



LEGISLATIVE COUNCIL  
LEGAL AND SOCIAL ISSUES COMMITTEE

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Inquiry: Inquiry into Victoria's criminal justice system

Hearing Date: 5 November 2021

Question[s] taken on notice

Directed to: Rebecca Falkingham, Department of Justice and Community Safety

**1. Ms MAXWELL Page no. 13**

**Question asked.**

...I am wondering whether you have access to the evaluations that actually go with the outcomes of those programs, given that you spoke about investing in things that may not be making a difference. You have also spoken about early intervention and that primary prevention. I am wondering whether you have the evaluations, because they are imperative if we are going to make recommendations which may inform policy....

And secondly, one of the reasons I would like those evaluations is that we are seeing riots in Parkville and Malmsbury which would suggest that those programs are not working to reduce violence and serious assaults. So how are they also being addressed?

**Response:**

Evaluations

DJCS is committed to understanding the impacts of programs and making sure every initiative is making a positive difference. Across the justice system internal and external evaluations are undertaken to assess program implementation and effectiveness. Evaluations of new and established initiatives ensure ongoing improvement and responsiveness to the needs of service users and the sector more broadly. These evaluations draw on a range of data sources that are relevant to each program.

External evaluators are engaged on an as-needs basis to understand the specific impacts of major departmental programs or funding streams. Further, DJCS undertakes monitoring of programs and service delivery, with all programs having performance reporting built into service agreements to ensure services are being delivered as expected, to the right people, at the right time to deliver positive outcomes.

A range of recent, finalised DJCS evaluations has been provided at Attachment A for the Committee's consideration across Crime Prevention, Corrections and Justice Services, Youth Justice, and Aboriginal Justice.



Evaluations have not been provided for all of the programs that exist across DJCS. Some evaluations are not suitable for public release for a range of reasons including that they contain personal or sensitive information that may impact an individual's privacy, detail commercially sensitive information, would require participant permission and altered ethics considerations or contain information about the operation of the custodial environment which may impact safety and security.

#### Youth Justice programs and reforms

Regarding the second question, in 2020-21, there were no riots at Parkville or Malmsbury Youth Justice Centres. There has also been a decrease in serious incidents compared to previous years, including serious assaults. Category One total incidents for 2020-21 are down 42 per cent compared to 2018-19 and, as part of this total, Category One assault incidents have declined 59 per cent across the same period.

These positive results are supported through delivery of key reforms to support the safe operation of Youth Justice centres, including:

- Establishing a Classification and Placement Unit, so young people are placed in custody following a rigorous assessment of their risks and needs
- Strengthening the range of youth offending programs, including the Adolescent Violence Intervention Program led by trained clinicians to change the behaviours of young people
- Establishing an Intensive Intervention Unit, which is a dedicated unit at the Parkville custodial centre to intervene with young people and reduce their risk of violent offending
- Funding behaviour support specialist positions in custody to support custodial staff to address challenging behaviours among young people.

## **2. Ms WATT Page no. 14**

### **Question asked.**

That transitional housing piece that you have just spoken about—is there more information you can provide on that?

### **Response:**

The Baggarook Aboriginal Women's Transitional Housing Program (the program), is a partnership between the Department of Justice and Community Safety, Department of Families, Fairness and Housing, Aboriginal Housing Victoria (AHV) and Victorian Aboriginal Legal Service (VALS). The Program provides short-term transitional housing and case management support to Aboriginal women upon release from prison who are at risk of homelessness.

Corrections Victoria (CV) contracts VALS to provide culturally-responsive wrap-around supports to Aboriginal women and AHV provides tenancy management. Participants live in an



independent unit where Baggarrook Case Managers support participants through their release requirements, reintegration referrals and help to develop independent living skills. VALS and AHV proposed the Aboriginal Transitional Housing Project to the Department in 2014 and it became operational in late 2019. CV, AHV, VALS and DFFH partnered together to design, build and commission the Program. In 2014, the then DHHS engaged AHV through a formal lease agreement to manage the properties and tenancy agreements with women living in the facility.

### **3. THE CHAIR Page no. 15**

#### **Question asked.**

...we would also be very interested in any updates on Victoria's implementation of the OPCAT, the Optional Protocol to the Convention against Torture. I think there is certainly work that you have been doing, but I did not see it in the submission, so any updates you can provide on the implementation of that would be terrific

#### **Response:**

#### **Response:**

The Victorian Government supports the principles of OPCAT. We have robust oversight regimes already in place to ensure that people in detention are protected against torture and other cruel inhuman, or degrading treatment or punishment.

The Commonwealth's ratification of OPCAT imposes additional and separate obligations on states and territories. Victoria has been consistent in its position that a sufficient and ongoing funding commitment from the Commonwealth is essential to implement and deliver on these obligations into the future. The absence of this has significantly hampered our ability to progress the necessary preparatory work and consultation.

On 18 October 2021, the Victorian and NSW Attorneys-General wrote jointly to the Commonwealth, explaining that Victoria and NSW would be unable to take steps to implement OPCAT, in the absence of an accompanying sufficient and ongoing funding commitment from the Commonwealth.

We look forward to continuing discussions with the Commonwealth to facilitate the implementation of OPCAT in Australia in a way that is effective and sustainable.



## ATTACHMENT A – Evaluations

#	Evaluation
A	Aboriginal Justice Agreement – Partnership Evaluation
B	Aboriginal Justice Agreement – Place-based Evaluation
C	Aboriginal Justice Agreement – Evaluation Synthesis
D	Koori Youth Crime Prevention Grants Evaluation Report
E	Youth Crime Prevention Grants Evaluation (Mid-term report)
F	Youth Justice Community Support Service review
G	Youth Support Service/Aboriginal Youth Support Service evaluation
H	Functional Family Therapy evaluation
I	Multi Systemic Therapy evaluation
J	Review of the Remand Facilitators Program
K	Review of Transition 24
L	Tuning into respectful relationships
M	Wadamba prison to work
N	State-wide indigenous arts program
O	KickStart – Executive summary only