Educational Transition from Custody

Final report

February 2020

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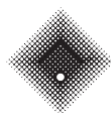**Associate Professor Alison Baker**
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Acknowledgements

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Acronyms and Abbreviations

AITSL	Australian Institute for Teaching and School Leadership
CALD	Culturally and linguistically diverse
CASES21	Administration and finance system used in Victorian government schools.
CRT	Casual Relief Teacher
DET	Department of Education and Training
DCS	Department Confidential Student
DHHS	Department of Health and Human Services
DJCS	Department of Justice and Community Safety
EJI	Education Justice Initiative
FLO	Flexible Learning Option
HPP	Health Privacy Principles
IEP	Individual Education Plan
IPP	Information Privacy Principles
JDL	UN Rules for the Protection of Juvenile's Deprived of their Liberty
JJ	Juvenile Justice (used in some international contexts, but unless quoted directly or the title of a reference, we have defaulted to youth justice as used in the Victorian context)
KEC	Koorie Education Coordinator
KECCLO	Koorie Education Children's Court Liaison Officer
KESO	Koorie Engagement Support Officer
LGA	Local government area
MOU	Memorandum of Understanding
OOHC	Out of Home Care
RECCLO	Regional Education Children's Court Liaison Officer
RTO	Registered Training Organisations
SSS	Student Support Services
YJ	Youth Justice (used in Victoria)
YJREC	Youth Justice Regional Engagement Coordinator

Executive Summary

Overview

Children and young people within the criminal justice system, especially those who have been sentenced or remanded into custody, face particular challenges in relation to accessing education. Research has established a strong link between disengagement with education and contact with the youth justice system.

Young people who receive custodial sentences tend to have poor outcomes, with few completing secondary school education or advancing to further education. On the other hand, contact with the custodial youth justice system provides young people with a timely opportunity to reconnect with education and to be supported to make positive plans for future study and work.

This study

The purpose of this study was to examine how young people leaving custody in Victoria's youth justice system can be supported to successfully re-connect with education. The overarching research question guiding the study is:

> How can young Victorians be assisted by the Department of Education and Training (DET) to maximise the likelihood of successful educational transition after their release from custody?

The study design involved detailed analysis of:

- Data and policy provided by DET;
- Consultation seminars with DET personnel;
- Interviews with Principals;
- Surveys of DET staff;
- Guides for transition planning;
- International literature.

Findings

The main body of the report discusses findings from that analysis in terms of the existing evidence base, current practice in the Victorian Department of Education, and suggested changes and enhancement, in relation to:

- Stages of entry to and while in custody; pre- and post-placement support; and throughout all stages.
- Enablers of successful educational transition from custody, in relation to staff roles and responsibilities; information and communication; and programs directly supporting young people.

Conclusions

Synthesis of findings across these stages and enablers established three overarching conclusions:

- The timeline of planning for and supporting successful transition for custody needs to commence early (on entry) and continue well beyond enrolment of the young person in an educational institution.
- Successful transition to education requires a statewide coordinated system of support and collaboration between units within the Department and with other agencies to help to overcome fragmentation, duplication and gaps.
- The young people are the fundamental stakeholder throughout the transition process. They must be given every opportunity to be actively involved in planning and implementing their own transition to education after custody.

Strategic advice

Caution must be taken when defining what successful transition can mean for stakeholders. For legitimate reasons, what determines success may differ between distinct stakeholder groups and government departments.

Based on the evidence and these overarching conclusions, the report provides strategic advice for policy and systems as well as for schools (and other education providers) in relation to three domains.

1) Coordination and oversight by the Victorian Department of Education and Training

For policy and systems:

- Develop specific policy focused on the transition of young people from custody to education;
- Establish a regional coordination and oversight role;
- Establish procedures for managing and sharing relevant data and information;
- Build system-level capacity to accommodate students exiting custody.

For schools (and other education providers):

- Engage with system level coordination and oversight;
- Allocate staff to dedicated coordination roles 'on the ground';
- Ensure that staff have access to professional learning related to students exiting custody.

2) Harnessing and further developing existing programs

For policy and systems:

- Commit to core support services and programs;
- Ensuring existing services and programs are harnessed for this cohort;
- Recognise difference and, in response, differentiate support;

For schools (and other education providers):

- Access existing services and programs;
- Understand students who are or have been in custody.

3) Collaboration and partnership with key non-DET agencies

For policy and systems:

- Attend to the potential roles of other agencies in policies, procedure and protocols.

For schools (and other education providers):

- Access opportunities to learn about other relevant agencies.

Acting on this advice will enhance existing department initiatives and staff efforts, and maximise the likelihood of successful educational transition for young Victorians leaving custody.

1: Introduction

Children and young people within the criminal justice system, especially those who have been sentenced or remanded into custody, face particular challenges in relation to accessing education. Research has established a strong link between disengagement with education and contact with the youth justice system (1,2,3). Young people who receive custodial sentences tend to have poor outcomes, with few completing secondary school education or advancing to further education (4). Armytage and Ogloff (5 p162) refer to a sample of young people in youth justice[1] to draw attention to how "education forms a key risk factor for many young people": The sample indicated that 80.1 per cent were at risk of not participating in education and in the previous year, 76.8 per cent had been truant. Connecting, or re-connecting, to education can be difficult for young people such as these, given their common experience of educational and societal marginalisation (6,7).

The purpose of this study is to examine how young people leaving custody in Victoria's youth justice system can be supported to successfully re-connect with education. The overarching research question guiding the study is:

> How can young Victorians be assisted by the Department of Education and Training (DET) to maximise the likelihood of successful educational transition after their release from custody?

Specifically, the study focuses on:

- An investigation of national and international successful transition practices;

- Current support offered within the DET for educational transition during and following custody;

- Proposed changes to DET processes and practices to enhance support of educational transition during and following custody;

- Monitoring of educational planning and transition for young Victorians during and following custody.

The research team consists of researchers from Victoria University, the University of Tasmania and Deakin University who collaborate closely with colleagues in DET.

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[1] The data relates to 181 young people in a custodial setting and 60 in the community who were assessed by the Victorian Offending Needs Indicator for Youth (VONIY).

1.1 Context

1.1.1 Young Victorians in custody

Victoria's two youth justice centres – the Parkville Youth Justice Precinct and Malmsbury Youth Justice Precinct – are managed by the Victorian Department of Justice and Community Safety.

- Parkville Youth Justice Precinct consists mainly of young people who have been remanded into custody. Boys and young men (10–18 years) and girls and young women (10–23 years) are accommodated at this precinct, which has a bed capacity of 125 beds (8 p17).
- The Malmsbury Youth Justice Precinct consists of young men (15–23 years), most of whom have been sentenced into custody. The precinct's Malmsbury Senior Youth Justice Centre is predominantly made up of sentenced, dual track[2] young men. The Malmsbury precinct has both high security units and low and medium security residential units and a bed capacity of 135 beds (8 p17).[3]

A new youth justice facility is being planned at Cherry Creek, in Melbourne's outer suburbs to the west of Werribee; this is expected to operate in 2021. This facility will include up to 224 beds for remanded and sentenced young people and also a mental health unit with 12 beds and an intensive supervision unit with 8 beds.[3]

Parkville College delivers education to students who are, or who have been, detained in the criminal justice system, who are in a Secure Welfare Service or transitioning from these settings. In 2012, the college commenced operation with six teaching staff. The College now offers education across multiple facilities, working in unison with the Department of Human and Health Services (DHHS) and Department of Justice and Community Safety (DJCS), to provide education for around 300 students on any given day, fifty-two weeks of the year (9). Given that young people are continually moving through the justice system, numbers vary on a daily basis[4].

O Street, originally the Flexible Learning Centre, is located in Collingwood. O Street is designed for young people who have been involved with the youth justice system, or Secure Welfare Services, in a co-educational setting. Short to long-term transitional programs are provided for vulnerable young people who are experiencing difficulty finding educational or employment pathways in their local communities[4].

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[2] In Australia, a young person between the ages of 10 and 18 can be charged with a criminal offence. In November 2019 Australia's attorney generals decided not to raise the age of criminal responsibility from 10 to 14. In Victoria, the dual-track system enables young people between 18 and 20 to be sentenced to a youth justice facility rather than an adult prison. It is aimed to help "young people desist from crime without being 'contaminated' by older life-course persistent criminals" (91).

[3] The information in this section has been taken from VAGO, 2018 and The Department of Justice and Community Safety webpage 'Custody in the youth justice system' https://www.justice.vic.gov.au/justice-system/youth- justice/custody-in-the-youth-justice-system, but the final numbers given here are those confirmed by personal communications from DJCS in 2019

[4] Parkville College website: http://parkvillecollege.squarespace.com/about.

The Transitions Team at Parkville College supports students to develop a Transition Plan before they leave the College. In 2019, two-thirds of the students supported with a Transition Plan were of compulsory school age and almost three-quarters were at the Parkville Youth Justice Precinct. In 2020, the team intends to have more capacity to support older students at the Malmsbury Youth Justice Precinct. Based on analysis of the Transition Plans of 334 students who left Parkville College in 2019, the settings they intended to move to are:

- School (Mainstream) – 51%
- School (FLO or Specialist) – 21%
- TAFE – 11%
- Other (including Employment) – 17%[5]

This data indicates that post-custody transition to education is valued highly not only by the Victorian Department of Education and Training, but also by young people themselves. It is expected that in 2020, with the inclusion of older students from the Malmsbury Youth Justice Precinct in the transition plan process, these proportions will change: fewer to schools, and more to TAFE and employment.

Table 1: Background educational experiences and characteristics of young people in custody[6]

SCHOOLING AND LEARNING
- 68 per cent had previously been suspended or expelled from school
- 38 per cent presented with cognitive difficulties that affect their daily functioning

HEALTH
- 67 per cent were victims of abuse, trauma or neglect
- 48 per cent presented with mental health issues
- 27 per cent had a history of self-harm or suicidal ideation
- 12 per cent were registered with Disability Services offered through the Department of Health and Human Services (DHHS)

LANGUAGE AND CULTURE
- 25 per cent spoke English as a second language
- Over representation of young people from Aboriginal, Māori and Pacific Island, and African backgrounds

Table 1 highlights that young people from Indigenous, Māori and Pacific Islander backgrounds and African backgrounds are over-represented in youth justice. In

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[5] This data and the explanation about the Transitions Plans was provided by Parkville College but it has not been possible for the Transition Team, nor for the research team, to confirm actual destinations. This data therefore is indicative only of young people's transition *intentions*. Moreover, the data is slanted towards younger students from the Parkville Youth Justice Precinct rather than reflecting the full cohort of young Victorians leaving custody.

[6] This data is from Youth Parole Board Annual Report 2018-2019 and based on the annual survey of 174 young people: 166 males and 8 females detailed on sentence or remand on 31 December 2018, p.29.

Victoria, only 1.6 per cent of 10–19-year olds are Indigenous (10 p9) but Table 1 indicates that the proportion in youth custody is significantly higher. This reflects a general over-representation of First Nations people who have been remanded or sentenced into custody both in Australia and internationally. Suggested reasons include "intergenerational trauma, broken connection to country and community, over-policing, undermining diversionary limits and exclusion from mainstream culture" (10 p9).

Research indicates that a strong cultural identity and a connection with culture are protective factors against engagement with offending for Māori in New Zealand's youth justice (11). Similar interventions that challenge behaviours and "invest in culturally responsive evidence-based practices that help strengthen cultural identity, address cultural needs, and consequently promote positive cultural, educational, and socio-economic outcomes" (12 p116) are necessary to enable opportunities for all young people in Victoria's youth justice system.

Armytage and Ogloff (10 p8) identified that "Offending peaks in mid-adolescence – between 16 and 17 years of age – before declining sharply in late adolescence and early adulthood". The dual track system in Victoria "results in a comparatively older population, on average (30% aged 18 and over)" (13 p8) compared to other jurisdictions.

Far more males (91 percent) than females (9 percent) are currently held in youth justice detention across Australia (13 p8).

1.1.2 Victorian policy

As noted in White et al. (9), ten substantial reports were published over the past decade that address the Victorian youth justice system. The 2017 report by Armytage and Ogloff, *Youth justice review and strategy: Meeting needs and reducing offending* (10), has been adopted as a blueprint for reform within the Victorian youth justice sector. The Victorian Government accepted, or accepted in principle, all 126 recommendations, and invested "an initial $50 million" to respond to the key recommendations (8 p30–31).

Recommendations of direct relevance to education included:

- that as part of multi-agency case planning, young people be linked to education/skills training (this would include the Department of Justice and Regulation, now referred to as the Department of Community Safety (DJCS) working with DET "to establish a strategy for working with public schools to provide education to young offenders on bail or community orders" (10 p32);
- that education be included in system-wide transition and support approaches to be established, drawing on the "multi-agency care planning model for young people exiting custody" (10 p37), and;
- that a pilot program be developed, in partnership with DET, to "respond to pre-offending at-risk youth who have been either suspended or expelled from school for threatening violent behaviours" (10 p42).

In 2017, the Victorian Ombudsman's report, *Investigation into Victorian government school expulsions*, highlighted the "link between educational

disadvantage and incarceration" (14 p2), referring to the over 90 percent of incarcerated adults in prisons who did not complete secondary school. One of the report's key recommendations was that a student of compulsory school age was not to be excluded from the government school system even if the student had been expelled from an individual government school (14).

Education is widely acknowledged as "a protective factor that can reduce reoffending. As such, it is a key component in a child or young person's ability to rehabilitate" (8 p32). The decision by DET to investigate ways of enhancing successful educational transition after young people leave custody reflects this consensus and a desire for improvement in Victoria.

1.2 Insights from the Literature

Legislation in the U.S. from as early as the1970s led the way in highlighting the importance of transition services for young people, including those who were incarcerated (15). The federal mandate of the transition of youth with disabilities from school to adulthood through legislation, such as Individuals with Disabilities Education Act (IDEA), led to the concept of transition service being deemed a requirement as part of a student's Individualised Education Plan (IEP), which must commence by age 16 (36).

Unlike the U.S, the U.K. and parts of Canada, countries whose transition planning is characterised by "obligations, incentives and practice guides for formal transition planning to involve young people in the process", Australia does not mandate transition planning through legislation (15 p37,1,17). Nevertheless, government departments have authority to establish procedures and policies for transition planning. In New South Wales, for example, a transition framework has been developed to advocate principles, processes and recommendations for the state's departments of Justice and of Education, as well as other stakeholders (18).

The literature that focuses on young people's engagement with education as they transition from custodial settings to the community, (see for example O'Neill's edited edition [2]), is informed by a body of work focused on young people's transition from school to adulthood (19,20). This research focused on the positive relationship between gaining work experience in high school and post-school outcomes (36). Fostering self-determination in young people was considered best practice in both secondary education and transition services (15). Although as Griller Clark (15 p41) points out, "Youth-focused planning has not historically been the norm for incarcerated young people", its implications for the transition of incarcerated young planning became evident. Self-determination was linked to the young person's participation in the transition process, which informed research on youth-focused planning (21,22).

The transition literature, including that of young people in the youth justice system is heavily focused on young people with disabilities, and acknowledgement is made that this group of young people is over-represented in youth justice systems (1,2,23). Literature that has this focus has been useful for this report, notably the work by O'Neill et al. (71), which was funded by the NSW

Department of Education and the NSW Department of Youth Justice[7]. However, rather than taking a "special education" perspective to the issue of educational transition post-custody, this report reflects the Victorian DET's "inclusive education" approach that emphasises how Victoria's system of schools and support services intends to welcome and accommodate all students.

1.2.1 Barriers to educational connection

Young people's educational transition from youth justice settings to mainstream or alternative educational settings is not straightforward. Evidence highlights the complex lives of many young people in the youth justice system. These young people often experience learning and/or behavioural difficulties, and disengagement with education is common, ranging from falling behind academically to experiencing school suspensions and expulsions (24,25,26). Indeed, these young people have "some of the poorest life outcomes of any group of young people in terms of education, employment, and wellbeing" (26 p29).

Transition back to the community produces its own set of challenges. Given the challenges of connection and effective collaboration among many organisations and agencies providing support to the young person post-custody, there is a danger of young people falling through the cracks (26). Additionally, young people can struggle to meet the parole conditions set by the courts and find themselves in danger of returning to "the risk factors that likely contributed to [their previous] criminal behaviour" (26 p30).

Ideally, for those young people returning to the community, prior school attendance at a youth justice centre has given them an opportunity to engage with – and for some, to reconnect with – education (9). However, a seamless educational experience is not always possible as young people transition back into the community. In the Australian context, young people who have been acclimatised to shorter school hours and smaller classes while in youth justice can find it difficult to adjust to increased school hours and large classes if they commence or return to a mainstream school (9,41). Another barrier to school attendance is that there are not always available supports in the community to assist families to help young people connect to educational goals (28,45).

As indicated in the international research, young people's attempts to engage with education post-custody can be met with resistance from the school they hope to attend or return to (29,30). Factors at play can include low expectations of the school towards the young person, or school staff feeling fear towards these young people because of their connection to the youth justice system (9,31).

1.2.2 Early planning and timely transitions

The concept "Think exit at entry" was coined by Risler and O'Rourke (32) in their 2009 article where they stipulate that it is preferable that planning for a young person's release from custody takes place at the moment they commence their time in custody. Other key literature supports this perspective. Students engaged in transition planning, and who are supported by transition specialists, have been shown to have greater involvement in education on release (2,33). Post-custody

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[7] On 1 July 2019, Juvenile Justice in NSW became Youth Justice NSW

engagement with education, or work, is "critical to both short- and long-term transition success" (34 p2).

Re-engagement in education or employment within days on return to community protects against reoffending (24,35). Griller Clark et al.'s Toolkit (34 p25) outlines:

> Engagement is critical because if youth are not engaged within the first 30 days after release, their chances of recidivating are higher (Griller Clark, Mathur & Helding, 2011). Furthermore, youth who engage in school or work 6 and 12 months after release are less likely to return to the [youth justice] system (Bullis et al., 2002).

Research also reinforces the need for a streamlined collaborative approach to transition. This encompasses effective communication and partnerships among members from stakeholders across DET and youth justice, and relevant agencies and community services (38,39).

1.2.3 Frameworks

A wrap-around, multi-system model of transition requires the coordination of multiple organisations and agencies to work together, which in turn makes clear communication and effective information-sharing essential (40,41). Such work is not only very important—both for the individual young people and for society— but it is also very complex. Several transition planning guides have been developed to assist in negotiating this complexity and maximising the likelihood of a successful transition for young people following custody.

Four transition planning guides inform this report and are outlined below. The first three are from the USA, and the fourth from Australia. As described below, and as becomes evident throughout this report, general principles provided in each of these resources are adaptable to the Victorian context.

(i) Taxonomy for transition programming 2.0: A model for planning, organizing, and evaluating transition education, services, and programs (2016)

Kohler, Gothberg, Fowler and Coyle's *Taxonomy for transition programming 2.0* (16 p2) is committed to a key concept of transition practices research that:

> ... "transition planning" is the fundamental basis of education that guides development of students' educational programs – including strategies that keep them in school – rather than an "add-on" activity for students ... when they turn age 14 or 16.

This second version of the taxonomy – the edition most commonly referred to in the literature – builds on Kohler's earlier *Taxonomy for Transition Programming* (43). It retains the five primary categories of the original taxonomy model:

Student-focused planning;
- Student development;
- Interagency collaboration;

- Family engagement;
- Program structure.

This deceptively slim *Taxonomy for transition programming 2.0* (16) is only 12 pages long. An understanding of Kohler's earlier work leading up to this updated Taxonomy offers an insight into how the information about evidence-based practices has been distilled into this transition planning framework.

In her 1996 report, *A Taxonomy for transition programming: Linking research and practice* (43), Kohler acknowledged the link made by transition research between good transition practices and post-school outcomes for these young people. She found, however, that although examples of "best practice" were cited in relation to successful transition from school, the evidence to support its effectiveness was lacking. In 1996, Kohler analysed three studies that attempted to meet the five criteria of "best practice" put forth by Peters and Heron (44), where:

    (a) the practice is well grounded in theory;
    (b) the practice is supported empirically through studies that are internally and externally valid;
    (c) the practice has some underpinnings in existing literature;
    (d) the practice is associated with meaningful outcomes;
    (e) the practice is socially valid (45 p24).

Kohler et al. (45 p24) found promising transition practices in these three studies. In the fourth study she "organized the practices into a conceptual framework useful for program planning, evaluation, and research using statistical and social validation". This became the basis of the original *Taxonomy for Transition Planning* (43). This transition framework for designing educational programs was particularly directed at students with disabilities.

A literature review by Kohler and Chapman (46) followed. Publications relevant to the Taxonomy which focused specifically on the literature regarding school-to-work transition were reviewed. The authors "confirmed the relevancy of the Taxonomy framework and specific practices within" (45 p25).

Kohler, Gothberg, Fowler and Coyle's *Taxonomy for transition programming 2.0* emerged in 2016 as the result of "a rigorous, systematic, and comprehensive review" by a group of transition researchers (16 p25) and built on the previous model. It offered concrete practices – identified from effective programs and the research literature – which could be implemented by stakeholders into transition-focused education. It also covered the most recent literature on predictors of post-school success.

Although Kolher et al.'s Taxonomy (23) is focused on students with disabilities, its emphasis on improving young people's experiences of education during a time of transition has had direct relevance for youth justice settings. The *Taxonomy for transition programming 2.0* (16) features within the literature on education, youth justice and transition planning. O'Neill's recent and seminal edited collection *Incarcerated youth transitioning back to the community* goes as far as to say "The Taxonomy underpins the book, and is woven through all chapters" (2 p1).

In O'Neill's collected edition, Kohler, Gothberg and Coyle discuss their revised version of the 2016 Taxonomy, which they refer to as "The Taxonomy for transition programming 2.0 as applied to the youth justice system" (45). This version appears to be the basis of the version, *Taxonomy for Transition Programming for Systems Involved Youth* (23), published the following year, which was designed to assist professionals working with young people in the youth justice system. As a result of the revisions, the term 'student' has been replaced with 'youth' to acknowledge that some of the young people in the youth justice system may not be required by law to attend school; and practices "unable to be undertaken due to the nature of secure settings" have been changed or removed (45).

(ii)Transition Toolkit 3.0: Meeting the educational needs of youth exposed to the juvenile justice system (2016)

The version of the US National Technical Assistance Centre for the Education of Neglected or Delinquent Children and Youth [NDTAC]'s Transition Toolkit is commonly referred to in the literature as *Transition Toolkit 3.0*. This edition updates information on "existing policies, practices, strategies, and resources that build on field experience and research" (34 p1) and offers practical information to assist "administrators, teachers and service providers to provide high-quality transition services for youth moving into, through, and out of education programs" (34 p1) within the youth justice system. The Toolkit identifies four stages of transition:

- Entry into the Youth Justice System;
- Residency;
- Exit from secure care;
- Aftercare.

The Toolkit offers strategies for an improved transition process in relation to each of these stages. It is focused on how the various stakeholders can work together across the number of systems and services with which the young person interacts. Both Griller Clark (15) and Cumming (47) consider the Transition Toolkit alongside the Taxonomy to show they can be used in alignment with each other to enhance the effectiveness of transition planning. Although the Toolkit is designed for a US context, its focus on effective transition processes and practices has relevance for settings beyond the US, as evident in its application to the Australian context (28,47).

(iii) Core principles for reducing recidivism and improving other outcomes for youth in the Juvenile Justice system (2014)

Seigle, Walsh and Weber's *Core Principles* (48) shares in common with the *Transition Toolkit 3.0* a focus on multi-systemic collaboration as an important component of young people's transition back to the community – a focus that the literature recommends as a strong predictor of success (18,47,49).

In this Framework, four core principles are outlined:

- Principle 1: Base supervision, service, and resource-allocation decisions on the results of validated risk and needs assessments.

- Principle 2: Adopt and effectively implement programs and services demonstrated to reduce recidivism and improve other youth outcomes, and use data to evaluate system performance and direct system improvements.
- Principle 3: Employ a coordinated approach across service systems to address youth's needs.
- Principle 4: Tailor system policies, programs, and supervision to reflect the distinct developmental needs of adolescents.

The first part of the *Principles* outlines policies and practices to improve youth transition and the second part offers key strategies for implementing the policies and practices supporting the core principles.

(iv) Transition planning framework for New South Wales Youth Justice in Custody (2018)

An Australian transition planning guide referred to throughout this report is O'Neill, Strnadová & Cumming's *Transition planning framework for New South Wales youth in custody* (18), which offers a best practice guide to stakeholders involved in the support of young people transitioning back to the community.

Similar to the transition guides discussed above, even though the Framework is specifically tailored for one jurisdiction – in this case New South Wales' Department and Justice and Department of Education – its principles, processes and recommendations are of relevance to stakeholders further afield:

> This Framework allows stakeholders to design rigorous plans to meet the unique needs of every young person leaving custody. Frameworks, by their nature, permit flexibility, and as such this Framework can be adapted to local contexts and available service providers (18 p5).

O'Neill et al. developed their guiding principles from a thorough review of the research literature and of the *Taxonomy for Transition Planning 2.0 Toolkit* and the *Transition Toolkit 3.0* (16,34).

This Framework provides categories that are more streamlined than the *Transition Tookit 3.0* (34) in categorising the stages of young people transitioning from youth justice back to the community. These are:

- Entry;
- Residency;
- Exit.

The Framework outlines goal domains that have been identified from youth justice transition research and transition theory, and stipulates why, where and how goals pertaining to these domains should be achieved.

1.3 Research Approach

The project team is led by researchers from Victoria University, and also involves researchers from the University of Tasmania and Deakin University.

Research focused on young people in the criminal justice system, and especially on those in custody, carries a high level of sensitivity. Ethical considerations were therefore of principal importance in this project. Formal ethics approval to conduct this study was obtained from Victoria University, and the Department of Education and Training.

1.3.1 Data sources

The study was designed to employ several complementary data collection tools in order to investigate this complex topic and address the research question. The methods that were approved as part of the ethics protocols included new data collection as well as analysis of secondary materials, i.e.:

- three group consultation seminars, involving 25 DET school and business unit staff as participants:
    - Consultation seminars 1 and 2 included group discussion as well as a paired activity, for which participants were asked to imagine they were in charge of an initiative in DET to support young people transitioning into schools after custody and to come up with their top priorities for action.
    - Consultation 3 involved discussion with DET staff who provided valuable insights about the three key themes and movement across time that frame this report.
- individual interviews with 5 DET school staff,
- survey with responses from 28 DET staff from schools, regions and business units,
- existing documentation and data provided by the DET.

2: Principles and Key Enablers

2.1 Overarching Principles

Relevant literature discusses a range of principles that are beneficial to successful transition planning. Synthesising recommendations from a range of national and international sources, we suggest the following overarching principles to support the work by DET to assist young Victorians to maximise the likelihood of successful educational transition after their release from custody:

- Appropriate and effectively used resourcing;
- Youth-centred focus;
- Focus on future opportunities;
- Clear, consistent and safe approaches;
- Collegiality and collaboration.

These are discussed in turn below.

2.1.1 Appropriate and efficient resource allocation

The literature discusses a range of practices and initiatives beneficial to successful transition planning, and Cumming, O'Neill and Strnadová (50 p390) argue that although resource allocation is not an evidence-based practice, it is nevertheless crucial for implementing successful practices, initiatives and programs. Tannis' book, *Educating Incarcerated Youth* (51 pxii), cites "appropriate resources" as a key component for optimising young people's educational experiences in youth custody, particularly for school leaders, teachers and students, and as the Transition Toolkit 3.0 (34) suggests, the continuation of resource allocation throughout the young person's transition from youth justice into the community is also important:

> Even the best intentions can fall short if adequate funds are not allocated to provide necessary resources for transition services. States, agencies, and facilities should gauge what is needed in terms of staff and materials to establish and sustain comprehensive transition planning, services, and supports. When budgeting for transition services, it is imperative to not only consider the needs of staff who focus on transition (e.g. transition coordinators) but also the time commitments of others involved in the process; after all, transition is a team effort (34 p13).

Resource allocation needs to be aligned with strategic planning (16), so that "duplication or omission of a young person's transition across sectors" is reduced, system effectiveness is increased and collaboration is achieved

between the many stakeholders across the relevant agencies (47 p83). Seigle et al.'s *Principles* (48 p8) stresses the importance of making validated assessments so that resources can be used in the most effective way "to reduce and improve other youth outcomes".

Resourcing needs should be considered in relation to contextual factors such as the young person's individual needs (34), which would become evident in their Transition Plan. To be able to decide on what these needs are, the young person's perspective is vital. Finding out what young people themselves see as helpful for their transition journey makes it possible to "implement strategies that will optimise reentry [or pre-entry] efforts" (15 p53).

In 2017, DET acknowledged that resourcing for Parkville College requires special consideration to meet the specific needs of the young people and the school's unique practices (8). While the result of an internal review of Parkville College's service model and funding are not publicly available, DET has invested in resourcing support for young people's transition from custody, allocating funding from 2017 to 2019 to create a Parkville College Transitions team and Youth Justice Regional Engagement Coordinator.

Resourcing transition support for young people in custody also requires a lateral approach. The literature supports the practice of teachers visiting their students who are in custody (41) but teaching commitments do not always make this possible (see section 3.1). Similarly, our data indicates that the "team around the learner" approach (TAL) (see section 5.3.2) is effective but labour intensive. In each of these cases, a "form of release" resourcing would make a difference. For example, if the school was to hire a relief teacher, the teacher who has established a relationship with the young person would then be freed up to make a visit to the youth justice facility. Similarly, the resourcing of a casual relief teacher could benefit the person coordinating the TAL approach. That teacher could then devote the time needed to implement the process.

2.1.2 Youth-centred approach

As indicated above, there is strong research support for the idea that successful transition depends on a youth-centred approach, one which addresses the young person's needs and insists that young people's voices be listened to (15,16,34). This approach features in New Zealand's newly established Ministry for Vulnerable Children, Oranga Tamariki (MVCOT). This "whole of sector" child centred approach was designed "to change the way systems work with children and young people" (52). This philosophy is at the heart of the concept "children first, offenders second", which Haines and Case explain. They suggest that young people's offending behaviour should not be seen as a sign of psychological and social 'failings' or 'deficits'. Rather, they should be reframed as being part of the process of growing up. In this way, the focus moves away from offending behaviour to the young people themselves. Consequently, young people's consultation, participation and engagement should be prioritised over more punitive – albeit well-intentioned – interventions (53) or what Byrne refers to as the "punitive paradigm" (54 p6).

The key guidelines for transition planning — the Transition Toolkit (34), Kohler's et al. Taxonomy (23) – and the Framework by O'Neill, Strnadová and Cumming

(18) that is based on these guides — support a youth-centred focus (50). These documents are characterised by a focus on young people's needs and self-determination and young people's preferences, interests, engagement and agency. These set up the possibilities for "creating youth-focused transition plans and developing the academic, social and emotional capacity in young people that enables them to not just participate in their transition planning, but to drive it" (15 p35), from scheduling transition planning meetings to determining and evaluating their progress (23).

The young person needs to be meaningfully involved and supported:

> After all, without the young person's buy-in, the process of transition back to the community will be yet another thing "done to them and for them and only rarely with them (and with their consent)" (42 p109).

An approach toward the young person that focuses on their future prospects, rather than on their past offending, has positive implications for school practices, when the young person has transitioned from the justice facility. This is suggested by the following initiative:

> School leaders are well placed to communicate unconditional regard and respect to the young person and school staff. This can be achieved by giving students a chance, focusing on strengths, and well-designed behaviour management plans (Cole and Cohen, 2013, cited in 50 p389).

This kind of approach also incorporates including the young person's family. The role of family, and especially parents/carers' involvement, in assisting the young person's successful transition back to the community is emphasised in the literature (23).

New Zealand's transformation of its justice system in moving towards a restorative rather than retributive approach in the later 1980s emphasised the strengthening of families in The Children's and Young People's Well-being Act 1989 (also known as the Oranga Tamariki Act) (55 p1)[8]. The Act responded to the acknowledgement of difficulties that families experienced in being able to participate in court processes that were often alienating:

> The Act's principles emphasize involving the family group in all decision-making and interventions. This is most clearly seen in the Family Group Conference, in which families are asked to be fully involved in the process of determining a response to the young person's behavior (55 p2).

The need for a move away from the "historical legacy" of blaming parents for neglecting their responsibilities for their children has been identified (28 p60).

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[8] Goemann notes: The legislation was originally titled the "Children, Young Persons and their Families (Oranga Tamariki) Legislation Act 1989" and was changed in 2017. Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017, s. 5, http://bit.ly/2JcARy1.

While there is evidence of the role that families have played in young people's engagement with crime (28), the literature points to the need of a strengths-based approach that can enable parents and carers to gain the necessary skills to support their children (50).

Family involvement is encouraged by youth justice staff during a young person's custody, especially at exit conferences in youth justice settings. This includes making arrangements for families who live in remote areas to travel or attend via phone or Skype (50). Family involvement is also a component of the wraparound program model that operates from within schools (50). The importance of family-involvement in the young person's transition plans is emphasised in the key transition guidelines (23,34,48). Research also indicates that the family can play a crucial role in "helping the young person develop a 'non-offender identity'" (50 p388).

But in order for this to be effective, the young person needs to be supported by their environment. This might require that aspects of the system change. For example, in the school context, the attitudes of some staff and principals towards young people transitioning out of custody is negative (31,56). This can lead to low tolerance for behaviour issues, which in turn can result in suspension and expulsion (50).

Good transition processes to overcome these kinds of challenges involve brokering the mending of relationships by young people, an initiative that schools can support. A pre-visit to the mainstream school during the pre-placement period, or connection made via audio-visual link-up, places the young person in a better position to forge a positive relationship with the school and overcome possible initial school resistance (41). Additionally, professional training aimed at building teacher confidence for engaging with these young people – and readjusting perceptions of the young person as an offender to that of a student – would be beneficial (41,48).

Successful transition from youth justice facility to the community, then, is dependent not only on the young person being supported to take ownership of their transition process, but in a shift of mindset within the cultural and environmental contexts in which the young person operates.

2.1.3 Focus on future opportunities

Ideally, the process of transitioning from youth custody to re-entry into the community should be one that focuses on the young person's future, not their past offending history. Youth justice's focus on security, risk and safety is understandable given its remit. However, this focus tends to be fixated on what the young person has done in the past, which led them to being placed in a youth justice facility in the first place. Such a focus, alongside concerns within the broader community about youth crime, can result in these young people being cast primarily as offenders rather than as children or young people who happened to commit an offence (9,57,58). Halsey (6) notes that the focus on risk and recidivism rather than desistence has been privileged at the expense of supporting and building young people's skills (59). This has a resonance in Urwin's, *A Return to Social Justice* (60 p221), which argues that social justice, rather than criminal justice, is better placed to reduce youth crime. Urwin agues

while criminal justice "is often achieved through specific mechanisms or actions, such as punishment, retribution, or reparation", social justice is "more implicit, requiring institutions to recognize their impact and build just mechanisms into their structures".

Shifting the focus away from misdemeanors that may have happened in a young person's past creates a space for the young person to grow, develop and plan. This taps into the concept of youth-centredness above. The young person can then focus on individual hopes and goals for a fulfilling future that can be acted upon.

The transition planning guides such as Griller Clark et al.'s Transition Toolkit (34), Kohler et al.'s Taxonomy (16) and O'Neill, Strnadová and Cumming's Transition Planning Framework (18), discussed above (see section 1.2.3) are focused on practices that support young people's self-efficacy, such as developing skills and setting goals for future achievement. There are also a range of programs, practices and interventions of this ilk, which focus on self-determination and self-advocacy (15,59). While promoting desistance (59), these approaches offer young people the skills to be better able to negotiate future educational and general living goals.

The literature supports evidence of young people showing high levels of self-efficacy in making good choices, including re-engagement with education, goal setting and remaining outside of the justice system (59). Furthermore, O'Neill (59 p259) points to the ways that young people emerging from custody are forward looking:

> Successful youths in the study by Dawes (2011) had a clear vision of their future. A sense of optimism and hope (Bateman et al., 2013; Halsey 2007; Jahnukainen, 2007), and willingness to change (Bellmore, 2013) were also other positive internal supports evident in the literature. In Hartwel, McMackin, Tansi, and Barlett (2010), all youth believed they would be in college or employed five years after release, despite half of the participants being rearrested within three months of release. Youth may have aspirations for a better life, but not the internal or external supports to achieve it.

For young people to move forward in this way relies on them being around others who also see their potential to live fulfilling lives. Initiatives that challenge the stereotypes and perceptions of young people as offenders are recommended. For example, professional training is such an initiative, aimed at empowering teachers to feel confident and safe around young people and to see them not as previous offenders but as young people now engaging with their dreams for the future.

2.1.4 Clear, consistent and safe approaches

The challenges of interagency collaboration – across multiple organisations and agencies and including as well as the young person and their family – require clarity and consistency across the sector if they are to be successfully

implemented (16,41). Building capacity across the sector to develop a common vocabulary and understanding of each area's roles and responsibilities is vital so that misunderstanding can be avoided and so that stakeholders can work together productively and avoid duplication (41).

Consistency is also key to effective transition planning. In order to ensure consistency, it is necessary to hold regular and consistent transition team meetings that are ideally organised by the team coordinator (47) establishing regular and consistent communication with young people and their families in a language they can understand (34). Consistency is core to Parkville College's relationship building approach that sits at the heart of its educational practices, preparing the young people for when they transition out of the youth justice system (9).

Evidence points to the sometimes unsafe environments that young people return to after time in custody (28). A study by Unruh et al. (61 p209) reports that those young people who have "a safe and stable place to sleep, knowing from where the next meal was coming, and having adults not in crises (i.e., addiction or missing due to incarceration)" were better placed to experience successful transition from custody. It is crucial that transition teams work with families throughout the transition process to assist them in being able to support their children throughout this process. Strnadová, Cumming and O'Neill, (41) emphasise the importance of family involvement during exit conferences, whether in person or other means such as teleconference or phone. The authors note the difficulty of engagement when it is not in person, which is particularly an issue for families in remote or rural locations (34,41,42).

Measures need to be put in place to safeguard both the privacy and the safety of young people and the safety of teachers. It is important that interagency databases only make information about young people available as needed (39) or to give only contact details and not confidential information about the young person (28). Teacher safety can be addressed by professional development training opportunities, enabling teachers to feel confident dealing with young people who may have had a history of violence. The framework of School-Wide Positive Behaviour Interventions and Supports, initiating evidence-based approaches for improving of school discipline, is made available by DET to all schools. Such approaches are considered to "reduce disciplinary incidents, increase academic achievement, improve staff morale and perceptions of school safety" (50 p384). These kinds of approaches can be implemented to build capacity for teachers and, in the process, circumvent a situation where a principal might otherwise decide that the risk to staff is too high to accommodate a student with a history of violence (50).

2.1.5 Collegiality and collaboration

The research supports the ideal of a collaborative transition planning system being one where "all agencies take it upon themselves, both individually and communally, to ensure that youth under their care succeed" (49 p713-714). However, working together collaboratively is challenging. Cumming et al. (50) note that the study undertaken by her colleagues and herself – and the literature

generally – indicate room for improvement in the transition planning processes for this vulnerable population, principally in the area of stakeholder collaboration.

From the school's perspective, issues arise when the information about the young person's transition to the school is delayed and necessary information – for example, when school records containing information are lacking, or not shared among key stakeholders, "educational programming is less effective" (26 p33). These issues can be exacerbated by the distinctly different cultures of the two key stakeholders (justice and education) in the transition planning process. While both are committed to the safety, protection and just treatment of the young people, each of these entities are focused on different aspects of the young people's experience within the custodial setting.

Even within one culture, which shares a common philosophy, there can be different entities. For example, within the Victorian education system, there is the executive and also the regional offices; there is a transition team at the departmental level and the one that operates on the ground at Parkville College; and there are the various schools and centres involved as young people transition –from Parkville College to mainstream schools and Flexible Learning Centres. The kinds of complexities that emerge from these connected, but separate entities, can place a strain on the collegial nature of stakeholders' relationships.

The literature offers suggestions for overcoming these kinds of issues by focusing on clear and collaborative processes. These range from the staged information offered in the transition planning guides (16,18,34), discussed in Section 1.2.3, to advice about the timely sharing of records, coordinated pre-release planning and pre-release visits, which can forge positive relationships between the young person and the school (50). Additionally, the school itself can support transition by coordinating wraparound services for the young person (50).

2.2 Key Enablers

Based on analysis of our research data alongside relevant literature we have determined three key clusters of enablers for young people's transition from custody to education. These *key clusters of enablers* focus on what can be implemented by the transition team, and namely DET, to enable young people's successful transition.

The three enablers are:

- The specific *roles and responsibilities* and the expertise and capacity building of the range of relevant staff involved in transition planning;
- The *information/systems* that enable communications between stakeholders;
- The programs that are for, and which support, young people.

Figure 1 (page 29) indicates how the enablers move across the stages of transition, from entry and custody through to pre- and post-placement support and throughout the whole process. The three stages of transition provide a structure for the remainder of the report.

Activities will be discussed first in relation to entry and custody; then in relation to pre- and post-placement support; and, finally, in relation to a seamless and coordinated approach that spans the entire process. We use the term 'stages' judiciously, however, noting that these stages are not always linear in a young person's life. It is possible, for example, for a young person to enter custody prior to or following post placement support.

Importantly, activity in relation to these enablers cannot be "bolted on" towards the end of a young person's incarceration. It requires coordination whereby "individuals from multiple systems to work together to plan for and ensure that youth involved in the youth justice system receive appropriate support services at all stages" (34 p2). It also needs to begin early (34 p14):

> In an effective system, planning for exit and aftercare begins at entry into the system, not just entry into a facility. […] Transition activities should not be put on hold until justice processes are completed, as court calendars change, unforeseen circumstances arise, and frequent changes take place. Transition should begin as soon as possible after entry into the JJ [youth justice] system.

The American *Transition Toolkit 3.0: Meeting the Educational Needs of Youth Exposed to the Juvenile Justice System* (34) suggests four stages: system entry, residence, system exit, and aftercare.

The *Transition planning framework for New South Wales youth in custody* (18) suggests three stages: entry, residency and exit.

The *Education, Training and Employment Transitions Framework*, from within Parkville College[9], identifies four phases: commencing when the student enters the College; development of their readiness, skills and knowledge; pre-placement support; and post-placement support.

To reflect research-informed best practice, as well as the specific context in Victoria, we will discuss key enablers in relation to three stages in the transition journey, entry and custody, pre- and post- placement support and throughout all stages. In each subsection, we discuss specific activities that enable successful educational transition after young people's release from custody. For each activity, we outline the:

- Evidence base;
- Current DET practices;
- Suggested changes and enhancement.

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[9] Parkville College. Education, training and employment transitions framework, Draft version. 2019.

Figure 1: Overarching principles, enablers and their movement throughout all stages of transition
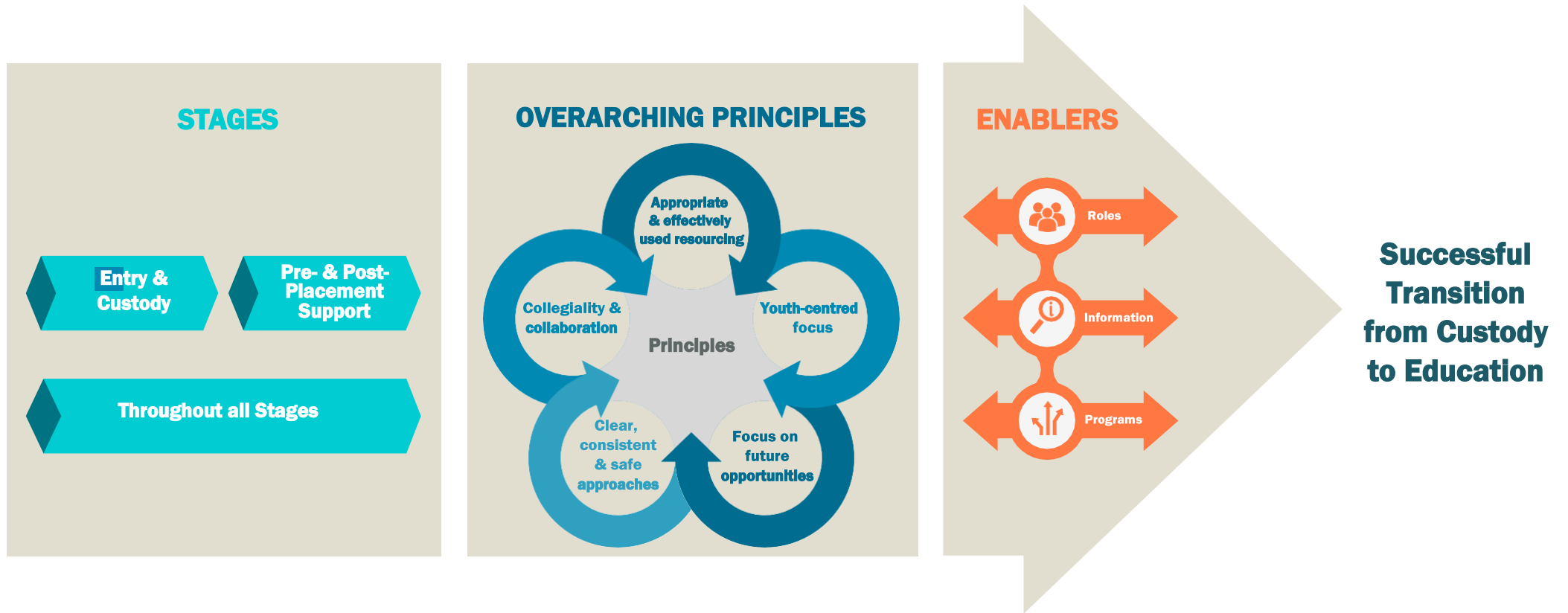
3: Entry and Custody

The elements presented here are closely associated with the specific context of youth justice, processes in the criminal division of the Children's Court and the point at which the young person is remanded or sentenced into custody. Activity across these timeframes provides a crucial foundation for subsequent work. These include:

- The role of school staff;
- Establishing communication on entry into custody;
- Programs:
  - Self-efficacy and readiness;
  - Targeted programs for different demographic cohorts.

3.1 Role of School staff

There is one main enabler in relation to roles, at the entry and custody stage. This enabler is the role of a staff member from a school outside custody. This staff member will be connected with the young person while the young person is, first, before the criminal division of the Children's Court and, then, in custody.

Evidence base

Research shows that young people who enter the youth justice sector have better outcomes if they are connected to supportive caregivers (48). While family may provide necessary support in assisting young people facing and then experiencing custody, a staff member from the young person's current, previous or intended future school can play an essential role in supporting the young person at this stage of their engagement with youth justice.

The transition to a custodial sentence brings about a significant change in the lives of children and young people (59). Young people are not mini-adults. They are at a particular stage of development where they engage in risky behaviours where decisions and their consequences may not be obvious. When their decisions or actions result in engagement with youth justice, young people require support through this process (48):

> Young people make mistakes, and it's our job to ensure that we give them an opportunity and help them to learn and reflect on their mistakes, and hopefully, hopefully we can get them to a situation where they have then the skills to be able to move in to the next stage. Because their life is going to be full of challenges, just like our lives are, and that perseverance and that skill and that respect that they need to move forward is something that we develop … while we're here (Principal).

Current DET practice

Our research with principals in DET schools shows that some schools are making significant efforts to support young people at this stage of connection with youth justice. The consultation seminars suggested that this level of support is inconsistent across DET schools. Some schools report that they attend court with the young person, while others maintain a connection with the young person in custody via email and correspondence that is sent through the teachers at Parkville College:

> I would go to court on a Wednesday sometimes and I would speak on behalf of the young person. I'd ensure they had letters. I'd ensure that I'd be advocating for them, within context. ... I would go often to 'victim of crime' meetings with the young person. They would often ask me to come along as their support (Principal).

Student Support Services (SSS) Area staff are able to support schools with immediate strategies for acute issues/complex cases as the result of a new or changing student presentation. SSS Area Support staff have four statewide service priorities: critical incidents; acute issues/complex cases; prevention/capability building; short to medium term intervention. While many of the young people transitioning from custody would fit within the category of acute or complex issues there is evidence in our research with principals and regional staff that schools are reluctant to call on SSS Area Support as they are unsure of SSS' capacity and the time commitment required to work with these young people. Compounding this uncertainty among school staff of the role of SSS to support young people transitioning from custody is that this cohort is not explicitly named in the table outlining students who would be covered under the priority of acute issues/complex cases[10].

Suggested changes and enhancement

Developing and maintaining a relationship of trust with the young person enables schools to identify where they can provide support. There is not a one-size-fits all option for all schools on how to do this. It may include attending court, but also may also include practical support such as giving advice, providing transport, or assisting with preparing a statement for the court (59). The need to provide this level of support is not consistent across DET and is not resourced through any existing programs.

Some schools may have several young people facing custody at any given time and others will have none. Formalising a program which provides schools access to resources that enable staff to undertake the role of supportive caregiver where required, would make this a consistent approach. As the level of necessary support varies across DET schools, and over time within each school, it would be appropriate that funds for this purpose be made available through Regional or Central DET budgets.

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[10] DET Student Support Services Handbook, Nov 2018.

Acknowledging a child or young person's engagement with youth justice as an acute issue or complex case in the statewide service priorities would ensure schools are aware that they can approach SSS Area Support for assistance. A review of the support required for these young people would ensure that SSS work allocations are appropriate for the level of support required.

The Core Principles Framework (48) recommends that youth justice systems should move beyond the "rhetorical recognition" of adolescent development and identify "key developmentally appropriate policies and practices". In the Victorian context this would include, the dual track system under the Sentencing Act 1991, where alongside other criteria a young person aged between 18 and 21 can be sentenced to a youth justice facility if the court believes there is a reasonable prospect for rehabilitation.

3.2 Establishing communication on entry into custody

Evidence base

Findings from our data and evidence from the international literature highlight the importance of sharing information in a way that is timely, relevant and appropriate. Channels of communication need to be clearly established for this to occur. There is one main enabler in relation to information, at the entry and custody stage. This enabler is the establishment of effective communication between the young person's current or most recent educational environment, the Children's Court, and Parkville College.

The transition process for young people begins when they enter the youth justice system (34), and it follows the precept of "think exit at entry" (32). The youth-centred approach to transition means the young person is actively involved in the process. Trying to make sense of departments, organisations, programs and services is easier for the young person if the communication channels between these entities are clear, well-established, and consistent across all stages (26). When the system is not well established there is a risk that contact with the young person will be lost (4,62).

It is important for the young person to consent to the information that is shared so that all relevant information is available. It is also beneficial for the young person to be made aware of how the sharing of this information will support them[11]:

> If students are to be successful, they must participate in planning and also see there are adults supporting a planned return (Principal).

Good communication practices increase effectiveness in the provision and sharing of information, which enhances collaboration between agencies (41). Effective communication practices to support transition, as outlined in the *Transition Toolkit* (34 p10-11), have been adapted here for the Victorian context:

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[11] DET Information-sharing Principles and Protocols Draft June 2019

- Interagency/intersystem collaboration among entities, would include DJCS and DET (Parkville College, Central and Regional locations, Navigator, Lookout, RECCLO/KECCLO [Regional Children's Court Liaison Officer/Koorie Education Children's Court Liaison Officer], YJ support) but may also involve TAFE, Local Government, community-based organisations, careers and employment service providers.
- Establish a transition coordinator (see section 5.1.1) and team, where each member's input is incorporated into the planning process.
- Transition planning is youth guided and family driven. Regular and consistent times for planning should be established in advance.
- Establish formal agreements among agencies, such as memoranda of understanding (MOUs) as mentioned below, that assign roles and responsibilities, specify accountability, and delineate communication channels.
- Establish regular and consistent communication with the young person and their family in a language they can understand to discuss progress toward meeting transition goals and to get input into transition activities and ways to improve.
- Establish strong linkages with DET Regions and schools, other education providers e.g. TAFE, Catholic Education, community-based providers e.g. North Melbourne Football Club and others that can help reintegrate the youth into education.

Research in New South Wales suggests that information sharing between youth justice and educational environments has traditionally been poor (41).

The preferred communication practices are those that abide by the Information Sharing Protocols agreed to between DET, DJCS, and by the Health Privacy Principles (HPP) and Information Privacy Principles (IPP), which outline the young person's right to privacy.

Current DET practice

Formal agreements such as MOUs can facilitate strategic and consistent communication and support, program cross-sector information sharing, professional development and the clear allocation of roles, responsibilities and accountability (47). The *Memorandum of Understanding: Youth Justice Custodial Services and Parkville College (MOU)*, between the Secretary to the Department of Justice and Regulation (now the Department of Justice and Community Safety) and the Secretary to the Department of Education and Training Victoria, demonstrates a commitment to working collaboratively:

> The parties will work cooperatively at all times to achieve the Overarching Purpose and Vision of this MOU, and any other objectives agreed between the parties from time to time (MOU p5).

The agreement states that Youth Justice Custodial Services will provide timely and relevant information to DET and Parkville College:

> Subject to privacy and other Laws, provide relevant information about Students to DET and other Parkville College staff to enable them to provide Education appropriate for that Student,

in accordance with any specific processes set out in the Operational Requirements (MOU, p8).

Parkville College contacts the young person's current/previous schools for educational information and to better tailor its teaching and transition support. This enables Parkville College to ensure that appropriate learning is facilitated while in custody. The College also encourages external teachers, employers and key support people to visit the young person while in custody[12] (9):

> We know how valuable that [visiting Malmsbury or Parkville] can be in terms of their coming back into this space and how that operates for them. We know how valuable those visits are. And we also know how helpful that is. Not only for the young person, but for the school as a whole and how much buy-in we get from young people in custody, as a result. It's a two-way thing (Principal).

Parkville College have been actively working with schools to increase the number of teachers who visit their students in custody in order to create relationships and strengthen handover. In January 2020 they reported that they had organised 78 school visits in 2019, with an average of 1.8 schools attending per week compared to a total of 10 schools across the whole year (or 0.2 per week) in 2018.[13]

The DJCS Pre-release program enables eligible students to leave the youth justice precinct in order to familiarise themselves with their transition destination, before the end of their period in custody[12].

Suggested changes and enhancement

The information that accompanies the young person when they come into custody needs to be coordinated to ensure all relevant information is available to Parkville College and the transition team. While confidentiality and privacy must be maintained, multiple files increase the risk of vital information not being shared and therefore reducing the effectiveness of support for the young person's education while in, and transitioning from, custody. This involves identifying the location of information that may include, but is not limited to, CASES21 data, Department Confidential Student (DCS) files, assessment data, prior learning data, previous/existing therapeutic support and the Education Plan. A review of information sharing protocols across DET programs that sit outside Cases21 is warranted to ensure vital information is not overlooked:

> Cases 21 and all these third-party systems that capture all this really nuanced information that we want but we don't have access to. So it really is the schools, Areas, Lookout, Navigator and other DET programs] having to share information (DET staff member in Consultation Seminar).

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[12] Parkville College. Education, training and employment transitions framework, Draft version. 2019.
[13] This data was provided by Parkville College but it has not been possible for the Transition Team, nor for the research team, to confirm numbers.

Establishing systems-wide communication practices with current or previous schools on entry to custody enables Parkville College to commence transition planning work immediately with the young person, as well as with relevant education providers and other services. Ensuring that the information is collected on entry into custody will prevent delays to the young person's education as they transition following custody due to inadequate information or communication between agencies (34).

To facilitate visits from the receiving school, additional resourcing such as a casual relief teacher (CRT) may be required to facilitate a teacher's visit as part of transition planning for all young people in custody.

Moreover, literature recommends a visit *to* the receiving school by a team consisting of the student, family members and representatives from youth justice (50 p387). This enables the student to better adjust to the educational environment by meeting the principals and teacher, and being clear about the school's expectations. It also offers the student an opportunity to "demonstrate growth and improve poor relations, if the school was the one he or she last attended" (50 p387). Therefore, it would be helpful for DET to work with DJCS to enable as many students as possible to access the pre-release program.

3.3 Programs

3.3.1 Self-efficacy and readiness

Evidence base

Self-efficacy means that the young person believes they have the ability to accomplish something or that they have a good chance of success in specific circumstances. The young person's readiness is characterised by being fully prepared and equipped for the task they will take on. Both self-efficacy and readiness are influenced by external factors, such as mental and physical health, and are not simply characteristics of an individual young person.

Self-efficacy impacts the choices that these young people make and their motivation and resilience in the face of the many complex challenges they encounter (2,15). Previous and ongoing trauma, as well as the incarceration itself, can impact on how young people view their self-efficacy for learning (63,64).

Evidence reveals that many young people in the youth justice system are motivated to change their circumstances but require support to build their self-efficacy for learning and to move away from a negative view of their own capabilities (2). Programs that enable the young people to build on their everyday skills, and experience small and authentic success and a sense of achievement can raise their self-efficacy (59).

Current DET practice

Parkville College is assessing the young person's "skills, interests, intrinsic motivations and readiness to set education and training goals" when the young

person enters Parkville College[14]. Qualified staff are looking to understand the young person's informal skills, including skills and knowledge gained through informal environments, identity, personal strengths and life experiences:

> While they're in Parkville, what diagnostic assessment is occurring to isolate their learning needs and start to help fill some of those gaps – to build their capabilities around education as a whole? Because there is a whole discourse around how you do school, and to be successful at school, there is a whole range of social and cultural capital, and with that, that they have not necessarily had access to build that self-efficacy around education (DET staff member in Consultation Seminar).

The Youth Learning Pathways Program targets high-risk young people with complex needs to build educational, training and employment aspirations. The programs link with existing place-based initiatives run by partner organisations that are supported by the DJCS in specific geographical locations: Brimbank, Melton and Wyndham[15 p8].

Suggested changes and enhancement

It would be helpful for the young person leaving custody if supportive programs that were available in Parkville College continued during and after their transition following custody:

> It's challenging to think that a young person can be deemed to be of a certain risk or require a certain amount of support when they're in Parkville, but once they're released, that support is no longer there because they're no longer in youth justice (Principal).

It must be acknowledged that the transition process itself may impact on the self-efficacy young people have built while in custody. They are moving from a highly regulated environment into the more challenging world outside the walls, and as a result doubts about their capabilities may (re)surface. Ongoing support for a young person's self-efficacy through targeted programs should be built into all transition plans:

> I think the Parkville staff do a fantastic job building up some confidence in these kids who have been devoid of confidence largely, with educational success, but as we were saying, as soon as they get integrated back into mainstream, they hit a brick wall and it's all too difficult and this is where an intensive … learning, tutoring … specialist teachers who have the skills (DET staff member in Consultation Seminar).

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[14] Parkville College. Education, training and employment transitions framework, Draft version. 2019.
[15] Department of Justice and Community Safety. Youth Control Order, Practice guideline 5 – Engaging with other service providers, Appendix 4 – Education and Training, Feb 2019.

It would be worthwhile to explore the possibility of expanding the Youth Learning Pathways Program approach to support all young people transitioning from custody who require targeted programs, regardless of their geographical location.

3.3.2 Targeted programs for different demographic cohorts

Evidence base

Within the Youth Justice Centres there are a number of different cohorts of children and young people who require targeted programs to support them in their transition. These cohorts include young people who are from Koorie, African and Pasifika backgrounds (also see section 5.1.5) as well as others who are from culturally and linguistically diverse (CALD) groups, who are female, who are younger children or older youth, who are young people in Out-of-Home-Care (OOHC), who are young people in child protection, or who are those with health or disability needs, or identify as LGBTIQ+.

To create the conditions necessary for inclusive education it is important to avoid defaulting to a one-size fits all approach regarding support and programs made available to assist young people in their transition to education from custody (65). Acknowledging the unique needs of different cohorts as they transition from custody is vital to maximising their success. For example, Cumming, Strnadová and O'Neill (42 p99) emphasise how having Aboriginal elders involved in the transition planning and practices, with the consent of the Aboriginal young person, can be beneficial for offering a network of support and building up rapport. The Victorian Ombudsman (66) further highlighted the vulnerabilities of particular cohorts, including LGBTIQ+ young people.

For young people with Aboriginal, Māori and Pacific Islander, and African backgrounds, "creating and maintaining cultural and community connections" and "culturally relevant and sensitive responses to address their offending that considers challenges experienced by these young people and their communities" is important (10 p9):

> I wonder if there's enough of that done within Parkville, to build up that aspect of "who they are" rather than "you did wrong". And have people who are very connected to the cultures and their languages, go in and talk with the students. That's a huge need. Not only in Parkville, but in a lot of the schools in Victoria (DET staff in Consultation Seminar).

Incarceration impacts on minority cohorts in very different ways and therefore their transition needs differ. For example, girls and young women in custody are acknowledged as being more vulnerable than their male counterparts (67). There are concerns that conditions for young women in Parkville Youth Justice Precinct are worse than for their male peers (8,9). Given the low numbers of girls and young women in custody, the expertise of staff and the understanding of the specific needs of girls during transition is limited (67):

> But I also think it's important to categorise gender for example, there's a very, very small percentage of women in custody. What supports are in place for women and is it important to sort

of look at them as different in terms of mentors? So, that's sort
of one category (DET staff in Consultation Seminar).

Current DET practice

There are a number of existing programs that offer support to specific cohorts of
young people transitioning from custody or the schools and flexible learning
environments. Some of these are statewide, while others are available only in
specific locations. These include:

- Augmented Navigator program - for CALD young people;
- Lookout Centres – for young people in Out of Home Care;
- School holiday programs – for CALD, specifically African and Pasifika
  young people;
- Place-based partnerships – to support schools increase participation and
  completion of African and Pasifika students, specific geographical
  locations;
- Social Cohesion Pilots – to work with schools to strengthen inclusion,
  specific geographical location;
- Principal Roundtable initiative – for supporting schools to improve
  engagement for CALD young people in specific geographical locations;
- SSS staff have the capacity to bring in expertise when specialist support
  is required, including support for CALD and Koorie young people and
  young people with a disability.

Suggested changes and enhancement

To enable education providers to access existing support early in the transition
process, the first enhancement is to ensure they know about the availability of
those supports for this cohort (also see section 3.1 regarding uncertainty among
school staff about accessing SSS Area support). On the other side, it would be
useful for these programs and supports to better understand their role for
supporting young people in custody. This is particularly important for young
people in OOHC and from CALD backgrounds, given their over-representation in
youth justice. Where supports are only available in certain geographic areas, the
Department could explore expanding these supports across the state.

In addition, developing new support programs at Parkville College and in regions
would help to address the vulnerabilities of other minority groups in custody.
These include girls and young women, younger children as well as older youth,
and LGBTIQ+ youth. Collaboration with the Higher Education and Skills section
of DET as well as existing services outside DET would strengthen the support for
diverse groups within youth custody.

4: Pre- and Post-Placement Support

Transition is a key focus for movement across these stages. Work here is closely associated with the education context, both within the youth justice precinct and outside. Activity across these timeframes builds on the important work undertaken on entry and custody. These include:

- Role of staff:
    - Transition support staff role in the school;
    - Transition support staff role at Parkville College.
- Information:
    - Information provision and sharing;
    - System level information gathering and monitoring.
- Programs:
    - Assertive outreach;
    - Access to a range of options.

4.1 Role of Staff

4.1.1. Transition support staff role in the school to which the young person is transitioning

Evidence base

Schools form part of the important systems of support for young people following a period in custody. The level of suspension or expulsion experienced by these young people (see Table 1) highlights the need to provide educational environments that re-engage these young people. Supportive school environments can communicate positive regard and a level of support for these young people, enhancing the second chance opportunity that education provides and working to reduce the chance of recidivism (34,59). The links between limited education and incarceration are significant, with over 90 per cent of incarcerated adults in Victoria's prisons not completing secondary school (14 p2).

In the literature, the school features as one of the community stakeholders working collaboratively on transition planning (23,34), and special educators are noted along with teachers as key players across all stages of a young person's transition back to the community. There are a number of different aspects to the school-based support role for these young people. These include:

- a leadership team who is committed to ensuring the school supports the young person to re-engage (34);
- a dedicated mentor who provides active support and connection with the school. There is compelling evidence that a dedicated mentor at school level provides substantial support to the young person, by providing guidance to help them navigate the transition process, maintaining

- contact with the young person (and family, if appropriate), ensuring appropriate social support, and reinforcing the Transition Plan developed while in custody (18,61,68,69);
- All relevant staff in schools – for example teachers, wellbeing support, counsellors, social workers – should be involved in the transition planning and support for the young person (15,47,59,68,92);
- It is not necessary for all school staff to know confidential information about the young person, including that they are transitioning out of custody, in order to provide appropriate support. An inclusive environment focuses on the learning needs of children and young people and creates an environment of collective positive regard for all children and young people (15,47,59,68,92). This is important, but must adhere to privacy and confidentiality policy, as young people who have spent time in custody can often feel that they are being closely scrutinised and stigmatised (59).

The capacity to build relationships with teachers, support staff or the leadership team in schools for many of these young people has been restricted by absenteeism and a lack of connectedness (39). Young people report that they want to re-engage with learning in positive educational environments, where they feel respected and acknowledged as active agents in their learning (9). They report that a positive relationship with a consistent adult, who can assist with life experiences and navigate the support services and transition processes, can have a significant impact in their lives (68).

Current DET practice
DET staff working in support programs, including SSS, Navigator and Lookout, already work with these young people if they have disengaged from education or been identified as being at risk or vulnerable. Our research findings identified a perception, across school-based and Region staff, that SSS staff do not have the capacity though to engage with the complex needs of these young people or to commit for an extended period of time. As a result, it seems that existing programs are not necessarily used in practice to provide transition support in schools receiving students exiting custody.

Suggested changes and enhancement
The mentor role is different from the coordination of the Transition Plan (see section 5.2.1) or school leadership. The roles can be duplicated but the key focus of the mentor is on building a relationship with the young person. It is recommended that schools identify a mentor for a young person transitioning from custody. The staff member may mentor more than one student but should be separate from the coordination of the Transition Plan, which we have recommended be undertaken at a Regional level.

It is advised that the DET review the scope and capacity of SSS and the Youth Justice Regional Engagement Coordinator to provide support and work with schools as they transition young people from custody.

4.1.2 Transition support staff role at Parkville College

Evidence base

Transitioning in any education environment is acknowledged not simply as a point-in-time event but as an experience that can extend over a number of years (70). There is growing evidence that the support of transition specialists who assist with the coordination of agencies and services for young people following a period in custody leads to higher rates of engagement in education and training and lower rates of recidivism (39,49[16]).

Current DET practice

Parkville College, acknowledges that student transition following custody is a process and not an event[17]. Transition support is directed at connecting the young person to education during their time in custody and in preparation for their transition following custody. Parkville College has a Transition Team with five full-time dedicated staff committed to support young people through their transition post-custody. Parkville College aims to establish an educational connection with young people in custody and works with them to develop a Student Plan for education following custody. A recently developed framework for the transition of young people from custody, *Education, Training and Employment Transitions Framework* (hereafter referred to as the Transition Framework, 2019)[17]*,* sets out the process.

Parkville College works with the young person, their family or carer and Community Youth Justice on their Transition Plan, and helping them connect to their previous school or to a new mainstream or alternative school. Parkville College acknowledges that strong post-placement support is important for the sustainability of young people's transition[17]. If issues arise with the previous school accepting them back, or if the young person does not have a previous school to return to, the Youth Justice Regional Engagement Coordinator (YJREC) (see section 5.1.1) negotiates with schools and works to enable a productive transition from Parkville College.

A new dual enrolment initiative allows government school students to maintain their enrolment at their home school while they are enrolled in Parkville College. The student will be listed as an approved absence at their pre-custody school to enable the school to retain their Student Resource Package (SRP) funding while the child or young person is in custody. The initiative should give the pre-custody school more impetus to remain involved in the young person's education (See 3.1).

Suggested changes and enhancement

Parkville College has a dedicated transition team that is well-placed to provide transition support. The transition team is proposing to monitor the impact and sustainability of placements. A review, in the short term, of the capacity and impact of the Parkville College transition team and the YJREC is recommended.

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[16] Mathur and Griller's discussion of transition specialists is particularly in relation to young people with disabilities, but it has relevance, generally, for young people in custody.

[17] Parkville College. Education, training and employment transitions framework, Draft version. 2019.

International evidence recommends a longer-term commitment to supporting young people transitioning from custody (34).

The recruitment and retention of high-quality staff are imperative for providing an effective transition support role for young people and for maintaining relationships. Professional development would require training in collaborative case management and evidence-based instructional and transition planning practices for Parkville College staff working with young people on transition plans for young people returning from custody (2):

> Specialised teachers, trained on how to do a lot of this stuff to support the person and to build their transition with them. So, they might be someone who understands the teaching and learning strategies and can build some of this work with the young person in custody to develop some of these documents, so when they come back to the school they're involved with they're specifically allocated to justice type stuff. That to me would be a dream (DET staff in Consultation Seminar).

4.2 Information

4.2.1 Information provision and sharing

Evidence base

Having established effective systems-wide communication practices on entry it is vital that communication sharing protocols be well coordinated and holistic to continue to enable access to relevant information about the young person for relevant stakeholders (18,26,34).

Schools are keen to be able to access information that will enable them to provide appropriate services and support for young people when they leave custody. Ensuring that the right information is shared can alleviate some of the concerns raised at school level about what the school needs to know:

> That is huge and is something that always comes up, and people just aren't getting the right information to support the young person. … At the right time … But obviously it can be a bit of an issue in terms of what information should be shared with the school. Like, key things, [I have] privacy in mind and what is also helpful for the school to know. Like they might not necessarily need to know the facts. They don't need to know that information, and I think [that's] why YJ is often very reluctant to share that information, for fair reasons, but schools need the right information to be able to support the young person in that setting (DET staff in Consultation Seminar).

A planned, coordinated and timely approach to information-sharing must include procedures to share sensitive or confidential information with the relevant stakeholders (71):

> Communication is getting better. I think it could get better again. But there needs to be a better process in place, whether that's the Department's responsibility or the individual school's responsibility for accessing that information (Principal).

There is evidence in the United States that stakeholders can be unsure of the rules around privacy and confidentiality, suggesting that some restrictions around privacy law have evolved more as "a function of agency policy or culture than law'", meaning that information that could be shared may be assumed to be covered by privacy legislation (41,48 p64). The same uncertainty may apply in Australia where evidence suggests there is a tension between a young person's right to privacy and the obligation of previous schools to share information about a young person's behaviour to their new educational environment (50).

Current DET practice

Finalising the draft DET – Information-sharing Principles and Protocols[18] is an important development in this regard and should address the level of ambiguity about the information school principals should have access to, including files held by SSS Area Support, Navigator, and Lookout staff for these young people:

> Quite often when there's so many players, the onus falls back on the school mostly, because we seem to be able to coordinate all these different agencies better than most, but we don't know all the parts of the puzzle, we don't know exactly what's going on. That's really hard (Principal).

The Parkville College transition team plays a pivotal role in ensuring that the education environment is provided with the information required to support a young person transitioning from custody, which can include their Education Plan, Transition Plan and psycho-educational assessment. At the same time, the transition team is mindful of the young person's right to privacy (18,34):

> I think it's really important that the communication is there between youth justice and the school, and that there's actually support from both parties. … He [student transitioning from custody] had previously been at our school and we went in with a view that he's been in custody, we're working with Youth Justice. They've put in a lot of supports for us. Parkville provided a really good range of information about his learning needs and we met with the family. Talked about the pathways and things like that, that we could do to support him and what he wanted to get out of education (DET staff in Consultation Seminar).

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[18] DET Information-sharing Principles and Protocols Draft June 2019

A number of schools and flexible learning environments have established communication systems with the Children's Court and Parkville College. The Youth Justice Regional Engagement Coordinator (YJREC) works to establish communication channels with Parkville College and schools:

> Yes, it comes back to individuals rather than systemic structures that are in place around communication of release dates, work that's been done in that space and also plans for those kids (Principal).

The Out-of-Home Care Education Commitment: A Partnering Agreement[19], has established multi-agency agreement but only for young people who happen to be both in OOHC and in youth justice. A similar agreement that systematically supports young people in youth justice is needed, not just for those who happen to also be in OOHC.

Suggested changes and enhancement

Clear policies and procedures need to be developed for sharing sensitive information. These must be informed by legislation and details need to be provided about who has the right to be given this information (71). The information sharing agreements in the OOHC agreement[19] signed by DHHS, DET, Catholic Education, Independent Schools Victoria, Victorian Aboriginal Child Care Agency and Centre for Excellence in Child and Family Welfare could form the basis for a similar agreement for young people in the youth justice system, showing the level of shared commitment required to the following:

- where the best outcomes for children and young people are specified;
- where departments and agencies know what information they can share with each other;
- where it is clear who needs to know and to what extent, and;
- where the sharing of information takes place in a timely and effective manner[19].

Building the capability of staff who work with young people transitioning from custody is also important to enable staff to gain a clear understanding of privacy and confidentiality laws around the sharing of sensitive information (48).

A review of the authority and capacity for DET staff to access files held by specific programs, including DCS files held by SSS staff, Navigator, Lookout, and OOHC programs is required to ensure all information relevant for a young person's education is available to facilitate the support required for a successful educational transition. Young people's confidentiality can be safeguarded through setting up the data-base so that information is only made available to those who need it, as needed (38).

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[19] Victoria State Government. Out-of-Home-Care Education Commitment, A Partnering Agreement between DHHS, DET, Catholic Education Commission of Victoria, Independent Schools Victoria, Victorian Aboriginal Childcare Agency Centre for Excellence in Child and Family Welfare, July 2018.

4.2.2 System level information gathering and monitoring

Evidence base

Without consistent and reliable data on the educational transitions of young people from custody, DET, policy makers and service providers cannot assess outcomes, or "guide system policy, practice, and resource allocation" (48 p3). A recent report, *Those Who Disappear* (72), has highlighted the challenges of accounting for the numbers of children and young people of compulsory school age who detach from the education system. An accountability strategy, and sharing of information across all schools, school systems, programs and related departments would go some way to ensuring system level information gathering and monitoring:

> Kids just disappearing was a real issue for us. They just disappear out of the school system, and schools are quite happy to take them off (Principal).

Above, we suggest that it would be useful if information stored by staff in specific or targeted DET programs such as Navigator and SSS Area Support is accessible to the transition team, subject to privacy legislation, where there is relevance to supporting the education of young people during and following custody. The quality of information gathering has high stakes for young people in custody, impacting on whether the system has the capacity to initiate the correct referrals, services and placements necessary for a successful transition (15,45). As O'Neill et al. (71 p104) found, when there was poor congruence in exit plans, "with information found in the education plans not informing the exit plan's education/employment area" or "exit plans lacked sufficient detail to be much use to stakeholders' plans", this undermined the transition planning process.

The monitoring of the various components of transition is complex. While the key transition toolkits, frameworks and taxonomies recommend the monitoring of Transition Plans, programs and young people's progress (16,34,48,71), evidence suggests that this is hard to achieve in practice.

Current DET practice

DET and the DJCS have developed an information-sharing agreement that will ensure a more consistent approach to information-sharing[20]. It is based on a review of legislation and policy, consultations with decision-makers and staff across DET and DJCS and the circulation of a draft document. The key components of the agreement are:

- a set of principles, upon which to base actions and decisions;
- protocols to guide action and decisions.

Suggested changes and enhancement

Development of a whole-of-system approach that draws together fragmented information from existing DET initiatives and provides systems-level data and information about the young people who are in contact with the youth justice sector. The information collected would substantially inform the current work of DET staff in various programs, schools and business units at state, Regional,

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[20] DET Information-sharing Principles and Protocols Draft June 2019

Area and school level. Information on the cohort of young people in custody would then be readily available and targeted reviews of numbers, outcomes, systems-level uptake and service delivery possible. While the characteristics and educational experiences of young people in custody are widely acknowledged (see 1.1.1 and Table 1), there has been little systematic attention given to evaluating the effectiveness of programs with specific groups of young people in custody (73,74). Monitoring this information will enable the ongoing review and development of programs and educational interventions for young people transitioning from custody, both at a specific group and aggregate level:

> There needs to be a bit of system monitoring. There needs to be some sort of system response as well (DET staff in Consultation Seminar).

4.3 Programs

There are two kinds of approaches and sets of options that apply specifically to pre- and post- placement support:

- Assertive outreach;
- Access to a range of options.

4.3.1 Assertive outreach

Evidence base

The transition from the secure environment of custody back to their community should be acknowledged as a significant period of change for these young people. They are moving from a highly regulated and supported environment to the community where, often, there is less stability and routine. To support this change, O'Neill (4 p13) advocates for programs that provide "more social control and intensive service provision". Assertive outreach is an approach to organising a specialised team who will provide intensive, highly coordinated, and flexible support for young people that extends beyond their immediate transition from custody.

Assertive outreach is underpinned by the understanding that young people in custody face many barriers in accessing services. Assertive outreach adopts a proactive approach to delivering support and interventions that are accessible. Many young people are not able to navigate the multiple programs and services designed to support their transition and require additional support to make the transition from custody to education (34). This includes issues around housing, transport, and in some instances requires bringing the services to the young person's home (4).

Participants who work directly with young people in youth justice were adamant that assertive outreach was essential to their successful transition:

> Yes, so transport – not Mykis, but pick-up and drop-offs. It could be like a transport service, so, like, just a transport service … we would pay for young people to be picked up and dropped off, and it would be a two-and-a-half-hour service in the morning and afternoon. It would pick them up, make sure

they're ready, make sure they've got everything packed, make
sure that they're ready set to go, sort of talk up their day, and
then it would drop them off at school, and stay for half an hour
and make sure they remained in school, and then pick up at the
end of the day. …

Even the school buses, because they're at the house and they
pick them up. So even on a really, really basic level, they know
where they're going, they'll be picked up at a certain time,
they'll be dropped off at a certain time, so there's no anxiety
around catching public transport.

[It is important] because it's such a controlled environment that
they're coming out of. It's so heavily monitored. They've got
security guards in classrooms; they've got security guards
taking them to and from classrooms. They go from that to
'"Here's a myki, off you go" just doesn't – I haven't found it
works (DET staff in Consultation Seminar).

Current DET practice

The Navigator program is a proactive service that provides schools with the
opportunity to better understand how to cater for young people who are
vulnerable to disengagement from education and provides wrap-around support
for disengaged young people to help them overcome barriers to re-engaging with
education. It "provides intensive case management and assertive outreach
support to disengaged learners. The program works with these young people and
their support networks to return them to education". Currently Navigator is
provided in eight locations, with three new areas added in 2020 and the intention
is to become available statewide.[21] Navigator is aimed at young people aged 12-
17 who are not connected to schools at all, or are at risk of disengaging from
school.

Existing programs, including Navigator, provide assertive outreach, where they
are available, to young people as they transition from custody. At the same time,
Parkville College works with the young people to ensure they are prepared:

Ensuring that a student has had connection to an appropriate
education pathway while they're in custody, because the
students that have transitioned back to me have very limited
support, and that's not Parkville's fault. It's often been a
custodial issue with not being able to get enough staff on the
ground, and education hasn't been prioritised enough for that
young person (DET staff in Consultation Seminar).

Suggested changes and enhancement

Navigator is located in specific geographic areas and is not available to all young
people. The intended expansion of the program will assist more young people.
Importantly, it should be made explicit that Navigator is available to support

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[21] See: https://www.education.vic.gov.au/about/programs/Pages/navigator.aspx

young people transitioning out of custody—and this support should commence before they leave custody, in collaboration with Parkville College, to avoid these young people falling through the cracks.

A formal review of the types of assertive outreach that young people transitioning from custody require to access/attend education would be useful. For example, for this cohort, assertive outreach may also need to include specific support for transport and stable housing. This may be a modified version of the Navigator approach or other programs, which, where currently available, provide practical support to keep young people engaged in education:

> So, the big thing I would add there is what that person does is outreach. So, I would want outreach within the system who can go to the school, pick the kid up, drop them off when necessary, that outreach worker that works with the family ...

> The outreach is a key thing that Navigator does that everyone says we need more of that. YJ workers that are working with kids that are coming back into the system kind of do outreach, because they go to the kid's house, and they make sure they get to school, but what that looks like is more of a compliance perspective instead of a sort of quasi-social worker (DET staff in Consultation Seminar).

4.3.2 Access to a range of options

Evidence base

The diverse nature of young people in custody determines that there is no one-size fits all transition to education following custody. While many young people have had interrupted educational experiences, this should not be assumed for all. Strnadová, O'Neill and Cumming's (27) research in the NSW Youth Justice Centres revealed a number of young people preparing for exams at the highest secondary school levels. In Victoria, while many young people in custody are interested in vocational pathways, some wish to pursue a Victorian Certificate of Education (VCE) and university education (9).

The research shows that there is a common view that many young people returning from custody are not well-equipped to return to mainstream schooling; and that perhaps mainstream schools are not well-equipped to provide the support they need:

> The DET needs to have options for students following custody. Students need more intensive support, and an assessment should be completed to determine suitability for a mainstream school (Principal).

Neither mainstream school nor a Flexible Learning Option (FLO) is necessarily the best option for all young people leaving custody. While FLOs can be very successful in re-engaging young people in education, the FLO principals did not want FLOs to be treated as the automatic option:

> When the youth justice person rings up and says, "We have got somebody coming out of detention," you would wish the default place was to the local school. There has to be some sort of specialised case for this school to be the right place (Principal).

In addition, vocational training through TAFE or another Registered Training Organisation (RTO) may be a suitable alternative to secondary schooling for some young people. Understanding the young people's internal motivation towards their education post-custody is vital. If young people are unable to see the connection between their learning while in –and transitioning from – custody, disengagement is likely (27).

It is important to ensure that the interests, strengths, goals and educational needs of young people transitioning from custody are catered for and tailored to their needs in the most appropriate educational environment for them (16,23,34). This requires that access to a range of possible options and may include mainstream government schools, Flexible Learning Options, and TAFE or other vocational training options (34). Youth–centred Transition Plans can only be effective when young people have a choice and are supported to return to the environment that is most suited to their needs and interests (15,59).

Current DET practice

DET guidelines for FLOs state that schools:

> Should make every effort to be inclusive to the needs of each of their students, and only in circumstances where this is not possible (and for the period that this is not possible), should referral to a FLO be considered[22] [p12].

The transition team at Parkville College, is working within their new *Transition Framework*[23], towards ensuring young people's overarching education and training goals and needs are understood. The Transition Framework notes four potential transition destinations:

- School;
- Secondary school with vocational training;
- Tertiary education or vocational training;
- Employment.

The young person's Transition Plan will identify the types of educational environments that are most appropriate for each young person[22].

A diverse range of programs are being undertaken across the state, in regional and Local Government Area's (LGAs), classified by Employment Pathway Brokers (EPB) through DJCS, building capability for young people to re-engage in training, education and workforce activity (Vocational Education & Training Programs that Support Young People Impacted by Youth Justice Related Issues).

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[22] Flexible Learning Options: Operational policy and guidance (2018).
[23] Parkville College. Education, training and employment transitions framework, Draft version. 2019.

Suggested changes and enhancement

Placing the coordination, oversight and authority role with Regional offices should enable greater flexibility within all DET educational environments (see section 5.1.1).

Transition for these young people should be focused on identifying the most appropriate educational environment for the young person, and that environment should then be supported to provide excellent teaching and learning for that student:

> Resourcing the most appropriate program, facility to best support the process -flexible learning site location, staffing, outreach staff, transitional staff team, capacity building/training home school staff (DET staff in Consultation Seminar).

Capacity building across DET schools, FLOs and other educational environments is important for promoting inclusive education, thereby supporting access for approach for all children and young people, including those transitioning from custody (see section 5.1.4).

It would also be beneficial if the pilot project proposed by Parkville College to receive supervised internet access to support young people's VCE or higher education programs went ahead. The project will support the safe introduction of information technology and the internet. This would enable more young people to explore and connect with a range of potential educational options for when they leave custody (9).

5: Throughout All Stages

The effectiveness of transition planning relies on interagency collaboration, good levels of communication between stakeholders, particularly education and youth justice, access to specialist expertise and opportunities for capacity building across time, from entry through to post-placement support and all sectors so that young people's needs can be best met. These activities help create a seamless and well-coordinated system to maximise the likelihood of successful educational transition after young people's release from custody. This section looks at what needs to be in place across all stages of custody to enable a seamless transition planning process. These include:

- Role of staff:
  - Coordination and oversight role, with authority for transition decisions;
  - Access to specialist expertise;
  - Capacity building for mutual understanding and communication between education and justice staff;
  - Capacity building in schools to enable inclusion of diversity of students;
  - Specialist staff for Koorie and CALD students.

- Information:
  - Transition Plan;
  - Education Plan;
  - Connection between Court Orders and the Education Plan;
  - Complex landscape of services and programs.

- Programs:
  - Psycho-educational assessment program and therapeutic support
  - Holistic student-centred support;
  - Multi-Tiered Systems of Support.

5.1 Roles

5.1.1 Coordination and oversight role, with authority for transition decisions

Evidence base

The transition process is complex, with staff from multiple systems and organisations having to work together to enable a successful transition to education from custody. The evidence shows that it is essential to have a key person throughout the transition process who can lead the process, coordinate with all stakeholders and who has the authority to make decisions (34,47).

A dedicated transition coordinator undertakes a role that is different from the mentor in the school (see section 4.1.1) and is responsible for tracking and monitoring the young person's progress; updating records and enabling others in

the transition team to be able to access the information they need; and generally assisting with information sharing (18,34,39,50). This simultaneously frees others in the transition team to focus on their interactions with the young people and reduces the risk of records being lost or misplaced (34):

> … an allocated worker facilitating that role, I think, would be really valuable. They wouldn't necessarily guarantee success, but it would help (Principal).

The coordinator role requires highly trained and knowledgeable employees who are aware of the variety of educational opportunities and services that are available for these young people. An example of this, in relation to children in Out-Of-Home-Care (called 'looked-after' children) in the UK, is the "virtual school head". In England, every local authority is required to have a Virtual School Head (VSH), "with the role of championing the education of all children looked-after within that authority" (75). The role of the VSH has expanded and is under threat from budget cuts and increased demand from students but their impact is evident across the UK:

> Schools, other professionals and carers valued highly expert support and challenge from virtual school teams and from virtual head teachers who had strong leadership skills, the necessary "clout" to be able to access resources and a high level of professional credibility (76 p7).

Current DET practices

A Youth Justice Regional Engagement Coordinator (YJREC) has been introduced to liaise with returning schools and extend transition support. The YJREC is a state-wide role, employed by DET and is a point of contact for Parkville College when barriers are evident to a successful transition back into education following custody. The YJREC works with schools, regional and local area-based staff and can provide support through attending transition meetings, work with school-based mentors, encourage collaboration and accountability from all stakeholders and negotiate reasonable adjustments for students to enable a productive transition[24].

It was evident from our research that there is a lack of consistency across DET about who has the authority to decide where a young person returning from custody should be enrolled. At this stage, decision making appears to be with the principals or leadership teams in DET Regions. The YJREC works to overcome barriers to enrolment in educational environments but does not appear to have the authority required for successful management of transitions and to override principals who refuse to enrol the young people.

Evidence from our research revealed Regional Office staff reporting that they do not have the authority to direct school principals to enrol these young people:

> That is not going to be uncommon where a school will say, '"Actually no, I don't want the new person to come into our

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[24] South-Western Region Victoria. YJ Transitional Guidelines Draft. 2019.

school", so what we need is the support from the school, but to help get that, we might need the support from the area leadership team. We have SEILS (Senior Education Improvement Leaders), and we have Area Executive Directors. The Area Executive Director obviously is the chief authorising environment, and what we really need is for the team to be able to provide support to ensure that that child is able to attend a school – and we want them to be welcomed in (DET staff in Consultation Seminar).

On the other hand, some school principals reported feeling pressured to enrol young people transitioning from custody:

[Regions]… don't have the appetite to direct schools to accept kids. … They like to leave it to the principals (DET staff in Consultation Seminar).

There were concerns raised that taking the authority away from principals may force schools to take these young people without a genuine commitment to supporting their transition:

We have a placement policy, where we try to get as much support from the regional area as possible, but we're not in the schools, and generally the outcomes are quite poor because the young person is not made to feel welcome (DET staff in Consultation Seminar).

Under the regional operating model, *Learning Places* (SSS), SSS staff and the Area Leadership Team are located in 17 Areas, greatly enhancing the ability of DET Areas to provide multi-disciplinary support to students and schools and identify opportunities and challenges[25]. This enables Area teams to take a place-based approach to the specific and sensitive needs of their local area, including cohorts of young people who are engaged with youth justice.

Suggested changes and enhancement

The literature supports the idea that either the education or the youth justice system be responsible for coordinating the transition (47). Multiple coordinators can result in duplication of services or gaps in the service provided to the young person. Since coordination requires a detailed knowledge of the providers that are available and of DET policies, it makes sense that the coordination is undertaken by a highly trained DET employee who has decision making authority.

One such role in each DET region, similar to the Virtual School Head in each local authority in England (75), could address the:

Lack of human resources in place … To be effective this work will require regional staff dedicated to working closely with schools and further education providers rather than simply

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[25] DET Student Support Services Handbook, Nov 2018.

brokering a place for the student, which is how we support the
transition process now (DET staff in Consultation Seminar).

In order to have the capacity to undertake the "brokering" work necessary, as
well as the required authority, ideally each region will have a dedicated
coordinator role (similar to the YJREC) who is supported by, and reports to, the
Regional Director. Decision making should be undertaken by professionals who
have the necessary training and professional development to identify, and
implement, practices, supports and services for these young people (61,80).

5.1.2 Access to Specialist expertise

Evidence base

In section 5.3.1 we address, as a "program" enabler, psycho-educational
supports. The implication here in relation to 'roles' is that a continuum from
assessment to planned intervention and subsequent support requires the
specialist expertise of therapeutically-oriented staff. Psycho-educational
assessment undertaken while in custody is informed by a therapeutic model of
care supporting the young person's transition to education. The range of potential
assessments goes beyond mental health support or educational screening (see
below) to include psycho-educational involvement from professionals such as
psychologists, speech and language therapists and occupational therapists.

Ideally, therapeutic intervention would involve assessment supported by a
"continuous care model of case management, where one case manager is
assigned from entry to exit" (59 p15). The Missouri Division of Youth Services
(DYS) model provides an example, where case managers are employed rather
than parole officers to monitor young people following their release from custody,
(48). The DYS model aligns with the youth-centred and "child first, offender
second" approach (see section 2.1.3). For case management to benefit the
young person, it is important that the young person understands what case
management means and how it can assist them and that there is clarity around
the role of the case manager's work in relation to the other stakeholders (77).

Current DET practice

The Victorian Auditor General's Office (VAGO) report (8 p38) indicates that the
Youth Health and Rehabilitation Services (YHaRS) has responsibility for
conducting primary and mental health assessments for young people who are
admitted to the youth justice facility. Registered psychiatric nurses (RPNs), who
are qualified in mental health and general nursing, and registered medical
officers (RMOs), who are qualified general practitioners, carry out these
assessments (8). Since 2018, when the VAGO report was published, another
contractor has replaced YHaRS. The expectation is that this contractor is now
administering these assessments.

Parkville College uses several educational assessment approaches, as outlined
in the VAGO report:

- diagnostic assessment conducted through formalised, paper-based
  assessment;

- formative assessment which occurs on an ongoing basis during classes—PC assesses teachers' formative assessment processes to improve their ability to respond to students' needs;
- summative assessment which evaluates students' learning at the end of a course unit.

Parkville College teachers make a judgement of when assessment should be made and how often. According to Parkville College, using fixed time lines for assessment, rather than teacher judgement, can undermine the assessment process particularly for young people who may have had negative experiences with education in the past. To best manage this process, Parkville College uses mainly formative assessment, monitoring progress on an ongoing basis during class (8 p53).

What should be made clear here is that the assessment work undertaken by Parkville College is done in order to assist teaching staff *in situ*, that is when engaging the young person in a classroom at a youth detention centre. This type of assessment is not intended to recognise enduring educationally disabling qualities the young person may have been living with in their past schooling or in their education present/future.

Participants in our research acknowledged the regional operating model for SSS[26] has established multi-disciplinary teams and approaches to provide schools, students and their families with more local access to a range of experts, but there were concerns that SSS staff do not have the right skills and expertise or capacity to engage specialist support for extended periods:

> Adequate therapeutic counselling - that can't happen in schools. It's not the role of the SSS staff because they're not skilled enough to do proper therapeutics and this is where a captive audience ... custody, it's undervalued, and kids aren't going to want to go and see the psychologist because they don't want anyone else knowing they're seeing a psychologist but they need some form of therapeutic interaction where they can unpack their behaviour and what, you know, is underlying (DET staff in Consultation Seminar).

Suggested changes and enhancement
A review of multi-disciplinary support capabilities for schools and Regions, including SSS Area Support, is required to ensure a more responsive case management process with the level of specialist expertise that many of these young people require. Consultation regarding the level of support and type of expertise required can be informed by Parkville College.

DET's roll out of the Mental Health Practitioners in Schools initiative could also offer the kind of specialist expertise being discussed here. The initiative began in Term 3, 2019 and is scheduled to be accessible to all Victorian government secondary schools by 2022. Psychologists, Registered Nurses, Occupational Therapists and Social Workers will service the practitioner role providing direct

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[26] DET Student Support Services Handbook, Nov 2018.

counselling to students, as well as coordinating support for students presenting with complex needs.

5.1.3 Capacity building for mutual understanding and communication between education and justice staff

Evidence base

Unruh et al. (61 p213) note that departmental and interagency professional development for transition services is one of the three critical issues in research and practice for the successful transition of young people. The literature stresses the need for school administrators, teachers, security personnel as well as caseworkers, transition specialists, child welfare professionals, and parents/guardians being provided with professional development so that they are able to "understand associated trauma-based issues, youth behaviors, and be able to implement a plan of action involving a team of professionals" (61 p213).

Building capacity across sectors to develop either a common language or an understanding of the terminology and language used by different Government Departments or stakeholders assists in eliminating confusion or misunderstanding and facilitates effective communication (42). This also addresses the challenges that are evident when different terminology is used by each Department, often when referring to the same matters. This goes beyond a glossary of terms as a mutual understanding of the aims and focus of DET and DJCS will assist each entity to overcome any mistrust or misunderstanding that may be due to a lack of understanding of the roles and responsibilities of each Department (26).

Building capacity between DET and DJCS staff involves developing strategies and understandings that enable two different entities, each with its own particular culture and set of characteristics, to successfully work together on a mutual goal (26) – young people's transition from custody:

> I do like the idea of keeping it [DET/DJCS] separate for the kids, but I think we have to, as professionals, be together. The better we know each other, the better it will be (Principal).

Current DET practice

The South Western region held workshops and Partnership Forums in 2019, which brought together staff from DET, Victoria Police, DHHS and DJCS[27]. These events have had a number of objectives about aligning work and strategies across partners to more effectively achieve educational outcomes for young people involved in the criminal justice system. Evaluations of the forums were completed and a review of the forums is being undertaken by the Multi-Agency Panels (MAPs). Multi-Agency panels bring together schools, community organisations, police and government departments to work with young people to reduce the level of reoffending in Wyndham, Melton, Brimbank and Dandenong areas.

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[27] South-Western Region Victoria. YJ Transitional Guidelines Draft. 2019.

Suggested changes and enhancement

Relevant staff in DET and DJCS should understand the roles that each play in the custodial environment and be able to facilitate effective communication between Departments, with regard to the transition of young people out of custody. Capacity building will enable both Departments to be able to more easily identify overlaps, or the duplication of services between them:

> So, in our information sharing consultations, what comes up is that education settings don't really understand the justice system, and YJ workers don't really understand the education system, so that it's really hard for the services to work together (DET staff in Consultation Seminar).

Subject to the evaluation of the South West Region workshops and Partnership Forums identifying the key areas of misunderstanding between DET and DJCS, Kohler et al.'s (16) taxonomy provides a framework and outlines service delivery that would enable effective *Interagency Collaboration*. Based on this taxonomy, key aspects of capacity building and communication between DET and DJCS staff in the Victorian context would include:

- Formal interagency agreements;
- Shared understanding of DET and DJCS policy and procedures;
- A clear articulation of roles and responsibilities;
- Collaborative program planning and development;
- Collaborative collection and use of assessment data;
- Clear methods of communication;
- Minimising systems level barriers to collaboration;
- Coordinated requests for information, e.g. from the young person, family, DET programs such as Navigator, Lookout.

5.1.4 Capacity building in schools to enable inclusion of diversity of students

Evidence base

Education for all means attention is needed "particularly [for] those who are most vulnerable and most in need" (Mayor in 78, piv). Capacity building in schools, so that children and young people can feel included regardless of race, ability, disability or youth justice history, can range from putting in place leadership models that respect diversity, professional training for teachers and staff to build confidence and a strengths-based attitude towards all children and young people, including those transitioning from custody.

With a few exceptions, government schools in Victoria enrol all children and young people in their local area and therefore need to be able to cater for students with a wide variety of backgrounds, interests, strengths and needs. As the Department indicates:

Inclusive education means that all members of every school community are valued and supported to fully participate, learn, develop and succeed within an inclusive school culture.[28]

The Victorian Government is committed to providing an education for all students, regardless of their start in life (79). The DET acknowledges that there are students in schools whose learning needs are not being met by current staffing and infrastructure and has initiated changes to schools funding to enable them to invest in targeted programs for students[29].

The transition process has greater potential for success if staff members in the receiving mainstream school are open and empathetic to the experience of transitioning students and if flexible enrolment policies are in place (39). Observation and interaction with all school staff who can model "prosocial values and behaviours of care and concern" is important for young people to learn new social skills and to overcome obstacles (59 p274).

Current DET practice

There are many DET interventions and supports to create positive, inclusive and supportive school environments (70). These include:

- Universal – Respectful Relationships, Be You (Beyond Blue and Headspace), Protect;
- Targeted - Social Cohesion Pilots, Safe Schools, Refugee Education Support Program;
- Individual - Student Support Groups (SSG), one-on-one enhanced mental health support.

SSS Area staff play a significant role in supporting schools to be inclusive of all and, as outlined above, are able to provide assistance to schools to meet the specific needs of individual or student cohorts[30].

Building inclusive environments across all DET schools, where young people returning from custody can access the most appropriate environment for their education requires a systems-level approach and a longer-term commitment. The DET has made a commitment to inclusive education through Education for All (79), including Supported Inclusion Hubs[29] and the launch, in 2017, of an ongoing initiative that offers full fee post-graduate scholarships in inclusive education to current government employed teachers. Over a four-year period it is expected DET will provide approximately 300 scholarships under the Inclusive Education Grants scheme.

Our research highlights that there are inconsistencies across DET in how schools view their responsibility to educating children and young people returning from custody. A theme emerging from interviews and consultation seminars and evident in the principal's workshops attended by the research team, was that young people returning from custody are not equipped to return to mainstream schooling and they were better suited to enrolling in FLOs, VET or other

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[28] Victoria: State Government Education and Training website: "Department program: Education for all" https://www.education.vic.gov.au/about/programs/Pages/Education-for-all.aspx
[29] DET Supported Inclusion Hubs. 2019b.
[30] Student Support Services Handbook, Nov 2018.

educational environments, regardless of their individual education levels or experience:

> The "right" to education that is used to force principals into accepting students is misguided. Students do have a right to education, but may have demonstrated that their local school isn't an appropriate setting. DET needs to ensure this right is catered for in different ways, and not assume that a mainstream school is the appropriate setting following custody (Principal).

This has consequences for schools who accept young people transitioning from custody and the additional resourcing required, both time and money, and the marketisation of education, where school reputation is paramount for enrolments. Significantly, limiting the educational opportunities for young people who remain engaged in their education before and on entry to custody, works against the overall principle of adopting a youth-centred approach and focusing on future opportunities (16,18,34).

Participants were concerned about the capacity of mainstream schools to provide the support and flexibility required to provide a suitable educational environment for young people following a period in custody, with limited resourcing and an outcomes-based structure:

> I think it would be very challenging in a mainstream school to successfully transition a kid out of youth justice back into that mainstream school, simply because there's a whole range of presentations, there's a whole range of things that are happening, I think, for a young person in that space (Principal).

Suggested changes and enhancement

The Supported Inclusion Hub Model provides a framework of support and access to specialist infrastructure and teaching expertise that could be adopted for these young people. The model intends to develop the expertise of school leaders and teachers and is designed to engage students as well as staff in the "equitable inclusion of all learners" and in "building the capability of the school community's inclusion practices"[31].

Capacity building can involve formal professional learning. For example, through the Bastow Institute as well as learning from colleagues in schools that are already successfully engaged in inclusive education for all, and those supporting young people who have transitioned out of custody to re-engage with school education. The importance of teacher education courses addressing inclusive education is a key component of the Australian Institute for Teaching and School Leadership (ATSIL) standards, especially standards 1.3, 1.4, 1.5, 1.6 and 4.1[32]. The focus on graduate teachers will make a significant contribution to DETs

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[31] DET Supported Inclusion Hubs. 2019b.
[32] See https://www.aitsl.edu.au/teach/standards.

commitment to build an education system for every student (79), including young people transitioning from custody.

5.1.5 Specialist staff for Koorie and CALD students

Evidence base

Young people from Indigenous, Māori, African and Pacific Islander backgrounds are over-represented in the youth justice system. Young people in custody, both during and following custody, report that connecting with others from their culture or faith is vital to their sense of identity and wellbeing (9,68). Acknowledging cultural and community connections is important to many young people in custody and should be included in transition planning (9,10). Transition Plans that are culturally respectful and enable support for the young person in their home community are recommended (18). Educational transition is enhanced by the creation and maintenance of cultural and faith-based connections that are "organically developed" with members of the young person's community, rather than existing programs being modified (71 p107):

> So if you've got a cultural group, or one of the engagement officers coming in and they know, "Okay, we're going to meet with this engagement officer Friday, period two", it just adds that structure to the students' life, so that they can kind of re-engage with education (DET staff in Consultation Seminar).

New Zealand's transition support services work in partnership with communities and *iwi*—the extended kinship group or tribe. There are a number of models across New Zealand, representing the diversity of the Māori culture. One model, the Kaupapa Māori school-wide approach: Huakina Mai (opening doors) is based on five principles: whanaungatanga (relationships), kotahitanga (unity), rangatiratanga (leadership), manaakitanga (ethic of caring), and pūmanawatanga (centrality of te ao Māori) (12,52,90).

Current DET practices

Koorie education coordinators and engagement support officers Koorie Education Coordinator's (KECs) and Koorie Engagement Support Officer's (KESOs) provide assistance to support Koorie students. Specific individual planning tools and learning resources are available to Koorie students. Current DET programs for young people include:

- *Augmented Navigator program for CALD young people*, which provides "culturally appropriate re-engagement supports for young people from target cohorts and supports Multi-Agency Panels" (DET);
- *Place based partnerships to support school engagement and completion*, which supports schools "with high populations of culturally and linguistically diverse students, (mainly African and Pasifika) … to establish key relationships with community leaders and community partners to increase school participation and completion rates for students at risk of becoming involved in the youth justice system" (DET).

Schools can access support from the Refugee Education Support Program for students from a refugee background. There is also additional funding available through the Refugee and Asylum Seeker Wellbeing supplement.

In recognition of the need for culturally responsive Transition Plans and supports within young people's home communities, several states including Victoria, the Australian Capital Territory, and Queensland utilise an Indigenous youth justice worker to develop cultural support plans as part of their transition case management plan (71).

Suggested changes and enhancement

- Strengthening of the partnership with Indigenous, CALD and faith-based groups would be beneficial for ensuring that the young people can access appropriate services (52). To achieve this, members of diverse CALD and faith-based groups, in addition to the KESOs, could be included in transition planning where appropriate for the young person. Foundational issues with New Zealand's Huakina Mai approach, outlined here with Victorian context from Fickel, Macfarlane & Macfarlane (90 p118), could be incorporated into transitional planning for Koorie and CALD students. The trigger to ensure this happens is best placed within Parkville College as the transition process begins on entry into custody.
- Identification of perceived differences between Māori (Indigenous and CALD) and Western perspectives on behaviour.
- Core Māori (Indigenous and CALD) understandings and beliefs about how best to shape and support positive behavioural development.
- Essential qualities to be developed in Māori, Indigenous and CALD students.

5.2 Information

Continuity of communication and support enhances efficiency and effectiveness, both for the young person and for all organisations, resulting in better transition plans. In 3.2, 4.2.1 and 4.2.2 we discussed what is needed specifically in the early and later stages, however, effective information sharing and communication is vital throughout all stages.

The throughcare approach provided by the North Australian Aboriginal Justice Agency offers a useful example [33]:

> Throughcare is defined as the coordinated provision of support to a person, beginning when they first go into prison and continuing until they are living a safe, fulfilling and trouble-free life back out in the community.

The implementation of this approach provides a means of formalising the communication, learning, services and supports that span the young person's time in custody. Formalising processes is a way of addressing challenges to information sharing across agencies, such as coordinating the retrieval of relevant documents, and ensuring relevant information is shared efficiently while protecting young people's confidential data (34,41).

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[33] North Australian Aboriginal Justice Agency webpage: 'Throughcare Program', https://www.naaja.org.au/our-programs/throughcare/

For this to transpire, channels of communication need to be maximised and four additional key enablers for achieving the seamlessness of information and communication throughout all stages are as required:

- Transition Plan;
- Education Plan;
- Court Orders;
- Clear map of services/programs.

5.2.1 Transition Plan

Evidence base

The Transition Plan is an individualised, fluid document that identifies the support and services needed by the young person in custody and during their transition (18,34). The Transition Plan travels with the young person from custody and can be updated and amended as the young person's skills develop or future goals change[34] (34).

The Transition Plan is a means by which a young person's skills, talents and strengths as well as their educational goals can be identified and put into action. For the plan to be successful, it must be driven by the young person so they are actively engaged in their educational path and creating a "vision for their future" (15 p35).

In New Zealand, it is a mandatory requirement for young people to attend a pre-release planning meeting that commences the transition planning. This establishes that "the person's voice is acknowledged and understood so as to inform the transition plan" and that "the young person plays a significant role in the development of their plan" (52 p123). These are fluid documents which include the monitoring, evaluation and review of the plan as the young person moves from custody back to the community (52 p121). New Zealand's education plan captures the young person's key demographic details and provides spaces for information about their current educational status and pastoral information; their educational options; enrolment history; special education summary, and details relating to suspension history.

A successful Transition Plan will guide the young person's transition from custody and enables continuity between the young person's experience in custody through to their future educational goals:

> One plan, which travels with the young person, regardless of what school they go to, and somewhere essential that it exists, and it can be added to, exactly what we've talked about. It shouldn't be that hard.

> It's called One School, in Queensland. Every single person's attendance, reporting, timetabling, parenting information, cases – all of that combined in one confidential guidance case noting

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[34] Parkville College. Education, training and employment transitions framework, Draft version. 2019.

that no-one can access that except the guidance team and the principal, and when they go to another government school, it just moves like a case is transferred.

But for now, we are stuck with CASES21 and all these third-party systems that capture all this really nuanced information that we want but we don't have access to. So it really is the schools having to share information from school level (Principal).

Current DET practices

Parkville College has incorporated the development of a Student Plan into their Transition Framework[35]. The student-driven Plan is designed to identify students' skills and strengths and help them identify their goals. It will also reflect their efforts and achievement while in custody and during transition.

Parkville College has a Transition Team with five full-time dedicated staff committed to supporting young people through their transition post custody. Parkville College aims to establish an educational connection with young people in custody and works with them to develop a Student Plan for education following custody. The Transition Framework sets out the process.

Parkville College works with the young person, their family or carer and Community Youth Justice on their Transition Plan, helping them connect to their previous school or to a new mainstream or alternative school.

Suggested changes and enhancement

The Transition Plan should begin to be developed as soon as a young person enters the criminal justice system, and not wait until they are sentenced, incorporating information from their previous school(s) and (if applicable) from the Education Justice Initiative. Then, if the young person is remanded or sentenced into custody, that Transition Plan will form the basis for the Student Plan to be created for every young person who spends time in Parkville College prior to their transition from custody.

5.2.2 Education Plan

Evidence base

An Education Plan includes a summary of the young person's educational experience; psycho-educational assessment results; and goals and strategies for achieving short-term and long-term goals. The goals and strategies are future-focused but informed by the young person's current needs (2,49). They include staged, achievable goals. One participant spoke of the need for "robust individual education plans from school, Parkville, back to the school":

We need it to be a continuous record of that kid's learning so that everyone is not starting from scratch every time they go somewhere different. It needs to be that continuation. The map

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[34] Parkville College. Education, training and employment transitions framework, Draft version. 2019.

of what they've done and what they need to do (DET staff in Consultation Seminar).

An Education Plan for young people in custody is strongly recommended (39,80). The Plan mirrors the DET's Individual Education Plan (IEP), recommended for students with disabilities, Koorie students and students in OOHC.

Education plans that have been established when young people are in custody are more likely to have a greater effect if used to support the young person not only while in custody, but also upon release (81).

Current DET practices

A number of young people in custody will have already completed a student-driven IEP as they fall under the category of student with a disability, Koorie student or in OOHC.

Parkville College's new Transitions Framework[35] incorporates some of the aspects of an IEP, but the two have different purposes. The IEP should have an education focus, recording students' prior learning, assessments, current study and future goals. The IEP should inform the development of the Transition Plan.

Suggested changes and enhancement

Students who become engaged with the youth justice system but who have not yet been sentenced should also be required to work with student support groups to develop an Education Plan.

5.2.3 Connection between Court Orders and the Education Plan

Evidence base

The order needs to ensure that such a requirement is achievable, relevant and aligned with the young person's Education Plan and Transition Plan because this would assist in keeping young people engaged with education during, and following, their transition.

Court orders frequently mandate a particular way or level of connecting with education. Participants reported a tension for young people and schools when Courts set conditions (e.g. for parole) that are not achievable (26,82,83). For example, the expectation that a young person will attend school, five days a week, from 9am to 3pm is unlikely to be met if the young person had been disengaged from education prior to custody, as is commonly the case:

> They come because of what they are getting out of it [the flexible learning environment]. When you have the court put a rule down that you have to come or you are going to be locked up, that mucks that up (Principal).

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[35] Parkville College. Education, training and employment transitions framework, Draft version. 2019.

Current DET practices

Schools are mandated by Court Orders to ensure young people abide by the conditions set out by the court. Participants report a tension between creating achievable Transition Plans and the requirement to enforce Court Orders:

> The minute that they come out, one of the court orders is that this young person has to be in a school setting and I can understand why, but at the same time that young person hasn't got the skills around the mental health concern that they have to be ordered to go in to a traditional setting. So what's going to happen? They're going to come out, they're going to disengage with school, they won't go to school, they're bored, and all of sudden the cycle starts again (Principal).

Suggested changes and enhancement

It would be helpful if a knowledge building process within the Children's Court could be established to indicate achievable outcomes for young people in the youth justice system. Flexible education arrangements, such as those implemented for young people in Intensive Bail (IB) or Youth Control Orders could be implemented for young people as they transition from custody.

It would be helpful, if through discussions with the Children's Court, a review of the range and content of current court orders and sentence options under the *Children, Youth and Families Act 2005* was conducted, especially if consideration could be given to a wider range of options being available for children's courts:

> They've been instructed from above to shift that kind of paradigm and say we are just here to make sure you comply with the order, even if education and rehabilitation is a key component of it, so it still doesn't to me make sense how it kind of all works, but education, doing outreach, is doing something that people keep talking about because it seems to work really well, where it is working (DET staff in Consultation Seminar).

5.2.4 Complex landscape of services/programs

Evidence base

There is wide recognition both by participants in this research and in the literature that a large number of programs exist to support transition from custody for young people. In Victoria, there is a multitude of services and programs across DET which may be specific to youth justice or not, and may be time- or place-limited.

A clearer understanding of the services and programs available for young people in custody will assist all stakeholders to identify services and support as they emerge and to implement Transition Plans (18,23,34,48). The complexity of the landscape of services and programs means that key stakeholders in schools, Parkville College and within specific programs currently do not have this clear understanding of what is available and how to negotiate this space.

Current DET practice

The list of programs on the DET Stocktake of Education and Training Programs[36] being delivered to young people who are in contact with the youth justice system is an indication of the complexity of the landscape. Moreover, other agencies, such as the DJCS and DHHS, also have programs and services that connect with young people in custody. Interviewees commented on the bewildering effect this can have on young people:

> So, I think whilst there's so many kids that are supported by Youth Justice, Child Protection, YJC assess, we can name an abundance of agencies that are considered at care team meeting. That's too many people for a kid. It is. It's just too many. And they don't trust half of them. So, if we can limit that connection, I agree we definitely need someone but it's hard to be consistent (DET staff in Consultation Seminar).

The Brimbank/Melton LGA in the DET South-Western Region has developed a Transition Guideline[37] that is a work in progress, and includes a Model of Support for Young People involved in the Criminal Justice System. Their system map further demonstrates the complexity of establishing what programs and services are available to support young people transitioning from custody.

Suggested changes and enhancement

To lessen the complexity of the landscape, it would be helpful to reduce the number of small scale and short-term initiatives, and replace them with key, system-wide, longer-term programs that articulate clearly how they relate specifically to the needs of young people involved with Youth Justice in Victoria. For example, rolling out Navigator statewide and making explicit what role Navigator should play for supporting young Victorians' educational transition from custody.

In addition, a 'map' or 'guide' to available services should be made widely available. This could build on the DET Stocktake and the Brimbank / Melton system map mentioned above.

Having a clearer overview of programs and services that can be accessed for young people transitioning from custody, available for schools would help to identify overlaps or duplication of services across the departments and agencies and would contribute to an increased mutual understanding for all involved in supporting the transition of these young people.

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[36] Provided to the research team by DET from Schools and Regional Services
[37] South-Western Region Victoria. YJ Transitional Guidelines Draft. 2019.

5.3 Programs

This section focuses on programming that directly engages with young people. Such program activity includes supporting young people to develop specific skills, culturally tailored programs; preparation to navigate life outside of custody; and psycho-educational assessment and related therapeutic support.

5.3.1 Psycho-educational assessment program and therapeutic support

Evidence base

Psycho-educational assessment for young people is contributed to by a range of professionals including psychologists, speech and language therapists and occupational therapists. These kinds of assessments can be i) distinguished from mental health assessments which are usually clinically oriented and ii) seen as more comprehensive than the kinds of screening assessments undertaken by teachers in classrooms (e.g. for basic literacy or numeracy).

The psycho-educational assessment undertaken while in custody informs the therapeutic model of care and support for the young person both in custody and as they transition to education following custody. It facilitates psychosocial development and can improve relationships between young people and key adults (4,84).

Based on the outcomes of such assessment, therapeutic support can be appropriately mobilised. This may include targeting various learning domains such as cognitive ability (i.e. intelligence and memory), language skills (e.g. comprehension) and gross or fine motor skills (e.g. handwriting). A therapeutic model is supported by the integration of appropriate group counselling and peer support in every stage of young people's experience in the youth justice system, including transition following custody (48):

> I guess that leaves the other thing I would love, if the young person came out of custody with a psychological assessment done, with recommendations shared with the school, and with ongoing psychological support as required because it's very rare that they don't have some sort of connection or experience with trauma (Principal).

Current DET practice

Students enrolled in Victorian Government schools can access a comprehensive range of psycho-educational supports from professionals including psychologists, speech and language therapists and occupational therapists. Assessment and intervention services provided within the education system are largely tied to the Program for Students with Disabilities (PSD). Assessment and intervention services may also be outsourced beyond DET to involve community-based supports through the National Disability Insurance Scheme (NDIS) or from other relevant government Departments (e.g. Department of Health and Human Services):

> So would something like that – because something that has been raised before is that kids from YJ who have missed school who need that kind of assessment overall – sort of a piecing together of what assessments have been done, what are the strategies that a school can use (DET staff in Consultation Seminar).

Suggested changes and enhancement

It is understood that DET Victoria cannot ensure full psycho-educational assessment and intervention provision to all young people enrolled in government schools. As such, both resource allocation within schools and access and use of assessments previously undertaken via other agencies and professional providers are crucial. For young people involved in the youth justice system, the provision of psycho-educational assessment and intervention, completed or at least commenced in custody, may be the first time that these young people's educational needs are appropriately understood and addressed:

> So, I think sometimes we are relying on more generic student support services, whatever nature they are. It's probably not doing nearly enough support for the young person. And they're not long term, so we can't expect after six sessions with counselling that that's going to resolve something that's most likely going to have been a lifetime issue for a young person that has resulted in them offending and being in custody. So I think we need to reconsider, and to have some expert support services that can be deployed where the need is (DET staff in Consultation Seminar).

5.3.2 Holistic, student-centred support

Evidence base

The holistic, student-centred model responds to the unique needs of each young person (47,85). The model is "collaborative, individualized, and holistic", and builds the young person's "resilience, wellness, and self-determination" (47 p91). The approach assists the young person to make choices about their learning and how they participate in the educational environment.

In Victoria, the "Team around the Learner" (TAL) approach is a holistic, team-based and individualised approach that supports learning by bringing together the key people who support the young person to coordinate a plan across all stages. The plan should be tailored to meet the unique needs of that child and his or her transition plan (34 p2).

New Zealand has adopted promising practices in their youth justice system, where "young people, their families, victims, the community, and the state are all involved in addressing and taking responsibility for offending and its consequences" (MacRae & Zehr, 2004 in 52 p116). The holistic model also acknowledges the "childhood experiences and environment" that have contributed to the young person's behaviours, education and health (52 p122).

Evidence shows that it is difficult for young people to return to their school and community following a period in custody. They may be returning to the environment that led to them being in custody. Their home and educational environment is unlikely to be as structured or predictable as the Youth Justice Centre. Some young people may not be able to return to their previous environment or school. They may feel judged, or unwelcome by others (47 p77):

> Improving the transition of students following custody should be a strength-based approach working holistically with the student, their families, community groups, principals, support workers and the wider school community to ensure every [young person] feels safe and is able to learn within the school environment (DET staff in survey).

Current DET practices

Parkville College is preparing the young person for the transition following custody and working with them on the significant adjustments they will undertake. The Student Plans prepared through the Transition Framework[38] will include pathway information that includes life skills and cultural and community supports as well as school details, dates and times, support people and the tasks the support people will be responsible for.

One principal highlighted the importance of a holistic approach for all students who are educationally vulnerable:

> In all education settings, because we're setting up the systems within the school to capture data, analysing that data, and as we move up with our implementation, then we'll be putting teachers into a team with those supports for those students [who] might need targeted interventions or one-on-one interventions – or wrap-around support (Principal).

Research participants identified the TAL as a potential framework to support young people returning from custody. They noted its potential to provide wrap-around support:

> That team around the learner approach, it's a matrix that you can actually make for every individual young person (DET staff in Consultation Seminar).

Participants noted that the TAL promotes a holistic, team-based and individualised way of supporting learners who are vulnerable, at risk of, or already have, disengaged from education and learning by bringing together key people to coordinate a plan. Schools are able to adopt the TAL approach, with guidance from DET[39], to students with known and noticed needs when they are identified.

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[38] Parkville College. Education, training and employment transitions framework, Draft version. 2019.

[39] https://www.education.vic.gov.au/school/teachers/behaviour/engagement/Pages/team-around-the- learner.aspx

The approach has already been adopted by schools supporting young people transitioning from custody. The greatest barrier for schools adopting this approach is the capacity to release the most appropriate staff to work with the young person and balance this role with the needs of the whole school community. The benefits are evident though, one participant speaking about how the TAL approach offered a way of "mitigating risk, boosting strength and boosting protective factors" around a young person. He gave an example of how a TAL approach benefitted a student on a Youth Control Order who was enrolled in his school:

> I was held to account as principal there, and I came to meetings here at Parkville youth justice precinct, and we planned for this kid's release. We made written, signed commitments, we sat in a democratic circle with this student and all the different players in his life said 'this is what we'll do for him, this is the special deal we'll put in place', it was great. And we were held to account much more closely in that we had to connect with his youth justice worker almost daily, we had to give written reports about his progress to youth justice every week, we had to attend conferences where we sat and discussed the progress, and the student and all of his care team were held to account. So it was pretty high level, much more so than a regular one. He probably went on it about two years ago, and yesterday I saw the regional person involved and heard that he'd completed his youth control order and he's still engaged and attending school and travelling really well.

> We were able to heap all of this support around this kid at the time from a pretty decent level. So actually saying to the school principal that "you have to be a part of this" and actually having someone from the regional office taking responsibility for it, state-wide or region-wide or whatever, and everybody needing to report back on this student's progress was actually a really good way of mandating the team around the learner approach, the team around or the care team or whatever you want to call it; the support for students to succeed and do well (Principal).

Suggested changes and enhancement

The TAL approach was identified by DET staff as good practice and the TAL principles align with key evidence of how to provide holistic support for young people returning from custody. These include placing the learner (young person) and their family at the centre; ensuring that the service is coordinated and seamless; promoting positive engagement; focusing on outcomes; and adopting a collaborative and collective team effort (see Section 2.1, Overarching Principles).

Importantly, there is no time limit in which the TAL process needs to be completed. A further strength is that TAL is not a new concept but captures good practice that has been implemented in many schools to support students.

Therefore, it is recommended that implementing the TAL approach for young people exiting from custody be enabled through professional learning for relevant staff, a communication strategy about this approach, and appropriate staffing and other resourcing.

5.3.3 Multi-Tiered Systems of Support

Evidence base

Multi-Tiered Systems of Support (MTSS) (86) is a term used to describe models predominantly developed in the US (e.g. Positive Behaviour Interventions and Supports) to address behavioural and learning needs of students in schools. The framework employs a three-tiered system of strategies and interventions encompassing a whole school approach. The majority of work taking place within this framework occurs at Tier 1 targeting between 75% to 90% of students. At Tier 2, strategic small group interventions may be mobilised to respond to specific student needs. Tier 3 of the framework seeks to provide tailored support to individual students.

According to Foreman and Crystal (87), the application of a MTSS framework for programs in schools is important for several reasons. Firstly, a MTSS framework assists school staff to be aware of the complexities involved in implementing school-based programs. Secondly, such complexity includes the involvement of interdisciplinary input in school-based practice and a reliance on effective leadership. Thirdly, MTSS frameworks rely on data-based decision making. And finally, ongoing skill development of staff through training, coaching and consultation are considered key to implementation fidelity:

> Having a look at whether there's been any assessments done in the past, if not around the learning difficulties, and in ensuring that when they're going to class that they've got differentiated teaching that's appropriate for their levels. So, working within a multi-tier level system of support, so that would be key (DET staff in Consultation Seminar).

Current DET practices

MTSS has been adopted by DET Victoria as the basis for its Health, Wellbeing and Inclusion Workforces Practice model. The use of MTSS is also linked to dimensions of the Framework for Improving Student Outcomes (FISO), a key DET Victoria policy geared to improving student outcomes and develop system-wide capacity. In Victorian government schools, MTSS is most often associated with the implementation of School Wide Positive Behaviour Support (SWPBS) to improve evidence-based instruction and facilitate respectful relationships.

A continuum model of intervention has been adopted by SSS Area teams to identify multiple opportunities to address the health and wellbeing of students and enable complex intervention strategies to be implemented[40].

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[40] DET Student Support Services Handbook, Nov 2018.

Suggested changes and enhancement

For young people transitioning from detention, the MTSS framework provides schools with a continuum for supporting them in education and/or training. At the moment, however, it does not seem to be employed systematically across DET settings:

> I don't know of anyone who's specifically doing it well, who has a purposeful targeted structured design to support kids, specifically from youth justice back into schools (Principal).

It is useful to note that effective implementation of MTSS and approaches like SWPBS is not straightforward, and a common critique relates to variabilities which occur during implementation. Therefore, it is important to pay attention to reliability regarding whole staff support of programming and to the validity of evidence gathering when adopting a MTSS framework (88).

The formal adoption of the MTSS framework for DET Victoria's Health, Wellbeing and Inclusion Workforce can be seen as a positive step in aligning current practice. Yet, for sections of the teaching workforce, this move may reinforce an unwanted distinction between teaching and the work involved in health and wellbeing promotion, prevention and intervention (89). Continued attention and support must be drawn to school-based approaches that promote inclusion, are respectful of diversity, and invite strategic collaboration across every aspect of education.

6: Conclusions

Children and young people who are engaged in the criminal justice system, and particularly those incarcerated in custodial care, usually have experienced significant social and educational difficulties. Although engagement with formal education is commonly perceived as a key component of positive intervention and rehabilitation for this cohort, it is also challenging. This project has considered how young Victorians can be assisted to maximise the likelihood of a successful educational transition following their release from custody.

In this last section the focus is on synthesising the detailed findings and discussion from previous chapters, in order to provide cross-cutting and overarching conclusions and to draw out advice for the Victorian Department of Education.

6.1 Overarching conclusions

Across the full analysis of relevant literature, as well as of the data for this research, three overall key conclusions stand out:

1. ***In terms of timelines:***
   Support for successful transition to education following custody cannot be "bolted on" towards the end of a young person's period of incarceration.

   Re-engaging these young people with education is a process that must begin early—as soon as the young person enters custody in Victoria's youth justice sector. It is crucial to "think exit on entry" into custody, while keeping an eye firmly fixed on the ultimate purpose of enabling successful life opportunities post-custody. Various actions are needed at different time points, and support must continue well after the enrolment of the young person in a particular educational institution.

2. ***In terms of coordination:***
   A major reason why educational (re-)engagement for young people in custody is challenging is that the system of services and programs is fragmented and complex. Within departments, particularly in devolved contemporary implementation practice, linear alignment between central office, regions and schools is often difficult to achieve.

   Successful transition to education requires a statewide coordinated system of support. It is crucial to allocate responsibility and authority to senior personnel, who can coordinate transition destinations and the required support both for the young people and for educational providers. Moreover, collaboration between units within the Department and with other agencies will help to overcome fragmentation, duplication and gaps. This requires appropriate and streamlined systems for collating and sharing information to inform and monitor educational transition from custody. It also means allocating human and material resources

appropriately and effectively, aligned to state-wide, long-term strategic planning and making good use of existing programs and services.

3. ***In terms of the fundamental stakeholder:***
Although a diverse range of people are involved in enabling a successful educational transition from custody—and specific services as well as overall coordination and collaboration are crucial—the fundamental stakeholder is the young person.

The effectiveness of all actions relies on being directed to the well-being of the young person. The benefits for all other stakeholders, including the wider community, flow from the benefits for the young person. Crucially, the young person must be given every opportunity to be actively involved in planning and implementing their own transition to education after custody.

6.2 Advice

Responding to the request from DET for system-level advice, this section distils the core implications from the research findings, leading to advice for:

- policy and systems, and
- schools.

Some DET policy and systems, and some DET schools and staff, already demonstrate constructive responses in relation to the overarching conclusions in terms of timelines, coordination and recognising young people as the key stakeholder (outlined above). This is recognised in the advice, which is organised around three domains for action that are critical to maximising the likelihood of successful educational transition after young Victorians leave custody:

1. Coordination and oversight within the Victorian Department of Education and Training (DET);
2. Harnessing and further developing existing programs;
3. Collaboration and partnership with key non-DET agencies.

The advice is grounded in the evidence provided throughout this report; responds to and incorporates the three overarching conclusions outlined in 6.1; and, heeding the conclusion that young people are the fundamental stakeholder, is underpinned by two key instruments:

- *The United Nations Convention on the Rights of the Child*[41], in particular, Article 28 and Article 12:

    Article 28 states that:

    > Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular: […]

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[41] https://www.unicef.org/child-rights-convention/convention-text

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child […];
(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates. […]

Article 12 states that:

Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. […]

- *The Model Charter of Rights for Children and Young People Detained in Youth Justice Facilities* (Australian Children's Commissioners and Guardians[42]), in particular:
    - Based on JDL 38:
      You have the right to continue your education, or to do training to learn useful skills for work.
    - Based on JDL 80: You have the right before you leave the centre, to get help with somewhere safe to live and ongoing support.

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[42] https://www.humanrights.gov.au/sites/default/files/ACCG%20Model%20YJ%20Charter.pdf In Part based on the 'JDLs': the UN Rules for the Protection of Juvenile's Deprived of their Liberty, also called the 'Havana Rules'

6.2.1 Summary of the advice

The table below summarises the key advice for policy and systems, and for schools, in relation to the three critical domains for action for maximising the likelihood of successful educational transition after young Victorians leave custody.

Table 2: Summary of Advice

	Policy and systems	**Schools**[43]
1. Coordination and oversight by the Victorian Department of Education and Training	*P1.1: Develop specific policy focused on the transition of young people from custody to education.* *P1.2: Establish a regional coordination and oversight role* *P1.3: Establish procedures for managing and sharing relevant data and information* *P1.4: Build system-level capacity to accommodate students exiting custody*	*S1.1: Engage with system-level coordination and oversight* *S1.2: Allocate staff to dedicated coordination roles 'on the ground'* *S1.3: Ensure that staff have access to professional learning related to students exiting Custody*
2. Harnessing and further developing existing programs	*P2.1: Commit to core support services and programs* *P2.2: Ensure existing services and programs are harnessed for this cohort* *P2.3: Recognise difference and, in response, differentiate support*	*S2.1: Access existing services and programs* *S2.2: Understand students who are or have been in custody*
3. Collaboration and partnership with key non-DET agencies	*P3.1: Attend to the potential roles of other agencies in policies, procedure and protocols*	*S3.1: Access opportunities to learn about other relevant agencies*

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[43] Much of the advice for schools is likely to also apply to other education providers, such as TAFE and private RTOs.

6.2.2 Domain 1: Coordination and oversight

Both the data from this study as well as national and international literature highlight the complexity of supporting positive transitions for young people leaving custody, due to the number of stakeholders involved; the diverse pathways of young people in and out of custody; and the challenging life circumstances many of these young people have experienced and continue to experience.

This complexity means there are risks around lack of clarity of roles and responsibilities; barriers to managing and sharing relevant information; and inefficiencies in resource allocation.

Throughout all stages, our focus cannot be removed from the young people themselves and what life success means to them, even though we know this seldomly synchronises with adults present in their lives (e.g. parents, carers, teachers, school principals, police and other representatives of the justice system).

Therefore, critical enabling strategies are focused on enhancing coordination and oversight within and by the Victorian Department of Education and Training.

For policy and systems

P1.1:   Develop specific policy focused on the transition of young people from custody to education.

The specific nature of this cohort and the particular complexities associated with their transition warrant a dedicated policy. Such policy and associated procedures would usefully include:

- Recognition of the rights, strengths and diverse backgrounds of young people leaving custody. [see section 2.1.2]
- Acknowledgement that successful transition needs to commence with planning on entry into the youth justice system and to continue with post-placement support after exit from custody. [see section 1.2.2]
- Explicit direction to principals about their obligations and responsibilities, not only for enrolment but also in relation to reasonable adjustment and accommodations. [see section 4.1.1]

P1.2:   Establish a regional coordination and oversight role

Ensuring compliance with relevant policies and procedures requires a role with appropriate authority. The Department's regional model to deliver education services across the state means the logical location for this role is in each of the regional offices, either as part of each Regional Director's responsibilities or reporting directly to each Regional Director. This role would usefully:

- Collaborate and liaise with key stakeholders, including first of all the young person—and also their family/carers, Parkville College staff, regional and area team staff (especially School Education Improvement Leaders), school or RTO staff, Youth Justice staff, and where relevant specialist cultural staff and community representatives. [see section 5.1.1]

- Have authority to make decisions about the most appropriate educational placement of and DET support services for young people leaving custody, informed by the collaboration and liaison above. [see section 5.1.1]
- Oversee monitoring the transition process, including coordination of the management and sharing of information across relevant business units, schools and agencies; and including tracking actual destinations and changes in those destinations over time. [see section 5.1.1]

P1.3: Establish procedures for managing and sharing relevant data and information

Transition planning and implementation must be informed by accurate, relevant and up-to-date data and information for each young person. Such data and information are generated and held by a variety of business units and agencies; and all data is subject to privacy legislation and some data is highly sensitive.

The Victorian Department of Education and Training is in the process of finalising Information-sharing Principles and Protocols. This is likely to fulfil a significant component of this critical enabling strategy. Overall, such procedures would usefully include:

- Procedures for managing information, including possible data linkage. [see section 4.2.1]
- Advice on (and templates for) forms of presenting information that are of particular value for young Victorians exiting custody, such as an Education Plan, Student Plan, or Transition Plan. [see section 5.2.1 and 5.2.2]
- Procedures for sharing information, including processes for requesting access to information and guidance about who has authority to make decisions about sharing information. [see section 3.2]

P1.4: Build system-level capacity to accommodate students exiting custody

It is widely acknowledged that ensuring successful educational transition for young people leaving custody is challenging. While the AITSL standards require broad proficiencies in relation to catering for a diversity of students, few teachers (and leaders and allied professionals) will have specific expertise for supporting students who have been in custody. Therefore, efforts are required to develop such expertise. Professional learning occurs in many different ways: through educators' own reading and refection, through collaboration with colleagues, and through formal workshops and courses.

At the level of policy and systems, it would be useful to:

- Engage the Bastow Institute of Educational Leadership to oversee the development of accredited professional learning programs for principals and school leaders, to build expertise for successfully educating students who have been in custody.

- Provide learning opportunities for regional and area team staff as well as schools and training providers, to build capacity for implementing the Parkville College Education, Training and Employment Transition Framework.

- Develop a strategy to systematically learn directly from young people about their transition experiences, in order to address those aspects they identify as barriers and enhance those aspects they identify as helpful.

For schools

S1.1: Engage with system level coordination and oversight

Much of the policy and systems level coordination and oversight requires input from and engagement by staff in schools, since young people in custody were, are, and will be enrolled in schools. Specifically, it is useful for staff in schools to:

- Ensure leadership understand and adhere to relevant policy (see P1);
- Collaborate and liaise with the regional coordinator (see P2);
- Provide relevant information about students to databases and to other stakeholders, governed by approved protocols (see P3).

S1.2: Allocate staff to dedicated coordination roles "on the ground"

Both to support young people and to enhance efficient implementation of transition planning (through the entire duration from entry through to post-placement support) coordination is also required "on the ground". Parkville College already has a dedicated transition team, but the relatively small proportion of school students who spend time in custody means that schools may not have allocated a staff member (in one school or across a cluster of schools) to coordinate transition for young people in custody. Such "on the ground" coordination would usefully involve:

- A dedicated staff member in a school or cluster of schools where the young person was or will be enrolled who has the transition support role, who works directly as a mentor with the young person, as well as liaising with the Parkville College transition team and with the regional coordinator. [see section 4.1.1]
- An agreed process for exchange of information and hand-over of responsibility, if the enrolment of the student moves from one school to another. [see section 4.2.1]

S1.3: Ensure that staff have access to professional learning related to students exiting custody

As noted in P1.4, few DET staff can be expected to have had opportunities to develop specific expertise for supporting the learning of students who have been in custody—and professional learning comes in various forms. Therefore, apart from system-level capacity building, it is also helpful within schools for school leaders to:

- Support within-school and between-school professional learning communities where staff can learn from and with colleagues;
- Listen to young people who are in or have exited from custody, to find out what helps them to feel connected with school and to achieve success;
- Communicate professional learning opportunities to staff, whether these be formal workshops or courses (see P1.4) or resources that staff can access for their own reading and reflection, and encourage staff to access these.

6.2.3 Domain 2: Harnessing and further developing existing programs

The findings in this report highlight that there are already many services and programs in Victoria that support the educational transition of young people in custody. This has created a complex landscape [see section 5.2.4], which the advice for coordination and oversight [see domain 1 above] is intended to help address.

At the same time, it is important to note that support mechanisms do not need to be developed from scratch—much already exists that can be fruitfully harnessed and (if necessary) further developed. The advice below underscores those services and programs that are considered vital, based on our findings as well as research literature.

In addition, the common maxim that "one-size does not fit all" applies to this cohort. Therefore, critical enabling strategies below also include recognition of and differentiation in response to the diversity of young Victorians in custody.

For policy and systems

P2.1: Commit to core support services and programs

Some services and programs are time- or place-specific, which can create inequalities, uncertainties and inefficiencies. Therefore, it is vital to provide long-term and state-wide system level commitment to those services and programs that are considered essential to enabling successful educational transition for young Victorians in custody (see P2.2, P2.3 and S2.1). This commitment would usefully include:

- Allocation of appropriate human, financial and material resources. [see section 2.1.1]
- Strategies for access to these services and programs across the state, for example through video-conferencing and online advice and resources. [see section 2.1.1]

P2.2: Ensuring existing services and programs are harnessed for this cohort

Several specific educational services and programs that target either a broader or different student population were highlighted as being valuable for the cohort of young Victorians in custody [see section 5.3]. These include:

- Assertive outreach services such as Navigator;
- Holistic approaches such as Team Around the Learner;
- Multi-tiered systems of support, such as School Wide Positive Behaviour Support.

Ensuring access to these services and programs for young Victorians in custody would usefully:

- Remove real or perceived barriers;
- Adapt these services and programs, if necessary.

P2.3: Recognise difference and, in response, differentiate support

Although there are trends across the cohort of young Victorians in custody in terms of their life and educational experiences and demographic backgrounds [see section 1.1.1], there is also considerable diversity. At a group level, the cohort includes young people from Aboriginal, Māori and Pacific Islander, and African backgrounds for whom cultural recognition and support is of particular importance. At the individual level, young people in custody vary in terms of their psycho-educational needs and their educational preferences and capabilities. Specific resources that recognise and support diverse young people already exist. System level strategies therefore would usefully focus on ensuring equitable and appropriate access, including to:

- Specialist staff in Parkville College and in regions with relevant cultural knowledge and expertise, especially for Koorie and CALD young people. [see section 5.1.5]
- Specialist staff in Parkville College and in regions with expertise to conduct psycho-educational assessment and act in such assessment to provide or arrange provision of appropriate support. [see section 5.3.1]
- Programs for different demographic cohorts, including young people who are from Koorie backgrounds; are from African, Pasifika or broadly from CALD backgrounds; are in OOHC; or have specific health or disability needs. [see section 5.3.2]
- A range of education options to suit different needs and interests, including mainstream government schools, Flexible Learning Options, and TAFE or other vocational training options. [see section 4.3.2]

For schools

S2.1: Access existing services and programs

The use of existing services and programs to support the educational transition of young Victorians in custody may rely on schools: both Parkville College and schools in the community. Strategies therefore usefully focus on:

- School leadership (including the designated "on the ground" coordinators) staying informed about the range of services and programs that are available to support these young people. [see section 4.1.1]
- School leadership collaborating with regional office staff to facilitate access to these services and programs for these young people, and supporting ongoing access when a young person moves from enrolment in one school to another. [see section 2.1.5]
- Implementing, and adapting if necessary, programs such as Team Around the Learner and School Wide Positive Behaviour Support for young people who are or have been in custody.

S2.2: Understand students who are or have been in custody

The first standard in the AITSL Australian Professional Standards for Teachers refers to knowing your students and how they learn. In order to be able to recognise difference and then differentiate practice in response, teachers and other school staff first need to understand their student who is in or has exited from custody. As a core AITSL standard, this is something teachers are used to undertaking. However they may not have much experience in applying this professional expertise to young people who are or have been in custody. Moreover, not all school staff will necessarily know that a student has been in custody. Facilitating understanding these students would usefully include:

- Support from school leadership (including the designated "on the ground" coordinators) for teachers to apply AITSL standard 1 to young people who have been in custody. [see section 5.1.4]
- Support from school leadership to counter stereotypes or deficit views of students who are or have been in custody. [see section 2.1.3]
- Respectful and confidential processes for listening to young people who have been in custody (see also S1.3)

6.2.4 Domain 3: collaboration and partnership with key non-DET agencies

Part of the complexity of supporting educational transition from custody (see Domain 1) lies in the fact that it involves not only the Victorian Department of Education and Training but also other agencies, such as the Children's Court and the Department of Justice and Community Safety. The work of these other agencies has the potential to impact the efforts of the Department of Education and Training to support educational transition. This therefore leads to implications for the Department of Education and Training in relation to enhancing the collaboration and partnership with these other agencies. The existing work of Multi-Agency Panels already supports such efforts.

For policy and systems

P3.1: Attend to the potential roles of other agencies in policies, procedures and protocols

Even when policies, procedures and protocols are developed within the Department of Education and Training, it is useful to consider whether and how other agencies may be involved. This applies in particular to:

- Communication flows between key stakeholders at all stages, from a young person's entry into youth justice to post-placement support. [see section 5.2]
- Information sharing protocols across agencies. [see section 4.2.1]
- Alignment of education and/or transition plans with court orders and other requirement on young people. [see section 5.2.3]

For schools

S3.1: Access opportunities to learn about other relevant agencies

Interprofessional multidisciplinary collaboration can be difficult, because professions (such as education, justice and social work) may have different cultures, understandings about young people, and ways of working. School staff do not necessarily have much experience of working with colleagues from these other professions. Professional learning could usefully involve:

- Listening to and asking questions of colleagues from other professions, when meeting in relation to a specific young person, to develop shared understandings. [see section 5.1.3]
- Joining existing workshops and Partnership Forums, which bring together staff from Departments of Education, Justice and Community Safety and Health and Human Services; as well as Victoria Policy and/or DET, Victoria Police, DHHS and DJCS[44]. [see section 5.1.3]

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[44] South-Western Region Victoria. YJ Transitional Guidelines Draft. 2019.

References

1. Baltodano HM, Mathur SR, Rutherford RB. Transition of incarcerated youth with disabilities across systems and into adulthood. Exceptionality. 2005:13(2):103-24. DOI:10.1207/s15327035ex1302_4.
2. O'Neill SC. Introduction. In: O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives. Singapore: Springer; 2018a. p. 1-4.
3. Rocque M, Jennings WG, Piquero AR, Ozkan T, Farrington DP. The importance of school attendance: Findings from the Cambridge Study in Delinquent Development on the life-course effects of truancy. Crime and Delinquency, 2017:63(5):592-612. Online first http://dx.doi.org/10.1177/0011128716660520.
4. O'Neill SC. Transitions in the lives of incarcerated youth. In O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives, Singapore: Springer; 2018b. p. 7-22. https://doi.org/10.1007/978-981-13-0752-2.
5. Armytage P, Ogloff J. Youth justice review and strategy: Meeting needs and reducing offending: Part 1 – July 2017. 2017b. Victorian Government.
6. Halsey M. Assembling recidivism: The promise and contingencies of post-release life. Journal of Criminal Law and Criminology. 2007:97(4):1209-60.
7. Liddle HA, Dakof GA, Henderson C, Rowe C. Implementation outcomes of multidimensional family therapy-detention to community: A reintegration program for drug-using juvenile detainees. International Journal of Offender Therapy and Comparative Criminology. 2011:55(4):587-604. doi: 10.1177/0306624X10366960.
8. VAGO [Victorian Auditor-General's Office]. Managing rehabilitation services in youth detention. August 2018. Independent assurance report to Parliament 2018-19(4). https://www.audit.vic.gov.au/report/managing-rehabilitation-services-youth-detention.
9. White J, te Riele K, Corcoran T, Baker A, Moylan P, Abdul Manan R. Improving educational connection for young people in custody: Final report. June 2019.
10. Armytage P, Ogloff J. Youth justice review and strategy: Meeting needs and reducing offending: Executive summary – July 2017.
11. Marie D, Fergusson DM, Boden JM. Ethnic identity and criminal offending in a New Zealand birth cohort. Australian & New Zealand Journal of Criminology. 2009:42(3):354-68. http://doi/10.1375/acri.42.3.354.
12. Lambie I, Krynen A, Best C. Youth justice secure residences: A report on the international evidence to guide best practice and service delivery. Ministry of Social Development, Wellington. May 2016.
13. AIHW [Australian Institute of Health and Welfare].Youth justice in Australia 2017–18. Cat. no. JUV 129. Australian Institute of Health and Welfare, Canberra. 2019.
14. Victorian Ombudsman. Investigation into Victorian government school expulsions. Victorian Ombudsman. August 2017.
15. Griller Clark H. Involvement of the young person in transition planning. In

O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives. Singapore: Springer; 2018. p. 35-58.

16. Kohler PD, Gothberg JE, Fowler C, Coyle J. Taxonomy for transition programming 2.0: A model for planning, organizing, and evaluating transition education, services, and programs. Mar 2016. Western Michigan University.

17. Crawford C. Youth with disabilities in transition from school to work or post-secondary education and training: A review of the literature in the United States and United Kingdom. Toronto, Canada: Institute for Research and Development on Inclusion and Society (IRIS). 2012.

18. O'Neill SC, Strnadová I, Cumming TM. Transition planning framework for New South Wales youth in custody. UNSW Sydney, NSW Department of Education, NSW Department of Juvenile Justice: Sydney. 2018.

19. Kortering LJ, Edgar EB. Vocational rehabilitation and special education: A need for cooperation. Rehabilitation Counselling Bulletin. 1988 Mar: 31(3):178-84.

20. Wehman P, Kregel J, Seyfarth J. Transition from school to work for individuals with severe handicaps: A follow-up study, Journal of the Association for Persons with Severe Handicaps. 1985:10(3):1 Sept:132-36.

21. Benz MR, Lindstrom LE, Yovanoff P. Improving graduation and employment outcomes of students with disabilities: Predictive factors and student perspectives. Exceptional Children. 2000:66(4):509-29.

22. Landmark LJ, Zhang D. Compliance and practices in transition planning: A review of individualized education program documents. Remedial and Special Education. 2013:34(2):113-25.

23. Kohler PD, Gothberg JE, Fowler C, Coyle J. Taxonomy for transition programming for systems involved youth: A model for planning, organizing and evaluating transition education, services, and programs for youth involved in the juvenile justice system. Western Michigan University. 2019.

24. Blomberg TG, Bales WD, Mann K, Piquero AR, Berk RA. Incarceration, education and transition from delinquency. Journal of Criminal Justice. 2011:39(4):355-65. doi:10.1016/j.jcrimjus.2011.04.003.

25. Griller Clark H, Unruh D. Transition practices for adjudicated youth with E/BDs and related disabilities. Behavioral Disorders. 2010 Nov:36(1):43-51.

26. O'Neill SC, Strnadová I, Cumming TM. Systems barriers to community re-entry for incarcerated youths: A review. Children and Youth Services Review. 2017:79(C):29-36. http://dx.doi.org/10.1016/j.childyouth.2017.05.025.

27. Strnadová I, O'Neill SC, Cumming T. A snapshot of education behind the fence: Supporting engagement in education of incarcerated youth in Australia, International Journal of Educational Research. 2017:85:33-42. https://doi.org/10.1016/j.ijer.2017.06.004

28. Strnadová I. The role of family in supporting incarcerated youth transitioning from the juvenile justice system back into the community. In O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives, Singapore: Springer; 2018. p. 59-76.

29. Lanskey C. Up or down and out? A systemic analysis of young people's educational pathways in the youth justice system in England and Wales. International Journal of Inclusive Education. 2015:19:568-82. https://doi.org/10.1080/13603116.2014.961675.

30. Unruh D, Waintrup M, Canter T. Project STAYOUT: A facility-to-community transition intervention targeting incarcerated adolescent offenders. In Cheney D. editor. Transition of secondary students with emotional or behavioral disorders. Current approaches for positive outcomes, 2nd edition. Champaign, IL: Research Press. 2010. p. 347-74.

31. O'Neill SC, Cumming TM. The ins and outs: How principals can smooth transitions between school and juvenile justice centres, Special education perspectives, Australian Journal of Special and Inclusive Education. 2018:42(2):158-70. doi: 10.1017/jsi.2018.15

32. Risler E, O'Rourke T. Thinking exit at entry: Exploring outcomes of Georgia's juvenile justice educational programs. Journal of Correctional Education. 2009 Sept:60(3):225-39.

33. Gagnon JC, Richards C. Making the right turn: A guide about improving transition outcomes for youth involved in the juvenile corrections system. Washington, DC: National Collaborative on Workforce and Disability for Youth, Institute for Educational Leadership. 2008.

34. Griller Clark H, Mathur SR, Brock L, O'Cummings M, Milligan D. Transition toolkit 3.0: Meeting the educational needs of youth exposed to the juvenile justice system. Washington, DC: National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk (NDTAC). 3rd ed. 2016.

35. Nellis A, Hooks Wayman R. Back on track: Supporting youth reentry from out-of-home placement to the community. Washington, D.C.: Juvenile Justice and Delinquency Prevention Coalition, Youth Reentry Task Force. Fall 2009.

36. Kohler P, Gothberg J.E, Coyle J. Using the taxonomy for transition programming 2.0 to guide transition education. In Ellis AL, editor. Transitioning children with disabilities: From childhood through adulthood. Rotterdam: Sense Publishers; 2017. p. 169-82. doi:10.1007/978-94-6351- 134-6_11.

37. Bullis M, Yovanoff P. Those who do not return: Correlates of the work and school engagement of formerly incarcerated youth who remain in the community, Journal of Emotional and Behavioral Disorders. 2002 Summer:10(2):66-78.

38. Gonsoulin S, Read NW. Improving educational outcomes for youth in the juvenile justice and child welfare systems through interagency communication and collaboration. Washington DC: National Evaluation and Technical Assistance Center for Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC). 2011.

39. O'Neill S, Strnadová I, Cumming TM. How juvenile justice and education support the transition of school-aged youth from within a custodial environment to the community: Lessons to be learned and celebrations to share. School of Education, UNSW Australia. 2016.

40. Bertram RM, Suter JC, Bruns EJ, O'Rouke KE. Implementation research and wraparound literature: Building a research agenda. Journal of Child and Family Studies. 2010:20(6):713-25.

41. Strnadová I, Cumming TM, O'Neill SC. Young people transitioning from juvenile justice to the community: Transition planning and interagency collaboration, Current Issues in Criminal Justice. 2017:29(1):19-38. https://doi.org/10.1080/10345329.2017.12036083.

42. Cumming TM, Strnadová I, O'Neill SC. Transition planning processes for young people serving custodial sentences in New South Wales, Australia, Australasian Journal of Special and Inclusive Education. 2018.

Dec:42(2):93-110. https://doi.org/10.1017/jsi.2018.1

43. Kohler PD, Taxonomy for Transition Programming: Linking Research and Practice. Champaign: Illinois University, Transition Research Institute. 1996. Accessed from https://www.semanticscholar.org/paper/Taxonomy-for-Transition-Programming%3A-Linking-and-Kohler/a7c5e7a7fd64113895ca819e7fcebad2699c9a02.

44. Peters MT, Heron TE. When the best is not good enough: An examination of best practice. The Journal of Special Education. 1993:26(4):371-85.

45. Kohler, P, Gothberg J, Coyle J. The Taxonomy for transition programming 2.0 as applied to youth in the juvenile justice system. In O'Neill SC, editor. Incarcerated Youth transitioning into the community: International perspectives. Singapore: Springer. 2018. p. 23-34.

46. Kohler, PD, Chapman S. Literature review on school-to-work transition. Champaign, IL: Transition Research Institute, University of Illinois at Urbana. 1999.

47. Cumming TM. Supporting the transition of incarcerated youth back to the community: A multi-systematic wraparound approach. In O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives. Singapore: Springer; 2018. P. 77-94.

48. Seigle E, Walsh N, Weber J. Core principles for reducing recidivism and improving other outcomes for youth in the juvenile justice system. New York: Council of State Governments Justice Center. 2014.

49. Mathur S, Griller Clark H. Community engagement for reentry success of youth from juvenile Justice: Challenges and opportunities, Education and Treatment of Children. 2014:37(4):713-34. https://doi.org/10.1353/etc.2014.0034

50. Cumming TM, O'Neill S, Strnadová I. Youth transitioning from juvenile justice settings back into school: Leadership perspectives. In Trimmer, K, Dixon R, Findlay YS, editors. The Palgrave Handbook of Education Law for schools, Cham Switzerland: Palgrave Macmillan. 2018. P. 373-96. https://doi.org/10.1007/978-3-319-77751-1_17.

51. Tannis LN. Educating incarcerated youth: Exploring the impact of relationships, expectations, resources and accountability. London: Palgrave Macmillan. 2014.

52. Lambie I, Ioane J. The transitioning of incarcerated youth in the New Zealand justice system. In O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives. Singapore: Springer; 2018. p. 115-29.

53. Haines K, Case S. Positive youth justice: Children first, offenders second, Chicago: University of Chicago Press. 2015.

54. Byrne B. Troubled and troublesome children: Education, participation, and restoration. In Gallard D, Evans K, Millington J, editors. Children and their education in secure accommodation: Interdisciplinary perspectives of education, health and youth justice. Routledge. 2018. p. 3-20. https://doi.org/10.4324/9781315528212.

55. Goeman, M. (2018). New Zealand's Youth Justice transformation: Lessons for the United States: Executive Summary. Washington, D.C.: National Juvenile Justice Network, Apr 25.

56. Hirschfield PJ. Effective and promising practices in transitional planning and school reentry. The Journal of Correctional Education. 2014:65(2):84-96.

57. Moylan P, White J, Corcoran T, te Riele K, Baker A. Youth justice, educational exclusion and moral panic. In Thomas MKE, Walker P, Heng

L, editors. Inclusive education is a right, right? Rotterdam, Brill. 2020 forthcoming.

58. Parliament of Victoria Legal and Social Issues Committee. Inquiry into youth justice centres in Victoria: Final report, Parliament of Victoria Legal and Social Issues Committee. 2018. Retrieved from the Parliament of Victoria website <https://www.parliament.vic.gov.au/lsic/article/3198.

59. O'Neill SC. Transition supports and barriers to "staying out". In O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives, Singapore: Springer; 2018c. p. 257-78.

60. Urwin J. A Return to Social Justice: Youth justice, ideology and philosophy. London: Palgrave Macmillan. 2018.

61. Unruh DK, Gagnon JC, MaGee C. Community reintegration for young offenders in the United States of America. In O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives, Singapore: Springer; 2018. p. 205-19.

62. Tadič D, Razpotnik S. Transitions of sanctioned youth in Slovenia. In O'Neill SC, editor. Incarcerated Youth transitioning into the community: International perspectives, Singapore: Springer; 2018. p. 149-65.

63. Ford JD, Blaustein ME. Systemic self-regulation: A framework for trauma-informed services in residential juvenile justice programs, Journal of Family Violence. 2013:28(7):665-77.

64. Lambie I, Randell I. The impact of incarceration on juvenile offenders, Clinical Psychology Review. 2013:33(3):448-59.

65. Corcoran T, White J, Whitburn B, editors. Disability Studies: Educating for inclusion. Rotterdam: Sense, 2015.

66. Victorian Ombudsman. OPCAT in Victoria: A thematic investigation of practices related to solitary confinement of children and young people, Victorian Ombudsman, Victoria State Government.

67. Bateman T, Hazel N. Promoting shifts in personal narratives and providing structures of support: Transitions of incarcerated children in England and Wales. In O'Neill SC, editor. Incarcerated youth transitioning into the community: International perspectives, Singapore: Springer; 2018. p. 167-85.

68. ACYP [Advocate for Children and Young People]. What children and young people in juvenile justice centres have to say; October 2019. Retrieved from https://www.acyp.nsw.gov.au/juvenile-justice-report-2019.

69. Clairmont D. Rehabilitation and effective transitioning of incarcerated youths in Canada. In O'Neill SC, editor. Incarcerated Youth Transitioning into the community: International perspectives, Singapore: Springer; 2018. p. 221-36.

70. DET (Department of Education and Training Victoria). Primary to secondary transitions. 2018. Retrieved from https://www.education.vic.gov.au/school/teachers/studentmanagement/transitions/Pages/primary.aspx.

71. O'Neill SC, Cumming TM, Strnadová I, Grima-Farrell C. Transitions from behind the fence to the community: The Australian experience, in O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives, Singapore: Springer; 2018. p. 97-114.

72. Watterston J, O'Connell M. Those who disappear: The Australian education problem nobody wants to talk about: Melbourne Graduate School of Education, MGSE Industry Report #1. 2019.

73. Huebner B. The Missouri Model: A critical state of knowledge, in National Research Council (2013). Reforming juvenile justice: A developmental

approach. Committee on Assessing Juvenile Justice Reform. In Bonnie RJ, Johnson RL, Chemers BM, Schuck JA, editors. Committee on Law and Justice, Division of Behavioural and Social Sciences and Education. Washington, DC: The National Academies Press, 2012: p. 411-430.

74. Lipsey M, Wilson D. Effective intervention for serious juvenile offenders: A synthesis of research. In Loeber R, Farrington DP, editors. Serious and violent juvenile offenders: Risk factors and successful interventions, Thousands Oaks CA: Sage; 1998. p. 313-45.

75. Drew H, Banerjee R. Supporting the education and well-being of children who are looked-after: What is the role of the virtual school? European Journal of Psychology Education. 2019 34(1):101-21.

76. UK Government. The impact of virtual schools on the educational progress of looked after children, Reference No 120165, The Office for Standards in Education, Children's Services and Skills (Ofsted). October 2012. https://www.gov.uk/government/publications/the-impact-of-virtual-schools-on-the-education-of-looked-after-children.

77. Turner S. Case management in juvenile justice: Clients' perspectives (Unpublished doctoral thesis). 2019. Monash University, Melbourne, Australia.

78. UNESCO. Salamanca Statement. 1994. Retrieved from http://www.unesco.org/education/pdf/SALAMA_E.PDF.

79. DET (Department of Education and Training Victoria). About the Education State. 2019a. Retrieved from https://education.vic.gov.au/about/educationstate/Pages/vision.aspx.

80. Mathur S, Griller Clark H. Prerelease planning and practices for youth with disabilities in juvenile detention, Journal of Special Education Leadership. 2013:26(2):82-92.

81. Walker JS, Thorne EK, Powers LE, Gaonkar R. Development of a scale to measure the empowerment of youth consumers of mental health services. Journal of Emotional and Behavioral Disorders, 2010:18:51-9.

82. Platt JS, Bohac PD, Wade W. The challenges in providing needed transition programming to juvenile offenders. Journal of Correctional Education. 2015: 66(1):4-20.

83. Queensland Government. Report on youth justice, from Bob Atkinson AO, APM, Special Advisor to Di Farmer MP, Minister for Child Safety, Youth and Women and Minister for Prevention of Domestic and Family Violence, Jun 2018.

84. Muntingh LM, Larner, S. Juveniles in transition: The situation in South Africa. In O'Neill SC, editor. Incarcerated youth transitioning back to the community: International perspectives, Singapore: Springer. 2018. p. 237-53.

85. Paterson-Young C, Hazenberg R, Bajwa-Patel M. The social impact of custody on young people in the criminal justice system. Cham Switzerland. Palgrave. 2019.

86. DET (Department of Education and Training Victoria). Health, wellbeing and inclusion workforces practice model overview. 2019c.

87. Forman SG, Crystal CD. Systems Consultation for Multitiered Systems of Supports (MTSS): Implementation issues. Journal of Educational and Psychological Consultation. 2015:25(2-3):276-285. (Section 5.3.3)

88. Reveley E. Positive behaviour management: A critique of literature. Journal of Initial Teacher Inquiry. 2016:2:10-13.

89. Corcoran T, Finney D. Between education and psychology: School staff perspectives. Emotional & Behavioural Difficulties, 2015:20(1):98-113.

90. Fickel LH, Macfarlane S, Macfarlane A. Culturally responsive practice for

Indigenous contexts: Provenance to potential. In Reid C, Major J, editors. Education Dialogues with/in the Global South. Palgrave Macmillan: New York. 2017. p. 101-28.

91. Richards K. What makes juvenile offenders different from adult offenders? Trends and issues in crime and criminal justice, Australian Institute of Criminology, Australian Government. 2011:409:February 2011. Retrieved from < https://aic.gov.au/publications/tandi/tandi409.

92. Deuchar R, Bhopal K. Young People and Social Control: Problems and Prospects from the margins. Cham Switzerland: Palgrave. 2017.