

Government response to the ‘Our Youth, Our Way’ inquiry

February 2022

The Government thanks the Commission for Children and Young People for its important work on the *Our youth, our way: Inquiry into the over-representation of Aboriginal children and young people in the Victorian youth justice system* and its comprehensive *Our Youth, Our Way Report* (Report).

An ongoing commitment to Aboriginal self determination

Our Government has a clear and longstanding commitment to supporting Aboriginal self-determination, including through Treaty and the work of the Yoo-rrook Justice Commission, and our commitment to improving justice outcomes under *Burra Lotjpa Dunguludja*, the fourth phase of the Aboriginal Justice Agreement. We are committed to addressing the important issues raised in this Report, which will take us closer to realising our aim of closing the gap in Aboriginal over-representation in the youth justice system by 2031.

Addressing the findings and recommendations of the Report will contribute to the commitments we have made in the *Youth Justice Strategic Plan 2020-2030* to reduce offending, strengthen diversion and early intervention, and critically, address the over-representation of Aboriginal young people in Youth Justice. These commitments build on the recommendations made by Penny Armytage and Professor James Ogloff AM in their 2017 *Youth Justice Review and Strategy*.

Through the leadership and guidance of the Aboriginal Justice Caucus working in partnership with the Victorian Government, significant progress has begun in addressing over-representation. In particular:

- Victoria has reduced the average daily number of Aboriginal children aged 10-17 under youth justice supervision by 42 percent between 2016-17 and 2020-21, including a 14 percent reduction in 2020-21 compared to the previous year¹
- We are ahead of our *Burra Lotjpa Dunguludja* (AJA4) target to reduce the number of Aboriginal young people on an average day from 132 in 2016-17 to 89 by 2023 to be on track to close the gap by 2031. This milestone was achieved in 2019-20 with the average daily number reducing to 81 Aboriginal young people and continued into 2020-21 where the average daily number was 70.

These achievements are a source of optimism, however, the gap in justice outcomes for Aboriginal children and young people persists. The Report makes important findings and 75 recommendations across ten key areas about factors contributing to over-representation in the Youth Justice system. We are immediately supporting 67 of those recommendations, with eight under review. Our response to each recommendation of the Report is at **Annexure A**.

¹ 2020-21 is based on preliminary data not yet published

A Strategy to realise genuine positive change for Aboriginal children and young people

Of the 75 recommendations, 56 will be addressed through the Aboriginal Youth Justice Strategy (Strategy), which provides the foundation for meaningful and sustained change.

The Strategy has been developed in close partnership with the Aboriginal Justice Caucus and addresses a key recommendation in the Youth Justice Review. It is also an important initiative under *Burra Lotjpa Dunguludja*, the fourth phase of the Aboriginal Justice Agreement. The Strategy also builds on the findings of the Koori Youth Justice Taskforce, which was a joint effort between the Department of Justice and Community Safety and the Commission for Children and Young People, examining the care of 296 Aboriginal children and young people under youth justice supervision.

The Strategy has a ten-year timeframe and will continue to evolve in line with other significant Victorian reforms such as the Yoo-rrook Justice Commission. Some responses to the Report's recommendations may also evolve in line with the work of the Yoo-rrook Justice Commission.

The Strategy is forward looking and has a vision that sees no Aboriginal children or young people in the Youth Justice system. This vision can be realised through Aboriginal children and young people being strong in their culture, connected to families and communities, and living healthy, safe, resilient, thriving and culturally rich lives. At its heart, the Strategy embeds the voices and participation of Aboriginal children and young people and promotes and protects their rights while also getting young people to recognise the harm caused in communities by offending.

Linked to this vision, the Strategy contains five domains that reflect the Aboriginal community's vision for how to achieve greater self-determination and improved outcomes for Aboriginal children in the youth justice system. The Strategy's five domains are:

- *Empowering Aboriginal young people and families to uphold change* – creating a child-centred system, supporting youth participation, and opportunities for education and earning.
- *Protecting cultural rights and increasing connection to family, community and culture* – strengthening connections to family, community and culture, strengthening families, creating a caring and stable home for the young person, and creating a culturally safe experience for the young person.
- *Diverting young people and addressing over-representation* – creating an age-appropriate system, building pathways out of the youth justice system, and supporting them to transition into the community.

- *Working towards Aboriginal-led justice responses* – supporting Aboriginal organisations to care for Aboriginal children and young people and their families in contact with the justice system, including workforce development, capacity building and sector development.
- *A fair and equitable system for Aboriginal children and young people* – ensuring better experiences and the social and emotional well-being for young people when entering the youth justice system, and creating a safe custody experience for them.

Immediate actions that give effect to the Aboriginal Youth Justice Strategy

The Aboriginal Justice Caucus identified a number of high priority initiatives for inclusion in the Strategy and which received \$11.898 million in the 2020-21 State Budget. These initiatives also respond to some of the Report's key recommendations and include:

- *Establishing an Aboriginal youth justice hub* – developing a service model and setting up a place-based hub to provide Aboriginal led services to children and young people from early intervention and diversion through to responses that address the complex needs of Aboriginal young people.
- *Amplifying the voices of Aboriginal young people* – supporting the Koorie Youth Council to develop a mechanism to engage the voices of Aboriginal children and young people in the design and delivery of youth justice services.
- *Enhancing and expanding the Community Based Aboriginal Youth Justice Worker program* to provide gender sensitive and culturally based support and diversionary services for young people who come into contact or are at risk of entering the Youth Justice system.
- *Re-establishing Balit Ngulu (legal representation for Aboriginal youth)* to provide a specialist holistic legal service for Aboriginal young people to access high quality, integrated and culturally appropriate legal assistance.
- *Establishing case management review panels* to support and monitor case planning for Aboriginal young people with complex needs.

In addition, the 2021-22 Budget supported two initiatives targeting Aboriginal children from a \$33.1 million package:

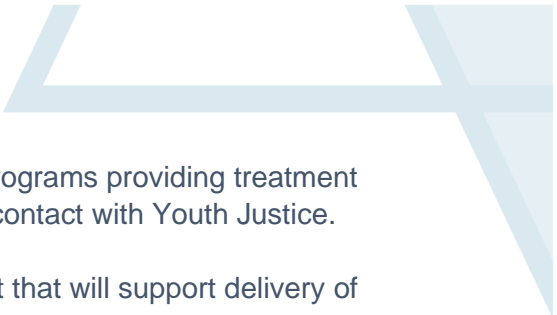
- *Early intervention family services* to keep Aboriginal children under 14 out of the criminal justice system.
- *Residential diversion for young Aboriginal males and females* at Barooka Youth Healing Program.

Whole-of-government actions to support the Strategy's vision

The Report also makes recommendations that extend beyond the youth justice system, recognising that Aboriginal children and young people who come to the attention of Youth Justice will often have complex needs and have experienced inequality and disadvantage across one or more other social or justice services. This includes through their interactions with police, the courts, child protection, child and family services, mental health and alcohol and drug services and housing.

Addressing disadvantage and inequality for Aboriginal children and young people and achieving the key domains in the Strategy requires whole-of-government action. Significant reforms are already underway that support delivery of some of the Report's recommendations that extend across areas of government service delivery, including:

- The *Framework to reduce criminalisation of young people in residential care* – the Framework, launched in 2020, aims to reduce the unnecessary and inappropriate contact of young people in residential care with the criminal justice system and establishes a commitment across government departments, Victoria Police and residential care service providers.
- *Support for young people in residential care* – work is underway with Aboriginal organisations for the development of the Aboriginal Healing Care and Cultural Service (AHCCS), a cultural and therapeutic healing service for Aboriginal young people.
- *Empowering Aboriginal Young People in Education* – the Self-determination in Education Reform Initiative, commencing in 2021, includes consultation and co-design with Aboriginal young people and communities to develop a suite of reform options for education in Victoria, including options for improving the cultural safety of schools.
- *School Expulsions* – The Department of Education and Training manages and oversees an exemption process for children under compulsory school age who exit school and collects and monitors data relating to students' exits from school.
- *Accommodation reform* – Homes Victoria is currently exploring through the Big Housing Build accommodation ideas for Aboriginal children and young people and their families.
- *Royal Commission into Victoria's Mental Health System (RCVMHS)* – strengthening mental health responses through government's response to the RCVMHS is an ongoing priority and aligns to the findings in the OYOW report. The OYOW recommendations will be informed by and inform delivery of the RCVMS reforms. This includes recommendation 37.4, for the introduction of a new, expanded state-



wide model of specialist youth forensic mental health programs providing treatment and care to children and young people in, or at risk of, contact with Youth Justice.

In addition, the 2021-22 Budget provided significant investment that will support delivery of the Report's recommendations, including:

- the 'Putting Families First' trial, an interdisciplinary service model in Goulburn and Brimbank-Melton, providing practical, personalised and targeted support to justice-involved families, including families of Aboriginal children and young people in Youth Justice.
- Investment in transforming the child and family service system, including expanding the Family Preservation and Reunification Response to keep vulnerable children and families safely together and, where it is safe to do so, support children return home. The service includes an Aboriginal Response led by Aboriginal Controlled Community Organisations (ACCOs).
- Reform of care services to deliver improved outcomes for children and young people, including specific funding for ACCOs to deliver improved services to Aboriginal children and young people.

Looking to the future

Through the leadership and support of the Aboriginal Justice Caucus, there are clear signs that significant progress has been achieved in addressing over-representation. Despite these advances, the gap in justice outcomes for Aboriginal young people remains. Building on its insights and recommendations, the Strategy is the key vehicle to drive efforts to continue closing the gap in the rate of Aboriginal and non-Aboriginal children and young people under youth justice supervision by 2031 and also address findings of the Our Youth Our Way Inquiry.

We are committed to realising the vision of the Strategy for all Aboriginal children and young people in Victoria.

Annexure A – Responses to CCYP’s Our Youth, Our Way report recommendations

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
1	<p>That the new Youth Justice Act:</p> <p>a) enable the Secretary of DJCS to authorise Aboriginal communities to design, administer and supervise elements of the youth justice system, including:</p> <ul style="list-style-type: none"> - delivering cautions and alternatives to proceedings, including diversionary options - delivering family group conferencing and restorative justice group conferencing - determining the location and delivery of hearings (including Koori Court hearings) - determining the conditions of community-based youth justice orders - designing and administering community-based youth justice options, including alternatives to custody <p>b) place a positive duty on the Secretary of DJCS to develop strategic partnerships with Aboriginal communities, and report regularly on measures taken to improve outcomes for Aboriginal children and young people.</p>	Support-in-Principle	<p>This recommendation will be addressed through the Aboriginal Youth Justice Strategy.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Embed Aboriginal specific principles in the new Youth Justice Act that set out practical ways to further self-determination and achieve Aboriginal led responses. (Domain 4, Goal 1) • Establish an ACCO sector sub-committee of the Youth Collaborative Working Group (Domain 4, Goal 1): <ul style="list-style-type: none"> ○ to develop the roadmap for the gradual transfer of role and responsibilities of the care and management of Aboriginal children and young people to the ACCO sector, including workforce development, capacity building and sector development. ○ host two ACCO roundtables per year with the Minister for Youth Justice to focus on the ACCO experience in caring and managing Aboriginal children and young people in contact with the youth justice system. ○ support the ACCO sector to design and innovate new Aboriginal youth justice programs and services. • Explore options as part of the new Youth Justice Act to establish an Aboriginal division of the Youth Parole Board to promote self-determination and deliver more culturally appropriate parole responses. (Domain 4, Goal 1) • Explore options to strengthen safeguards for children in custody as part of the new Youth Justice Act. (Domain 5, Goal 2). • Increase participation by Aboriginal children and young people in the Children’s Court Youth Diversion Service. (Domain 3, Goal 2) • Increase pre-charge diversion and cautioning opportunities including by: <ul style="list-style-type: none"> ○ exploring options for cautioning schemes as part of the new Youth Justice Act to divert children away from the Youth Justice system. ○ supporting delivery of the government’s new Crime Prevention Strategy to intervene early to help young people avoid offending and prevent contact with police, the courts and Youth Justice ○ making the Victoria Police Aboriginal Youth Cautioning Program available in more locations across the state. (Domain 3, Goal 2). 	Yes
2	<p>That the Victorian Government resource and develop the capacity of Aboriginal organisations to design, coordinate and deliver youth supports, including through a peak body or bodies for Aboriginal youth sector workers and organisations.</p>	Support	<p>The recommendation will be addressed through the Aboriginal Youth Justice Strategy, the whole of government youth strategy and other reforms underway across government.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Establish an ACCO sector sub-committee of the Youth Collaborative Working Group (Domain 4, Goal 1): <ul style="list-style-type: none"> ○ to develop the roadmap for the gradual transfer of role and responsibilities of the care and management of Aboriginal children and young people to the ACCO sector, including workforce development, capacity building and sector development. ○ host two ACCO roundtables per year with the Minister for Youth Justice to focus on the ACCO experience in caring and managing Aboriginal children and young people in contact with the youth justice system. ○ support the ACCO sector to design and innovate new Aboriginal youth justice programs and services. 	Yes

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3	That the Victorian Government ensure that relevant agencies record data on Aboriginal and non-Aboriginal children and young people at each point in their journey through the youth justice system, using indicators developed and approved in partnership with the Aboriginal community.	Support	<p>DJCS consulted across the sector as part its development of the Aboriginal Youth Justice Strategy, including on work undertaken to map the journey of the Aboriginal young person through the justice system, in order to identify points of data capture and data gaps for future development.</p> <p>DJCS regularly consults with and reports to the Aboriginal Justice Forum (AJF) on the status, outcomes and program management for Aboriginal young people in Youth Justice. This is undertaken with community organisations to ensure journey data and stories are both captured and reported on as best as possible, with a particular emphasis on the voice of the young person.</p> <p>DJCS will continue to work closely with the courts and other justice partners to ensure relevant and culturally appropriate data is collected, to better understand and respond to the needs of Aboriginal young people throughout the justice process.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Develop a performance framework that promotes information sharing about Aboriginal young people and children's experiences in the youth justice system and sets justice related targets and accountability measures to improve young people's outcomes. (Domain 5, Goal 2) Share data and information to provide Aboriginal organisations with the full picture of the child and community trends to enable Aboriginal led responses. (Domain 4, Goal 1) 	Yes
4	That DJCS, in partnership with the Aboriginal community, establish a centralised mechanism for the regular publishing of accurate, cross-agency, linked data to provide a single, authoritative source of information on Aboriginal children and young people in the youth justice system and their outcomes.	Support	<p>DJCS currently shares data on Aboriginal young people in Youth Justice through the following reporting mechanisms:</p> <ul style="list-style-type: none"> Victorian Government Aboriginal Affairs Report (VGAAR/VAAF): Improvement and development of performance measures and associated data relating to bail and access to Koori support programs for Aboriginal young people in the youth justice system. This is reported centrally via the VGAAR framework. Aboriginal Justice Agreement 4 and National Closing the Gap strategies: The provision of and improvement to consolidated reporting on the status, wellbeing and outcomes of Aboriginal Young people to the AJF. Committing to contribute to, including providing feedback for, the Data and Reporting Working Group (DRWG) of the Data Development Plan for the National Closing the Gap Strategy (ongoing). <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Develop a performance framework that promotes information sharing about Aboriginal young people and children's experiences in the youth justice system and sets justice related targets and accountability measures to improve young people's outcomes. (Domain 5, Goal 2) Share data and information to provide Aboriginal organisations with the full picture of the child and community trends to enable Aboriginal led responses. (Domain 4, Goal 1) 	Yes
5	That DJCS partner with an Aboriginal organisation to pilot Kapiti Youth Support's Outcomes Measurement Model used in New Zealand.	Support-in-principle	<p>DJCS has developed an Aboriginal Youth Justice Outcomes Framework as part of the Aboriginal Youth Justice Strategy.</p> <p>DJCS will undertake a review of the Kapiti Youth Support Outcomes Measurement Model to assess its suitability, either in part or whole, for the Victorian Youth Justice system. Cultural considerations will be key in any model implementation.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Develop a performance framework that promotes information sharing about Aboriginal young people and children's experiences in the youth justice system and sets justice related targets and accountability measures to improve young people's outcomes. (Domain 5, Goal 2) 	Yes

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6	That the Aboriginal Youth Justice Strategy prioritise early intervention and prevention strategies and justice reinvestment programs led by the Aboriginal community.	Support	<p>Through <i>Burra Lotjpa Dunguludja</i>, Aboriginal Justice Agreement 4, DJCS has delivered a frontline grants program to deliver community-based initiatives that engage Aboriginal children and young people at risk of contact with the criminal justice system in pro-social and physically healthy activities. There is also a commitment to place-based community-led justice projects, with support for three Aboriginal communities to develop and implement projects that respond to local justice issues and needs. DJCS also funds the Koori Early School Leavers program and Aboriginal Youth Support Service program in two locations.</p> <p>Early intervention and prevention is a priority focus of the Aboriginal Youth Justice Strategy, which is reflected in Domain 3 'Diverting Young People and Addressing Over Representation' and is supported by the following actions.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Increase participation by Aboriginal children and young people in the Children's Court Youth Diversion Service • Increase pre-charge diversion and cautioning opportunities including by: <ul style="list-style-type: none"> ◦ exploring options for cautioning schemes as part of the new Youth Justice Act to divert children away from the Youth Justice system. ◦ supporting delivery of the government's new Crime Prevention Strategy to intervene early to help young people avoid offending and prevent contact with police, the courts and Youth Justice ◦ making the Victoria Police Aboriginal Youth Cautioning Program available in more locations across the state • Fund and deliver early intervention family service and specialist family practitioners to support Aboriginal children aged 10-13 years of age to stay in school and at home and actively engaged in their communities. (Domain 3 Goal 1) 	Yes
7	That the Victorian Government resource the establishment of a culturally based, multi-service, accessible youth hub in each region to coordinate and provide holistic supports for Aboriginal children and young people. Youth hubs should be designed and developed in partnership with, and managed by, Aboriginal communities and organisations.	Support-in-Principle	<p>This recommendation will be addressed through the Aboriginal Youth Justice Strategy. The 2020-21 Budget provided funding of \$11.898 million over four years, which includes funding to establish an Aboriginal Youth Justice Hub.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Set up at least one Aboriginal Youth Justice Hub to deliver community-based services that keep young people connected to family, community, and culture and explore options for more hubs in additional locations. (Domain 4, Goal 1) 	Yes
8	That the <i>Children, Youth and Families Act 2005</i> be amended to increase the minimum age of criminal responsibility in Victoria to 14 years. This should not be subject to any exceptions.	Under review	<p>The Victorian Government is participating in the national process on reviewing the minimum age of criminal responsibility (via the Meeting of Attorneys-General).</p> <p>The 2021-22 Budget provided funding of \$33.1 million over four years to reduce the over-representation of Aboriginal people in custody, including funding for the provision of an early intervention family service and specialist family practitioners for keeping children under 14 years of age out of the criminal justice system.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Continue to participate in the national review of the age of criminal responsibility, including investigating alternatives to custody for children aged 10-14. (Domain 3, Goal 1) • Fund and deliver early intervention family service and specialist family practitioners to support Aboriginal children aged 10-13 years of age to stay in school and at home and actively engaged in their communities. (Domain 3, Goal 1) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
9	That the Victorian Government, in partnership with Aboriginal organisations, develop and provide a range of culturally responsive and gender-specific programs and services that are tailored to meet the needs of Aboriginal children under the age of 14 years who are engaging in anti-social behaviour, and to address the factors contributing to the behaviour.	Support	<p>The 2020-21 State Budget invested \$11.898 million over four years to address the over representation of Aboriginal children and young people in contact with the youth justice system, including the expansion and enhancement of the Community based Aboriginal Youth Justice program to provide after hours and gender-based services.</p> <p>DJCS has partnered with Aboriginal organisations to provide a range of culturally responsive services. Dardi Munwurro runs group cultural healing for boys and young men and individual support for young men with complex issues. Djirra runs the Young Luv program and individual support for girls and young women. Strong Brother and Strong Sister provides individual and group cultural mentoring for young people and Uncle Ron Murray provides mentoring for boys and young men in Malmsbury Youth Justice centre.</p> <p>Additionally, the Crime Prevention Strategy sets out an approach to work with communities to empower them to lead locally-relevant and culturally appropriate solutions. A number of crime prevention programs focused on Aboriginal young people have already been funded through investment in sports-based projects, Youth Crime Prevention Grants, and the Building Safer Communities Program. Additional more widespread and systematic support for early intervention work is subject to funding.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Keep families safely together by developing a new, Aboriginal led culturally safe family therapeutic alternative to Multi-Systemic Therapy (MST) and provide access to Aboriginal young people in youth justice who are also parents. (Domain 2, Goal 2) Fund and deliver early intervention family service and specialist family practitioners to support Aboriginal children aged 10-13 years of age to stay in school and at home and actively engaged in their communities. (Domain 3, Goal 1) Make sure the Aboriginal social and emotional wellbeing strategy addresses the specific needs of young men, young women, young people with a disability, and LGBTQI children and young people. (Domain 5, Goal 1) Improve gender responsive services through the Aboriginal Youth Justice Worker expansion. (Domain 5, Goal 1) 	Yes
10	That the <i>Children, Youth and Families Act 2005</i> , the <i>Sentencing Act 1991</i> and the <i>Bail Act 1977</i> be amended to prohibit: a) children under the age of 16 years being sentenced to, or remanded in, youth justice custody b) children under the age of 18 years being sentenced to adult imprisonment c) the transfer of children under the age of 18 years from youth justice custody to an adult prison.	Under Review	<p>Government is committed to reducing the number of children in Youth Justice. This includes through:</p> <ul style="list-style-type: none"> the Government's participation in the national process on reviewing the minimum age of criminal responsibility (via the Meeting of Attorneys-General) (see Recommendation 8) consideration of the operation of bail laws and any opportunities to address any unduly harsh impacts of these reforms on vulnerable groups and those charged with lower-level offences, including children (see Recommendation 57); and responding to and engaging with the Yoo-rrook Justice Commission's (Commission) inquiry. The Commission has determined four strategic priorities for its first year, including assessing state custody reforms related to First Peoples' interaction with policing, youth and criminal justice, and corrections, including progress in implementing the recommendations of the Royal Commission into Aboriginal Deaths in Custody. <p>The 2021-22 Budget also provided funding of \$33.1 million over four years to reduce the over-representation of Aboriginal people in custody, including funding for the provision of an early intervention family service and specialist family practitioners for keeping children under 14 years of age out of the criminal justice system.</p> <p>See recommendation 57 for further details regarding government's focus on diverting children and young people from Youth Justice.</p>	No

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11	That the new Youth Justice Act require youth justice system decision-makers: a) to prioritise early intervention and diversionary processes at all points on the youth justice system continuum b) to ensure that children and young people are subject to the least intrusive intervention that is necessary in the circumstances, including a decision not to take any formal action against the child or young person c) not to commence a criminal proceeding against a child or young person if there is another appropriate means of dealing with the matter.	Support-in-Principle	<p>This recommendation will be addressed through the implementation of the Aboriginal Youth Justice Strategy.</p> <p>The <i>Bail Act 1977</i> also includes special considerations which must be taken into account when making a bail determination for a child. These include the need to consider all other options before remanding a child in custody.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Explore options to strengthen safeguards for children in custody as part of the new Youth Justice Act. (Domain 5, Goal 2) • Increase pre-charge diversion and cautioning opportunities including by: <ul style="list-style-type: none"> ○ exploring options for cautioning schemes as part of the new Youth Justice Act to divert children away from the Youth Justice system. ○ supporting delivery of the government's new Crime Prevention Strategy to intervene early to help young people avoid offending and prevent contact with police, the courts and Youth Justice ○ making the Victoria Police Aboriginal Youth Cautioning Program available in more locations across the state (Domain 3, Goal 2) 	Yes
12	That the Victorian Government pilot in at least 2 regions an integrated case management program for Aboriginal children and young people in the youth justice system, based on A place to go.	Support-in-Principle	<p>DJCS has supported the implementation of the Aboriginal Intensive case management model developed in one regional location.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Explore opportunities for an Aboriginal led model of Aboriginal family intensive case management and support for families involved in the justice system. (Outcome 2.2.1, Action 3) 	Yes
13	That Youth Justice ensure that the proposed Aboriginal Case Management Review Panels are chaired by a senior Aboriginal person, include senior representatives of relevant departments and service providers, adopt a strengths-based approach, give due weight to the views of the child or young person and place culture at their centre. The panels should be monitored at Secretary level by all relevant departments to ensure collaboration and accountability in relation to nominated actions, and to identify and address any systemic issues that arise. The panels should be established in consultation with the Commissioner for Aboriginal Children and Young People.	Support	<p>The 2020-21 State Budget invested \$11.898 million over four years to address the over representation of Aboriginal children and young people in contact with the youth justice system, including for the introduction of dedicated Aboriginal case management review panels for young people with complex needs.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Commence case management review panels so that care and support addresses the strengths, risks and needs of Aboriginal children and young people, and issues contributing to their over-representation. (Domain 3, Goal 3) 	Yes
14	That Youth Justice establish regular regional Koori youth justice forums with local justice partners and social services.	Support	<p>DJCS is implementing Koori Youth Justice Taskforce regional action plans in partnership with Regional Aboriginal Justice Advisory Committees. Aboriginal Justice Forums include a focus on youth justice issues.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Improve Aboriginal young people's participation in youth justice processes, including in policy, practice and program design and implementation. (Outcome 1.1, Action 5) We will do this by: <ul style="list-style-type: none"> ○ funding the Koorie Youth Council to develop a model for Aboriginal young people's voice and participation in youth justice. ○ developing Aboriginal youth participation principles and implementing a training program for staff (OYOW Rec 19). ○ supporting engagement in existing youth leadership forums such as Koorie Youth Council, the Parkville Youth Leadership Council, and other regional forums. 	Yes

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15	That Youth Justice ensure that its staff are adequately resourced and trained to comply with practice guidelines focused on building trusting, stable and therapeutic relationships with Aboriginal children and young people. In particular, Youth Justice staff should be equipped to understand and respond to different behaviours in Aboriginal children and young people, and to apply a culturally safe and trauma-informed approach.	Support	<p>All frontline Youth Justice staff (community and custody-based staff) receive Aboriginal Cultural Awareness training as part of induction training. In addition, all staff receive training in working with children and young people, trauma informed practices and child and adolescent development.</p> <p>Existing training will be reviewed and updated to incorporate findings from Our Youth, Our Way. For custody-based staff, training will be incorporated into the new Certificate IV in Youth Justice, which includes a dedicated unit on Supporting Aboriginal and Torres Strait Islander People Young People in the Youth Justice System.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Embed a dedicated course unit in the Certificate IV in Youth Justice to deliver a culturally safe and responsive Youth Justice Custodial Service. Strengthen induction and refresher training for community-based youth justice staff on how to deliver a culturally safe and responsive service. (Domain 5, Goal 1) • Train youth justice staff to work effectively with Aboriginal children and young people, including through the practice framework for custodial staff. (Domain 3, Goal 1) 	Yes
16	That Youth Justice review its policies, guidelines and training to ensure that they do not promote 'deficit discourse' with respect to Aboriginal children and young people, and consider the adoption of a strengths-based framework for case management of Aboriginal children and young people.	Support	<p>Youth Justice is reviewing and updating all operational policies and procedures to strengthen staff guidance. Our Youth Our Way recommendations relating to practice guidelines, policies and procedures will be addressed and implemented as part of this work.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Create an evidence base about best practice including about strength-based, and family-based models of support and care and create opportunities for ACCOs to share this practice. (Domain 4, Goal 1) • Review and refresh youth justice training programs to reflect strengths-based approaches and integrate Aboriginal cultural rights and culturally appropriate practices into all aspects of youth justice induction and refresher training. (Domain 1, Goal 2) 	Yes
17	That the Victorian Government, in implementing the expansion of the Community-Based Koori Youth Justice Program announced in March 2021, ensure that the program has sufficient capacity to provide holistic support for Aboriginal children and young people in the youth justice system, including through increased brokerage funding and an appropriate gender distribution among Koori Youth Justice workers (see Recommendation 21).	Support	<p>In 2020-21, the Community-Based Aboriginal Youth Justice Program was expanded with an increase of eight additional workers across the state. The positions were prioritised to areas based on demand, the need for after-hours supports and the need for female workers to support Aboriginal young girls accessing the program.</p> <p>All providers of the Community-Based Aboriginal Youth Justice Program have received additional flexible brokerage in 2019-20 and 2020-21.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Run a dedicated recruitment campaign to increase Aboriginal youth justice staff. (Domain 5, Goal 1) • Provide community based Aboriginal Youth Justice Programs with additional brokerage funding to deliver cultural strengthening activities and practical support to Aboriginal young people and their families. (Domain 4, Goal 1) 	Yes
18	That Youth Justice develop a framework to identify an Aboriginal child or young person's most trusted worker, and give them a central role in planning and decision making concerning the child or young person's care. DFFH should commit to the same framework for Aboriginal children and young people for whom DFFH has joint responsibility with Youth Justice. This should be reflected in the revised protocol between Child Protection and Youth Justice (see Recommendation 40).	Support	<p>DJCS and DFFH continue to work together to progress an MoU to support the relationship between Child Protection and Youth Justice.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Deliver a 'trusted worker' approach that identifies a trusted worker for every Aboriginal young person in Youth Justice so that they have a key role in youth justice case management and decision making. (Domain 1, Goal 1) • Build the capacity for staff, including those in ACCOs, to act as 'trusted workers' through training. Support their role through the case management review panels. (Domain 1, Goal 1) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
19	That Youth Justice ensure that Aboriginal children and young people have meaningful input into, and influence on, the decisions that affect them in the youth justice system. This should include working with the Koorie Youth Council or another Aboriginal youth organisation to develop Youth Justice youth participation principles, and implementing regular and ongoing training for staff on effective youth participation.	Support	<p>DJCS has reflected young people's wants, needs and aspirations in the Aboriginal Youth Justice Strategy through engagement with Aboriginal children and young people in Youth Justice and with lived experience of the youth justice system.</p> <p>The Koorie Youth Council has been funded as part of the \$11.898 million package to develop a model to increase young people's voice and participation in youth justice policies and programs.</p> <p>Additionally, through engagement with the Koorie Youth Council and young Aboriginal designers, DJCS developed culturally safe, tailored communications for young people by young people in response to the COVID-19 pandemic.</p> <p>Further, all frontline Youth Justice staff currently receive training in working with children and young people. Following establishment of Aboriginal Youth participation principles and advice from the Koorie Youth Council, training will be provided to staff that will support implementation of any models.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Improve Aboriginal young people's participation in youth justice processes, including in policy, practice and program design and implementation. (Domain 1, Goal 1) We will do this by: <ul style="list-style-type: none"> ○ funding the Koorie Youth Council to develop a model for Aboriginal young people's voice and participation in youth justice. ○ developing Aboriginal youth participation principles and implementing a training program for staff. ○ supporting engagement in existing youth leadership forums such as Koorie Youth Council, the Parkville Youth Leadership Council, and other regional forums. 	Yes
20	That the Victorian Government fund and partner with the Koorie Youth Council to design, implement and lead a whole-of-government Aboriginal youth engagement strategy.	Support-in-principle	Government works in partnership with KYC to support the engagement of Aboriginal young people and will work with the KYC to develop and implement a whole of government youth engagement strategy, which is a direction under the proposed whole of government youth strategy.	No

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
21	<p>That DJCS ensure that the youth justice system is responsive to the specific needs of all Aboriginal children and young people, including young women, young people with disability and LGBTQI+ young people. This should include:</p> <p>a) resourcing more Aboriginal-led, designed and delivered programs for Aboriginal girls and young women</p> <p>b) employing more female Koori Youth Justice workers</p> <p>c) ensuring that all children and young people entering Youth Justice supervision or youth justice custody are screened for disability, referred for a further assessment if the result indicates the likelihood of a disability, and assisted to access appropriate supports</p> <p>d) ensuring that disability screening and assessment tools and processes are culturally appropriate</p> <p>e) implementing specific training for all Youth Justice staff in relation to working with LGBTQI+ children and young people</p> <p>f) reviewing policies, procedures and accommodation options to ensure that the needs of transgender and gender-diverse children and young people are met, including by amending databases so that they can accurately record gender descriptors.</p>	Support	<p>In 2020-21, the Community-Based Aboriginal Youth Justice Program was expanded as part of an additional \$11.898 million in the State Budget. This investment funded 8 additional workers across the state. The positions were prioritised to areas based on demand, the need for after-hours supports and to provide more female workers to support Aboriginal young girls accessing the program.</p> <p>All young people entering Youth Justice custody are screened with the CAIDS-Q (Child and Adolescent Intellectual Disability Screening), unless they are already identified as having a disability and receiving disability supports. DJCS will validate the CAIDS-Q cross-culturally.</p> <p>Supporting LGBTIQ young people is addressed in induction training for both Community and Custody based workforces. Both induction programs contain training focussed on respect in the workplace, which includes identifying and responding to discrimination and unacceptable behaviour. This includes client relationships and covers understanding of discrimination based on sexual orientation.</p> <p>Further, custody staff receive training on supporting LGBTIQ young people in the custodial environment, including processes for conducting searches. This forms part of the Communication, Teamwork and Professionalism unit. All staff complete induction training as part of their commencement in Youth Justice.</p> <p>Youth Justice is reviewing and updating all operational policies and procedures to strengthen staff guidance. Our Youth Our Way recommendations relating to practice guidelines, policies and procedures will be addressed and implemented as part of this work.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Make sure the Aboriginal social and emotional wellbeing strategy addresses the specific needs of young men, young women, young people with a disability, and LGBTQI children and young people. (Domain 5, Goal 1) • Explore new models of custodial care for LGBTQI children and young people that are culturally responsive, inclusive, and effective. (Domain 5, Goal 1) • Support Aboriginal children and young people with a disability by employing an Aboriginal specific Disability Advisor role. (Domain 5, Goal 1) • Develop an operational protocol between Youth Justice and the Koori worker in the Disability Advice and Response Team (DART) at the Children's Court of Victoria to enable a joint approach to responding to the disability related needs of Aboriginal children and young people. (Domain 5, Goal 1) • Deliver more specialist support for Aboriginal young women in custody and in the community that help to address trauma and family violence. (Domain 5, Goal 1) • Improve gender responsive services through the Aboriginal Youth Justice Worker expansion. (Domain 5, Goal 1) • Train youth justice staff to work effectively with Aboriginal children and young people, including through the practice framework for custodial staff. (Domain 3, Goal 1) 	Yes
22	<p>That DJCS work with DFFH, DET and other agencies, and in partnership with the Aboriginal community, to implement mandatory pre-charge family group conferencing, based on the New Zealand model, for all children and young people whom police are considering charging, and for whom a warning, caution or other less intensive diversionary process is not appropriate.</p> <p>Without limiting the purposes of the pre-charge family group conference, its primary purpose should be to provide:</p> <p>a) integrated and coordinated welfare responses to address the holistic needs of children and young people and the underlying causes of their offending behaviour</p> <p>b) a formal mechanism for family involvement in planning and decision-making regarding appropriate interventions and supports for the child and their family.</p>	Support-in-principle	<p>This recommendation is being addressed through actions in the Aboriginal Youth Justice Strategy (see below). This work will be considered with DFFH and DET as key partners.</p> <p>In addition, the 2021-22 Budget outcome for Child Protection included \$19.8 million over three years to trial Family Group Conferencing, to better support and empower families to be involved in decision making and planning for their child when involved with Child Protection. Work is currently underway in DFFH to establish this pilot.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Explore options to introduce family group conferencing and more restorative approaches as part of the new Youth Justice Act. (Domain 1, Goal 1) • Include families in planning and decision-making at every stage of their involvement with the justice system, including by giving families clear information about what to expect from Youth Justice, and what is expected from them. Oversight this work through the case management review panels. (Domain 1, Goal 1) • Provide Aboriginal-led intensive case management for high risk and complex needs Aboriginal children and young people on bail and community-based orders. (Domain 3, Goal 3) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
23	That DJCS convene a working group of Aboriginal organisations to design Aboriginal-led family group conferences for Aboriginal children and young people, informed by iwi-led conferences in New Zealand.	Support	<p>This recommendation is being addressed through actions in the Aboriginal Youth Justice Strategy (see below). This will be informed by a sub-group of Aboriginal Justice Caucus.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Explore options to introduce family group conferencing and more restorative approaches as part of the new Youth Justice Act. (Domain 1, Goal 1) Include families in planning and decision-making at every stage of their involvement with the justice system, including by giving families clear information about what to expect from Youth Justice, and what is expected from them. Oversight this work through the case management review panels. (Domain 1, Goal 1) Provide Aboriginal-led intensive case management for high risk and complex needs Aboriginal children and young people on bail and community-based orders. (Domain 3, Goal 3) 	Yes
24	That Youth Justice strengthen family and community connection for Aboriginal children and young people in custody by: a) expanding the definition of 'family' for Aboriginal children and young people in all practice guidelines, instructions and procedures to include extended family, kin and Aboriginal community members b) implementing a generous visits program to increase the frequency and flexibility of visits, leave, and phone and virtual contact c) providing adequate information to children and young people and their families about visits and other contact opportunities, and proactively planning regular visits and communication with family d) amending practice guidelines and procedures to ensure that contact (including through phone calls) is not linked to, or limited by, children and young people's behaviour or ranking in behaviour management systems e) continuing the availability of video visits post-COVID-19 to enable more frequent contact, or to facilitate contact when physical visits are not possible.	Support	<p>Online personal and professional visits will continue to be supported, given the significant increase that has been achieved in connecting young people to their family and professional support teams through this means. Remote court appearances are also being supported through the uplifted technology capacity in custodial centres at the direction of the Court (commenced in late-March 2020).</p> <p>Upon entering custody, Aboriginal young people are allocated an Aboriginal Liaison Officer (ALO). This establishes continuity of care, provides young people with cultural support and allows young people to develop stronger and safer relationships. The ALO ensures kinship ties for Aboriginal children and young people are maintained, and with the consent of the young person, the ALO will contact their family and maintain communication with them, supporting the young people and their families to stay in contact throughout the young person's time in custody. The ALO team has been expanded, with two ALOs being located at each Youth Justice Centre and a team leader to oversee both sites. The ALO team has also been strengthened further, by the establishment of a Manager of Aboriginal Youth Justice Operations.</p> <p>Youth Justice is reviewing and updating all operational policies and procedures to strengthen staff guidance. Our Youth Our Way recommendations relating to practice guidelines, policies and procedures will be addressed and implemented as part of this work.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Make sure all young people have access to an Aboriginal Liaison Officer to respond to their cultural needs and proactively support family visits and communication support. (Domain 2, Goal 1) 	Yes
25	That the Victorian Government fund holistic family support programs, including through services delivering multi-systemic therapies, to address disadvantage experienced by the families of Aboriginal children and young people in the youth justice system. These programs should be available in every region and designed and led by Aboriginal organisations. They should be available through youth justice family group conferencing, in addition to other avenues.	Support	<p>The Victorian Government is committed to strengthening integrated, whole of family and whole of system responses, to divert vulnerable children and families from justice and crisis services, improve their life outcomes and create lasting change. In 2021-22, the Victorian Government is investing \$17.8 million over three years to trial Putting Families First, an interdisciplinary service model in Goulburn and Brimbank-Melton, providing practical, personalised and targeted support to justice-involved families.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Keep families safely together by developing a new, culturally safe family therapeutic alternative to MST and provide access to Aboriginal young people in youth justice who are also parents. (Domain 2, Goal 2) Explore opportunities for an Aboriginal led model of Aboriginal family intensive case management and support for families involved in the justice system. (Domain 2, Goal 2) 	Yes
26	That Youth Justice improve its support for Aboriginal children and young people and their families by: a) updating its practice guidelines to ensure that they clearly address the impact of family disadvantage on Aboriginal children and young people's ability to comply with Youth Justice obligations, and direct Youth Justice staff to facilitate or provide necessary family supports b) ensuring that its practice guideline on working with families addresses the situation of young people with their own caring responsibilities.	Support	<p>Youth Justice is reviewing and updating all operational policies and procedures to strengthen staff guidance. Our Youth Our Way recommendations relating to practice guidelines, policies and procedures will be addressed and implemented as part of this work.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Keep families safely together by developing a new, culturally safe family therapeutic alternative to MST and provide access to Aboriginal young people in youth justice who are also parents. (Domain 2, Goal 2) Explore opportunities for an Aboriginal led model of Aboriginal family intensive case management and support for families involved in the justice system. (Domain 2, Goal 2) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
27	That youth justice family group conferencing include consideration of Aboriginal children and young people's family circumstances, home environment and caring responsibilities, with a view to identifying and facilitating all necessary family supports.	Support	See the response to recommendation 22. This work will take into account a young person's family circumstances. Aligned actions in the Aboriginal Youth Justice Strategy: <ul style="list-style-type: none"> Explore options to introduce family group conferencing and more restorative approaches as part of the new Youth Justice Act. (Domain 1, Goal 1) Provide more material and practical supports for families through brokerage funds. (Domain 2, Goal 2) Provide more housing options for Aboriginal children and young people that keep them connected to their family and community through the Kids Under Cover initiative. (Domain 2, Goal 2) 	Yes
28	That the new Youth Justice Act require youth justice system decision-makers at all points on the youth justice continuum, including police, judicial officers and Youth Justice staff, to: a) recognise that strong connections with culture, family and community are essential for Aboriginal children and young people to thrive b) have regard to the need to strengthen connection to culture, family and community in decision-making affecting Aboriginal children and young people.	Support-in-Principle	This recommendation will be addressed through the implementation of the Aboriginal Youth Justice Strategy. To the extent that the decision on the youth justice continuum relates to bail, special considerations relating to children and Aboriginal persons apply under the <i>Bail Act 1977</i> - see recommendation 58 below. Aligned actions in the Aboriginal Youth Justice Strategy: <ul style="list-style-type: none"> Embed Aboriginal specific principles in the new Youth Justice Act that set out practical ways to further self-determination and achieve Aboriginal led responses. (Domain 4, Goal 1) 	Yes
29	That the new Youth Justice Act require the Secretary of DJCS to ensure that every Aboriginal child and young person under Youth Justice supervision has a cultural support plan.	Support-in-Principle	This recommendation will be addressed through the implementation of the Aboriginal Youth Justice Strategy. It is also important that young people are given agency and choice in whether they wish to have a cultural plan and who it is shared with. Aligned actions in the Aboriginal Youth Justice Strategy: <ul style="list-style-type: none"> Integrate cultural support planning processes with case management that: <ul style="list-style-type: none"> every young person has a cultural support plan that strengthens their cultural identity and identifies support that best meet their cultural needs and consider legislative options to require plans. (Domain 2, Goal 1) 	Yes
30	That Youth Justice review and update its approach to cultural support planning, with a view to improving practice and accountability in complying with practice guidelines and strengthening the role of families. The review should consider the need for additional resourcing for Aboriginal organisations to develop and implement high-quality cultural support plans for children and young people in the youth justice system.	Support	DJCS has set up a Cultural Support Plan Working Group to oversight the Cultural Supports Plan process. Aligned actions in the Aboriginal Youth Justice Strategy: <ul style="list-style-type: none"> Integrate cultural support planning processes with case management so that: <ul style="list-style-type: none"> families and/or trusted workers are meaningfully involved in the development of the plan with the young person. every young person has a cultural support plan that strengthens their cultural identity and identifies support that best meet their cultural needs and consider legislative options to require plans. (Domain 2, Goal 1) Include families in planning and decision-making at every stage of their involvement with the justice system, including by giving families clear information about what to expect from Youth Justice, and what is expected from them. Oversight this work through the case management review panels. (Domain 1, Goal 1) 	Yes
31	That DJCS ensure that the families of Aboriginal children and young people are meaningfully involved in the Youth Justice cultural support planning process, whether by means of family group conferencing or through the strengthening of existing processes.	Support	This recommendation will be addressed through the implementation of the Aboriginal Youth Justice Strategy. Aligned actions in the Aboriginal Youth Justice Strategy: <ul style="list-style-type: none"> Integrate cultural support planning processes with case management so that: <ul style="list-style-type: none"> families and/or trusted workers are meaningfully involved in the development of the plan with the young person. every young person has a cultural support plan that strengthens their cultural identity and identifies support that best meet their cultural needs and consider legislative options to require plans. (Domain 2, Goal 1) Include families in planning and decision-making at every stage of their involvement with the justice system, including by giving families clear information about what to expect from Youth Justice, and what is expected from them. Oversight this work through the case management review panels. (Domain 1, Goal 1) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
32	That DJCS, DFFH and DET work together and with Aboriginal organisations to develop protocols for the sharing of cultural support plans with the young person's consent. An Aboriginal child or young person should only have one cultural support plan across all agencies.	Support	<p>DJCS has established a Cultural Support Plan Working Group with membership from DFFH, DET, Youth Justice, Koori Courts, VACCA and community organisations. The objectives of this group are to develop 'One Cultural Support Plan template' and determine a process for plan sharing across government agencies and the community sector for common clients. The scope for this project has been developed and endorsed by the working group, and DJCS will now engage a consultant to consult with all agencies and make recommendations for one plan template and a plan sharing process.</p> <p>Additionally, cultural support plans are currently shared between DET, DFFH and VACCA through the <i>Out-of-Home-Care Education Commitment: a Partnering Agreement 2018</i>.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Integrate cultural support planning processes with case management so that: plans can be shared across relevant agencies with the young person's consent. (Domain 2, Goal 1) Deliver a single cultural plan that can be shared by all agencies working with Aboriginal children and ensure effective quality assurance and monitoring mechanisms are in place. (Domain 2, Goal 1) 	Yes
33	That the Victorian Government implement systems to ensure that there is appropriate monitoring of the quality and implementation of cultural support plans, and the involvement of the young person and their family in the development of plans.	Support	<p>Currently, the quality of each child protection cultural plan is endorsed by the ACCO CEO, which takes into consideration the young person and family's involvement. This system ensures the quality is of an acceptable standard.</p> <p>DJCS has established a Cultural Support Plan Working Group with membership from DFFH, DET, Youth Justice, Koori Courts, VACCA and community organisations. This Working Group will also develop mechanisms for quality assurance and the monitoring of cultural support plans going forward.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Integrate cultural support planning processes with case management so that: <ul style="list-style-type: none"> families and/or trusted workers are meaningfully involved in the development of the plan with the young person. every young person has a cultural support plan that strengthens their cultural identity and identifies support that best meet their cultural needs and consider legislative options to require plans. (Domain 2, Goal 1) Include families in planning and decision-making at every stage of their involvement with the justice system, including by giving families clear information about what to expect from Youth Justice, and what is expected from them. Oversight this work through the case management review panels. (Domain 1, Goal 1) Deliver a single cultural plan that can be shared by all agencies working with Aboriginal children and ensure effective quality assurance and monitoring mechanisms are in place. (Domain 2, Goal 1) 	Yes
34	That the Victorian Government monitor and publicly report on the implementation of the Framework to reduce criminalisation of young people in residential care, including a focus on its effectiveness at reducing the criminalisation of Aboriginal children and young people.	Support	<p>Implementation of the Framework to reduce criminalisation of young people in residential care was paused during the initial response to the COVID-19 pandemic. Work on the Framework recommenced in mid-2021 and delivery is underway.</p> <p>An interagency State-wide Governance Group provides oversight for the development and implementation of an 18 month action plan to embed the Framework. Work is underway to develop a monitoring and evaluation framework to support this. Reporting of implementation will include the Aboriginal Children's Forum and the Aboriginal Justice Forum.</p>	No
35	That DJCS support the development, including via adequate resourcing, of a crossover list between the Family Division and the Criminal Division of the Children's Court, beginning with regional headquarter courts, to strengthen the court's ability to identify and meet the needs of Aboriginal children and young people, and holistically address the underlying causes of their offending behaviour.	Support-in-principle	<p>DJCS has consulted across the sector as part its development of the Aboriginal Youth Justice Strategy, including on the potential to establish a 'cross-over list' for Aboriginal children and young people involved in both the criminal and family divisions of the Court. DFFH also supports joint approaches for dual clients of Child Protection and Youth Justice.</p> <p>DJCS will continue to work closely with the courts to consider and implement opportunities for court reform that responds to the needs of its users, including Aboriginal young people in the Children's Court.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Support the work of the Children's Court of Victoria to: <ul style="list-style-type: none"> Explore the potential to establish a 'cross over list' for Aboriginal children and young people who are involved in both the criminal and family divisions of the Court. (Domain 2, Goal 1) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
36	That the Victorian Government ensure that sentencing legislation requires judicial officers to consider the impact of various factors on a child or young person's behaviour, including: a) the systemic racism, increased disadvantage and postcolonial and intergenerational trauma experienced by Aboriginal children and young people, including any culturally inappropriate responses that may have worsened the effects of trauma b) any experience of trauma, including the effect of that trauma on the child or young person's development and capacity to avoid problematic behaviour, and the relationship between trauma and any mental illness, neurological difficulties or developmental issues c) removal from family, home, community and school, or other disruption to the child or young person's living situation or education d) any experience of out-of-home care, particularly foster care and residential care, including the number of placements and carers, and the need for the child or young person to have safe, stable and secure living arrangements e) the child or young person's age, including developmental age, when they first offended and at their current offence and sentence.	Support-in-principle	Implementation of this recommendation will be consistent with the principles underpinning the Aboriginal Youth Justice Strategy and will be considered as part of the government's legislative agenda.	No
37	That the Victorian Government continue to build on its commitment to improve early intervention and family preservation services, with new investment over time informed by monitoring of recently funded and other existing programs.	Support-in-principle	<p>The Victorian Government is firmly committed to reorienting the child and family services system towards earlier intervention and diversion.</p> <p>In 2020-21, the Victorian Government invested more than \$335 million over four years continuing the transformation of the child and family service system, including the expansion of the Family Preservation and Reunification Response designed to keep vulnerable children and families safely together or, where it is safe to do so, support children to return home. The service is available to children and families in all 17 areas, inclusive of an Aboriginal Response led by Aboriginal Community Controlled Organisations.</p> <p>In 2021-22, the Victorian Government is continuing its investment in earlier intervention and family preservation with:</p> <ul style="list-style-type: none"> • an additional \$37.9 million over four years, to provide support for an additional 500 families with targeted family support • \$25.7 million over four years to employ more Child Protection Navigators to connect children and families to the Victorian and Aboriginal Family Preservation and Reunification Response • \$19.8 million over three years to trial Family Group Conferencing, to better support and empower families to be involved in decision making and planning for their child when involved with Child Protection • \$17.8 million over three years to trial Putting Families First - an interdisciplinary service model in Goulburn and Brimbank-Melton, providing practical, personalised and targeted support to justice involved families • \$16.3 million over two years for a trial to embed family services into universal settings • \$2.6 million over four years for Koorie Supported Playgroups to improve wellbeing and developmental outcomes for Aboriginal children • a trial of new approaches for diverting Aboriginal children and families from Child Protection involvement, led and operated by Aboriginal Community Controlled Organisations. <p>Evaluative processes to understand the effectiveness of newly funded models in improving outcomes for children and families and the effectiveness of implementation strategies will inform future service model design and implementation. Social investment modelling, using comprehensive, linked data will inform the targeting of services and future investment.</p>	No

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
38	That the Victorian Government, in implementing the recommendations from the Commission's In our own words inquiry, particularly recommendation 16, work with Aboriginal organisations to identify and develop alternatives to residential care that meet the needs of Aboriginal children and young people with complex trauma and challenging behaviours.	Support-in-principle	<p>Work is underway with Aboriginal organisations for the development of the Aboriginal Healing Care and Cultural Service (AHCCS), a cultural and therapeutic healing service for Aboriginal young people. The service aims to support young people currently living in or likely to live in residential care as a result of their multiple and complex needs and will be founded on Aboriginal culture as a pathway to healing and building resilience.</p> <p>The 2020-21 budget invested \$322.7million to reform care services to deliver improved outcomes for children and young people in care including:</p> <ul style="list-style-type: none"> • Trial of a Care Hub approach. The Care Hub will deliver multidisciplinary supports to children and young people first entrants to care and includes a cultural support worker to support the cultural needs of Aboriginal children and young people in the model, and will work to improve connections to community and culture. • Expansion of Keep Embracing Your Success (KEYS). The expansion of KEYS includes funding for an ACCO specific KEYS model to deliver care services and multidisciplinary supports to Aboriginal children and young people with complex needs and challenging behaviour, through an evidence-based model that intentionally brings together care services and mental health service systems. • A new two and three bed therapeutic residential care model. The new two and three bed model requires service providers to deliver culturally safe and appropriate practices to support Aboriginal children and young people in care. Where the new residential care home is delivered by an ACCO, care and support to Aboriginal children and young people will be delivered through Aboriginal models or approaches to service delivery within a framework of self-determination. <p>The 2020-21 budget also allocated \$90.2 million for the continuation and expansion of Targeted Care Packages (TCPs) that provide an individualised response to support young people to prevent entry into residential care or to transition from residential care to home based care where possible. Aboriginal children and young people are a priority group for TCPs with services delivered or supported by Aboriginal organisations.</p>	No
39	That DFFH work in partnership with the Aboriginal Children's Forum, the Aboriginal Justice Forum and relevant departments to develop a strategy to divert Aboriginal children in out-of-home care from entering or progressing in the youth justice system.	Support-in-principle	<p>In February 2020, DFFH released the Framework to reduce criminalisation of young people in residential care, a cross agency action plan to reduce unnecessary and harmful contact with police and youth justice services. Work is underway to develop an 18 month action plan to embed the Framework into practice, including specific actions to reduce the criminalisation of Aboriginal young people in residential care. Signatories and supporting agencies to the Framework include DFFH, DJCS, Victoria Police, the Centre for Excellence in Child and Family Welfare and VACCA. Reporting of implementation will include the Aboriginal Children's Forum and the Aboriginal Justice Forum.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Work with the government and Aboriginal community to develop a strategy to divert Aboriginal children in out-of-home care from entering or progressing in the youth justice system. (Domain 3, Goal 2) 	Yes
40	That: a) DJCS and DFFH urgently review and update the Protocol between child protection and youth justice b) DFFH provide clear guidance to Child Protection workers in both the Child Protection Manual and the Protocol between child protection and youth justice to clarify their obligations to perform their statutory duty to the children and young people they work with throughout any contact with the youth justice system. Similar guidance should be provided to contracted agencies.	Support-in-principle	<p>A working group between DJCS and DFFH has been established to review and update the current protocol. A draft is in development, with progress delayed due to the operational needs responding to the COVID-19 pandemic. The draft protocol seeks to support a collaborative and coordinated approach to working with shared DJCS and DFFH clients. DFFH and DJCS are committed to working together within existing legislative and policy frameworks, to collaborate and coordinate activities in relation to young people that keeps them safe from harm, promotes wellbeing, cultural connections and safety and addresses risks of the young person offending or re-offending. The protocol will acknowledge that both DJCS and DFFH each have statutory responsibilities in relation to young people, and will need to case manage each young person to acquit their respective statutory responsibilities.</p>	No
41	That DFFH ensure that Child Protection is properly supporting children and young people involved in both the youth justice and child protection systems, preferably by establishing a senior 'crossover' role in each division or by another mechanism that achieves the same outcome.	Support-in-principle	<p>DFFH maintains its commitment to supporting children and young people involved with Child Protection and the Youth Justice system. DFFH will strengthen child protection's response when working with shared clients through establishing defined responsibilities of child protection practitioners. The mechanism to strengthen child protection's response to support shared clients will be acquitted through recommendation 40.</p>	No

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
42	That the Victorian Government require and resource Child Protection to provide an appropriate level of support to children and young people throughout their contact with the youth justice system, including by: a) rostering Child Protection staff to the Children's Court b) empowering the Criminal Division of the Children's Court to compel Child Protection workers and/or contracted agency staff to attend hearings and to provide the court with reports concerning children and young people under Child Protection's care c) ensuring that Child Protection workers and/or contracted agency staff visit and support children and young people in custody, actively engage with Youth Justice staff and attend hearings, appointments, assessments and meetings as advocates for children involved with both Youth Justice and Child Protection.	Partially support in principle a) Do not support b) Support-in-principle c) Support	DFFH maintains its commitment to resourcing Child Protection to support children and young people who come into contact with Child protection services, including children and young people who are involved with Youth Justice. The recommendation has broader implications for Aboriginal Community Controlled Organisations who are engaged in case managing and/or contract case management of Aboriginal children and young people through the current initiatives of the Transfer of Aboriginal Children to Aboriginal Care (TAC) and Aboriginal Children in Aboriginal Care (ACAC - Section 18 CYF Act 2005). This recommendation is aligned to and will be acquitted through recommendation 40. a) is not supported by DFFH. The department proposes that child protection practitioner attendance at the Children's Court is relative to the statutory role and responsibilities of the child protection practitioner in accordance with <i>Children Youth and Families Act 2005</i> , the <i>Privacy and Data Collection Act 2014</i> and the <i>Health Records Act 2001</i> . Practice advice to guide Child Protection Practitioners attendance at court for dual child protection and youth justice clients will be accounted for in the revised Protocol and acquitted through recommendation 40. b) DFFH welcomes the opportunity to work with the courts and stakeholders on the implementation of this component of the recommendation. c) is supported by DFFH. Ensuring that Child Protection workers and/or contracted agency staff visit and support children and young people in custody, actively engage with Youth Justice staff and attend hearings, appointments, assessments, and meetings as advocates for children involved with both Youth Justice and Child Protection is supported and will be strengthened in the revised Protocol.	No
43	That the Victorian Government establish Aboriginal community-controlled crisis accommodation for Aboriginal children and young people in every region, informed by the model provided by Nungurra Youth Accommodation Services.	Under review	Homes Victoria is currently exploring through the Big Housing Build crisis accommodation ideas, service models and locations for Aboriginal children and young people with the Aboriginal community and other key stakeholders.	No
44	That the Victorian Government establish at least 4 Aboriginal community-controlled youth foyers across the state, with consideration given to 3 regional locations and one metropolitan location.	Support-in-principle	Homes Victoria is currently exploring through the Big Housing Build ideas, service models and locations for four Aboriginal community-controlled youth foyers across the state with the Aboriginal community and other key stakeholders.	No
45	That DJCS fast-track plans to introduce mandatory, ongoing mental health training for Youth Justice community staff to enable them to identify, understand and respond to trauma and mental health concerns experienced by Aboriginal children and young people.	Support	All community based Youth Justice staff receive mental health training as part of induction as well as suicide risk and self-harm (START) refresher training. Youth Justice will review current mental health training to update content on mental health concerns experienced by Aboriginal children and young people. Aligned actions in the Aboriginal Youth Justice Strategy: <ul style="list-style-type: none"> Train youth justice staff to work effectively with Aboriginal children and young people, including through the practice framework for custodial staff. (Domain 3, Goal 1) Embed a dedicated course unit in the Certificate IV in Youth Justice to deliver a culturally safe and responsive Youth Justice Custodial Service. Strengthen induction and refresher training for community-based youth justice staff on how to deliver a culturally safe and responsive service. (Domain 5, Goal 1) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
46	That the Victorian Government resource Aboriginal organisations to provide in-reach mental health support for Aboriginal children and young people in youth justice custody, and facilitate transitional and post-release mental health treatment for Aboriginal children and young people.	Support in principle	<p>This recommendation will be implemented through the Aboriginal Youth Justice Strategy, the development of the Aboriginal Social and Emotional Wellbeing Strategy for young people, and the implementation of recommendations from the Royal Commission into Victoria's Mental Health System, in particular the state-wide expansion of the youth forensic mental health service to ensure consistency in treatment, care and support to children and young people in contact with, or at risk of coming into contact with, the youth justice system (recommendation 37).</p> <p>DJCS and DH will consult across the sector and work closely with the Aboriginal Justice Forum (AJF) and key stakeholders in the expansion of the youth forensic mental health service to best meet the mental health needs of Aboriginal children and young people. Implementation of the expanded Youth Forensic Mental Health Service will be consistent with the principles underpinning the Aboriginal Youth Justice Strategy and the principles of the state-wide specialist youth forensic mental health service set out in the Royal Commission into Victoria's Mental Health System. Expansion of the state-wide service will be subject to funding.</p> <p>Additionally, DJCS have made a commitment to the Aboriginal Justice Forum (AJF) to develop the Aboriginal Social and Emotional Wellbeing Strategy for young people. DJCS will explore and consult with Aboriginal Controlled Community Organisations and other key stakeholders in the development of this strategy.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Improve mental health and alcohol and other drug supports in youth justice custody as part of the response to the Royal Commission into Victoria's Mental Health System. (Domain 3, Goal 3) 	Yes
47	That the Victorian Government work with the Aboriginal community to design and establish at least 2 healing centres for Aboriginal children and young people, in addition to Bunjilwarra and Baroona. Consideration should be given to establishing a dedicated healing centre for Aboriginal girls and young women, and another for Aboriginal children and young people under the age of 16 years.	Support-in-principle	<p>The 2018-19 Victorian Budget allocated an additional \$4.35 million to support the expansion of the Baroona Youth Healing Service (Baroona) in Echuca. The Baroona Youth Healing Service is currently undergoing redevelopment to review and refresh the service model and rebuild the existing facility to accommodate up to 15 young people (an uplift to the current six bed capacity) in a culturally informed and safe therapeutic program. The redevelopment of the Baroona program will expand the service delivery scope to include young women.</p> <p>The 2021-22 Victorian Budget allocated an additional \$1.519 million (excl GST) over two years (2021-22 and 2022-23) to complete the redevelopment works which will include purpose built boys and girls wings.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Expand the Baroona Redevelopment Project to provide more residential bail support and healing programs for Aboriginal girls and young women. (Domain 3, Goal 2) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
48	<p>That the Victorian Government:</p> <p>a) resource additional strengths-based cultural mentoring programs for Aboriginal children and young people across the state, designed in partnership with local Aboriginal communities and in accordance with youth participation principles</p> <p>b) in expanding the Aboriginal Youth Mentoring Program under the Aboriginal Youth Justice Strategy, establish dedicated programs for Aboriginal girls and young women, and for Aboriginal children and young people in custody.</p>	Support	<p>DJCS provides mentoring programs for Aboriginal young girls and boys including:</p> <ul style="list-style-type: none"> Strong Brother Strong Sister youth mentoring program at both Parkville and Malmsbury Uncle Ron Murray provides mentoring at Malmsbury. <p>DJCS also delivers three Community-Based, Intensive Diversion Programs which target Aboriginal children and young people who have had, or are vulnerable to, involvement with the criminal justice system:</p> <ul style="list-style-type: none"> Massive Murray Paddle - a series of local workshops that build positive relationships between Aboriginal young people and Victoria Police that culminates on a five day kayak paddle on the Murray River. Baarum Jarrn (Youth Journeys) - Dardi Munwurro work intensively with young Aboriginal men to build cultural strength and connection through regular group sessions to develop pro-social relationships with peers and mentoring with Elders. Aboriginal Wellness Foundation - ongoing program with young people that establishes agreed expectations that support participation in education, mentoring with Elders with opportunities to progress through the program to take up leadership roles. <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Engage Aboriginal leaders, Aboriginal community organisations and businesses to deliver leadership development opportunities for Aboriginal young people in community and in custody. (Domain 1, Goal 2) Provide more strengths based mentoring programs for young people in custody and community through Aboriginal organisations and Elders. (Domain 1, Goal 2) Support Aboriginal children and young people's participation in the custodial Sports Academy and help them participate in community support post release to harness their talents and strengths. (Domain 1, Goal 2) Improve gender responsive services through the Aboriginal Youth Justice Worker expansion. (Domain 1, Goal 2) 	Yes
49	<p>That the Victorian Government improve Aboriginal children and young people's engagement in education by:</p> <p>a) expanding the Navigator program to include children aged 10 years and above</p> <p>b) ensuring targeted educational support for Aboriginal children and young people in the youth justice system, whether through the expansion of the LOOKOUT program, the Youth Justice Education Pathway Coordinator role, the Education Justice Initiative program or the role of Parkville College</p> <p>c) resourcing the expansion of the Out Teach program to another region, with consideration given to it being led by an Aboriginal organisation</p> <p>d) expanding the Aboriginal Early School Leavers program to enable more Aboriginal organisations to provide material support to Aboriginal children and young people in contact with the youth justice system</p> <p>e) considering the expansion of referral pathways to the Aboriginal Youth Support Service from education providers</p> <p>f) regularly publishing data on the suspension of Aboriginal children and young people from Victorian government schools</p> <p>g) implementing mandatory reporting of informal expulsions and requiring parents or guardians to provide information regarding the student's departure from school, in line with the Victorian Ombudsman's 2017 recommendations</p> <p>h) strengthening efforts to tackle and eliminate racism in schools.</p>	<p>Support in principle</p> <p>a-e) Support-in-principle</p> <p>f) Support-in-principle</p> <p>g-h) Support</p>	<p>a) The Victorian Government is committed to providing support for all children and young people to remain engaged in education. As of January 2021, the Navigator program has now been rolled out statewide to provide support to young people aged 12-17 years who have disengaged from education. Complementary programs such as the School Focused Youth Service support students aged 10-18 years who are at risk of disengaging from school. Any expansion of support for children aged 10-11 would require consideration of the best model of support for this age group and how that intersects with the existing School Focused Youth Service program.</p> <p>b) DET is committed to supporting the improvement of Aboriginal children and young people's engagement in education and continues to provide support to Aboriginal young people appearing in the Children's Courts across Victoria and young people in custody, either on remand or sentenced. This is achieved through the Education Justice Initiative, dedicated Youth Justice Education Pathway Coordinators and the Parkville College Transitions Team. The support provided ensures young people remain connected to education and their home school or enables them to reengage successfully to an education or training pathway, supported by DET local area teams and available resources, including Koorie Engagement and Support Officers. The LOOKOUT program has expanded to include capability building for schools, DET areas and regions and the DJCS case managers. The capability building is focused on improving understanding of how to effectively support young people with youth justice involvement to engage with education. The LOOKOUT expansion includes one new Youth Justice Adviser per DET region and a Youth Justice Practice Lead - a total of five new positions funded for two years.</p> <p>c) DJCS currently funds the Out Teach Shepparton initiative to 30 June 2022 through the Youth Crime Prevention Grants program.</p> <p>d) DJCS funds the Koori Early School Leavers program in two locations. Expansion of the program is dependent on funding.</p> <p>e) DJCS is currently reviewing the AYSS guidelines, in consultation with the AYSS providers. Consideration will be given to including education providers as a pathway of referral.</p> <p>f) DET has sought to improve the accuracy and timeliness of suspensions data over the last three years. Publication of suspensions data, including for Aboriginal children and young people, is subject to further assessment of the advisability of publishing data by Aboriginal and Torres Strait Islander status, especially given the small cohort size.</p> <p>g) This recommendation has already been completed by DET. It refers to a recommendation of the Victorian Ombudsman's Investigation into Victorian government school expulsions which DET has accepted and implemented.</p>	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
			<p>h) DET is committed to the elimination of racism and bullying in schools. The Self-determination in Education Reform Initiative (commencing 2021) includes consultation and co-design with Aboriginal young people and communities to develop a suite of reform options for education in Victoria, including options for improving the cultural safety of schools. This is likely to include reform options that contribute to the prevention and response to racism and bullying within schools. Reform options developed through this initiative will be directly linked to the self-determination enablers, including enabler 3 - 'address racism and promote cultural safety'. The Government has recently taken steps to strengthen its commitment to tackling and eliminating racism and racist bullying in schools through the following initiatives:</p> <ul style="list-style-type: none"> • The Department's Bully Stoppers webpage includes a wide range of resources for schools, students and parents to prevent and respond to bullying, including specific resources on racist bullying. These resources include the #ihaveyourback campaign to promote upstander behaviour in support of someone facing racist bullying. • The Department's Report Racism Hotline is available to students, parents and carers who have experienced or witnessed racism in a Victorian government school. • Other initiatives that aim to build respectful and inclusive schools, including preventing racism and bullying, are Community Understanding and Safety Training (Koorie cultural awareness program), Social Cohesion Through Education, Respectful Relationships and School-wide Positive Behaviours programs. • The Department's Koorie Education Workforce in place across Victoria is available to support schools in developing policies for preventing and responding to racism and bullying of Aboriginal students and can provide support in responding to incidents of racism and racist bullying. • The Victorian Aboriginal Education Association Incorporated (VAEAI) also provides support to families and schools by providing advice and advocacy to prevent and respond to racism and racist bullying. • The development and launch of the Schools Standing Up to Racism website and resources – see https://www.cmy.net.au/schoolsstanding-up-to-racism/ <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Boost educational opportunities and focus on engaging Aboriginal children and young people in education jointly with the Department of Education and Training (OYOW Recs 49 and 51) by: <ul style="list-style-type: none"> ○ expanding educational and cultural support in custody through a secure internet platform. ○ embedding Aboriginal Leaders within the Parkville College staffing profile to support young people in custody, to learn about country and history, achieve academic milestones and create more culturally sensitive classrooms. ○ supporting entry and transition from custody through Parkville College Transitions Team and Youth Justice Education Pathway Coordinators. (Domain 1, Goal 2) 	
50	That DET consult Aboriginal children and young people and work in partnership with Aboriginal communities to design and deliver additional schooling options embedded in culture for Aboriginal students, taking into consideration the example of Worawa College.	Support-in-principle	DET is committed to student and young person voice and agency and to Aboriginal self-determination. The Self-determination in Education Reform Initiative (commencing 2021) includes consultation and co-design with Aboriginal young people and communities to develop a suite of reform options for education in Victoria, including options for improved embedding of culture for Aboriginal students. Reform options developed through this initiative will be directly linked to the self-determination enablers and delivery of reforms will be in partnership with local communities.	No

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
51	That DET review the supports provided to Aboriginal children and young people, including the Koorie Engagement Support Officer (KESO) role, with a view to increasing direct support for Aboriginal children and young people in schools, and prioritising access to educational support for Aboriginal children and young people in the youth justice system.	Support-in-principle	<p>DET is committed to increasing educational support to Aboriginal children and young people, in particular those involved the youth justice system. In 2020, DET developed new guidance for schools to support young people within the youth justice system to engage in education, and seeking for schools to:</p> <ul style="list-style-type: none"> • appoint a learning mentor • establish a Student Support Group • develop and review an Individual Education Plan • ensure learning environments are positive, culturally safe and free from any stigma • monitor engagement and triage for support • provide support for a student who is in custody (in partnership with Parkville College). <p>Processes are in place to enlist DET workforces in local areas to work with the young person and schools, this includes the Koorie Engagement Support Officer workforce, who play a critical role in supporting young people in exiting custody or in community youth justice to engage in education and to track progress and trends in educational engagement and improve education outcomes for this cohort.</p> <p>DET is committed to supporting all Koorie learners and ensuring our universal service systems are inclusive, responsive and respectful of Koorie people at every stage of their learning and development journey; and where every Koorie person achieves their potential, succeeds in life, and feels strong in their cultural identity.</p> <p>The Self-determination in Education Reform Initiative (commencing 2021) includes consultation and co-design with Aboriginal young people and communities to develop a suite of reform options for education in Victoria. This will include a review of current education supports/programs/services available to Koorie learners and will seek advice through community consultation and co-design process on what further support should be prioritised.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Boost educational opportunities and focus on engaging Aboriginal children and young people in education jointly with the Department of Education and Training (OYOW Recs 49 and 51) by: <ul style="list-style-type: none"> ○ expanding educational and cultural support in custody through a secure internet platform. ○ embedding Aboriginal Leaders within the Parkville College staffing profile to support young people in custody, to learn about country and history, achieve academic milestones and create more culturally sensitive classrooms. ○ supporting entry and transition from custody through Parkville College Transitions Team and Youth Justice Education Pathway Coordinators. (Domain 1, Goal 2) 	Yes
52	That DET develop and fund an ongoing identified Aboriginal education support role for Parkville College at each youth justice centre. The role should have a particular focus on directly assisting Aboriginal students in the classroom and with planning transition into education or employment pathways in the community.	Support	<p>Parkville College employs two Aboriginal Leaders, one based at Malmsbury and one at Parkville. The two leaders work with all Aboriginal young people enrolled in Parkville College on site and facilitate a regular session where all First Nations young people come together to learn about country and history. Outside of those sessions, they work with individual young people and the Parkville College teaching teams, helping to build capacity for classrooms to be culturally stronger, and liaising with DJCS ALOs to align supports.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Boost educational opportunities and focus on engaging Aboriginal children and young people in education jointly with the Department of Education and Training (OYOW Recs 49 and 51) by: <ul style="list-style-type: none"> ○ expanding educational and cultural support in custody through a secure internet platform. ○ embedding Aboriginal Leaders within the Parkville College staffing profile to support young people in custody, to learn about country and history, achieve academic milestones and create more culturally sensitive classrooms. ○ supporting entry and transition from custody through Parkville College Transitions Team and Youth Justice Education Pathway Coordinators. (Domain 1, Goal 2) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
53	That the Victorian Government expand partnerships with community organisations and implement a strategy to create more employment opportunities in a variety of fields for Aboriginal children and young people in contact with the youth justice system, with priority for those leaving custody.	Support-in-principle	<p>Young people in Youth Justice custody receive education and vocational education programs delivered by Parkville College during school hours and on Saturdays. Curriculum includes literacy and numeracy along with music, art, physical education, barbering, horticulture and cooking. Individual education plans enable the continuation of a young person's studies remotely while in custody where possible.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Improve vocational learning support and living skills to Aboriginal young people to increase their employment prospects, including through introducing on country work arrangements in partnership with Traditional Owners. (Domain 1, Goal 2) 	Yes
54	<p>That the Victorian Government commission an independent and properly mandated body with specialist knowledge and expertise in relation to children and young people to undertake an urgent review of the experiences of Aboriginal children and young people with Victoria Police. This review should:</p> <p>a) include an examination of police powers and the exercise of discretion in the investigation and processing of Aboriginal children and young people suspected of offending, including cautioning, diversion, arrest, summons, custody and complaints processes</p> <p>b) be empowered to make recommendations for improved police practice and policy in relation to Aboriginal children and young people.</p>	Under review	<p>DJCS is leading a systemic review of police oversight on behalf of Government. The review is a recommendation of the Royal Commission into the Management of Police Informants (Rec 61) and will also be informed by the 2018 IBAC Parliamentary Committee Inquiry into the external oversight of police corruption and misconduct in Victoria. The Government published its formal response to the Royal Commission on 7 May 2021.</p> <p>One of the priority outcomes for the systemic review is to improve the system of complaints about police in order to embed a complainant-centred approach that reflects and supports the diverse needs of complainants at all stages of the complaint handling process.</p> <p>To further this work, the systemic review is consulting with key Aboriginal stakeholders including the Aboriginal Justice Caucus and the Victorian Aboriginal Legal Service to understand how complaints and disclosures processes about police misconduct may better respond to the unique needs and experiences of Aboriginal complainants, including Aboriginal children and young people. The review will also consult with relevant oversight agencies, including the Victorian Equal Opportunity and Human Rights Commission, and the Commission for Children and Young People, to ensure their specialist expertise informs any reforms.</p> <p>It is noted that in accordance with Division 2 of the <i>Victoria Police Act 2014</i>, operational decisions remain the sole remit of the Chief Commissioner. Relevant to this recommendation, this includes operational decisions relating to protocols, use of discretion and determining the adoption of investigatory practices.</p>	No
55	That the Victorian Government prioritise investment in Aboriginal-led diversionary programs across Victoria that meet the needs of Aboriginal children and young people, drawing on relevant interstate and New Zealand examples.	Support	<p>DJCS delivers three Community-Based, Intensive Diversion Programs which target Aboriginal children and young people who have had, or are vulnerable to, involvement with the criminal justice system:</p> <ul style="list-style-type: none"> Aboriginal Wellness Foundation (AWF) deliver cultural mentoring sessions that focus on the cultural strengthening for young people and families. Dardi Munwurro delivers Bramung Jaarn 'Brothers walking together' to support young Aboriginal males aged 10 to 18 years. Dungulayin Mileka Massive Murray Paddle (MMP), auspiced through the Victorian Aboriginal Community Services Associated Limited, is working to reshape and expand the MMP program delivery model for 2021. The Community Based Aboriginal Youth Justice program and Aboriginal Youth Support Service (AYSS) support Aboriginal children and young people with early intervention and diversion. <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Increase pre-charge diversion and cautioning opportunities including by: <ul style="list-style-type: none"> exploring options for cautioning schemes as part of the new Youth Justice Act to divert children away from the Youth Justice system. supporting delivery of the government's new Crime Prevention Strategy to intervene early to help young people avoid offending and prevent contact with police, the courts and Youth Justice making the Victoria Police Aboriginal Youth Cautioning Program available in more locations across the state. (Domain 3, Goal 2) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
56	That the Victorian statutory Children's Court diversion scheme be amended to maximise opportunities for children and young people to obtain diversion. This should include introducing a presumption in favour of diversion, removing the requirement for prosecutorial consent to diversion, and reviewing current exclusions under section 356B of the <i>Children, Youth and Families Act 2005</i> for certain road safety offences.	Support-in-Principle	Existing Diversion Provisions are under review due to the statutory obligation provided in the CYFA requiring the Minister for Youth Justice to review the CCYD as part of the broader reforms introduced through the <i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017</i> . The CCYD program will feature as a core review topic as part of the broader statutory review.	No
57	That the <i>Bail Act 1977</i> be amended to exclude children and young people from the operation of the 2017 and 2018 amendments, including the requirement to show exceptional circumstances or compelling reasons.	Under review	<p>DJCS continues to monitor the operation of bail laws. The government has also committed to further considering and consulting stakeholders on removing minor offending from the bail and remand system, as recommended by Justice Coghlan's 2017 Bail Review.</p> <p>In 2020-21, 45 individual unique Aboriginal young people received a remand order in Youth Justice. This is a 34 per cent decrease since 2019-20.</p> <p>Government is also continuing its focus on diverting children and young people from Youth Justice and reducing remand numbers:</p> <ul style="list-style-type: none"> The Children's Court Youth Diversion service (established in 2017) diverts children and young people away from the criminal justice system. The service oversaw 1,174 diversions of young people in Victoria in 2020-21, with a 92 per cent success rate. The Youth Support Service and Aboriginal Youth Support Service helped 1,216 young people in 2021-22 with early intervention support after contact with Victoria Police but prior to their involvement with Youth Justice. The 2020-21 Budget provided an additional investment of \$6.5 million for the Youth Support Service to support an additional 1,479 young people over four years, addressing demand in metropolitan Melbourne for critical diversion services. In 2020-21, ten studios were delivered to young people as part of a \$6.5 million Kids Under Cover initiative in partnership with the Department of Families, Fairness and Housing. The studios are one or two-bedroom, semi-self-contained units that are placed in the backyards of existing properties to address overcrowding and support young people to remain with their care givers. 	No
58	<p>That the <i>Bail Act 1977</i> be amended to expand sections 3A and 3B to require decision-makers, in making determinations under the Act, to take into account:</p> <p>a) the systemic racism, increased disadvantage and postcolonial and intergenerational trauma experienced by Aboriginal children and young people, including any culturally inappropriate responses that may have worsened the effects of trauma</p> <p>b) any experience of trauma, including the effect of that trauma on the child or young person's development and capacity to avoid problematic behaviour, and the relationship between trauma and any mental illness, neurological difficulties or developmental issues</p> <p>c) removal from family, home, community or school, or other disruption to the child or young person's living situation or education</p> <p>d) any experience of out-of-home care, particularly foster care and residential care, including the number of placements and carers, and the need for the child or young person to have safe, stable and secure living arrangements</p> <p>e) the child or young person's age, including developmental age, at the time of the alleged offence.</p>	Under review	See response to recommendation 57.	No

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
59	That the Victorian Government fully resource a 24-hour bail system for children and young people across Victoria, whether this is a Children's Court bail and remand service, or otherwise involves access to specialised and trained decision-makers who have expertise in working with children and young people, and Aboriginal children and young people. The 24-hour bail system should also include access to corresponding support services.	Under review	<p>This recommendation is under review. The immediate focus will be on implementing aligned actions in the Aboriginal Youth Justice Strategy.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Improve afterhours services (Domain 3, Goal 2), including through: <ul style="list-style-type: none"> providing some afterhours support through the Community based Aboriginal Youth Justice Program access to bail to keep Aboriginal children and young people out of remand 	Yes
60	<p>To reduce the likelihood of remand and increase compliance with bail orders, that the Victorian Government:</p> <p>a) increase the number of roles in the Koori Intensive Support Program to enable statewide access</p> <p>b) resource and, in partnership with Aboriginal organisations, establish therapeutic, home-like supported bail accommodation options across Victoria.</p>	Support-in-Principle	<p>DJCS currently funds the Koori Intensive Support Program in the Northern Metro, Hume, Barwon South West, Gippsland and Southern Metro regions. DJCS also funds the Baroona Redevelopment Project to develop a residential bail support and therapeutic program for Aboriginal young people that builds upon the Baroona Healing Place model.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Provide more housing options for Aboriginal children and young people through the Kids Under Cover initiative and additional investment. (Domain 2, Goal 2) Explore on-country alternatives to remand to keep Aboriginal children and young people close to their families and communities. (Domain 2, Goal 2) 	Yes
61	That the Victorian Government work towards having no Aboriginal child or young person on remand. As a step towards this, the Victorian Government should provide community-based alternatives to custody for Aboriginal young people on remand. In particular, DJCS should invest in establishing a minimum of 2 small, home-like facilities that provide therapeutic and culturally appropriate care for Aboriginal children and young people on remand.	Support-in-Principle	<p>DJCS will address this recommendation through key actions in the Aboriginal Youth Justice Strategy.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Provide more housing options for Aboriginal children and young people through the Kids Under Cover initiative and additional investment. (Domain 2, Goal 2) Explore on-country alternatives to remand to keep Aboriginal children and young people close to their families and communities. (Domain 2, Goal 2) 	Yes
62	That the Victorian Government resource the expansion of the fully specialised Children's Court, commencing with rural and regional headquarter courts, to support the court's work with Aboriginal children and young people. Specialisation for all magistrates undertaking Children's Court work should include training in child and adolescent development, trauma, adolescent mental health, cognitive and communication deficits, and Aboriginal cultural safety.	Under review	<p>DJCS will continue to work closely with the courts to enhance access to specialised and culturally appropriate court responses for Aboriginal children and young people.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Support the work of the Children's Court of Victoria (Domain 2, Goal 1) to: <ul style="list-style-type: none"> refresh the Children's Koori Court and explore its further expansion in Victoria Explore the potential to establish a 'cross over list' for Aboriginal children and young people who are involved in both the criminal and family divisions of the Court. Embed Aboriginal self-determination principles and strengthen cultural overlays in all court-based programs and services including in the development of therapeutic justice and early intervention models in court contexts 	Yes
63	That the Children's Koori Court be expanded to sit at more locations and with greater frequency at existing locations.	Support-in-principle	<p>DJCS will address this recommendation through key actions in the Aboriginal Youth Justice Strategy as per the below.</p> <p>DJCS is currently conducting a review into the out-of-hours bail system. As part of this review, consideration will be given to the feasibility of a tailored model for Aboriginal children and young people.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Support the work of the Children's Court of Victoria (Domain 2, Goal 1) to: <ul style="list-style-type: none"> refresh the Children's Koori Court and explore its further expansion in Victoria Explore the potential to establish a 'cross over list' for Aboriginal children and young people who are involved in both the criminal and family divisions of the Court. Embed Aboriginal self-determination principles and strengthen cultural overlays in all court-based programs and services including in the development of therapeutic justice and early intervention models in court contexts. 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
64	That the Victorian Government review the role of Elders in the Children's Koori Court process with a view to strengthening Elder participation and self-determination. This should include consideration of the role of Elders in New Zealand's Rangatahi Courts and Queensland's Youth Murri Courts, and the ability to conduct hearings in more culturally appropriate spaces.	Support-in-principle	<p>DJCS has consulted across the sector as part its development of the Aboriginal Youth Justice Strategy, including on providing more strengths based mentoring programs for young people in custody and community through Aboriginal organisations and Elders.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Support the work of the Children's Court of Victoria to: <ul style="list-style-type: none"> refresh the Children's Koori Court and explore its further expansion in Victoria Embed Aboriginal self-determination principles and strengthen cultural overlays in all court-based programs and services including in the development of therapeutic justice and early intervention models in court contexts. (Domain 2, Goal 1) 	Yes
65	That the Victorian Government ensure that Balit Ngulu is resourced to provide specialist legal services statewide for Aboriginal children and young people on an ongoing basis.	Support-in-Principle	<p>The 2020-21 State Budget included funding of \$3.1 million over four years to establish Balit Ngulu in key locations across the state, including across the entire metropolitan Melbourne.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Establish Balit Ngulu through the Victorian Aboriginal Legal Service to provide culturally appropriate legal services to Aboriginal children and young people. (Domain 3, Goal 2) 	Yes
66	That the Victorian Government develop and implement measures to increase the capacity of mainstream legal assistance providers to ensure culturally and age-appropriate services are delivered to Aboriginal children and young people.	Support	<p>DJCS seeks to support self-determination so that Aboriginal Victorians can access culturally safe legal assistance through Aboriginal Controlled Community Organisations (e.g. Victorian Aboriginal Legal Service) or through services such as Victoria Legal Aid or Community Legal Centres.</p> <p>Services are encouraged to adopt culturally appropriate models and to work closely with VALS and Djirra collaboratively.</p>	No
67	That the <i>Children, Youth and Families Act 2005</i> be amended to include a presumption against the use of restrictive conditions in supervised community orders, except where necessary and achievable in the individual circumstances of the child or young person.	Support-in-Principle	Implementation of this recommendation will be consistent with the Aboriginal Youth Justice Strategy's vision and principles and will be considered as part of the government's legislative agenda.	No

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
68	<p>That DJCS:</p> <p>a) work with Aboriginal communities in Victoria to establish a community steering committee to guide and monitor the design and implementation of cultural services and programs in youth justice centres</p> <p>b) validate its risk assessment tools for use with Aboriginal children and young people</p> <p>c) ensure that all Aboriginal children and young people have access to culturally safe youth offending programs in custody, preferably delivered by Aboriginal organisations</p> <p>d) establish a dedicated, permanent indoor cultural space at the Malmsbury youth justice centre secure site</p> <p>e) evaluate the recent improvements to cultural spaces in youth justice centres and continue to improve these spaces to provide access to culturally enriching environments</p> <p>f) ensure that custodial placement decisions prioritise, where possible, placing Aboriginal children and young people with at least one other Aboriginal child or young person</p> <p>g) give every Aboriginal child or young person remanded or sentenced to custody a cultural connection package, preferably tailored to their needs and cultural connection. This care package should not be connected with behaviour management and incentive programs.</p>	<p>Partially support</p> <p>A) support</p> <p>B) support</p> <p>C) support</p> <p>D) under review</p> <p>E) support</p> <p>F) support</p> <p>G) support</p>	<p>a) DJCS will establish a community steering committee to guide and monitor the design and implementation of cultural services and programs in youth justice centres. This will be a sub-committee of the YCWG of the AJF.</p> <p>b) Validation of the risk assessment tools for Aboriginal young people is planned as part of ensuring that the new LS/YLS assessment tools are calibrated appropriately. Validation of assessment tools of this type are usually commenced two years or more post-implementation. Once a statistically significant sample size has been established with all four tools, then the commissioning of a validation study could occur.</p> <p>c) DJCS have committed to developing an Aboriginal Social and Emotional Wellbeing strategy for young people. DJCS will work with ACCOs and youth offending program service providers on ensuring the cultural safety of program delivery and consult with the sector and experts regarding evidence-based and best practice young offending programs for Aboriginal children and young people.</p> <p>d) Options for a new dedicated indoor cultural space will be explored at Malmsbury.</p> <p>e) At the Parkville Youth Justice Centre (Parkville YJC) the Jaara Jaara (Koori garden) has been developed as a cultural space for therapeutic and cultural healing. In addition to the Yannipal Visitors centre and the adjacent Yannipal garden, Youth Justice have created a fully functional space for a dedicated Koori room at Parkville YJC. Within the Malmsbury Youth Justice Centre (Malmsbury YJC), the pre-existing Coorong Tongala room has been renovated, redecorated, refurnished and provided with a range of resources, to provide Aboriginal young people with a culturally safe and enjoyable place to call their own.</p> <p>The new Cherry Creek Youth Justice facility will be responsive to Aboriginal children and young people who require a tailored approach to supporting their cultural needs. The masterplan for Cherry Creek has been confirmed, with a dedicated spiritual centre. This centre will provide a dedicated space for Aboriginal cultural events. An adjacent building will accommodate the Aboriginal and cultural support staff on-site. Youth Justice is consulting with traditional owners regarding proposed plans.</p> <p>f) Aboriginal Liaison Officers are part of the Placement Review and Planning Meeting that looks at the placement options available for and attempts to place Aboriginal young people together is given consideration.</p> <p>g) Dedicated cultural care packs are provided to all Aboriginal children and young people on admission to a Youth Justice Centre.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Provide dedicated spaces in youth justice precincts to respond to the cultural needs of Aboriginal young people, including in any future redesign of youth justice precincts. (Domain 2, Goal 1) • Establish dedicated Aboriginal positions in the Classification and Placement Unit to drive placement decisions for Aboriginal children. (Domain 2, Goal 1) • Monitor cultural safety in health care delivery in the youth justice system to improve access to, and the quality of health care to Aboriginal children and young people. (Domain 2, Goal 1) • Improve access of Aboriginal children to youth offending programs and make sure they are culturally appropriate and culturally competent. (Domain 2, Goal 1) 	Yes
69	<p>That DJCS review the Aboriginal Liaison Officer program to assess how it can meet the competing needs and demands placed on the program, with a view to strengthening it. The review should include an assessment of the training needs of, and remuneration for, the Aboriginal Liaison Officer role.</p>	Support	<p>DJCS has established the position of Manager, Aboriginal Youth Justice Operations and Team Leader positions who provide cultural supervision, and support work to develop and refine Aboriginal roles. DJCS is also committed to continued workforce development for Aboriginal liaison officer roles and Aboriginal youth justice worker roles.</p> <p>DJCS does not support a review of the position and will instead focus on supporting ALOs with training and leadership.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> • Make sure all young people have access to an Aboriginal Liaison Officer to respond to their cultural needs and proactively support family visits and communication support. (Domain 2, Goal 1) 	Yes

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70	That DJCS: a) urgently progress the implementation of the Youth Justice custodial workforce plan, and monitor the extent to which it is reducing the use of isolation and lockdown b) ensure that culturally supportive therapeutic spaces as an alternative to separation, isolation or seclusion rooms are established in youth justice centres c) immediately introduce care packages for all children and young people experiencing isolation or lockdown to relieve stress, boredom and psychological damage.	Support	<p>The delivery of the Custodial Workforce Plan is well underway. Isolation data is published on a quarterly basis on the DJCS website and also to the Aboriginal Justice Forum.</p> <p>DJCS will explore options for culturally appropriate spaces in Youth Justice centres, including ensuring quiet rooms at Cherry Creek are culturally supportive.</p> <p>DJCS provides a cultural pack to Aboriginal young people on admission to custody.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Reduce the use of isolation in youth justice custodial facilities, as part of the Custodial Services operating philosophy, and continue to report to the Aboriginal Youth Justice Forum on the extent of use and publish data on a quarterly basis. (Domain 5, Goal 2) 	Yes
71	That the Victorian Government ensure that the body designated as the National Preventive Mechanism for youth justice facilities is a body with specialist expertise in children and young people including child development, working with vulnerable children and young people, and Aboriginal children and young people.	Support-in-principle	<p>The designation of a National Preventative Mechanism (NPM) stems from the Commonwealth's ratification of the UN human rights treaty 'OPCAT' in December 2017. The Commonwealth requires each state and territory to establish its own NPM framework. Since ratification, negotiations with the Commonwealth on OPCAT's implementation and funding at a national level have stalled. On 5 August 2021, the Commonwealth made its first funding commitment to OPCAT, which should enliven fresh negotiations.</p> <p>The Victorian Government is currently considering options for implementing OPCAT, including how best to implement OPCAT in a way that is effective and reinforces the legislative, administrative and judicial measures already in place to protect persons deprived of liberty in Victoria.</p> <p>The Victorian Government welcomes the Commonwealth's recent announcement in relation to funding for OPCAT and hopes to commence negotiations with the Commonwealth shortly.</p>	No
72	That DJCS urgently develop a strategy to provide improved, consistent and therapeutic responses to children and young people at risk of suicide or self-harm in youth justice centres. The strategy should include specific elements to ensure a culturally safe and improved response to Aboriginal children and young people.	Support	<p>This recommendation is aligned with current initiatives to improve the quality of care in custodial centres. There is an existing Director's Instruction in relation to suicide and self-harm. Youth Justice is reviewing and updating all operational policies and procedures to strengthen staff guidance. Our Youth Our Way recommendations relating to practice guidelines, policies and procedures will be addressed and implemented as part of this work.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Develop an Aboriginal social and emotional wellbeing strategy for Aboriginal children young people involved in Youth Justice. The Strategy will emphasise positive wellbeing as a suicide and self-harm prevention approach. (Domain 3, Goal 3) 	Yes
73	That DJCS fast-track plans to equip custodial staff with the training and skills they need to undertake trauma-informed, evidence-based and person-centred interventions. This should include support to understand the trauma often experienced by, and complex needs of, children and young people in custody, and to anticipate, de-escalate and respond effectively to challenging behaviours without resorting to the use of force. Training should also include a specific focus on intergenerational trauma.	Support	<p>All Youth Justice custodial staff undertake a seven-week induction which focusses on working with children and young people, de-escalation techniques and communication strategies (among other things). A new operational safety training package will be delivered to all Youth Justice custodial staff in 2021.</p> <p>From 2022, all new Youth Justice staff will be enrolled in a Certificate IV in Youth Justice which will provide a greater focus on trauma informed practice, de-escalation techniques and operational safety. This training will be reviewed in line with the findings of Our Youth, Our Way.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Train youth justice staff to work effectively with Aboriginal children and young people, including through the practice framework for custodial staff. (Domain 3, Goal 1) Embed a dedicated course unit in the Certificate IV in Youth Justice to deliver a culturally safe and responsive Youth Justice Custodial Service. Strengthen induction and refresher training for community-based youth justice staff on how to deliver a culturally safe and responsive service. (Domain 5, Goal 1) 	Yes

#	Recommendation	Position	Action underway and alignment to actions in the Aboriginal Youth Justice Strategy	Captured in the AYJS
74	That the Victorian Government work towards having no Aboriginal child or young person in custody. As a step towards this, the Victorian Government should work with Aboriginal communities to establish 3 small, home-like facilities for Aboriginal children and young people serving custodial sentences. These facilities should have no more than 6 beds. Although these facilities would be secure, they must allow for Aboriginal children and young people to connect with their culture and community.	Support-in-Principle	<p>DJCS will address this recommendation through the Aboriginal Youth Justice Strategy.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> The first part of this recommendation is represented within the vision of the Aboriginal Youth Justice Strategy '<i>Our vision is that Aboriginal children and young people are not in the youth justice system.</i>' Explore on-country alternatives to remand to keep Aboriginal children and young people close to their families and communities (Domain 2, Goal 1) Continue to participate in the national review of the age of criminal responsibility, including investigating alternatives to custody for children aged 10-14. (Domain 3, Goal 1) 	Yes
75	That the Victorian Government work with the Commonwealth Government to ensure that all Aboriginal children and young people who leave youth justice custody have access to culturally appropriate and reliable community-based support for as long as required. This may include intensive case management, housing, employment and training, and mental health, drug and alcohol and cultural support services.	Support	<p>Youth Justice continues to support all young people exiting youth justice to access support in the community including housing, connection with employment, mental health, AOD and other supports. Aboriginal community-based youth justice workers support Aboriginal children and young people as they transition into the community.</p> <p>Currently the Youth Through Care project is funded by the Commonwealth and delivered by VACCA.</p> <p>Aligned actions in the Aboriginal Youth Justice Strategy:</p> <ul style="list-style-type: none"> Support Aboriginal children to transition out of Youth Justice by working through the Through Care program and advocate to the Commonwealth Government for long term funding. (Domain 3, Goal 2) Provide more housing options for Aboriginal children and young people through the Kids Under Cover initiative and additional investment. (Domain 2, Goal 2) Explore opportunities for an Aboriginal led model of Aboriginal family intensive case management and support for families involved in the justice system. (2.2 - Action 3) 	Yes