

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into 2020-21 Financial and Performance Outcomes

Melbourne—Tuesday, 9 November 2021

MEMBERS

Ms Lizzie Blandthorn—Chair

Mr Danny O'Brien—Deputy Chair

Mr Sam Hibbins

Mr David Limbrick

Mr Gary Maas

Mrs Beverley McArthur

Mr James Newbury

Ms Pauline Richards

Mr Tim Richardson

Ms Nina Taylor

WITNESSES

Ms Rebecca Falkingham, Secretary,

Mr Craig Howard, Deputy Secretary, Fines, Registration and Crime Prevention,

Ms Larissa Strong, Acting Corrections Commissioner,

Ms Jodi Henderson, Youth Justice Commissioner, and

Mr Andrew Crisp, Emergency Management Commissioner, Department of Justice and Community Safety;

Dr Emma Cassar, Commissioner, COVID-19 Quarantine Victoria; and

Mr Shane Patton, Chief Commissioner,

Ms Susan Middleditch, Deputy Secretary, Corporate and Regulatory Services, and

Mr Byron Crawford, Chief Financial Officer, Victoria Police.

The CHAIR: I declare open this hearing of the Public Accounts and Estimates Committee.

I would like to begin by acknowledging the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future and elders from other communities who may be here today.

On behalf of the Parliament the committee is conducting this Inquiry into the 2020–21 Financial and Performance Outcomes. Its aim is to gauge what the government achieved in 2020–21 compared to what the government planned to achieve.

Please note that witnesses and members may remove their masks when speaking to the committee but must replace them afterwards.

All mobile telephones should now be turned to silent.

All evidence taken by this committee is protected by parliamentary privilege. Comments repeated outside this hearing may not be protected by this privilege.

You will be provided with a proof version of the transcript to check. Verified transcripts, presentations and handouts will be placed on the committee's website as soon as possible.

We welcome the department of justice and associated officers. We invite you to make a 10-minute presentation, and this will be followed by questions from the committee. Thank you, Secretary.

Visual presentation.

Ms FALKINGHAM: Good morning. I would like to also acknowledge the traditional owners of the land on which we are meeting, the Wurundjeri people. I would also like to pay my respects to their elders past and present and Aboriginal elders of other communities who may be with us here at today's hearing. Thank you also to the committee members for your time today.

Our vision is for a justice and community safety system that works together to build a safer, fairer and stronger Victoria. Despite the many challenges created by the COVID-19 pandemic, our staff have continued to serve the Victorian community with the utmost dedication. The response has been outstanding, and it is a clear reflection on the professionalism and commitment of our staff and volunteers.

In 2020–21 the department had an operating budget of nearly \$9 billion and employed 10 000 staff to deliver critical services to the community. We had 15 capital projects commence, valued at \$480 million, and we completed 10 capital projects valued at \$250 million.

As a department we adapted to new ways of working to better service our community. We continue to support victims of crime as well as witnesses, victims and their families who have been impacted by changes to the court processes. We supported our essential frontline and frontline-enabling work areas to continue to attend work, do their jobs and keep our community safe. We established an onsite vaccination program across all corrections and youth justice facilities. We did not neglect the wellbeing of our staff; we tailored ongoing mental health support to support our staff. And in December 2020 COVID-19 Quarantine Victoria was formed, which has since accommodated nearly 40 000 people.

The Department of Justice and Community Safety has worked in partnership with the Victorian Department of Health to deliver an onsite COVID-19 vaccination program in custodial facilities available to eligible staff, contracted service providers, prisoners and young people. As at 30 June 1850 doses had been administered to staff and contractors and 11 099 doses had been administered to prisoners and young people through the onsite program. As at 1 November, 18 926 vaccinations had been administered through onsite clinics.

The department also implemented emergency rental measures to protect Victorian tenants, landlords and the rental market from the worst impacts of the pandemic. The measures administered by Consumer Affairs Victoria included temporary law changes to prohibit notices to vacate and suspend rental increases. This ensured the most vulnerable Victorians would not be left homeless and reduced the financial burden for those adversely impacted by the pandemic.

All up, 220 000 Victorians were helped and more than 130 rental laws were reformed. Once a temporary emergency rental protection ceased, CAV administered the introduction of more than 130 reforms to Victoria's rental laws that expanded the rights and responsibilities of Victorian renters and landlords to create a fairer and safer rental system. The new rent rules came into effect immediately after the COVID-19 emergency rental measures finished to ensure that there was no gap between the end of those measures and the start of new rental reforms.

The State Control Centre remained active throughout the entire year, continuing its work as Victoria's primary control centre for the management of emergencies, including bushfires, floods and storms. In 2021 we undertook a capability uplift in resourcing to support 24/7 coverage across a range of key functional areas, including intelligence, mapping, planning, logistics and public information. The addition of 48 dedicated personnel in 2021 to the existing shiftworker teams ensured continuous service to the Emergency Management Commissioner, the emergency management sector and the broader community. Emergency assistance was also provided to New South Wales in March in response to their flood disaster, while the State Control Centre supported the deployment of 77 personnel to Western Australia to assist with responses and relief operations for tropical cyclone Seroja.

The Victorian government's response to IGEM's review of 10 years of reform to the emergency management sector and inquiry into the 2019–20 Victorian bushfire season phase 1 report was released on 14 October 2020, accepting all recommendations. The Victorian government welcomed the findings of the Royal Commission into National Natural Disaster Arrangements in March 2021, indicating broad support for its findings and recommendations. Victoria is leading one of the priority actions relating to the implementation of the Australian warning system, which is on schedule for delivery in Victoria by the end of 2021 and in other jurisdictions by the end of 2022.

Following the Royal Commission into National Natural Disaster Arrangements, Victoria is now leading the implementation of the Australian warning system, and we also implemented the *Victorian State Emergency Management Plan* as well as launching major campaigns for fire and water safety. In June of this year VICSES received more than 9100 requests for assistance across the state relating to the flood and storm event, and approximately 200 000 customers were supported through this period.

Work continued on DJCS's \$3.4 billion infrastructure program through 2020–21 with appropriate COVID-safe plans in place. This program of work is in delivering modern fit-for-purpose facilities to support Victoria's justice system and the delivery of emergency services. In September 2020 we delivered additional accommodation, activity hubs, telehealth facilities and reception areas at the Fulham Correctional Centre as well as an upgrade and expansion to the medical unit at Port Phillip Prison, adding 20 medical beds.

The Chisholm Road prison project reached peak construction in 2020–21—more than 2 million hours have been worked on the project to date and more than 10 per cent of these hours have been worked by apprentices, trainees and cadets—with the project on track to reach practical completion in 2022. At the same time construction has continued on the new youth justice facility at Cherry Creek.

There has been significant investment in Victoria Police in recent years, which includes thousands of new sworn police officers, new technology, new and upgraded police stations and stronger laws which our department has played a key role in delivering. Funding of \$82.7 million over four years was provided for the Victorian Fixated Threat Assessment Centre to continue delivering coordinated responses to serious threats of violence posed by people with complex needs. Meanwhile, funding of \$42.1 million over four years will continue the vital redress and restorative engagement scheme for victims of workplace sexual harassment and sexual assault at Victoria Police, and efforts to counter violent extremism will also be supported by almost \$16.5 million over four years to improve cross-agency collaboration and intelligence sharing.

Staff across corrections and youth justice have continued to display dedication to their jobs, working hard to ensure those in detention and across the broader community remain safe. To ensure prisoner, young people and staff safety, all prisoners and young people entering custody were required to complete testing and isolation or protective quarantine periods in line with the current health advice and the latest cases in the community. For prisoners this involved a 14-day period. For youth justice this period was adjusted from a 24-hour period to 14 days, given the specific legislative arrangements in youth justice settings.

Throughout their isolation period our prisoners and young people continued to receive entitlements in accordance with legislative and human rights requirements. During the 2020–21 financial year this effort ensured that no COVID transmission in corrections or youth justice facilities occurred. Overall 24 prisoners and nine staff members did test positive to COVID in correctional facilities. Despite the challenges of managing the potential for the spread of COVID-19 there was a 40 per cent decrease in all isolation types between 2019–20 and 2020–21. A combined \$103.6 million investment was made to manage the COVID-19 risk across the correctional and youth justice systems to protect the health and wellbeing of all prisoners, young people and staff.

While restrictions in place, face-to-face appointments were prioritised for both adults and young people who were at the highest risk of offending as well as experiencing high levels of vulnerability. Remote case management was delivered to all other adult offenders and an expanded home-based community work program was rolled out. Face-to-face meetings for young people were supported through the use of outreach appointments where appropriate. The focus on diverting young people from the youth justice system has continued, and in 2020–21 the Children’s Court Youth Diversion Service oversaw 1174 diversions of young people with a 92 per cent success rate. We also expanded the community-based Aboriginal youth justice program and the program for amplifying the voice of Aboriginal children.

A successful pilot disability and complex needs service at Dame Phyllis Frost was conducted in 2020–21 which supports women with cognitive disability and complex needs. As at 30 June 2021, 74 men had also been accommodated in the Maribyrnong community residential facility since it opened earlier in that year. The facility assists men engaging in criminal justice who are homeless by providing appropriate places for them to live during the COVID-19 restrictions.

The department implemented several more pieces of key legislation across the state, including reforms to the workplace injury rehabilitation Act, the change or suppression practices, NDIS worker streaming and the decriminalisation of public drunkenness and spent convictions. An Aboriginal Justice Forum was held online for the first time in its 21-year history during the pandemic, and two forums were held and one in person in Horsham.

A new *Crime Prevention Strategy* was also released in 2020–21 setting out a clear long-term approach for how government will work with Victorian communities, businesses and key organisations to intervene early and prevent crime before it occurs. The building safer communities program, a key initiative under the strategy, has been designed to address key risk factors and improve community safety. We thank you for your time today, and we look forward to assisting the committee with its inquiries.

The CHAIR: Thank you. Mr O’Brien.

Mr D O'BRIEN: Thank you, Chair. Good morning, everyone. Secretary, the department's annual report on page 19 indicates that it has complied with and met its obligations with regard to fire services implementation and reporting. Why, then, Secretary, are more than 10 months of fire services response time data not published and still overdue?

Ms FALKINGHAM: Thank you, Deputy Chair. I might refer to Commissioner Crisp to answer this question.

Mr CRISP: Thank you. With the implementation of fire services reform there were some technical issues in relation to capturing data, and therefore that did hold up the reporting in relation to the third and fourth quarters. I understand that has been rectified and that should be reported very soon.

Mr D O'BRIEN: So will all the missing months be reported at once?

Mr CRISP: That is my understanding, yes.

Mr D O'BRIEN: What is the hold-up? Presumably despite the change of management the data would still be being recorded by someone.

Mr CRISP: My understanding is it was a technology issue that meant that it could not be captured.

Mr D O'BRIEN: Okay. Can you give me any indication of how the new services are performing in terms of response times?

Mr CRISP: I see both Fire Rescue Victoria and CFA working very effectively, and whilst they are the primary agencies subjected to the fire services reform it is also about the relationships with other emergency services. So again, I see really strong relationships between Fire Rescue Victoria, the CFA and the SES and also Forest Fire Management Victoria. Again with the Country Fire Authority becoming a volunteer-only organisation there is good conversation between Forest Fire Management Victoria and the CFA about how to build capability in relation to bushfire work.

Mr D O'BRIEN: But in terms of response times, have they improved?

Mr CRISP: The response times have not improved. They have been impacted by COVID. With the CFA, when they call out volunteers there is a requirement for them to undergo temperature testing. Additional PPE is required to be worn, and that has also impacted on some of those response times. As we know with response times, they are also dictated by the conditions at the time. That could be the weather conditions; it could be traffic conditions et cetera—but very close to hitting those targets.

Mr D O'BRIEN: Notwithstanding the testing requirements—which you have to say, if a house is on fire, do we really need to stop and test someone, but that is perhaps another question—given, in terms of traffic alone, with lockdowns over the last two years we have seen dramatically reduced numbers of people on the roads, surely that should actually improve response times.

Mr CRISP: It might in some areas, but there have been times when we have not been in lockdown.

Mr D O'BRIEN: Okay. Can you give me an idea when the data will be released?

Mr CRISP: I believe by the end of the year.

Mr D O'BRIEN: By the end of the year?

Mr CRISP: The end of this calendar year.

Mr D O'BRIEN: It might be like the Ken Lay report last Christmas; we had just better check which Christmas. This might be again to you again, Commissioner Crisp. Page 20 of the annual report mentions the department, and this is a quote:

... continued to support inclusion and diversity initiatives in the Emergency Management sector ...

Why then has female participation actually continued to dwindle, particularly in the fire services?

Mr CRISP: It is definitely a priority for all our emergency services and particularly Fire Rescue Victoria, being the new fire agency. They have, as part of their new arrangements, established the strategic advisory group, which has representatives from the broader community to help inform them in terms of how they can go about attracting more women into the organisation. They do have women at all ranks of their organisation, some from deputy chief all the way down, so there are some strong role models at those various levels.

It is a focus also of the inclusion and diversity leadership group, which I chair, across all the emergency services. We have got three priorities we are working on at the moment. One of those is actually very much around recruitment. Only last week there was a meeting of the national Champions of Change for fire and emergency services. Again, recruitment is discussed there. So there is a real focus. Also, looking at other—

Mr D O'BRIEN: Can I ask, sorry, Commissioner, what is the current percentage of females in the fire services?

Mr CRISP: I believe it is about 3 per cent career in Fire Rescue Victoria.

Mr D O'BRIEN: Do you have figures for CFA?

Mr CRISP: In terms of volunteers, I would have to take that one on notice.

Mr D O'BRIEN: Okay. That would be good. And has that gone up or down, the 3 per cent for career firefighters?

Mr CRISP: I think it is stable.

Mr D O'BRIEN: Stable? Righto. This possibly is more a question for the Secretary. Page 70 of the annual report lists 'Grant expense', and I am guessing by the numbers it is not actually grants, it is the actual funding to the organisations. Noting that of course we have had the change from MFB to FRV and change with CFA as well, the figures from 2020 to 2021 are still quite remarkable in that the increase of funding to Fire Rescue Victoria compared to what the MFB used to have is something like 90 per cent. The decrease to the CFA is about 60 per cent. Can you explain why there is such a disparity, noting of course big chunks of the CFA have obviously gone across to FRV, so there would have been an increase but not that disparity where there is effectively a 60 per cent reduction to CFA but a 90 per cent increase to FRV.

Ms FALKINGHAM: Obviously during that time the government has made a number of investments. I presume you are just talking about the emergency service organisation grants when you are referring to the annual report.

Mr D O'BRIEN: Yes. It is the table on page 70, which—

Ms FALKINGHAM: There has been no reduction in CFA funding commensurate with the functions and responsibilities that CFA retain. So we are happy to provide you on notice a comparison between CFA and FRV funding, which will show that there is no reduction in CFA funding in fact.

Mr D O'BRIEN: Just so I am clear on this—as I said, it is table 3.3. It says 'Grant expense', and it is in thousands so where it says \$4 million for Victoria Police I assume that is \$4 billion, and the CFA figure goes from \$790 million down to \$343 million. So are you telling me that that is entirely just the transfer of the CFA professional stations to FRV?

Ms FALKINGHAM: That is correct, yes. But we will provide you with a breakdown because, as I said, there is no reduction in funding to the CFA commensurate to the responsibilities and functions they retain. In fact their funding has gone up.

Mr D O'BRIEN: All right. I would be interested to see that breakdown. Likewise, on page 73 of the annual report, it lists 'Employee benefit expenses'.

Across the portfolio areas for 'Departmental outputs', Secretary, for 'Reducing the impact of emergencies'—which is obviously the emergency services—the employee expenses have gone from, in 2020, \$50 million to, in 2021, \$442 million. It is a 784 per cent increase. I had to sort of re-read those figures a few times. Notwithstanding there have been some structural changes, what explains that?

Ms FALKINGHAM: So obviously we invested heavily into the State Control Centre to provide core functionality, because you will recall that for a long time we have been operating on a surge model. The government made the decision to invest so we have permanent capability within the State Control Centre, so a lot of what you are talking to goes to that—building in for the fact that we are pretty much operating on a 24/7 emergency management model at the moment. When you compare everything from the pandemic through to bushfire and storm and other emergencies, we are operating on a 365-day calendar period, and obviously we have to make sure we are properly staffed for that and we need to make sure our staff are given relief so that they are able to support their wellbeing. Commissioner Crisp might want to supplement, but we have really built an ongoing core function for Victoria.

Mr D O'BRIEN: Well, surely though, Secretary, as I said, \$50 million to \$442 million in total employee benefits—I mean, how many FTE staff do we have at the State Control Centre?

Ms FALKINGHAM: Included in that number is money for CQV—that does fall under the output group now—so its core functionality for the State Control Centre and for CQV, which obviously has built a permanent quarantine function for the state.

Mr D O'BRIEN: Does that figure include the fire services as well?

Ms FALKINGHAM: Sorry?

Mr D O'BRIEN: Does this figure for 'Reducing the impact of emergencies' for the output include the fire services as well?

Ms FALKINGHAM: Yes, it does, and also for our industry support during the pandemic, so our industry implementation of the pandemic restrictions as well.

Mr D O'BRIEN: Righto. So when was that major increase to the State Control Centre completed?

Ms FALKINGHAM: I might go to Commissioner Crisp.

Mr CRISP: I am just trying to recall. It was about 10 or 11 months ago.

Mr D O'BRIEN: Okay. This is what I am getting at, though. This is a 784 per cent increase. How many FTE staff are at the State Control Centre, on average? A hundred?

Mr CRISP: Well, we have employed 48 with that additional funding.

Mr D O'BRIEN: 48. Well, that does not account for \$400 million, Secretary.

Ms FALKINGHAM: But I have just added to that, Deputy Chair. The CQV and industry have contributed to that, so obviously setting up the Quarantine Victoria AO has contributed to that output group, and obviously they were newly established and that is why they are under that output group.

Mr D O'BRIEN: Presumably it also includes impacts of fire services EBAs?

Ms FALKINGHAM: Yes, it will.

Mr D O'BRIEN: Can I then get a breakdown perhaps of that figure—so it is now \$442 million—for the employee expenses by those organisations that you have mentioned, including both FRV and, to the extent that it is relevant, CFA?

Ms FALKINGHAM: I certainly can, but again just to reiterate that obviously that funding goes predominantly to the core establishment within the SCC but also CQV and the industry support during the pandemic.

Mr D O'BRIEN: This is employee expenses, just to be clear. It is none of the capital, it is the employee expenses for one year.

Ms FALKINGHAM: Yes, but the bulk of that expenditure goes towards CQV and to SCC and to industry support during the pandemic.

Mr D O'BRIEN: But again, CQV started in, what, November, December last year?

Ms FALKINGHAM: Yes, but before that we obviously had another—before it became CQV it was also a dedicated—we were running—

Mr D O'BRIEN: After it left the Department of Health.

Ms FALKINGHAM: It went from the Department of Health back to the department of justice for that period when flights were not being returned to Victoria. We obviously had an ongoing operation during that period.

Mr D O'BRIEN: Okay. If I could get on notice a breakdown of where that figure is per agency or organisation within your department, I would appreciate it.

Ms FALKINGHAM: Yes, I can do that.

Mr D O'BRIEN: Because it is a stunning number. Can I move to ESTA now, Secretary? Clearly at the start of July last year, the start of the financial year, we knew there were going to be increases in demand on emergency services given that the pandemic was well underway by then, but the budget for ESTA only went up 10 per cent. Why was that? Do you think that we actually prepared well enough for the demands on ESTA?

Ms FALKINGHAM: I might ask Commissioner Crisp to supplement, but I think it is worth going through some of these statistics. So in 2020–21 ESTA answered more than 2.8 million calls, which is a 1.2 per cent increase on the previous year. That is equivalent to a call every 11 seconds, or more than 7700 calls per day. ESTA obviously has seen massive increases quite recently, consistent with what we were expecting to happen during the pandemic. ESTA did a lot of work. The board in particular did a lot of work planning and understanding what the impacts on ESTA's work would be. Obviously the ambulance call demand has increased substantially since the start of the pandemic, but absolutely the ESTA board planned and did a lot of preparation work to think through what the impacts were and to look globally at what had happened to call-taking services to understand how they could better respond. We have done a lot of work, as you are aware, trying to encourage people not to call 000 unless it is an absolute emergency. Just recently, on 27 September, ESTA received the highest ambulance-related call volume on record since thunderstorm asthma. They are under enormous pressure, as the Attorney-General has mentioned, and we are doing everything to support them across both the Department of Health and the Department of Justice and Community Safety. Absolutely they did plan and prepare for it, but no-one would have imagined the kinds of peaks in demand that we have seen quite recently. I am not sure if the Commissioner would like to—

Mr D O'BRIEN: No. So the government then announced in May this year \$46.2 million in additional funding to:

... allow ESTA to maintain consistent Triple Zero service delivery and provide additional full-time equivalents ... to meet service demand increases.

How much of that has actually been spent?

Ms FALKINGHAM: As part of obviously the funding from 2021–22, ESTA recruited 43 new full-time equivalent call-taking dispatch and mental health support roles to help meet the growth in ambulance demand and improve patient outcomes. So that work has been completed, and we continue to work through what other support we can provide to ESTA. Obviously, as you know, it is a very specialist role. We cannot immediately just move people onto ESTA call taking; we need to make sure that they are appropriately recruited and trained and can respond to what are, as I said, really peaks in demand for their services.

Mr D O'BRIEN: So that \$46.2 million, that is a recurrent spend, I assume.

Ms FALKINGHAM: That is right.

Mr D O'BRIEN: That is on extra staff. That will roll out over the next four years—

Ms FALKINGHAM: It will, yes.

Mr D O'BRIEN: or is that an immediate injection for the 2021–22 year?

Ms FALKINGHAM: That is correct, yes. And obviously that has been critical to giving the certainty to ESTA employees. How we recruit people into the future is giving them the ongoing certainty about their roles within ESTA.

Mr D O'BRIEN: I know the review has been announced by former Commissioner Ashton. I am just going through a few reports over the past few years. In June: the fears that glitches and serious outages at 000 could result in the deaths of people each day. In May 2021: the system was offline for hours following months of outages. Last November: ESTA and AV investigated the case of a person who died shortly after a software upgrade. In March 2019: staff were threatening a strike. So there have been a few things over the years, including an Auditor-General audit—he did his own review in 2015. What is the Graham Ashton review going to find and fix that these others have not fixed?

Ms FALKINGHAM: Commissioner Ashton will be doing a deep dive to understand what has happened over the course of the pandemic to really understand the impact that it has had on ESTA overall. He will look at everything from governance to understanding the peaks of demand and understanding the specialisation in terms of the training and the skills that are provided into the future to understand whether there are better models for triage and responding to different types of emergencies, working through what the interface is with all of the emergency services and whether anything can be done to streamline and to make more efficient some of those diversion pathways. Commissioner Ashton is bringing fresh eyes. Obviously he is bringing years and years of experience to the role. He is out there meeting with everyone at the moment, including people that have had good and bad experiences through ESTA—it is really important that we ensure that the voices of people that use ESTA are really front and centre in the review—but he is also talking to the workforce. He is obviously talking to the industrial partners to understand what in fact has been going on and what could be different from their perspective and really ensuring an end-to-end system.

Mr D O'BRIEN: I had a constituent tell me last week they had a friend out for a bike ride on a bike trail hit by a wallaby. I should not laugh; it was a serious injury. It took them half an hour. They rang. They were asked, 'What service do you want and what state are you in?'. Is that unusual, for a start?

Ms FALKINGHAM: I might ask Commissioner Crisp to respond, but first of all, we hope your friend is okay.

Mr D O'BRIEN: Yes, they are fine. It was not my friend; it was the constituent's friend. I guess the point was that it took half an hour for them to be transferred to AV, and when they did get them the ambulance got there in 15 minutes—to a relatively remote location. So I guess the question is: when are we going to see improvements? What are the metrics at the moment now in terms of response times, and when are we going to start to see improvements?

Mr CRISP: I can add to the Secretary's comments. Just in terms of former commissioner Ashton's work, he is also looking at the fact that ESTA at the moment manage the services in relation to contracts, so whether they should just be a call-taking and dispatch organisation as opposed to managing network and hardware contracts. They are under pressure at the moment, and there is a lot of work happening at the moment. So we have put in a joint support agency group—it has representatives from a number of different government departments and EMV—to go in there and help them develop a really strong plan about what they can do. I was involved in coordinating a national meeting. In the other ambulance services around the country they run call-taking and dispatch. So we got the heads of all those organisations together to learn from their experiences. We are also looking at exploring utilising, in terms of triaging, second-year paramedic students to take some of the pressure off, and still some ongoing discussions with New South Wales about possibly trying to access some resources, but very early days around that.

Mr D O'BRIEN: Okay. Thank you.

The CHAIR: Thank you. Mr Maas.

Mr MAAS: Thank you, Chair, and thank you, Secretary, commissioners and departmental officials for your appearance this morning. Secretary, I would like to go to the questionnaire, and in particular the *Crime Prevention Strategy*, which you detail was released in June of this year. Part of that strategy is the building safer communities program, and the questionnaire also details that there has been an \$18 million investment in the

delivery of that program. I was hoping you would be able to explain for the committee how the funding of that program feeds into the *Crime Prevention Strategy*.

Ms FALKINGHAM: Thank you for your question, and I might ask Craig to supplement this answer as well. But to go to the *Crime Prevention Strategy*, obviously, as I outlined in my presentation, the government's new *Crime Prevention Strategy* sets out a really clear approach for government to work with police, communities, local councils and other key organisations to tackle the causes of crime, reduce contact with the justice system and create safer communities. That does include specific support and focus on preventing young offending by engaging and supporting young people at an earlier stage, and we are grateful to our colleagues at Victoria Police for the work that we have been able to do through this strategy. The strategy is backed by an \$11 million investment in the 2020–21 state budget and a further \$19.8 million investment in the 2021–22 state budget. That included the investment to continue the 15 youth crime prevention grant projects across the state. Since 2016, as you would be aware, the youth crime prevention program has provided really intensive one-on-one support to more than 1100 young people and more than 2000 prosocial activity sessions have been delivered, including 770 sessions delivered during 2020–21. We have continued funding for our key crime prevention partners, Crime Stoppers Victoria and Neighbourhood Watch Victoria. We have delivered, as you mentioned, the building safer communities program, which does focus on and include grants, place-based initiatives and a series of community forums to explore issues of concern and support local solutions.

We have delivered education, sports, employment and family support initiatives to guide young people into positive pathways and improve life outcomes, particularly for cohorts over-represented in the justice system, so our African-Australian, our Pasifika and our Aboriginal communities. That has included the really fantastic Ubuntu empowering mothers project, which has supported over 80 mothers and families in Melbourne's south-east and west; the sports alliance for crime prevention, which has funded five youth engagement projects, which have reached approximately 1000 young people; as well as six grants for the African-Australian community sporting clubs, which has been a really successful program for us. Including these recent investments, the government has invested over \$85 million since 2015–16 in crime prevention and supported more than 860 projects that increased community safety and confidence across Victoria.

Mr MAAS: Thank you. In terms of the overall policy development by the department it says in the questionnaire that prototype projects were delivered to inform the approaches the government would take in future crime prevention work. These were funded through an allocation of \$5 million in a previous financial year. Would you be able to inform the committee how these projects inform project design and selection in the building safer communities program?

Ms FALKINGHAM: Thank you for your question. Obviously evaluation is a core part of these programs. So the *Crime Prevention Strategy* has four key outcomes—so, Victorian communities are more connected, cohesive and engaged in designing and delivering local solutions to prevent crime. Led by Minister Hutchins we have engaged deeply across the community, and obviously during the pandemic we have had to move a lot of that to online forums. But getting that feedback and evaluation to inform future programs has been really important to the work. The other outcomes obviously are fewer Victorians coming into contact with the criminal justice system, more people at risk of offending are connected with earlier, more effective support and Victorians are safer and really importantly they feel safer.

So we have developed a really detailed outcomes framework to support future measurement and reporting on the impact of crime prevention issues that again sees high-level objectives. For all funded projects it is important that we have high levels of procurement transparency. Awarding of those grants is carefully scrutinised, and all funded projects are carefully managed and required to report regularly on progress and outcomes. So a really important part of that work is working with local communities to build capacity in relation to their ability to deliver on those kinds of evaluations as well.

Larger projects across the program are required to undertake full evaluations, and we utilise a lot of the experience that exists within government to conduct some of those evaluations. So, for example, under the new building safer communities program, grants will fund innovative community projects which are then evaluated against the outcomes framework, with findings published and shared to build knowledge and capability to deliver effective initiatives and better understand the impact of the work. We thought it was really important to share some of those findings right across communities. Any community that might not have been successful in

a grant can actually learn from other grants in terms of how they have gone not only around delivery but also how they applied it and how they developed their program.

Mr MAAS: Terrific, thank you. In terms of the evaluation, are there any sorts of measures that you could take the committee through?

Ms FALKINGHAM: Sure. So it has been important obviously to be able to ensure that the measures are really practical and manageable, so looking at things like increased feelings of safety in communities engaged in crime prevention issues, which is a really hard thing to measure, as you would know, and trying to not just use one measurement tool; looking at the decrease of numbers of relevant offenders in community areas targeted by crime prevention initiatives; and looking at how individuals participating in crime prevention initiatives have increased protective factors against offending and increased community connection for locals involved in crime prevention initiatives. I am not sure if Craig might like to add to that.

Mr HOWARD: No, I think that is a very good summary, Secretary. I think we had a discussion at the last PAEC meeting about the performance measures, the BP 3 measures, and we are in a transition at the moment from what are traditional outputs to outcomes. The outcome framework we have developed identifies that crime prevention does not happen through a crime prevention grant on its own; it needs a whole range of other agencies to participate in that outcome, and those measures are designed to capture some of those outcome results as well. I think this will inform forward progress for each and every new round of grant funding that we have and will provide a detailed view about how we think the success should be measured.

Mr MAAS: Thank you very much. How can we as a committee be exactly sure that the crime prevention funding is actually going to the areas or those communities where crime has a bigger impact on the community, and is that something that the department is taking into consideration?

Ms FALKINGHAM: Yes, thank you for the question, and it is one that we take very seriously. Obviously we are a department that is driven by data and evidence, and in particular for place-based action on crime prevention it is really appropriate that we are trying to tackle the drivers of crime. So the department does undertake a range of analysis where crime prevention investment is best directed. So the data analysed includes looking at socio-economic data to identify areas of disadvantage and social issues linked to crime risk factors; crime and justice data, including indicators such as crime and victimisation rates; and using sources such as youth justice regional survey data and high-harm crime data, wellbeing and safety data, including surveys on perceptions of safety, social connection and council wellbeing surveys. Obviously we work really closely with councils as part of this work and value their input and other community-level information as it exists. That might be commonwealth ABS data as well. Community consultation has been a really rich source of data for us to provide context to the data. Consultation with our own regions right across government, local government, as I mentioned, community organisations and community members are critical to understanding the issues experienced by people who live, work and recreate in communities.

Using that range of data and analysis really allows us to take both a place-based and cohort-focused approach to investment to identify where and who should be the focus for support. For example, one type of analysis included what is known as the cohort regression analysis of 2137 offenders who entered custody by the age of 21. This kind of analysis really examined the relationship between different factors to understand young people's contact with the justice system and identify some common characteristics and trends of young people who enter custody to identify opportunities to intervene earlier. The department's analysis then developed a data matrix to support the *Crime Prevention Strategy's* focus on addressing social disadvantage that contributes to crime and social disconnection that drives fear of crime. The matrix identified LGAs that could benefit from support due to high levels of crime, victimisation and social disadvantage indicators or lower levels of reported social wellbeing. This combined matrix analysis really informed the assessment of competitive grant applications, so we were able to really use that data to drive where the investment should be. The targeting of funding through the Empowering Communities grants and the establishment of partnerships with key communities and groups that are most impacted by crime was enhanced by the data.

As well as analysing that data the department undertakes additional community consultation to understand factors that contribute to offending, especially by young people. Some of these are systemic factors such as social disadvantage, adverse childhood experiences and systemic racism, and some are more localised, such as the social disconnection or lack of pro-social activities available. These differ between regions and

communities, as you would be well aware, and neighbourhoods, so community engagement and consultation approaches such as the building safer communities forums and empowering community action groups help to understand community concern and ensure funding is directed to address identified community need within the identified LGAs.

Mr MAAS: Excellent. Thank you very much. I would like now to move to the intermediaries program. The questionnaire shows that there has been support and indeed investment in this program. Could you explain for the committee how that program is working with victim-survivors, witnesses and their families as well as the courts and police to improve access to justice services?

Ms FALKINGHAM: Thank you for the question. The intermediary program is a program that we are really, really proud of in the justice system. It obviously cuts across most parts of our system. It has been even more important during the pandemic to have this program available. It is a key component of trying to make the justice system more accessible and responsive to the needs of victims of crime, which is one of our central objectives in the department. It also makes the trial fairer and more efficient for everyone involved in the court proceedings. The experience of giving evidence, as we are all aware, in the criminal justice process is highly traumatising for most victims of crime. For child witnesses and adults with a cognitive disability it is even more particularly distressing, with a high chance of the system contributing to people feeling revictimised. So witnesses who are eligible for an intermediary are children, young people and cognitively impaired witnesses, other than the accused, in proceedings involving charges for sexual offenders or homicide.

Without intermediaries victim-witnesses routinely face systemic barriers to justice, because obviously we need to be able to communicate and communicate well to everyone involved in the court proceedings. The methods used to question witnesses are particularly difficult for people with communication challenges and can compromise their evidence. It is all too often assumed that their evidence is unreliable, and so prosecutions often do not proceed and the justice system does not get to hear the really important voice of those victims. So intermediaries have absolutely played a vital role in working to ensure skilled communication specialists with professional qualifications are available to children and young people, and to adults with cognitive impairment giving evidence in court in sexual offence and homicide matters. Intermediaries are also available to assist victims and witnesses to participate in the taking of visual and audio recorded evidence by police, which is referred to there. So this work has obviously assisted police, lawyers and the judiciary to plan their questioning so that the victim can understand, participate and feel more confident and provide better quality evidence, which is really, really critical.

A request for an intermediary can also be made by Victoria Police. Police can do this by referring a witness to the matching service so that the communication needs of the witness can be assessed before the police interview is undertaken. The matching service is really critical to ensuring that the right expertise is matched and is relevant to the communication needs of the witnesses as well as suited to their age and stage of development and the part of the cycle they are in within the justice system. An intermediary can also undertake an on-the-spot assessment of the witness's communication needs before the police interview takes place so that they can advise police of really practical strategies that they can use during the interview, so questions can be asked really clearly, witnesses can understand the questions asked by police during the video recordings of their evidence and the answers can be as clear as possible.

In reviewing the intermediary program, one of the things that we have been really interested in is obviously understanding and evaluating. As I mentioned before, it is critical to everything we do in the department. Police have given us some really good feedback around how we can even better improve the program.

Mr MAAS: Terrific. Thank you. How many victim-survivors have accessed support through the program?

Ms FALKINGHAM: Specifically, the \$9.9 million for the initiative included in the 2020–21 budget included \$2.2 million to extend the intermediary pilot program for one year. This built on the \$5.5 million initially invested in the program since it was established as a pilot in July 2018. The state budget provided a further \$9.9 million for ongoing delivery of the intermediary program. It is available at the Children's Court, the Magistrates, County, the Supreme Court in the Melbourne CBD. We currently employ seven intermediaries in the department, and there are an additional 21 intermediaries who continue to provide support right across the system. So far this year we have received 475 requests for assistance, and 415 of those requests to match were matched to an intermediary.

Mr MAAS: Terrific. Thank you. And just in the time remaining, is there a practical example or a case study that you would be able to provide us of the use of the intermediaries program, particularly maybe with an outcome for a victim or witness with a cognitive disability?

Ms FALKINGHAM: Yes. One of the things I really love about being in the Department of Justice and Community Safety is when you can really see the impact that the work has had, and I have got a case study of Ben, who was an 18-year-old male who was a complainant in a sexual abuse matter. Ben had a diagnosis of mild intellectual disability and moderate-severe language disorder. He had left school in year 7 and lived in out-of-home care throughout his teens. He had a history of drug abuse and was highly anxious. He lived in rural Victoria with very, very few supports about travelling outside of his community. He was referred to the intermediary program where the assessment took place, and it was conducted really flexibly and informally, taking as much time as Ben needed, which was really critical to enable us to get a sense of safety and support for him. The assessment took place in a really neutral place in Ben's home town. Following this assessment Ben's special hearing at the court included giving evidence at a later time in the morning, allowing Ben to wear his hood, which covered his face to protect his privacy and how he was feeling, allowing him to stand up and leave from the court. We really worked with the judiciary to help them understand what Ben was feeling, and Ben was able to provide non-verbal responses when he needed to, which was really important to him. He was offered breaks every 15 minutes, and he was able to give his evidence really clearly, and he came out—and this is a really fantastic moment for the program—and he left the court and he said, 'I did it'.

Mr MAAS: That is great. Thank you very much. Thanks, Chair.

The CHAIR: Thank you. Mr Hibbins.

Mr HIBBINS: Thanks, Chair. And thank you, everyone, for appearing this morning. I would like to start off—I think I ask this question every time. It is around service delivery outcomes for prisons, and I am just wondering—you know, on notice, if required—if I could just get a breakdown of the service delivery outcomes for prisons that make up the current aggregate number that is published?

Ms FALKINGHAM: I might refer to Commissioner Strong.

Ms STRONG: We can provide that.

Mr HIBBINS: Okay. Thank you. And I think last time I asked as well about the proactive publishing of those figures, and I think the response was that service delivery outcomes would be in the annual report. But is that more the aggregate that is going to be provided in the annual report, or will it be broken down by prisons?

Ms STRONG: My understanding was it would be by prisons but not by an SDO for each prison.

Mr HIBBINS: Okay. Thank you. I just make the note that, you know, obviously there is significant investment in prisons, and for the public to proactively have that information I think would be much better in terms of transparency and accountability to the public.

I would like to move on to raising the age. Now, the budget papers do not contain information on the number of children under 14 within the justice system, but I believe the Attorney-General stated last year that there were 44 children between the ages of 10 and 13 that were on remand and no sentenced children. Is that correct for 2020–21?

Ms FALKINGHAM: I might ask the Commissioner to give you the most up-to-date figure.

Ms HENDERSON: Thank you for your question. I will just check the data. I can tell you as of today's numbers there are no 10- to 13-year-old children currently in custody. There are seven in the community. Five are in the community and not under sentence—so they are on bail—two are under sentence, and one Aboriginal child is included in those numbers. I will just go to my 2020–21 numbers.

Sorry, someone has just sent them through to me.

Mr HIBBINS: We can take it on notice if need be.

Ms HENDERSON: Yes, I might. Is that okay?

Mr HIBBINS: Okay. Thank you.

Ms HENDERSON: Thank you.

Mr HIBBINS: One of the reasons that has been given by government for not raising the age of criminal responsibility is that there needs to be an alternative model from the current remand/bail system. Can I get some understanding in terms of whether an alternative system is actually realistic and feasible and whether any work is being undertaken to create such a system?

Ms FALKINGHAM: Sure. Thanks, Mr Hibbins, and we appreciate your ongoing interest in this matter. I might quickly just go through the numbers, which I have just found. As of midnight last night there were no 10- to 13-year-olds in custody. The number of unique children aged 10 to 13 in youth justice decreased from 2019–20 to 2020–21 from 45 children to 41 children. The number of Aboriginal children 10 to 13 years decreased by 40 per cent from 2019–20 and 2020–21, and that is testament to work right across the system, including our colleagues at Victoria Police and our colleagues in youth justice across the NGO sector, who have had such a really intense focus on keeping our young people out of the youth justice system. We have been working on an alternative service model to really understand kind of what is that work that needs to be done.

Commissioner Patton might want to speak to the work that Victoria Police have been doing around diversion and cautioning, which has been critical to the reforms that we are undertaking.

We are ensuring that we have an end-to-end system so that we all work towards that collective outcome, which is to keep all young people out of contact with the criminal justice system. We are now working with colleagues in the Aboriginal caucus to ensure that they are comfortable with our approach to how we are ensuring that alternative service model. Obviously you would be aware there is a meeting of attorneys-general later this week that will no doubt talk again about the age of criminal responsibility, but we are getting on with the work right across government. We are working with our colleagues in department of families and fairness and also the department of education and the Department of Health to ensure that whether it is an intervention in relation to mental health or whether it is better support through child protection or it is keeping our children engaged in education, that we are throwing everything at it to ensure that our young people do not end up in our system. As I said, it is testament to the terrific work all of our people have been doing to keep people out of the system. Commissioner Patton, do you want to add to that?

Chief Comm. PATTON: Yes, I will, thanks, Secretary. This has been a clear focus for us, because Victoria Police does not want to see young people incarcerated or involved in the justice system in any way whatsoever if we can avoid it. It has been a clear focus of mine and the organisation, and recently—I think it was around March or similar—at an Aboriginal Justice Forum meeting I committed to expanding the Aboriginal cautioning program and indeed did so. We have expanded that from the three trial sites to an additional 11, so 14 sites right across the state. There has been involvement with the Aboriginal community but also a whole range of key stakeholders. So we are seeing significant increases in the adoption of cautions to make sure that young people, Aboriginal youth, are not involved in the justice system. And I questioned: why haven't we seen an uptake in cautioning for youth in general? We looked at that, and we had some very strange, if you like, policies in place. One of them was: if you did not admit the offence, you were not eligible for a caution. So someone acting on legal advice to make no comment would not have been eligible for a caution, which was mad—and things like that. We also looked at: you could be eligible for more than one caution as well. It was taking into account all the circumstances. So it was basically assessing our policies, working with the stakeholders, and we then said, 'All right, we're now changing'. And we just changed it overnight. Since then we have seen a significant uptake in that.

Also we are very focused on the diversions in the Magistrates Court. So it is a whole approach, working with the department of justice as well, to making sure that we are seeking to address the causal factors for the kids, not seeking to lock them up. But of course there are occasions where we do arrest them and we do have to take them before courts; that is quite obvious when they are high-impact, high-end crimes. But for those matters that we can deal with and where we can engage with other services and everything and divert them, that is absolutely what we are doing.

Mr HIBBINS: Yes, okay. Terrific. Thank you. I would like to now move on to lockdowns within youth detention. The published data shows that there are a number of lockdowns for security centre reasons, which I think are more than sort of behavioural and COVID-related isolations. Is this due to a lack of staff, that there were a huge number of isolation incidents of children in youth detention in the last quarter?

Ms FALKINGHAM: I might ask Commissioner Henderson to respond to that.

Ms HENDERSON: Thank you for your question. I will just give you some numbers, because we are seeing with the concerted effort around our risk assessments a significant decrease in lockdown and isolations. That has slightly come up due to COVID isolations. But there has been a 53 per cent decrease in episodes of security-based and behaviour-related isolations in youth justice for 2020–21 compared to 2019–20, and if you include COVID isolations, there has been a decrease of 40 per cent for the year 2020–21 compared to 2019–20. I think it goes to the work that our staff do every day to manage the young people through risk assessments. There is a daily risk assessment now applied, and then there is a daily safety advice that goes on through the day. It also includes a structured day with our partners of education, mental health and offending programs. And then at our highest risk time, which is often 6 to 8 o'clock in the evening, we have the sports alliance other funded agencies coming in and running very intense programs, as well as our staff really engaging in, I guess, pro-social activities that you would expect children at that age to engage in. So we have seen a significant decrease and decline, which makes the children and our staff safer.

Mr HIBBINS: Okay. Thank you.

Ms FALKINGHAM: If I could just add to that, Mr Hibbins, we also try and be as transparent as we possibly can. So all isolations are reported to the commissioner for children and young people, and children are also told that they can report to the Victorian Ombudsman if they have any concerns about those isolations.

Mr HIBBINS: Okay. Thank you. Can the committee have any further information describing the reasons for security of centre lockdowns—whether they are facility-wide lockdowns, how long they are and which facilities?

Ms HENDERSON: They can vary, to be honest. So the important piece around that is, as the Secretary has indicated, we are very transparent and we report all of that through to the commission. On a day-to-day basis the thing that I think is important is our staff, and we have enough staff to come to work and get our young people up. And that is where the decrease has been. The increase or I guess the balancing act is making sure that our staff and other young people are very safe. So if we have an incident or received intelligence—young people are generally unsettled—we take a cautious approach to make sure that we can keep things as safe as they can be, and that might be extended isolation for safety and security. But what we try and do, and philosophically very important, is that we make that for the shortest period of time, so we never lock children down just for the sake of it. There is strict legislation and requirements, and we practice very proactively about having a very good reason why.

Ms FALKINGHAM: To go to the Commissioner's point, you will be aware that three years ago we were seeing a lot of churn of staff. We were using a lot of agency staff. We have now moved most of the agency staff out, so we have core ongoing staff who are familiar with the kids. I just want to take the opportunity to say it is testament to our staff that even during the pandemic they have remained at work, and what has kept our youth justice facilities open is the continual commitment to our young people.

Mr HIBBINS: Thank you. I would like to now just move on to the IBAC report into corrections, which obviously raised a number of issues in regard to corrections, but it did not so much relate to the youth justice system. It did not examine the youth justice system, but it did note, and I will just quote from the report:

... some of the corruption risks and prevention opportunities identified in this report may also apply to youth justice and community corrections, and warrant consideration by DJCS and Corrections Victoria.

What has the response been to that?

Ms HENDERSON: We have a very strong integrity strategy in youth justice, and it links to the department-wide integrity strategy. We have been proactive, particularly in the last couple of years, with our risk part of the department that comes out and meets and runs workshops with our staff. We also have very strong screening processes to recruit and our induction, so we make sure that the staff that we bring in have all the checks and

balances required. But also it is an ongoing professional development through our e-learns and our people in workplace culture. We have 11 full-time staff on intelligence functions, so any slight indication that a staff member might be acting not in accordance with our policies we are pretty quick to pick up. The other important thing is that we are dealing with children and young people. They are very quick in terms of dobbling each other and staff in, so they are not quite as sophisticated as what people might think. We have a multipronged approach, and we have reduced the numbers of integrity issues. We are a department that has strong values and culture, and we recruit to that to make sure we try and get the best quality people in.

Mr HIBBINS: So it was sort of ongoing actions rather than any specific reference to that particular report.

Ms HENDERSON: Yes, it is ongoing, and it needs to be.

Ms FALKINGHAM: Yes. I think it is worth pointing out, Mr Hibbins, that we really welcomed that IBAC report. They do relate to incidents from 2016 and 2018. You will be aware we have announced the cultural review to ensure we have an environment where we are continually improving and working on integrity issues. We work every day with our integrity agencies. For the most part our staff across both youth justice and corrections do the right thing, but with a workforce as large as the one we have it is really important that we have a continual focus. We are also empowering our staff to call out bad behaviour. That has been a real shift we have seen across both corrections and youth justice.

Mr HIBBINS: Thank you. I might change tack now and ask about VCAT and renters. In the questionnaire, on page 26, I think it says that 72 000 reduced rent agreements were lodged through the scheme. How many of those involved a deferral of rent where the amount of unpaid rent had to be repaid at the end of the reduced rent agreement?

Ms FALKINGHAM: I will have to take that on notice.

Mr HIBBINS: Okay. Thank you. Do you actually collect that data?

Ms FALKINGHAM: We will, but we do not report on that because it is quite detailed. Every case, as you would imagine, is slightly different and the outcomes are not easily kind of chunked into—

Mr HIBBINS: Okay. All right. Thank you. In terms of VCAT, in the questionnaire I have got an 81.8 per cent case clearance rate for VCAT. Do we know how many of those were issues related to residential tenancies?

Ms FALKINGHAM: I do not have that with me, Mr Hibbins, but Court Services Victoria I understand is appearing in front of this committee, and they should be able to answer that question.

Mr HIBBINS: Okay. All right. Terrific. Thank you. That is all from me.

The CHAIR: Thank you, Mr Hibbins. Mr Newbury.

Mr NEWBURY: Thank you. Thank you, all. Before I get to my questions, can I just ask Commissioner Crisp to clarify some data. In the department's annual report, on page 118, they talk about volunteer numbers. The actual is 33 000 roughly, down from a target of 43 000 to 44 000, and I do note there is a note in that section which says that some of the reasoning behind that is a shift or reclassification to 'support'. I see from there that there is an actual 25 000 sum from a target of 21 000 to 22 000, so that is just 3500. So there is a difference in operational actual volunteer target of 10 000 and an increase in actual support of 3500. There is a 6500 gap. Is my maths right? Where they have said there is a shift to support, 3500 have been shifted to support, but there is still a 6500 gap.

Mr CRISP: You are right in terms of the shift. So a couple of years ago, with the CFA, the chief officer at the time made a decision to look at who was actually operational and who was support. He was really strong around making sure that shift happened, so that is why we do see the increase in terms of support numbers now.

Mr NEWBURY: If there is a gap of 6500 operational volunteers, I mean, I would have thought that is an issue. Have you spoken to the government about that?

Mr CRISP: My understanding is there is not that much of a gap, of the 6500. There is a slight reduction in relation to operational volunteers at the CFA. So 2020–21, that is 29 582 compared to 30 977 the year before. The SES—

Mr NEWBURY: I am not talking about the numbers on the page. I am saying in the annual report there is a 6500 difference in the government's own set target. So when the government sets a target, do you talk to the government about the fact that their target is so dramatically short?

Mr CRISP: It is a really good question, Mr Newbury. So there is some work underway at the moment, as part of the fire services reform and more broadly across our emergency services, to actually develop an outcomes framework. So we are doing that work at the moment. The framework should be finished in this financial year, and we would look to have a conversation with government then in terms of what could be some further measures in relation to these matters you have raised and also more broadly emergency services.

Mr NEWBURY: Thank you in relation to the work. Have you briefed the government yet? Have you talked to the government in any way about these matters?

Mr CRISP: The minister is well aware of the numbers in relation to volunteers.

Mr NEWBURY: Thank you so much. Commissioner Patton, can I actually ask you a quick data question? I think you might be able to help me, but if not, it might be the Secretary.

Chief Comm. PATTON: I will do my best.

Mr NEWBURY: I have got a couple of questions. In terms of COVID fines, do you have anything with you in relation to COVID fines? I will start with just general numbers—infringements. What data have you got with you?

Chief Comm. PATTON: Yes, I do.

The CHAIR: Do you mean in relation to the financial year, Mr Newbury?

Mr NEWBURY: I am talking about, yes, in relation to the financial year. I did not think we had to put that in every sentence, but if that helps you, Chair.

Chief Comm. PATTON: The figures I have for the financial year that we are discussing: we gave out, as of 30 June 2021, 40 843 fines for COVID-related offences—Victoria Police did.

Mr NEWBURY: And do you keep data on how many have been paid?

Chief Comm. PATTON: I do not keep data on how many have been paid, no.

Mr NEWBURY: Well, does the department have any—

Chief Comm. PATTON: No, when I say I do not, I mean Victoria Police does not keep that data. We issue the infringements. It gets followed up by Fines Victoria et cetera and the sheriff's office.

Mr NEWBURY: Secretary, do you have any data on that?

Ms FALKINGHAM: I do, Mr Newbury. So 8.2 per cent of all fines that have been issued have been paid to date.

Mr NEWBURY: 8.2?

Ms FALKINGHAM: That is correct.

Mr NEWBURY: So nearly 92 per cent have not been paid?

Ms FALKINGHAM: That is correct.

Mr NEWBURY: How many have been written off? Do you have any of that data?

Ms FALKINGHAM: I will ask Craig to respond to that.

Mr HOWARD: So written off—we need to clarify by what you mean by ‘written off’.

Mr NEWBURY: What data do you have with you?

Mr HOWARD: Okay. So for the financial year: 8.6 per cent paid in full, 8 per cent in a payment arrangement.

Mr NEWBURY: Yes. So these are of the small percentage that have been paid, you are talking about?

Mr HOWARD: No, the total.

Mr NEWBURY: The total, right. Sorry. Yes.

Mr HOWARD: 6.9 per cent are subject of a request to have the matter determined in court.

Mr NEWBURY: Yes.

Mr HOWARD: 2434 applications for internal review.

Mr NEWBURY: Yes.

Mr HOWARD: And 20 000, or 62 per cent, remain unpaid and are registered for enforcement.

Mr NEWBURY: So basically the fines are not being paid. I mean, it would be a fair comment to say that the fines are not being paid.

Mr HOWARD: Well, the action taken rate is about 38 per cent, so about—

Mr NEWBURY: So a third of the time action is being taken, you are saying?

Mr HOWARD: Yes, some action has been taken by the recipient in about—

Mr NEWBURY: Sorry, the recipient. In terms of government, is there any intention—I mean, what is happening with all these fines?

Ms FALKINGHAM: Mr Newbury, it is worth pointing out that a lot of people will be on a payment plan.

Mr NEWBURY: I think 8.8 per cent were on a payment plan.

Ms FALKINGHAM: That is correct, or they have sought an internal review or they have sought a review or they have sought—

Mr NEWBURY: That was 6 per cent, is that right? So 8 per cent sought a payment plan, 6 per cent sought a review.

Ms FALKINGHAM: Yes.

Mr NEWBURY: So that would be an absolute minority of the overall fines, wouldn't it?

Ms FALKINGHAM: And then a percentage have sought a review in the courts themselves. Some have—

Mr NEWBURY: What percentage was that? Do you mind if I ask: what percentage sought a court review?

Mr HOWARD: 6.9 per cent are going to court.

Mr NEWBURY: Right. So less than a quarter are all of the things we just talked about?

Ms FALKINGHAM: Yes. But there are also categories of people who have sought financial support due to financial distress.

Mr NEWBURY: Would that fall within the 6 per cent you just mentioned?

Mr HOWARD: No, no, so that would fall within the 38 to 39 per cent action taken rate.

Mr NEWBURY: Okay. So then is it fair to say on the data that two-thirds of fines do not fall into any of the categories that you talked about—financial, court, review et cetera, et cetera?

Mr HOWARD: Yes, two-thirds of the fines have not had action taken by the recipient.

Mr NEWBURY: So two-thirds of the fines are just sitting on people's fridges, I suppose. Is that right?

Mr HOWARD: Well—

Mr NEWBURY: Or else the bin.

Mr HOWARD: The recipient has not taken any action in relation to them.

Mr NEWBURY: And neither has the government. Is that fair? Is that a fair comment?

Mr HOWARD: No, that is not true. No.

Mr NEWBURY: Okay.

Mr HOWARD: A number of fines have progressed through to enforcement warrant.

Mr NEWBURY: When you say 'a number', is it one or a million? What is the number?

Mr HOWARD: No, no. It is less than a hundred so far.

Mr NEWBURY: Less than a hundred?

Mr HOWARD: Yes.

Mr NEWBURY: Out of 40 000?

Mr HOWARD: Yes.

Mr NEWBURY: I mean, that is a pretty small percentage. Yes.

Mr HOWARD: Well, that is the number that have reached the threshold for creation of enforcement warrants.

Mr NEWBURY: No, I am not disputing whether or not it was fair or reasonable. I am just saying it sounds to me like an enormous proportion of the fines are just collecting dust somewhere. Is that right?

Mr HOWARD: Well, no, they are not collecting dust because the—

Mr NEWBURY: What are they doing?

Mr HOWARD: The debt teams are contacting recipients at the same time to encourage them to take action.

Mr NEWBURY: Is that 100 per cent of the fines, the debt team has contacted—

Mr HOWARD: Well, the debt team works across all fines, not just COVID fines.

Mr NEWBURY: Yes.

Mr HOWARD: So they are contacting recipients—it is part of the debt strategy—to say, 'Before this gets to enforcement warrant or before other action is taken, take action to deal with your fine, either through payment, a payment arrangement or accessing some other form of social justice initiative'.

Mr NEWBURY: Yes. Look, I appreciate the data you have given me, but it does sound like two-thirds of these fines are sitting on benches and collecting dust.

Ms FALKINGHAM: Mr Newbury, the government will continue to pursue those fines in accordance with all the statutory thresholds we have in relation to those fines. Obviously it is really critical that the chief health officer's directions are followed, and when they are not followed we do issue infringements, as the Chief Commissioner has gone through. Those fines do not cease when the pandemic ceases. We will continue to pursue those fines. We want people to understand and to see them as an absolute deterrent to breaching the chief health officer's directions. The team at Fines Victoria will continue to pursue each and every one of those fines. Obviously we have to wait until internal review processes are complete, until, as Craig has mentioned, the recipients do respond to our requests for those fines to be paid.

Mr NEWBURY: No, I appreciate that, but I also note that nearly, what, 30 000 or 40 000 fines do not fall into the categories—we are talking about tens of thousands of fines.

Mr HOWARD: No, the tens of thousands of fines would be subject to the debt campaigns.

Mr NEWBURY: Yes, okay. Well, in the next round of estimates I can assure you I will ask where it is up to again.

Commissioner, if I can come back to you in relation to community confidence in policing. It is an issue we spoke about when you were last here. The target indicator for the last financial year was down 8 per cent. It is an issue that I am sure I will be talking to you about each time. Do you have a continuing concern about these indicators? I know that is just a figure. Do you have a concern about where these figures are at in terms of community confidence?

Chief Comm. PATTON: When you see a drop in community confidence, it is an absolute concern for us, and I think, at the risk of rehashing the last discussions—

Mr NEWBURY: No, please.

Chief Comm. PATTON: we have been involved in a whole range of activities that we previously would not have been involved in at all. We were required and are required to enforce the chief health officer directions, and, as we have said, we gave out 40 000 fines in that year. So we are encountering a lot of people for whom it might have been their first interaction with police, who are either getting a warning or a fine et cetera, which is not a normal sort of occurrence. In addition to that, if you do recall, at that time also we had the conclusion of the Royal Commission into the Management of Police Informants and a range of other singular incidents that impacted on the way people view police, I think, generally speaking.

So there were some singular incidents, a range of circumstances we found ourselves in and the fact that the police resources that we would normally like to be out and about and involved in community engagement activities, where they are talking to people in the streets, where they are helping people out, where we are involved in a whole range of different community activities—those activities were suspended during those times predominantly, subject to what the restrictions were at different time periods. So you have, if you like, for lack of a better word, a cascading series of events that did impact and have negatively impacted on confidence in police to a degree.

But that is why I am extremely focused on improving that. Now that the restrictions are very much lifted et cetera it gives us an opportunity to continue a whole range of engagement activities, to progress things like our neighbourhood policing model, which I have been pushing, where we are listening and working with the communities, to be back in assisting the department of education and helping with the schools engagement model and a whole host of other things. I do agree with what you are saying, that there have been adverse impacts as a result of a number of events that came together, but we are very much looking forward to the opportunity now to be able to do what we want to be doing, and that is being out there working with the community and gaining their confidence.

Mr NEWBURY: Thank you. Can I ask: in terms of the policing workforce, only maybe six weeks ago I remember talking to some police near to Parliament, and they came and spoke to me about the fact that they were here and they love their job but their station was closed because they were here. Were station closures a common occurrence throughout the last few months? That was Rowville station, for background.

Chief Comm. PATTON: I think it is important from my point of view, without being pedantic—

The CHAIR: Sorry to interrupt you, Commissioner, but do you mean the last few months or the last financial year, Mr Newbury?

Mr NEWBURY: The last financial year.

Chief Comm. PATTON: Without being pedantic, I think it is important—we have not had any stations that were closed. What we had was suspension of counter inquiries, if you like, and so reception areas, and so—

Mr NEWBURY: Does that mean the front door was locked and people could not go in?

Chief Comm. PATTON: Basically, yes.

Mr NEWBURY: Okay. So there could be some people doing good work at the back.

Chief Comm. PATTON: Absolutely. We continue to deploy our staff from all those police stations, and the divisional van patrols are still going on, so service delivery is not impacted. But where you had areas where you have a number of police stations in close proximity, the opportunity—because we were very tight with resourcing right across that period—

Mr NEWBURY: Did you keep records on that front door being locked?

Chief Comm. PATTON: If I could just—

Mr NEWBURY: Yes, please.

Chief Comm. PATTON: I will get to where you are going. So it gave us the opportunity then to use those resources that might otherwise have been doing counter inquiries. If we had, say, four police stations in close proximity, we would have the one that would be open and we would be directing people there if they needed that front counter assistance. Now, we did not keep, if you like, records as to every day, but I can tell you currently we have about 25 where we have some reception counters closed, suspended—

Mr NEWBURY: That is today you are talking about?

Chief Comm. PATTON: and that also fluctuated, probably not dissimilarly, across the financial year we are talking about where we would suspend those counter inquiries and direct people to a nearby 24-hour police station where they could get what they needed done or go via our online inquiries via the police assistance line.

Mr NEWBURY: Did you provide advice to the government? I mean, if there are 25 police stations where the front door is locked obviously the government was aware—there was a process of the government being aware of those closures.

Chief Comm. PATTON: Oh, on a daily basis—I did not say that.

Mr NEWBURY: Not on a daily basis, but more generally speaking.

Chief Comm. PATTON: But they were aware that we had suspension of reception counters. Yes, I made them aware of that, but it was not on a daily basis.

Mr NEWBURY: Thank you. No, I understand. Thank you.

Chief Comm. PATTON: This was generally there is an impact. But can I just give some context to that? Sorry, Mr Newbury. In terms of the importance of doing that, when you consider the whole scope of operations that were involved in hotel quarantine—

Mr NEWBURY: No, I understand.

Chief Comm. PATTON: border operations and everything, that is the way we did it.

Mr NEWBURY: I understand that the resourcing meant that 25 police stations had their front door locked.

Secretary, may I ask quickly on underquoting—and I read a recent media report on consumer affairs looking into underquoting and the public making some complaints about underquoting in the last financial year—these complaints were all in the last financial year—and 17 of 29 reports were found to have been incidents of underquoting and \$300 000 in fines had been divvied out. I just did a quick calculation here: \$300 000 in fines, if you work out the average commission on those—let us say it was one house on each of those instances—you actually make more money breaking the law. So the fine per incident is less than every incident where the agent breaks the law. Do you accept that proposition?

Ms FALKINGHAM: No, I do not, Mr Newbury. Every case is slightly different. So similar to other jurisdictions in Australia the Victorian property market did see a resurgence in the last financial year. Yes, underquoting occurs. Obviously, as you know, when a property is advertised at a price below the estimated selling price and the seller's asking price, or a price, has been rejected as too low by the seller—

Mr NEWBURY: I understand. I understand.

Ms FALKINGHAM: The new laws have not been in place for very long. They were established in May 2017, and CAV continues to monitor the issue and take appropriate action.

Mr NEWBURY: When you say 'monitor', all of these were complaints from the community, so there was no proactivity; it was reactivity.

Ms FALKINGHAM: That is not true, Mr Newbury. There was proactivity. CAV had 29 metropolitan and regional estate agents conduct proactive visits—

Mr NEWBURY: 'Based on complaints', it says.

Ms FALKINGHAM: Based on complaints but also proactively as well, in relation—

Mr NEWBURY: Could I just put on the record before I finish, I personally, in a personal capacity, tried to use the referral service and the department tried to talk me out of putting in a complaint. Would that surprise you?

Ms FALKINGHAM: It would surprise me, Mr Newbury, and I am not familiar with the particular case you are speaking about, but I know that CAV takes very seriously the issue of underquoting.

The CHAIR: Thank you, Mr Newbury. Your time has expired, and as we are halfway through proceedings we may take a 10-minute break now and resume at 11.05. Thank you.

It is 11.05, so if everyone is ready, we might resume, and the call is with Ms Richards.

Ms RICHARDS: Thank you very much, Chair. And thank you, Secretary and commissioners. Once again I will take the opportunity to ask you to pass on to your colleagues who you serve with our appreciation. I am conscious that they have worked really hard, particularly these last 20 months. Lots of them have missed annual leave and all the other things—time with families—that some of us take for granted, so I am grateful.

I would like to explore a little bit COVID management in the prison system. So, Commissioner and Secretary, I think these ones are perhaps of interest. In the questionnaire you have reported the extensive changes to operations that were introduced to mitigate the risks of COVID-19 transmission in prisons and with justice facilities and community corrections services. I am hoping that you can perhaps outline for the committee these changes.

Ms FALKINGHAM: Thanks, Ms Richards, for your question. As I mentioned in my presentation, and I will ask Commissioner Strong to supplement, the department has put in place really significant measures to adapt and respond to the changing operations as a result of COVID. Custodial operations in response to the pandemic have changed over time particularly with the delta variant. It has posed additional challenges for us. The paramount consideration for us has always been to protect the health and wellbeing of all of our staff and the men, women and children in our care. It is really important that individuals in custody maintain access to services and supports, including healthcare, education, rehabilitation and reintegration programs. We did learn from what happened in other jurisdictions, and we were absolutely committed to ensuring that COVID did not rip through the prison system.

So the most significant changes that we have seen to operations are that since 28 March 2020 all prisoners entering custody have been required to complete a 14-day protective quarantine period and undergo COVID-19 testing as part of the reception process. A proactive wellbeing check-in service has been implemented and support for prisoners during their 14 days in protective quarantine. In 2020–21, just to put it in perspective, we had 33 783 protective quarantine support sessions delivered to prisoners in protective quarantine by corrections clinicians.

In addition to the response to community outbreaks, personal and non-essential visits to prisons across Victoria and face-to-face delivery of programs were suspended. This occurred throughout 2020 and 2021, with these visits remaining suspended at the current time. To maintain family connections it has been really important that we have seen 187 136 personal video visits. That was 20 000 more visits than we see through face-to-face visits, and some of the stories we have shared with the committee previously about the fact that people have been able to make much stronger family connections, which has just been fantastic. At times where individual prison locations have been required to lock down and minimise the risk of further transmission it has allowed us to put in place better contact tracing and surveillance. We obviously worked with our colleagues really closely in the Department of Health to make sure all of that happens.

In addition, again I just want to put on the record my thanks to our staff. Like our healthcare staff they have worked under enormously challenging situations of wearing mandatory PPE all day, and most of our staff are on a 12-hour shift. So huge credit to them and their professionalism. We have obviously had both our contractors and our staff subject to ongoing surveillance testing, and also we have recently rolled out rapid antigen testing for staff on entry to front-end prisons, which we hope will make a big difference to staff wellbeing. I might just ask Commissioner Strong to supplement that.

Ms STRONG: Thank you, Secretary. I think the point is that as the transmission changes from the community we very much reflect what is going on in the community with regard to the pandemic. So we have had to scale things up and scale things down depending on what has gone on in the community. So at some points we were able to have face-to-face visits come back when we were having zero COVID in the community. As we have had outbreaks, we have had to then look and suspend personal visits again, and hence the real importance of using that technology to allow people to maintain contact with their family.

Also with service provision, the other thing is it is always that balance—the more people you allow to come and go from the prison, the higher the chances are that you will have one of your personnel bring in COVID and you will have to lock down and contact trace and be concerned you have an outbreak. So certainly as transmission has gone up in the community we have also had to look at service providers moving to a remote delivery model, so custodial and health remaining on site and Aboriginal wellbeing officers remaining on site but other service providers such as our offending behaviour programs being off site. And that is again where the technology has really allowed us to make sure we are continuing to provide engagement within central programs and services. We have had group programs being done—and I have gone and seen it—in visit centres where you have, you know, 10 men sitting around with their tablets and they are talking to the clinician on the tablets. In one way it is possibly better than the clinician being there with their mask and their eyewear, which also impacts on the interface process as well. So the technology in setting us up has really worked well for all of 2020–21 and into this financial year as well.

The other thing that I think we have also looked at is we have changed and switched on and off our transfer quarantine requirements as people move between the prison. There was concern at one point as numbers were really high in the community that if you get an outbreak, you contain it to one prison, not through your system as our prisoners do move through the system. So they are all the sorts of, I guess, changes we have had to make and adapt as we go along and as the transmission and the outbreak in the community change as well. We have learned as we have gone, and the staff are doing pretty amazing in what they have done. And I have to say, the men and women in our care have really understood the reasoning behind the restrictions as well.

Ms RICHARDS: That is terrific. Thank you. Thank you both. I am aware in the 2020–21 year \$97.9 million was spent overall on the COVID response in prisons and in youth justice facilities and community corrections services. Could you perhaps expand a little bit on what sorts of things specifically this contribution or this investment was used for?

Ms FALKINGHAM: Thanks, Ms Richards, for that question. If you can imagine, the level of IPC required in hospitals is not dissimilar to some of the IPC we require within our correctional facilities, which brings with it a cost. That has included measures like screening and temperature checking for all people entering facilities, which has required additional resources and people more skilled in being able to conduct those receptions in quite a different way. It includes the predictive quarantine arrangements—it obviously requires much more intensive staff support—the transfer quarantine, which is when we obviously move people across the prison system for different safety and screening needs; quarantine and isolation units for accommodating people who are at risk of having COVID-19. We have seen quite recently—Commissioner Strong might like to speak to it—the number of prisoners entering who are COVID positive has really escalated. She might have the most up-to-date numbers of who is positive currently within the system, but that has been managed really, really tightly by our staff. Funding was provided by government to operate these units in terms of additional custodial and health staff and ensuring the highest level, as I said, of IPC has been able to be put in place.

Increased cleaning services have also been required across the system, and again, Commissioner Strong might like to speak to the fact that obviously our prisoners have used some of these opportunities to upskill and to be able to clean to the level of IPC required. Personal protective equipment has been particularly important in preventing transmission from prisoners to staff in high-risk areas such as quarantine and isolation units. Funding has also been put towards the IT costs to enhance the use of videoconferencing and better access for video visits and remote service delivery for rehabilitation and reintegration programs and for prisoners in protective quarantine. Providing telephone support to prisoners has been an important measure for connection as well. I might ask Commissioner Strong to add to that.

Ms STRONG: Yes, I think the costs do relate to some of our staffing. So protective quarantine we staff overnight because people are in their cell for most of the time, for 24 hours a day. So we overnight those units. We would not normally overnight a unit. We have had extra health staff as well to support the response for people in protective quarantine and in isolation. We have also invested in, I guess, safe discharge of people in the middle of the pandemic, so we have also spent money on a day-of-release transport service. We were very concerned: what if we had to release a COVID-positive person in our care because that is when we had to release them? How would we safely and responsibly release them to their home? So we have a day-of-release transport service set up to actually do that, and it has actually taken people who are COVID positive in a safe way to where they are going to reside.

We set up Maribyrnong community residential facility, which was another big initiative, again thinking about: how do we support people coming out of prison during a pandemic who are at risk of homelessness? So that has got a capacity of up to 44 beds and I think had over 70 people run through that process over the last 12 months as well. So they are some of the other areas that we have spent the money on. We trained over 1100 prisoners in the cleaning certificate III for infection control and touchpoint cleaning. We also think that might be an area where there is lots of employment opportunity when they leave us. And PPE—there is a lot of PPE because it is mostly disposable, and so that has got a lot of churn associated with it as well.

We also have a task force, I should have said, to manage our COVID response. That is a small group of staff that are there, and they do seven days a week in terms of managing our COVID response and supporting prisons and supporting me and the Secretary. And our protective quarantine support service—I think it was about 18 clinicians, which were new clinicians, that we funded to provide that service as well. So that is some of where the money has gone.

Ms RICHARDS: Thanks, Commissioner. That is extraordinary, the complexity that is involved in this process. Perhaps you could outline or point to some of the outcomes of the COVID-19 management response and the spending that you have outlined.

Ms FALKINGHAM: Thanks, Ms Richards, for the question. The greatest outcome for us was that in 2020–21 there was no transmission of COVID-19 within the adult prison system, including prisoner-to-prisoner, prisoner-to-staff, staff-to-prisoner or staff-to-staff transmission, despite the fact that over that time we also did receive during that period 24 prisoners into custody who had acquired COVID in the community. Obviously we have been able to catch any COVID outbreaks early and contain them with really minimal impact on prisoners and staff. Obviously there were very few hospitalisations—we only had five in that financial year—and no deaths in any prison as a result of COVID-19, which is a very different outcome from that we have seen in jurisdictions overseas. Obviously the low numbers of cases and the lack of transmission within the adult

system have meant that the vast majority have been able to be, as I said, contained and we have been able to continue to operate the prison system as close to normal as possible. But obviously without measures like the investment in PPE or protective quarantine we would have been less likely to identify the positive prisoner cases and prevent them from transmitting to other prisoners in the general population and, really importantly, to keep our staff safe. I know one of the things that the Commissioner and I often will speak about is how our staff have managed throughout the period, and again that is testament to their professionalism—they absolutely have kept our prisons as safe as possible and their own health and wellbeing safe as well.

Remote service delivery has also meant more work for our staff in terms of the reduced number of people entering prison. It is quite logistical to be able to manage that number of online visits and service supports to be still engaging with prisoners. And also, really importantly, measures have continued to enable safe reintegration into the community to protect vulnerable prisoners from the risk of COVID. You can imagine that with short sentences and some of the churn we see in the prison system that has been really important, that if someone is coming into the prison system that is COVID positive we have been able to manage their re-entry into the community safely. We have gone above and beyond in both the corrections and the youth justice systems to know that when we identify someone who is coming into one of the systems who is COVID positive we can immediately work with the Department of Health to wrap around families and communities where those positive cases have come from to make sure that people are being vaccinated or again tested and kept in isolation for the 14 days.

Ms RICHARDS: You touched on before some interesting insights from other jurisdictions, and I think most of us would have seen those pretty horrendous media reports—heartbreaking media reports. So I am interested in understanding why the management of COVID within a prison is so difficult and so important and also perhaps those examples of COVID management in the prison systems from other jurisdictions, because I think it sounds like you have been keeping your eye on other places as well to reflect the lessons.

Ms FALKINGHAM: You could imagine that within a prison system being able to spread out is not an option or a luxury available to us, and being able to get people to safely self-isolate and to have physical distance across the prison system again is a credit to our staff. But I will let Commissioner Strong respond to some of the logistical issues we have had.

Ms STRONG: Yes. I think a good description of the prison system is it is a little bit like a vertical cruise ship and a little bit like the housing commissions as well. We have 7000 people in the prison system. The way our prison system works is prisoners do flow through. Of course we cannot block police cells, so people flow through from the front end and they move quite quickly through our prison system. You have a large number of people living in close proximity to each other that do not necessarily physically isolate from each other, and you also have a large number of staff at any one prison site and staff coming and going through that process. We also know that our prison population I guess is more vulnerable in terms of the health outcomes. So generally speaking they are more likely to have chronic diseases and diseases which make them more vulnerable to a poor outcome should they get COVID. We also obviously have a high number of Aboriginal prisoners who have poor health outcomes as well, and it is not just for COVID, it is for a lot of communicable diseases. We do know that prisons are a high-risk environment, and hence we have had to be on the front foot in terms of some of those other infection prevention measures that we have put in place.

The processes that we are following are: we have really looked at what other people have done, and the thing that we were so keen to not have was COVID go through the prison system. When that happens, the entire prison system is locked down and it is locked down for months and months. So the 14 days is a sacrifice. I absolutely appreciate that, but that does mean that the rest of your time you are not having to be in lockdown and I think that is the balance we have had to make during that time frame. The outcomes that we have got really have been that the prison system has continued to deliver programs and services. There has been a lot of that. Ninety-eight per cent of court matters were done by AVL in the last financial year, and I think our lessons last year were fortunate because they set us up well for this year. So in lockdown 6 we have had 178 COVID-positive prisoners in the system come through. It was good we learned before we got delta. It has held us in good stead.

Ms RICHARDS: I was just going to quickly ask whether you can outline the approach taken to onsite vaccination across the prison system—who has delivered it, who is eligible. It is good for us to understand that.

Ms FALKINGHAM: Thanks, Ms Richards. It is a good question. We have run an onsite vaccination program since June of this year, which has delivered both AstraZeneca and Pfizer. As of 1 November we have delivered 18 926 doses. We have currently 58 per cent of people in prison fully vaccinated, and if you can keep in mind how much churn we have that is a really high number and probably the highest in the country at the moment. Anyone who is eligible has been offered a vaccination across both the youth justice and corrections system, and we have worked really carefully with our Aboriginal prisoners. We have run yarning circles. We have had a whole range of programs that Commissioner Henderson has led. We are trying to get our young people to be vaccinated. They ran some very successful Halloween programs to encourage our kids to get vaccinated. Most importantly, no-one who currently works with either the youth justice or the corrections system is unvaccinated, consistent with the chief health officer's direction.

Ms RICHARDS: Okay. Thank you. I will leave it there. Thanks so much for your time.

The CHAIR: Thank you. Mr Limbrick.

Mr LIMBRICK: Thank you, Chair. And thank you, Secretary and team. I wanted to start by asking a question about the performance outcomes for the Victorian Equal Opportunity and Human Rights Commission. There was a very large increase in complaints that went to them in the last financial year. It says in the notes in the budget paper that it is due to the impact of the pandemic. I was wondering if you could give us some detail around the nature of those complaints and what sorts of resolutions there were for those people.

Ms FALKINGHAM: Mr Limbrick, I am happy to take that on notice. We would only have themes in relation to some of those complaints, because it is important that they are independent of the department. Obviously those issues do go to issues of discrimination and go to issues of concern through the pandemic in terms of rights and responsibilities, but I am really happy to take it on notice for you and come back to you with more detail if VEOHRC can provide that.

Mr LIMBRICK: Okay. That would be great, thank you. I might direct the next couple of questions to Commissioner Patton. The budget figures show a large increase in numbers of family violence-related incidents, and I realise that crime statistics are often very difficult to interpret. Increased detection does not necessarily mean increased prevalence and things like that. I was wondering if I could get your views on: are we seeing increased detection here, or are the lockdowns and the measures actually causing an increase in this type of crime?

Chief Comm. PATTON: Well, when you consider the period that we are looking at here, that was obviously during a period of lockdown et cetera—different fluctuations—and we launched a significant operation, Operation Ribbon. And that ran for most of 2020, if you like, from I think March or April to the end of 2020. And that, for us, was a significant operation in that it was the first time—well, not the first time. We had a coordinated, focused and sustainable effort, where we had the 415-odd people—not odd, sorry; I should not use that. There were 415 people who were tied up across 31 family violence investigation units across the state, and they were tasked—we anticipated that we were going to have people who were potentially going to be isolated, affected family members, high-risk victims and high-risk family violence perpetrators. And we anticipated that there were going to be a lot of issues in how people would be able to feel safe in their homes when they could not get out. How could they communicate with us, when at times that can be difficult if they are subject to family violence in the home and they are worried about getting caught communicating?

So, for us, it sounds like an oxymoron to call it a successful operation, but it resulted in us charging many, many serious family violence perpetrators. And what you are seeing is a result of a very proactive and sustained effort in terms of us contacting, us visiting, us knocking on doors and identifying many significant breaches of family violence through doing so and being able to take action. And really what it has done is it is going to form a catalyst moving forward for us, if you like, a playbook, whereby we will be saying, 'That just goes to show how successful and—how much more safety you can provide to those victims of family violence by getting out there and being proactive and knocking on doors and really engaging', and it is a model we will be taking forward. But there is no doubt that the pandemic has had an impact in terms of family violence reporting in a range of different ways.

Mr LIMBRICK: So you would say—correct me if I am misinterpreting you—that it increased detection but it also increased prevalence due to the conditions that people found themselves in, I suppose?

Chief Comm. PATTON: Yes.

Mr LIMBRICK: I realise that there was this big operation which would have resulted in increased detection regardless of circumstances, I would have thought, but are they both happening?

Chief Comm. PATTON: Yes. And for that period we saw a 5.9 per cent increase in family violence incidents that we attended. And to put that in real terms, which is an astounding figure, 93 440 incidents of reported family violence we attended in that year. And every one of them represents someone calling out for help and us going to help, from arguments right through to significant assaults. So, yes, there is no doubt the pandemic has impacted on people who are victims of family violence, for sure.

Mr LIMBRICK: Thank you. And I wanted to go back to something that Mr Newbury was asking about before, about the confidence in police indicator. I acknowledge there were a lot of things that police were doing that they would not normally be doing, which affected this. I have noticed a marked difference recently in police operations, and part of that is going to be due to the restrictions easing. I am interested in: what are some of the lessons that you have learned through that period that you will be maybe doing differently going forward that might have had a negative effect on confidence?

Chief Comm. PATTON: Look, that is a very broad question.

Mr LIMBRICK: It is a broad question.

Chief Comm. PATTON: You know, what do you do differently? When do you embark on the next pandemic with lockdowns? But what we certainly realise—there has to be consequence. We do not get to pick and choose the enforcement of the chief health officer directions right across the whole sphere of activities. But certainly one thing we learned—and your question basically goes to confidence in policing—I think from my point of view is the need to be able to continually engage with community and define those different ways that we can get that engagement happening, even when we are not able to physically be there and engage with them. And so we have learned a lot through using virtual engagement and where we have had to, if you like, use what traditionally we would have said were just proactive programs—people we would have had engage with communities. You know, we have got 44 youth specialist officers and we have 80 youth resource officers and a whole range of other people whose task it is for specific community engagement.

Mr LIMBRICK: They used to go to schools and stuff.

Chief Comm. PATTON: Yes, exactly, and all those things. But under our neighbourhood policing model, which we are launching, we are saying the importance is to move away from—it is not just the role of a specialist police officer to do that, it is the role of everyone in the police force to be engaging with community members, to be building that confidence up, and that is what we are going to be doing through a whole range of things. But probably the biggest thing—and it is really quite an intangible, and I used this word the last time we were here—is the recognition of the fragility of confidence in policing and how it is like a reputation: it can take a lifetime to build up and it can be demolished very quickly.

So from my point of view it is about the sustainable engagement with the community. But also we did get a number of complaints as well, from protests and the like, as you would expect. One of the big things that we have taken from that is we are undertaking—and have been for about the last 18 months, but are really now focusing on it—is a whole discipline transformation program whereby we are engaging with the Aboriginal community, with a whole range of other community stakeholders, to say, ‘How best can we give you the confidence that you know when you’re reporting an incident, if it occurs, that you will feel confident that it’s properly investigated, it’s properly actioned?’. How we can, if you like, engage with the public so that they trust us completely.

What have we learned? We have learned community engagement is primacy; that is absolutely everything. Police visibility is absolutely everything. Everyone wants to see police out there, they feel so much safer, and it helps us prevent crime. But also that it is a very fragile trust and confidence and one that we cannot take for granted.

Mr LIMBRICK: Thank you. I was wondering, with some of these issues around policing the CHO directions, some of the directions seem like they are almost impossible to police, or they are very, very difficult

to police—things may have happened like going to, you know, playgrounds and things like this that would come up. What sort of feedback have you provided back to the health department—that, you know, if they give you an order or consultation on when they are coming up with these directions—on the feasibility of being able to police some of these things?

Chief Comm. PATTON: Generally speaking we have been engaged when the policy is being developed and engaged with some of the draft CHO outcomes. It is ultimately a decision for the chief health officer, but we are engaged on the enforceability of those as well, and any issues. So, generally speaking, we have been able to work through those early on. But there is no doubt that when you have constantly changing guidelines as well, given the settings that we are operating in, that it becomes—not complex, but you really need to be focused to be making sure the environment you are operating is the appropriate one, that you have got the settings right.

But the overarching issue for us is we do not want to be issuing infringements. We have said that from the start. We have always said—and I would like a dollar for every time I have used this phrase—it is only deliberate, obvious and blatant breaches of the chief health officer guidelines that we will enforce. And when I say ‘enforce’, enforce by means of an infringement. We have put in place a whole range of checks and balances internally, in addition to already existing legislative provisions, so that when young people are apprehended we try and educate them, we try and give them a caution, we try and give them a warning. The infringement is the last resort.

But to your primary question, for us, we have been engaged along the way. There are some difficulties sometimes in working through, but we will always—well, generally speaking—err on the side of caution. If there is some ambiguity that is in existence, we just simply warn those people and move on.

Mr LIMBRICK: Thank you.

The CHAIR: Mr Limbrick, I just remind you of the terms of reference of this inquiry and that again, like yesterday, we are not in the inquiry in relation to the government’s response to the COVID pandemic.

Mr LIMBRICK: Yes, I am very, very aware of that. Thank you. Earlier, Commissioner, you spoke about the cautioning mechanism and how you are working towards changing that. Is that something that has already happened now? Does that require some sort of legislative change, or is that just a policy change that police can—

Chief Comm. PATTON: It is a policy change that I have made. There had been a trial occurring by the Aboriginal Justice Forum. We are significantly involved with the Aboriginal community with the department of justice. There was a trial. It was Echuca, Bendigo and Dandenong I think off the top of my head. I am saying, ‘How long has this trial been running?’. It had been running about 2½ years. It does not sound like much of a trial. If it was running for 2½ years, I would have thought that was fairly permanent. Nonetheless, they said, ‘So it is successful. Everyone agrees it is successful. It is increasing numbers of Aboriginal youth who are getting cautions’. So then we simply looked at it and said, ‘Okay. Let’s put this in place statewide’. It is a matter of working with the Aboriginal community, though, because it is a cautioning extension of the Aboriginal youth cautioning program. It is involving the Aboriginal communities, it is involving the elders, it is involving education and really providing an awareness of their conduct, but having the community work with those young people. So it seemed like a very simple thing to do. When I say ‘simple’, it reasonably was. We are in the final stages of having it rolled out to an extra 11 areas that are broadly aligned with the Aboriginal community justice protocols. So that was a real positive.

But we have also expanded it to other youth as well. At the risk of repeating myself, it just seemed very odd that if you make a no-comment interview, you would not be eligible for a caution, or if you had a prior criminal history—well, not a criminal history, but you had been cautioned once two years ago for smashing a letterbox, we would not caution you two years later for some very, very minor offence. It has given a great more flexibility, and I think it has been very well received by key stakeholders and everything, and it goes to what we are talking about, which is about trying to divert youth from the justice system.

Mr LIMBRICK: You are talking about for all youth, though, not just Aboriginal youth.

Chief Comm. PATTON: Yes, absolutely.

Mr LIMBRICK: I think we have spoken about this before—the police drug strategy. I went through it in quite a bit of detail, and it has some really good things in there. Is this something that going forward will be included as part of that, because I know that the cautioning system was a big barrier because of the requirement to admit an offence? Now, if you are telling me that is sort of changing, is that going to be incorporated into the drug strategy—

Chief Comm. PATTON: Absolutely. The same principle will be applied—

Mr LIMBRICK: for possession and things like that?

Chief Comm. PATTON: Yes, so for possession and use of a very small amount of drugs, those types of things, we have been, but this will probably enhance that as well, to ensure that people are not being unnecessarily stigmatised with criminal outcomes when we can issue cautions and more.

Mr LIMBRICK: So we would expect that because of these changes going forward we should see less possession offences recorded for young people? If it is working.

Chief Comm. PATTON: Well, that is a potential outcome. Whether that will occur or not, I do not have my crystal ball. But yes, you would expect. But I think in the last year as well, in the financial year we are talking about, we saw I think it was something like an 11 per cent decrease in drug use and possession charges, which goes to the point that we are focusing on primarily trying to target those ones who are causing the harm—the mid-tier drug traffickers, the organised drug traffickers—through our arrangements with other partners in the joint organised crime teams and everything. So drug possession and use were already diverting people through our cautioning programs and our drug diversion programs. We are primarily focused on trying to stop those who are making money out of it, who are the drug traffickers.

Mr LIMBRICK: Thank you. And with regard to possession, because of the very unusual circumstances of lockdown, how did that affect possession? I imagine most people who were possessing and using drugs were doing it in their home and therefore it would be very difficult to detect.

Chief Comm. PATTON: Yes, as I said, my recollection is we saw significant decreases in drug use and possession during that time period, and that will probably be related to that as a reason as well. When you have significant periods of time when people are not out and about, they are not coming to police attention through other offences as well. I mean, we saw a 4 per cent reduction in crime over this entire period, so that is consistent with what I am talking about and what you have just raised. Without people being in public you are seeing less offending as well.

Mr LIMBRICK: Thank you. I am not sure how much time I have got. I am guessing not much.

The CHAIR: It will be about a minute 20.

Mr LIMBRICK: Okay. Just another thing: with regard to the drug screening test it says here that we expected 100 000 tests to still happen. I am surprised that that number is that high because of lockdown. Where were these tests primarily conducted? Were these just random tests on the road, because my understanding is that many of these tests were at targeted locations, like if there was some event or something, but there were not many events happening during that period?

Chief Comm. PATTON: No, but drug driving is a significant focus of Victoria Police, and our roadside drug testing has been a significant aim for us and objective for us. These were done primarily through the highway patrol units, and they continued to just enforce during that. They cannot get enough of them. They are consistently using the preliminary oral fluid tests and the oral fluid tests and are one of our great assets in the fight against drug driving, which is a significant issue for us.

Mr LIMBRICK: So this is primarily through the highway patrols and not through the booze buses—

Chief Comm. PATTON: Correct.

Mr LIMBRICK: because I know that they were shut down for a significant period.

Chief Comm. PATTON: No, that is right.

Mr LIMBRICK: Yes. Okay. That sort of explains it. Thank you very much.

The CHAIR: Thank you. Ms Taylor.

Ms TAYLOR: Secretary, commissioners and departmental officials, thank you for your time today. I just want to pick up on the issue of diverting young people away from youth justice custody, noting that there has been significant expenditure, as documented in the questionnaire. Can you explain this focus and the outcome that you have seen, particularly in regard to custodial numbers?

Ms FALKINGHAM: Thank you, Ms Taylor, for your question. As you have heard us speak about already, emphasising diversion at every opportunity right across the system has meant that we have been able to keep young people out of the justice system in the first place with their families and keep them in safe and stable housing. A well-established focus on diversion has delivered really positive outcomes for youth justice, which I might ask the Commissioner to supplement. We have seen a decrease of 34 per cent of young people between 2015–16 and 2020–21 in young people aged 10 to 17 under youth justice supervision. Victoria now has the lowest rate in Australia of young people aged 10 to 17 in custody, and that is something we are really, really proud of in the department. Victoria's rate of remand for young people aged 10 to 17 is also the lowest in the country.

You would be aware the BP3 measure does show the decline in the daily number of young people under youth justice custodial supervision, which is a really good outcome, with the average daily number of males 15 and over in custody being 143.7 in 2020–21. The focus on diverting young people and intervening early has continued right through the last few years. The Children's Court Youth Diversion Service oversaw, as I mentioned earlier, 1174 diversions of young people with a 92 per cent success rate—which is, as I said, the highest in the country. A total of 1216 young people accessed or were assisted through the youth support service, which supports our young people after contact with Victoria Police to get children back into school, which we see as a key lever in keeping our young people out of our system and to help them to not progress any further in the criminal justice system. The Commissioner might speak to this, but we are really always focused on that initial point of contact with us. If we do that really, really well, we do not see the young person come back into custody. So the Commissioner might like to speak about that.

Ms HENDERSON: Thank you, Secretary. And thanks, Ms Taylor, for your question. I guess the really important thing for Victoria is that we have got a 10-year strategy, and we launched that a couple of years ago, and it is our youth justice strategy, which we are terribly proud of. We focus on prevention, early intervention and diversion, and it is really important that we stay focused and stay the course. We are unapologetic that we have driven down the numbers of young people in custody, because we know that that gives a safer outcome for community and young people. I think it is really important to go to the question of how many young people we are seeing. As of today, for example, we have 109 children in custody. Of that, 65 of those children are on remand. Seven are young girls. There are no 10- to 13-year-olds, and as of Monday there were 44 of those children being put before the court. Again, you can see that proactive, very driven, very targeted evidence-based approach, intervention and treatment for children.

The other part of the importance that the Secretary has touched on is the absolute investment in those areas of prevention, diversion and early intervention. So congratulations to Victoria Police, which saw 3085 young people aged 10 to 17 receive cautions in the year 2020–21. The Children's Court diversion program, as Rebecca said, is 1042, I think. So you can see our attention and focus is really on preventing the harm and treating the children. As they come into our youth justice community and custody we are really weeding them out and dealing with the precursor offending issues, and that is really important for the quality of life for young people and their families but also for the Victorian community. I think we should be proud of the effort that we are all making in this. It is a partnership approach with education, Victoria Police, our NGOs and our other departmental colleagues. Nobody would want to see children and young people in custodial environments; it is not the place to put children. We understand there will always be a component of that based on the high-harm, high-risk young people, and we are partnering with Orygen and Alfred Health and other experts to really target those high-harm, high-risk children and young people and work really closely with child protection and out-of-home care and our Aboriginal community. We are driving a 42 per cent reduction in Aboriginal children in the custodial system. I am going on a bit, but we are enormously proud of the work, and we thank the department for allowing us to do this work.

Ms TAYLOR: Good. I might just pick up on that point about Aboriginal youth diversion particularly. Can you elaborate specifically on the programs—I think they have been referred to in the questionnaire as well—focusing on reducing the numbers of Aboriginal people in custody. Specifically: are we meeting our commitments under the Aboriginal justice agreement stage 4?

Ms HENDERSON: Not only are we meeting, we are exceeding those targets. I think we are exceeding them—I have not got the number on me—

Ms FALKINGHAM: There has been a 42 per cent reduction in the average daily number of Aboriginal children aged 10 to 17 years in the youth justice system since 2016–17, and we are ahead of our 2023–24 Aboriginal justice agreement target. It is really important we remain vigilant around that target and do not get complacent. We could not have achieved that target without working through principles of self-determination with our Aboriginal community. It is a genuine partnership, and the Aboriginal Justice Caucus should be really proud of the work that they have done in delivering this with us and with our colleagues in Victoria Police.

The AJA4 target is to reduce the average daily number of Aboriginal young people aged 10 to 17 years under youth justice supervision by at least 43 from 2016–17 to 2022–23. So that equates to a target decrease in the average daily number of Aboriginal young people from 132 to 89 by 2022–23. And there were just 70 Aboriginal young people aged 10 to 17 under youth justice supervision in 2020–21. So it does give you that sense of hope and optimism that we are definitely on the right track, and as I said, we have got to maintain absolute super-vigilance to keep these numbers tracking well.

Ms TAYLOR: Yes, indeed. Earlier there was quite a lot of discussion, quite rightly, about the challenges with COVID-19—about keeping COVID-19 out of the prison system—and specifically obviously here we are talking about youth justice operations. But what I wanted to home in on was how you have been able to maintain service delivery—so things such as education and rehab services—during this difficult period.

Ms FALKINGHAM: Thank you. It is a really good question. And one thing in particular the commission has led with is a commitment to ongoing learning right throughout the pandemic. So our youth justice centres did continue face to face for young people not in COVID isolation. Education has been offered right through the pandemic to young people subject to COVID isolation using laptops. So even for those young people in isolation we have maintained that continuity.

We are really committed in youth justice to having a structured day, because we think it is the best thing to keep our kids occupied and out of trouble. So we have had specialist mental health services, psychosocial, criminogenic and alcohol and other drug programs remain on site in line with COVID-safe practices. Our young people absolutely maintained wellbeing checks at regular intervals by professionals right through. Like with corrections we had a lot of virtual visits during that time with significant people in those young people's lives, but also facilitating young people's case management, so keeping that connection back to community for when our young people leave. As the Commissioner mentioned, we are trying to move a lot of our young people out of youth justice as quickly as humanly possible, but making sure that they have the wraparound services when they leave us, be that stable accommodation, supports through child protection, AOD and that really excellent work that is happening in relation to keeping our young people engaged in education programs and services and a lot of the great programs Victoria Police run. So that has continued throughout the pandemic. I might ask the Commissioner to speak to some of the COVID-safe practices we have had as well.

Ms HENDERSON: Indeed. Thank you, Secretary. As part of being able to retain our education on site we have taught the children in bubbles. So when young people have completed their 14-day quarantine, they go then to an allocated unit and we keep them pretty much there unless we really have to move them or they return out to the community, and then we wrap the support around that unit in terms of their mental health, education, offending treatment interventions and we try and have a really targeted clinical and educational expertise wrapped around those children. That has meant that it has kept children and our staff very safe but there has been limited exposure or multi movements around that, and we have done the same with our sports coaches and other providers.

The other really important thing I think with keeping COVID out of our centres and keeping us safe and managing has been the use of our cultural liaison officers, our Aboriginal liaison officers, and being able to have them as a conduit back to community but also to cultural programs virtually. So if they have not been able

to come in, they can connect to Dardi Munwurro or Uncle Ron Murray and really keep that elder support going or cultural support, even when you would think that people cannot come in—so, having enough people on the ground to facilitate the services that we know that we need. And I think it is just worth noting that in 2021 we had 596 young people receive assessment and receive services through statewide offending programs, and this includes 483 young people who participated in psychosocial offence related or AOD treatment in custody in community. So we have really tried to keep up the intensity of the dose that we need, that we know our high-risk young people who make their way into custody require. We also have kept the high-risk panel and other processes wrapped around the system in terms of the intensity of their case management approach, and we have not lost a step in terms of that transitioning.

Ms TAYLOR: And in terms of what we have just been discussing here, because I noted that in the questionnaire there were additional health services provided, and it sounds like you have pretty much spoken to that, you did also mention the mental health aspect. It is probably inherent anyway, but—

Ms HENDERSON: Yes. So we have increased our FTE in terms of Orygen. Orygen are our onsite forensic mental health service, and they have just done excellent work with trained forensic psychologists and psychiatry. Every day our young people at risk are seen and assessed, and there are really good treatment plans. And also for active mental health, we have got our mental health beds that we can transfer young people to Footscray in, being proactive about not allowing their mental health to really accelerate and also putting plans and treatment in place in the centres and monitoring that closely, as well as behaviour support plans for young people with dual diagnosis and stuff going on around that. So, yes, Orygen have been very good to us through this process.

Ms TAYLOR: What about investments to specific communities where young people may be over-represented and at risk of entering the youth justice system? Can you perhaps elaborate on efforts to reduce this over-representation more generally?

Ms HENDERSON: Yes, so we have seen some extra investment in what we know as hotspots through Aboriginal youth justice, in terms of funding our Aboriginal-controlled organisations for youth justice workers to do assertive outreach and support the children and their families in custody as they transition out or in community. We have added an extra eight in for the 2020–21 year. So that brings us up to about 30 Aboriginal youth support workers across the state, with a concentration in areas like Hume, Mildura and Gippsland and also supporting really proactive and good work over in Horsham, where they are keeping young people completely YJ free. We are continuing to support really strong, proactive case management as well, so not just waiting for things to occur.

And for our CALD community, Pasifika and South Sudanese, we are working closely with communities in the north-west, particularly the western region and some of the pockets of the south, to make sure that we get currency in terms of the appropriate supports for social cohesion in those, I guess, under the multi-agency panels. Also we have got cultural workers embedded out in the community around working with the families and connecting back into the communities there and working with the common client group to make sure we are sharing all of that information to really strongly try and divert the young people away and back into education—the things that keep them out of our business, really.

Ms TAYLOR: Thank you. Yes, really, really important work. I might just shift gear a little bit and look at emergency management capability. So if I can refer you to budget paper 3, page 290, how does the budget help our emergency services agencies to keep Victorians safe at the end of the day?

Ms FALKINGHAM: Thanks, Ms Taylor. I might start and ask the Commissioner to supplement. So the budget reflects the government's significant contribution to keeping Victoria safe. The total emergency management capability output cost for 2020–21 was almost \$2.3 billion. So that includes funding for Fire Rescue Victoria; the Country Fire Authority; Victoria State Emergency Service, VICSES; Bushfire Recovery Victoria, which is obviously a new entity in our group of emergency services agencies; Emergency Services Telecommunications Authority, ESTA; Life Saving Victoria; and Emergency Management Victoria. So this output funding supports capability and capacity across the emergency services sector as well as the timely and effective performance of these emergency response agencies.

So capability output funding did grow during 2020–21 due to government's investment in the administration of the mandatory quarantine program, as I was mentioning to the Deputy Chair earlier, in the high-risk industry enforcement and engagement operation, and investment in the emergency management sector reform. So the commencement of FRV on 1 July 2020 paved the way for the creation of a new career fire service through the establishment of FRV and the re-establishment of the CFA as a volunteer-based agency serving Victoria, delivering on the government's commitment and vision for a modern fire service, as set out in the 2017 *Fire Services Statement*. In the 2020–21 budget the government continued to strengthen our emergency services and their ability to keep Victorians safe and resilient through \$231.6 million over four years to deliver fire services reform implementation. That included \$114.9 million for CFA to deliver important capability initiatives, including training, facilities and equipment, and \$106.7 million for initial reform costs to create modern fire services. It is really important that we continue to value and respect the really critical role the CFA will play well into the future. We have also seen almost \$450 million in helping Victorian communities, businesses and individuals recover from the 2019–20 Victorian bushfires—and I am going to stop there and see if the Commissioner wants 20 seconds.

Mr CRISP: In 20 seconds! Look, the big numbers are really, really important, but there are also other areas that are funded that are equally important. So the emergency services grants program is really important, in that \$14.10 million was spent on grants to support emergency services volunteers through the volunteer emergency services equipment program, and similarly \$1.38 million was spent on initiatives to develop capacity within the emergency management volunteer workforce through the Valuing Volunteers program. And just to pick up on a little bit of a theme: it is not just our emergency services that can pick up on those Valuing Volunteers program grants; there is also the Emergency Services Foundation, which is focused on the mental health and wellbeing of all our emergency services. They were successful with a couple of grants.

The CHAIR: Thank you. Mrs McArthur.

Mrs McARTHUR: Thank you, Chair. My first question is to Commissioner Crisp, if possible, please. I wonder if you could give us an update on the Fair Work case in which 31 former CFA staff now employed by Fire Rescue Victoria are claiming backdated overtime payments. I mean, media reports suggest it is in the vicinity of \$50 million. Is this correct? What provision has the department made for potential liability here if the decision results in all operational staff making the same claim?

Mr CRISP: Sorry, Mrs McArthur. So these are the outstanding overtime claims from CFA people before they transitioned across to Fire Rescue Victoria? My understanding is that all those matters have been settled. The only one outstanding is for a former MFB person. We expect that to be finalised in the near future.

Mrs McARTHUR: Sorry, what was the liability?

Ms FALKINGHAM: We will take that on notice. FRV will have that information for you.

The CHAIR: And I just remind the member that questions need to be in relation to the financial and performance outcomes, and I am sure that is what those opposite are here for and prepared to discuss with you.

Mrs McARTHUR: Good. Thank you, Chair. So now to the Secretary, if possible. To go back to ESTA and the 000 issue, the \$20 million-plus contract with NEC to supply telephony solutions and services to ESTA is due to expire next March. Will this be analysed, and what additional community safety conditions will the government look at weaving into any potential contract?

Ms FALKINGHAM: It is a really good question, but given the commercial nature of those negotiations I obviously cannot go into much detail. But in terms of any information I can provide from the ESTA board, who obviously brief the emergency services minister, I am happy to take that on notice for you.

Mrs McARTHUR: Very kind. Thank you. And at the time the contract was signed by the Andrews government, the government said:

The Andrews Labor Government has made the Victorian community safer with a major upgrade to the emergency communications system, the triple zero network.

In light of the appalling stories we have heard in the media recently, do you consider that the Victorian community has been made safer?

Mr CRISP: Mrs McArthur, you are referring to the funding for the CAD upgrade? The government committed \$18.7 million in funding in 2020–21, \$8.8 million in output and \$9.9 million in assets to enhance the CAD system, which underpins the 000 service. It was definitely the case that there was a need for that funding to be made available to ESTA. Phase 1 of the CAD project deployed a new version of the CAD system, which saw core infrastructure and software being upgraded, and that was delivered on 25 November 2020. Phase 2 will implement a backup redundancy system to prevent the need to switch to manual processes in the event of a system outage. Phase 2 is expected to be delivered in 2021–22. Further work, phase 3, will be delivered in due course. So there was a very real need for CAD to be upgraded based on the fragility of the previous system, and ESTA continue to work in terms of delivering the best services to the community.

Mrs McARTHUR: Thank you. To Commissioner Patton, if possible: how much has been spent on the reforms of the government's review into the Victorian private security industry?

Chief Comm. PATTON: Well, as I understand, that has not been released yet, the outcome of it. My understanding is it is going to be released in the not-too-distant future, but I do not know when it is.

Mrs McARTHUR: So it was due to be released in December 2020; correct?

Chief Comm. PATTON: I do not know when the government is due to release it, I am sorry.

Mrs McARTHUR: Okay. Well, has the funding been allocated in this budget for almost \$10 million in unpaid invoices claimed against the state government by Unified Security?

The CHAIR: Sorry, Mrs McArthur, this is not the estimates hearings, this is a financial and performance outcomes hearing. So if you could relate your questions to the 2020–21 financial year, that would be appreciated.

Mrs McARTHUR: Okay. Then—

Mr D O'BRIEN: Chair, that is a question related directly to the budget outcomes.

The CHAIR: The question was phrased in the context of this budget and what was allocated in this budget, which is 2021–22. We are here to discuss the 2020–21 outcomes.

Mrs McARTHUR: Well, was any money allocated for it in that budget?

Ms FALKINGHAM: I might be able to respond by saying that since those matters are currently in mediation the state obviously disputes those invoices, and as soon as those mediations have resolved we are quite happy to provide further information for this committee.

Mrs McARTHUR: Okay. So in May 2021 Unified Security announced its closure. Does Unified Security Victoria have any outstanding payroll tax or other liabilities with the Victorian government?

Ms FALKINGHAM: Mrs McArthur, I think that would be a question best directed towards Department of Treasury and Finance. It does not cover a Department of Justice and Community Service, I think.

Mrs McARTHUR: Okay. So to the Chief Commissioner: over this financial year, what we are discussing, how many private security licences did LRD approve, reject, cancel and investigate for improper conduct?

Chief Comm. PATTON: I do not have those figures with me at the moment.

Mrs McARTHUR: Would you take them on notice?

Chief Comm. PATTON: I would be happy to provide them. They are very active where they can be, and yes, I would be happy to provide that.

Mrs McARTHUR: Thank you. We could take that on notice, Chair. Chief Commissioner, also, how many full-time equivalent staff are tasked with regulating Victoria's private security industry within the licensing and regulation division today?

Chief Comm. PATTON: I do not have the number with me—again, sorry.

Mrs McARTHUR: So we will put that on notice as well, Chair?

The CHAIR: If the question is in relation to the previous financial year as opposed to today. You asked as of today, and we are discussing the financial year 2020–21. I would ask you to keep your questions to the relevant period, please.

Mrs McARTHUR: Well, for the relevant period, then.

Chief Comm. PATTON: Certainly.

Mr D O'BRIEN: Just a point, briefly, Chair. It is the outcomes hearings. Now, the budget papers forecast over four years. So we cannot just cut things off at 30 June 2021, because we do go forward with almost all the things in the budget papers. Just a point.

The CHAIR: I take your point, Mr O'Brien, and I think we have had a far and wideranging discussion here, today and yesterday, and we have been fairly generous in our interpretations of questions, but I would ask and remind that this is not the estimates hearings and that people keep their questions to the outcomes of the 2020–21 financial year.

Mrs McARTHUR: Thank you, Chair. Well, Commissioner, let us go to the Victorian gun register. The *Age* reported on 18 October that an investigation revealed that there were more than 100 000 firearms missing from the Victoria Police registry. Judge Cain, in his findings released recently, said there were 101 821 firearms currently on the police missing list, known as the 'recon bin'. The list includes a mix of those reported lost, stolen and destroyed without record. He added in discussing this—it was in relation to a murder case, which I am sure you are familiar with—that:

... Ms Burdon's death does highlight the existence of those inadequacies and the need for systemic improvements that may be preventative of further family violence related deaths and firearms violence in the community.

Was that report accurate?

Chief Comm. PATTON: Which report? The report about the recon—

Mrs McARTHUR: That Judge Cain released.

Chief Comm. PATTON: Well, yes. I have no reason to doubt what he has said. I have not read it in totality, but certainly we had a number of firearms that were identified as—and 'missing' is an interesting word—certainly being unable to be accounted for over the past 30-period as we have transitioned through a range of different registries: the licensing and registration system we have at the moment and from various iterations of that earlier on when there were transitions from different databases. Things have been counted twice and things have not been counted on a number of occasions, so there are a number of firearms that have not been accounted for.

Many of these—I think, off the top of my head, 10 000 of them—were like slug guns. So it is not as if we have a whole host of firearms out there that are awash in the community. What I did when I became aware of this reconfirmation list—and often it is really a matter of us, if you like, not having proper data capture systems that existed 20 and 30 years ago, and over the journey that has just been added to this reconfirmation list rather than doing the hard yards—was launch Ravellings, I think is the name of the operation. I launched that earlier on in this year with a view to actually going back and checking historically—way back in the past—and letting us account for where these matters are. Often, as I said, it is duplication, it is a non-recording issue and there will be some firearms there of course that we cannot account for. These also went through the period of time where we saw different firearms amnesties occur and firearms being handed in that then may not have been recorded properly, so really it is an aspect of going back. That is why it is being called a reconfirmation list—going back and making sure that we accurately check all of those records and then work through what other matters we still have outstanding.

Mrs McARTHUR: So is the firearms registry frequently audited? How often? When was it last audited?

Chief Comm. PATTON: When you say 'audited', we maintain internal audits and conduct internal audits and the like. The licensing and regulation division make sure that their governance is accurate. I do not have the

information as to whether we have had an external audit conducted, but I can come back to you on that obviously.

Mrs McARTHUR: That would be helpful. Can you confirm that every Victorian firearm private security licence-holder is on VicPol's LEAP criminal database?

Chief Comm. PATTON: That would be my understanding. If they are firearms holders, they would be listed there.

Mrs McARTHUR: That is helpful. Thank you, Commissioner. Commissioner, is there an issue with numbers of police being on furlough, on stress leave and so on? Recently a major break-in in Geelong occurred and no police were able to come to the break-in once called by the security firm. Is this a problem occurring across Victoria? I mean, I was told that only—

The CHAIR: Mrs McArthur, do mean for the previous financial year or current one?

Mrs McARTHUR: No, this is for this year, but it is a repercussion of what has been happening in the last year, I would have thought, Chair, if there are not adequate police able to be present to keep law and order. In Geelong I was told there are only four vans available.

Chief Comm. PATTON: I am happy to speak to the issue. We certainly were stretched over the financial year 2020–21, and that has continued. We are fortunate that we have actually got the 3135 extra police that we have nearly rolled out that we have got over the past four years. No-one could predict the demands that a pandemic would bring upon us, and that is why we are ideally placed, especially with all of our modernisation aspects that came in and through the police assistance line. All of those things have allowed us to provide a really strong service delivery throughout this whole time period. In reference to what you were just talking about recently, I am not aware of that. I would be really keen to take it up because quite to the contrary, we are now seeing our numbers being pushed back because we are no longer now on the border, we no longer now have a metro-rural divide et cetera. We are still tied up in hotel quarantine, but as I said, there is no reason why we would have a delay in responding to the crime that you have outlined.

Mrs McARTHUR: I look forward to you pursuing the matter. So how many police were diverted to, first of all, hotel quarantine?

Chief Comm. PATTON: On a daily basis it fluctuates subject to the numbers in there, but between 400 and 500. But police and PSOs all up over the journey, we have had upwards of around 900, because they cannot all be on duty at the one time but they are into the hotel quarantine, and you have significant other numbers into all of the other different operations that we were involved in.

Mrs McARTHUR: Going to all the other operations that they may have been involved in, how many would have been diverted to border closures?

Chief Comm. PATTON: I think we had 300-odd or something at various times up there. We had another 250 tied up in Operation Sentinel, which was checks around the metropolitan area for mass gatherings. We had another 200 to 300 tied up in the metro-rural divide where we were enforcing those restrictions, and that is without even talking about the protests. So at different times we had between 1500 and 2000 police officers and PSOs diverted to enforcement of all those CHO restrictions.

Mrs McARTHUR: So how many would have been diverted to the so-called protests in this lockdown period?

Chief Comm. PATTON: They were not so-called protests, I can assure you.

Mrs McARTHUR: Well—

Chief Comm. PATTON: They were significant protests throughout the period that was 2020–21. I think, off the top of my head, in the first half of that year there were 404 protests or something, and in the second half there were 808—virtually doubled—and since then we have had ongoing protests. But during, I think it was around, the September period—September or October—where we had significant numbers of those protests we were diverting—not diverting, allocating, because they were not diverted; they were allocated, because public

order is a primary issue for us. We would have had on some days 600 to 800 police officers tied up in those protests, that enforcement, and since then we have had more.

Mrs McARTHUR: And so they would have been reallocated from rural areas?

Chief Comm. PATTON: The resources could have come from anywhere. They could have come from somewhere in a rural area. They come from our public order response teams. They come from highway patrols—everywhere.

Mrs McARTHUR: Is that a reason why in places like Geelong and other areas outside that area there is an inability of the police to answer calls of a criminal behaviour, not a pandemic response behaviour?

Chief Comm. PATTON: I am not aware of the issue you are talking about, the one you raised before. And, as I highlighted, I will be happy to look into that, but I am not aware of any inability of them not to answer calls. In fact the contrary is the case now because we have returned all of those staff, and when people are getting redeployed or allocated, if they did come from a country area for a protest, it is up and back. They are not away for days.

Mrs McARTHUR: But you did indicate to my colleague Mr Newbury that there were numerous police stations, in the vicinity of 25—

Chief Comm. PATTON: Twenty five, roughly, on any given day over that period.

Mrs McARTHUR: closed down?

Chief Comm. PATTON: No, I did not say that. He used those words. I said the reception counters had been suspended during those periods, and we are still allocating service delivery from those police stations. They are still occupied. The divisional vans are still going out. The criminal investigation units are going out, but where you have a large number of police stations in close proximity, the best allocation and use of the resources was to allocate that one counter reception area, being from one 24-hour station, and, if you like, harvest those resources from what you would normally deploy—two, four, six a day. So you take those, and you use them in the protests.

Mrs McARTHUR: So you think it is an efficient way to manage the services of the police by not having those reception police stations open?

Chief Comm. PATTON: I think it is an efficient way to manage the demands of an unprecedented pandemic, yes.

Mrs McARTHUR: Thank you, Commissioner.

Chief Comm. PATTON: Sure.

The CHAIR: Thank you, Mrs McArthur. Mr Richardson.

Mr RICHARDSON: Thank you, Chair. And thank you, Secretary, commissioners, department representatives who have joined us today. I want to go to the really important topic of provisional payments, something I think is so important for people who have suffered a mental health and wellbeing injury in the workplace, and I refer to page 8 of the 2020–21 Department of Justice and Community Safety questionnaire response, which refers to the legislative provisional payment scheme commencing from 1 July 2021. Are you able to provide for the committee's benefit any insight into the operation of the scheme in its early stages?

Ms FALKINGHAM: Thanks, Mr Richardson, for the question, and it is a really, really important program and initiative. So provisional payments, as you would be aware, started in June 2019 as an initial 12-month pilot to really provide police and emergency service workers and volunteers with access to early treatment and support while they await the outcome of their mental health injury claim. The pilot was extended for a further 12 months through to June 2021 to ensure continued support for Victoria's first responders and frontline staff until the new legislation, which expanded the scheme, came into effect.

The extension did ensure that during this critical period the support would continue to be provided in light of both the bushfire season and the COVID-19 pandemic. On 1 July 2021, as you would be aware, the full provisional payment scheme came into effect under the *Workplace Injury Rehabilitation and Compensation Act*, so those new laws now have been expanded to give access to provisional payments to all Victorians eligible, both workers and volunteers, and that has meant that any worker in Victoria that seeks compensation for a mental injury through Victoria's WorkCover scheme will be eligible for immediate support, which we know is just so important to people who have experienced those kinds of injuries, while their claim is being determined. We know that the reported incidence of workplace mental health injuries is rising both here in Victoria and in all jurisdictions in Australia. So there is a positive sign that workers are putting up their hands when they need help, which is part of the issue we have seen over the years—people being unwilling to come forward and seek that help. It has also been seen that reflection in community views and understanding of the importance of mental health over recent years, which was obviously ably assisted by the Victorian government's mental health royal commission.

Like many interventions, the earlier a person does get that support they need, the sooner they are likely to recover. There are many interventions where we have focused really importantly on how to manage the really complex claims that we are seeing, and by providing support for the costs of medications and appointments, including psychological support, the provisional payment scheme has removed a really important financial barrier to helping people get back to work much earlier. If a worker's claim is rejected, they can continue to receive that provisional payment for up to 13 weeks and will have access to transitional support such as occupational rehab and facilitated discussions. The new scheme does reflect the government's continued commitment to supporting early intervention pathways by ensuring really timely access to mental health treatment for those suffering workplace mental health injuries, and we are really looking forward to the continued outcomes from this program.

Mr RICHARDSON: So just to clarify for the committee's benefit, what do workers receive by way of medical and like expenses through the scheme?

Ms FALKINGHAM: It might be good to kind of just outline that, in terms of coverage of the scheme, those affected frontline workers who are more likely to be exposed to potentially really traumatic events do include Victoria Police; Ambulance Victoria; the CFA; FRV; the Victoria State Emergency Service; ESTA; and child protection practitioners employed by the department of health and human services; we work really closely with, now obviously a new department, the department of families and fairness; the Department of Health; public sector nurses and midwives; medical and allied health and health services support staff, including catering, administration and cleaning staff; Corrections Victoria employees; youth justice employees; and forest firefighters. So under that provisional payment anyone who is obviously seeking compensation for a mental health injury does get eligibility. They receive supports around being covered for costs such as GP visits, psychiatric visits, psychological appointments and medications, and these payments also help to remove those financial barriers and encourage workers to focus when they need the help and support at the most critical period of time. Under provisional payments workers are also able to access transitional support, such as, as I mentioned, occupational rehabilitation and facilitated discussions to enable them to move back into the workplace. Workers, as I said, will continue to receive those payments for up to 13 weeks even if they are rejected for their claim.

Mr RICHARDSON: I think that is a really important scheme and something really beneficial for the committee to understand here. I want to take you now to the topic of workplace sexual harassment, and I wanted to refer to the 2020–21 budget paper 3, page 285. The Department of Justice and Community Safety has published its mission statement, which aims to create a safer, fairer and stronger Victoria with a focus on victims and survivors. For the committee's benefit, can you tell us what initiatives in the workplace safety portfolio are helping to address that?

Ms FALKINGHAM: Under Minister Stitt's leadership we are absolutely implementing a range of initiatives focused on the workplace safety portfolio, and obviously we work really closely with our colleagues at WorkSafe to really align with creating much fairer and safer Victorian workplaces. I will just focus on the reforms that use occupational health and safety frameworks to better prevent and respond to sexual harassment in the workplace.

Back in March Minister Stitt did announce a range of initiatives to end workplace sexual harassment, noting that workplace sexual harassment is an occupational health and safety risk, and it is really important employers see it through that lens. The initiatives included important actions taken by WorkSafe, such as publishing guidance for employers on preventing and responding to work-related gendered violence, including sexual harassment. We saw them sign an MOU with VEOHRC in January to establish opportunities for better collaboration between those two agencies, particularly in relation to information sharing—often one agency might be able to respond to the issue better than the other—so they have much more frequent dialogue across those workforces; running the Let’s Be Very Clear awareness-raising campaign from March to April this year; improving our data collection on gendered violence, which is obviously quite tricky in the workplace, including sexual harassment, which will enable better targeted prevention and strategic activities in relation to sexual harassment; better training for our WorkSafe inspectors on best-practice responses to sexual harassment incidents; and a really strong collaboration with the Victorian Trades Hall Council to develop and deliver a health and safety representative training course for gendered violence to enable people to seek support from their HSRs.

The government also announced the establishment of a ministerial task force on workplace sexual harassment to support the development of reforms that prevent and respond to sexual harassment in workplaces. That task force has met eight times now—they are very active—between May and October and has put forward a number of recommendations to the government for the government’s consideration. On 5 July the Premier provided Victoria’s response to *Respect@Work*, the report to the Prime Minister, and obviously Victoria is now progressing a range of initiatives in relation to that important work that really strongly aligns with the report’s recommendations. These initiatives have built upon Victoria’s significant and sustained efforts to end gendered violence and reduce gender equality in our society, which, as you know, have been strong commitments over the last six years in relation to the work on family violence as well.

Mr RICHARDSON: You mentioned the ministerial task force on workplace sexual harassment. I am wondering, for the committee’s benefit, if you could outline a bit more of their role and what they are considering.

Ms FALKINGHAM: Sure. Thank you for the question. On International Women’s Day, on 8 March, the Minister for Workplace Safety, Minister Stitt, and her colleagues announced the establishment of a ministerial task force, as I have mentioned. The real role of the task force is to develop reforms that will better prevent and respond to sexual harassment in Victorian workplaces. In particular the minister asked the task force to look at ways to really strengthen occupational health and safety frameworks to better address workplace sexual harassment and overcome any barriers people have to reporting and options to clarify existing employer obligations, such as those in the OH&S Act, to boost employers’ accountability for ensuring workplaces are safe from sexual harassment.

I have to tell you that we are nation leading in this work. A number of my colleagues in other jurisdictions are constantly asking us how we have gone about some of the reforms we have embarked upon, so it is really encouraging that others are looking to mirror some of the work we have done. We have been really looking at ways to encourage and support workers to speak up and know that they will be supported when they speak up. The task force is also looking at ideas to prevent the misuse of non-disclosure agreements in workplace sexual harassment matters, which we know is a big barrier in relation to this policy issue. The task force, as I said, has met eight times. It has recently provided its advice to Minister Stitt. The minister is considering those task force recommendations carefully as part of the government’s commitment to end workplace sexual harassment.

Mr RICHARDSON: I am wondering if you could outline who is participating in the ministerial task force.

Ms FALKINGHAM: The task force is co-chaired by the Parliamentary Secretary for Workplace Safety, Bronwyn Halfpenny, and Liberty Sanger, the chair of the Equal Workplaces Advisory Council and obviously an experienced workplace injury lawyer. We are really thankful to both of them for their extraordinary leadership in this critical work. We know that sexual harassment can happen in any workplace of any size—government, non-government, all types of professions and industries and to workers of very different and diverse backgrounds—so it was really important that the task force accurately reflected the community and particularly the disproportionately affected parts of our community, such as Aboriginal women, transgender Victorians, women with disability and workers from CALD backgrounds. So the membership includes a really strong cross-section of representatives, such as union, employer and industry stakeholders as well as local

government and legal representatives. We have AIG, the Australian Lawyers Alliance, the ANMF, CPSU, Ethnic Communities Council of Victoria, Koorie Women Mean Business, the MAV, Transgender Victoria, the Victorian Chamber of Commerce and Industry, Victorian Trades Hall Council and Women with Disabilities Victoria. So it is a really diverse group, and I think that the strength has come from being able to bring different perspectives to the table. We were able to come up and have the minister be presented with really pragmatic recommendations that will make a difference to people's lives.

Mr RICHARDSON: It is so critical to have a multitude of those experiences and voices around the table. I am wondering how that task force and their broad experience in a range of areas will consider the views of the broader Victorian community and that engagement as well.

Ms FALKINGHAM: That has been a really critical part. Having that diversity at the task force has meant that they have been able to bring either their organisations or they themselves have conducted consultation with communities. The department also ran a public consultation on workplace sexual harassment reforms through the Engage Victoria platform for six weeks. We received 30 submissions during that process. Submissions came from a really strong cross-section of the Victorian community and included workers themselves who had experienced sexual harassment, law firms, legal organisations, the health sector, industry associations and unions and academics.

Some of the common themes from the public submissions included the need to holistically support workers that experience sexual harassment; agreement that the full extent of workplace sexual harassment is not well understood; acknowledging that existing laws and regulation could be actually strengthened and the regulatory landscape is really hard to navigate; and understanding that employers have a key part to play in addressing workplace sexual harassment and not just by managing internal complaints—the role around primary prevention and really ensuring that the organisation is building a culture where it is clear that these behaviours are not tolerated.

So many of the submissions really proposed developing training, practical tools and guidance, tailored to the industries and sectors to help employers prevent and respond to sexual harassment. We are really conscious that we cannot have a one-size-fits-all approach to this and that what works in one industry may not work in another industry. As I mentioned, the task force have now provided a summary of the public submissions, which helped them to formulate their final recommendations back to the minister. Also, as I said, the public submission process has enabled further questions to be asked of that task force and them to be able to dive a little bit deeper.

Mr RICHARDSON: Thank you very much, Secretary, for that overview. In the minutes we have got remaining I want to take you to the important topic of gambling and liquor regulation and harm reduction. In the questionnaire it shows that a significant amount of funding has been put into both regulating liquor gambling activities and also minimising that associated harm. How is funding for regulation and harm minimisation been spent? And do you have any data on how it has impacted businesses or those impacted by harm?

Ms FALKINGHAM: Thank you. It is a really good question, and I will be careful because I understand there is a very important Bill before the house at the moment in relation to this space and the future of regulation of gaming. So the regulation of the liquor and gaming industries is really important to address gambling and liquor harm, and it is a really strong priority of Minister Horne to drive harm minimisation and promote community safety and support businesses impacted by the COVID pandemic at the same time. So \$88 million was spent on gambling and liquor regulation in 2020–21, and this funded the department's policy advice on the regulation of gaming and liquor industries, with a particular focus on addressing harm. For example, this funded the department's work on the review of the *Liquor Control Reform Act*. The Liquor Control Reform Amendment Bill was introduced into the Victorian Parliament on 22 June, as you would be aware, and passed the house. This Bill really includes strong reforms to support the development of a strong, diverse and responsible liquor industry while minimising harm arising from the misuse and abuse of alcohol. Amendments have included an array of new initiatives for us, and funding in 2020–21 also supported the department's major licensing activity. It also provided for monitoring and regulation of gambling and liquor activities in Victoria, including the operations of the current Victorian Commission for Gambling and Liquor Regulation and the Victorian Responsible Gambling Foundation.

More specifically, in 2020–21 the VRGF expended \$40.7 million to prevent and address gambling harm. By way of example, with this funding the VRGF has undertaken gambling prevention campaigns, funded over 75 000 hours of Gambler’s Help support across Victoria and signed up 482 local sports clubs into the Love the Game program to help awareness of the risks of gambling harm for our young people. Funding was also provided to the VCGLR to undertake its important regulatory activities. In 2020–21 the VCGLR’s expenditure was \$39.9 million. The funding was used to undertake key regulatory activities, including licensing, education, compliance, monitoring and enforcement, stakeholder and industry engagement and administrative tribunal functions. I would just like to call out the really important work that VCGLR did in supporting the pandemic in relation to ensuring the chief health officer’s directions were implemented by those industries. Twelve million dollars was also provided for the Royal Commission into the Casino Operator and Licence. The royal commission inquired into obviously, as you are aware, the suitability of the current casino operator to hold its licence. Funding was utilised by the royal commission for staffing, legal consultancy and operating costs. We would also obviously like to take the opportunity to thank Commissioner Finkelstein for his outstanding work on that royal commission, and we as a department are really committed to driving all of those recommendations.

Mr RICHARDSON: And just in the final minute that we have got I just want to take you to the department’s work on minimising gambling and alcohol-related harm in regional Victoria. You have pointed to the establishment of hubs in Ararat and Sale, in your questionnaire. Are you able to talk a little bit about the success of these initiatives?

Ms FALKINGHAM: Yes, I am. Thank you for your question. Obviously right throughout the last 12 months we have been working to ensure that we have learned from some of the regional harm that we have seen play out and making sure that the right supports are in place—be that through online services, be that through telephonic services—to ensure that we can give people the support that they actually want to move away from some of those harms. So between the two hubs we cover over 2300 licensed venues, including 70 clubs and pubs, with more than 2800 gaming machines. So evaluation of the hubs in 2020 found they are contributing to the minimisation of really serious gambling and alcohol related harm, and in the 12 seconds I have got left I might take on notice and provide you with some more details in relation to the outcomes of that evaluation.

Mr RICHARDSON: Thank you very much, Secretary.

The CHAIR: Thank you, and that concludes the time we have set aside for consideration of the financial year and their outcomes with you. Thank you for appearing before the committee today. The committee will follow up on any questions which were taken on notice in writing, and responses will be required within five working days of the committee’s request.

The committee will now take a 1-hour break before moving to consideration with the Department of Jobs, Precincts and Regions. Thank you for your time today.

Witnesses withdrew.