

VERIFIED VERSION

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into 2015–16 Financial and Performance Outcomes

Melbourne — 15 February 2017

Members

Mr Danny Pearson — Chair

Ms Sue Pennicuik

Mr David Morris — Deputy Chair

Ms Harriet Shing

Mr Steve Dimopoulos

Mr Tim Smith

Mr Danny O'Brien

Ms Vicki Ward

Witnesses

Mr Greg Wilson, Secretary,

Mr Graham Ashton, Chief Commissioner of Police,

Mr Shaun Condron, Deputy Secretary, Finance, Infrastructure and Governance,

Mr Neil Robertson, Deputy Secretary, Emergency Management,

Mr Brendan Facey, Acting Deputy Secretary, Criminal Justice,

Mr Donald Speagle, Deputy Secretary, Civil Justice,

Ms Cate Carr, Executive Director, Liquor, Gaming and Racing,

Ms Camille Kingston, Acting Executive Director, Police and Crime Prevention, and

Ms Jan Shuard, Commissioner for Corrections, Department of Justice and Regulation.

The CHAIR — I declare open the public hearings for the Public Accounts and Estimates Committee inquiry into the 2015–16 financial and performance outcomes. All mobile telephones should now be turned to silent. I would like to welcome Mr Greg Wilson, Secretary of the Department of Justice and Regulation; Mr Graham Ashton, Chief Commissioner of Police; Mr Shaun Condron, Deputy Secretary, Finance, Infrastructure and Governance; Mr Neil Robertson, Deputy Secretary, Emergency Management; and Ms Jan Shuard, Commissioner for Corrections.

In the gallery there is also Mr Donald Speagle, Deputy Secretary, Civil Justice; Mr Brendan Facey, Acting Deputy Secretary, Criminal Justice; Ms Julia Griffith, Deputy Secretary, Corrections; Mr Simon Cohen, Deputy Secretary, Regulation; Ms Carolyn Gale, Deputy Secretary, Service Strategy Reform; Ms Gail Moody, Deputy Secretary, Commercial and Advisory; Mr Christopher Breitzkreuz, Acting Chief Financial Officer; Ms Cate Carr, Executive Director, Liquor, Gaming and Racing; Ms Camille Kingston, Acting Executive Director, Police; and Mr Karl Kent, Executive Director, Business Services, Victoria Police. Any witness who is called from the gallery during this hearing must clearly state their name, position and relevant department for the record.

All evidence is taken by this committee under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Any comments made outside the hearing, including on social media, are not afforded such privilege. The committee does not require witnesses to be sworn, but questions must be answered fully, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

All evidence given today is being recorded by Hansard. You will be provided with proof versions of the transcript for verification as soon as available. Verified transcripts, any PowerPoint presentations and handouts will be placed on the committee's website as soon as possible.

Witness advisers may approach the table during the hearing to provide information to the witnesses if requested, by leave of myself. However, written communication to witnesses can only be provided via officers of the PAEC secretariat. Members of the public gallery cannot participate in the committee's proceedings in any way.

I will now give the witnesses the opportunity to make a very brief opening statement of no more than 10 minutes, and this will be followed by questions from the committee.

Mr WILSON — Thank you, Chair. I have a brief presentation on the department's budget outcome measures and performance over the 2015–16 year. If we go to the third slide, the chart shows the breakdown of our budget by group, and as you can see the largest slice of the budget belongs to policing services output at approximately \$2.6 billion, followed by emergency management capability of just over \$1 billion, which is predominantly the payments we make to our emergency services organisations including the inspector-general, emergency management. The third largest then is prisoner supervision and support, at just on \$1 billion, which funds all our custodial services, including the contracts to our private prisons.

I will just quickly go through the rest. Protecting community rights is essentially funding for the Victorian Equal Opportunity and Human Rights Commission, the Office of the Public Advocate and the Registry of Births, Deaths and Marriages. Enhancing community safety is funding that provides for the working with children check service, the community crime prevention program and initiatives focused on crime prevention and reducing reoffending of Koori Victorians in the criminal justice system. Public prosecutions obviously is the Office of Public Prosecutions. Promoting and protecting consumer interests is Consumer Affairs Victoria. Gambling and liquor regulation and racing industry development supports the monitoring and regulation of gambling and liquor activities and the development of support for the racing industry.

Community-based offender supervision is that part of the corrections system which involves the supervision of offenders in the community. Infringement and orders management is funding for activities relating to the management of traffic and other infringement notices, the confiscation of assets obtained through criminal activity and enforcement action by the office of the sheriff. And finally, access to justice and support services covers the provision of legal and law reform advice, the management of native title legislation and claims and services to the community such as legal aid, forensic, medical and scientific services, victim support and so on.

I turn to slide 4, and the next two slides after that are basically our objectives, indicators and outputs. I am not going to go through those other than to mention that our 11 outputs are tied back to six department objectives, and there are 14 indicators of performance spread across those objectives and outputs.

There are just a couple of things to note in terms of changes from last year. Budget paper 3 had total finalisations as a courts performance measure; that has now been moved, as courts are no longer part of the department of justice. There were a couple of changes for consistency with the *Report on Government Services* — ROGS — measures. The indicator ‘property loss from structure fire’ was discontinued as a ROGS measure, and that has been replaced by ‘value of domestic fire claims’. ‘Rate of deaths in emergency events’ has been replaced with ‘rate of deaths from fire events’.

There are two other changes. Just really for better wording, the indicator relating to escapes from corrective facilities has been changed from ‘secure perimeter, corrective facilities’ to just simply ‘corrective facilities’, and the indicator ‘supporting informed and responsible consumers and traders’ has been changed to ‘increased access by consumers, tenants and businesses to digital transformation’. Those two changes are really just to better reflect the performance measures that they relate to.

If we move now to slide 7, in terms of the overall performance of the department in 2015–16, firstly in terms of the overall budget, \$5.687 billion was spent against a budget of \$5.578 billion, so that is a variance — an overspend — of 2 per cent. In terms of performance measures, the department has 112; 97 of those were either met, exceeded or were within 5 per cent.

If I can just go through some of those in a bit more detail, starting with the budget output cost performance on slide 8, you will see from that slide that whilst there was only a 2 per cent variance at the aggregate level, there were a number of overs and unders across each output. Three met the budget within plus or minus 5 per cent: policing, enhancing community safety and community-based offender supervision.

Five were under budget: public prosecutions — I understand that that variance of 7.6 per cent was due in the main to implementation of a number of management systems, like records management, practice management and so on, so that has resulted in a carryover into 2016–17; prisoner supervision and support, a variance of 5 per cent. I guess there are a number of items going in both directions under that output, but the main one was the delays at Karreenga, in construction there. For the gambling and liquor regulation and racing industry, the main thing there was basically the timing of the grants programs for the Victorian Racing Industry Fund. We cannot always predict when the call on those payments is going to be made, but we have just aligned that with the time when those grants will be anticipated to occur. The consumer output and similarly grants from the Victorian Property Fund have just been adjusted to meet the timing of the actual grant payments.

Finally, on infringement and orders management, the government decided in 2015–16 that the build of the infringement management enforcement system would cease, and we have moved to what is called the Victorian infringement enforcement and warrant system, VIEW. That is on track for December 2017, so that will be a brand-new system. That has meant some transfer of funds into this year as well.

Mr DIMOPOULOS — Is that expenditure, or is that revenue?

Mr WILSON — That is expenditure.

Mr DIMOPOULOS — So all of those are expenditure?

Mr WILSON — Yes. There was money being spent on upgrading an old system, but it was decided we were basically better off going with a new one.

If we go to slide 9, three were over budget by more than 5 per cent: access to justice and support services; protecting community rights; and emergency management capability. I will just quickly flip through some of the reasons for that, starting with access to justice and support services outputs.

Committee members might recall the inquiry into the national partnerships agreements, where in relation to legal aid funding and so on we made the point that sometimes we actually do not know what we are going to get from the commonwealth until they have settled their budget. Most of that was due to the fact that the money was received after the budget. So it looks like we have spent more. There is more expenditure on the federal

Royal Commission into Institutional Responses to Child Sexual Abuse and some first law officer costs associated with that.

The next overspend, protecting community rights, is only a small amount in a budget of over \$5 billion — it is \$2.7 million. Essentially that was some additional funding to the Victorian Equal Opportunity and Human Rights Commission to do some of their work, and some extra money that we put into births, deaths and marriages. They were having some performance issues based on high demand that we needed to address.

Finally, on slide 12, is the emergency management capability output. There was a range of things again — various offsets and what have you — throughout the 2015–16 year, but the main items were a Treasurer's advance for the 2015–16 fire season costs, the clean-up for the Wye River and Separation River bushfires, the CFA firefighter recruitment course, some funding for ESTA to deal with growth in demand, the emergency medical response expansion and then of course the Hazelwood coalmine fire inquiry. Most of those things, or all of them, were not budgeted for, so we got the additional funding and we spent that, which means we were over the original budget figure.

Finally, Chair, if I can just finish with our performance measures. Slide 13 is divided up into how they have gone against targets. As I said, for 97 of 112 we were within 5 per cent or better. Of the 15 that did not meet the targets — I will not go through them now, and the explanations are contained in the annual report — typically they are a combination of things. We forecast numbers, like prison numbers or numbers of people on parole, and it is difficult to predict, so there are overs and unders there. Some of the timeliness measures were not met because of delays due to IT systems or organisational changes that have since been rectified, and a couple of them are just straight-out data methodological changes that happened after the event.

That is all I really wanted to go through, Chair. That therefore concludes my presentation, and we are happy to take questions.

The CHAIR — Great. Thank you very much. I might kick off. If we are looking at the 2015–16 year — and this might be a question for the chief commissioner — I have got a very large African Australian community in my electorate. I have worked very closely over the course of the 2015–16 year — with Senior Sergeant Ian Jones from Moonee Ponds police station; Steve Kehagias, who is the senior down at Flemington police station; Mick Hermans was the superintendent at the time before he went to other duties; and Charmaine Hosking, who has been appointed as an inspector in that time — and I have been really impressed with the way in which your officers work quite collaboratively and constructively with African Australian community leaders and the community more generally. Certainly I think that the relations between sworn members of Victoria Police and members of the African Australian community on the Flemington public housing estate and Ascot Vale is exemplary. It is a very, very strong relationship, and I think it is based on the fact that the Victoria Police officers have got a really great sense of working collaboratively with community leaders and these disadvantaged communities.

Chief Commissioner, I was wondering whether you might be able to outline to the committee some of the work that Victoria Police conducts with African Australian communities in relation to the 2015–16 financial year please?

Chief Comm. ASHTON — Sure. Thank you. Well, we have been doing a lot on community engagement in that area, because it is really important at the moment that we are engaging with the African Australian community. They are a vulnerable community. They represent a range of offending as well that we are dealing with, but importantly we have got to make sure that we are dealing with the preventative aspects of offending — that is, working collaboratively, working with them and trying to encourage community integration and social cohesion with the African Australian community. We have certainly been doing a lot of that. I can give you some numbers on some of that. We have attendance at various African Australian music and cultural festivals — in fact most recently and the most significant being at Federation Square, which is an annual event that we have attended and have indeed spoken at. So there is the African Music and Cultural festival, and the Sudanese youth festival in Flemington at the Flemington community centre is also a major event that we participate in.

We have also been doing a lot recently in relation to trying to recruit more African Australians into Victoria Police. We see this as a key area of engagement. As you know, a good police force should reflect its community, and the numbers of African Australians in the police force are very low, so we have been trying to

work on having sessions around recruiting, as we have done through that entire financial year, around attracting applicants from the African Australian community.

The CHAIR — Is that with PSOs as well as sworn officers, Chief Commissioner?

Chief Comm. ASHTON — Yes, that is right. Certainly our overall data around African Australians in Victoria Police — the most recent data I got was in fact at the end of December last year. That is certainly including the period that you are talking about, and we had 126 employees who identified their country of birth as being Africa. Within that, 55 are from South Africa — that makes up some of that cohort — but certainly from countries that we would regard as being vulnerable countries we have African Australians. We have had employees from Somalia, from Sudan, Zambia and a range of other African countries, that we have been able to take on as employees. Of the 126 we have 54 employees that are sworn police; 32 that are PSOs, which is a reference to your earlier question; and 39 are now Victorian public service staff.

Notwithstanding that, we are continuing at the moment to conduct more of those information sessions about recruitment. We often have our recruiting stalls at these various events, and we have been conducting information sessions at a whole range of those events. I have got a list here of about 11 or 12 different cultural events that we were attending and doing recruiting advertising with.

We have also been trying to expand our programs where we are working really collaboratively with vulnerable youth. Probably the most recent example recent example of that has been the work we have been doing on the Kokoda project, which is to take along vulnerable youth from a range of communities, including the African Australian community, on the Kokoda Track as a way of building relationships between police and youth, but importantly also exposing those youths to a range of values that we think are constructive values for young people in their development into adults.

The CHAIR — This is probably more a comment than a question, but certainly I have gone to a number of events that Deputy Commissioner Andrew Crisp has regularly attended. It sends a signal from force command that the senior leadership of Victoria Police takes very seriously community engagement, and the fact that is replicated down the line I think is really positive and very, very important. So I commend the work that you did in the course of the 2015–16 year.

Chief Comm. ASHTON — Yes, and to support Andrew Crisp there, he was fortunate enough to receive an award from the National African Australian Awards recently in Queensland, where he won — to be precise — the Friend of the African Community Services and Persons Award. That was a national award that Andrew received for his own work. Often when he gets any downtime — to the extent that he gets any — he is working with African Australian community members in terms of their potential participation in the police force. So I think it was a lot of recognition of that work that he is doing.

The CHAIR — Please congratulate him for me.

Mr WILSON — Chair, can I just add also, from the department's point of view — because we are finalising a diversity strategy — we recognise the importance of people from different communities that come into contact with the justice system and that we should be seeking to employ those people, and one of the things we obviously find is that language and education attainment and disengagement from school become an issue. So we are investing in various initiatives — one is with the Children and Youth Area Partnerships at Doveton College, some investment down there. We are looking at things where we can get more engaged — one in the Loddon-Mallee, where we work through a Mildura-based refugee service, and I think there was another one, from the YMCA, looking at African youth at risk in the Richmond area, in the flats there. So I guess for us it is basically investing in those things that help keep those kids engaged in school and active in other constructive things that will improve their prospects of employment. But we are, as I say, finalising a diversity strategy, and this will form part of that as a department as well.

Mr DIMOPOULOS — Just a really quick one. It is not actually a question, but a bit of a comment. In the paper the other day there was a story about Islamic State targeting a New South Wales police officer who is of Muslim faith because he is seen to be part of the establishment and the enemy, in that sense. I am not asking you to divulge anything, but some of these people that obviously you recruit to do better community engagement, to be better reflective of the community, may be then perceived as enemies by some of their community, overseas

or here. I just want to, I suppose, put it on notice that you would be looking after their welfare and their security at some point if that ever arises in Victoria?

Chief Comm. ASHTON — Yes, absolutely. Certainly when we work with African Australian youth generally there is often, early, very much a distrust of police because of issues back in the countries where they are from. You could get very poor police behaviours, and there is a lot of mistrust of police, so it takes a lot of building to get over those cultural, those natural, barriers that we run into. So you can get a community sense of being anti-police, and that can play out in ways that you have described then. But we have a program which covers all police in relation to their protection, around security, and we have a threat program that provides security support commensurate with the threat that our members get, because we often get threatened — our members are often threatened in relation to the work they are doing. So they are part of that model; we do not have a special model, if you like, in relation to this area. It has not actually popped up yet as an issue for us.

Mr D. O'BRIEN — Just a follow-on from that, Chief Commissioner, I think you were talking about the number of recruits from the African Australian community to the police and PSOs. Do you have a list of police by country of birth, for example?

Chief Comm. ASHTON — Yes, I do.

Mr D. O'BRIEN — Could you provide that to the committee on notice?

Chief Comm. ASHTON — I have got that with me. I can do that.

Mr D. O'BRIEN — That would be great. My question, Chair, is directed to the output initiative enforcing and managing correctional orders, Secretary. In respect to bail, did the department obtain any legal advice on the possible effects of the Bail Amendment Bill 2015, in particular on the repeal of the offence of breaching bail for people under the age of 18?

Mr WILSON — I would have to take that on notice. I cannot recall whether we did or not — unless one of my deputies here has the answer to that.

Mr D. O'BRIEN — Would it be something that you would routinely do when legislation is being developed?

Mr WILSON — Yes, on legislative amendments that have an impact or the potential to have an impact on the broader justice system, we would not necessarily seek independent legal advice, but we would typically, as part of briefing ministers through cabinet processes, as we do, highlight the impacts of changes elsewhere in the system — if I could make that general comment. The specifics of did we or did we not —

The CHAIR — Just for clarification, Mr O'Brien, are you asking whether separate independent legal advice was sought or whether advice was provided?

Mr D. O'BRIEN — General legal advice, but obviously certainly if there was expert independent advice that would be good. Also, if there was, when you are checking, if we could get the cost of that if there was any?

Mr WILSON — Yes.

Mr D. O'BRIEN — Still on bail, and you may need this on notice if you do not have it there, do you have any data for 2015–16 on the number of times bail justices remanded people before them versus how many magistrates did?

Mr WILSON — I saw data a couple of years ago on bail justices, and from memory the large majority of them typically remand on advice of the police, but I would have to check to see. It was for a particular exercise looking at justice system demands and so on a few years back.

Mr D. O'BRIEN — I think that might have been the law reform commission report 2007 or something.

Mr WILSON — It could be.

Mr D. O'BRIEN — So if you have updated data from 2015–16, if we could get that on notice, please?

Mr WILSON — Yes.

Ms WARD — Welcome. Can I draw your attention to community legal centres. In particular I am interested in where in your annual report, you speak about legal services responding to family violence — your report 2015–16. There is additional funding in the Community Legal Centre Family Violence Fund. Can you talk us through why that funding was needed?

Mr WILSON — What was the page again?

Ms WARD — Page 19 in your annual report, legal services to respond to family violence.

Mr WILSON — I might actually ask the deputy secretary.

Ms WARD — It is the \$130 million Community Legal Centre Family Violence Fund.

Mr WILSON — I might ask the acting deputy secretary, Brendan Facey, to comment on this. Obviously following the royal commission the demand on these services was recognised, and that is why this funding has been provided.

Mr FACEY — Brendan Facey, acting deputy secretary, criminal justice, in the Department of Justice and Regulation. The 2015–16 budget included additional support for community legal centres around two specific lines: firstly, \$2 million over two years for a Community Legal Centre Assistance Fund, which specifically was provided to address family violence coordination, additional family violence lawyers, and online services for regional and rural victims; secondly, \$1.2 million for the Family Violence Duty Lawyer Fund, which was specifically around supporting victims of family violence when in the Magistrates Court.

That operated as a grant round to CLCs, and that opened on 29 June 2015, closed on 27 July and then was subsequently announced as grants by the Attorney on 9 October of that year. There were 28 grants made under the assistance fund and 23 under the Family Violence Duty Lawyer Fund. That works out to approximately 17 additional FTE staff to provide those services, specifically around people experiencing family violence, homelessness and mental illness, and specific services again for those people in rural and regional areas. This also allowed a series of coordination programs to continue in operation, particularly around support for Aboriginal workshops, family violence community education and a series of appropriate referral pathways.

Ms WARD — So without those grants, those programs would not have been able to continue?

Mr FACEY — Those ones would not have; that is right. Those grants enabled those programs to continue.

Ms WARD — We have been talking about national partnerships, and I understand that the community legal services had some national partnerships. There was a funding cut I believe in the 2015–16 year as well for community legal services from the federal government. Has that been an issue that the department has been able to address?

Mr FACEY — That is an issue that we are working through, and some of these funding decisions have been about addressing some of those needs specifically, particularly around family violence, as I have been describing, but there is a further one from the commonwealth that is scheduled to come into operation on 30 June this year. That issue is certainly still being worked through with the commonwealth.

To go onto the more specific part of the question, there was then a second funding round that commenced in the 2015–16 year for the 2016–17 year, and that is the funding round in which the specific \$1.3 million to which the question referred was funded, and that was a separate, additional \$2.5 million that was provided by government across two streams. One was the \$1.2 million to continue the 23 CLCs through the duty lawyer fund, and the \$1.3 million that you just asked the question about through the new grant round for the Community Legal Centre Family Violence Fund — similar time frames. Again that opened at the end of June, closed on 29 July and the Attorney announced that on 28 October 2016.

Also with the 28 with community legal centres, I can confirm that all of the grants of money under that scheme have now been paid to those community legal centres. Those payments were made around a specific series of family violence-related services right across the state: intervention order support services at some magistrates courts; specifically assisting women with disabilities who might be experiencing family violence; continuing a

series of women's homelessness prevention programs; family violence outreach; as well as payment for pregnant women at hospitals; financial and economic abuse assistance; and youth workers to support young people who are experiencing family violence.

Mr T. SMITH — My question is to the chief commissioner. Welcome, Sir. I have just got a quick question around recruiting. I think it is a very laudable goal that you have with recruiting more African Australians into the police force. You have got a flyer out for an information session for recruits in the Wyndham area — —

Ms WARD — This was in 2015–16?

The CHAIR — We are talking about 2015–16.

Mr T. SMITH — We are following up from the original question.

Ms WARD — What was the original question?

The CHAIR — My question was based on 2015–16. Continue with your question, but the witnesses need to respond in relation to the 2015–16 financial year. Continue, Mr Smith, with your question.

Mr T. SMITH — I am just wanting to know why these information sessions are being segregated by gender.

Chief Comm. ASHTON — By gender?

Mr T. SMITH — Yes.

Ms WARD — Recruitment sessions that are currently occurring, Mr Smith? Is that what you are referring to?

The CHAIR — Through the Chair, Ms Ward.

Ms WARD — Sorry, Chair.

The CHAIR — If the chief commissioner would like to respond in relation to 2015–16 about what recruitment sessions occurred in 2015–16 and why they may or may not have been segregated based upon gender. Is that the question, Mr Smith?

Mr T. SMITH — Yes.

Chief Comm. ASHTON — Certainly through that financial year we were not engaging in doing any outreach based on a particular gender type — gender-based in that period of time.

Mr T. SMITH — The question was posed because we were following on from the statement that the chief commissioner made. It is an important question around trying to get more African people into the police force. There are information sessions currently going on, which goes directly to what the chief commissioner was saying, and I want to know why information sessions are being conducted segregated by gender.

Ms SHING — Just rephrase it, though, to ask what the process is for the purposes of recruitment and information sessions.

Ms WARD — Which I have done for Mr Morris when he has requested it, too.

Mr D. O'BRIEN — On a point of order, Chair, Mr Dimopoulos asked a question about threats from ISIS, which was not related to any particular period. No-one objected to it. I think given the flow of the information that we are seeking, which was answered by the chief commissioner — —

The CHAIR — I think maybe, Mr Smith, following on from what the chief commissioner has previously advised in the answer to my question to Mr Dimopoulos's supplementary question or comment — it was a comment rather than a question — if you want to ask the chief commissioner about the way in which the recruitment sessions have been conducted in relation to targeting specific groups?

Mr T. SMITH — In 2015–16 were any recruitment information sessions for any community segregated by gender?

Chief Comm. ASHTON — Not that I am aware of. Basically I can make some more general comments on the issue, which might help you with the question. We certainly have in Victoria Police been trying to increase the representation of women in the organisation and have been for some time. We have got 32.4 per cent of women in the organisation at the moment overall, but a lot of that percentage is in our VPS staff and not in our sworn staff. For example — and this is within that financial year that you asking me about — the female representation of the actual police is 27 per cent, and in relation to PSOs it is down to 9.7 per cent.

Ms SHING — For the period?

Chief Comm. ASHTON — For that period. So we have had a requirement for quite some time to increase the amount of women in the organisation, but certainly we have been increasing in relation to marketing even through that period around getting more interest from women in the organisation, but we have not been engaging in that practice of saying that recruitment sessions are segregated. There is specialist advice available for women if they want it in relation to recruiting.

The CHAIR — Is that all?

Mr T. SMITH — No that is all. If I could move on, could you advise how many sworn members of Victoria Police left the force in 2015–16 in actual terms and what was the percentage attrition rate?

Chief Comm. ASHTON — In 2015–16, that will be in our annual report. I will just get that number for you. Did you want to ask something while we are getting that number for you?

Mr T. SMITH — Why do I not just keep going. According to Victoria Police employee data the police force grew by 159.74 FTE police in the year 2015–16. Could you please advise which police stations had their opening hours cut during the 2015–16 financial year? Could you please advise why the New South Wales crime rate is declining, with major crime categories at 20-year lows while in Victoria total offences during the 2015–16 financial year increased by 13.4 per cent? Why is there such a difference?

Chief Comm. ASHTON — The first question was not related to the crime rate; the first question was in relation to police station hours?

Mr T. SMITH — Yes.

Ms SHING — FTEs and police stations.

Chief Comm. ASHTON — I will have to give you specific details on which police are at which station counters on notice. We have not got a policy around closing any police stations; none of those are closed, but we do adjust counter hours depending on patrol patterns at various locations and have done for some time. We are certainly not about closing police stations, but we do have a preference where we can to have police on patrol rather than behind station counters.

Through that particular financial year that has been further assisted by the rollout of PCOs as well, which has meant that we have been able to get police out of police stations and on patrol. So we certainly do not have a plan to close police stations, but we certainly will continue to adjust counter hours around rostering patterns or as required. That can be a challenge in some rural stations, where people can be off sick and people can think that the station for a particular reason is closed or unmanned, but where that happens we provide alternate patrol patterns to cover that in that area. Whilst we endeavour to fill the stations, we certainly have not made decisions around closing any of those stations.

In relation to crime rates we have had increases in crime in Victoria on an ongoing basis now for some years, and certainly through the financial year 2015–16 we had increases. It is always a challenge when you are comparing crime rates, because you are comparing apples and oranges. I can certainly tell you that in my conversations with police commissioners in other states they present similar issues to those which we have dealt with in Victoria, particularly around youth offending.

An example of that is theft of motor car. We have had real increases in theft of motor car, but, for example, we count attempted motor vehicle thefts as actual thefts, so they appear in our data as a theft of a motor vehicle. In fact the vehicle has not been stolen, but in the statistical counting of that that is the case, that it is recorded as a stolen motor vehicle, whereas in New South Wales, for example, that is not the case. That accounts for nearly 20 per cent of our stolen motor vehicles; they are not actually cars that are stolen. It is just an example, and these sorts of examples are replete in our crime statistics across the country, so it is difficult to compare apples and oranges across the states in relation to the actual statistical counting.

Mr T. SMITH — I mean, there are obviously some massive differences, though, with crime in Victoria and New South Wales. Victoria's crime is a national issue at the moment, and it is clearly growing, whereas in New South Wales it is not. So are there any other reasons you can — —

The CHAIR — Last question.

Chief Comm. ASHTON — Well, it grew through that financial year, yes, it did. In that financial year that was the case, but also through that same financial year we reduced the amount of offenders in Victoria, and we are the only state that has been reducing the amount of offenders that we have been dealing with. In relation to youth offending, for example, we have got the lowest youth offender rate in the country outside the ACT. It depends on what stats you look at and compare against what is good and what is bad. The fact is we have had significant violent crime issues, and a lot of those issues have been around youth. That is why a lot of our effort has been around reducing recidivist crime, which has been an effort to try and impact on those crime rates.

Mr T. SMITH — But you concede during the 2015 — —

Ms SHING — Thanks, witnesses, for coming along today and giving evidence to the committee. Chief Commissioner, I would like to pick up where we have left off in the context of diversity in the force. The reporting period in question was also the period in which a number of significant cultural issues were identified around the way in which sworn and unsworn officers worked together. There was a need, I suppose in the first instance, to put a bit of sunlight onto some very longstanding issues around the need for continuous improvement but also to have fairer complaint handling processes and better mental health supports for police officers and unsworn staff. I would like to know how in fact there has been support provided in the course of the relevant period, not just for existing staff but for additional police to come online, not just to recruit them and to keep them there but to keep them working and working well, with a high level of job satisfaction and support.

Chief Comm. ASHTON — Thank you. The main way that we have done that is through the implementation of the recommendations of the VEOHRC review into workplace conflict, bullying and harassment in Victoria Police. Being a VEOHRC review, it was an independent review. It gave us a number of key recommendations, in fact 20 recommendations in all, that Victoria Police has had to implement in response to that report. They have had a number of central elements to them, the first being the creation of a workplace harm unit, which is a specialist unit which is focusing on not only the recommendations but making sure that we are providing a number of things to support our members who have experienced harm or to try and prevent that occurring in the future. That includes development of a workplace harm supervisor toolkit, which is around increasing the literacy of our supervisors in this area, which has been an important development that is being rolled out at the moment.

There is an overall gender diversity and inclusion strategy that is being developed as well, that we have been dealing with and that covers the overall plan into the future. The workplace harm unit, part of that is to create what we call a safe space. There are two streams to it. There is an independent number that staff can contact and then talk about their issues. Also internally we have one that we run as well. We monitor the traffic that goes through that and then use that to deal with specific issues that are raised, including that we maintain a standing task force, which is Taskforce Salus, which does the actual investigations when we find that there are actions and behaviours that warrant disciplinary action or criminal action. We conduct those investigations into those on an ongoing basis, and at any one time they can have anything from 30 to 100 matters put in relation to matters that are sitting with those.

That work continues. It gets reviewed again by VEOHRC into the future, but again we have negotiated with VEOHRC around not having them just come in every so often and do a review; we wanted to have live review all the time. So they now provide what they call active oversight over our implementation, so they are involved in monitoring us along the way. If they think we are heading off in the wrong direction, they can tell us and then

we can make changes so that when the audits come we do not get surprised that we have headed off in the wrong direction too late.

Ms SHING — And to be more specific, in relation to the general programs that you have and the units and outreach and assistance that are available to police, that may well be something that is a relatively straightforward proposition for metropolitan, suburban and outer suburban ring locations and for the larger stations. How, during the period, has your oversight of the VEOHRC review recommendations and other ongoing assistance translated to improved outcomes for rural and regional police, given that they are often working one-up or two-up and often working in very small communities where everyone knows everything about everyone and often it can be very difficult to actually have a frank conversation when there are cultural or operational challenges that really warrant action?

Chief Comm. ASHTON — That is certainly the way that the VEOHRC recommendations are designed to be implemented. They are designed to try to ensure that we are not disenfranchising rural members and staff that are based in rural Victoria. I was pleased during that reporting period that we were able to start to attract female members to one-member stations, particularly out in western Victoria, and that has had a really good impact since that started to occur. We have managed to attract a couple of female applicants who have since gone into those roles and indeed been able to bring more female supervisors into the rural environment as well, particularly again in western region, through that reporting period as well. So we are starting to see some manifestation of providing more support. It is becoming more attractive for women in our organisation to want to seek to progress their career in rural areas. So I am taking that as a positive sign.

I should point out we have a long way to go. We have still got a lot of work to do in delivering these recommendations because they are about cultural change and that can take years. In an organisation as large as ours and one that has been around as long as ours that cultural change can take significant periods of time. But we are absolutely committed to continuing with the VEOHRC work for as long as and as many years as it takes.

Ms SHING — Finally, in relation to female officers in particular and noting the spike in family violence-related notifications — L17s in particular in the Latrobe Valley have continued to spike in the lead-up to the royal commission's report and in the period subsequent to that — I would like to know, firstly, what the impact is of family violence notifications and those processes and responses on day-to-day policing, and secondly, how does that manifest in the crime rate and the way in which that is recorded and resourced to counter?

Chief Comm. ASHTON — Look, the family violence response for us continues to be not quite 50 per cent but it is not far off of our work, dealing with family violence. With a lot of the noise at the moment about youth crime we can forget that that is such a large part of our work, because it does account for a lot of what we are doing at the moment. For members, it is very taxing work to respond to. You mentioned the L17s, but through the refinement and the development of policy there we have been able to reduce the amount of time police take at a family violence incident, which in terms of the impact on our members is a good thing. Also the development of and the continued rollout, certainly through that period, of the specialist family violence units as well has had a really positive impact on members on the ground, because it has provided a specialist response to recidivist offenders and repeat victims. It reduces the amount of times our members have got to go to the same place again and again.

Ms SHING — Including in regional areas?

Chief Comm. ASHTON — Including in regional areas — absolutely. And that continues to be an area, in relation to the latter part of your question, that has increased our crime through that area. Again, when you look at other states, in New South Wales their family violence reporting has remained flat, whereas ours has been growing for a number of years. We think that is a positive thing for us because we have been trying to make sure that we are actually bringing a dedicated focus and increasing community confidence in police and support agencies to get involved and to report incidents of harm against them.

Ms SHING — And just for the record, I will put on the record that I am the Parliamentary Secretary for Emergency Services, not that that has actually been a part of the questioning that I embarked upon.

Mr T. SMITH — Commissioner, if I could just get how many sworn members of Victoria Police left the force in 2015–16 and what was the percentage of the attrition rate. Can you also confirm by your employee data that the police force only grew by 159 FTE in 2015–16?

Chief Comm. ASHTON — I am told that the annual report has not got that attrition number in it. I was almost certain it did but that is what I am told, so I will have to take that on notice — on actual attrition — for you.

Mr T. SMITH — And the second question?

Chief Comm. ASHTON — As to how many members have left the organisation?

Mr T. SMITH — No. So you are going to take the attrition question on notice?

Chief Comm. ASHTON — Yes.

Mr T. SMITH — Okay. The second question: how much did the police force grow by in 2015–16?

Ms SHING — In real terms.

Mr T. SMITH — FTEs — sworn officers.

Chief Comm. ASHTON — I will have that data, I would think, here. I will try and get it for you as I am working through this information for you today.

Mr MORRIS — Good afternoon, everyone, the secretary in particular. The CFA EBA discussions of course have been ongoing, and certainly there has been plenty of activity in 2015–16. I am just wondering if you can tell me whether the department has costed a number of specific aspects, and I will just run through them quickly if I may — you can just respond as we go — a 19 per cent increase on all existing allowances?

Mr WILSON — I think there may be one answer to all of those items, which is through a normal course of events that would be a Treasury Industrial Relations Victoria task, unless my deputy secretary might correct me. But typically that is the case. It is a Treasury-led — —

Mr MORRIS — We had IRV in yesterday as part of the DEDJTR hearings, and we were told that IVR provide advice to the — —

The CHAIR — IRV.

Mr MORRIS — What did I say?

Ms SHING — IRV.

Mr MORRIS — IRV — IVR is something entirely different!

The CHAIR — Yes, it is.

Mr MORRIS — IRV provide advice to the frontline agencies who are negotiating the deals but the costings are done and the capacity for savings et cetera are done by the frontline agencies.

Mr WILSON — My recollection, Deputy Chair, was you may have heard in that year — I think it was in that year — lots of speculation about the impacts of the agreement. It was certainly with respect to those particular issues at that particular time the Government decided that Treasury would produce the definitive numbers on the costs associated with it.

Mr MORRIS — So you had no input — your department?

Mr WILSON — We would have spoken to Treasury, as we do on anything that they do, but essentially my recollection is that the government wanted a definitive set of numbers and they relied on Treasury to produce that rather than the CFA or EMV or anyone else doing back-of-the-envelope stuff.

Mr MORRIS — So you do not have a figure on the costs of the EBA?

Ms SHING — There is not an EBA, Mr Morris. You need to clarify.

The CHAIR — Through the Chair.

Mr MORRIS — Chair, my question is to the secretary of the department. I am not interested in having interruptions from the peanut gallery on the other side.

Ms SHING — Do I dare object to the fact that you have referred to me as the peanut gallery or are we just going to wait for you to stand up and storm out?

Mr MORRIS — What do you expect? We have had a civil discussion for two days. Now all of a sudden you are going to start correcting me and correcting the witnesses when you have no role here. You have a role when you are asked, not at any other time.

Ms SHING — Point of clarification, Chair — —

Mr MORRIS — You have no role except when you are asking questions. Nor do I.

Ms SHING — Point of clarification, Chair. Is Mr Morris referring to an EBA, because the EBA that is on foot is the one that has reached and passed its nominal expiry date, as opposed to any proposed EBA?

Mr T. SMITH — Chair, it was really rather pleasant yesterday until she returned.

The CHAIR — Mr Smith, refer to your parliamentary colleagues respectfully.

Ms SHING — This is why you are in the Liberal Party, Mr Smith.

The CHAIR — Order! I think Ms Shing was trying to assist the Deputy Chair.

Mr MORRIS — I do not need her assistance, thank you — not now or at any other time for these hearings.

The CHAIR — I am speaking, Deputy Chair. I think Ms Shing was merely seeking to provide a bit of clarification for the Deputy Chair. The Deputy Chair has indicated that he does not want that. I think there is a question before the secretary. The secretary may wish to have that repeated or seek to clarify aspects of the Deputy Chair's question.

Mr MORRIS — Hopefully that time will be added on. Secretary, presumably Treasury undertook the costings during that period, but are you able to provide us with a figure on the cost of the agreement should it proceed?

Mr WILSON — Treasury did the work, Deputy Chair. I am aware of the work that they have done. They have done that for the purposes of the cabinet committee — to inform government deliberations on that. Subject to cabinet in confidence, I am happy to provide the committee with the relevant information. But my clear recollection is that I spoke to the head of Treasury because there was such a wide gap in the numbers that were being put out in social media or wherever that the government wanted that work done and it was for the purposes of going to a cabinet committee to get the definitive answer. So I am not sure whether I can share that, to be frank, but that is who did the work and that is what I know.

Mr MORRIS — To be fair to you, I do not wish to put you in a position where I am asking you to share things that you are not in a position to, so I will not pursue that. But I make the observation that it is quite amazing, I think, that any public service or any government for that matter could feel that the Parliament, who after all authorises the money to be spent, and this committee, which is obviously acting on behalf of the Parliament in terms of financial matters, should not be privy to that information.

If I can ask you on slightly different matters, Secretary, of course in the 2015–16 financial year, on an average week how many CFA professional firefighters work in difficult to fill areas?

Mr WILSON — Sorry, work in — —

The CHAIR — How many personnel work in difficult-to-fill areas?

Ms SHING — What does that mean?

Mr WILSON — I am not sure. Perhaps I can refer that to my deputy secretary, emergency management, Deputy Chair.

The CHAIR — You are referring to career firefighters, not volunteer?

Mr MORRIS — Yes, that is what I said. I said professional. Career, professional, whatever. I am sure they would like to think that they were professional.

Mr ROBERTSON — I do not have a specific number for that, but we will be able to provide you with one. Can I just clarify the question: by difficult to fill I assume — —

Mr MORRIS — I think the definition that was given this morning was outside Melbourne, Geelong, Ballarat, Bendigo.

Mr ROBERTSON — Yes, okay. Because there are staff allocated to the stations that fall outside those areas you just mentioned with the career charts so we will be able to get you a number on that. I do not know what it is.

Mr MORRIS — So how many at each station outside those areas.

Mr ROBERTSON — Appreciating they work 24/7 rosters.

Mr MORRIS — Yes.

Mr ROBERTSON — Okay, we can get you that number, but I do not have it with me.

Mr MORRIS — I will just run through these, if I may, because these are also numbers that you probably will not have at the tips of your fingers. I would also be keen to know how many juvenile fire awareness programs are run each year. In 2015–16 how many CFA firefighters were permanently relocated? And how many communications controllers have a year of experience or more?

Mr ROBERTSON — Sorry, the last one was — —

Mr MORRIS — How many communications controllers have a year of experience or more?

Mr ROBERTSON — All of those I think we can provide answers to, but I do not have that level of data with me.

Mr MORRIS — I appreciate that. If we could have that information on notice, that would be useful.

Mr ROBERTSON — Sure, no problem.

Mr MORRIS — How are we going for time?

The CHAIR — Do you want to ask one more?

Ms SHING — Have another one, Deputy Chair, go on. Claw back the time we had our little conversation.

Mr MORRIS — In March prior to the year under discussion the CFA entered into private binding arbitration and covered the UFU legal fees incurred during 2010 to 2014, as confirmed in an email distributed to CFA members by the current CEO, Frances Diver. Secretary, can you confirm whether the request was made by a ministerial officer, a parliamentary officer or a member of Parliament — to cover those fees?

Mr WILSON — I am not aware of that but my deputy secretary may be.

Mr ROBERTSON — I am not aware either. To my knowledge, and just to go back a few steps in that process, I think that emanated from the full Federal Court appeal around it. The court actually asked the parties to come back to it with a proposal as to how the question would be resolved. I think the answer to that was, as you rightly say, the private arbitration, and it was funded by the CFA. I am not sure if that actually answers your question. It is just a bit of historical background.

Mr MORRIS — Well, it does not indicate who authorised the payment, no.

Mr ROBERTSON — Okay. My understanding again was that it came from the CFA and it was a consequence because the parties agreed that the outcome of the arbitration would bind them. So it flowed from that. As to who in the CFA, I am not exactly certain.

Mr MORRIS — But can you indicate to me whether the board was briefed or whether Mr Wilson was briefed or both?

Mr ROBERTSON — I do not know on the board's account, and I would have to check our records. I do not recall.

Mr MORRIS — I am happy to ask directly.

Mr ROBERTSON — I can check that.

Mr MORRIS — But you were not briefed on the — —

Mr WILSON — I do not recall being briefed on it, but I am happy to confirm that, Deputy Chair, on notice.

Mr MORRIS — Just finally, given that there was no figure in any budget paper and that there was no figure in the annual report, can you advise the committee of the sum that was paid in terms of the costs to the UFU with respect to the period 2010 to 2014?

Mr WILSON — I might refer to Mr Robertson.

Mr ROBERTSON — My understanding was that it was, and I assume it would have been under the cost of the litigation line or however that is described. Again, we can check how that was represented, but that is where it would appear in their financial statements.

Mr MORRIS — And provide the figure on notice, if you would.

Mr ROBERTSON — The actual arbitration figure?

Mr MORRIS — Yes.

Mr ROBERTSON — Okay.

Mr MORRIS — Thank you, I would appreciate it.

Mr DIMOPOULOS — Just before I ask the secretary a question, I want to clarify something with the chief commissioner. Did you say, Chief Commissioner — I just want to get the terminology right — that Victoria has the lowest youth offender rate? Is that the terminology?

Chief Comm. ASHTON — The lowest youth offender rate outside of the ACT in the country, yes.

Mr DIMOPOULOS — Outside of the ACT. Good, thank you. My question to the secretary is in relation to the Access to Justice review. Secretary, you talked about access to justice in your presentation, under outputs, 13.5 per cent of the budget. I am just wondering if you could give us a bit of background about what the findings of the review were. I know there were a number of recommendations. Can you say where it is at and what you are doing?

Mr WILSON — It was led by Deputy Secretary Donald Speagle, so I might ask Mr Speagle to provide that information, if he could take a seat.

Mr SPEAGLE — Thank you for your question. Before I go to the findings of the review, I might just make a couple of points about the scope of the review. The review, which was commissioned by the Attorney-General, asked the department to consider a series of discrete topics, all of which relate to the broad issue of access to justice.

In summary form, we were asked to examine entry points into the legal system and how to increase the community's understanding of how they can get help to solve everyday legal issues. We were asked to look at options for diverting people from civil litigation where that is appropriate and whether alternative dispute resolution should be expanded. We were asked to consider potential reforms to the VCAT small claims jurisdiction. We were asked to consider both the availability and the distribution of legal assistance funding from both the State and Commonwealth governments, including questions of effectiveness and efficiency — that is, how to get the most from the dollars provided. We were asked to think about how to enhance pro bono services for people who otherwise cannot afford a lawyer. And finally, we were asked to think about better support for self-represented litigants.

Mr DIMOPOULOS — Only a small, little inquiry then.

Mr SPEAGLE — As I say, it was a series of discrete issues, but collectively those issues traversed a lot of ground indeed.

The review began in October 2015, was finished in late August 2016 and publicly released in October 2016. I am happy to go to any of the detail of the recommendations. There were 60 recommendations in total. It is probably useful to summarise them in four broad themes.

One was about better information about the legal assistance system, both for internal stakeholders in how to manage the system and for those seeking assistance. For example, the review said that there is very poor data on the issue of legal need. The best data that we could provide emanated from a 2008 telephone survey in fact conducted by the New South Wales Law and Justice Foundation. So that came from outside the State and it is pretty old.

We also looked at this question of whether there were overlaps, duplications or gaps in the public information for people looking for help with an everyday legal issue, and the review said that yes, there is some overlap, and that it would be beneficial, in the review's opinion, if VLA (Victoria Legal Aid) were to become the primary entry point — not the sole, but the primary entry point — for legal information.

The second theme was about more flexible and integrated services. It was really about trying to respond to community needs in an integrated, proportionate and timely way and thinking about how legal services could be brought together with other kinds of services — health services, financial counselling and so on — to help vulnerable and disadvantaged people. For example, the review looked at a number of examples of what are known as health justice partnerships, which are being funded on a pilot basis. The review found that the evaluations of those were impressive, and recommended a scaling up of those particular programs.

The third theme was about better technology. The headline here was a proposal for a pilot of an online dispute resolution system for VCAT small claims — building on the experience of some overseas jurisdictions, in particular British Columbia and the Netherlands.

Finally, there was a theme about improving governance, leadership and linkages, especially for the legal assistance sector. The review found that the legal assistance sector is not as well coordinated as it might be. It is not truly a system perhaps — not managed as a system, say, in the way that the public hospital system is managed as a system — so there is a series of recommendations in the review about how to improve that level of coordination. The review suggests that VLA is best placed to act as the system manager or coordinator, and there is a series of recommendations also about how to make VLA more transparent and accountable.

I think the final part of your question was about the current state of play with the review. The letter of transmittal suggested that the government might like to respond formally — no requirement to do so obviously, but it seemed appropriate that that might occur — and government is currently considering the recommendations.

Mr DIMOPOULOS — Just a quick follow up. That was very comprehensive; I appreciate it and now understand it better. I think I may know the answer to the second question because of the answer to the first, but access to justice is a broad term. From what you have described — I do not want to put it into one sentence — it is essentially an information and funding relationship with the consumer. Issues like the accessibility of court rooms, separating witnesses — victims essentially — from offenders and all those other things, while they are not access to justice in the way the review looked into, where do they fit into the department? I know the courts

run themselves these days, but is there any work in relation to that kind of access — the physical spaces, how people feel comfortable, videoconferencing and those other elements? They do not seem to have been part of the review.

Mr SPEAGLE — The issue of physical accessibility was touched upon by the review, but was not really a core part of it. Obviously there are some Commonwealth standards, Disability Discrimination Standards, that are relevant and Court Services Victoria is responsible for those things. Court Services Victoria is also responsible for rolling out a series of enhancements to court physical infrastructure that were funded by government and the Parliament in the 2016–17 budget.

The review touched, though, on the question of information and court accessibility, so there are findings in the review about court websites but also court information for people who turn up and really do not know what to do. A couple of the review team members went to the Melbourne Magistrates' Court and a couple of others and observed what happened. There is a group called Court Network volunteers who do a great job, but the review found there are real opportunities for improvement in the way that especially the Magistrates' Court provides information to people who are unfamiliar with the court environment.

Ms PENNICUIK — Thank you, Mr Wilson, and all your staff for coming along today, and to Mr Ashton and Ms Shuard, who is now in the gallery. Can I start by saying I was very interested in the remarks from you, Mr Ashton, in the answers to Ms Shing's questions on the VEOHRC review because I was going to ask some questions about that but I think you pretty well covered it in your response.

If I could turn to you, Secretary, and ask a question that falls out of the response you made in the general questionnaire on pages 27 and 28, which is about output appropriations. It goes across those two pages, and part of it sort of follows on a little bit from the last question. It states at the top of page 28 that:

... commonwealth funding for Victoria Legal Aid under the new five-year national partnership agreement on legal assistance services (NPALAS), which commenced on 1 July 2015. For the first time, the NPALAS included the commonwealth government's financial contribution to community legal centres (CLCs). This resulted in funding which would previously have gone directly to community legal centres being transferred to Victoria Legal Aid —

and additional grants going to Victoria Legal Aid. My question is: what was the amount of the additional grants that went to Victoria Legal Aid, where was that money directed and did it result in changes to the way VLA is directing funding?

Mr WILSON — Perhaps if you could chase it up.

Mr CONDRON — Yes.

Mr WILSON — While he is doing that, I think you might recall from that inquiry into the NPAs —

Ms PENNICUIK — I recall.

Mr WILSON — we discussed the commonwealth assuming that channelling that through one entity like the VLA would help rationalise and streamline it. They claimed there was a reform element by doing it in that way. But I will just check if we can find those numbers or otherwise we might need to take that on notice — \$13 million comes to mind — —

Mr CONDRON — Yes, there was \$13.1 million in additional grants made to Victoria Legal Aid —

Ms PENNICUIK — 13.9?

Mr CONDRON — 13.1 — that flowed through the department and then over to VLA.

Ms PENNICUIK — Where did VLA direct that money to?

Mr CONDRON — In terms of the exact details of the breakdown of that, the majority of it was for the CLCs but I would need to take that bit on notice if that is okay, because it is possible that a component of that would have been for just other general VLA services.

Ms PENNICUIK — Has there been a change in the criteria that VLA is using to direct funding to CLCs? There have been some changes. We touched on some of it before with the answer to Ms Ward's question with regard to the family violence focus and I think it is about \$3.5 million in grants about that. Of course the CLC sector has expertise and is generalist — there are generalist CLCs and there are those with expertise.

Mr WILSON — If I may, I might ask the acting deputy secretary, Brendan Facey, to respond to that.

Mr FACEY — There has not been a specific change at the moment. Part of the national partnership agreement requires a service-wide planning element between legal aid and ourselves and the CLC sector. That process has begun but has not gone through that full planning cycle yet, so that alteration that I guess you are asking about has not at this stage occurred. A series of recommendations going forward will be made to the Attorney later this year to begin at the end of the first two-year cycle of that.

Ms PENNICUIK — In terms of that extra funding that came that we were just talking about, that was allocated — —

Mr FACEY — Generally, as Shaun says, to VLA. There has been some additional funding for family violence, as you alluded to as well, separately to that.

Ms PENNICUIK — I think what I am getting to, though, is that that additional funding has been allocated to the CLCs as it always has been, so there has not been a change in criteria except for that family violence sector.

Mr FACEY — That is right at this stage.

Ms PENNICUIK — But you are saying that is being looked at — —

Mr FACEY — There is a service and sector-wide planning requirement under the national partnership agreement. That has been gone through, and I would not like to pre-empt whether there is change as a result of that, but certainly that will go through and that will be worked out sector wide with us and the sector as well.

Ms PENNICUIK — That is CLC wide.

Mr FACEY — CLCs, VLA and the department in aggregate working out at — —

Ms PENNICUIK — Thank you. When would you expect that?

Mr FACEY — Certainly during the course of this year.

Ms PENNICUIK — This financial year?

Mr FACEY — I expect so.

Mr WILSON — We can share that, presumably, and provide that to the committee when it is resolved.

Ms PENNICUIK — That would be great.

Mr FACEY — Certainly; I think that will be very public.

Ms PENNICUIK — Great. Thank you.

Ms WARD — I want to draw your attention to our outer suburbs and some of the infrastructure that is needed for growing communities within our outer suburbs. In particular if I can get you to have a look at page 45 of budget paper 4 for the period we are discussing, there was a commitment there for \$15 million to build the Mernda police station. Can you let us know where that is up to? Has progress been made in terms of getting that up and running or getting started? Where is that project up to?

Chief Comm. ASHTON — I might be able to help you with Mernda. Certainly the work has already commenced around Mernda, which is proposed to be a 24-hour response police station for us. The advice I had most recently was that the completion date for that is going to be in September 2017.

Ms WARD — Thank you. Who will be stationed at Mernda? What kinds of services will be available?

Chief Comm. ASHTON — We are anticipating there will be a 24-hour police service there and that it will be all-base patrols out of there and a general range of policing services.

Ms WARD — Are there other capital works occurring in our growing suburbs?

Chief Comm. ASHTON — In which suburbs?

Ms WARD — Growing suburbs — the outer suburbs that are growing at the rate that Mernda is.

The CHAIR — In the context of the 2015–16 financial year, Ms Ward.

Ms WARD — Correct.

Chief Comm. ASHTON — Yes, there has been a range of works underway. We have had Bright underway. We have had works at Altona North. Is it outer suburbs you are talking about or —

Ms WARD — Across the state.

Chief Comm. ASHTON — There are quite a few. There is work underway in relation to a new police station at Colac. At Cowes there is a new police station. At Corryong there is a new police station. There has been work right through that particular period on the new 24-hour police station at Echuca, and we have almost completed that. That is due to open, I think, next month.

I am just trying to think in that particular financial year. I mentioned Mernda. Planning works started, I think, in that period around the Wyndham area, so that is a replacement, effectively, of the Werribee police station with a new police station. We relocated the St Kilda Road police station to Southbank in that period. Work was done in that period in relation to that particular works program.

West Ballarat was another one that was in that period as well where work was undertaken. That has since opened, but work was done on that station in that period as well. I am pretty sure that in that financial year Sale would have been in that group as well, just, replacing Sale police station.

Ms WARD — I am sure that will be very good news to Mr O'Brien.

Chief Comm. ASHTON — I went to the opening, so it would have been July, maybe, of 2015.

Ms WARD — Thank you. My apologies; I have to leave early today, but can I say how grateful I was, as the member for Eltham, for the work that your police force did earlier this year when we had a rally organised outside my community regarding welcoming Syrian refugees into my community and into transitional housing. I cannot tell you how grateful my community is for the strength and support that your force gave to my them, so thank you.

Chief Comm. ASHTON — You are welcome. I will feed that back. Thank you.

Mr T. SMITH — Do we have those numbers?

Chief Comm. ASHTON — Yes, I have got some data for you.

Mr T. SMITH — Wonderful.

Chief Comm. ASHTON — Thanks for your patience.

Mr T. SMITH — Not at all.

Chief Comm. ASHTON — I just did not want to take everything on notice, that is all. If I can get the numbers for you, I would just rather do that. The separation rate in 2015–16 was 3.18 per cent. That is for police. For PSOs it was 9.31 per cent.

Mr T. SMITH — Do you have that in actual terms?

Chief Comm. ASHTON — Yes, I do. The total number of police is 348 and PSOs is 95. Recruits in that category was 13.

Mr T. SMITH — New recruits?

Chief Comm. ASHTON — Recruits in that period was 13.

Mr T. SMITH — In terms of the new police that came on — —

Chief Comm. ASHTON — That is in that. I think you said 159.

Mr T. SMITH — Is that correct?

Chief Comm. ASHTON — Yes, as I understand it, that is correct.

Mr T. SMITH — Our population grew by about 2 per cent over the period of time between 30 June and 1 July 2015–16. According to some rough calculations from us we ought to have had 380 new police just to keep tabs with population growth. Does that sound about right?

Chief Comm. ASHTON — Yes. We did not have police to match population growth. I should point out, I suppose, that that is one of the measures that we try to apply. Population growth is an important one, but calls for service from that population growth and types of calls for service as well as a range of other measures go into that calculation as well. But, yes, what you are saying is accurate.

Mr T. SMITH — I would have thought that it is a pretty obvious correlation between a 13 per cent rise in crime over that year and, per capita, a drop in the police-to-population ratio. Would that not be a logical conclusion?

Chief Comm. ASHTON — Some of that is. When you are looking at that particular issue it depends often on what population type that is and where that population growth is. It is not an automatic correlation, but some of it is analogous, yes.

Mr T. SMITH — Going back to what you were saying previously about youth offenders in the period of this inquiry, it is my understanding that the number of offences and the seriousness of those offences committed by young people actually increased.

Chief Comm. ASHTON — That is correct; yes, offences increased.

Mr T. SMITH — Very good.

An honourable member — It is not very good.

Mr T. SMITH — No, it is not very good, but thank you very much for the answer. If we can go to Geelong and the Bellarine Peninsula, the 2015–16 budget funded 15 additional new police for that part of Victoria. Victoria Police employees by location data for June 2016 revealed that Geelong-Bellarine had only received an extra 0.68 police FTE since December 2014. The latest data from December 2016 shows that there is an actual decrease in that two-year period to minus 5 police FTE. Could you please advise where the extra 15 new police have gone in this part of Victoria?

Chief Comm. ASHTON — Certainly additional police were recruited and are down there. They have been provided in relation to that area and allow for increased crime response activities, particularly for Geelong and the Bellarine Peninsula.

Mr T. SMITH — So you are saying that there are an extra 15 police down there.

Chief Comm. ASHTON — We have funded additional police; additional police positions were put into that area, yes.

Mr T. SMITH — But the data would suggest otherwise.

Chief Comm. ASHTON — Which data are you relying on for that?

Mr T. SMITH — I am referring to your employees by location data for June 2016 — that only an extra 0.68 police FTE since December 2014 have been stationed on the Bellarine. I am happy for you to take that on notice.

Chief Comm. ASHTON — I am happy to take that on notice and have a look at why that FTE data looks different to the extra police that were recruited for it, but we were funded for that allocation.

Mr T. SMITH — I now move to the issue of police pursuits. I appreciate that this is an operational matter and a matter for you, but there is a lot of concern in the community about this at the moment. For example, there is an increase in police vehicle rammings, up 300 per cent. Does the policy as it currently stands allow your members the ability to pursue offenders? What do you say to members of the community who say that it is too conservative and lets criminals get away, essentially?

Chief Comm. ASHTON — That is complete nonsense. The pursuit policy provides discretion to police to pursue, and they do pursue on a regular basis. There was a change of policy in 2015 which goes to this particular year's evidence. There was a change of policy within that period to restrict the types of offences that were being pursued for, and that was done in line with recommendations that came from numerous coronial inquiries, with concerns about police pursuits resulting in the deaths of both the driver being pursued and pedestrians and motorists that are innocent to the event.

There was an effort made to try and restrict that amount. It became evident when that was rolled out that it was being interpreted too conservatively, in our view, by everyone, really, as being a more conservative policy. It was reported widely in the media as being a no-pursuit policy — that Victoria had adopted a no-pursuit policy — and I think some of the impression that the community has is as a result of that. We never, ever had a no-pursuit policy. That never existed, but it became an urban myth, if you like. People were thinking that we did not have any pursuit policy.

We particularly did a member survey. The police association supported us to do a survey of members to ascertain whether they thought the policy was too restrictive. We certainly got that feedback — that it was too confusing more than it was restrictive, because if you start to prescribe certain sorts of offences, they found that too prescriptive, rather than the type of behaviour. We used the results of that survey, had a chat with the coroner about the results of that survey and the police association as well and we published a new policy which sought to give more discretion back to the members rather than being more prescriptive. That policy was subsequently rolled out with, I think, a positive benefit.

We do, certainly through that review period, continue to pursue vehicles. We will always have a policy, as everyone does in this area — all forces have a policy — where pursuits are terminated when the driving behaviour becomes so erratic that it is really endangering the public, and that often happens on a regular basis as well and continues to happen. I will not go into the details of describing the specifics of that behaviour, but extremely dangerous behaviour is exhibited by some motorists, and it means that we can adopt a different approach.

Mr T. SMITH — In terms of the changes you brought in in 2015, are they readily available?

Chief Comm. ASHTON — Those changes in 2015 are, I think, available. We have not published the newer policy, because there was so much commentary about the 2015 policy we found — in the work we did in offender debriefing — it was educating that criminal community. So we did not want to publish widely the new policy for that reason, because we did not want to give them the benefit of that information. Certainly that 2015 policy is out and about.

Mr T. SMITH — Could you make that available to the committee?

Chief Comm. ASHTON — The 2015 policy?

Mr T. SMITH — The 2015 policy and subsequent changes to it.

Chief Comm. ASHTON — I guess so, if there is a manner in which that is done confidentially.

The CHAIR — I think we might want to take some advice on that. I think as a committee we should take some advice on that before we ask that.

Chief Comm. ASHTON — If I could get advice, if I am able to do that, I am happy to do that.

The CHAIR — Chief Commissioner, I want to explore in a little bit more detail an answer you provided to Mr Smith where, in relation to the 2015–16 year, the numbers that you quoted were I think that there was a net increase in sworn officers at Victoria Police of 13 FTE, and there was an attrition rate of around about 350.

Chief Comm. ASHTON — Of police, 348.

The CHAIR — Three forty-eight. Are they sworn positions, and are they both FTE figures?

Chief Comm. ASHTON — They are sworn police numbers, 348.

The CHAIR — How does that year compare to the average or past years in terms of recruitment and in terms of attrition?

Chief Comm. ASHTON — Well, in a year where there are not significant announcements about large increases in police, that is around an average sort of year, from my memory. We do go through — we have historically had — peaks and troughs in recruiting. We have these sorts of peaks and troughs, and then we will get a number of periods where we do not get large investments in specific police numbers. There might be different initiatives that might have 10 or 15 police, or 20 police here and there, but not the sort of big spikes. But occasionally that happens. So those years would look like that, but the next few years will not look like that; there will be significant numbers. But certainly on an average, if there are not specific investments, that is probably about right.

The CHAIR — So in terms of — —

Mr Morris interjected.

The CHAIR — No, we are talking 2015–16. Looking at that particular year, would that year be regarded as an outlier compared to, say, some of the immediate past years?

Chief Comm. ASHTON — It is an average. It is probably around that sort of number, but it is hard to sort of put an average on it because, as I say, some years going back you would find large increases; other years you would find them perhaps not so large. It is hard to — —

The CHAIR — So from your position as chief commissioner for Victoria Police, seeing those numbers there, those numbers did not cause you great concern or alarm. Would you regard it as just the peaks and troughs of recruitment and attrition?

Chief Comm. ASHTON — That is the peaks and troughs of recruitment and attrition, but certainly we were not making any secret of the fact that we were getting more stretched for numbers through that 12 months. But certainly, yes, it is the sort of peaks and troughs of attrition, I suppose.

Mr T. SMITH — Commissioner, if I could for the purposes of the 2015–16 financial year ask you about your members' views on bail, how frustrating is it for your members to have a revolving door for bail for hardened young offenders? Did that come back to you in the 2015–16 financial year as something that they were very concerned about?

Chief Comm. ASHTON — Probably to answer the question for that year I would say that it was certainly expressed to me a number of times about frustration with bail and particularly offences on bail. I can give you some specifics in fact. We had in that particular 2015–16 year, 18 155 breach of bail condition offences. Of those 18 155, 8488 were fail to answer bail, 8903 were contravention of a condition of bail — breaching a condition — and 764 offences regarding commit an indictable offence whilst on bail. With those sorts of numbers it was certainly reflected back to me, by serving members arresting and rearresting the same offenders, that sense of frustration around the amount of bail. That is the police perspective that you have asked for, but certainly it was reflected to me in that period.

Mr T. SMITH — Secretary, was that advice conveyed to government as being a threat to public safety?

Mr WILSON — Sorry, which advice?

Mr T. SMITH — The advice that the commissioner just provided the committee with regard to the extraordinary number of people who are breaching their bail and committing offences on bail.

Mr WILSON — I think at the time there was a review of bail. The Attorney-General, I am pretty sure, had undertaken a review of bail. I cannot remember the particular case. Like any aspect of criminal law, the department would be advising the attorney and the chief commissioner would be advising the Minister for Police on general trends, the sorts of things that are going on and then high-profile cases. I just cannot remember the bail one.

Chief Comm. ASHTON — In that particular period the most controversial cases were offences on parole, not bail. Some of them were a combination of the two, but the main issues were parole for that period, not really high-profile cases for bail.

Mr WILSON — But I am sure the bail arrangements were reviewed. There have been a number of reviews and examinations of what is happening with bail, following reviews of parole reforms and reviews then of sex offenders on supervision orders. So we do do a number of reviews on various aspects of criminal law, corrections and so on as a matter of course almost.

Mr T. SMITH — Could you perhaps advise, in terms of briefs, the numbers of briefs and the dates of briefs that were sent to the government with regard to bail during this period?

Mr WILSON — No, I could not do that here and now. I think you may already have sent it to me via FOI, Mr Smith. That is where we typically respond to those things, but you would have to be quite specific about it, because I do not know how many briefs I get every day on all sorts of things. It might be in the voluminous category, I am not sure, but if you have got a specific request, we can consider it.

Chief Comm. ASHTON — Mr Smith, can I just add as well, I just want to make the point that in that feedback through that year it has not really been the feedback of any frustration necessarily with bail justices. I just want to reflect that.

Mr T. SMITH — No frustration from your organisation with regard to bail justices.

Chief Comm. ASHTON — Not as a whole, no. That is something that has been a longstanding practice, and certainly through that year, and I would not want anything I say today to be characterised as me being critical of bail justices. They perform a really important role for us.

Mr T. SMITH — That is an important clarification you make. What about other judicial officers and bail?

Chief Comm. ASHTON — I have been on the public record consistently saying that the courts are independent and make independent decisions of police. We can nonetheless be frustrated with the outcomes, but I am not being critical of the independent office-holders in those roles.

Mr T. SMITH — Thank you very much, Chief Commissioner.

Mr DIMOPOULOS — Chief Commissioner and Secretary, before I actually ask a question, can I clarify that we are talking about bail. There was an earlier question about the numbers of magistrates who bail — to the Secretary, I think — but then you mentioned some numbers in relation to bail. My understanding is that the police bail 80 per cent of the time because they do not have the power to remand; is that correct? That is when they call in bail justices; is that right?

Chief Comm. ASHTON — Yes. There is some clarity around that, but we do call in bail justices really for those short periods of time before we can get them before a court, because we need to get people before a court as soon as practicable, so bail justices are called in after hours when there is not a court that is available to us.

Mr DIMOPOULOS — Hence the night court issue. I also put on the record that the opposition voted for the bail laws as well, so I am not sure where Mr Smith was going with that.

Can I ask a question in relation to consumer affairs, Secretary. Last hearing — I cannot remember whether it was the May hearings with the minister for consumer affairs or the officer hearings — I remember discussing

the changes to the auction rules. I cannot remember the terminology. My understanding is they were in the 2015–16 financial year; I may be mistaken.

Mr WILSON — I am not sure those laws have gone through — those to deal with underquoting, changes like having three comparable properties and statements of information. They have not gone through yet, but it would have I assume emerged in the 2015–16 year. I could check with the deputy secretary.

Mr DIMOPOULOS — Mostly I was actually wanting to know what data you already have about the success of that or otherwise in that year, but if it did not happen in that year, then I will not — —

Mr WILSON — I do not think it takes effect until May.

Mr DIMOPOULOS — Apologies. I got confused, because a few press releases came out from the minister for consumer affairs about fining agencies, but they must be in relation to another part of the statute book.

I will go on to the question that I was going to ask you, which is in relation to the human rights charter. I am a member of the Scrutiny of Acts and Regulations Committee, and obviously one of our main jobs on the committee is to review legislation in accordance with the human rights charter. The Attorney-General commissioned a review, and I think there are 50-odd recommendations from that review. I just want to get a sense in the 2015–16 year — it is mentioned on page 33 of the annual report — of what work has been done to progress that.

Mr WILSON — Again, I might ask Deputy Secretary Speagle to address that question.

Mr SPEAGLE — The time frame for the charter review was that it was provided to government by the reviewer, Mr Brett Young, in September 2015 and the government announced its formal response to the review on 22 July 2016. So the department's work in respect of 2015–16 was analysing the recommendations, of which there were 52, and then providing advice to the Attorney. Obviously that went through the usual government processes, ending up with the formal government response. In that response the government supported or supported in principle 45 of the 52 recommendations. Obviously since then there has been some more work, but perhaps that pertains more to 2016–17.

Mr DIMOPOULOS — Sure. You got the report and then you provided the departmental view or advice in relation to those recommendations. Was there a particular jurisdiction that guided your advice more than others? Was it Austria or Bangladesh or the United Nations? Was there something that stood out in terms of best practice for where the review was headed?

Mr SPEAGLE — I think the jurisdiction of most relevance, probably both in the review itself and in the department's analysis of it, was the ACT, and there were several recommendations in the review that drew on the experience of the ACT's bill of rights. Victoria's model has some similarities, some differences. I am not in a position to give you a clause by clause comparison of that, but there are certain features of the ACT legislation that were picked up and supported by the review. Victoria is in some ways a jurisdiction unto itself.

Mr D. O'BRIEN — I just want to turn to corrections for a moment, Secretary. Can you advise how many cost orders were made against Corrections Victoria in 2015–16 for failure to comply with a court order?

Mr WILSON — As in failure to have prisoners present?

Mr D. O'BRIEN — That is the gist of it, yes.

Mr WILSON — I am just trying to cast my mind back. We had some difficulties with police cells in 2013–14 after the parole reforms, with the expansion of beds and so on. I think we ended up with about 370 in police cells, and that was creating some difficulty back then, which led to a number of cost orders against us. We have since done quite a lot on videoconferencing in courts just to reduce the number of movements on prison vans into the CBD in peak hour. I have the number here: \$194 000 in costs was paid in 2015–16 for 245 matters.

Mr D. O'BRIEN — For 245 matters?

Mr WILSON — Yes. The number of police cells peaked at 372 in November 2013, and then as I mentioned we worked with the chief commissioner's people and the Chief Magistrate to try and ease pressure on police

cells, like changing the way the accused come and go from courts. We have made significant investments in video links and things like that. It was very much a peak year, and that went through to 2015–16.

We have got the weekend remand court, which I think would have been introduced under the previous government, from memory, some renovations to Ringwood court cells and two magistrates courts operating from the County Court. So there are a range of things that we have been doing. The Melbourne Assessment Prison we receive extra prisoners through, so we are just trying to unblock the movements, which really peaked following the parole reforms and the expansion of the number of people in prison or on remand. So we have done a lot to address it, but those are the numbers — \$194 000 for 245 matters.

Mr D. O'BRIEN — So following on from that, for the 2015–16 year on how many days was the number of prisoners in police cells over 200 at the 7.00 a.m. count?

Mr WILSON — We will have that. We do keep that daily count, and there were a number of days there. Perhaps Commissioner Shuard has that at hand. We just record it daily. We would need to get the ruler out at 200 and measure how many days were over. That looks like about 50 or 60 or something.

Mr D. O'BRIEN — If the commissioner would like to have someone work it out while we go on, I am happy to come back to it in a moment.

Mr WILSON — No, we can do that. But do we have any over 300?

Ms SHUARD — No. The last time we went over 300 was back around February/March 2014. It went over 300. That said, it has not been up there again. It has been just on 300 in August 2015.

Mr WILSON — I think it is fair to say the increase in remand has been a difficult period for us. From memory, we have gone from something like 21 per cent of adult prisoners on remand to close to 30.

Ms SHUARD — Yes, now 33.5.

Mr WILSON — That has been a big increase and that has caused some of our difficulty, but we can get that number for you.

Mr D. O'BRIEN — The question was specifically the number of prisoners in police cells over 200 at the 7.00 a.m. count. If we could get that, that would be great.

Mr WILSON — So the days on which that occurred?

Mr D. O'BRIEN — Yes. Subject to the answer coming through — and I appreciate what you have said about it coming down — what sort of impact has that had on the court system, with corrections being unable to get prisoners to court?

Mr WILSON — I guess it is more the prisoners themselves who want their matters heard, the lawyers that turn up and so on. I know it has been incredibly frustrating for magistrates, who have written to me directly since that November 2013 peak. But again with the Chief Magistrate in particular, Peter Lauritsen, and successive chief commissioners back to Ken Lay and Tim Cartwright and now Graham, we have worked pretty well to get the video links happening. We have changed the legislation so there is a presumption that you use that, because it was not readily adopted by magistrates to the extent it is in, say, New South Wales. I can get you the figures. I think from memory in the first few months it was up to 1500 a month, something like that, using video links. We can get those figures for you as well, if you like.

Mr D. O'BRIEN — That would be useful, yes.

Mr WILSON — It has taken a while to take hold, but it is saving a lot of prisoner movements for minor matters that can be done quite quickly.

Ms SHING — Sorry, is that in addition to the videoconferencing that is already used in jurisdictions like the Children's Court?

Mr WILSON — Yes.

Ms SHING — So it is over and above?

Mr WILSON — It is basically magistrates and the Metropolitan Remand Centre and police stations.

Ms SHUARD — Some of those figures are: between September 2015 and the end of July 2016 there was a 95 per cent increase in the court hearings by video link, so we went from 65 to 1336 hearings. We are still rolling out the videoconferencing technology to continue to use that. It is very helpful for us not just for court appearances but for community corrections staff to be able to talk to people that are going onto parole as well as our service providers that do our reintegration programs. Prisoners might be at, for example, Sale prison but are getting released in Ballarat, for example. Case managers and the Reconnect providers can link up with the prisoner early. So the videoconferencings are used for a whole lot of activities, but in the courts it is certainly increasing. It reduces the number of prisoners having to be transported and the cost that goes with that. So it is extraordinarily effective, as well as other video technology for the lawyers to be able to call in and speak to their clients while they are in prison and have a video link-up.

The CHAIR — Last question.

Mr D. O'BRIEN — Secretary, you just mentioned MRC. The riot at MRC, as you would be aware, caused significant damage. The figure that was talked about for rebuilding or repairing that damage was \$95 million. Is that still the case?

Mr WILSON — I will get the commissioner to confirm that. Really for us it was not so much to just repair it and put it back to what it was, because it was basically designed for 600 prisoners and we had to close to 1000 in it. So we thought that if we are going to spend the money, we would be better off spending more and strengthening it to have a more appropriate level of strengthening to hold that many prisoners. So that has happened.

Mr D. O'BRIEN — As we move across to the commissioner, can I throw in that I understand a number of projects in country prisons were either cancelled or rescheduled to fund that. Can I just get some detail on that as well?

Mr WILSON — Yes. We had, from memory, for the corrections capital programs probably in the order of \$400 million or something like that. So we would continually prioritise some things where we assumed a lot more growth and growth has not happened, for example. So we basically reprioritised a few programs at, I think, Tarrengower and Dhurringile. I might ask the commissioner just to give you the specifics.

Mr D. O'BRIEN — If I can get some detail on that, that would be great.

Ms SHUARD — We got allocated funding for capital funding. In the order of just over \$12 million was the repair bill for the riot. But then of course we looked at the infrastructure and how the infrastructure had not actually supported a population of 1006, which the prison was able to accommodate at the time of the riot. Remember it was a prison that was built for 600 prisoners, and in Mr Walshe's review of the riot he said that while the smoking ban may have been the catalyst for the riot it was the overcrowding that had added to it as well as the failing of the infrastructure that had occurred throughout that riot.

So the capital infrastructure was \$74.9 million, and then we got another \$20.4 million to change the operating model because the design and the infrastructure is there to support a particular operating model to make it work properly. So that meant that with that number of prisoners we needed to separate it into four separate precincts, which it was not.

Mr D. O'BRIEN — So that is roughly \$95 million?

Ms SHUARD — Yes, that is right.

Mr D. O'BRIEN — And that has not changed?

Ms SHUARD — No, that has not changed.

Mr D. O'BRIEN — And just the question on the — —

Mr WILSON — The offsets.

Ms SHUARD — The offsets. So when we revisited the money, that was for the first lot of that money. So \$51.9 million was announced by the government in December 2015, and there were projects that were deferred that we had been funded in the 2015–16 allocation. That allocation had been around our anticipated growth but also to be able to do some additional infrastructure works to match the number of beds that we had rapidly expanded by in the previous couple of years. So the ones that we deferred at that time were in our open prisons. Our open prisons Dhurringile and Beechworth were two of those. Now, remember they had grown quite big. Dhurringile had been up to 500 beds, and we brought that back to a more manageable number in the 300s. We also deferred our secondary health beds that we had been funded for at that time, and we deferred some beds at Tarrengower women's prison because we had been funded for more secure beds at Dame Phyllis Frost Centre and that is where the growth was then coming through with the remand prisoners. The number of women on remand now is about 43 per cent, so we have to have secure beds in the metropolitan area for those women.

Mr D. O'BRIEN — So in short Dhurringile, Beechworth and Tarrengower women's?

Ms SHUARD — Yes, they were some of the projects that were deferred.

Mr D. O'BRIEN — Any others? That was all?

Ms SHUARD — I think that is it. Just a minute, no. There are a couple that have been put on hold. We were funded for what we call the building design and review program, and that is our cell safety program. But because we lost so many beds at the Metropolitan Remand Centre, to do that cell safety work at the Melbourne Assessment Prison would have meant we took front-end beds offline, which would then impact on police cells. So we did not offset that against the Metropolitan Remand Centre, but we have deferred those works until such time as we get all our beds back at the Metropolitan Remand Centre. We are currently operating 101 under capacity there. However, it was agreed to reduce our capacity from 1006 to 954 beds, because one of the things that had seriously impacted the operating model was the fact that we had put bunks into our cottage accommodation, which is the incentivised program to allow prisoners of good behaviour to go into cottages and be more self-care. So we were able to remove those 52 bunks and bring it back to a prison now that has a capacity of 954.

Ms SHING — I would like to talk about crime prevention and the initiatives being undertaken to assist with a proactive engagement on those who might be vulnerable or at risk of engagement with groups or cohorts that encourage criminal behaviour. I take you to budget paper 3, page 293, which refers to a number of initiatives in community crime prevention. I would like to look at the type of initiatives that have received funding for the relevant period and how the money was allocated by reference to the necessary correlation about how it would prevent or reduce crime in and around Victoria not just, again, in the metropolitan areas but in regional and rural areas as well.

Mr WILSON — I might ask the executive director, Camille Kingston, to address your question, because there has been a lot happening in the crime prevention grant space, particularly, I guess, moving from grants per se to much more targeted, place-based initiatives working with communities. So I might just hand to Ms Kingston.

Ms SHING — Fantastic — so not just from a place-based perspective but also from the perspective, as you have indicated, Secretary, of specific groups, whether that is culturally and linguistically diverse groups, whether it is in remote and rural communities or with Aboriginal and Indigenous community groups.

Ms KINGSTON — Camille Kingston, acting executive director of police and crime prevention. So in relation to the community crime prevention program, it builds capacity in communities to implement locally tailored evidence-based crime prevention and committee safety initiatives. In relation to the 2015–16 time frame, there was \$6.6 million funding allocated under the community crime prevention program, and I can take you through some of them and then perhaps give you some examples of the types of programs that were funded in certain areas.

Firstly, we have got the Community Safety Fund, and that provides grants of up to \$10 000 for councils and community groups for locally based practical crime prevention projects. Then we have the Public Safety Infrastructure Fund, and that provides grants of up to \$250 000 for local councils to implement urban design

initiatives and technologies such as CCTV and lighting to improve committee safety in public places. Then we have the graffiti prevention grants, and they provide grants of up to \$25 000 for partnership projects between councils and communities. Then we have the place-based and targeted grants, which is a new pilot program empowering disadvantaged communities to target the underlying causes of crime and to address new and emerging crime trends.

So just to give you some examples in relation to some of the projects funded as part of the 2015–16 grants program, the first one that I have to provide is the Abbotsford Convent Foundation Arts Trust, and that was grant funding of \$10 000. That was to install additional lighting in the Abbotsford Convent and Collingwood Children's Farm car park to deter crime and to improve perceptions of safety. Another example is the Knox City Council, and this was in partnership with schools, traders and police. This was grant funding of \$22 000 in relation to the Wall to Wall Mentoring Program in Boronia and Bayswater. This involves delivery of a mentoring and education program to develop the creative skills of identified taggers and known vandals to transform their ideas around simple mark making into more sophisticated forms of drawing, text and project management.

Ms SHING — I might just pick you up on that specific example that you have given. One of the examples of crime prevention funding that was allocated to Gippsland was to help out with a pedestrian underpass in Churchill, which related to a very heavily graffitied area. It was not high art; it was in fact tagging that was very enthusiastically done and also affected the perception of safety that people had, such that it was an area that was avoided. What I am keen to understand is: what is the indicator of success for this, where we might put money into a community resource or a skate park or for better environmental design or for something like the underpass in Churchill — which looks amazing — and how do we get a return on that insofar as, I suppose, prevention of crime and more pride in place and in community?

Ms KINGSTON — I suppose in terms of the markers I would have to come back and provide some further advice about specific grants and success measures, but what I can supply to the committee today are some comments and quotes from individual areas that have been involved in this, which I think illustrate the nature of the impacts and the benefits that are being provided through different types of grants. I will use one in relation to the City of Greater Bendigo. They had lighting installed, and the comment here from one of the local council staff was that the lighting having been installed had made a huge difference to the feeling of safety in Hargreaves Mall, particularly after hours and during moonlight markets.

In relation to the Abbotsford convent example I provided earlier, the comment here is again in relation to a safer environment for the thousands of patrons who have used the car park after daylight hours since the lighting was installed. They particularly noted that prior to safety lighting being installed the convent received reports of theft, vandalism and harassment, and they are pleased to advise that they have not received any of those types of comments. These are the types of benefits that flow to local community areas. Certainly I have got quite a number of examples that go to better utilisation of space, communities using those spaces much more comfortably and freely than perhaps they did before and particularly a return to using community spaces where they may not have previously.

Ms SHING — If you could take on notice providing some output measures in terms of what constitutes success and how that has been realised from the crime prevention space. In addition to that, I would like to ask about the crime rate, which as I understand from my reading has trended up since about 2011. One of the things that I see as the ways in which crime is combated is a jigsaw-style approach to prevention, to engagement, to enhancing community supports and structures and to education as well as to deterrents and the way in which the judicial system operates.

I note that there has been an increase in allocation of government spending to a number of programs that go towards the administration of justice on the one hand to the provision of services, which, Commissioner, you have referred to in the course of your contributions today, as well as to the way in which technology is used to free up court lists, which I think I would not be out of line in saying became quite clogged as a consequence of legislative reform. How do we continue in a way that gives us a meaningful net return, in crude terms, as far as a reduction in crime is concerned, when again we have these factors at odds, such as family violence reporting and such as a unique type of offender, which has been discussed at length in the media and here today, in the youth justice space. How do we continue to monitor continuous improvement — and I know this is a very big question, but here is a good opportunity to ask these questions — to make sure that we are all pushing in the

right direction, not just now, not just for an election cycle but into the future? That was a bit Ms Pennicuik of me, wasn't it?

Mr D. O'BRIEN — Oh sorry, have you finished now?

Ms SHING — You can wake up now, Mr O'Brien, I have put the question mark at the end. Secretary?

Mr WILSON — It is a big-picture question, and I guess from our collective points of view in the justice system there are two things. There is what we do in prevention, which gets back to engagement and education and the things that Camille has just gone through — community-based programs to help people stay connected in education and so on when they are younger and making places safer, like a community-led effort right at the beginning — —

Ms SHING — Tackling recidivism.

Mr WILSON — and then through to police, courts, corrections, the justice system itself and every intervention along the way, taking the opportunity to do what we can to make sure those people do not come back.

Ms SHING — Specifically, Commissioner, to you I would say: are you satisfied that you have the resources and the engagement with the department and with government for the period and also for the period preceding the period and the period in the forward estimates to be able to have a voice at the table on the operational side of delivering these services?

Chief Comm. ASHTON — In the main, yes. Sometimes we might have a difference and debate some views around it, but in the main it is pretty consistent in that it is integrated. Our crime prevention staff meet with the departments. These things are mapped out. We factor in the operation elements, particularly around the issues around what initiatives are given grants and to what extent.

Ms SHING — And that is to your satisfaction in representing the police command and control?

Chief Comm. ASHTON — Yes, overall.

Mr WILSON — It might be worth mentioning also the connectedness at a regional level, so police with community safety committees and so on and our regional justice staff with other government agencies, like children and youth area panels and various other forums where you do see a lot of good things happening in small country towns, small initiatives — that sort of thing that have quite a big impact. You mentioned, for example, Koori justice. We have regional Aboriginal justice action committees, and I think in the 2015–16 year at an Aboriginal justice forum we tallied up something like 110 initiatives designed to address over-representation as well as prevention from getting into our system, and 58 of those came from those local committees.

Ms SHING — So elder mentoring and education engagement?

Mr WILSON — Yes, all those various things. Even if you think about Koori kids at 17 wanting to get a licence. For a lot of them, how do they get 120 hours up? There are programs I have seen in the Sunraysia where it is just people volunteering.

Ms SHING — Or the L2P mentoring program as well is highly successful.

Mr WILSON — Yes, a licensed driver that helps them learn how to drive, and that helps them travel to get jobs and other things, so lots of little things can make a difference.

Ms SHING — So it is not as simple as a punitive approach.

Mr WILSON — No.

Chief Comm. ASHTON — Just on that too, we have been putting a lot of effort into Neighbourhood Watch certainly over the period of that financial year, supporting the introduction of a new board there and a new chair and trying to put our local efforts into, in some cases, reviving local Neighbourhood Watch areas but others that are working well to try to give them more support. We have allocated additional resources in that period to try

to do that as well because from a policing perspective we see Neighbourhood Watch as being a critical crime prevention partner with us.

Ms SHING — Thank you very much, gentlemen. I will get that question on notice too.

Ms PENNICUIK — Mr Wilson, I think this will probably be a question for the commissioner for corrections. It was partly answered or alluded to in your earlier answer to Mr O'Brien with regard to prisons, but page 7, section B, of your questionnaire, refers to some of the things you were saying, Ms Shuard, about the delivery of the new infrastructure at the Dame Phyllis Frost Centre being redirected and combined and that that will, it says here, minimise disruption while additional beds and new units are constructed.

And for the specialist mental health facilities, which I am particularly interested in, expansion and upgrade will commence this year. So it has been delayed and will commence this year. Also the additional expenditure at Tarrengower has been deferred. So my question is really about what sort of impact these two delays and referrals are having on the welfare of women prisoners and not only the prisoners but their families in particular and their children?

Ms SHUARD — Firstly, there has been a series of funds available in progressive budgets to expand the Dame Phyllis Frost Centre. As that funding has come through the scope of work or the programming of work has been changed around to match what is needed most first. That is probably my answer. Also, remember that we are building inside an operational prison. We are trying to do that in a way that is least disruptive to the women that are in there. So what parts of the prison do you build in first? So some of the funding that might have come earlier has been put off to until later, because our priority was to get more beds to not have to put in temporary accommodation for women but indeed to build the beds. So that is what we have done first, and some of the new beds have just recently opened up.

Ms PENNICUIK — How many?

Ms SHUARD — The 44-bed mental health unit was another area that was funded, because we have a mental health unit there for women that are unwell — the Marmak unit. It was 20 beds, and with the size of the prison now — with more than 500 women prisoners now in Victoria — it had outgrown that Marmak unit. But of course we wanted to design a mental health unit that was the latest in design and to work with our partners, such as Forensicare, to not just build another Marmak but to learn from that and build a purpose-built mental health facility that not only has secure custody but that also provides for women to step up and step down, back into the prison population, because we are wanting to replicate life, I guess, for women that might live with mental illness in the community.

For that part of the funding we said, 'Well, we will leave that bit until the design has been done so that we get the design right'. So we built the beds first. We have done the design for this, and then we will do the mental health unit. Then when that is complete, or while that is being done, we will be doing the design work for a new gatehouse. You have been there and seen that it is the gatehouse —

Ms PENNICUIK — You need a new one.

Ms SHUARD — that was built when the prison was built, and it was a prison for less than 200 women, I guess, at that time. So rather than have that body of works going on while we have got a big construction program inside the prison, we have got the funding now to have ourselves a new, modern barrier control and gatehouse for the visitors, which is really important with kids coming, as well as additional funding to expand the services that you need with a population of that size, like your education area, like your kitchen, like your industry and the like.

I guess the summary of that is that where we have got the different funding and the different years, we have actually rescheduled the program to something that is the most safe to do within an operational prison but that is also aligned to what our greatest need is. The gate, you might say, is a big need for us, but beds were our priority to start with, to have proper accommodation for the women, with the growing numbers, particularly of remand women.

Ms PENNICUIK — Thank you for that very comprehensive response and scenario. As you know I am interested in it. My follow-up question is: when are you expecting all of these realigned projects to be

completed so that you have the mental health unit in place, the extra beds and also the project at Tarrengower as well?

Ms SHUARD — The additional upgrades to the medical centre, kitchen and industries, as I talked about, and the finalisation of all of the accommodation units will be complete in June 2018. The mental health bed unit will be June 2018 as well. So they will be completed then. The additional beds at Tarrengower — that was a project for which we allocated funding to the Metropolitan Remand Centre hardening and upgrade. So at this stage we do not have funding to expand Tarrengower, and the reason, as I said before, is the growth in the women's numbers that has been in the remand population, and of course we cannot put — —

Ms PENNICUIK — Well, it has been in all prison populations, including in youth justice.

Ms SHUARD — That is right. But in women more extremely than men. Men now make up just over 33 per cent unconvicted on remand, but for women it is 43 per cent. So when you take the — —

Ms PENNICUIK — It is about 80 per cent in youth justice.

Ms SHUARD — We cannot put women on an open prison while they are on remand, and the distance in any case would not be suitable, so we have not had the need for the beds at Tarrengower at this stage.

Ms PENNICUIK — Great. Thank you very much.

Ms SHUARD — You are welcome.

Ms SHING — Thank you for the indulgence, Mr Dimopoulos, in giving me your question. I would like to talk about the whole-of-government response to the Hazelwood mine fire inquiry. Following the mine fire, which was a source of enormous concern, fear and frustration for the communities in and around Morwell, I would like to take you to page 5 of the general questionnaire, which lists a number of items that were funded for the purpose of the mine fire inquiry, noting that there were in fact two changes to the inquiry that resulted, I think, in funding of just under \$80 million across two budgets.

The measures that have been brought in to respond to the inquiry, as listed here in the questionnaire along with other measures of a more general nature, were intended at the time, and I believe formulated, to lead to a better response to other incidents now and into the future. To what extent have they contributed to a greater understanding of first response and also prevention?

Mr WILSON — I might ask Mr Robertson, the deputy secretary and chief executive officer, Emergency Management Victoria, to respond. Thanks.

Ms SHING — I thought Mr Robertson might get a guernsey on this one.

Mr ROBERTSON — Thanks for that question. I probably understand it, but I will take a bit of an EM focus, which I think you will appreciate is part of a much bigger exercise. With some of the elements there, I suppose a very important initiative, which was one of the early recommendations of the original Hazelwood inquiry, was about better integration between the emergency services and industry down there, including community engagement. That work was advanced through a task force that Craig Lapsley, the emergency management commissioner, led. It also actually related to the Anglesea coal mine, as you know, so the valley and Anglesea.

Ms SHING — Yes.

Mr ROBERTSON — I think that work has done a lot of good. It almost was establishing some foundations and strengthening relationships.

In answer to your performance question, I suppose they need to be tested. They did an exercise, as you would be aware, in the run-up to this summer, which was quite successful, and exercising is a really important dimension of emergency response. But of course it is an exercise and not real, so the real test will emanate from that. The government put money into establishing a new district 27 for the CFA, and if you like, its response boundary coincides with the City of Latrobe boundary, whereas in the past it was almost divided in half — —

Ms SHING — Districts 9 and now 27, I think.

Mr ROBERTSON — That is correct. Yes, 9 and 10.

Ms SHING — Nine and 12. Nine, 10 and 27. Yes.

Mr ROBERTSON — Twenty-seven was the new one, parachuted in, which is really focusing on the valley and that critical infrastructure in there both from a broader economic perspective in terms of how important that is to the state, but also critically to the exposure of the local community to that risk, as the Hazelwood fire demonstrated.

There was money invested in CAFS — if you ask me about the acronym, ‘foam suppression’ is the ‘F’ and the ‘S’ — systems to put into the CFA fleet, which in terms of the actual mine firefight were what ultimately proved the most successful in denying the fire oxygen. As is self-evident, coal is very combustible.

Ms SHING — To the extent that it was possible in the circumstances.

Mr ROBERTSON — Well, indeed, and there were other challenges which we could probably talk about at length, but in terms of turning the fire and actually winning it, that was critical, so it is really around bolstering that capability. Allied to that is coalmine firefighter training, and there has been a new syllabus developed and commencing to be delivered in a targeted fashion there.

There are two other very important pieces, which probably have broader applications for the state and such matters. One is we have developed a smoke protocol. One of the enduring lessons from the Hazelwood mine fire, which was both a fire-related event but really a public health event more significantly, and as difficult as the fire was to fight, the implications were, as it proved given the duration of the event, way more significant. One of the things that has emanated from the inquiry is the development of a smoke protocol, and I think we are in an infinitely better position, including our linkages with the EPA as a partner agency, to deal with the implications of that into the future.

The other, and this is a perennially challenging thing across time in Victoria — we have got better at it, but it remains a challenge — is pulling together our communications arrangements in a more integrated fashion across all the dimensions of major emergencies, particularly of a duration like that, and better informing the community as to what is going on, what they themselves can do, what we can do for them et cetera. That is a piece of work that is in progress, and I am anticipating it will be completed this year.

Ms SHING — That work continues on with mobile air monitoring stations, PM2.5 assessments and again that cross-agency work that you talked about. How do we make sure that what has been learned in the course of the fire itself, the immediate response and the inquiry after that can translate into other fire-related emergencies, whether it is awareness on smoke — the smoke protocol — whether it is the application of ‘We work as one’ in terms of the way that communities engage with each other and with support and organisational resourcing, to make sure that what we have in terms of the mine fire response and the lessons learned from that can actually be portable in broader circumstances. We are getting hotter and drier. How does that work to translate into a grassfire environment or other major events responses?

Mr ROBERTSON — Probably the two best examples again in the emergency management frame of it are both the work around the smoke protocol and its implementation. I think probably we have all, directly or indirectly, even if you live in Melbourne, experienced what smoke is like in the air. I think back to the early 2000s and the Alpine fires. Melbourne was covered in smoke; it was pretty unpleasant but a lot more unpleasant for the folk who lived closer. I guess that event and the combustible nature of coal really brought this to a head. I think the lesson learned, the benefit, is really, as you almost inferred there, the collaboration between agencies — needing that expert advice — and in turn better informing the community of what it means to them. I think that is an enduring lesson. The smoke protocol, whilst it was born of that event, is really applicable to bush, grass or even hazardous material fires — —

Ms SHING — Including planned burns in the non-summer season?

Mr ROBERTSON — Yes, and that has been factored in, and a greater recognition of the effects that planned burns, which is really around vegetation management, can have on a community — timing, wind

direction et cetera — even into the training environments around regional training facilities and the impact training there can have.

The other one, which I mentioned in my previous answer — —

The CHAIR — Briefly.

Mr D. O'BRIEN — We are running out of time.

Mr ROBERTSON — Okay, certainly. It was the communication strategy, which is designed to be a much wider application than that event, but drawing on the lessons learned from it.

Ms SHING — Good. Thank you very much, Mr Robertson.

Mr D. O'BRIEN — I will try to keep the questions brief, because we are running out of time. Regarding the Metropolitan Remand Centre riot again, how many prison officers either lodged or are still on WorkCover claims as a result of that riot?

Ms SHUARD — At the present time there are 17 active claims, and over the 19-month period since the riot there have been 26 claims.

Mr D. O'BRIEN — Are there any officers off duty as a result of those claims, do you know?

Ms SHUARD — Some of those will be, yes.

Mr D. O'BRIEN — Do you have a number for that?

Ms SHUARD — How many are off duty? That number is variable. Some people have been off duty and then they have come back to work on a return to work. Some people were re-affected at the anniversary of the riot and so went off again, and for some people it has not been continuous — it has come later. So it is a variable number. I do not have with me today exactly how many are off today.

Mr D. O'BRIEN — We can take that on notice if you are able to.

Mr WILSON — We have the police cell numbers too that you asked for, over 200 days. Jan, have you got those there?

Ms SHUARD — I do. It was over 300 on three days in that financial year, 2015–16. Over 200 in police cells at the 7.00 a.m. count on 233 days, and exactly on 200 was three days.

Mr D. O'BRIEN — Thank you. That is great. On the riot again, I understand there were some security breaches — obviously there were security breaches — with respect to prison officers' personal details. Were any prison officers' personal details recovered by prisoners as a result of the riot?

Ms SHUARD — There was one instance of an officer's personal details being displayed in the riot. They were put up in graffiti, so that would tell us that the prisoner had access to their personal details, yes.

Mr D. O'BRIEN — Was it their address or phone number?

Ms SHUARD — I think it was name and address.

Mr D. O'BRIEN — Were there any repercussions from that in respect of the officer having to move house, getting threatening letters or anything like that?

Ms SHUARD — They are personal details about the individual officer. I would be happy to, I think, provide those privately — —

Mr D. O'BRIEN — No, I do not want the details.

Mr WILSON — There was support, and arrangements were reached.

Ms SHUARD — Support was provided to an individual to be able to work through that.

Mr WILSON — We can provide you that information confidentially.

Mr D. O'BRIEN — If there was one breach, were you satisfied that there were no more than that one prison officer's details accessed?

Ms SHUARD — There is only one that was brought to our attention.

Mr D. O'BRIEN — Very quickly, the 20-bed facility at Ararat which was just announced this week — this is for the violent and sex offenders — in 2015–16 that was listed as a \$30 million project. I just wanted to check whether that had changed and what the updated figure on that is.

Ms SHUARD — It was funded in that year for only sex offenders — so to be an intermediate facility to hold sex offenders. However, the Harper review has recommended that the scheme be expanded to include offenders that are most at risk of causing serious interpersonal harm, so indeed expanding the scheme from not only sex offenders but to include particular violent offenders. One of the recommendations was that the department undertake an audit to be able to provide advice on what those numbers might look like depending on what group you would take. Of course that is subject to a risk assessment and a court decision.

With that in mind, with the new intermediate facility, when the decision is made about what that might look like by the government, then the design would have to hold both sex and violent offenders. That may well mean that there is a different infrastructure solution. Sometimes it is difficult to hold sex offenders and violent offenders in a particular facility, unless of course it is designed for that purpose, to take them both — so some form of separation.

The scope of the project will change with the decision to expand the scheme. As we know, the government has made a commitment to accept in principle the full 35 recommendations from the Harper review, of which that was one. We are certainly working on the basis that the facility will hold both sexual offenders and violent offenders and obviously operate in that way.

Mr D. O'BRIEN — Have you got a figure on what the cost will be?

Ms SHUARD — No, we have not, not at this stage.

Mr D. O'BRIEN — The government has announced it, though, so you must have some idea, surely.

Ms SHUARD — No, not yet. We have to finish the design and we have to go to market, so we do not have that figure.

Mr T. SMITH — In 2015–16 there was a significant rise in the road toll. There was also a reduction in infringement notices issued by highway patrols. Is there a connection there? Is there a connection between reduced highway patrols and an increase in the road toll, and has that got anything to do with the two-up policy?

Chief Comm. ASHTON — I do not believe so. We have had a good look at that — —

Ms SHING — Last year? How does that relate to the period?

Mr T. SMITH — 2015–16, sorry.

Chief Comm. ASHTON — We have had a good look at that. I do not think there is a correlation there when we look at the way that the toll has gone and when those policies were introduced. I do not think there is a correlation there. We certainly have been adjusting for the two-up policy, and we are doing that through — it would have been through most of that year as well — different patrol patterns to try to minimise the impacts on infringements.

The major impact with the road toll through that period, certainly the start of 2016 and probably the latter part of 2015, was around motorcycle deaths that have just gone up. Last year they went up considerably, and they accounted for the greater share, certainly the lion's share, of the increase in the road toll that year. We had more returning riders, and we had more new riders registering as well. We had growth in the amount of people registering motorbikes. A lot of the analysis of those accidents has been around poor skills of the motorcyclist

rather than excessive speed or drugs or the sorts of things we might infringe or seek to impact on. Probably the primary thing has been around the motorbikes through that period.

Mr DIMOPOULOS — I just want to ask you about the EMR program of the CFA. I gather from budget paper 3 and from page 5 of your answers to the questionnaire that the program has been successful. It has exceeded its targets from what I can see, in both years. Can you just give us a bit of background about the funding outline of BP3 and the expansion?

Mr WILSON — Mr Robertson, could you respond to that?

Mr ROBERTSON — Certainly. The program is, I suppose, mid stream in being rolled out. The target is to have all 35 integrated brigades EMR capable across the program over four years. As at December last year there were 15 integrated brigades that had reached that status and three volunteer brigades from the program. I probably should add there, as well, that two of the integrated brigades — one, South Morang, the volunteer contingent of that brigade were in the original pilot, and similarly Mornington, so it is about sustaining both the volunteer and the career firefighters.

Mr DIMOPOULOS — So, sorry, three volunteer stations and — —

Mr ROBERTSON — Yes, three were volunteer only, and out of the pilot two of had been trained, and then in the pilot there were five other integrated stations.

Mr DIMOPOULOS — So how many all up?

Mr ROBERTSON — All up 35 integrated and 3 volunteer, across the four years of the program. On the performance side — you are referring to the BP3 output measure — that at the moment relates exclusively to MFB, who I think you would be aware have been performing this role since — —

Mr DIMOPOULOS — About 10 or 12 years.

Mr ROBERTSON — Yes, 2000 I think it actually goes back to. In due course, as the CFA program is nearing conclusion, the pilot performance measurement there now, that will be rolled in so it will be, I envisage, to go to a few budget papers into the future, a rolled up EMR performance target covering both services.

Mr DIMOPOULOS — It is an election commitment, I understand, so it is a new program.

Mr ROBERTSON — Correct.

Mr DIMOPOULOS — With the 35 integrated and three volunteer — so integrated stations have volunteers as well, obviously.

Mr ROBERTSON — Correct, yes.

Mr DIMOPOULOS — Did you choose three purely volunteer stations for a reason, for a methodological assessment at the end about what works and what does not work?

Mr ROBERTSON — The decision was taken as part of the program which really emanated from the pilot which had five volunteer — this is where it gets a little tricky. Five volunteered, but two of them were the volunteer contingent of what are now integrated brigades — and five integrated brigades. So the decision as part of the program was taken to cover, which was the election commitment, all integrated brigades, which is now five, but also to sustain the capacity or capability in the three volunteer-only brigades. So that is the history of how that occurred.

Mr DIMOPOULOS — And have you already seen any difference in those?

Mr ROBERTSON — I have not seen data on the CFA performance as yet, but I am anticipating that it will be positive based on the history of the MFB. There has been some evaluative work done there. As you know it is really around cardiac and non-breathing patients, and it is almost, in a sense, a collaboration with Ambulance Victoria and really it is about getting that critical first aid or medical response to such patients as quickly as possible. I do not know on the CFA, but I am imagining it will be positive on the basis of the pilot they ran and more so the history of the MFB's performing that role over the last 15-plus years.

Mr DIMOPOULOS — My understanding, and I may be wrong, is that the MFB now does more code 1s than ambulance because they are more available. I do not know whether that is accurate, but that is what I have heard. Obviously the ambulance then arrives after.

Mr ROBERTSON — That is right.

Mr DIMOPOULOS — They are first on the scene on more code 1s than ambulances. That is, I think, the correct terminology. Just one more quick question. For the volunteer stations, or even the integrated stations, do the volunteers get a choice about participating in an EMR program?

Mr ROBERTSON — That is my understanding around the pilot, and actually there is on the career side, too, a choice involved. I am not familiar with too many opting out, but there was a capacity to opt out. I think that was on the basis of a number of career staff not signing up to do that work, but my understanding is that all, or nearly all, have taken up the opportunity to broaden their skills.

Mr DIMOPOULOS — I ask that because it is a pretty horrendous job. It is important that somebody does it, but is it a pretty horrendous job.

Mr ROBERTSON — Absolutely. It is very difficult work and it can be quite traumatising. That part of the program actually deals with that aspect of actually introducing this new service through the CFA as well.

Mr DIMOPOULOS — And with the volunteers as well, the fact that they are involved in EMR, that works side-by-side with the charter and they are looked after in that sense?

Mr ROBERTSON — Yes, that would have been done on a consultative basis — exactly. The pilot was really testing, I suppose, the value of the program primarily to the community. There are also, as I think you rightly say, implications on firefighters, be they volunteer or career, because it is a tough job.

Mr DIMOPOULOS — One last one, who provides the training?

Mr ROBERTSON — AV. Sorry, Ambulance Victoria — I should not use acronyms.

Mr DIMOPOULOS — Is that directly? Because I understand that, for their own people, they contract out a lot of that.

Mr ROBERTSON — I can get you a more specific answer on the arrangements.

Mr DIMOPOULOS — It is probably a good opportunity to provide some regional TAFEs with some business about doing their own community — —

Mr ROBERTSON — My understanding is it is AV. Whether that is, if you like, subcontracted, I would need to check for you. We can check and confirm that as part of the answer to the other questions.

Mr MORRIS — Secretary, youth justice riots occurred on 31 October 2015; 6, 7, 23, 26 March 2016; and 6 May 2016. With regard to each of those riots, or serious incidents, how many of those young offenders charged have been convicted and given extended time in the Victorian youth justice system?

Mr WILSON — I would not have that answer, because they are not in the custody of the secretary, unless police would have that.

Mr MORRIS — My understanding, and it is backed up by the response of the Minister for Corrections in the Legislative Council on 22 November, is that it is either a matter for the police or a matter for justice, or corrections I should say, rather than youth justice.

Mr WILSON — If they were in the youth system in 2015–16, they are not in our system, but police would have presumably charged them, so it would be a matter between the police and the courts. I do not know, Chief Commissioner, if you have anything to add?

Chief Comm. ASHTON — No, I do not have specific break-up of data on court outcomes from those, I do not think.

Mr MORRIS — Is it possible to get it on notice?

Chief Comm. ASHTON — Yes, absolutely. We can get them for you on notice.

Mr MORRIS — Okay. On notice is fine. Can I just add to that a second point? How many of those charged had their cases dismissed with no change in their time served or have been released into the community? If I could get those stats on notice, that would be good.

Chief Comm. ASHTON — Absolutely.

Mr MORRIS — Okay. I will try again. Secretary, this is a bit left field —

Ms SHING — You have never done anything left in your life.

Mr MORRIS — but it results from a conversation we had with Richard Bolt yesterday about the *Creative State* strategy. They have an objective in the *Creative State* strategy to reduce crime through creative arts. They said that they are working closely with DJR in terms of doing that. I am just wondering if you can indicate whether there were any outcomes in terms of crime prevention by working alongside creative industries in 2015–16?

Mr WILSON — I would need to check that, Deputy Chair. I know art is quite important in the prison system for offenders generally, but specifically Koori offenders, so we have programs there where it is part of that, I guess, strategy of assisting them reconnect with culture and so on in prison, and that has been quite successful. But I am not quite aware of the creative industries, our role in that and who within Mr Bolt's department is working with in our department, but I am happy to chase that up.

It is an important element of what we do in rehabilitation and so on of offenders in prison. I went to see Middleton Prison Friday a week ago, with Koori offenders there. Without divulging anything that is confidential or personal details, some of them said they had never picked up a paintbrush in their life. One of the characters said, 'If you had asked me months ago, I would almost rather a jail sentence than pick up a paintbrush', but they produced this brilliant artwork, and it has just done wonders for them in terms of reconnecting with their culture and so on and helping them with their rehabilitation. But I can chase that up.

Mr MORRIS — Yes. I would be interested. One of the reasons I am keen to know is that we have got reports that there is the risk of inappropriate activity in relation to White Night and the preparations that the chief commissioner and his people may need to take on that, so it is just a matter of how the two gel together.

On an entirely different subject again — I am trying to tie up a few loose ends here — liquor and gaming. I am sure you are aware — I am certainly aware — of a number of clubs and pubs where the licence to have EGMs has ended badly, to say the least. Probably the most prominent one in recent time is the Frankston Football Club, not all that far away from me. They effectively finished up being bankrupt and have now had to be bailed out by the Victorian government. Are you aware, or can you inform the committee, if there has been action taken by either the VCGLR or the department to assist other clubs that are having financial difficulties as a result of their EGM start-up and ongoing costs?

Ms WILSON — Ms Cate Carr is the executive director that looks after that area. I might ask Ms Carr to address that question. I am not aware off the top of my head.

Ms CARR — Thank you for the question. Just bear with me for a minute. I think I have got the information you are seeking. Obviously I cannot disclose specifics about particular venue operators for privacy reasons.

Mr MORRIS — No, I am certainly not asking not.

Ms CARR — But I can give you some general information. As you are aware, gaming venue operators bought gaming machine entitlements some considerable time ago when the arrangements moved from the gaming operator model to the venue operator model, and the operators were making periodic payments for those entitlements.

There have been a number of clubs, and indeed some small hotels, that have had some cashflow issues and had some difficulty making those payments. There is a hardship scheme that exists whereby a venue operator who is

experiencing financial difficulty can make an application to the department, and the minister has delegated to me the authority to make decisions around those applications. I have the capacity to vary the payment arrangements to either extend the number of payments, which then reduces the financial impost in terms of lowering the periodic amount that is paid or providing some relief in terms of deferring a payment and defaulting and forfeiting the gaming machine entitlements. If you will just bear with me, I will try and find the data to tell you how many of those there have been.

Mr MORRIS — Okay. Just while you are looking for that, and bearing in mind the privacy considerations, I am wondering if it is possible to get a list, not identifying the venues but perhaps the localities of any venues that returned their licences in 2015–16?

Ms CARR — There have been some venue operators that have forfeited entitlements, and they have been forfeited for a number of reasons, which include that they have not used them — so there are some use-it-or-lose-it provisions — but non-payment is also a ground for forfeiting. I can tell you that there has been a total of 364 entitlements that have been forfeited; they were for a variety of those reasons, but a large number of those would be for non-payment or, for clubs like Frankston, that they have closed their venue entirely.

Mr MORRIS — I am getting the wind-up from the Chair because we are out of time, but would it be possible to get a list of those, just by location, on notice?

Ms CARR — Yes, we can do that, provided it does not actually disclose the identity of the venue operators. We cannot do that for privacy reasons, which I am sure you would appreciate.

Mr MORRIS — No, that is fine. If we could just get the locations, that would be helpful.

Ms CARR — Yes, we can do that.

The CHAIR — Perhaps by local government area might be appropriate.

Mr MORRIS — Yes, LGA is fine.

Ms CARR — If there is only one venue in an LGA we might aggregate that with another LGA just to deal with that issue.

The CHAIR — Fair enough.

Mr MORRIS — Yes.

Ms SHING — Sorry, I just have one very quick final thing in relation to the creative industries and engagement with art discussion that Mr O'Brien raised earlier. If consideration could also be given to a response on notice for the Prison Pet Partnership project, which I understand rehomed 70 greyhounds for adoption in the reporting period? I would like to know how that has actually resulted in better inmate engagement as well as providing the additional service of the rehoming program. Thanks, Ms Shuard; that would be fantastic. Everyone should adopt a greyhound.

The CHAIR — I want to thank the witnesses for their attendance. By my reckoning I think we have got about 15 questions on notice; we might have a little more. The committee will follow up on any questions taken on notice in writing. A written response should be provided within 10 business days of that request. All recording equipment must now be turned off. Thank you for your time.

Committee adjourned.