

## **Rehabilitation in Youth Justice Bill 2022**

A Bill for an Act to reform the youth justice system in Victoria. This Bill legislates to close the majority of current Youth Justice Centres, and to focus on the introduction of Youth Wellness Centres; to the effect that residents are able to continue their education and begin reintegration trips, for the purpose of remaining a part of the community. Additionally, this Bill seeks to form a Board of Victorian Youth Justice to facilitate policies within the Youth Wellness centres.

It has been shown that young people currently in the youth justice system are being prevented from seeking safe education. Similarly, these young people are being kept in the system until release, without access to learning or access to the community, with detrimental effects to their mental health and general wellbeing. This has been shown that young people residing in the current system are more likely to reoffend. This Bill seeks to address the disparity that exists in the Victorian Youth Justice System whilst supporting the provision of needing additional support for those residing in the youth justice system through relevant resources and care.

**A Bill for an Act relating to Rehabilitation in Youth Justice to be enacted by the YMCA  
Victoria Youth Parliament;**

**PART I—Preliminary**

**Clause 1 Purpose**

The main purposes of this Act are—

- (a) To improve the current Youth Justice System;
- (b) To improve the current access of education and rehabilitation programs in the Youth Justice System.

**Clause 2 Commencement**

This Bill shall commence upon receiving assent from the Youth Governor of Victoria.

**Clause 3 Definitions**

In this Bill—

- (a) **Resident** means a person who is residing in the facility for an extended period of time;
- (b) **Youth Justice Centre** means a long-term correctional rehabilitation facility in Victoria for youth aged between 10 years old to their 18th birthday;
- (c) **Non-violent offence** means a crime that has been committed that has not caused injury to another person or used force.

**PART II—Establishment**

**Clause 4 Establishment of Youth Wellness Centres & Closure of Current Youth Justice Centres**

- 4.1 Youth Wellness Centres shall be established in Victoria.
- 4.2 Each Wellness Centre shall hold a capacity of 60 residents.
- 4.3 Upon the construction of the Youth Wellness Centres, eligible residents shall transfer to Wellness Centres from Youth Justice Centres.
- 4.4 Youth Wellness Centres shall include the following facilities, but are not limited to;
  - (a) Common social spaces;
  - (b) Exercise facilities including;
    - (i) Gyms;
    - (ii) Basketball court.
  - (c) Quiet rooms featuring;
    - (i) Sensory lighting;
    - (ii) Sensory seating;
    - (iii) Textured surfaces.
  - (d) Therapy and counselling rooms.
- 4.5 One Victorian Youth Justice Centre shall remain open, which shall take in residents for whom the Youth Wellness Centre model is deemed to be;
  - (a) Inappropriate;

- (b) Unsafe;
  - (c) Ineffective.
- 4.6 The determination of whether the Youth Wellness Centre model is appropriate for a young person shall be made by either;
- (a) A judge during sentencing;
  - (b) The Board of Victorian Youth Justice during the serving of a sentence.
- 4.7 All other Youth Justice Centres in Victoria shall be closed.

**Clause 5 Board of Victorian Youth Justice**

- 5.1 A Board of Victorian Youth Justice shall be established.
- 5.2 A board of 12 members shall be established to oversee the Youth Justice System, of whom;
- (a) All members shall be a representative from a non-profit organisation with expertise in the needs of persons in the Youth Justice System;
  - (b) Six members shall identify as Aboriginal or Torres Strait Islander.
- 5.3 The Board of Victorian Youth Justice shall have the power to implement, amend, or remove policies in all Victorian Youth Justice centres, wherein;
- (a) The Board shall implement, amend, and cancel programs and policies in Victorian Youth Justice centres;
  - (b) The Board shall monitor the progress and efficacy of programs;
  - (c) The Board shall intervene if programs do not meet performance outcomes;
  - (d) All programs shall be established in the pursuit of improving the following outcomes;
    - (i) The academic performance of residents;
    - (ii) The physical health of the residents;
    - (iii) The mental health of residents;
    - (iv) Recidivism rates;
    - (v) The experience of the residents.
- 5.4 The Board of Victorian Youth Justice shall assess the performance of each Victorian Youth Justice Centre;
- (a) Relative to a centre's performance in previous years and in comparison to other centres;
  - (b) Based on the following factors;
    - (i) The academic performance of residents;
    - (ii) The physical health of the residents;
    - (iii) The mental health of residents;
    - (iv) Recidivism rates;
    - (v) The experience of the residents.

**Clause 6 Intake Procedure for Youth Wellness Centres**

- 6.1 Initially, a young person shall be remanded or sentenced by a Judge to be in custody of a Wellness Centre.
- 6.2 Upon arrival at the Wellness Centre, an assessment of a young person shall be undertaken by a member of the intake team, who shall assign a care team best suited for the young person.

- 6.3 A person in custody of a Wellness Centre shall be assigned a care team comprising of at least;
- (a) A case worker;
  - (b) A social worker;
  - (c) A peer support worker.

**Clause 7      The Block System**

- 7.1 Residents of Youth Wellness Centres shall be allocated into a 3-Block system.
- 7.2 Residents inside the Youth Wellness Centres shall be separated by birth genders, where;
- (a) In Blocks A and B, birth genders shall be separated;
  - (b) In Block C, birth genders shall be mixed.
- 7.3 The 3-Block system shall give the residents different liberties, outlined as follows;
- (a) Block A shall provide full monitoring and limited access, where;
    - (i) Block A shall house residents awaiting sentencing, as well as at the beginning of sentences, up to supervisor's discretion;
    - (ii) Block A residents shall be able to participate in education by remote only;
    - (iii) Block A residents shall be able to attend Reintegration Trips (RTs) in a group capacity only;
    - (iv) Maximum supervision shall be required for visitations with Block A residents.
  - (b) Block B shall give residents restricted access, where;
    - (i) Block B residents shall be able to attend face to face education sessions outside of the residence 3 days a week;
    - (ii) Block B residents shall be able to attend individual RTs for 1 day at a time, 3 days a week;
    - (iii) Minimal supervision shall be required for visitations with Block B residents;
    - (iv) Residents shall be expected to engage in responsibilities inside the wellness centre.
  - (c) Block C shall give residents open access, where;
    - (i) Block C residents shall be able to attend education settings on a daily basis;
    - (ii) Block C residents shall be able to progress from 1-day RTs up to 3 days with overnight stays in approved settings;
    - (iii) Occasional supervision shall be required for visitations with Block C residents;
    - (iv) Block C residents shall be encouraged to engage in part time jobs either in or out of the wellness centre;
    - (v) Block C residents shall be responsible for maintaining their day-to-day movements and personal spaces, including;

- (i) Purchasing foods unavailable in the Wellness Centre;
  - (ii) Completing all washing and cleaning;
  - (iii) Requiring minimal reminders of daily activities.
- 7.4 Residents shall be moved between blocks within the system at the supervisor's discretion, dependent upon behaviour and advice from care team.

**Clause 8 Education**

- 8.1 All residents shall be engaged with learning activities for the duration of the residency, including;
- (a) School;
  - (b) TAFE and apprenticeships;
  - (c) Volunteering;
  - (d) Personal development opportunities.
- 8.2 If deemed suitable by care team, residents shall be allowed to attend their educational institution, where;
- (a) Remote learning shall be the alternative if face-to-face attendance is deemed unsuitable;
  - (b) Tutors shall be accessible by all residents.
- 8.3 If a resident's current educational institution is not a viable option, alternative learning pathways shall be sought by the care team and the resident.
- 8.4 Each resident shall have a tailor-made, individual learning plan, which shall;
- (a) Be created with the resident's care team and the individual themselves;
  - (b) Involve external specialists such as educators, where relevant.
- 8.5 The resident's care team shall maintain oversight responsibility of the resident's access to education.

**Clause 9 Support Services Provided to Persons in Custody**

- 9.1 Interpreter services shall be provided, should a resident require them.
- 9.2 All residents shall be provided with a case worker who shall conduct fortnightly meetings with each resident.
- 9.3 Residents who identify as Aboriginal or Torres Strait Islander shall have access to a social worker of their own background.
- 9.4 Sufficient medical care shall be available to all residents, including, but not limited to;
- (a) A general practitioner;
  - (b) Psychiatric services;
  - (c) Optometry;
  - (d) Dentistry;
  - (e) Physiotherapy.
- 9.5 A social worker shall be appointed to each resident.
- 9.6 Residents shall be engaged with peer support workers, who shall;
- (a) Have left custody for a non-violent offence in excess of 12 months prior;
  - (b) Have not reoffended since leaving custody;
  - (c) Lose the role of peer support worker upon reoffending.

**Clause 10 Applications for Reintegration Trips**

- 10.1 All residents shall be allowed to participate in Reintegration Trips (RTs).
- 10.2 RTs shall be monitored, where;
- (a) The block that the resident is situated in shall determine the type of supervision required;
    - (i) Block A shall be supervised by a 1:5 supervisor to resident ratio.
  - (b) Supervisors shall be made up of the resident's support team;
  - (c) A resident's individual RT shall be directly monitored and be a maximum of 3 hours;
  - (d) RTs shall increase in time and decrease in direct monitoring as the resident is trusted and moves through the Block system;
  - (e) The maximum allowance for individual RTs shall be up to 3 days consisting of 2 nights away.
- 10.3 Residents shall submit a request on each occasion that they wish to participate in an RT, which;
- (a) Shall be submitted to an RT facilitator by a set time on the day prior;
  - (b) Shall be documented by the resident's care team who shall include details of time, transport, and other logistics, with the benefit of the resident's welfare in mind;
  - (c) Shall state;
    - (i) The time that residents wish to be gone from the facility;
    - (ii) Places which residents wish to go;
    - (iii) People who residents wish to see.
  - (d) Shall include a declaration if the resident wishes to meet up with other residents on their RT with a notice time of two days minimum;
  - (e) Shall require the inclusion of written notice from anyone who the resident wishes to meet with outside the Wellness Centre, including family members or other members of the public.
- 10.4 Additional assessments shall be completed the day of the RT, detailing;
- (a) The state of the resident's mental health, including thoughts of harm to self and others;
  - (b) Relevant medications taken by the resident;
  - (c) Information from the resident's care team and family where relevant;
  - (d) X-Ray scans of the resident's full body and all bags.
- 10.5 Random drug tests shall be conducted upon a resident's arrival back to the Wellness Centre.

**Clause 11 Individualised Exit Pathway Plans**

- 11.1 Each resident shall receive an individualised exit pathway plan developed in collaboration with their support team, which shall;
- (a) Be formed with the resident's current welfare in mind;

- (b) Be put in place to ensure that upon exit, each resident is healthy and prepared to return to the community;
  - (c) Consider outside factors of the resident's personal life, including, but not limited to;
    - (i) Familial support;
    - (ii) Connection to Country;
    - (iii) Access to education;
    - (iii) Housing opportunities;
    - (iv) Learning pathways.
- 11.2 The resident's access to accommodation shall form part of the exit pathway plan, wherein;
- (a) Residents shall be provided with access to resources for emergency or alternate housing if they are unable to return home, such as;
    - (i) Youth refuge;
    - (ii) Crisis accommodation.
  - (b) An assessment shall be conducted by the resident's care team to determine whether the resident returning to their family home is suitable;
  - (c) Resident's shall be provided with access to life-skill training regarding housing, covering topics of;
    - (i) Rental applications;
    - (ii) Centrelink rent support;
    - (iii) Housing application.
  - (d) Residents shall be supported to complete housing applications if they are seeking a private rental upon their exit.
- 11.3 The resident's access to public transport shall form part of the exit pathway plan, wherein;
- (a) Residents shall receive travel training during their time in the Wellness Centre, including;
    - (i) Public transport routes;
    - (ii) Emergency travel skills;
    - (iii) Driving lessons.
  - (b) Residents shall be provided with funded concession Myki cards;
  - (c) Residents shall receive education on emergency travel resources such as Travellers Aid;
  - (d) a Resident's care team shall conduct an assessment of a resident's travel options in their local community.
- 11.4 The resident's access to groceries shall form part of the exit pathway plan, wherein;
- (a) Residents shall be provided with a list of;
    - (i) Local food banks;
    - (ii) Local soup kitchens;
    - (iii) Organisations from which to access free meals.
  - (b) Residents shall receive life-skill training regarding grocery shopping, meal preparation and cooking.
- 11.5 Residents shall receive life-skill training regarding medical care, including;
- (a) Booking doctor appointments;

- (b) Understanding bulk billing;
  - (c) Medical services and practitioners local to their area.
- 11.6 Residents shall have ongoing access to their care team after they have fully exited the Wellness Centre which shall cease at a time that the resident and care team determine is appropriate.