know some of you are here, some of you are not here and some of you will still be listening – a very big thankyou for all the work that you have done to get us to this point of the inquiry.

I do want to give a special shout-out to Jacqueline Coleman. Jacqueline is not here in the room this afternoon, but she has been the absolute backbone of our secretariat, ensuring estimates have run so smoothly this year. I think it has been seamless.

Lastly, I wish to again thank the Parliament's hospitality, security and cleaning staff. They have looked after us so well over the past nine days.

On that note, I would like to thank colleagues on this side of the table, those on my left and my right.

I declare this hearing adjourned.

Committee adjourned.