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## APPENDIX A – ROLES AND RESPONSIBILITIES OF DJCS WITNESSES

## Kate Houghton, Secretary

*Roles and responsibilities*

The Secretary has overall responsibility for the leadership, management and administration of the Department of Justice and Community Safety (DJCS) to ensure compliance with government directives, guidelines and legislation. The Secretary also holds statutory responsibilities, including to support the effective management of our prison and youth justice systems.

The Secretary leads and maintains oversight of the department's implementation of actions and responsibilities under the Aboriginal Justice Agreement. The Secretary ensures that DJCS and its staff undertake meaningful engagement and strategic policy and program development with Aboriginal stakeholders to address the ongoing and pervasive over-representation of Aboriginal people in the justice system. The Secretary also shares chairing responsibilities for Aboriginal Justice Forums with the Chairperson of one of nine local Regional Aboriginal Justice Advisory Committees.

*Background and experience of witness*

Kate Houghton commenced as the Secretary of the DJCS on 5 December 2022.

Kate has more than 20 years' experience in the Victorian Public Service. Her most recent role was Deputy Secretary of Social Policy and Intergovernmental Relations at the Department of Premier and Cabinet for the past four years. Initially this role included responsibility for Aboriginal Affairs. Prior to this, Kate led teams in various portfolios from Police and Crime Prevention, to Water and Catchments and Environmental Policy. She has worked in both the NSW and Victorian Public Service.

Kate has an Honours Degree in Economics, and a Masters of Environment and is an Institute of Public Administration Australia fellow. She was awarded a Public Service Medal in 2022.

## Marian Chapman, Deputy Secretary, Courts, Civil and Criminal Law

*Roles and responsibilities*

This group brings together most of the policy and reform functions aligned to the Attorney-General portfolio.

The Deputy Secretary Courts, Civil and Criminal Law (previously Deputy Secretary Integrity, Legal and Law Reform) provides advice to government to support the development and implementation of its law reform agenda. This includes the development of legislation and policy that underpins the operation of Victoria's civil and criminal law system.

Policy reforms, including bail reform and changes to the age of criminal responsibility, are core elements of the government's law reform agenda that respond directly to current system impacts on First Peoples and are led by the Courts, Civil and Criminal Law group.

*Background and experience of witness*

Marian Chapman joined the department in May 2021 when she was appointed Deputy Secretary and Chief Counsel, Legal and Integrity. In February 2022, she was appointed Deputy Secretary and Chief Counsel Integrity, Legal and Law Reform which added responsibility for civil and criminal law policy and courts to her previous role. Before joining the department, she most recently worked for the Department of Treasury and Finance where she held executive roles as General Counsel, Executive Director for Corporate Delivery Services and Executive Director, Commercial Transactions.

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## Justin Mohamed, Deputy Secretary, Aboriginal Justice

*Roles and responsibilities*

This group drives change and coordinates efforts across the department to improve outcomes for Aboriginal Victorians, with a strong emphasis on supporting Aboriginal self-determination and working in partnership with Victorian Aboriginal communities, stakeholders and individuals.

The Deputy Secretary Aboriginal Justice:

- oversees the development, implementation and evaluation of the Aboriginal Justice Agreement, now in its fourth iteration, and its suite of initiatives, programs, strategies and community grants;
- oversees the operation of governance structures under the Aboriginal Justice Agreement including the Aboriginal Justice Forum, RAJACs, LAJACs and various Collaborative Working Groups;
- oversees the implementation of DJCS legislative and policy reforms with direct impacts on Aboriginal Victorians. This includes ensuring treaty readiness across DJCS, implementation of the spent convictions scheme, implementation of the Stolen Generation Reparation Package;
- leads DJCS reporting responsibilities for Closing the Gap, Self Determination Reform Framework and Victorian Government Aboriginal Affairs Report; and
- ensures that Aboriginal justice outcomes are embedded as active considerations across all of the department's activities

*Background and experience of witness*

Justin Mohamed is a Gooreng Gooreng man from Bundaberg, Queensland. Justin worked with Victorian Aboriginal communities for 20 years before taking up national positions as Chairperson of the National Aboriginal Community Controlled Health Organisation (NACCHO) and Chief Executive Officer of Reconciliation Australia. Prior to this, Justin held positions based in the Shepparton region as the Inaugural Director of the Academy of Sport, Health and Education (ASHE), and as CEO and later Chairperson of Rumbalara Aboriginal Cooperative Ltd.

Justin has chaired the Victorian Aboriginal Community Controlled Health Organisation (VACCHO) and chaired the Hume Regional Aboriginal Justice Advisory Committee (RAJAC). Prior to his appointment as Deputy Secretary, Justin was the Aboriginal Commissioner for Children and Young People for three and a half years. As Commissioner he delivered the *Our youth, our way* inquiry into the over-representation of Aboriginal children and young people in Victoria's youth justice system. In this role, Justin also led a series of inquiries into the over-representation of Aboriginal young people in the child protection and out-of-home care systems and in notifications to the Commission of abuse and other harmful conduct under the Reportable Conduct Scheme. This work supported the development of a new stand-alone child safety standard that came into full effect in 2022.

## Ryan Phillips, Deputy Secretary, Corrections and Justice Services

*Roles and responsibilities*

This group includes Policy and Strategy and Service Design for Corrections and Justice Services and key operational divisions that play an integral role in developing safer and more resilient communities and in delivering a trusted justice and community safety system

The Deputy Secretary, Corrections and Justice Services:

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- oversees the operations of Victoria's custodial and community correctional system. This includes Justice Health (supported by the Associate Deputy Secretary of Policy Strategy and Offender Outcomes), Corrections Victoria (supported by the Corrections Commissioner – DJCS witness) and Justice Services (supported by Associate Deputy secretary Justice Services) business units;
- oversees the development of policy and programs supporting First Peoples that come into contact with Corrections Victoria and Justice Services. This includes policy and client programs for First Peoples both in custody and in the community subject to parole and/or court orders. This policy work is heavily influenced by recommendations made within independent reviews, the Aboriginal Justice Agreement and learnings from the Aboriginal Justice Forums; and
- actively participates in the Aboriginal Justice Forum and associated collaborative working groups aimed at supporting the cultural needs of First Peoples.

*Background and experience of witness*

Ryan Phillips has been the Deputy Secretary for Corrections and Justice Services since 2019. He previously led the department's Criminal Law Policy and Operations group as Deputy Secretary from 2017. Prior to his appointment in the department, he was employed in a range of senior executive positions in the VPS, including as Executive Director, Social Policy, and General Counsel at DPC. Ryan has held a diverse range of policy, social justice and legal roles across the government, Aboriginal community and private sectors in Melbourne, Broome and Sydney.

*Larissa Strong, Commissioner Corrections Victoria**Roles and responsibilities*

This role oversees operational aspects of the adult custodial corrections system and reports to the Deputy Secretary, Corrections and Justice Services.

The Commissioner Corrections:

- oversees operation of Victoria's 11 public prisons and one transition centre;
- oversees prisoner screening, assessment, placement and configuration of the prison network;
- oversees security standards, emergency response and intelligence to ensure system safety;
- has oversight of private prisons;
- oversees delivery of rehabilitation, transition and reintegration programs including education, training, prison industries, rehabilitation and reintegration and cultural programs; and
- oversees operation of Victoria's post-sentence scheme including operating post sentence residential facilities and treatment centres.

As in all Australian jurisdictions, health services in custodial facilities (including primary and mental health care) are delivered separately to operational services. In Victoria, oversight for these services sits within the department but in a separate business unit – Justice Health.

*Background and experience of witness*

Larissa Strong has been the Commissioner of Corrections Victoria since February 2021, having acted in the role from June 2020. Prior to this appointment, Larissa was Deputy Commissioner, Offender Services in Corrections Victoria from 2016. Larissa has 30 years' experience in the public service, including a number of Executive positions in Justice since 2006.

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Josh Smith, Deputy Secretary, Youth Justice

*Roles and responsibilities*

The Youth Justice group is responsible for the statutory supervision of children and young people in contact with the criminal justice system in Victoria.

The Deputy Secretary, Youth Justice:

- oversees the operations of Victoria's Youth Justice system. Children and young people involved in Youth Justice are either supervised by community youth justice workers located at Justice Service Centres across seven regions in Victoria, or within Parkville or Malmsbury Youth Justice custodial facilities;
- oversees reforms that reduce offending and improve community safety by providing genuine opportunities for children and young people to turn their lives around – in line with the *Youth Justice Strategic Plan 2020-2030*; and
- oversees programs and services to further Aboriginal self-determination and address overrepresentation in the Youth Justice system– in line with *Wirkara Kulpa*, Victoria's first Aboriginal Youth Justice Strategy.

*Background and experience of witness*

Josh is a Dunghutti man from the Macleay Valley Coast in NSW with connections to Gumbayngirr people. After practising law as a solicitor for the NSW Crown Solicitors Office and at the Victorian Aboriginal Legal Service, Josh has held executive positions within the Victorian public service across family violence and health and human services portfolios, and Aboriginal affairs. Josh was instrumental in establishing the intersectional approach to responding to family violence following the state's Family Violence Royal Commission and developing the legislative architecture for Victoria's Treaty process. He is currently the Deputy Secretary of Youth Justice.

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Roles and responsibilities overview

DJCS Secretary has overall responsibility for leadership, management and administration				
Deputy Secretary Courts, Civil and Criminal Law* <i>*NB recent organisational structures have changed future areas and responsibilities</i>	Deputy Secretary, Corrections and Justice Services	Commissioner of Corrections	Deputy Secretary, Youth Justice	Deputy Secretary, Aboriginal Justice
Theme: Primary role / context				
<ul style="list-style-type: none"> <li>Provides advice to government to support the development and implementation of the Attorney-General's law reform agenda. This includes the development of legislation that establishes Victoria's criminal and civil law framework, and integrity reforms including the Systemic Review into Police Oversight, and the Optional Protocol to the Convention against Torture.</li> <li>Provides advice to government to support the development and implementation of changes to legislation which establishes independent justice and integrity entities under the Attorney-General's portfolio (such as courts, OPP, IBAC VLA).</li> <li>Oversees the Justice Assurance and Review Office which provides internal assurance over the performance of the youth justice and adult corrections systems by assessing and reviewing serious incidents and providing advice on risks and opportunities for system improvements.</li> <li>Oversees the Honorary Justice Support Services, supporting Bail Justices and Justices of the Peace.</li> <li>Supports the Attorney-General's attendance at national forums including Standing Council of Attorney's-General.</li> </ul>	<p>Function covers Victoria's custodial and community correctional system, including Policy and Strategy, Justice Health, Corrections Victoria (supported by the Corrections Commissioner) and Justice Services (including oversight of Community Correctional Services, including people supervised on parole). The role:</p> <ul style="list-style-type: none"> <li>oversees the development of policy and programs supporting First Peoples that come into contact with Corrections Victoria and Justice Services. This includes policy and client programs for First Peoples both in custody and in the community subject to parole and/or court orders</li> <li>oversees assurance review processes directly relating to the support of First Peoples, that come into contact with Corrections and Justice Services.</li> </ul>	<ul style="list-style-type: none"> <li>Operational aspects of the adult custodial corrections system. Reports to the Deputy Secretary Corrections and Justice Services. Includes"</li> <li>Operation of Victoria's 11 public prisons and one transition centre.</li> <li>Prisoner screening, assessment, placement and configuration of the prison network.</li> <li>Security standards, emergency response and intelligence to ensure system safety.</li> <li>Oversight of private prisons.</li> <li>Delivery of rehabilitation, transition and reintegration programs including education, training, prison industries, rehabilitation and reintegration and cultural programs.</li> <li>Operation of Victoria's post-sentence scheme including operating post sentence residential facilities and treatment centres.</li> </ul>	<ul style="list-style-type: none"> <li>This group is responsible for the statutory supervision of children and young people in contact with the criminal justice system in Victoria.</li> <li>Youth Justice focuses on the rehabilitation of children and young people, based on the evidence that most young people age out of offending behaviour. This includes through case management and supervision of children and young people in the community and in custody; delivering offending behaviour programs; and linking young people into the support they need to turn their lives around.</li> <li>The Youth Justice Strategic Plan 2020-2030 reflects a 10-year vision for how we will deliver a leading youth justice system in Victoria.</li> </ul>	<p>This group drives change and coordinates departmental effort to improve outcomes for Aboriginal Victorians, with a strong emphasis on self-determination and partnership with Aboriginal stakeholders. Role oversees:</p> <ul style="list-style-type: none"> <li>the development, evaluation and implementation of the Aboriginal Justice Agreement (AJA)</li> <li>the operation of governance structures under the AJA including RAJACs, LAJACs and various collaborative working groups. Additionally leads the organisation and delivery of Aboriginal Justice Forums</li> <li>the implementation of DJCS legislative and policy reforms with direct impacts on Aboriginal Victorians</li> <li>DJCS reporting responsibilities for Closing the Gap, Self Determination Reform and Government's Aboriginal Affairs Report.</li> </ul>
Responding to RCIADIC and reducing Aboriginal deaths in custody				

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As above.	<p>Contribution to implementation of AJA priorities related to the delivery of custodial and community based corrections, including initiatives related to improving outcomes for Aboriginal people in contact with the corrections system. This includes initiatives related to the delivery of enhancements to health services in adult and YJ custodial settings, through oversight of Justice Health.</p> <p>Contribution to broader Departmental RCIADIC response (including input to future Aboriginal led review) for recommendations related to the operation of adult custodial and community corrections system, and related to the provision of health care for the adult and youth justice custodial systems.</p>	Contribution to implementation of AJA priorities related to operational aspects of the adult custodial correctional system, reporting into the Deputy Secretary, Corrections and Justice Services.	Youth Justice is acutely aware of the risks of suicide and self-harm in custody and the need to have structures and systems in place to ensure cultural support and safety is prioritised. This means increased monitoring and observations on admission, buddying and room sharing wherever possible, access to Aboriginal Support Officers and cultural programs, and cultural wellbeing items and spaces.	<ul style="list-style-type: none"> <li>This group leads the development, evaluation and implementation of the Aboriginal Justice Agreement (AJA) which sets the key priorities for reforms across the criminal justice system, including corrections, as agreed by community.</li> <li>Leads an external panel that provides advice to ensure the cultural appropriateness, safety, comprehensiveness and quality of the department's internal reviews of Aboriginal deaths in custody.</li> </ul>
<b>Provision of health in custodial systems</b>				
Nil	<ul style="list-style-type: none"> <li>Justice Health oversees service delivery and commissions health services (including primary health and mental health services) for adult prisons and YJ. Includes oversight of delivery of Alcohol and Other Drug health programs.</li> <li>Justice Health is led by an Executive Director who reports to the Associate Deputy Secretary of Policy, Strategy and Offender Outcomes. This Associate Deputy Secretary reports directly to the Deputy Secretary of CJS</li> <li>There is a separate function that is undertaking reforms of the health services system that also reports directly to the Deputy Secretary.</li> </ul>	<p>As in all Australian jurisdictions health services in custodial facilities (including primary and mental health services) are delivered separately to operational services.</p> <p>In Victoria, oversight for these services sits within the department but in a separate business unit, Justice Health. Health service delivery occurs within custodial facilities through contracted providers who are managed by Justice Health (refer to role of Deputy Secretary, CJS)</p>	Health service delivery occurs within youth justice facilities through contracted providers who are managed by Justice Health (refer to role of Deputy Secretary, CJS)	Drives change and coordinates efforts across the department to improve outcomes for Aboriginal Victorians (including to ensure health care for people in custody is culturally competent).
<b>Age of criminal responsibility</b>				
Supports the Attorney-General (with Youth Justice) to administer select provisions in the Children, Youth and Families Act including	Nil	Nil	<ul style="list-style-type: none"> <li>The Youth Justice Strategic Plan 2020-2030 released in May 2020 commits to age-appropriate responses for 10 to</li> </ul>	<ul style="list-style-type: none"> <li>Supports the development of policy and legislative reforms addressed at supporting 10-14 years olds in contact with the justice system to ensure</li> </ul>

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those that govern the age of criminal responsibility.			<p>14-year-olds to keep them out of the youth justice system.</p> <ul style="list-style-type: none"> <li>• Supports the funding of programs and services targeted at young people at risk, or in contact with, the criminal justice system.</li> <li>• Supports funding of programs that focus on diversion, and keeping children out of the justice system, wherever possible.</li> </ul>	<p>consideration of the impact on Aboriginal young people and communities.</p> <ul style="list-style-type: none"> <li>• Supports engagement with the Aboriginal Justice Caucus and broader community in the development of reforms</li> <li>• Supports the funding of programs and services targeted at young people at risk, or in contact with, the criminal justice system.</li> </ul>
<b>Oversight of police</b>				
Provides advice to government to support the development and implementation of legislation to establish independent Integrity Agencies within the Attorney-General's portfolio. This includes providing advice on IBAC legislation. This includes advice on the Systemic Review into Police Oversight and potential preforms.	Nil	Nil	Nil	Supports Victoria Police and IBAC's engagement with the Aboriginal Justice Caucus. Supports Victoria Police, as a signatory to the AJA, in their fulfilment of obligations and actions under the agreement.
<b>Bail Laws</b>				
Supports the administration of the Bail Act, including providing advice and working with justice partners to implement reform.	Oversees supervision of people on court orders (such as Community Correction Orders) as well as the development of polices and programs to meet the needs of the prison and CCS populations. In addition to an increased use of remand, there has been an increase in people supervised by CCS who have spent time in prison on remand (including as part of a time served combined order).	Houses people on remand. Remanded prisoners represent an increasingly significant percentage of the prison population - currently it is over 40% - Bail laws have heavily influenced this trend, with a higher proportion of women and Aboriginal people in prison being held on remand.	<p>When young people are remanded or sentenced by the courts to youth justice custody, targeted case management and support aims to fast track release where possible or establish cultural supports and programs focused on cultural safety and rehabilitation if sentenced.</p> <p>There is a focus on diversion and the Children's Court Youth Diversion service provides an opportunity for young people to accept responsibility, understand any harm caused, have any charges cleared on successful completion of their diversion plan and restricted release of their criminal history.</p>	<ul style="list-style-type: none"> <li>• Supports the development of legislative reforms to the Bail Act to promote consideration of the impact on Aboriginal communities.</li> <li>• Supports engagement with the Aboriginal Justice Caucus and broader community in the development of reforms.</li> <li>• Supports the implementation of actions under the Aboriginal Justice Agreement relevant to the operation of bail laws and decision makers.</li> </ul>
<b>Sentencing and Custodial Systems</b>				
<p>Provides advice to government on the operation of the Sentencing Act.</p> <p>Provides advice on Victoria's implementation of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment.</p>	Has executive oversight of both the custodial and community corrections systems (including people on parole) and the services delivered within these systems. Participation in these systems is the outcome of sentencing/ bail decisions as well as the decisions of the Adult Parole board.	Responsible for the operations for the adult custodial corrections system. Sentencing practices influence the number of people in custody.	Has executive oversight of both the custodial and community Youth Justice systems, and the services and programs delivered within these systems. Entry into the Youth Justice system is an outcome of sentencing/bail decisions.	<ul style="list-style-type: none"> <li>• Supports the development of legislative and policy reforms to corrections and sentencing systems to promote consideration of the impact on Aboriginal communities.</li> <li>• Supports engagement with the Aboriginal Justice Caucus and broader community in the development of reforms.</li> </ul>

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				<ul style="list-style-type: none"><li>• Supports the implementation of actions under the Aboriginal Justice Agreement relevant to the operation of the corrections and sentencing systems.</li></ul>
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