

CHAPTER 7: DEPARTMENT OF JUSTICE HEARINGS

7.1 Introduction

The Department of Justice is responsible for the administration of four portfolios:

- Attorney General;
- Racing;
- Police and Emergency Services;
- Corrections;
- Gaming; and
- Consumer Affairs

7.2 Key budget themes for 2009-10

The Department of Justice advised the Committee that in regards to the *2009-10 State Budget*, the key themes that relate to the Department are:²³

- *Improving Access to Justice;*
- *Safety and Crime Prevention;*
- road safety;
- corrections;
- emergency services / responding to bushfires; and
- greater public participation and more accountable government.

7.3 Key assumptions that have been used to develop the Department's projections for 2009-10

The Department of Justice advised the Committee that the following four key assumptions were used to develop projections for the *2009-10 State Budget*:²⁴

- continuity of output delivery. Except where the Expenditure Review Committee has approved or directed otherwise, the Department's output appropriation funding base is provided for on an ongoing basis;
- escalation in cost of delivering ongoing outputs. Incremental appropriation funding at the rate of 3 per cent (except for fixed cost items) is provided under the *Departmental Funding Model* and is reflected in the cost of all outputs;

²³ Department of Justice, Response to the Public Accounts and Estimates Committee Budget Estimates Questionnaire, May 2009, p.2

²⁴ *ibid.*, pp.3-4

- fixed Price (cost) funding adjustments. Contractually defined and other agreed fixed price (cost) items are reviewed annually and any necessary funding adjustments are agreed with the Department of Treasury and Finance. Major cost items currently falling within this regime include:
 - finance lease of the County Court facility;
 - Traffic Camera Office / Enforcement Management contract;
 - prisoner health and transport contract costs; and
 - accommodation and services contracted costs of Victoria’s two existing privately operated correctional facilities and two new facilities funded under Partnerships Victoria principles.
- business and market activity impacting retained and Consolidated Fund revenue. As part of the mid year (unchanged policy basis) estimates review and update process each year, relevant business units and agencies within the Justice portfolio undertake an assessment of factors that materially impact revenues likely to be generated. Typically, these involve an assessment of changing economic and market conditions and demographics. These largely relate to the Consumer Affairs portfolio licensing and business names functions as well as fines and other regulatory fees levied by police and the courts. The Department of Treasury and Finance leads in the formulation of estimates pertaining to gaming and gambling taxes. Final net changes observed in the Department’s estimates therefore can reflect a combination of standard escalation, market, economic and policy driven parameter changes.

7.4 Major Expenditure Policy Shifts in the 2009-10 Budget

The Department of Justice advised the Committee that there were no major expenditure policy shifts in the *2009-10 State Budget* relating to it.²⁵

7.5 Police and Emergency Services Portfolio

7.5.1 Introduction

The Committee received evidence from the Hon. Bob Cameron MP, Minister for Police and Emergency Services, on 14 May 2009. The Minister provided an overview of his portfolio at the start of the hearing, assisted by Ms Penny Armytage, Secretary; Dr. Roslyn Kelleher, Executive Director, Police, Emergency Services and Corrections, Department of Justice; and Mr. Simon Overland, Chief Commissioner, Victoria Police. The Committee thanks the Minister and accompanying officers for their attendance and assistance.

7.5.2 General comments

At the budget estimates hearing, the Committee raised various matters concerning the budget estimates for 2009-10 (see Volume Two for the transcript of proceedings). Transcripts of the budget estimates proceedings are also accessible on the Committee’s website at www.parliament.vic.gov.au/paec. Documents provided at the hearings of the budget estimates (see Section 7.5.4) are available on the Committee’s website. Written answers to questions on notice should be submitted to the Committee by 22 June. These answers will be considered by the Committee for inclusion in a further report.

²⁵ *ibid.*, p.21

7.5.3 Key matters raised at the budget estimates hearing

Key matters raised at the budget estimates hearing included a standard question on Federal Government grants and the following (page references refer to the transcript in Volume Two, Section 7.1):

Police matters

- information technology issues (pp.9-10);
- trends in crime and the effectiveness of Victoria Police in reducing crime (pp.13-16);
- police numbers (pp.14-15 and 27-29);
- theft from motor vehicles (pp.18-19);
- gang assaults on Indian students and Indian Australians (pp.19-20);
- family violence assaults, including domestic violence in rural Victoria (pp.20-21 and 30-31);
- road safety initiatives, including roadside drug testing (pp.23-27);
- hoon driving initiatives (pp.29-30); and
- *Regional Police Stations Program* (pp.31-32).

Emergency services matters

- impact of the bushfires on the forward estimates (pp.6-9);
- emergency response capability and deployment of trained staff (pp.11-13);
- emergency management capability (pp.16-18); and
- timeliness of response to large-scale emergencies (pp.22-23).

7.5.4 Documents tabled at the budget estimates hearing

The Minister provided an introductory slide presentation at the budget estimates hearing. The slides are available on the Committee's website. The Minister also tabled a report dealing with IT governance issues that was prepared by the Commissioner for Law Enforcement Data Security.

7.5.5 Questions taken on notice at the budget estimates hearing

A number of questions were taken on notice by the Minister at the budget estimates hearing (see Appendix 2 - Questions on Notice, and the transcript in Volume Two) relating to:

- Federal Government grants; and
- road safety initiatives.

A written response by the Minister to the Committee on these questions is due by 22 June 2009 and will be considered for publication in a further report.

7.6 Corrections Portfolio

7.6.1 Introduction

The Committee received evidence from the Hon. Bob Cameron MP, Minister for Corrections, on 14 May 2009. The Minister provided an overview of his portfolio at the start of the hearing, assisted by Ms Penny Armytage, Secretary; Dr. Roslyn Kelleher, Executive Director, Police and Emergency Services and Corrections, Department of Justice; and Mr. Rod Wise, Acting Commissioner, Corrections Victoria, Department of Justice. The Committee thanks the Minister and accompanying officers for their attendance and assistance.

7.6.2 General comments

At the budget estimates hearing, the Committee raised various matters concerning the budget estimates for 2009-10 (see Volume Two for the transcript of proceedings). Transcripts of the budget estimates proceedings are also accessible on the Committee's website at www.parliament.vic.gov.au/paec. Documents provided at the hearings of the budget estimates (see Section 7.6.4) are available on the Committee's website. Written answers to questions on notice should be submitted to the Committee by 22 June. These answers will be considered by the Committee for inclusion in a further report.

7.6.3 Key matters raised at the budget estimates hearing

Key matters raised at the budget estimates hearing included a standard question on Federal Government grants and the following (page references refer to the transcript in Volume Two, Section 7.2):

Victorian prisons

- rollout of new flexible beds (p.6);
- commissioning of the new Ararat prison (pp.6 and 11);
- female prisoners – the *Better Pathways* program (pp.5-6);
- drug use in Victoria's prisons (pp.9-10); and
- private prison costs compared to the public system (pp.11-12).

Community corrections

- community corrections offenders (pp.2-3);
- accommodation programs for ex-prisoners, post-release (pp.4-5);
- exits into homelessness from custodial settings – accountability mechanisms (p.5);
- the *Graffiti Prevention and Removal Strategy* (p.7); and
- home detention (pp.8-9).

Other issues

- sentence length (pp.7-8).

7.6.4 Documents tabled at the budget estimates hearing

The Minister provided an introductory slide presentation at the budget estimates hearing. The slides are available on the Committee's website.

7.6.5 Questions taken on notice at the budget estimates hearing

A number of questions were taken on notice by the Minister at the budget estimates hearing (see Appendix 2 - Questions on Notice, and the transcript in Volume Two) relating to:

- Federal Government grants;
- post-release accommodation provided to ex-prisoners;
- sentence length for serious offenders compared with other types of offenders;
- costs of keeping prisoners in private prison compared to the public system; and
- home detention order breaches in metropolitan and rural Victoria.

A written response by the Minister to the Committee on these questions is due by 22 June 2009 and will be considered for publication in a further report.

7.7 Attorney General's Portfolio

7.7.1 Introduction

The Committee received evidence from the Hon. Rob Hulls MP, Attorney General, on 14 May 2009. The Attorney General provided an overview of his portfolio at the start of the hearing, assisted by Ms Penny Armytage, Secretary; and Mr John Griffin, Executive Director, Courts, Department of Justice. The Committee thanks the Attorney General and accompanying officers for their attendance and assistance.

7.7.2 General comments

At the budget estimates hearing, the Committee raised various matters concerning the budget estimates for 2009-10 (see Volume Two for the transcript of proceedings). Transcripts of the budget estimates proceedings are also accessible on the Committee's website at www.parliament.vic.gov.au/paec. Documents provided at the hearings of the budget estimates (see Section 7.7.4) are available on the Committee's website. Written answers to questions on notice should be submitted to the Committee by 22 June 2009. These answers will be considered by the Committee for inclusion in a further report.

7.7.3 Key matters raised at the budget estimates hearing

Key matters raised at the budget estimates hearing included a standard question on Federal Government grants and the following (page references refer to the transcript in Volume Two, Section 7.3):

Justices of the Peace

- appointment process (pp.5-7, 9-10 and 15-16); and
- appointment of Mr H Suleyman (pp.5-11).

Courts

- Coroner's Court and Victorian Institute of Forensic Medicine's work related to the Victorian bushfires (pp.8-9); and
- *Supporting courts to address family violence* budget output (pp.14-15).

Other issues

- legal aid funding (pp.3-4 and 13);
- Neighbourhood Justice Centre (p.12-13); and
- *Human Rights Charter* and public education program (pp.13-14).

7.7.4 Documents tabled at the budget estimates hearing

The Attorney General provided an introductory slide presentation at the budget estimates hearing. The slides are available on the Committee's website.

7.7.5 Questions taken on notice at the budget estimates hearing

A number of questions were taken on notice by the Minister at the budget estimates hearing (see Appendix 2 - Questions on Notice, and the transcript in Volume Two) relating to:

- Federal Government grants;
- pro-bono work undertaken by firms for Victorian Legal Aid;
- background of Justices of the Peace; and
- cost of family violence on government services.

A written response by the Minister to the Committee on these questions is due by 22 June 2009 and will be considered for publication in a further report.

7.8 Racing Portfolio

7.8.1 Introduction

The Committee received evidence from the Hon. Rob Hulls MP, Attorney General in his role as Minister for Racing, on 15 May 2009. The Attorney General provided an introductory overview of the Racing Portfolio at the start of the hearing, assisted by Ms Penny Armytage, Secretary; and Mr Ross Kennedy, Executive Director, Gaming and Racing, Department of Justice. The Committee thanks the Attorney General and accompanying officers for their attendance and assistance.

7.8.2 General comments

At the budget estimates hearing, the Committee raised various matters concerning the budget estimates for 2009-10 (see Volume Two for the transcript of proceedings). Transcripts of the budget estimates proceedings are also accessible on the Committee's website at www.parliament.vic.gov.au/paec. Documents provided at the hearings of the budget estimates (see Section 7.8.4) are available on the Committee's website. Written answers to questions on notice should be submitted to the Committee by 22 June 2009. These answers will be considered by the Committee for inclusion in a further report.

7.8.3 Key matters raised at the budget estimates hearing

Key matters raised at the budget estimates hearing included a standard question on Federal Government grants and the following (page references refer to the transcript in Volume Two, Section 7.4):

Racing

- funding for the thoroughbred racing industry (pp.2-3);
- funding for country racing (pp.3-5);
- harness racing industry (p.6); and
- jumps racing (p.7).

Gambling tax revenue

- retention of wagering revenue within Victoria (pp.6-7); and
- revenue derived from jumps racing (p.7).

7.8.4 Documents tabled at the budget estimates hearing

The Attorney General provided an introductory slide presentation at the budget estimates hearing. The slides are available on the Committee's website.

7.8.5 Questions taken on notice at the budget estimates hearing

A number of questions were taken on notice by the Attorney General at the budget estimates hearing (see Appendix 2 - Questions on Notice, and the transcript in Volume Two) relating to:

- Federal Government grants; and
- proportion of the forward estimates that is derived from jumps racing revenue.

A written response by the Attorney General to the Committee on these questions is due by 22 June 2009 and will be considered for publication in a further report.

7.9 Gaming Portfolio

7.9.1 Introduction

The Committee received evidence from Mr Tony Robinson MP, Minister for Gaming, on 21 May 2009. The Minister provided an overview of his portfolio at the start of the hearing, assisted by Ms Penny Armytage, Secretary; and Mr Ross Kennedy, Executive Director, Gaming and Racing, Department of Justice. The Committee thanks the Minister and accompanying officers for their attendance and assistance.

7.9.2 General comments

At the budget estimates hearing, the Committee raised various matters concerning the budget estimates for 2009-10 (see Volume Two for the transcript of proceedings). Transcripts of the budget estimates proceedings are also accessible on the Committee's website at www.parliament.vic.gov.au/paec. Documents provided at the hearings of the budget estimates (see Section 7.9.4) are available on the Committee's website. Written answers to questions on notice should be submitted to the Committee by 22 June 2009. These answers will be considered by the Committee for inclusion in a further report.

7.9.3 Key matters raised at the budget estimates hearing

Key matters raised at the budget estimates hearing included a standard question on Federal Government grants and the following (page references refer to the transcript in Volume Two, Section 7.5):

- problem gambling campaigns, including the new TV campaign for redevelopment of the *Gamblers Help* program (pp.3-4);
- commercial negotiations for changes to tax arrangements for Crown Casino (pp.4-6, 8-11 and 14);
- expansion in gambling tables at Crown Casino – social and economic impact study and advice sought (pp.11-13);
- initiatives to regulate gambling (pp.6-7);
- gambling machines - countering built-in manipulative qualities and harm reduction and safety features (p.7);
- promotion of responsible gaming environments in gaming venues (pp.7-8);
- *Gamblers Help* services (p.11);
- use of regulatory powers to ban products or practices (pp.13-14);
- the *Taking Action on Problem Gambling strategy* (pp.14-15); and
- transition measures from gaming operators to venue ownership – use of deposit payments (p.15).

7.9.4 Documents tabled at the budget estimates hearing

The Minister provided an introductory slide presentation at the budget estimates hearing. The slides are available on the Committee's website.

7.9.5 Questions taken on notice at the budget estimates hearing

A number of questions were taken on notice by the Minister at the budget estimates hearing (see Appendix 2 - Questions on Notice, and the transcript in Volume Two) relating to:

- Federal Government grants;
- effective date when the Director was given regulatory powers concerning the promotion of gambling;
- transition measures from gaming operators to venue ownership;

- proportion of the appropriation fund is given to key protection activities; and
- legal proceedings and targeted compliance activities for 2009-10 relating to the *Retirement Villages Act*.

A written response by the Minister to the Committee on these questions is due by 22 June 2009 and will be considered for publication in a further report.

7.10 Consumer Affairs Portfolio

7.10.1 Introduction

The Committee received evidence from the Hon. Mr Tony Robinson MP, Minister for Consumer Affairs, on 21 May 2009. The Minister provided an overview of his portfolio at the start of the hearing, assisted by Ms Penny Armytage, Secretary, Dr Claire Noone, Executive Director, Consumer Affairs Victoria, and Mr Tim Lee, Executive Director, Community Operations and Strategy, Department of Justice. The Committee thanks the Minister and accompanying officers for their attendance and assistance.

7.10.2 General comments

At the budget estimates hearing, the Committee raised various matters concerning the budget estimates for 2009-10 (see Volume Two for the transcript of proceedings). Transcripts of the budget estimates proceedings are also accessible on the Committee's website at www.parliament.vic.gov.au/paec. Documents provided at the hearings of the budget estimates (see Section 7.10.4) are available on the Committee's website. Written answers to questions on notice should be submitted to the Committee by 22 June 2009. These answers will be considered by the Committee for inclusion in a further report.

7.10.3 Key matters raised at the budget estimates hearing

Key matters raised at the budget estimates hearing included a standard question on Federal Government grants and the following (page references refer to the transcript in Volume Two, Section 7.6):

Consumer protection

- payday lenders (p.4);
- residential parks and rooming houses (pp.7-8);
- internet scams (p.9); and
- retirement village complaints (pp.9-10).

Regulation

- transfer of credit regulation to the Federal Government (pp.3-4);
- civilian compliance directorate and licensees (pp.4-5);
- national consumer policy framework (pp.5-6); and
- liquor licensing (pp.6-7).

Other

- allocation of funding from the *Appropriation Fund* (pp.8-9).

7.10.4 Documents tabled at the budget estimates hearing

The Minister provided an introductory slide presentation at the budget estimates hearing. The slides are available on the Committee's website.

7.10.5 Questions taken on notice at the budget estimates hearing

A number of questions were taken on notice by the Minister at the budget estimates hearing (see Appendix 2 - Questions on Notice, and the transcript in Volume Two) relating to:

- *Appropriation Fund*; and
- the *Retirement Villages Act*.

A written response by the Minister to the Committee on these questions is due by 22 June 2009 and will be considered for publication in a further report.