



Patrick O'Brien
Secretary, Legal and Social Issues Committee
Department of the Legislative Council
Parliament of Victoria
Parliament House, Spring Street
EAST MELBOURNE VIC 3002

Dear Mr O'Brien

Inquiry into Youth Justice Centres in Victoria

I refer to your letter dated 22 June 2017 and your email dated 10 August 2017 in which you, on behalf of the Legal and Social Issues Committee (the Committee), request further information and documentation to assist with the Inquiry into Youth Justice Centres in Victoria.

I now provide the following response to the Committee's requests:

Request for inquiry report

The Committee requested a copy of the inquiry report that relates to an incident at the Parkville Youth Justice Centre in March 2016 in which a young person's leg was broken.

This inquiry was conducted in accordance with section 37 of the *Commission for Children and Young People Act 2012* (the Act). The object of the inquiry was to promote continuous improvement and innovation in policies and practices relating to the safety and wellbeing of a vulnerable young person.

The inquiry report contains highly sensitive information about a vulnerable young person. The information contained in the inquiry report is subject to strict confidentiality provisions in Part 6 of the Act. In accordance with our legislative obligations, this inquiry report has only been provided to the Minister for Families and Children, and the Secretary of the Department of Health and Human Services for their consideration and appropriate action (section 46 of the Act). In the machinery of government changes, the Minister or Secretary may have also provided the inquiry report to the Secretary of the Department of Justice and Regulation for his consideration and appropriate action.

Given that this inquiry report is subject to these strict confidentiality provisions, I have referred the Committee's request to the Minister for Families and Children so that the Minister may determine whether it is appropriate or necessary to make a claim of Executive privilege.

Category 1 incidents

The Committee also requested information about the Category 1 incidents at youth justice centres in Victoria that I have reviewed since my appointment as the Principal Commissioner for Children and Young People.

I commenced my role as the Principal Commissioner for Children and Young People on 4 April 2016. Between 4 April 2016 and 30 June 2017, the Commission for Children and Young People (Commission) reviewed 143 Category 1 incident reports that relate to incidents in youth justice centres in Victoria.

Peter Muir Report

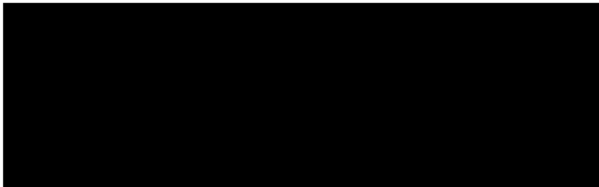
You have also requested information as to how the Commission obtained a copy of the Peter Muir report on his *Review of Parkville Youth Justice Precinct on 31 October 2015*.

The Commission has a number of functions under the Act. In exercising these functions, the Secretary of the Department of Health and Human Services must provide the Commission with reasonable assistance (section 23). In addition, when conducting inquiries, the Commission may request information and documents from the Department of Health and Human Services, and the Department is compelled to provide the requested information and documents (section 42(1)(b)).

It is in this context that the Commission received a copy of the Peter Muir report.

Thank you for the opportunity to contribute to your Inquiry into Youth Justice Centres in Victoria.

Yours sincerely



Liana Buchanan

Principal Commissioner

22/8/17.