

# **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE**

## **Budget estimates 2020–21 (Hutchins)**

Melbourne—Tuesday, 15 December 2020

### **MEMBERS**

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr David Limbrick

Mr Gary Maas

Mr Danny O’Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Nina Taylor

Ms Bridget Vallence



**WITNESSES**

Ms Natalie Hutchins, MP, Minister for Youth Justice,

Ms Rebecca Falkingham, Secretary,

Ms Jodi Henderson, Commissioner, Youth Justice, and

Ms Dannii de Kretser, Acting Deputy Secretary, Youth Justice, Department of Justice and Community Safety.

**The CHAIR:** Welcome back, Minister Hutchins. Thank you for appearing before our committee today. We will now move to consideration of the youth justice portfolio. Again, we invite you to make a 5-minute presentation and then this will be followed by questions from committee members. Thank you.

**Visual presentation.**

**Ms HUTCHINS:** Thank you. If I could take you straight to the first slide, which is youth justice operations and what we have been doing during this COVID period, since the pandemic began there have been 25 COVID-19 cases in young people—19 in custody and six in community, including another probable case—and four COVID-19 cases in youth justice custodial staff. That is all as of 30 November, but as of today there are no cases in young people and there have certainly been no cases of young people transmitting COVID-19 between prisoners in the youth justice system. The budget invested \$103.6 million over one year to support both our corrections and youth justice facilities, and we are easing out of restrictions with a road map guided by the best health advice that we could get.

On the next slide we have the budget providing significant output funding over four years: \$12.4 million to support staffing and programs in custodial and community youth justice systems; \$17.1 million over two years for a range of improvements in the youth justice system, and I will go to those in more detail; \$11.8 million over four years to establish and expand programs and support and help reduce the over-representation of Aboriginal children and young people in the youth system; \$103.6 million over one year to further equip us in the COVID fight and keep our prison and youth justice system safe; \$4.8 million over two years to support young people in corrections and youth justice accessing the NDIS; and \$7 million over four years to address demand in metropolitan Melbourne for the youth support services that I mentioned in our earlier hearing.

In addition to this the budget also provides \$141.2 million to enhance the safety and security of the new facility at Cherry Creek located in the Werribee area, and I was very pleased to be able to visit that new facility under construction just this morning with the Treasurer. We know that this project is a pretty important one in terms of the make-up of our youth justice system and has come about through many recommendations that have been driven through the Armytage-Ogloff review into youth justice.

We have seen significant signs of stabilisation in youth justice in 2019–20, and the investments in the 2020–21 budget will help us stay the course for this. Young people under youth justice supervision in community settings, there was a 20 per cent decrease in the number of young people under community supervision, and in custody there was a 10.8 per cent decrease in the number of young people in custody.

In terms of Aboriginal young people under youth justice supervision, we have seen a decrease to the average number of Aboriginal children in youth justice by 25 per cent between 2018 and now. We have seen significant signs of stabilisation in youth justice, and investments will help us stay the course.

In terms of category 1 incidents, there has been an approximately 40 per cent decrease in category 1 incidents from 2018–19 to 2019–20, and custodial staffing numbers have increased due to recruitment and a decrease in staff resignations, which was a problem for us a few years ago.

As I have highlighted efforts, the budget will also provide \$12.4 million for youth justice staffing programs, including the first-ever youth justice custodial services work plan, which is really important for the future of our youth justice system, and \$17.1 million for a secure youth justice system, including enhanced structured day learning and development opportunities for staff as well.

The 2020–21 budget also includes more funding to divert children as part of our partnership to keep them out of the justice system: \$7 million over four years for youth support services to divert children from crime and

over \$11 million to significantly increase Aboriginal-led community responses to keep young Aboriginal people out of the system. The budget also includes more funding to divert children and work in partnership to keep them out of the justice system through an investment in multi-agency panels and a dedicated program for CALD communities, and \$4.8 million to best support children and young people in contact with corrections and youth justice who have a disability. I will leave it there.

**The CHAIR:** Thank you, Minister. I will pass to Deputy Chair Mr Richard Riordan, MP.

**Mr RIORDAN:** Thanks, Chair. Thank you, Minister—quite a lot of detail there. First question: you made mention up there of the Cherry Creek facility—\$141 million for updates, safety and security, I think it was titled as. What is the updated total estimate investment required to complete this project, and when will it be fully operational?

**Ms HUTCHINS:** So the redesign has resulted in an additional \$141.2 million being committed through this budget, but the total cost will be \$429.92 million, as indicated in the budget papers. So that project has been further scoped from when the original announcement was made, to ensure that we have been responsive to the many recommendations of the review of the youth justice system that was undertaken by the Armytage–Ogloff review into youth justice, which had called for quite a significant redesign on having smaller communities within a precinct like this to really reform high offenders at this new facility.

**Mr RIORDAN:** And when is that going to be completed?

**Ms HENDERSON:** 2022—practical completion by mid to late 2022, and being able to receive and accept young people into there by the end of 2022, early 2023.

**Mr RIORDAN:** Right. Okay. And how long has that project been going for?

**Ms FALKINGHAM:** Money was allocated in February 2017, so that is when the project had obviously been given budget funding. Obviously some planning work had gone into that budget.

**Ms HUTCHINS:** I think construction has been underway since 2019.

**Mr RIORDAN:** Okay. In this redesign, understanding what you have just explained, is there an increase in bed facilities in the redesign?

**Ms HUTCHINS:** The new facility will have 140 beds dedicated, and there will be also a dedicated mental health unit as well as a health service within there, as well as separate alcohol and drug treatment and an intensive intervention unit, which was not planned for initially but has been taken on board now, since receiving the youth justice review report around what facilities are required so that we can rehabilitate these young people.

**Mr RIORDAN:** So, okay, it has got 140 beds, but with the extra \$141 million and the bit longer design, is that now going to be able to cater for more young people than before, and roughly how many more? What was its original design capacity and what is it now? We know it is 140 now; what was it?

**Ms HUTCHINS:** I might refer to Jodi for the answer.

**Ms HENDERSON:** The original footprint was 244 beds. We have rescoped it, and now it is down to 140. But your question around future proofing: yes, it has an expansion capacity to be able to scale up should it be required to the 244 into the future.

**Mr RIORDAN:** Right. Okay. So we have spent more money on it, and it is nearly 40 per cent fewer young people it is going to hold. The government's line that it is going to meet growing demand for custodial beds—it is not going to meet growing demand for custodial beds unless we spend more money again on it. Is that right?

**Ms de KRETZER:** I can answer that question if you like. Our 2028 projections across the system—

**Mr RIORDAN:** Sorry, your what predictions?

**Ms de KRETZER:** Sorry. Our 2028 projections across the system are to have 297 beds. When Cherry Creek comes online we will have 468 beds in the system. That also allows us to separate cohorts: boys and girls, 10- to 14-year-olds, the remand population. So it absolutely meets demand up until 2028 with the rescope.

**Mr RIORDAN:** So it is 497 beds, was it?

**Ms de KRETZER:** Our projection is we need 297 beds in 2028. When Cherry Creek comes online in mid-2022 we will have 468 beds in the system, which gives us capacity to meet the flexibility in the cohorts we need as well.

**Mr RIORDAN:** Right. Okay. In the—

**The CHAIR:** Thank you, Mr Riordan. I will pass the call to Mr Gary Maas, MP.

**Mr MAAS:** Thanks, Chair, and thanks, Minister. I might take you to the topic of the youth support service funding, and in that regard I will take you to budget paper 3, page 104, and specifically the crime prevention initiatives. Would you be able to outline for the committee what investments the government is making to ensure that young people are properly supported so that they do not enter the justice system in the first place?

**Ms HUTCHINS:** Thanks. I think this is probably one of the most significant investments we have made in this space—\$7 million directly to some pretty renowned youth service providers who are able to deliver a service that is time sensitive to young people. Part of that money, \$6 million, will be going directly to YSAS, the Youth Support and Advocacy Service, and then \$500 000 to the Les Twentyman service. That will be delivered primarily in out of hours, but it will also extend to so many more young people in terms of being able to capture them at a time when they are most at risk.

It will provide intensive support for young people currently involved in the youth justice service and also after-hours services operating, as I said, in the evenings and on weekends to make sure that they are getting the best legal and administrative support during that. But it will also provide wraparound services to those kids that are most at risk of entering the youth justice system in place where we know there has been an increased level of offending amongst our young people. So this is really important funding that will roll out very quickly to these services.

**Mr MAAS:** Thanks, Minister. How do these investments address the drivers of offending for young people?

**Ms HUTCHINS:** Well, in order to reduce crime we have to tackle the root causes of crime, and that is the big challenge ahead of us at the moment in the youth justice space. There are factors such as social and economic disadvantage, educational disengagement, community disconnection, social isolation—all the issues that I mentioned in our earlier hearing around what leads to offending. At our Brimbank forum on crime prevention we heard directly from some young people who have had contact with the justice system who admitted at that forum in front of an audience of about 75 people that the reason they started offending was either boredom or, secondly, needing to belong. Joining a gang and engaging in offending behaviour actually gave them a sense of purpose—being their words—and not having anything to do in their downtime and not having a support base around them.

These were primarily young people between the ages of 15 and 19 who participated in this forum and spoke very honestly and openly about what the drivers of crime were for them. Substance abuse was another one that was unfortunately focused in on as part of that. But just through those discussions there it was quite evident that the youth services in the local area doing the outreach work that they do was making a difference to the five individuals that we had speak on that day. They were all engaged in those local services, most of them through that YSAS service and a fifth one through the Pasifika community services that are delivered by Charis Mentoring.

**Mr MAAS:** Great, thank you. In the short time we have left, could you answer for the committee if the funding is targeted to certain geographical areas?

**Ms HUTCHINS:** This particular investment, yes, is targeted to the local government areas of Hobsons Bay, Maribyrnong and Moonee Valley, and also broader western Melbourne—Brimbank, Melton and Wyndham. They are where these organisations deliver the services, but that is not to say that there is not an opportunity for

us in the future to expand this sort of focus into other geographical areas. Unfortunately these are the areas where we have seen a really high need for after-hours services. In fact a business case was put forward by these services to my department around the need to engage at least 1400 young people in need.

**The CHAIR:** Thank you, Minister. I will pass to Mr Sam Hibbins, MP.

**Mr HIBBINS:** Thanks, Chair. Thank you, Minister, and your team for appearing this afternoon. You mentioned before tackling the causes of crime, and as we have discussed earlier, one of the relating factors to crime is actually contact with the justice system to begin with. One of the statistics that I raised earlier as well with the Attorney-General was the doubling of the number of unsentenced children held on remand. What is the government actually doing to reduce the number of young people held on remand in the justice system?

**Ms HUTCHINS:** Well, let me just say up-front reducing the number of young people we have on remand or in the prison system full stop is an absolute priority of this department. Diverting them from entering the system is a key priority for us and of course addressing the reasons why they get there in the first place. We have actually, as I said before, had a reduction in the numbers of young people held in custody, but I do acknowledge that we have seen increases over the last few years around remand numbers. But we are working really hard with our court system to fast-track remand court dates and establish movement of young people out of the system back into community. Right now we have around 47 court dates booked for young people that are currently on remand this week alone. We have been putting a huge amount of effort into also reducing the number of Aboriginal children currently in the youth justice system, and we have had success in reducing that by about 25 per cent just this year. So there is a lot of work for us to continue to do, but I note that there have been around 1100 diversions through the Children's Court youth diversion program, with about a 95 per cent success rate with that. We know that young people can make silly decisions at this time of their lives, in those teen years, that may not be reflective of them as adults, and we need to make sure that we are doing all we can to work with them to rehabilitate the mistakes that they have made.

**Mr HIBBINS:** The sentencing council released a report, *Children Held on Remand in Victoria*, this year, and one of the comments that they made about bail laws was that:

... bail decision-makers may sometimes conclude that a child would be an unacceptable risk on bail because the child does not have access to adequate housing or other support services and arrangements.

Do you accept those comments, and how is the government responding to that?

**Ms HUTCHINS:** Well, absolutely, housing is a huge factor. The amount of young people that have had contact with the justice system that have told us that they are couch surfing or that they are sleeping rough are just unacceptable numbers in regard to that. We are currently working through the establishment of a new youth justice Bill and we will be looking to bring that into the Parliament next year, and there will be lots of consultation around that. But the primary driver of that Bill has been to implement a lot of the recommendations in the Ogloff-Armytage report and to build upon the complex needs of the system. We need to make sure that we are doing everything we can to (a) get to the root causes of crime and (b) make sure that we are diverting where we can to give people a chance to rehabilitate. I was pretty proud to be able to announce in the first few weeks of becoming minister in this portfolio a \$3 million partnership with Kids Under Cover to provide housing solutions for young people in the system. We are supporting about 50 families at the moment to build these facilities on sites of either family members or family friends to ensure that these young people have a roof over their head.

**Mr HIBBINS:** Do you have a target for reducing the number of children or young people held on remand?

**Ms HUTCHINS:** Well, I think children being on remand is really at the behest of the courts rather than us as the youth justice provider in terms of facilities, so it is probably something to ask the Attorney-General.

**The CHAIR:** Thank you, Minister. I will pass the call to Mr Richard Riordan, MP.

**Mr RIORDAN:** Thanks, Chair. Minister, just continuing on. On page 105 of budget paper 3 it is itemised there that over \$6 million is being allocated to ensure a secure youth justice system. Going to page 112, it breaks down the specifics of that \$6 million. One of the main elements in that is, and I quote:

workforce incentives for existing and new custodial staff ...

And it also says:

enhanced learning and development opportunities for youth justice custodial staff ...

Minister, rather than addressing increasing safety concerns raised at both Parkville and Malmsbury, why is the government throwing more money at staff to simply put up with the dangerous conditions they confront every day? What is the rationale there?

**Ms HUTCHINS:** I thank the member for his question. I think our challenges in our workforce across this sector have been immense, but we actually are investing in a workforce plan to address the retention issues. We have really seen some great leaps and bounds in terms of retention just this year and recruitment of—I think it is—just over 70 new staff to the youth justice system. But I would not say that this money in any way, shape or form is not required or needed. It is really about providing a secure youth justice system not only for the people that work there and are remanded there but also for the broader community and making sure that we have the physical support, the infrastructure support and the specialist services support—

**Mr RIORDAN:** Those two centres, Malmsbury and Parkville, do their People Matter surveys confirm that?

**Ms HUTCHINS:** I might have to refer to the Commissioner.

**Ms HENDERSON:** They participate in the People Matter survey.

**Mr RIORDAN:** So do those surveys confirm this sort of new-found happiness amongst the custodial staff there?

**Ms HENDERSON:** I will take that on notice, but I think if we look at the rate of return and the feedback from our youth justice staff, it is consistent with the fact that they like coming to work, they enjoy their job and—you are correct—they do not want to be placed in an unsafe environment, and our job is to fix that.

**Mr RIORDAN:** So are you confirming or saying that \$6.1 million is a response to the People Matter survey?

**Ms HENDERSON:** No.

**Mr RIORDAN:** No. Okay. So can we see the most recent People Matter survey?

**Ms HENDERSON:** Yes. I will take that on notice.

**Mr RIORDAN:** Yes. Okay. That would be great. Thanks.

**Ms HUTCHINS:** And I might just say, I would not say that every staff member is, as you referred to, living happy. I would say there are still challenges amongst the workforce there, and that is why we are getting a workforce plan—to better suit the challenges that they are facing every day with, really, really complex young people.

**Mr RIORDAN:** But sometimes, Minister, you would be aware that staff become discontented or unhappy because of the actual spaces they have to work in, whether they have had the physical and financial support in those workplaces. So I guess that is what we are wanting to tease out—whether those facilities are fit for purpose.

**Ms FALKINGHAM:** It is probably worth pointing out, Mr Riordan, I agree with your point that staff want to be actively involved in the physical spaces they work in, which is why they were critical to the Cherry Creek project. We had a staffing group that actually provided guidance to the designers and the builders in terms of the type of facility. We are zero tolerance on any assault. We have seen a 40 per cent reduction in cat 1 offences over the last 12 months and a 12 per cent decline in resignations, so they are pretty good indicators of a workforce that is turning around.

**Mr RIORDAN:** Okay. Minister, page 288 of budget paper 3 shows a 39 per cent increase in the budget for the youth justice custodial services and a 6.1 per cent decrease in budget for youth justice-based services for 2020–21. Why have you cut funding programs existing outside of the Parkville and Malmsbury facilities?

**Ms HUTCHINS:** Sorry, was that last part ‘existing outside’?

**Mr RIORDAN:** Yes. Essentially you have cut funding for the community-based services, so how does that fit in with the narrative we have been talking about of trying to keep young people out of jail if we are cutting the funding there? So 2019–20 it was \$70.3 million; you have dropped it down to \$62.9 million.

**The CHAIR:** Apologies. The time has expired. I will pass the call to Mr Gary Maas, MP.

**Mr MAAS:** Thanks, Chair. I would like to take you back to youth support services funding, Minister. I am just interested in how the investments through that funding matches in with the government’s overall agenda for recovery from the pandemic. Would you be able to take the committee through that alignment?

**Ms HUTCHINS:** Yes. Thanks. Going into recovery phase there are so many important aspects for us to consider in the youth justice space, particularly how as a government we better deliver the social health, mental health, housing wraparound services, engagement services and education to young people across this state that are most at risk of coming into contact with the justice system. And we know that the pandemic has exacerbated the risk factors that are the root causes of crime—things like increased youth unemployment, social isolation, poor mental health, increased reports of family violence and disengagement from education. There is significant focus from youth services and council youth services across the state right now targeting young people as young as 12 and 13 in that year 7 cohort who made that transition this year from primary school to high school and yet spent a very large proportion of the year at home and not in contact with their peers, so not connecting. I know schools have made a tremendous effort in the last few weeks of the year to re-engage those kids, but unfortunately the wash-up will be that there will be some young people that just are not re-engaging in the education system and are too young to even think about the jobs path that they might want to be on long term. And it is our youth services that are out in community now that can help us to deliver that wraparound service engagement quickly.

It is a massive challenge. Our crime prevention grants that I talked about earlier will help us deliver that. But certainly the integration work that our department does currently with services is a very crucial part of making sure that we are wrapping around not just the individual child in this situation but the whole family unit to better support where we can.

**Mr MAAS:** Excellent. Thank you. If I could take you now to the topic of over-representation of Aboriginal people in the youth justice system, and to that end I would refer you to budget paper 3, page 10, I was hoping you would be able to explain for the committee how the Aboriginal community-led responses within the youth justice system initiative will improve outcomes for both Aboriginal children and young people.

**Ms HUTCHINS:** Yes. Well, we know that the issue of over-representation has been a real one in our broader prison system but also in our youth justice system, and unfortunately, when you look at the age of young offenders in this space, they are very young. So getting to them quickly with culturally appropriate wraparound services is very, very important. There has of course been a power of work before my time in this portfolio around this, and that has been led by the Aboriginal Justice Caucus in conjunction with the Department of Justice and Community Safety to deliver our fourth phase of the Aboriginal justice agreement. As part of the rollout of that, we committed to developing an Aboriginal youth justice strategy which has been well underway now I think for about 12 months, and we have allocated some funding out of this budget—\$11.8 million—to establish and expand and support projects that are identified under that. As a government we do believe in the self-determination of the Aboriginal community, and we are backing that in this particular case by ensuring that the Aboriginal caucus has a massive say over the implementation of resources to support the Aboriginal youth justice strategy as it comes to fruition early next year. The Koorie Youth Council is working alongside the commissioner for children and young people and the Aboriginal children’s commissioner to give us a strategy, Our Youth, Our Way, which has been part of an inquiry that has been led by him to make sure that we have the right strategy, and we now have the resources to deliver on that.

**The CHAIR:** Thank you, Minister. Mr David Limbrick, MLC.

**Mr LIMBRICK:** Thank you, Chair. Thank you, Minister and staff, again. On budget paper 3, page 112, you talk about the ‘Youth justice staffing and programs’, and there is one thing that is mentioned—multi-agency panels for young people at high risk of offending or reoffending. Could you maybe provide a bit

of insight into how you actually categorise someone as at high risk of offending or reoffending? Like how is that actually managed? What sort of metrics do they use to determine that?

**Ms HUTCHINS:** Yes, thanks. The multi-agency panels are a really good example of how a localised solution works. So that is made up by our youth support teams within the department, youth service providers and the police, who come together to look at potential offenders or offenders who have already entered the system. Quite often, you know, the record shows for us that siblings of an offender are at much higher risk of offending as well. So it can be a wraparound approach to a whole family who might have multiple children, in that team area. It could be members of a particular geographical gang—a youth gang—that have basically presented to police or been on the radar of some of those other agencies and been put forward. These are very localised, highly confidential meetings to talk about providing the best services to these young people that are most at risk. They could be referring young people who might have complex behavioural needs, might have drug and alcohol addictions, may not be engaged in any sort of job or actually might be at risk of homelessness. There is a whole raft of issues that are considered in the work that is done by the multi-agency panels.

**Mr LIMBRICK:** Thank you. With what Mr Maas was just talking about with the Aboriginal community-led youth justice initiatives, it sounds like this community-led thing is looking at something that is culturally relevant and community controlled. Has there been consideration of expanding that to other community groups—with a similar type of thing—or wouldn't it be appropriate to do that?

**Ms HUTCHINS:** I think that it would be absolutely appropriate for us to be doing that. I think the model that has been used across the Aboriginal community and in engagement could be one that is duplicated by other communities, but obviously it needs to be led by their leaders. We have seen a similar model that we funded to the tune of about \$400 000 to the Pacific Islander community, where there are specific cultural events—but there are also leaders in that community delivering the programs that are needed for these young people to stay engaged and out of being in risky situations.

**Mr LIMBRICK:** Thank you. In the presentation there was an item, \$4.8 million, to support children with disability and connect with NDIS. What sort of proportion of the children in the youth justice system are actually disabled?

**Ms HUTCHINS:** I do not know the exact figure, so I might refer to my colleague Dannii.

**Ms de KRETZER:** Sure. About 38 per cent in our annual survey last year I believe had a cognitive disability in youth justice—so around 40 per cent. Generally a cognitive disability is what we see in youth justice as well.

**Mr LIMBRICK:** And is a big factor in that acquired brain injury? Or what sort of—

**Ms de KRETZER:** I would not say it is a big factor, but it is a factor. I would have to get back to you on the data that we have, on notice, if that is okay.

**Ms HUTCHINS:** There is a factor, though, in these kids not having been diagnosed before they come to the system, as well.

**Mr LIMBRICK:** Thank you. What sort of cognitive disabilities are we talking about—a wide range? Or is there something that is—

**Ms de KRETZER:** A wide range. We have a lot of children on the autism spectrum as well—so a wide range. We are happy to provide any data that we have, on notice, if that is helpful.

**Mr LIMBRICK:** Yes, I would be very interested in that breakdown. I think it might be useful.

Just very briefly, with the workforce incentives that Mr Riordan was talking about before, what are these incentives exactly? What sort of incentives are being provided to the workforce?

**Ms HUTCHINS:** I certainly know through the enterprise bargaining agreement that we are working through that to deliver more professional qualifications for our workforce there, incentives around longevity of staying in the—

**Mr LIMBRICK:** Like bonuses or something?

**Ms HUTCHINS:** Yes.

**Mr LIMBRICK:** All right. Thank you.

**The CHAIR:** Thank you, Mr Limbrick. I will pass the call to Ms Pauline Richards, MP.

**Ms RICHARDS:** Thank you, Minister and officials, for your time this afternoon and your service this year. I am going to follow on from some questions from Mr Maas and from Mr Limbrick actually about the overrepresentation of Aboriginal young people, recognising that families and community members of Aboriginal and Torres Strait Islander children and young people in custody have been concerned about their wellbeing at this time. The overrepresentation of Aboriginal and Torres Strait Islander people in prison rightly exacerbates these concerns, so I am interested in understanding and gaining some insights into what programs and policies are in place to ensure the health and wellbeing of Aboriginal and Torres Strait Islander children and young people while they are in the youth justice facilities.

**Ms HUTCHINS:** Thanks. We have ongoing services that are supportive of Aboriginal young people in the justice system, but we did step up quite dramatically during the COVID lockdown period by taking advice from the Aboriginal community COVID-19 task force. In fact I was able to launch a kit that had been designed by Koorie Youth Council representatives and fed through that task force in terms of a responsive need that was required, explaining in a more culturally sensitive way the importance of staying COVID safe in the Aboriginal community—the value of protecting elders—but it also had some beautiful artwork designed on masks and other materials that were distributed to young people in both the prison system and in our community corrections system as well to better support them through that time.

**Ms RICHARDS:** That is terrific. Thanks, Minister. I understand that there are several targets to reduce the number of Aboriginal and Torres Strait Islander children and young people in youth justice. Can you please provide some evidence on how the government is tracking against these targets?

**Ms HUTCHINS:** Well, we know that the over-representation of young people in the justice system remains unacceptably high. Whilst we have seen a decline during the COVID period, we know that we could do a much better job and that the rate in Victoria, whilst decreasing significantly, has had a downward trend for the last two years in most states and territories. Victoria has had the lowest rate of Aboriginal young people between 10 and 17 in detention when compared to all states, and that is due to some of the fantastic work done by this department and our partners in Aboriginal-run organisations to ensure that the youth justice plans and strategies have been very much focused on how we can deter Aboriginal young people from the system.

The government has increased a new BP3 measure. It is on page 301. The new measure will track the average daily number of Aboriginal young people between the ages of 10 and 17 that are in custody, and the 2020 target is 16 to 20 young people in that range. We are currently below that target, but we know that it is possible that it could go up over the forthcoming summer period. But it has been really important for us to get on record what change it is we want to see happen into the future so that we can actually measure it and keep ourselves accountable and keep trying to drive down that figure as much as possible.

Since becoming the Minister for Corrections and Minister for Youth Justice I have had the pleasure of being involved in two Aboriginal Justice Forums now and having these questions thrown at me—almost more challenging than a PAEC process, I have got to say, in terms of the level of scrutiny that comes forth in those forums.

**Mr Hibbins** interjected.

**Mr D O'BRIEN:** Yes, should we be offended?

**Ms HUTCHINS:** I challenge you to sit before one of those forums. They are very tough opponents in terms of throwing questions, and they are very good at their work

**Ms RICHARDS:** I think in my next round of time I might unpack that a little bit more. I think my time is just about over. Thank you, Minister.

**The CHAIR:** Thank you, Ms Richards. I will pass the call to Mr Richard Riordan, MP.

**Mr RIORDAN:** Thank you, Chair. I will take up the last question from us. Just quickly, can you tell me what the recidivism rate is? What is the current recidivism rate for our young people in our system here in Victoria? Is that a key measure? I sort of could not find that in our key performance measures. Is that something we track?

**Ms HUTCHINS:** I am not sure if it is, but I certainly can give you some answers here. So young people, there is an annual report where the rates and numbers are referred to, and it is in the annual ROGS report as well. I am just trying to find those figures for you.

**Mr RIORDAN:** I am sure that if it is a good figure it is probably going to be printed everywhere in all the documents. My suspicion is it is not—

**Ms FALKINGHAM:** It is a good figure.

**Mr RIORDAN:** It is a good figure?

**Ms FALKINGHAM:** It is a good figure. It is 34.5 per cent return to supervision. It is the second-lowest rate in Australia, behind the ACT.

**Mr RIORDAN:** Right. And how does that figure compare to the last two or three years? Is it heading up, down? What is happening with it?

**Ms de KRETZER:** I would have to take that on notice. I am sorry; I do not have that data on hand, but you can compare—

**Mr RIORDAN:** Okay. So that figure you have given us, is that just this year?

**Ms de KRETZER:** That is 2018–19.

**Mr RIORDAN:** That is the most recent figure?

**Ms de KRETZER:** That is reported on, because you have to do it in arrears, so it will be released by AIHW again this year.

**Mr RIORDAN:** Okay. We spoke in the last bracket of questions about the cutting of funding to the youth justice community-based services. Minister, what elements of the programs funded under this output in the 2019–20 financial year will no longer be run due to this cut in community-based services?

**Ms HUTCHINS:** To my knowledge, there is no cut, but I might ask our department to just expand upon that.

**Ms de KRETZER:** Thank you. Sorry for the technical answer, but the \$4.1 million decrease in the 2020–21 target compared to the 2019–20 target is mainly due to a reappportioning of money from the community output into the custodial output. That related to the new youth justice facility and the strengthening of the youth justice system as part of internal departmental restructures of the output groups. That was partially offset by an increase in corporate costs attributed to the output and new money announced in the budget relating to Aboriginal community-led responses, so there is no money cut across each output group. It is basically a movement between output groups that has contributed to that.

**Mr RIORDAN:** But those examples you have just given me, perhaps with the exception of the Aboriginal service, the rest of them are all sort of bureaucratic costs. They were not going to support young people.

**Ms de KRETZER:** Basically—a good summary.

**Mr RIORDAN:** So there has not been extra money going to help community-based services?

**Ms de KRETZER:** There has been extra money. The extra money announced in the budget has gone into the Aboriginal initiatives, as the minister talked about—over \$11 million.

**Mr RIORDAN:** Secretary, how much of the youth justice community-based service output of \$67 million, which was the one we were just talking about, of budget paper 3, was spent on diversion programs designed to help steer our young people out of jail?

**Ms de KRETZER:** About 25 per cent of that money is going towards diversion programs. I can talk through those programs: about \$6 million for the youth support service and about \$3.2 million for the Children's Court youth diversion service, which supported about 1170 young people last year and had a 95 per cent success rate. We support families with multisystemic therapy and family functional therapy. That costs about \$2.2 million, and Aboriginal programs that are run by our fantastic Aboriginal community orgs of about \$4.5 million or \$4.6 million.

**Mr RIORDAN:** What percentage of our youth justice population in percentage or numbers identify as Aboriginal?

**Ms de KRETZER:** A very low percentage. So I could tell you yesterday in custody we had four young people aged 10 to 17 of—today we have got—156 in custody. I can give you the numbers on notice for the rest of the population if that is helpful.

**Mr RIORDAN:** So in terms of whole numbers, 156 young people in that 10 to 17 cohort—

**The CHAIR:** Sorry to cut you off, Mr Riordan, but your time has expired. I will pass the call to Ms Pauline Richards, MP.

**Ms RICHARDS:** Thank you, Chair. Minister, you were starting to tell us before and expand a little bit on the Aboriginal Justice Forum, which I understand was held virtually. I am interested in understanding what issues were discussed—and I refer you to budget paper 3, page 10—by that Aboriginal justice caucus and the broader Aboriginal Justice Forum.

**Ms HUTCHINS:** Thank you for the question. One of the biggest areas has been around diversion and lowering the youth justice numbers of contact for that flow-on to lower the numbers in the adult prison system, obviously, but also what the needs are in terms of mental health and the wraparound services there. Unfortunately in Aboriginal communities suicide is still an absolute plague across our Victorian communities and around Australia. Suicide prevention strategies is a very big one—making sure that those young Aboriginal people that come into contact with the justice system are given the support that they need at a very vulnerable time to them. These are probably at the top of the list of concerns, but also having culturally responsive programs is also there—having some diversionary facilities where they are away from the current structures that we use to ensure that there is a culturally sensitive response delivered by Aboriginal men and women.

**Ms RICHARDS:** Terrific. I would like to have an understanding of the justice infrastructure projects underway which help to better support young people in contact with the justice system and how these new projects, builds and upgrades improve justice outcomes and healings for Aboriginal and Torres Strait Islander children and young people.

**Ms HUTCHINS:** Certainly all of the new investment that we are making, both across the adult corrections space and youth justice space, has a component of cultural sensitivity, a spirituality place amongst that. I was happy to visit Malmsbury youth detention centre just a few weeks ago and to open some new beds there, but there is also a pretty central space that has been created out of some pretty unique, amazing quartz rocks, which then provide a space for Aboriginal young people to be able to gather. It has a fire pit, it has some totem poles. That is an important message to the broader youth justice community as well to say that we do value the Aboriginal culture that is there. That has been done in consultation with the local traditional owners to make sure it is culturally fit for purpose. I do not know if you want to add anything, Jodi?

**Ms HENDERSON:** I think having an Aboriginal director of youth justice in Victoria has really made a significant difference, and her team has led and grown in terms of the commitment, both in infrastructure but wellbeing for children. Paula oversees all the cultural plans for each child in youth justice, and we work very closely with our agencies in terms of what support we can continue to provide children and young people from an Aboriginal-led and culturally appropriate response.

**Ms RICHARDS:** Terrific. Thank you. Just in the short time I have got left, you might like to just provide a couple of insights. I refer you to budget paper 3, page 112, on youth justice staffing measures, and I note that funding is being provided by multi-agency panels. Just in that very short time if you would like to explain the role MAPs play in addressing youth offending.

**Ms HUTCHINS:** Yes. Our investment in our staff is probably one of the most important investments we are making, both in this budget and in previous budgets. We know that our justice staff can really make a huge difference to the lives of young people. Again, having visited Malmsbury just recently and seeing some of our custodial staff in action with some very challenging, complex needs of some young people and seeing their skills in place was really quite encouraging and uplifting for the future of these young people. The way it was explained to me was that one staff member taught a young boy how to butter a piece of toast, because he never knew how to do it coming into the system.

**Ms RICHARDS:** Okay. Thanks so much, Minister.

**The CHAIR:** Thank you very much, Minister. That concludes the time we have set aside for consideration of the youth justice portfolio. We thank you and your officials for appearing before the committee in those capacities today. The committee will follow up on any questions taken on notice in writing and responses will be required within 10 working days of the committee's request.

The committee will now take a short break before resuming consideration with you of the victim support portfolio at 4.15 pm. Thank you.

**Witnesses withdrew.**