

LEGISLATIVE COUNCIL

CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017

(Amendments to be proposed in Committee by Ms MIKAKOS)

1. Page 80, before line 1, insert the following heading—

"Part 11—Amendments relating to review of Act".

NEW CLAUSE

2. Insert the following New Clause to follow clause 64 and the heading proposed by amendment number 1—

'A New Part 5.9 inserted

After Part 5.8 of Chapter 5 of the Principal Act insert—

"Part 5.9—Review of Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017

492B Review of Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017

- (1) The Minister must undertake a review of the amendments made to this Act and other Acts by the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** to determine whether the policy objectives of the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** remain valid and whether the amendments made by that Act remain appropriate to achieve those objectives.
- (2) The review is to be undertaken as soon as possible after the third anniversary of the first day on which all the provisions of the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** have commenced.
- (3) Without limiting the matters that the review may consider, the review must cover the following matters—
 - (a) the effects of the amendments made by the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017**, whether adverse or otherwise, on the following—
 - (i) rates of offending and re-offending;
 - (ii) incarceration of young people;
 - (iii) community safety;
 - (iv) the long-term well-being of children and young people in contact with the justice system;
 - (b) the operation of youth control orders;

- (c) the operation of youth diversion strategies and programs;
 - (d) the operation of the system known as the dual track system;
 - (e) the categorisation of certain offences as serious youth offences, and the effect of this categorisation on decisions about bail, non-custodial sentences and the placement of young adults in youth justice centres;
 - (f) whether the incarceration of Aboriginal or Torres Strait Islander children and young people has increased or decreased as a proportion of the total incarcerated population of young people in Victoria since the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** received the Royal Assent;
 - (g) whether any additional legislative, administrative or policy reform is necessary to improve the operation of Victoria's youth justice system.
- (4) The Minister must cause a report on the review to be laid before each House of the Parliament not later than 12 months after the third anniversary of the first day on which all the provisions of the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** have commenced.".'. .