



Department of Justice and Community Safety

Secretary

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Our ref: 20110395

Coroner John Cain
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Dear Coroner Cain

I refer to your findings and recommendations delivered on 24 August 2020 about the death of Ms Brittany Harvie (COR 2015 002722) at Kelly Park, Main Road, Clayton South on 3 June 2015.

Of your three recommendations, two were directed to the Department of Justice and Community Safety (DJCS) and one was directed jointly to DJCS and Victoria Police. DJCS has accepted all three recommendations as detailed below.

***Recommendation 1** – that the Victoria Police and the Victorian Department of Justice and Community Safety update their policies and procedures for information sharing to ensure that when an offender under the supervision of Youth Justice is arrested or is the subject of a family violence investigation, Victoria Police provide this information to Youth Justice so that current and accurate risk assessments of offenders under the supervision of Youth Justice can be completed. This system should replicate the efficiencies and effectiveness of the L17 referral notification process and should provide for timely sharing of relevant information for all agencies to assess risks.*

DJCS accepts this recommendation

Two possible systems solutions have been identified to improve information sharing between Victoria Police and Youth Justice – the L17 portal and the eJustice platform used by Corrections Victoria. The L17 portal will provide Youth Justice with access to all family violence referrals made by Victoria Police, while the eJustice platform offers the potential to share broader Victoria Police information beyond family violence referrals.

Both options are currently being costed and scoped, with a view to implementing the most viable systems solution by December 2021. Relevant MoUs and protocols will be updated where necessary to support this type of information sharing between Victoria Police and Youth Justice. Policies and procedures will also be updated so Youth Justice case managers carry out routine searches of the portal or platform as part of their intake process and wherever family violence is indicated. This will allow relevant risk information to be taken into account in Youth Justice's case management and supervision of young people.

***Recommendation 2** – That the Victorian DJCS review their policies and procedures to ensure that Youth Justice offenders who attend counselling programs funded or operated by Youth*

Justice or Justice Health accurately record and utilise an appropriate family violence risk assessment tool when assessing a youth offender's current or future risk of harm to self or others. These assessments should draw upon relevant family violence information shared within the Child Information Sharing Scheme (CISS) and FVISS (Family Violence Information Sharing Scheme) to enhance the assessment of risk.

DJCS accepts this recommendation

A range of improvements have been made to family violence risk assessments and record management practices in Youth Justice since Ms Harvie's death in June 2015. In September 2018, service providers contracted to deliver Youth Offending Programs (YOP), health services or mental health services to Youth Justice clients (including those contracted directly by the Department of Health and Human Services (DHHS)) were prescribed under regulations as Multi-Agency Risk Assessment and Management (MARAM) Framework organisations and as Information Sharing Entities (ISEs) under the CISS and FVISS. This means they are required to align their policies, procedures and risk assessment tools to the MARAM framework and contribute to a shared understanding of the dynamics of family violence across the service system. As ISEs, they can share information to support the assessment and management of family violence risk. Justice Health provides support to these providers to align with the MARAM Framework and monitors their progress.

While the MARAM Framework does not yet include risk assessment tools for perpetrators and adolescents who use violence, Family Safety Victoria (FSV) is expected to finalise the *MARAM Practice Guidance for Working with Adolescents Who Use Violence*, and the *MARAM Perpetrator Practice Guides and Tools* in 2021. Justice Health will work with service providers so their policies and procedures are revised following the introduction of these guides and tools, and that staff training occurs to support their effective integration and use.

In 2019 a series of validated offence-specific risk assessment tools were introduced for clinicians delivering YOP. These tools allow clinicians to assess young people who have engaged in violence across a range of settings, including intimate partner and family violence. Clinicians delivering health and mental health services continue to use their professional judgement, understanding of the young person's presenting issues, and foundational knowledge of family violence to assess risk of harm to self and others. They are required by Justice Health to record these assessments in their clinical notes and to share information regarding family violence risk with Youth Justice.

Recommendation 3 – *That the Victorian DJCS review the training and professional development of mental health practitioners who staff any programs funded or operated by Youth Justice or Justice Health to ensure they are adequately trained to identify and manage family violence risk for their clients.*

DJCS accepts this recommendation

As part of their alignment to the MARAM Framework, providers that deliver YOP and mental health support to clients in Youth Justice receive foundational family violence training to aid in the identification and management of family violence risk. Given the specialised nature of their role, YOP clinicians also receive MARAM comprehensive risk assessment and management training.

Training and professional development for all mental health practitioners who deliver services to Youth Justice clients will be significantly enhanced by the release of FSV's

MARAM Practice Guidance for Working with Adolescents Who Use Violence and *MARAM Perpetrator Practice Guides and Tools* in 2021. DJCS will work with providers of these services to incorporate the new materials into MARAM training as soon as they become available and ensure access to adequate training.

I am advised that all recommendations will be implemented by early 2022.

Should you require further information, please contact Dannii de Kretser, A/Deputy Secretary, Youth Justice, DJCS on 0429 950 994 or by email at Dannii.deKretser@justice.vic.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. J.', with a horizontal line extending to the right.

Rebecca Falkingham

Secretary

27/11/2020