

**ANSWER TO QUESTION TAKEN ON NOTICE BY THE PRESIDENT OF THE CHILDREN'S COURT,
30 APRIL 2018**

Question:

Mr DAMIEN TUDEHOPE: One of the resources you have advocated is having someone from the Education department being at court. Youth on Track uses the resources of schools. Teachers are able to make referrals to Youth on Track when a child is at risk. What sort of role would the education people involved in your court play?

Mr JOHNSTONE: Apart from addressing the non-attendance of children who come before us, there are a lot of things that we could do. My executive officer could answer this question a lot better than me. So can I take this on notice?

Mr DAMIEN TUDEHOPE: Certainly.

Answer:

Education is one of the most significant factors that operates to protect a young person from engaging with the criminal justice system and we know that a significant proportion of the young people who come before the Children's Court have been partially or fully disengaged from education for some time.

The Children's Court in NSW is seeking to adopt an initiative that has had success in Victoria in re-engaging young people in education by taking the opportunity to link young people with an education officer when they come to court. An evaluation of the Victorian initiative by the Victoria Institute showed that 75% of young people who engaged with the education officer at court were successfully re-engaged in education.

Under the Victorian model (EJI) an education officer funded by the Victorian Department of Education attends the Melbourne Children's Court. Contact is made with young people by reaching out to them in the foyer (33%) or through a referral by the court (22%) or by referral from one of the agencies working in the court such as Legal Aid or the equivalent of Juvenile Justice (42%). The education officer then talks to the young person about their previous experiences in education and their preferences and then liaises with education providers to determine options for the young person to re-engage with education. The education officer will set up meetings for the young person with particular education providers and will attend re-engagement meetings where appropriate. The scheme works in parallel with the court process rather than being directly tied to it and work can continue with the young person to re-engage them in education even where the court matter has been finalised because of the connections made during their attendance at court.

The Children's Court of NSW would see the model operating in a very similar way and is seeking to trial the scheme at Parramatta Children's Court initially with a view to expanding it to other locations if successful. Some discussions with the Department of Education have already taken place but we understand that this will require a commitment of resources by the Department. We would also expect that this model would improve connections between

the Department of Education and other agencies that support the young people who attend the Children's Court such as Justice Health to ensure that young people are receiving a more holistic approach to resolving issues that may be impacting on their offending behaviour.

The Children's Court is also working with the Department of Education to utilise the court's Children's Registrars who are trained mediators to facilitate court referred conferences of relevant parties under s22C of the Education Act 1990 where a child is not receiving compulsory schooling and the Department has commenced proceedings for a compulsory schooling order. The Children's Court is of the view that there may be some benefit in providing a facilitator who is independent of the Department at an independent location. The Children's Court has committed some resources to trialling this initiative and hopes to be in a position to commence a trial in the coming months.