

## Questions taken on notice

Portfolio:	Youth Justice
Witness:	Mr Richard Riordan
Committee member:	Ms Jodi Henderson
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**Relevant text:**

Mr RIORDAN: Thanks, Chair. Hi, Minister. I just want to move first to some of the issues at Malmsbury Youth Justice Centre. Minister, budget paper 3, page 89, highlights the youth justice COVID-19 response. Can you tell the committee please how many laptops, iPads and Nintendos have you purchased from that budget line item in response to COVID-19?

Ms HUTCHINS: I might refer the specific detail—I do not have that in my head—to the Commissioner, but I will say there was an investment in these areas during the COVID pandemic in order to keep kids engaged and their mental wellbeing supported and for the delivery of education services as well. But I will pass to the Commissioner of the details.

Mr RIORDAN: Thanks, Commissioner.

**Ms HENDERSON:** The exact details—I would have to get back to you, Mr Riordan.

Mr RIORDAN: Could you provide that on notice for us?

**Ms HENDERSON:** I can, but what I can also say is that Parkville College, which is the specialist school that delivers education to our children 52 weeks of the year, six days a week, was a major provider of the laptops to children. They had to be uploaded with educational material when we were unable to have face-to-face delivery, but we did supplement that. Every child gets a laptop around learning when they are in education, and we had to supplement some of that if there was not enough. So I will come back to you with the numbers, but the provision of the laptops is primarily around their education and learning needs.

Mr RIORDAN: And what about the iPads and Nintendos? Are they part of the educational—

**Ms HENDERSON:** So the iPads are part of the remote access around counselling, Webex court and professional and personal visits. The iPads enable that to occur, so that is separate to the laptops. And then the Nintendos are really just for recreational activity, to keep the children engaged.

Mr RIORDAN: Okay. So has the department treated that education the same as they have in mainstream, where students have taken the laptops when they go home? Ms Henderson: Sometimes they do, Mr Riordan.

Mr RIORDAN: So some of these students or young people discharged have taken this equipment with them.

**Ms HENDERSON:** Sometimes if they are going on to further education and there is no provision at the TAFE or wherever, they are able to through education.

Mr RIORDAN: So therefore we can assume that there have been more of those items purchased again this year as well as last year?

**Ms HENDERSON:** Well, we can come back to you with what the numbers are, and I can ask Parkville College: have they provided laptops beyond the scope of a child being released from custody? But also in the community children were requiring to have their educational needs met when they were at home, and that was part of their education, for youth justice children.

**Answer:**

Electronic devices and programs were purchased in 2020-21 to support public health efforts and keep children and young people safe; support their education delivery and mental health; and keep them engaged in developmentally appropriate activity during the pandemic. Devices purchased are supporting two groups of children:

- 1) children and young people and their families at risk in the community who were either COVID-19 positive or a close contact, or who needed to be supported to comply with health directions (including the emergency response at Flemington and North Melbourne Public Housing estates). These devices have helped vulnerable children and their families successfully comply with health directions; and
- 2) young people in youth justice custody. The *COVID-19 Omnibus (Emergency Measures) Act 2020* introduced a specific, time-limited power in the *Children, Youth and Families Act 2005* for children and young people in custody to be isolated for up to 14 days in order to detect, prevent or mitigate the spread of COVID-19 or other infectious diseases. Under the Act young people are required to receive relevant entitlements while in isolation, including access to education. Devices have been used during this period to fulfil this purpose.

The table below outlines the devices purchased for both groups of children in 2020-21.

Item	Amount*
<p><b>Tablets</b> – are used in youth justice custody to support children and young people attend remote court appearances; connect with case workers in line with case plans; hold visits with family and carers; receive rehabilitative programs from clinicians and supports for their mental health; and connect with other professionals (including lawyers). These tablets support children to receive developmentally appropriate support and connection with family in line with legislation, particularly during periods when face-to-face visits have been suspended due to the risk of transmission during the COVID-19 pandemic.</p>	<p>150</p>

<b>Laptops</b> – deployed to vulnerable young people in COVID-19 isolation. These are pre-loaded with educational materials to support virtual schooling.	182
<b>Nintendo – Switches/Switch Lites</b> – provided to: 1) children and young people (and families) living in the community who are identified as at risk or vulnerable during the pandemic and are COVID-19 positive, a close contact or who need support to comply with public health directions; and 2) children and young people in youth justice custody who are placed in COVID-19 isolation for up to 14 days.	338

Portfolio:	Youth Justice
Witness:	Ms Jodi Henderson
Committee member:	Mr Danny O'Brien
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**Relevant text:**

Mr D O'BRIEN: Thank you, Chair. Good afternoon, all. Commissioner, can I continue on some questions that Mr Riordan was asking, in particular with respect to the youth accessing pornography. Can you advise how many instances did this occur utilising the resources that we referenced earlier—that is, laptops, iPads and other internet-connected devices such as TVs?

Ms HENDERSON: I do not have it with me. It has been subject to an investigation, as the Secretary has indicated, and depending on the availability of the information in that we can come back to you with the specific amounts. It is fair to say, though, that the children were able to access, through that smart TV, sites that were unauthorised or restricted. So yes, they did. But in terms of the exact number I would need to come back to you.

Mr D O'BRIEN: Was it multiple times, though, was your understanding?

Ms HENDERSON: It was multiple times, yes, when they were not being supervised.

**Answer:**

In August 2020, an IT security breach occurred at the Malmsbury Youth Justice Centre (MYJC). This allowed nine young people in one unit in the centre to have unsupervised access to the internet. The matter was investigated and determined that young people accessed multiple sites including social media and restricted content sites.

The matter was reported to Victoria Police. Victoria Police closed this investigation and no criminal offences were associated with this incident.

Action has been taken to ensure this form of breach does not occur again.

Portfolio:	Youth Justice
Witness:	Ms Rebecca Falkingham
Committee member:	Mr Danny O'Brien
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**Relevant text:**

Mr D O'BRIEN: Right. Well, the Herald Sun reported on 16 September that staff were increasingly concerned about the ability of prisoners to contact the outside world via social media, including victims of their crimes.

Ms FALKINGHAM: Which is why we did a forensic audit, Mr O'Brien, to really understand. We would absolutely make immediate contact if there were any victims who were contacted during that period, but there were not. As the Commissioner has said, it was one unit. It was very contained, and the majority of the time they spent was on looking at things on YouTube and social media. So we spent a lot of time going through all that material. There was a lot of material to unpack to understand and to make sure that we had explored every single option. We understand that obviously those children had their access taken away, and we interviewed each of those children to understand the motivation and why they had sought that and why they had not reported to their YJ workers that that access was available. So it was a very forensic process.

Mr D O'BRIEN: So that audit is still underway, did you say?

Ms FALKINGHAM: No, that audit was completed.

Mr D O'BRIEN: It is completed? Is it available publicly, or available to the committee?

Ms FALKINGHAM: I can take that on notice for you.

Mr D O'BRIEN: Okay, thank you. Obviously the request is to have a copy of the report, if we could.

**Answer:**

The relevant report sought by the Committee contains information that constitutes 'confidential information' for the purposes of the *Children, Youth and Families Act 2005*; and 'personal information' for the purposes of the *Privacy and Data Protection Act 2014*. As such, the report will not be made available to the Committee.

In addition to the department's own enquiries, the matter was reported to Victoria Police. Victoria Police closed this investigation and no criminal offences were associated with this incident.

Portfolio:	Youth Justice
Witness:	Ms Natalie Hutchins
Committee member:	Mr Danny O'Brien
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**Relevant text:**

Mr D O'BRIEN: Are you able to advise what games were purchased for Nintendo Switches and at what cost?

Ms HUTCHINS: We do not have the cost—I assume you do not have the cost in your notes—but can I just put into context the question that you are asking. This is in response to us having to isolate young people for very long periods of time to keep them COVID safe, and that is why there was an investment in this sort of gaming product, to keep their mental health stable and to keep them entertained in the very long hours that they were in a cell on their own. I am sure we can provide some further detail around the types of games, and I am sure they were appropriate, but we will come back to you on that.

Mr D O'BRIEN: If we could have a list of the games and what the costs are in total. A table of what was purchased was good. There is no judgement in the question; it is just a question.

**Answer:**

Electronic devices and programs were purchased in 2020-21 to support public health efforts and keep children and young people safe; support their education delivery and mental health; and keep them engaged in developmentally appropriate activity during the pandemic. Devices purchased are supporting two groups of children:

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- 2) young people in youth justice custody. The *COVID-19 Omnibus (Emergency Measures) Act 2020* introduced a specific, time-limited power in the *Children, Youth and Families Act 2005* for children and young people in custody to be isolated for up to 14 days in order to detect, prevent or mitigate the spread of COVID-19 or other infectious diseases. Under the Act young people are required to receive relevant entitlements while in isolation, including access to education. Devices have been used during this period to fulfil this purpose.

Games provided for these devices included:

- Minecraft
- Animal Crossing New Horizons
- Mario and Sonic Olympic Games - Tokyo 2020
- Mario Kart
- The Legend of Zelda - Breath of the Wild

- The Legend of Zelda - Link's Awakening.