

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Emergency Services

Witness: Ryan Phillips/Jenni Rigby

Committee Member: Danny O'Brien

Page of transcript: 3-5

Question text:

Danny O'BRIEN: Thank you, Chair. Good morning, Associate Secretary and other witnesses. Associate Secretary, the Age reported on 5 November about misrouted 000 calls on the Victoria–New South Wales border. **How many times over the two years in question were emergency calls from Victorian border towns inadvertently handled by both Victorian and New South Wales call centres before an ambulance was dispatched?**

Ryan PHILLIPS: We know that ensuring timely receipt and dispatch of emergency calls is absolutely critical to ensuring community confidence in the system and ensuring the safety of Victorians, and the issues identified in that article are obviously of concern. I will hand to our Acting Deputy Secretary in emergency management, who may be able to provide further details about the dispatch and response times.

Jenni RIGBY: Thanks, Ryan. Sorry, just so that I am clear on the question, you are asking specifically about misdirected 000 calls?

Danny O'BRIEN: Yes. **Do you have data on how many times that occurred in the two years in question?**

Jenni RIGBY: I would need to take that on notice. They came through the federated Telstra 000 system, but I am assuming you mean they were mistakenly patched through to New South Wales rather than Victoria?

Danny O'BRIEN: Yes, the article in the Age highlights the issue with border towns in particular where there have been a number of times where they have been inadvertently diverted to the wrong state's call centre, and that has resulted in delays. So yes, if you can take that figure on notice.

Jenni RIGBY: **I will need to take that on notice, thank you.**

Danny O'BRIEN: **Can I perhaps continue, and again you may need to take this on notice, but how many times have Victorian patients in border communities experienced delays in response by not being routed to the nearest ambulance?**

Jenni RIGBY: Delays in response times due to delays in ambulance?

Danny O'BRIEN: Well, again, it is the issue of where they have, via 000, been directed to the wrong state and therefore there has been a delay. The ambulance union says that there have been four deaths directly attributable to this issue.

Jenni RIGBY: I do not have any data on those cross-border issues, so again I would need to take that one on notice.

Danny O'BRIEN: As I said, the Victorian Ambulance Union secretary Danny Hill told the Age that:

... four Victorian patients had died from cardiac arrest in the past year following delays in dispatching the closest ambulances.

Is the department aware of those deaths and indeed any others that have occurred as a result of or in relation to the wrong 000 destination being used?

Jenni RIGBY: Certainly the department is aware of the article, and any adverse events as a result of ESTA call taking and dispatch are reported and are then sort of followed up and investigated in conjunction with the inspector-general for emergency management. **In terms of the specific cases that you are referring to, I would need to take that on notice**, for any sort of further information on them. We do not have information on those specific cases.

Danny O'BRIEN: Okay. I do not know if we have got anyone from Ambulance Victoria here, but an Ambulance Victoria spokesman said in that article:

... it was aware of the concerns regarding call routing and dispatch on the NSW border and a resolution would be implemented in the coming days.

That was 5 November. **What is the department doing to address this issue?**

Jenni RIGBY: **Again, specifically relating to the cross-border issue, we will need to take that on notice and come back to you.**

Reply:

The Australian Government is responsible for the national Telstra Triple Zero Emergency Call Service. The Victorian Government does not hold data on the allocation of calls between NSW and Victoria.

On 6 November 2023, Telstra implemented a change that enabled Triple Zero ambulance calls from an expanded number of agreed cross border locations in Victoria and New South Wales to have the calls directed to the state that provides the closest primary response to the location, irrespective of the state they are in.

While the Emergency Services Telecommunications Authority works closely with all its partners and agencies, Ambulance Victoria is a separate statutory authority that does not report through the Department of Justice and Community Safety (DJCS).



Kate Houghton PSM
Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Emergency Services

Witness: Ryan Phillips/Jenni Rigby

Committee Member: Danny O'Brien

Page of transcript: 5

Question text:

Danny O'BRIEN: Okay. I note that in the period, and you mentioned in your presentation on the performance of ESTA, I think it was a figure of \$333 million was added to address many of the call-taking issues. **What performance measures are now being experienced by ESTA as a result? Have we improved on the poor call-taking and dispatch issues that were occurring then?**

Ryan PHILLIPS: We have, Chair, and Jenni will be able to take you through the detail of that. But can I say that in both 2021–22 and 2022–23, ESTA met or exceeded the majority of its emergency call-taking and dispatch performance benchmarks and over time has continued to improve, so you see a progressive improvement across the range of benchmarks over the two financial years, which has been really positive, and we are very happy to see that those improvements have occurred, given the significant investment the government has made to support that service.

Danny O'BRIEN: So there were reports at the time, in the two-year period, of people calling 000 and literally getting a message that said, 'We can't take your call right now – call back.' **Can I ask what percentage of calls in the period received that message? Do you have that data?**

Jenni RIGBY: Sorry, I am having trouble hearing you.

Danny O'BRIEN: People called 000 and they were getting a message that literally said, 'We're too busy. We can't take your call. Call back.' **Do you have data on how many calls to 000 got that message?**

Jenni RIGBY: We do not have that data today. **We would need to take that on notice.** But I do understand that that was implemented for a short period of time to ensure that people understood the demand on the system, and it also pointed them through to alternative options where they were appropriate.

Question text:

Danny O'BRIEN: Understanding that, and this is where I am going with the question, literally on the weekend I had a constituent in my electorate who rang 000 twice and twice got that message – 'We're too busy. Call back.' He tried then to ring the local police station. Just by coincidence, at a quarter to 1 in the morning there was an officer there doing some catch-up work so he could have a weekend off, and he responded to the call. But twice he could not get through to 000. That is this weekend. Is it a surprise to you that that message is still being provided by 000?

Ryan PHILLIPS: That is a surprise but certainly something we would have to discuss with ESTA to understand the context in which that occurred.

Danny O'BRIEN: Okay. Well, I literally spoke to the business owner this morning, and he confirmed that is what happened. **I would be interested, again, in any data you had from the period as to how often that was occurring and perhaps, Associate Secretary, if we could get an update on what is happening to ensure that that does not continue to happen.** Thank you.

Reply:

Recorded voice announcements (RVA) were utilised by Telstra during the pandemic to deal with unprecedented demand. RVAs do not instruct callers to call back later. Telstra manages the national service and would be best placed to advise on data during 2021-22 and 2022-23.

A handwritten signature in blue ink, appearing to read 'Kate Houghton'.

Kate Houghton PSM
Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Casino, Gaming and Liquor Regulation

Witness: Toby Hemming

Committee Member: Danny O'Brien

Page of transcript: 8

Question text:

Danny O'BRIEN: For the performance measure 'Audits of casino operations undertaken' in the budget papers last year the target is 1260, and in the 2021 and 2022 financial years the figures were 634 and 791. Obviously they were COVID years, and the casino was closed for large periods. What was the figure for 2022–23?

Toby HEMMING: I am sorry, can you repeat the question?

Danny O'BRIEN: **'Audits of casino operations undertaken' is the performance measure. I am wanting to know what the actual figure was for 2022–23.**

Toby HEMMING: I do not have the figure. In relation to the VGCCC, it is obviously an independent entity. The department has involvement with it to the extent that it provides a pathway in terms of budget requests and the like. The department does of course have a role as well in terms of monitoring performance. But that specific piece of information – if I could take it on notice, please. I do note that there were some performance measures that were not met, principally because of the COVID shutdowns.

Danny O'BRIEN: And that is understood, but given everything that has happened with the casino in recent years, I would hope that in 2022–23 the department would actually be meeting its performance measure targets. All right, **if I can get that on notice** –

Reply:

The Victorian Gambling and Casino Control Commission undertook 1,402 audits of casino operations in the 2022-23 financial year, exceeding the target of 1,260.



Kate Houghton PSM

Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Casino, Gaming and Liquor Regulation

Witness: Toby Hemming

Committee Member: Danny O'Brien

Page of transcript: 7

Question text:

Danny O'BRIEN: Okay. Page 72 of the questionnaire again refers to the \$16.4 million that was taken out of central contingency for establishing the new agencies. It describes it as being spent on: appointing a new VGCCC Chair and dedicated casino commissioners to strengthen oversight over casino operations.

How much are we paying these new casino commissioners?

Reply:

In 2021-22, the total compensation costs of all Commissioners was \$1.1 million. This included remuneration as well as costs associated with machinery of government changes as it transitioned to a standalone regulator.

In 2022-23, the total compensation costs of all five Commissioners of the Victorian Gambling and Casino Control Commission was \$0.8 million.

Question text:

Danny O'BRIEN: **Perhaps the more detailed question is: could I get a breakdown of what that \$16.4 million was spent on?**

Reply:

Of the \$16.4 million drawn from central contingency in 2021-22:

- \$8.4 million was released to establish the Office of the Special Manager to oversee casino operations. Under the *Casino Control Act 1991*, the reasonable costs and expenses of the Special Manager are fully cost recovered from the Melbourne Casino Operator and are paid into the Consolidated Fund.
- \$8.0 million was released to the then Victorian Commission for Gambling and Liquor Regulation (VCGLR) to increase staffing levels to strengthen regulatory practice, for costs associated with the Royal Commission into the Casino Operator and Licence, and for organisational redesign work to separate the regulation of gambling and liquor.



Kate Houghton PSM

Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Casino, Gaming and Liquor Regulation

Witness: Toby Hemming

Committee Member: Danny O'Brien

Page of transcript: 7-9

Question text:

Danny O'BRIEN: Thank you. Turning to liquor now, the questionnaire at pages 295 and 296 indicates that the 'Liquor inspections completed' performance measure last year, 2022–23, was 22 per cent down on target for metro areas and 54.1 per cent down for regional areas, and the explanation given is:

The actual is lower than target as LCV is a new entity established at the start of the reporting period and has therefore had to undertake significant recruitment to fill key roles.

There was a liquor commission or a liquor authority, the VCGLR, before this new one was established. It is not like it is a new idea. There were staff there that were doing inspections and the like. Why is the performance so bad just because there is a new name on the organisation?

Toby HEMMING: When the split occurred, certain staff went to the gambling regulator and some staff went across to the new liquor regulator. I think it is fair to say that more staff went to the gambling regulator than went to the liquor regulator, so there has been a significant recruitment exercise required by the liquor regulator in order to build up that particular workforce. In the inspection area now – in the enforcement area, I should say with LCV – there are 34 roles who are undertaking inspections and investigations, as well as some analysts as well. That is an increase in the number of staff in that enforcement area compared to the reported period we are talking about now. But there has been –

Danny O'BRIEN: Sorry, it is an increase of how many, did you say?

Toby HEMMING: Thirty-four.

Danny O'BRIEN: The increase is 34.

Toby HEMMING: There are currently 34 in enforcement at Liquor Control Victoria. And so I was saying the performance issues relating to regional and metropolitan inspections as is stated in the questionnaire principally relate to workforce shortages at the time. Those shortages, by and large, have been or continue to be addressed.

Danny O'BRIEN: Just to clarify, though, is it 34 new roles or 34 total?

Toby HEMMING: No, there is a total of 34.

Danny O'BRIEN: **How many new since the reporting period?**

Reply:

Three new enforcement roles at LCV have been filled since 30 June 2023.

Question text:

Danny O'BRIEN: And in terms of permanent workforce increase, could perhaps – I am going to run out of time.

Toby HEMMING: Yes. There is a continuing operation to increase the permanent workforce as well

Danny O'BRIEN: **Can I get the data on what the current levels are?**

Reply:

At 22 November 2023 LCV had 87 FTE positions, including 13 fixed term.

A handwritten signature in blue ink, appearing to read 'Kate Houghton'.

Kate Houghton PSM
Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Youth Justice

Witness: Andrea Davidson

Committee Member: Nicholas McGowan

Page of transcript: 19

Question text:

Nick McGOWAN: Just on Malmsbury, what is the latest? Has that shut down yet, or are we almost out?

Andrea DAVIDSON: We have to 31 December to move young people out of the Malmsbury facility. We continue –

Nick McGOWAN: Take it on notice, perhaps.

Andrea DAVIDSON: **Taken on notice.**

Reply: Question was later answered by Andrea Davidson.

The opening of the new Cherry Creek Youth Justice Precinct (Cherry Creek) is enabling the reconfiguration of the Youth Justice custodial system by closing the ageing Malmsbury precinct at the end of 2023. Young people will gradually be transferred to Parkville Youth Justice Precinct (Parkville) and Cherry Creek prior to Malmsbury's closure. The closure of Malmsbury is linked to a successful strategy to divert children away from the Youth Justice custodial system and represents positive justice policy outcomes.



Kate Houghton PSM

Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Emergency Services

Witness: Rick Nugent

Committee Member: Bev McArthur

Page of transcript: 25

Question text:

Bev McARTHUR: Also, you have still got a vaccine mandate effectively on CFA volunteers. When are you going to lift that?

Rick NUGENT: No, the only vaccine mandate remaining is with Fire Rescue Victoria.

Bev McARTHUR: But as I understand it, CFA volunteers cannot go on the truck to do their training unless they have got their vaccine certificate. That is not correct? Have you changed it?

Rick NUGENT: My understanding is that is not in place.

Bev McARTHUR: **So nobody is required to have a vaccine certificate to be a CFA volunteer or an SES volunteer?**

Rick NUGENT: My understanding is that that is not the case. My understanding is that the only vaccine mandate still in place is FRV, but **I can take that on notice just to confirm that.**

Bev McARTHUR: Why would you have it remaining on FRV?

Ryan PHILLIPS: That is ultimately an operational matter for FRV, not the department, so that is something that that organisation has decided. Mrs McArthur, can we just clarify one other point that we have noted –

Bev McARTHUR: Aren't you the department responsible?

Ryan PHILLIPS: We are the department, but ultimately entities are responsible for their own –

Bev McARTHUR: But aren't you responsible for the entities?

Ryan PHILLIPS: Yes, but we are not responsible for their internal policies in relation to vaccines.

Bev McARTHUR: Really? They randomly go off and do what they like?

Ryan PHILLIPS: That is certainly a matter for them so long as they comply with broad policy and legislative settings.

Reply:

The Country Fire Authority (CFA) does not have a vaccine mandate for volunteers.

The Victoria State Emergency Service (VICSES) does not have a vaccine mandate for volunteers.



Kate Houghton PSM

Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Emergency Services

Witness: Rick Nugent

Committee Member: Bev McArthur

Page of transcript: 25-26

Question text:

Bev McARTHUR: Great. Thank you very much, Commissioner, for that. Now, still on the CFA, on 13 January 2023 the CFA announced it would deliver 48 new heavy tankers to brigades across Victoria. CFA chief officer Jason Heffernan said tankers are a vital part of the CFA's fleet. With the deadline for delivery of 23 September passed, **how many of these tankers have been completed and delivered?**

Rick NUGENT: **I will need to take that on notice.** I have some information here on their vehicles. The CFA fleet consists of 2181 vehicles, including 1925 tankers, 218 pumpers and 38 pumper tankers. The CFA is currently in the process of rolling out 48 heavy tankers and two light tankers to replace appliances within its existing fleet as part of the Victorian government's CFA capability package.

Bev McARTHUR: **And have they been rolled out?**

Rick NUGENT: I do not have the data of what is currently outstanding and what is not outstanding, so I can take that on notice.

Bev McARTHUR: Do you know?

Ryan PHILLIPS: No, but we will take that on notice.

Bev McARTHUR: Take it on notice, okay. I mean, **if they have not been rolled out, why haven't they? What is the delay? What is the problem?**

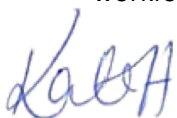
Ryan PHILLIPS: Well, this is something that **we will need to take on notice to provide you with that further detail.**

Bev McARTHUR: **While you are on the job, can you find out when they are going to be delivered?**

Rick NUGENT: So each agency in preparation for this upcoming season needs to provide me with an attestation around their preparedness. The attestation from Country Fire Authority is that they have all of the equipment they need to respond this season and their vehicles are serviced and prepared and ready for the current season and they are at capacity with the vehicles they need.

Reply:

- To date, CFA has received 20 of the 48 heavy tankers. 15 of these are now in service. The remaining five are expected to be in service in the coming months.
- The remaining 28 heavy tankers will be progressively delivered, with rollout expected to be completed by June 2024. Several factors have impacted the rollout, including delays and workforce shortages experienced by the manufacturer.



Kate Houghton PSM

Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Emergency Services

Witness: Rick Nugent

Committee Member: Nicholas McGowan

Page of transcript: 26

Question text:

Bev McARTHUR: Okay. So why has Victoria's water-bombing capacity fallen so significantly?

Ryan PHILLIPS: The aviation fleet for this upcoming season consists of 51 aircraft available solely for Victoria. There are also another 100 aircraft on call nationally that we can draw upon. There are national sharing arrangements. Victoria can access a national large air tanker as required. The 51 in the fleet are a mixture of aircraft for a variety of purposes.

Bev McARTHUR: But you have reduced the number.

Rick NUGENT: No.

Bev McARTHUR: No?

Rick NUGENT: That is one more than last year.

Bev McARTHUR: One more than last year.

Rick NUGENT: So it is one more than last year. It is a mixture of firebombing aircraft, air attack supervision, information-gathering aircraft, two large air tankers, two high-volume air cranes and a Super Puma that is assigned for night fire aviation. So they all provide different purposes: there is fixed wing, there is rotary, there is surveillance. So the surveillance plane, for example, at the recent fires back in October in Gippsland, identified that after around 160 mil of rain on the fireground, fire was actually still burning underneath, and then the other agencies came in, and it took two weeks to extinguish it.

Nick McGOWAN: **Would it be possible to get a breakdown of those different aircraft types?** I know a lot of this discussion we go back and forth on, because obviously the surveillance aircraft is very different from a tanker. It would be very helpful if we could just have the list of the 51, what category they fall in – whether they are rotary, whether they are fixed wing et cetera et cetera – and just what they do.

Rick NUGENT: **We can provide that.**

Reply:

Specialists in the fire agencies make decisions on type and location of the fleet based on a range of factors including but not limited to risk, availability, effectiveness and value for money.

The fleet currently includes 33 firebombing aircraft supported by 18 reconnaissance, supervision, Airborne Information Gathering and Infra-red line scan aircraft. The fleet is a mix of 28 helicopters and 23 fixed wing aircraft as outlined below.

Firebombing and support helicopters

Rotary wing aircraft capable of firebombing have a Type based on internal payload and water carrying capacity.

- Type 1 has an internal payload of 2,268 kg or greater and a water carrying capacity of 2,650 litres or greater.
- Type 2 has an internal payload of between 1,134 kg and 2,267 kg (inclusive), and a water carrying capacity of between 1,135 litres and 2,649 litres (inclusive).
- Type 3 has an internal payload of between 544 kg and 1,133kg (inclusive), and a water carrying capacity of between 380 litres and 1,134 litres (inclusive).

The current fleet includes:

- 6 x Type 1 - Approximately 2,500 litres plus capacity (including 2 x high volume – above 5,000 litres).
- 9 x Type 2 - 1,000 to approximately 2,500 litre capacity (including 4 with rappel capability).
- 2 x Type 3 - Helicopter with a water capacity of approximately 1,000 litres.

There are also 11 helicopters that provide firefighting support.

Fixed Wing Air Tankers and support aircraft

2 Large Air Tankers

14 Single Engine Air Tankers

7 fixed wing firefighting support aircraft



Kate Houghton PSM
Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Youth Justice
Witness: Andrea Davidson
Committee Member: Bev McArthur
Page of transcript: 31-32

Question text:

Bev McARTHUR: Thank you very much. **In the time left, can you give an update on what work has gone on in the last two years to implement the recommendations from former Victoria Police chief commissioner Neil Comrie's review into the 2017 riot and mass escape at Malmsbury, in which keys were snatched by troublemakers?**

Ryan PHILLIPS: I can say that there has been a significant amount of work over many years to look carefully at the Comrie review and to implement those recommendations. I will hand to our Youth Justice Commissioner to take you through the details.

Andrea DAVIDSON: Thank you, Associate Secretary. Acknowledging that the Comrie reviews were in fact a series of reviews that were –

Nick McGOWAN: **Sorry, Commissioner, do you mind taking that on notice for us?** We are going to run out of time.

Andrea DAVIDSON: Sure.

Reply:

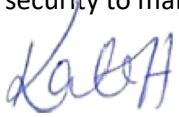
Former Victoria Police Chief Neil Comrie AO APM conducted two reviews relating to escapes from Malmsbury Youth Justice Precinct that occurred on 8 November 2016 and 25 January 2017. In total these reviews made 14 recommendations. Youth Justice has acquitted the majority of these recommendations, with the remaining on track for acquittal as part of the current reform program.

Significant reform has progressed in response to these reviews. In relation to the establishment of systems to comprehensively structure and strengthen placement decisions, a dedicated Classification and Placement Unit was established, to ensure placements of young people is based on an assessment of risks and needs including an assessment of security ratings. This was complimented by the introduction of a risk rating tool that is linked to placement, movement and program decisions. A Youth Justice intelligence function was also introduced to better predict and monitor risks in youth justice precincts.

System configuration work and the opening of the flagship Cherry Creek Youth Justice Precinct has also enabled Youth Justice to embed the *Communities in Custody Model* which maximises opportunities to match young people to the right placement based on risks and needs, enabling young peoples individual risks and needs to be met in the least restrictive environment.

In response to recommendations relating to security arrangements, a review of Key Access Levels across both Malmsbury and Parkville precincts was completed and informed implementation of

upgrades to security of staff equipment on their person. This included improved belt, swipe and key security to make it more difficult for young people to access these.



Kate Houghton PSM
Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Corrections

Witness: Ryan Phillips/ Larissa Strong

Committee Member: Ellen Sandell

Page of transcript: 36

Question text:


Ellen SANDELL: Okay. Thank you. I look forward to hopefully seeing that data. A question perhaps to the Associate Secretary – feel free to pass it on to whoever is relevant: the Parliament recently reformed bail laws, and those changes will take effect in March next year. We certainly very much welcome those reforms. Obviously the lion's share of service delivery spending in the justice portfolio is prison costs, at just over \$1.5 billion a year. **What modelling has the department done for the expected decrease in people who are on remand because of these changes, and how much of a reduction do you expect to see because of the bail laws – a reduction in spending on prisons, that is?**

Ryan PHILLIPS: Certainly whenever we do legislative reform there is a significant amount of work in the department to make sure we understand the impacts across the whole of the justice system. There has been work undertaken in the department about the impact on prison numbers, so that is certainly something that we do have. **Commissioner, do you have any of the detail available? Otherwise we can take that on notice if you do not.**

Larissa STRONG: My understanding is the evidence and insights team that actually prepare the projections do not actually bank, I guess, legislative change until it has actually gone through and started to happen, and then there is the work-through about what that means from a bed component. So I think we just need to check the cabinet-in-confidence status of that information. What we have probably seen though – we have seen a reduction in people on remand already, so there has actually been some practice change already, even before the laws actually become the law.

Reply:

Modelling has been undertaken to indicate the potential impacts of bail reform on the number of persons held on remand, and associated justice system impacts. However, this information is Cabinet-in-Confidence and the Department is unable to release it publicly.



Kate Houghton PSM

Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Corrections

Witness: Ryan Phillips, Larissa Strong

Committee Member: Ellen Sandell

Page of transcript:

Question text:

Ellen SANDELL: Thank you. A question about parole: the adult parole board's annual report revealed that a lack of suitable accommodation and insufficient time remaining on sentences to find alternative housing were both cited as reasons to deny parole for 116 prisoners. So 32 per cent of all rejections in 2021–22 were for that reason. **Could you provide the number of people incarcerated in Victoria beyond non-parole periods of sentence who have been denied parole due to insufficient housing in 2022–23?**

Ryan PHILLIPS: We know that housing is a significant issue for men and women leaving custody – so that is people leaving from both parole or on straight sentence – and it is something that we are working on very closely with our colleagues in the Department of Families, Fairness and Housing. Ultimately, housing is a matter for that department and something that we are keen to continue to work with them on because community safety we know is supported by having vulnerable people leaving custody be somewhere safe. And I am sure the Chief Commissioner would agree with that – that when people do not have safe housing they are more likely to reoffend. So that is something we are very aware of and keen to work on. We know that the effectiveness of the parole system depends as well on making sure that people have access to safe housing. Ultimately decision-making about parole is a matter for the independent parole board. **We can see what information they have about that, and if it is available, we can share that with you.**

Reply:

An absence of suitable accommodation plus insufficient time remaining on the prisoner's sentence to find suitable accommodation were together the reasons for the Board to deny parole in 27 per cent of cases in 2022-23, totalling 106 parole denied decisions.



Kate Houghton PSM

Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Corrections

Witness: Ryan Phillips/ Larissa Strong

Committee Member: Ellen Sandell

Page of transcript: 35

Question text:

Ellen SANDELL: In terms of reoffending rates – the output ‘Rate of return to prison within two years’ – the target for 2022–23 is 39 per cent. I imagine you would have the final figure by now against that target. Do you have that?

Ryan PHILLIPS: Commissioner, can I hand that to you, please?

Larissa STRONG: I do not think it is yet published, but I understand the actual is 39.5 per cent.

Ellen SANDELL: Okay. Thank you. The budget papers do not disaggregate that cohort. **Do we have it disaggregated by, again, say, women, First Nations people?**

Larissa STRONG: That is not, I do not think, in the ROGS data, but certainly the department can do that analysis to disaggregate it by women, men, First Nations people, longer sentences versus people discharged on bail. That is work that can be done.

Ellen SANDELL: Okay. I would appreciate that. **Is that able to be provided to the committee?**

Reply:

The following table shows the ‘*proportion of offenders released from prison who returned to prison custody within two years of their release*’, by the year in which they returned. The table disaggregates the data to show the proportion of Aboriginal and Non-Aboriginal offenders who returned, as well as men and women.

For 2022-23 the overall re-offending rate was 39.5%. Aboriginal offenders returned at a rate of 48.4%, while Non-Aboriginal offenders returned at a rate of 38.7%. Overall women returned at a rate of 28.9% (29.7% for Aboriginal women, 30.2% for Non-Aboriginal women), while men returned at a rate of 40.4% (47.8% for Aboriginal men, 36.3% for Non-Aboriginal men)

Reporting year	Male			Female			Total		
	Aboriginal	Non-Aboriginal	Total return to custody	Aboriginal	Non-Aboriginal	Total return to custody	Aboriginal	Non-Aboriginal	Total return to custody
2017-18	50.3%	38.8%	40.0%	30.8%	27.0%	26.8%	48.4%	37.9%	39.0%
2018-19	47.1%	36.3%	37.7%	47.3%	30.0%	32.6%	47.1%	35.8%	37.3%
2019-20	49.3%	37.3%	38.8%	43.0%	33.1%	34.5%	48.6%	36.9%	38.4%
2020-21	47.8%	37.6%	39.0%	39.8%	28.4%	30.4%	46.8%	36.8%	38.2%
2021-22	47.8%	36.3%	37.8%	24.3%	28.7%	28.2%	45.5%	35.7%	37.0%
2022-23	46.4%	39.4%	40.4%	29.7%	30.2%	28.9%	44.9%	38.7%	39.5%

A handwritten signature in blue ink, appearing to read 'Kate Houghton'.

Kate Houghton PSM
Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Attorney-General

Witness: Diab Harb

Committee Member: Ellen Sandell

Page of transcript: 37

Question text:

Ellen SANDELL: Thank you. **Of all the bail decisions made in Victoria across the two years that this inquiry is looking at, proportionately how many of those were made by volunteers? Do we have that data?**

Diab HARB: We do not have the data here, but **we are happy to provide it on notice.**

Reply:

Bail justices conduct bail and remand hearings for highly vulnerable cohorts. This includes where an accused person cannot be brought before a court within 48 hours or where police object to bail after hours. Bail justices also conduct Interim Accommodation Orders (IAO) under the *Children, Youth and Families Act 2005*.

The total number of bail and remand hearings made by bail justices is contained in the table below:

Bail Justice	Bail Justice hearings	
	2021/22	2022/23
Bail and Remand Hearings	2840	3103

Bail decision makers sit across Victoria Police, the Department of Justice and Community Safety (DJCS) and the Courts. The same matter is often heard by two separate bail decision makers such as a volunteer (e.g. bail justice) and a Magistrate. As such, DJCS is unable to provide the total number of bail decisions and the proportion made by volunteers.

For context, the Magistrates' Court of Victoria heard 34,045 bail matters in 2021-22 and 42,643 bail matters in 2022-23.



Kate Houghton PSM

Secretary, Department of Justice and Community Safety

2021-22 and 2022-23 PAEC Hearing Legislative Assembly

QUESTION ON NOTICE

Portfolio: Crime Prevention

Witness: Bill Kyriakopoulos

Committee Member: Ellen Sandell

Page of transcript: 37-38

Question text:

Ellen SANDELL: Thank you. I appreciate that. Okay. There has been a lot of talk in the community recently about extremism and social cohesion, and given everything that is happening at the world and the rising tensions, obviously social cohesion is more important than ever. We also had a parliamentary inquiry into far-right extremism that found there has been a resurgence of that type of extremism and a neo-Nazi presence growing in Victoria, which is obviously quite terrifying. The government earmarked \$1.8 million for early intervention initiatives to counter violent extremism in the 2022–23 Budget, and then there was the \$3 million towards antisemitism and a further \$3 million towards anti-Islamophobia campaigns. **How much money has been distributed in relation to the initiatives countering extremism to date? And my second question is: how much is specifically distributed towards countering far-right extremism?**

Ryan PHILLIPS: Thank you for the question. I will hand over to Bill Kyriakopoulos, who is the Deputy Secretary responsible for this area.

Bill KYRIAKOPOULOS: G'day. Thanks. So the \$4.8 million over four years for CVE was through a unit within our department and included, as you said, \$1.5 million specifically to the northern community support group.

Ellen SANDELL: **Could you perhaps provide that on notice – and the programs that were funded through that?**

Reply:

The 2022-23 Budget announced \$4.8 million across four years for early interventions to counter violent extremism. This included \$1.5 million for the continuation of the Northern Community Support Group (CSG) for the 2022-23 financial year and \$3.3 million over four years for the Department of Justice and Community Safety Countering Violent Extremism (DJCS CVE) Unit.

The Northern CSG supports Muslim communities in Melbourne's northern suburbs, with a primary objective of preventing and countering anti-social behaviour, including violent extremism. The Northern CSG is delivered across two sites: the Multicultural Youth Centre in Broadmeadows and Preston Mosque.

The Northern CSG is a 'one-stop-shop', which builds social cohesion, resilience, and social and cultural participation by delivering a broad range of services focusing on early intervention to identify and address risk factors for radicalisation.

Activities range from education support (e.g. homework clubs, tutoring), employment assistance (e.g. resume skills and interview practice) and training opportunities (e.g. increasing skills as a

pathway to employment), to programs that develop community resilience and an individual's religious identity (e.g. religious lectures, religious counselling). This approach recognises the varying pathways that may lead to anti-social behaviour.

The DJCS CVE Unit leads, coordinates, and reports on whole of Victorian Government (WoVG) efforts to prevent violent extremism in Victoria through early intervention and prevention. The work of the CVE Unit includes coordinating and leading the WOVG response to the Legislative Council Legal and Social Issues Committee's *Inquiry into Extremism*, which makes recommendations to improve the Government's response to the rise of far-right extremist movements in Victoria.

A handwritten signature in blue ink, appearing to read 'KATH'.

Kate Houghton PSM
Secretary, Department of Justice and Community Safety