



KEY PRIORITIES VICTORIAN STATE ELECTION 2022

Smart Justice for Young People (SJ4YP) is a coalition of over 50 leading social services, health, legal and youth advocacy organisations, providing an expert voice and calling for evidence-based and effective responses to justice-involved children and young people.

Socio-economic inequities – including poverty, geographical disadvantage, racism and all types of discrimination – continue to drive the criminalisation of some children and young people. This has resulted in the over-policing and over-criminalisation of First Nations children and young people, culturally diverse children and young people, young women with complex needs, children and young people involved in the child protection system, and disabled children and young people

Heading into the Victorian State election, SJ4YP calls on political leaders to commit to our key priorities. These priorities involve systems change and law reform to meet the needs of children and young people, stop criminalising them, keep them out of the criminal justice system, and guarantee the protection of the rights of children and young people currently in the system.

The focus of these priorities is wellbeing, equality of outcomes and access for all children and young people to meaningful family support, health services, education, employment, and opportunities for community connection and social inclusion.

Taking the approach outlined in the priorities will set the foundation to give all Victorian children and young people the best chance to succeed in life. It will mean all children are supported in families, communities, schools, and jobs or training, and that children are kept out of the justice system, police stations, courts and prisons. This will result in significant short and long-term savings – in both social and fiscal costs - across service systems.

INVEST IN COMMUNITIES RATHER THAN PRISONS

Priority 1

Support the call by Victorian Council of Social Services (in their 2022 VCOSS State Election Platform) for the Victorian Government to commit to a wellbeing economy and provide funding for wellbeing priorities identified by communities.

Priority 2

Commit to a justice reinvestment approach that focuses on local communities developing their own early intervention and crime prevention initiatives.

This commitment would see government:

- investing in and authorising communities to identify local need, design common agendas and deliver solutions addressing socio-economic disadvantage and other underlying factors that drive youth offending and over-criminalisation of some cohorts of young people in the criminal justice system,
and
- diverting a portion of funds into local communities that would otherwise be spent on policing and prisons, and/or re-investing justice monies measured and saved by successful placed-based approaches.

Priority 3

Extend Victorian Government's Early Intervention Investment Framework (a collaborative approach supporting early interventions to improve the lives of Victorians) so that it is accessible to sectors and communities, and aligns with a justice reinvestment approach, focusing on investment in prevention and early intervention initiatives of local communities.

Priority 4

Properly fund Aboriginal community-controlled organisations working with justice-involved young people and their families, to foster real Aboriginal self-determination, and stop the criminalisation and overrepresentation of Aboriginal children and young people in the criminal justice system.

INVEST IN THE WELLBEING OF ALL CHILDREN, YOUNG PEOPLE & THEIR FAMILIES

Priority 5

Develop a Childhood Strategy, underpinned by a whole of government Child Outcomes Framework (in complement with Victoria's Youth Strategy and Outcome Framework) to ensure that Victoria is the best place for children and young people to thrive.

(consistent with recommendation 4 in the Report from the Parliament's Legal and Social Issues Committee's Inquiry into Victoria's Criminal Justice System 2022).

A Child Outcomes Framework will outline what children and their families need and want to be well and thrive in life, what government needs to do to enable this, and how the community sector can contribute to this vision.

A. This outcomes framework should:

- contain actions, measures & targets across all domains of the lives of all children and young people to facilitate cross-portfolio & community sector collaboration,
- commit to equality of outcomes for all Victoria children & young people,
- improve the wellbeing of children & young people with greatest needs, especially those at risk of marginalisation & overrepresentation in the justice system &
- hold government and the community sector accountable to these targets.

B. Establish a dedicated portfolio for children, young people and their families within Department of Families, Fairness and Housing (DFFH); divided into early childhood, middle childhood, adolescence and young adulthood.

C. Create a Minister for Children and their Families (that complements the Minister for Youth) whose key responsibilities include:

- overseeing the development of the Childhood Strategy and Outcomes Framework (that complements the Victorian Youth Strategy & Outcomes Framework) ,
- implementing the Child Strategy, and
- ongoing review and reporting against the Child Outcomes Framework.

Priority 6

Provide sufficient budgetary support to resource the new portfolio for children, young people and their families within DFFH, to fulfil its mandate.

Priority 7

Immediately resource the Office of Youth & YACVic to implement the current Youth Strategy & Outcomes Framework.

ADDRESS BARRIERS TO THE WELLBEING OF CHILDREN & YOUNG PEOPLE, PARTICULARLY THOSE OVER-CRIMINALISED & OVERREPRESENTED IN THE CRIMINAL JUSTICE SYSTEM

Priority 8

Strengthen investment, testing and evaluation of programs (such as *Putting Families First*) to develop a whole of family model of care to support children, young people and their families when they need it, breaking the cycle of disadvantage and help prevent children and young people entering and re-entering the criminal justice system.

Priority 9

Fully implement the Wirkara Kulpa Aboriginal Youth Justice Strategy & recommendations of *Our Youth Our Way*.

Priority 10

Prior to the release of the proposed Victorian Anti-Racism Strategy, test its efficacy via meaningful engagement with communities with lived experiences of racism and discrimination.

Priority 11

Develop and implement whole-of-govt. Multicultural Youth Justice Strategy.

Priority 12

Require Department of Education and Training to collect and report on data on student absenteeism, formal and informal suspensions and expulsions, to monitor patterns of student groups disengaging, detaching or being removed from school, and develop a whole-of-government plan to keep students in school.

Priority 13

Use this data to inform the provision of timely and tailored support, to all primary & secondary students (along with their families) to keep them connected in meaningful education.

This includes, but is not limited to:

- providing proper funding, data collection & monitoring of the Navigator program, and
- expanding Navigator to students in primary years where there has been notable school absenteeism. (i.e. during the term prior and/or where internal school support options have been exhausted)

Priority 14

Provide access to free public transport for primary and secondary students, and expand the Travel Assistance Program to young people in need up to the age of 25 years.

Priority 15

Provide free driving lessons & other supports to promote safe driving for young people up to 25 yrs in regional Victorian & growth corridors.

Priority 16

Prioritise investment in culturally safe and responsive youth alcohol and other drug (AOD) and mental health services to address critical need in Melbourne growth corridors and regional Victoria, overcoming barriers to access and lengthy appointment wait-times, especially for over-criminalised young people.

KEEP YOUNG PEOPLE OUT OF THE CRIMINAL JUSTICE SYSTEM AND PRISONS

Priority 17

Raise the age of criminal responsibility to at least 14 years and partner with key stakeholders to develop a therapeutic response for young people (10-14 years) who cause harm.

Priority 18

Reform the bail laws so that children always have a presumption in favour of bail, and repeal reverse onus provisions to reduce number of children in youth detention un-sentenced on remand.

Priority 19

Raise the minimum age of detention to at least 16 years in line with United Nations recommendations.

Priority 20

Commit to exploring the feasibility & merit of increasing the jurisdiction of youth justice to 25 years, starting with consideration of Cherry Creek detention facility holding both remand and sentenced young people over 18 years.

Priority 21

Invest in, and expand diversion options for 18 to 25 year olds and remove the requirement of police prosecution consent for children and young people to court-ordered diversion.

Priority 22

Repeal the serious youth offender regime, including uplift provisions and mandatory minimum sentences, and recognise the need for specialised rehabilitative responses from the Children's Court.

Priority 23

Expand transitional housing programs to offer 24/7 wrap-around supports to young people up to and including 25 year olds exiting prison to enable them to thrive and remain in the community.

Priority 24

Implement the Fine Reform Advisory Board's recommendation to increase the accessibility to the Work & Development Permit (WDP) scheme and resource WDP sponsors, so more financially disadvantaged young people can deal with fines.

Priority 25

Promote and expand the Covid-19 fines concession scheme to all fines to enable financially disadvantaged young people to pay a reduced amount and exit the system.

Priority 26

Implement binding enforcement reviews as recommended by the Fines Reform Advisory Board to stop enforcement agencies unnecessarily taking young people to court where Fines Victoria has already determined the young person had special circumstances that led to incurring the fine.

FAIR AND ACCOUNTABLE POLICING &

PROTECT THE RIGHTS OF CHILDREN AND YOUNG PEOPLE CURRENTLY IN YOUTH DETENTION

Priority 27

Fully implement and evaluate the Framework to Reduce Criminalisation of Young People in Residential Care to improve outcomes for children in out of home care.

Priority 28

Design and implement a three-year trial of a racial profiling monitoring scheme. The trial should encompass the routine collection and public release of de-identified data on who Victoria Police stop, question and search, and for what reasons (as per recommendation 20 in the Report from the Parliament's Legal and Social Issues Committee's Inquiry into Victoria's Criminal Justice System 2022). The trial/s should occur in areas/LGAs with higher proportions of Aboriginal people and/or multicultural communities.

Priority 29

Establish a fully independent Police Ombudsman to investigate all complaints about police misconduct.

Priority 30

Fully implement the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in relation to treatment and conditions in police custody, prison and other places of detention, including the establishment of a National Preventive Mechanism (NPM) whose operations, policies, frameworks and governance are culturally appropriate and safe for Aboriginal people.

Priority 31

Train all youth justice and correctional staff to use therapeutic and restorative approaches when working with children and young people.

Priority 32

End use of solitary confinement and excessive lockdowns triggered by staff shortages.

Priority 33

End the use of strip-searching in youth justice facilities.

Priority 34

End the transfer of children to adult prison.