

**OFFICIAL MINISTERIAL OVERSEAS TRAVEL
Outcomes Report**

Name of Department/Agency	Department of Health and Human Services
Departmental / Agency Contact	Director, Executive Services and Oversight Department of Health and Human Services
Telephone Number	(03) 9096 7313
TRAVEL DETAILS	
Minister's Name	Jenny Mikakos MP
Portfolio/s	Families and Children Youth Affairs
Did the Minister's spouse accompany the Minister in an official capacity?	No
Accompanying Ministerial staff	Jacob Clifton, Chief of Staff
Countries Visited	New Zealand
Date of Travel	12 February 2017 to 17 February 2017
Number of official travel days (include day of departure and day of return)	6
Funding source (list Department/s or Agency)	Department of Health and Human Services
EXPENSES	
Air fares (including taxes and fees)	\$4,895
Accommodation (including taxes and fees)	\$4,030
Other expenses (including surface travel and travel allowances)	\$2,860
Travel cost for Minister and ministerial staff	\$11,785
Are the above costs final and complete?	Yes

Context

I am reforming and modernising the Victorian youth justice system. The current youth justice policy framework, *A balanced response to youth justice*, was delivered in 2000. Since this time, young people have experienced major social shifts - social media, changing education and employment opportunities and workforce changes. There has also been a shift in youth crime. Significant progress has been made in the past responding to youth offending through restorative justice practices, early intervention, diversion and rehabilitation initiatives. In Victoria, there has been an overall reduction in the numbers of young offenders. Despite this, there is a cohort of young offenders not responding to early intervention and diversion programs and specific cohorts remain over-represented in Victoria's justice system.

The Government has engaged Penny Armytage and Professor James Ogloff to conduct a review of youth support, youth diversion and youth justice services.

In order to address emerging issues in advance of this review, the Government has committed substantial new funding to both the custodial and community-based youth justice system. This includes building a new \$288 million high security youth justice facility.

The Government has also announced sweeping reforms to address emerging issues in youth justice with longer detention periods and more intensive control programs. Reforms include:

- increase the maximum period of detention that can be imposed by the Children's Court on young offenders from three years to four years
- create a new offence for adults who lure young people to commit crimes for them. The

offence of 'procuring young people to commit offences' will carry a maximum penalty of ten years in prison, regardless of the crime committed by the youth

- establish a new Youth Control Order (YCO) to give the Children's Court the power to issue a more intensive and targeted supervision sentence for young offenders. YCOs can restrict where a young person can visit and who they can associate with, can include curfews, and require the young person to comply with an education, training or employment plan. Non-compliance will result in the court being able to place the young offender in custody
- set up an Intensive Monitoring and Control Bail Supervision Scheme based on a successful model from the UK, which will mean young people have to report more regularly to the department and Victoria Police and comply with education, training or work requirements. If they fail to meet these requirements, they risk having their bail revoked
- hold young people more accountable for their actions while in detention, by ensuring the Youth Parole Board is told about any critical incidents involving youths in detention, such as assaults or rioting, which may be taken into account when considering their eligibility for parole
- require the Youth Parole Board to notify Victoria Police when specific youth offenders, such as violent and repeat offenders, are released on parole
- extend the existing Youth Justice Bail Supervision scheme across the entire state. The scheme has been proven to prevent people from re-offending and is supported by Victoria Police
- expand the Central After Hours Assessment and Bail Placement Service to ensure staff are on hand around the clock to assist Victoria Police and Bail Justices make the best decisions about how to deal with an offender who has been arrested out of hours

The Government has announced it will give clearer guidance to the Children's Court when dealing with young offenders, including:

- requiring Magistrates in the Children's Court to give particular consideration to community safety when sentencing young people who have committed serious violent crimes and have previous convictions for similar offences
- introducing laws to clarify the criteria which allow Children's Court matters to be heard in the Supreme or County Courts. This will provide greater guidance about when serious cases should be elevated to a higher court
- ensuring that where possible, the same magistrate oversees all proceedings relating to a young offender, meaning consistency of approach and more effective monitoring of repeat offenders.

I have also embarked on a significant reform of the child protection and family support system to make it sustainable and targeted at providing the best and earliest responses for vulnerable children and families. I have released the Roadmap for Reform that sets out the Government's commitment to build confidence, stability and functioning within families by:

- making support and advice available to families in every community;
- driving a family-centred approach – led by children and parents' needs and risks, and a stronger voice for families in decision-making processes;
- building positive opportunities and connections for vulnerable families within their communities;
- building on the recommendations of the Royal Commission into Family Violence to develop shared responsibility and bring together the full range of services and supports victims and other vulnerable families need;
- prioritising earlier preventative support to identify issues early, rather than responding to them once they have happened;
- recognising and supporting cultural identity as a strength and protective factor for children and families; and
- transforming our out of home care system by building the capacity of homebased and

culturally appropriate models of care and trauma informed treatment for victims of child abuse and neglect.

Challenges

Overall rates of youth offending are declining. However, the nature of offending and re-offending has changed. Crime Statistics Agency (CSA) data confirms that while the overall number of young offenders in Victoria has continued to decrease since 2010, there is very small proportion of young people who are responsible for a disproportionately high number of criminal incidents.

The current system needs to be strengthened and redesigned to ensure that there are timely consequences for these high-risk young offenders which are proximate and proportionate to the severity of their offending; but also address the fundamental issues that are the causes of their criminogenic behaviour.

The Royal Commission into Family Violence described the impact of family violence on children and young people and their family relationships. Children and families need to be able to access connected, easy to understand services that they can trust. The Government has committed to implementing all of the Royal Commission's recommendations. Actions spelt out in the Roadmap for Reform form part of a longer-term response to build a better future for Victorian children, young people and families.

Purpose of Travel

The purpose of my travel to New Zealand was to consult with experts in youth justice and to examine aspects of the youth justice system that may be suitable to introduce in Victoria. Given our many common democratic and legal traditions, the New Zealand criminal justice system presents many ideas worth exploring. The new sentencing option for the Children's Court, the Youth Control Order, is being based in part on similar initiatives in New Zealand for example.

There is significant over-representation of Maori and Pasifika young people in Victoria's youth justice system. I was able to consult directly with members of these communities and Government officials to understand how this issue is approached in New Zealand

By visiting a recently constructed Auckland South Correctional Facility and the Te Maioha o Parekarangi youth justice facility I was able to gain valuable insights relevant to the construction of the Government's new \$288 million youth justice facility at Cherry Creek.

I had the opportunity to gain a greater understanding of how New Zealand approaches youth crime by meeting with Auckland Police Youth Aid and a number of non-government organisations who provide support and diversion programs to young offenders. I also received a briefing on the New Zealand Government's Youth Crime Action Plan.

Meeting with staff at the Youth Horizons Trust in Auckland and visiting the Youth One Stop Shop run by Kapiti Youth Support in Paraparaumu provided me with important information and advice to support reforms I am developing in service delivery for children in out of home care and family support services. I was also fortunate to spend time with the inspirational young people on the Minister's Youth Advisory Panel who gave me an understanding of their experiences of the New Zealand child protection and out of home care systems. Their stories were all too familiar and highlighted how important the reforms this Government is embarking on are to our most vulnerable young people.

Itinerary

Over the four days I had available, I was largely in Auckland and Wellington and briefly in Paraparaumu and Rotorua. I attended 11 meetings with academics, senior New Zealand Government officials, non-government community service organisations and members of the New Zealand Police force. I was fortunate to meet a number of Maori elders and senior members of the New Zealand judiciary. A list of meetings and site tours is provided at **Appendix one**.

Benefits of Travel to the State of Victoria

Youth Horizons is a non-government organisation (NGO) delivering evidence-based home based, out of home care and community based interventions for young people with complex behaviours, including Family Functional Therapy, Multi-Systems Therapy and Treatment Foster Care-Oregon. These interventions are relevant to both the Youth Justice and Child Protection reforms that the Government is currently developing. Meeting with Youth Horizons will inform the system design and contracting requirements underpinning sustainable evidence-based best-practice from the NGO sector. It will also inform the development and implementation of specific evidence-based programs, specifically culturally appropriate, multi-systemic and trauma informed interventions in the child protection and out of home care systems in Victoria. Youth Horizons also shared vital information about appropriate methods for working with Maori and Pacific Islander young people and their families.

Staff from the Kapiti Youth Support centre provided a useful overview of their model of providing free services for young people aged 10 to 24 living in Kapiti. The range of services which staff had over time been able to co-locate at the centre was impressive including medical and nursing services, sexual health, clinical psychology, counselling, alcohol and drug services, social work, mentoring, parenting, peer support, transition to work, youth development, education programmes and therapeutic groups. Understanding how different models of 'one stop shops' operate is useful in considering how to best structure Victoria's children and family services.

South Auckland Corrections Facility is the newest prison in New Zealand, opening in May 2015, meaning I was able to gain an understanding of the issues that arose during construction and the commencement of operations. It has a graduated security regime which is under consideration in Victoria's facilities. Visiting the Te Maioha o Parekarangi youth justice facility provided me with a different example of a recently built custodial facility. In both these facilities, I was able to discuss custodial infrastructure, security and custodial operating models which will inform the development of a new youth justice facility in Victoria. Of particular interest was gaining an understanding of the relationship between the facilities and local Maori community members. This close relationship was clearly of benefit to the offenders in these facilities.

Staff from the Department of Corrections provided an overview of the ankle-bracelet monitoring system used for young people and adults on bail and demonstrated the technology used to monitor young people 24/7 in the community.

In meeting with officials including New Zealand Police concerning the Youth Crime Action Plan, it was emphasised how important collaboration between different agencies, and between agencies and the community is to achieving reductions in youth crime. The role of youth justice workers and police in jointly approaching localised crime issues was of great interest and new legislation which aims at improving information flow between youth justice and Victoria Police will assist with greater collaboration in Victoria.

Police Youth Aid in New Zealand deal with young offenders and act as the police liaison between social workers, youth justice, community groups and victims and witnesses. They investigate youth

files, select which young people are suitable for diversion, conduct bail checks and attend family group conferences. In meeting with this part of New Zealand Police, I was able to gain an increased understanding of their role in responding to young people under 17 years who offend, are at risk of offending, or may be in need of care and protection.

I attended a roundtable with Auckland Police Youth Aid, Genesis Youth Trust, Youthlink Family Trust, Bluelight Trust and Tirohonga Trust to discuss approaches to early intervention and diversion for young offenders. This will inform the development of different approaches in the youth justice system to support children and young people with complex and challenging behaviours where it is appropriate to divert them from the criminal justice system.

I had the opportunity to consult with leading experts in youth justice, and child and family services. This enabled me to better understand the development of New Zealand's approach to youth justice as well as the reforms the Government has embarked upon more recently in relation to children more generally. The role of experts in advising Government is a clear part of my approach to youth justice with recognised experts Professor Jim Ogloff and Penny Armytage appointed to lead the Government's review into youth justice.

Judges John Walker and Carolyn Henwood provided a unique insight from the bench of New Zealand's Youth Court and in particular the role of family group conferencing as part of the youth justice system. These discussions have assisted in the development of the Government's new Youth Control Order.

Associate Professor Ian Lambie provided valuable advice from his position as a clinical psychologist in youth offending and the New Zealand Government's Justice Sector Science Adviser. He provided a wealth of knowledge and research on youth offending to assist me and my department. Professor Chris Marshall spoke about the important role of restorative justice in a well-functioning youth justice system. Meeting with Dr Khylee Quince, I heard about different restorative, rehabilitative and transformative approaches to the justice system. I was also able to discuss with her Maori over-representation in the criminal justice system and reforms to the administration of youth justice, child protection and out of home care in New Zealand.

I also had the opportunity to meet Paul Nixon who is the New Zealand Government's Chief Social Worker and Judge Andrew Becroft, New Zealand's Children's Commissioner. Both come with a firm commitment to the welfare of young people and a deep understanding of the challenges faced by young people, the community and Government in working to support healthy well-functioning families and reducing crime in our communities

Officials from the Ministry for Social Development and new Ministry for Vulnerable Children including Chris Polaschek and Phil Dinham provided in-depth information and reflections on all aspects of the New Zealand youth justice system in addition to the families and children systems. I also met with a range of officials concerning the *Investing in Children Programme* which is implementing a range of reforms including a shift to prioritising the earliest opportunity for a stable and loving family for young people, and focussing on enabling children to feel a sense of identity, belonging and connection. The new Ministry for Vulnerable Children incorporating youth justice and other child and family services is a key part of these reforms and was about to commence operation during my visit. Meeting with Gráinne Moss, inaugural CEO of the Ministry, was particularly valuable given the machinery of government changes that the Victorian Government has embarked upon in transferring youth justice to the Department of Justice and Regulation.

Hearing directly from the young people who had experienced the out of home care system on the New Zealand Government's Youth Advisory Panel reinforced for me the need to continue with the Victorian Government's reforms of the child protection and out of home care systems. These impressive young people who had experienced these systems in New Zealand spoke passionately and articulately about what needed to change and why. In particular, they pointed to the importance of encouragement and support for young people in out of home care to remain connected with education. They highlighted how vital education had been in giving them the chance to step forward into adulthood with confidence and a plan for the future.

Next Steps/Follow Up

The Government will consider further reforms to the youth justice system in light of the Penny Armytage and Professor James Ogloff review of youth support, youth diversion and youth justice services. Insights gained from New Zealand will also inform the development of these further reforms.

The continued implementation of the Roadmap for Reform will also be informed by the range of initiatives observed in New Zealand.

Appendix 1: Scheduled Meetings

During meetings and site tours in New Zealand, the people I met with included:

- Marion Heeney, Chief Executive, Youth Horizons Trust together with her senior staff
- Dr Rod Watts, Board Member, Youth Horizons Trust
- Pita Te Ngaru, Kaumātua, Youth Horizons Trust
- Mike Inglis, Prison Director, Serco Asia Pacific and other representatives of Serco New Zealand and the Department of Corrections operating the Auckland South Correctional Facility.
- Dr Khlyee Quince, Senior Lecturer, Faculty of Law, Auckland University of Technology
- Professor Chris Marshall, Chair in Restorative Justice, Victoria University
- Associate Professor Ian Lambie, Justice Sector Science Adviser to the New Zealand Government
- Inspector Simon Walker, New Zealand Police
- Program staff and volunteers from Blue Light Trust, Youthlink Family Trust and Tirohonga Trust
- Rob Woodley and Turei Marshall, Genesis Youth Trust
- Chris Polaschek, General Manager for Youth Justice Support at Child, Youth and Family, Ministry of Social Development
- Phil Dinham, Manager Youth Justice Support, Ministry of Social Development
- Gráinne Moss, Chief Executive, Ministry for Vulnerable Children
- Rachel Leota, Deputy National Commissioner, Department of Corrections
- Judge Carolyn Henwood, Youth Court Judge
- Judge Andrew Becroft, Children's Commissioner
- Judge John Walker, Principal Youth Court Judge
- Paul Nixon, Chief Social Worker, Ministry of Social Development
- Young people from the Minister's Youth Advisory Panel
- Officials from the Investing in children programme, Ministry of Social Development
- New Zealand Government officials and members of New Zealand Police responsible for implementing the Youth Crime Action Plan
- Raechel Osborne and the staff from Kapiti Youth Support
- Staff from the Te Maioha o Parekarangi youth justice facility in Rotorua and local Maori elders