

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

2021–22 Budget Estimates

Melbourne—Monday, 21 June 2021

MEMBERS

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr David Limbrick

Mr Gary Maas

Mr James Newbury

Mr Danny O’Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Nina Taylor

WITNESSES

Mr Danny Pearson, MP, Acting Minister for Police and Emergency Services,

Ms Rebecca Falkingham, Secretary, and

Mr Bill Kyriakopoulos, Deputy Secretary, Police, Community Safety and Communications, Department of Justice and Community Safety;

Mr Shane Patton, Chief Commissioner,

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

Mr Byron Crawford, Executive Director, Financial Services (CFO), Victoria Police; and

Dr Emma Cassar, Commissioner, COVID-19 Quarantine Victoria.

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

On behalf of the Parliament, the committee is conducting this Inquiry into the 2021–22 Budget Estimates. Its aim is to scrutinise public administration and finance to improve outcomes for the Victorian community.

We 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.

Witnesses 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 back Minister Pearson, this time in your capacity as Acting Minister for Police and Emergency Services, and we invite you to make a 10-minute presentation, which will be followed by questions from the committee.

Visual presentation.

Mr PEARSON: Thank you, Chair, and good afternoon, everyone. This year has shown that backing our police with the resources and support they need is more important than ever as they respond to a public health emergency, assist with our hotel quarantine program and continue their incredible work on the front line, keeping Victorians safe. We know the past 18 months have tested Victoria Police. It has tested us as individuals, it has tested our communities and it has tested each and every one of our police officers and PSOs and all the non-sworn staff who support them. That is why the Victorian government continues to invest record funding in the force. Our record investment of \$3.89 billion is delivering 3135 new police officers in addition to state-of-the-art intelligence systems, new technology and new and upgraded police stations. I want to take this opportunity to again thank the Chief Commissioner and every single one of our Victorian police officers for their incredible efforts each and every day in keeping Victorians safe.

We have delivered a public safety package for technology, equipment and capability uplifts across the force. In 2017 we invested \$2 billion towards resourcing the front line for now and the future—high-visibility policing, family violence, youth offending and critical equipment and hardware. In 2018 we delivered \$289 million for specialist capability to target high-harm crimes, organised criminal networks and prosecuting of offenders to hold them to account.

The 2021–22 Victorian budget continues to deliver on the government's commitment to deliver modern and world-class policing services for all Victorians. This year's budget delivers \$91.5 million to Victoria Police to support them as they continue their modernisation program and to deliver the tools and resources they need during these unprecedented times. Victoria Police has maintained critical service delivery, and our government

is continuing to invest to keep the community safe. The past 17 months have shown that backing our police and emergency services workers with the resources and support they need is more important than ever as they respond to emergencies.

We will continue to keep road users safe, with \$13.2 million to conduct an additional 50 000 roadside drug tests in 2021–22, as we did last year.

Critical Victoria Police initiatives will continue, with \$82.7 million for the fixated threat assessment centre. This is delivering coordinated responses through co-located police and mental health clinicians to serious threats of violence posed by people with complex needs. Specialised mental health services continue to provide support to these people, and we are seeing some fantastic results, which I will speak about a little later.

Efforts to counter violent extremism will be supported by almost \$16.5 million to improve cross-agency collaboration and intelligence sharing as well as diversion programs to help Victoria Police identify people at risk of radicalisation.

The 2021–22 budget invests to build strong communities and provide the infrastructure to support services that make communities safe, healthy and livable. That is why Benalla's hardworking police and local community will receive a new \$28 million state-of-the-art police station to replace the existing building on Bridge Street. The fit-for-purpose facility will have suitable space to separate victims from offenders, improve their safety and better meet the needs of victims and witnesses reporting crime.

The embedded youth outreach program will deliver \$6.4 million, helping turn at-risk young people away from crime. The program operates outside of business hours to reflect the time of day when young people are most likely to be at risk of offending or victimisation. It is an intervention program that responds to young people up to 24 years of age at risk of long-term involvement in the criminal justice system, and this is a really important program doing some incredible work, which I will speak to a little later.

The redress and restorative engagement team opened on 12 December 2019 and is another really important program doing phenomenal work. That is why the Victorian government is investing \$55.2 million so that it can continue its vital work. This is a redress scheme for former and current Victoria Police employees who have experienced workplace sex discrimination and/or sexual harassment. An experienced team is providing case management assessments and support services to more than 500 participants now, and it is a free and confidential service.

We know that dangerous driving is a major threat to community safety, and reckless individuals who drive while drug affected have no place on our roads. The Victorian government's new *Victorian Road Safety Strategy 2021–2030* aims to halve the number of lives lost and reduce instances of serious road trauma by the end of the decade. The recently launched first action plan has a particular focus on enforcement and new camera technology. That is why we are investing \$49.4 million for 35 additional road safety cameras to be installed at high-risk intersections and two new networks of cameras on freeways to deter dangerous driving like speeding, which contributes to 30 per cent of fatal crashes on Victorian roads. \$33.7 million has been provided to implement a distracted driving initiative. This includes delivering a new generation of artificial intelligence enabled cameras to detect illegal mobile phone use and the non-wearing of seatbelts. The trial of this initiative produced some staggering numbers, which I will speak to a little later, but clearly the message is still not getting through.

CQV was established on 1 December 2020 as an independent administrative office to manage the COVID-19 accommodation program. Since that time CQV has implemented several new initiatives that see Victoria leading the way when it comes to keeping staff, residents and the community safe. I am pleased to advise the committee that all active CQV sites are now staffed by a vaccinated workforce, and all subcontractors that visit sites to perform services, such as maintenance, need to be vaccinated. Frontline quarantine workers are also being encouraged to get tested on their days off as an extra layer of protection. CQV is trialling new proximity-tracking technology, with staff receiving a personalised bluetooth ID card to enhance contact tracing. Staff also have a personalised QR code for site check-in, check out, which verifies site entry requirements, such as vaccination, worksite exclusivity and completion of the pre-emptive contact mapping interview. As the committee is aware, Victoria is also leading the way with independent ventilation assessments and remediation works at hotels. I might leave it there, Chair.

The CHAIR: Thank you very much. Deputy Chair.

Mr RIORDAN: Thanks, Chair. Welcome back, Minister. You have been busy this afternoon. I have been bombarded with press releases coming out. You are getting a few things out on the record today. My first question is to Commission Patton, if I may, please. Chief Commissioner, page 193, budget paper 5, the accounts, there is \$197 million in police on-the-spot fines. How many QR code compliance checks has Victoria Police conducted, and how many fines have been issued to date?

Chief Comm. PATTON: Victoria Police do not conduct checks on QR code compliance. That is done by authorised officers. We are certainly involved, as you are well aware, in significant enforcement activity, but that is for criminal offending. It is the authorised officers who do the compliance for QR codes.

Mr RIORDAN: Are people being encouraged to ring 000 if they do not think businesses are complying?

Chief Comm. PATTON: Yes, there is certainly encouragement—not to ring 000, because that would bombard the 000-call line, but the police assistance line and the online reporting process. It has been the case right along the journey for people to ring in for any terms of public gathering, non-compliance by businesses—anything at all—and they can ask questions as well. So the police assistance line is that avenue, and they are encouraged. As the restrictions fluctuate—subject to the strictness or easing of them—we see increased reporting during those stricter times when they are there.

Mr RIORDAN: So just quickly on that public gathering one, did you have your forces down at the state library on the weekend with that large public gathering?

Chief Comm. PATTON: Yes, I understand that was the case.

The CHAIR: Mr Riordan, I remind you that the terms of this inquiry are the 2021–22 budget estimates, please.

Mr RIORDAN: Were there any fines issued to meet the \$197 million budget for on-the-spot fines for that gathering?

Chief Comm. PATTON: No, I do not believe there were any fines issued down there, as they were compliant with the COVID restrictions.

Mr RIORDAN: So there were only 20 people gathered there, were there?

Chief Comm. PATTON: No, they were compliant in terms of the gathering in terms of groups, as I understand.

Mr RIORDAN: So there were lots of groups of 20?

Chief Comm. PATTON: Well, I would not describe them as ‘lots of groups’, but there were certainly groups of people. I have been briefed by those who were enforcing that they were compliant with the COVID guidelines.

Mr RIORDAN: Interesting. Has Victoria Police accessed or sought to access data from Victoria’s mandatory QR code system?

Chief Comm. PATTON: No, we have not sought to—sorry, when I say ‘we have not sought to’, there were three occasions in December where there were three officers who made representations: two in the first instance to the Department of Health in respect to the Services Victoria QR code data and one direct to Services Victoria, I believe. For each of those data was not supplied and the matters were resolved. Those police officers then did not proceed to step towards what would then be the only way we could access that data from Services Victoria, and that is to obtain a warrant under 465 of the *Crimes Act* for a serious indictable offence. And that was not done. So we have not accessed the data from Service Victoria.

Mr RIORDAN: Okay. So since we have had the QR codes here in Victoria you have attempted to access three times but you have not yet used a warrant to access it. Is that correct?

Chief Comm. PATTON: We have had three informal approaches, yes, where discussions have occurred, on two occasions with the Department of Health and one with Service Victoria direct. On each of those occasions that was not progressed any further, and the police officers did not then go and seek to obtain a warrant. We do have protocols established with them that it would only be in a circumstance where it was for a serious indictable offence, and that would then require us to go and get that warrant to attempt to do so. It would then be incumbent on the court, on the judge or magistrate, to consider and take into account the balancing of the human rights aspect or the necessity and the justification. So it is not a situation where Victoria Police can decide that we will get that from Service Victoria; it is where a judge or magistrate would grant a warrant to us.

Mr RIORDAN: Do you think not ruling out the use of QR data for police and for other non-COVID related police inquiries is causing hesitancy in the uptake of QR codes?

Chief Comm. PATTON: I could not speculate. I personally do not have the knowledge to say that there is hesitancy in the uptake of QR codes, so I am not qualified to speak to that. If there was evidence that that is the case, I still would not be able to comment on the reasons why.

The CHAIR: Thank you, Commissioner. Mr Maas.

Mr MAAS: Thank you very much, Chair, and thank you, Minister, commissioners and departmental officials, for your appearance this afternoon. Minister, unfortunately family violence continues to be a driver of crime in the state. If I could take you to budget paper 3 at page 282 and the investments in policing and community safety, I was hoping that you would be able to take the committee through some of the work that Victoria Police has been doing and indeed will be doing to address family violence and support victim-survivors.

Mr PEARSON: Thank you, Mr Maas. This year has shown that backing our police and emergency services workers with the resources and the support they need is more important than ever as they respond to these emergencies and supporting communities as they recover as well. The last 12 months have been extraordinarily challenging and difficult for many in our community, so this budget continues to deliver a modern, innovative and world-class Victoria Police that all members can be proud of in terms of keeping Victoria safe. It builds on the \$2.6 billion in family violence services in response to the royal commission, and Victoria Police are delivering on their recommendation. Of the 27 Victoria Police-led recommendations, 26 have been implemented, and a really key, important component of that is making sure that we are funding the resources where they are needed most.

That is why we have funded 415 new specialist family violence police officers to transform the police response to family violence. I think that having a really nimble, agile workforce that have got the skills and the ability to really understand the issue and deploying them where they are required when they are required is really important. As part of that we have created 31 family violence investigation units across the state with at least one in each police division, so it is putting the resources where they are needed most and it is making sure that, particularly if you are in a rural or remote area, there is the ability to access that timely intervention and support when it is required as opposed to having to try and dial in resources from Melbourne.

In addition to that we have established Australia's first family violence command to lead police efforts to combat family violence. We have invested \$11.5 million for a new family violence centre of learning at the police academy, and it has already delivered core family violence training to over 14 000 police officers and tripled the family violence training given to new graduates. Again, I think that making sure that our graduates and our recruits have got a detailed and a deep appreciation of family violence, because it is such a keen driving factor to so much of the crime against the person, and making sure that those recruits are across that and framed in the early stages is really important. The chief and I were out recently at, I think, squad 11's graduation a couple of months ago now, and it is a joyous celebration when you see the recruits march off the parade ground as sworn officers with their family. And making sure that they have got all the skills, all the tools available to them, so they can be the best and the most effective force that they can be is really important.

We have also funded six multidisciplinary centres in areas with high family violence prevalence, bringing together Victoria Police, dedicated trauma counsellors and child protection workers. We have established specific operations to address family violence since the beginning of the pandemic, so Operation Ribbon was a proactive family violence operation responding to the needs of victim-survivors throughout the lockdown.

These operations have required considerable resources and enormous commitment and dedication from hardworking police officers, and they have undoubtedly saved lives.

With this budget our government is giving Victoria Police and emergency services the resources they need now and in the future to keep the community safe. Again, I just want to point out the fact that having a specialised focus, having distributed resources right across the state and making sure that people are trained up and skilled up to be alert to those signs I think is a really important way to tackle family violence head on.

Mr MAAS: Excellent. Thank you, Minister. With 20-odd seconds to go, I think I might leave it there. Thank you.

The CHAIR: Thank you, Mr Maas. Mr Limbrick.

Mr LIMBRICK: Thank you, Chair, and thank you, Minister and team, for appearing today again. I would like to direct my first question to the Chief Commissioner, if I may. I was reading through the 2020–25 Victoria Police drug strategy. There is a lot of really good stuff in there, and one thing in particular that caught my eye which I am very interested in is the drug diversion program, which this strategy seems to be very supportive of. It is my understanding that this can help save money through diverting people away from courts and prisons. It says that success will look like:

An increased and expanded Victoria Police drug diversion program.

And also:

Using police discretion for diversion as the regulatory mechanism to ensure that personal drug use is treated as a health issue.

How does Victoria Police intend to achieve these goals?

Chief Comm. PATTON: Thank you. Well, we currently do try and treat it as much as possible, to help the individual wherever we can, in terms of a health issue. We have adult diversion for drugs already. We have a range of diversion programs and caution programs that run to children. As a general rule, certainly in terms of youth, we try to make sure that they are kept out of the justice system as much as possible, and so this is really about us making a statement to our workforce that this is the approach we want them to adopt.

In addition to the drug strategy, though, that you see, we are going to be putting out some further guidance documents about the expectations. They are currently being developed in terms of what we expect our officers to focus on, and by that I mean: what are the greatest harms? We do not want to be focusing on—although when we encounter them, we will—someone who has got a small amount of drugs. Obviously they are the ones we want to be diverting. It is our focus that we want to be focusing on the drug traffickers. So it is really a statement of intent.

But in addition to that, I am also doing some current work at the moment about our entire youth cautioning program as well. In the past we have seen a number of youth who might not have been cautioned because they might have some minor criminal history or they might have already had a caution, or it might be that they had made a no-comment interview when they were questioned about possession of drugs, say, for example, and because of the restrictive criteria that we had or still have in place—

Mr LIMBRICK: Because they have to confess to it effectively, don't they, to get a caution. Is that right?

Chief Comm. PATTON: That is right. So I am implementing a policy change in respect to that so that we can say, 'Well, no, let's assess the overall circumstances here of that child's behaviour, that child's conduct'. For instance, they might have had in the past a prior history for smashing a letterbox or something—a minor offence. They might have, when we interviewed them, quite appropriately taken legal advice and made no comment. Under the guidelines we had they would be restrictive, if you like, and they probably would not get that caution for a small amount of drugs or something like that, whereas I am changing that so that we can be more flexible and we can take into account the whole circumstances and not limit just by strict criteria that are not going to be conducive to the approach we want to get, and that is: let us not try and criminalise people for very small amounts of cannabis itself used. Let us focus on the drug traffickers who are really causing the problem.

Mr LIMBRICK: That sounds great. Another question is around discretion, in the short time I have left. Last year I got some data on diversions for people caught with small amounts of cannabis, and one thing that I noticed is, firstly, that the diversion rates were not as high as I would have hoped, and it is good to hear that you have got plans to increase them. But for adult Aboriginal offenders the diversion rates were much better. What do you think are the reasons that that would happen, and can we learn from that?

Chief Comm. PATTON: Look, I am not really familiar with which statistics you are focusing on certainly for Aboriginal adults. I would probably need to look further into that, but the reality is we have been having a very large focus on working with the Aboriginal communities. We have been trying to actively make sure that we can exclude anyone from getting involved in the justice system, if you like—from getting convictions and pulled into it—when they do not need to be. It is the approach we are trying to take.

Mr LIMBRICK: Thank you very much.

The CHAIR: Thank you. Mr O'Brien.

Mr D O'BRIEN: Thank you, Chair. Good afternoon, Minister and team. Minister, a quick follow-up to Mr Riordan's questioning on QR codes. As you are aware, the Western Australian government recently introduced urgent legislation to stop police and any other government agencies accessing data through QR codes. Will the Victorian government be doing likewise?

Mr PEARSON: Well, I do not believe the government at this stage has made a formal decision. Just on that, by way of background, Mr O'Brien, I think that in terms of Western Australia it is my understanding that Western Australia police hold that data and are able to access it, and the difference here is the Department of Health as the custodians of that data. Me personally—I think the courts are the best arbiter on these questions. For example—

Mr D O'BRIEN: Is it under consideration to stop even police getting it via a warrant, as the Chief Commissioner just indicated is possible?

Mr PEARSON: Well, these matters have only been brought to light recently, Mr O'Brien, but what I would say—my personal view as the acting minister—is I would be very reluctant to make any such changes. And I will give you an example, Mr O'Brien: let us suppose, for example, Victoria Police believe that a terrorist incident may occur and are requiring data from a Service Victoria login to confirm that. Or, for example, let us suppose a check-in could convict a criminal. I think that the idea of introducing legislation to prevent that occurring would lead to a poor public policy outcome. I think that in this particular case, my personal view—and bear in mind, I mean, this has happened only in the last few days—would be that I do not think that we should be legislating. I think the courts would be best placed to make a determination, because at the end of the day the courts can make a determination on any form of warrant on any sort of issue. It is really up to the courts to decide.

Mr D O'BRIEN: Thank you, Minister. Chief Commissioner, can I move on: budget paper 3, page 59, allocates money for a proposed second supervised injecting centre in the CBD. Do you agree with the police association's assessment that the CBD is not a suitable location for a drug-injecting facility?

Chief Comm. PATTON: The location of the medically supervised injecting room or service is a matter for government; that is government policy. From a Victoria Police perspective, I am tasked with public safety. Where the government determine, such a facility will be. We continue to provide advice, and I will ensure that I mitigate any safety risks that may arise as much as I can.

Mr D O'BRIEN: Okay. In a submission to the City of Melbourne, the TPA stated that surveyed members representing Yarra—that is the Richmond area—confirmed that an effective no-drug policing zone of several hundred metres exists around the Richmond centre. Is that accurate?

Chief Comm. PATTON: No, that is not accurate.

Mr D O'BRIEN: So there is no formal position? Why would police officers be saying that there is an informal one?

Chief Comm. PATTON: Which police officers are saying that?

Mr D O'BRIEN: Well, it is in the TPA's submission to the Melbourne City Council.

It says:

... it was agreed amongst surveyed members—

this is members in Yarra—

that the discretion afforded the MSIR in Richmond (that has effectively become to some extent a no drug policing zone) ...

And it goes on to say:

... several hundred metres away from the MSIR ...

Chief Comm. PATTON: So I do not know what is meant by the terminology 'to some extent' and who or what made those comments; all I can say is that police officers here, around the Richmond medically supervised injecting room, are free to go and enforce where they need to and to target traffickers, and in fact that is what we do. There have been a significant amount of drug traffickers apprehended—drug users and people in possession of drugs—in the Richmond area. We have had Operation Enforcement. We have a high-visibility engagement team. We have a range of different operations that target specifically those areas.

Mr D O'BRIEN: And just on that, the TPA also says that Crime Statistics Agency data has shown an increase in crime—an increase in assaults, property and deception, drug and public order, and security offences all increased in the immediate vicinity of the Richmond facility. Do you accept those statistics are borne out by the Crime Statistics Agency, and do you also therefore accept that there will need to be additional resources for police if a CBD facility goes ahead?

Chief Comm. PATTON: So there are a couple of questions there. Rather than just give a blanket, 'Do I accept those statistics'—that would be an answer I would not like to give here, because there are—

Mr D O'BRIEN: Is there an increase in crime around an MSIR? That is the short question.

Chief Comm. PATTON: There is an increase and a decrease in a range of different offences, subject to which offences you are talking about. There are a range that have increased, and there are a range that have decreased. That is why I think it is important—and I am not trying to be cute at all. That is the reality, though. So for those reasons I really cannot respond to that question just at the moment, unless you want to specify which areas, because drug possession and use—drug trafficking has gone up, because we are targeting for that.

Mr D O'BRIEN: For the record I did actually specify those areas, but I am out of time.

The CHAIR: Thank you, Commissioner. Mr O'Brien, your time has expired. Ms Richards.

Ms RICHARDS: Thank you, Minister, Commissioner, Commissioner and departmental officials. I am interested in exploring—using budget paper 3, page 282—further on from Mr Maas, family violence. It is a matter of great pride, Operation Ribbon, and something I have been very enthusiastic about with the police that serve the community that I represent. Can you talk about how Operation Ribbon went in responding to an increase in family violence during this pandemic?

Mr PEARSON: Sure. Thank you, Ms Richards. Family violence continues to be one of the biggest drivers of crime in Victoria, and that has not changed as a result of COVID-19. Historically police will respond to a family violence incident every 6 to 7 minutes, and around 40 per cent of police time is spent responding to family violence matters. It is an extraordinary statistic, when you look at it, so if we can try and deal with family violence and we can try and see those rates reduce, then that is obviously going to free up police resources for other crimes—leaving aside what that does for individuals living in that environment. We know that one woman a week dies at the hands of a partner or ex-partner in Australia, and we are committed to ensuring that women and children experiencing family violence are able to be safe, including during a global pandemic.

According the Crime Statistics Agency, in the year to March 2021, 46 per cent of all crimes against the person have a family violence flag. Ten years ago this figure was around 5 per cent. So in the year to March 2021 family violence was a factor in 46 per cent of all crimes against the person; 52 per cent of all assaults; 58 per cent of stalking, harassment and threatening behaviour offences; 38 per cent of sexual offences; and 52 per cent

of abduction and related offences. The Crime Statistics Agency recently found key family violence measures from October to December 2020 which found the number of family violence incidents recorded by Victoria Police increased by 10 per cent to 2241 incidents, Ambulance Victoria and Victorian public hospital emergency presentations for family-violence-related injuries increased as well and Victoria Police initiated 4763 applications for safety notices between October and December in 2020, equating to a 16.5 per cent increase compared to the previous quarter. So obviously the statistics show that this continues to be a significant challenge going forward.

We knew at the beginning of the pandemic that we needed to move quickly to protect some of our most vulnerable members of our community as well as to monitor and hold perpetrators to account. No doubt the pandemic has been an incredibly stressful time for many members of our community, and I want to thank Victoria Police for the work they have done in terms of Operation Ribbon and in terms of recognising the challenge, acknowledging that this might be an issue and then providing the focus and the attention to that effect. There are two parts to the equation: you need to make sure as a government you fund Victoria Police to be able to do the job, but it takes that strong leadership that Victoria Police have shown and demonstrated consistently throughout this pandemic in terms of being able to step up and respond to these challenges, having the capacity to realise that this is going to be a challenge and having the resolve to be able to meet the challenge head on, allocate the resources and do this important work.

I cannot imagine how for individual members that must have felt like at times, being on that really sharp end, going into homes and making sure that this issue was tackled and addressed. I would have found it incredibly confronting and difficult. But they did it, and we are grateful for that, because if they had not have done it, how much worse could it have been? You know, we are very lucky that we have got that dedicated approach. Members from the 31 family violence investigation units reached out to known victims and at-risk families and checked on the whereabouts and behaviour of perpetrators. So again, recognising that there is a problem, recognising that there are these issues, recognising that there is a pattern of behaviour here and allocating the resources to tackle that has made a really important contribution. Liaising closely with partner services as per the management plans in place was also about monitoring safety and compliance. AFMs and perpetrators were contacted and identified through the family violence response risk assessment, which again is future focused, for case prioritisation and risk management processes as being at the highest risk of experiencing or committing further family violence. Where it was safe and practical, contact was made in person, where investigators assessed that based on the safety plan in place for each AFM face-to-face contact may escalate or trigger an increased risk. They did a fantastic job, and they have my thanks.

Ms RICHARDS: Thanks so much. Thank you.

The CHAIR: Thank you, Minister. Mr Limbrick.

Mr LIMBRICK: Thank you, Chair. I get a second go today. Minister, in your presentation you talked about drug-affected drivers and how people impaired by drugs should not be on our roads. I totally agree. However, one of the problems that we have got at the moment is our drug-testing regime does not necessarily test for impairment, it just tests whether drugs are in someone's system, and these are two very different things. I brought this up with the previous minister for roads and have brought it up many times in Parliament. I am wondering: what is the government doing with regard to sourcing new technology to ensure that only people who are impaired by drugs are actually getting infringements? My understanding is there are new technologies out there that people are developing to fix this exact problem.

Mr PEARSON: Look, it is a good question. I might get the Chief Commissioner to supplement my answer, because it goes to an operational question, and I think the Chief would have more expertise and knowledge to talk about some of the specifics around that. Look, it is an interesting question you raise. I know Ms Patten has raised this issue with me before. I think the challenge we have got is that I think the science would say there is no safe level of having some of these drugs in your system to drive. I think that in terms of THC, which is the key chemical in marijuana, I think the science says it is not like alcohol where you can say, 'As long as you've got a little bit in your system, you're right to drive'. I think the science is saying—

Mr LIMBRICK: Even if you had it a couple of days ago or a day ago?

Mr PEARSON: Again, the Chief might want to supplement my answer, but I think the challenge we have got is the technology to be able to test the level of THC. I think that might be the issue. It has been raised by Ms Patten with me. I have asked about it, so I think that there is a view that there is no safe level of THC, but I think also too there is that question mark about whether you can actually measure the level of THC in your system. You clearly can with alcohol, and you clearly can say, 'Well, you're over .05' or 'You're under .05' or if you are a P-plater 'You're over 0.00', but in this case I do not think the technology is quite there yet. Certainly in terms of what Victoria Police have got, I do not think the technology that we have at this stage is able to accurately record a percentage and therefore extrapolate from that whether you are impaired and unable to drive as opposed to you have got a small amount in your system and you can drive.

Mr LIMBRICK: Doesn't that imply that there is possibly an injustice happening here—that people who are not impaired are actually getting infringements? Isn't that the major concern? That is why I am asking about new technology.

Mr PEARSON: Yes. Look, I think if you look at MUARC, the Monash University Accident Research Centre, they look at these issues quite carefully, and they have done some fantastic work over the journey. I think their view would be that I think we have got the policy settings right. In the budget we are making provision for additional funding for additional drug tests because we recognise that this is a challenging issue, but in relation to your specifics, because I think it is an important question that you are asking, Mr Limbrick, both in terms of can you measure a safe level of, for example, THC in your system, and is there a threshold where you say if you are above that you are going to be impaired, I might throw to the chief, because the chief might have a little bit more specific advice on that for you. Also he might have some observations about the technology in a broader sense, Mr Limbrick.

Chief Comm. PATTON: Could you just give me the question again now? I have lost a little bit of it in that ensuing answer.

Mr LIMBRICK: Yes. The current tests do not test for impairment; they test for whether THC, for example, is in your system. I was wondering whether there are any new technologies being looked at or sourced to make sure that people who get infringements are actually impaired by drugs and do not just have drugs in their system, because I feel like that is an injustice if they are not actually impaired.

Chief Comm. PATTON: Look, there are two streams, if you like. The advice that I am given is that anyone with the presence of illegal drugs in their system is an impaired driver. Now, whether that is visibly impaired or not is a different matter, but their reactions and their capacity is impaired. Now, to what extent—

The CHAIR: Thank you, Commissioner. If you do not mind, we will move on. I will pass the call to Ms Taylor.

Ms TAYLOR: Thank you, Minister, Chief Commissioner, Commissioner and departmental officials. Noting that tackling family violence is such a huge issue, what other investments has the Victorian government made to support Victoria Police in dealing with family violence?

Mr PEARSON: Thanks, Ms Taylor. Look, certainly one of the things I am most proud of in my time in government has been the Royal Commission into Family Violence. I think that it is something that those of us who were around in the last Parliament took great pride in to try and recognise that this was a really thorny and difficult issue but that it would require a thorough and comprehensive review and the ability to really analyse this issue thoroughly and comprehensively and then to back it up with a reform agenda and fund it—and fund it properly. The commission handed down its 227 recommendations in March 2016. An example, to your question, Ms Taylor, was recommendation 58, which stated that:

Victoria Police conduct a trial in two divisions of the use of body-worn cameras to collect statements and other evidence from family ... incident scenes ... The trial should be supported by any necessary legislative amendment to ensure the admissibility of evidence collected in criminal and civil proceedings. It should also be subject to a legislative sunset period, evaluation and the use of any evidence only with the victim's consent.

In delivering that recommendation the royal commission considered the benefits associated with the use of body-worn cameras in response to family violence in Victoria for victim-survivors, police prosecutors, courts and the community and the importance of assessing victim-survivor experiences of digitally recorded

evidence-in-chief, and any impacts of the administration of justice were key considerations highlighted by the royal commission to guide and inform the trial and its subsequent evaluation.

By way of background, the digitally recorded evidence-in-chief is a victim statement that is recorded by police using a police-issued body-worn camera, and the DREC, digitally recorded evidence-in-chief, may replace all or part of a formal written statement and will be played in court as the victim's evidence-in-chief in a proceeding for a family violence incident. Victims need to be over 18 years of age, not appear to have a cognitive impairment and provide informed consent before a Victoria Police member can take a DREC, and a DREC cannot be taken where the accused person was under 18 at the time of the alleged incident. Only police members who have completed the body-worn camera training will be permitted to capture a DREC for victims of family violence. Again, this comes back to my previous point. It is about making sure that we train Victoria Police to be able to discharge these duties, so it is about resourcing and training and it is about creating the right culture and the right leadership from Victoria Police to ensure that this is taken really seriously and that it is dealt with.

In the 2016–17 state budget the government committed \$42.6 million for a statewide rollout of body-worn cameras to police and protective services officers as part of that public safety package, and the footage captured by BWC devices is used to support those prosecutions and other proceedings, as evidence in police disciplinary matters and for police training. I think this is the point. You know, I made this comment in my previous appearance. The more data we get, the more we can improve our service offering. The more we improve our service offering, it will enhance the data that we get. You know, it is garbage in, garbage out. If you have got poor data coming in, you are going to get a suboptimal outcome. And I think that where you have got this level of highly skilled, highly qualified, trained individuals who are supported from the top in terms of doing this important work properly and appropriately funded by the government of the day, making sure there is that opportunity for the ability for them to really understand and have that deep appreciation for what is occurring, it will improve their efficiency.

At the completion of the 12-month trial Victoria Police reported 126 DRECs were recorded in Ballarat and 40 in Epping, so just over those two sites 166. Whilst there were no DRECs played in court during the trial period, one DREC was subsequently played in court as part of a contested criminal matter in October of 2019. An evaluation of the trial was undertaken by the Monash Gender and Family Violence Prevention Centre and the report was tabled in Parliament late last year. Now, that report made 11 recommendations, and I am happy to speak to that further later.

Ms TAYLOR: Thank you for that.

Mr PEARSON: Thank you, Ms Taylor.

The CHAIR: Thank you, Minister. Mr Newbury.

Mr NEWBURY: Thank you. Chief Commissioner, if I can take you to page 286 of BP3 and the reporting line on community confidence, is that something that over the last year you have talked about with the government—community confidence and perception of the organisation?

Chief Comm. PATTON: When you say, 'talk to the government', it is a significant issue for policing—absolutely.

Mr NEWBURY: So that is a yes.

Chief Comm. PATTON: Yes.

Mr NEWBURY: When you are answering that, the budget paper does report a downward trend in that number. Can I ask both in general terms what that discussion has been about and what were some of the issues in that discussion that you have identified?

Chief Comm. PATTON: I have obviously spoken with the current minister and prior to that Minister Neville in respect to my concerns about confidence in policing. I mean, we have laws and we have policies, but we cannot do our job without the support and the imprimatur of the public, and they are absolutely pivotal to us. Confidence and trust in policing is everything for me, and it is pivotal in what I am trying to create within the

organisation. We certainly saw that we have had, on the assessments, on the data, a decline in that, and that is really unfortunate. It is a key area of focus for us. For context, though, there are some matters there that—and we are exploring it internally as well—we say that may be attributable to. It is such things as during the COVID-19 period of time we are giving out infringements. We are encountering people for whom otherwise this could be their first interaction with police, where they are getting a warning or a ticket from us. We obviously—

Mr NEWBURY: Elderly people in parks, for example. I mean, there was that horrible—sorry, I should not say ‘horrible’, but there was that well-circulated image, and you imagine that couple probably had not had an infringement for sitting in a park before, so I take your point entirely.

Chief Comm. PATTON: Yes, anybody, without going into singular incidents about it, but, yes, and the fact of the matter is we had other matters as well. We had the Lawyer X royal commission, and these things do impact on the public confidence and the public trust, and that is why I have been really specific on taking steps to move forward in the organisation—making sure our culture is right and one where we do have the trust and confidence of the public. We have refreshed all of our values. We have done a range of other things. We are stepping through disciplinary forms. We are talking about accountability, and where people do do the wrong things we are acting swiftly and either suspending them or moving them to other duties, denouncing that type of conduct. So your question is a very valid one, and it is one that I am really focused on to build that confidence and trust back up.

Mr NEWBURY: Thank you. I was having a look back and I saw that we were on that measure up near 90 about five years ago. It is now just above 80 in terms of that measure. Have you seen it or felt it as it is now before?

Chief Comm. PATTON: I have not seen it in terms of percentages that I can recall. When you say ‘felt it’, it is reflective and clearly it must mean there has been some chinks come off us in terms of public confidence and trust. But, by and large, I do feel that the community is very supportive of us and with it.

Mr NEWBURY: I think you are right.

Chief Comm. PATTON: But it is not something we can take for granted, and it is absolutely something we need to continue to focus on.

Mr NEWBURY: Look, I think that frustrations were boiled over towards you rather than with you as an organisation. Can I just quickly ask in terms of the injecting room issue that was raised by another committee member: if an injecting room came into the CBD, would that require you to enhance your policing levels?

Chief Comm. PATTON: Yes, it most probably will. Yes, we would enhance patrols within the proximity. We would take whatever steps we needed to do. We would make sure we had a strong, visible presence, which is what I am really focusing on anyway within the city, and we do have a significant presence there. We would utilise heavily CCTV within the CBD area so that we could proactively make sure we are monitoring crime. It would be working, as we currently do, with the City of Melbourne in a range of other areas. So yes, there would be steps we would need to take to make sure that we did not have increases in crime in that proximity.

Mr NEWBURY: Thank you, Chair.

Mr RICHARDSON: Thank you, Chair, and thank you, Minister and commissioners, for joining us today, during your busy schedules, for the Public Accounts and Estimates Committee. Can I take you, Minister, to budget paper 3, page 89, regarding public safety measures, and the investments that have been made. I am wondering for the committee’s benefit if you can outline how these investments are making Victoria safer.

Mr PEARSON: Yes. Thank you, Mr Richardson. So, look, again, I think Joe Biden said, ‘Don’t tell me about your values; show me your budget, and I’ll tell you your values’. This budget invests in Victoria Police—in giving Victoria Police the resources it needs to be able to continue to work with the community as we recover. It is about making sure that we have got a modern, innovative and world-class Victoria Police force that all members can be proud of to keep Victorians safe. So critical Victoria Police initiatives will continue, with \$82.7 million for the Fixated Threat Assessment Centre, which brings together police and mental health clinicians to monitor high-risk individuals and respond to serious threats of violence. With so many of these

challenges that we confront, the really insidious issues we confront as a society, there is an element where we need to work with Victoria Police, and we have got to find a way to engage and find a way where we can tackle these issues. I think Wayne Gatt, the secretary of the Police Association Victoria, said at the time of the handing down of the royal commission into mental health that you cannot have a situation where for people who are mentally ill the first thing they see coming towards them is a person in blue, because that can bring its own particular challenges. So what we are trying to do is, again, make sure that we have got a well-resourced police service, police force, to assist with that, and have specialist police working closely with forensic and mental health experts at the Fixated Threat Assessment Centre to target those high-risk persons who pose a serious threat to the community so they can intervene early and prevent violence.

You just think about it for a moment in terms of those mental health challenges, and that early intervention is critical. If someone is going through a period of crisis or trauma and anxiety, we have got to try and find a way to make sure they do not put themselves in harm's way with Victoria Police. We have also got to find a way of making sure Victoria Police have trained up and skilled up and sort of read the warning signs and can start to find a way of tackling that. It is often the case that these individuals have come to the attention of CT police and other agencies because, for example, they might exhibit extremist ideology, or they might show indicators of being radicalised or have extreme grievances. The funding includes staffing costs for swarm detectives, VPS analysts and mental health clinicians as well as for service system enhancements which support referrals of individuals from the centre and into the mental health system.

The Embedded Youth Outreach Program will also continue, with nearly \$6.4 million helping turn at-risk young people away from crime. This is the other point too: if you are looking at these sorts of issues, yes, it is a policing response, but it is also about investing in education. It is also about investing in training and skills and qualifications so that people have got a pathway. It is about investing in public housing so that if you have got large families, they are not cramped in a two-bedroom flat in the city. You have got the ability to have decent housing, good pathways, good support and identification of these challenges early on so that you can then make sure that young people are supported and prevent them falling through the cracks. Again, if you are looking at the youth outreach program, this is about a targeted response aimed at reducing youth offending across two metropolitan sites, in the south and the west, and it is a collaborative initiative operating outside of business hours to reflect the time of day when young people are most likely to be at risk of offending or victimisation. The program aims to reduce long-term involvement in the criminal justice system by engaging with the young person and their family. Again, engaging with the family is really, really important.

Former and current Victoria Police employees who have experienced workplace discrimination or sexual harassment will continue to be supported through the Restorative Engagement and Redress Scheme, with funding of \$42.1 million to maintain this important program. And again, this is something that as a government I am really proud that we have been able to fund, because I think it is vitally important that people have got the ability to be able to access that level of support. This is about making sure that we support Victoria Police now and into the future—we give them the resources that they need. We have got strong leadership from Victoria Police and we have got a well-resourced Victoria Police, and that is going to help us tackle these challenges.

Mr RICHARDSON: Thank you.

The CHAIR: Thank you very much, Minister. That concludes the time we have set aside for consideration of the police portfolio today. We thank you. We thank you, Commissioners and Secretary and officials, for your attendance here today. The committee will follow up on any questions taken on notice in writing, and responses will be required within 10 working days of the committee's request.

The committee will now take a 5-minute break before beginning consideration of the emergency services portfolio with you.

Witnesses withdrew.