

VERIFIED VERSION

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into Budget Estimates 2017–18

Melbourne — 23 May 2017

Members

Mr Danny Pearson — Chair

Mr David Morris — Deputy Chair

Mr Steve Dimopoulos

Mr Danny O'Brien

Ms Fiona Patten

Ms Sue Pennicuik

Ms Harriet Shing

Mr Tim Smith

Ms Vicki Ward

Witnesses

Mr Gavin Jennings, Special Minister of State,

Mr Chris Eccles, Secretary,

Ms Rebecca Falkingham, Deputy Secretary, Social Policy, Family Violence and Service Delivery Reform,

Mr Tony Bates, Deputy Secretary, Governance Policy and Coordination, and

Mr Samuel Porter, Acting General Counsel, Department of Premier and Cabinet.

The CHAIR — I declare open the public hearings of the Public Accounts and Estimates Committee inquiry into the 2017–18 budget estimates.

All mobile telephones should now be turned to silent.

I would like to welcome the Special Minister of State, the Honourable Gavin Jennings, MLC; Mr Chris Eccles, Secretary of the Department of Premier and Cabinet; Ms Rebecca Falkingham, Deputy Secretary, Social Policy, Family Violence and Service Delivery Reform; Mr Tony Bates, Deputy Secretary, Governance Policy and Coordination; and Mr Samuel Porter, Acting General Counsel, Office of the General Counsel.

All evidence is taken by the committee under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Comments made outside the hearing, including on social media, are not afforded such privilege.

Witnesses will not be sworn but are requested to answer all questions succinctly, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

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

All written communication to witnesses must be provided via officers of the PAEC secretariat. Members of the public gallery cannot participate in the committee's proceedings in any way and cannot photograph, audio record or videorecord any part of these proceedings.

Members of the media must remain focused only on the persons speaking. Any filming and recording must cease immediately at the completion of the hearing.

I invite the witness to make a very brief opening statement of no more than 5 minutes, and this will be followed by questions from the committee.

Visual presentation.

Mr JENNINGS — Thanks, Chair, and thanks, PAEC, for the opportunity to spend some time with you. I will be very, very, very quick in running through the slide presentation. I know you have heard that before, but literally I will be. So if we look at the slide presentation, can I say that the Victorian public sector is very significant because of the services it provides to the Victorian community, because of its capacity and because of its profile in terms of supporting regional communities. If you notice, 30 per cent of the Victorian public sector works in the regions, which is higher proportionally than our citizens who live in the regions.

What we see is that we have significantly risen to some of the challenges. Two-thirds of our people who have responded to surveys say that the Victorian public sector is a good place to work. They are very reaffirming of that, and in fact we have seen an increase in the number of executives that are women, over the last five years, which is a very significant improvement.

Next slide if we could. As part of our reforms of the public sector — we will share this with you in case you think there is some sleight of hand in racing through it. Last year we identified how we would like to reform the public sector, and we wanted to demonstrate we are investing in our people, our systems, the outcomes and our accountability framework. They are the organising principles for what is coming in the following slides.

First of all our people. We have tried to see how we can make our workplace more flexible, how we can increase our IT capacity, how we work with leaders in the space of innovation in terms of new applications and new systems that could be more user-friendly for our citizens and our public servants alike, and we have undertaken significant reform in relation to workforce planning, particularly in relation to family violence and establishing a new entity to deal with coordination of family violence efforts into the future.

Next slide. In terms of our systems, one way that we can demonstrate it, we are changing the way in which we provide services and support to our community. Family violence support and safety hubs will be a key initiative that is embedded within the current budget. We want to make sure that our citizens have a timely and

appropriate response and wraparound services at the time that victims and survivors of family violence need support.

We are working on a new capability, Service Victoria, which has featured prominently in previous budget allocations, and we have a continual work program to roll out Services Victoria, which will change the online transactional connection between our citizens, the way in which they do business with the Victorian community and the way in which we regulate and license activities across Victoria.

Infrastructure Victoria has published a 30-year strategy, which outlines the infrastructure priorities for the state of Victoria into the future, and as recently as today it has published its latest report to the government in relation to what it believes about port infrastructure into the future.

We have established a new ongoing program to support innovation and best practice in the way in which we do business, which includes evaluating through the behavioural insights unit how we do our work — so reflecting on what is best practice. Through Engage Victoria services we connect with our citizens about the ways in which they are telling us that they want to interact with our services. So there is a closed loop between continual improvement and continual reflection from the community about the way in which we do undertake public sector activity.

The last slide deals with accountability frameworks. As you would be aware part of my responsibility is to be the statutory office-holder in relation to a number of independent statutory agencies, which includes IBAC's significant work in the last 12 months based upon reforms that the government introduced in terms of its lower threshold and its investigative powers, and IBAC has undertaken great work on behalf of the Victorian community.

We have introduced digital dashboards in terms of IT rollout to make sure there is real time — well, not real time, because they are all basically on quarterly reporting — but there is continual reporting on where our IT projects are tracking. We have introduced freedom of information reforms to try to make freedom of information more timely and more accountable. We have introduced restrictions on government advertising, achieving a significant reduction in the footprint of TV advertising from the circumstances we inherited.

We have introduced an independent monitor to deal with family violence, and we have also introduced reforms relating to freedom of information and the role and responsibilities of the privacy and data protection commissioner. I said I would be quick; literally I think I have been.

The CHAIR — Yes, 5 minutes exactly, I think. Thank you very much, Minister. I will commence, and the budget paper reference is budget paper 3, page 9. I asked a similar question earlier this morning of the Attorney-General. I am wondering whether you could advise the committee in terms of the investments you are making — or the government is making — in relation to information sharing and the way in which we can try, through the different silos in government, to share information more efficiently and effectively in order to tackle family violence.

Mr JENNINGS — Yes, indeed, these reforms are very significant, and there are a couple of interlocking elements. Family violence is perhaps the one that has been given most prominence in terms of commentary and in terms of financial budgetary allocation because there are a number of disparate datasets, whether they be in courts, police, human services, housing or other types of agency response that have previously gathered information on our citizens to suit the purposes of those agencies and their interaction with our citizens. But it is very clear to us that there is a need to integrate that knowledge, particularly if we want to wrap services around, as I indicated in my speedy presentation, through the prism of safety hubs.

If a victim of family violence arrives at a hub, we are wanting to make sure that there is a centralised information point that will gather information across those disparate datasets to make sure that for the woman, because inevitably it is a woman who is the victim of a family violence incident — not 100 per cent but pretty close to 100 per cent, and most often those circumstances also may involve children — there is not an onerous obligation to share the story time and time again. We collate information; we actually know what the intersection between the court system and family and children's services may be with that family.

We want to make sure that we actually have timely and appropriate information about the perpetrator so that the perpetrator is actually kept at arm's length. It has been a significant undertaking to make sure that we make

perpetrators accountable and actually ensure there are no breaches of privacy and confidentiality conditions that would mean that perpetrators could come into inappropriate contact with victims at a time of receiving our care.

So investments that we have made include investments in the court management system, the planning for proper case management for perpetrators who are coming out of the corrections system, to try to make sure that we invest in a risk assessment portal that is actually used by agencies to be able to use the information that is available to them to assess risk and manage families' needs. All of those items are at various instances in budget paper 3.

The CHAIR — What sort of support will be provided to practitioners in the field in terms of making sure that they are able to discharge all their obligations and responsibilities?

Mr JENNINGS — That is an excellent question. In terms of the practitioners, as you would appreciate, there are some complexities in the way in which the information is collected in the first instance. It has actually not been designed to share; it is actually being used for the existing services configuration. We have spent a lot of time looking at the way in which those who have been the owners and controllers of that information, being the agencies themselves, can reflect on their practice to actually see how they can revise the way the information is collected and shared appropriately. Strict protocols have to be underpinned, and there is a piece of legislation in the Parliament at the moment to underpin the protocols.

There will need to be guidelines established. Regardless of what we do in statute and regardless of how clear we are in statute — and we have done our best to be clear in statute — we actually understand that there are guidelines that will be required by practitioners. That has involved hundreds of hours of conversations already. That will be distilled through a project control board and the technical advisory group that have been established to assist in the development of that work.

The CHAIR — It is an important issue, trying to get the balance right, because on the one hand you do want information to be shared so that people are protected and are not put at undue risk.

Mr JENNINGS — Yes.

The CHAIR — The flip side, though, is you do not want people just throwing information out in the public domain which might cause some significant breaches of privacy for individuals involved.

Mr JENNINGS — Absolutely; and there is a degree of science, there is a degree of art and there is a degree of sophistication and maturity involved in that. So we have gone into those agencies to work very closely with people who are already in the field to see what is their knowledge gap, what is their clarity, in terms of the obligation that actually goes two ways: one is in fact to appropriately share across the service network to be able to identify the information. A lot of that will be codified. A lot of that will go through a central information point that will steer that, but all of this should be compliant with the new act that will go through the Parliament and indeed the guidelines that have been established on the way through that project control group and through the technical advisory group. It will be truth tested within the field and then adopted across the variety of family and children's services, specialist family violence services and other agencies that will be dealing with the service support for our citizens at a time when they need support, and at the same time to keep perpetrators accountable.

We want to make sure that we have got the right knowledge about perpetrators and that it goes to the right agencies. The perpetrator programs are designed around that appropriate demarcation of information to keep them accountable.

The CHAIR — I asked the Attorney-General in his evidence earlier today a question in relation to investment in terms of IT, because in terms of the court system there are sometimes legacy systems which are 30 years old. So I am just wondering, and again coming back to the previous budget paper reference, budget paper 3, page 9, in relation to the overarching investment in terms of family violence, can you talk in a little bit more detail about the ICT investment in your portfolio and how you see those sorts of investments making information sharing more efficient and more effective?

Mr JENNINGS — Beyond what you have identified in budget paper 3, page 9, there is also an allocation particularly in relation to family violence that is identified on page 17. Page 17 lists the expenditure of assets

that cross over between the work that the Attorney-General does and work that will be done by the new Family Safety Victoria. Within that investment profile there is significant investment, as you will see if you have that budget paper before you, of \$22.6 million this financial year allocated specifically for that reform.

Unfortunately in the first instance we will see a more labour-intensive reconciliation of those datasets than we would actually like. It is actually going to be fairly manual in the first instance to make sure that we have real-time interaction of disparate datasets. We will be working through that to try to make sure that the way in which that information is collated starts building a template, which will then be followed by a business case of investment about what the shared platform will be.

That will be the majority of the work that is actually undertaken this year — responding in real time manually, building a template software application of the investment strategies in terms of the equipment that is going to be required to build an integrated dataset into the future. So that is the first tranche of that level of investment this year.

Ms WARD — Minister, if I could ask you to have a look at budget paper 3, page 304. The paper talks about the number of publications or discussion papers released. The target was for six, but the actual outcome was 10. Can you please explain to us what has happened there?

Mr JENNINGS — Clearly an over publication. Good news for the citizens of Victoria because we are now changing subject matter; we are now talking about Infrastructure Victoria and we are talking about their brief. The government's intention was to try to change the way in which we assess the vast array of infrastructure needs in the Victorian community and put it on a longer term trajectory in relation to the 30-year horizon. I am pleased to say that the most significant of those reports to have been published by Infrastructure Victoria was to deliver that 30-year strategy. The government has already, through many of the infrastructure projects that have been funded in this year's budget, started to work assiduously through that pipeline of investment that is required.

The other reports relate to the preparation material and the consultation papers that were associated with the establishment of that strategy. There has been an iterative process by Infrastructure Victoria itself to actually have no surprises, to give draft recommendations about where they thought the priorities were lying to allow the community to respond in an iterative fashion to actually ultimately culminate in the 30-year strategy. There have been discussion papers about the scope, there have been draft papers in relation to the strategy itself, there have been options for the community to — —

The CHAIR — The Deputy Chair until 12.19 p.m.

Mr MORRIS — Can I start with Mr Eccles or whoever may be the appropriate witness, on in particular the estimates questionnaire, page 13. Service Victoria has total output carryover of 52 million or 39 per cent of its 16–17 budget allocation into the next financial year. On 31 March it was stated on the government IT strategy website that Service Victoria had been intentionally delayed due to the significant change entailed. I am just wondering if you or, as I said, the appropriate officer, can indicate why we are so far behind on that particular project?

Mr ECCLES — Thank you, Mr Morris. I am not sure that I would characterise it so much as delay as the need for substantive preparation for the work of Service Victoria. The past 12 months has seen the design work on the customer service system around what Victorians want and need rather than what works for government, and so this deep engagement with the design piece will then fold into the transition from planning into development, testing and delivery. It was a recognition of the need for there to be substantive investment upfront in the preparatory work, and we can now move very quickly because we have now signed the systems integration contract in April 2017 to, as I said, transition from planning into development, testing and delivery.

Mr MORRIS — Service Victoria is, I understand, subject to the HVHR framework — high-value, high-risk framework. Can you advise the committee which gateway it is presently at and if any red flags have been identified in relation to the project?

Mr ECCLES — I can certainly confirm that it is the subject of the high-value, high-risk framework and that it has made substantial progress through the framework. I think Mr Bates may be in a position to describe which particular stage of the framework the project is up to.

Mr BATES — Mr Morris, we had a high-value, high-risk report on the project probably about six weeks back. I get confused about the gate numbers but it was the one before you go into contract procurement and initiation. The report came back basically with a couple of ambers but there were no red flags. So there are a few issues around engagement with partner departments, which we have worked on, but it has got the tick from high-value, high-risk to move to the next stage.

Mr ECCLES — Mr Morris, in case it had escaped your attention the minister is indicating that it is at stage 5.

Mr MORRIS — Thank you. How many staff have we got engaged or seconded to Service Victoria at this point?

Mr JENNINGS — Fifty-five.

Mr MORRIS — Fifty-five. Thank you. The minister or Mr Eccles, whoever wants to take this one — the performance measure for delivery of projects within agreed time lines in BP 3, page 305, was in the current budget for the first time, and it relates to projects undertaken by Service Victoria. This year the budget indicates that 100 per cent of projects were delivered within the agreed time lines. Obviously if we have got that delay, that has not occurred. Are the agreed time lines the amended time lines?

Mr JENNINGS — Well, I am happy to take the answer and be augmented by my colleagues here. My interpretation of this is that we are pretty clear about the end point of the delivery and going online in real time for the Victorian community. From our perspective, whilst we have reported in a cautionary way where we have tracked in relation to the allocation of expenditure, we believe that we are on track to deliver an online, live experience within the time frames of the project design. So did it mean that we actually allocated a significant allocation of funding a little bit slower than we might have in terms of getting a project out the door in terms of the procurement of the systems integrator, as Mr Eccles has already indicated to you? The answer is yes. That was a little bit slower than we anticipated. Does that mean that we will be delayed in the project delivery? The answer is no.

Mr MORRIS — But given that the time lines are for this budget year and it has been significantly delayed, how can it be 100 per cent within the agreed time lines?

Mr JENNINGS — This budget year the project will be delivered in the form that we have anticipated within this budget year — within the budget year that we are considering.

Mr MORRIS — Yet there has been a substantial delay.

Mr JENNINGS — I think ultimately we are reaching a semantic position. We have actually explained to you why some of the aspects of the work have been cautiously progressed. Does this actually mean that our key milestones in delivery and the time lines of the project have been delayed? The answer is no. Does it mean that in fact we allocated some funding a little bit slower than we originally anticipated? The answer is yes. Does it actually mean that, as was reported in the preparation of the budget papers, there has been a significant investment that was made in the last month that will bring us closer into the financial funding envelope? The answer is yes. We are probably closer than we were when the budget went to print.

Mr MORRIS — Well, I was going to ask you whether you considered that particular budget measure meaningless, and I think the answer probably says that you do. Can I ask a question on the same subject but in a slightly different manner. I understand it was intended to set up dedicated Victorian government shopfronts and that has now been halted. Has the government cancelled its plans in this regard, and does it instead seek to rely on the provision of services via Australia Post?

Mr JENNINGS — The answer to the second barrel of your question is no. The answer to the first part of your question is, in terms of what had been the footprint of a physical presence in terms of what might be a shopfront or kiosks or other physical rollouts of the program, that has always been a second stage of our consideration. Our primary consideration in the first instance is the digital integration — the design of those systems that will enable our citizens to complete their transactions online and for us to work with IT legacy systems across the whole gamut of relevant agencies.

Mr MORRIS — So just in terms of the shopfronts — —

Mr JENNINGS — Yes, I just talked about shopfronts a second ago. At the beginning of that sentence, I indicated to you that we have not necessarily at any point in time indicated how many shopfronts at what point in time would be a central part of the project. We have actually indicated that the — —

Mr MORRIS — So are you saying there was no tender?

Mr JENNINGS — No, there was no tender. Sorry, I gave you more information than you wanted.

Mr MORRIS — Given the time frame that we have left, what has been delivered in terms of Service Victoria to date? Where are we at?

Mr JENNINGS — What I can actually say is that we have done an extensive degree of customer evaluation of what the end user experience could be by doing extensive survey work — face-to-face work — with our citizens in relation to online conceptual testing of the way in which they want to do business with the Victorian government. The good news is that the vast majority of our citizens say that they want to complete online transactions, whereas at the moment — and I held up my hand before to actually say this — currently less than 5 per cent of transactions from beginning to end across all of our licensing and regulatory environments are completed online but nearly 70 per cent of our citizens want to be able to complete it online. That is our mission. We have actually established an enterprise grade, customer-facing website that is already in the process of being tested to try to test with users whether there are repeatable patterns in terms of the way in which they complete, currently, their — —

Mr MORRIS — Given we have only got 30 seconds left, can I ask: is there a business plan for Service Victoria, and if there is, can you provide the committee with a copy?

Mr JENNINGS — I think there might have been a fledgling business plan in the administration that you might have been associated with, so in terms of a business plan, there was certainly a business plan.

Mr MORRIS — Is there one you are working on now?

Mr JENNINGS — Well, we are implementing one.

Mr DIMOPOULOS — Thank you, Minister and officers. Minister, in your presentation and also in the last hearings last year you talked about public sector reform, obviously a key part of your portfolio. I just wanted to draw your attention to page 3 of your presentation in relation to public sector reform, both people and systems, and one or two references to the Public Sector Innovation Fund that you established. What are the investments in this budget, 17–18, the allocation for the Public Sector Investment Fund, and what is it actually going to do?

Mr JENNINGS — Okay. Thank you for asking. This is actually something that I referred to in my presentation about us trying to find a new better citizen experience in terms of being able to access services and to be able to gather information to empower them in their lives and to get better service outcomes.

This fund is actually used at the interface. Effectively it is the creation of information systems, the creation of apps or applications that are user-friendly in terms of people getting information then applying that in terms of their interaction with the service sector. What does that mean? For instance, the first cab off the rank was to assist women to complete in an online fashion intervention orders. Rather than having to go to a police station and make themselves vulnerable by physically turning up to a location, to be able to complete with their own confidential environment and the secure environment an online application for an intervention order. That was the very first one.

Similarly for family violence we introduced a way of gathering the information that is being used by Safe Steps, which is an important agency that provides accommodation and other service advice to women to be able to have a real-time dataset of what services were available to support those women.

We actually recognised this can be used in a whole variety of ways. As you would know, there has been a public policy debate about immunisation and a sort of an anti-vax movement. One of the ways in which we are trying to mitigate that adverse effect is to try to increase immunisation rates, particularly for young people. We have developed with human services and Monash University an immunisation behaviour change program. There have been a number of service delivery issues. We have partnered with the Aboriginal community, building on a platform built by Infoxchange, homeless services that should be available to Aboriginal people.

We have looked at programs in the health system in relation to diversion from emergency departments, and again in health in terms of an accelerator which brings together clinicians, researchers and small businesses — small start-ups — in relation to the commercialisation of research programs.

All of these projects are actually right at the cutting edge of user interface or bringing connections between people. They have all been supported by investments out of this fund. On average probably somewhere between 300 000 and 400 000 has been spent on all the projects that I have actually identified.

We spent 3.08 in the last financial year. In the next year we would be anticipating an expenditure profile a little bit in excess of that in terms of actually trying to provide the support. What we are doing is centrally we are funding through my department and through the Public Sector Innovation Fund. We are partnering with line agencies to actually get them to buy into innovative practice and improving the citizen's experience. That is what the program is about.

Mr DIMOPOULOS — Thank you, Minister. I am interested in the Infoxchange one, because I met with Infoxchange some months ago. I may have this wrong, but I think they had a broader application that would be likely to find any homelessness services wherever you are —

Mr JENNINGS — Yes.

Mr DIMOPOULOS — not just for Aboriginal Victorians. Whether it is that one or it is the one particularly for Aboriginal Victorians, can you give us some insight — or one of the officers — about how that actually happens? Is it your department chooses which ones that are going to be the beneficiaries of the fund or which ideas, because there must be a 1000 ideas? How does that work? Does the department self-select or stump up the funding?

Mr JENNINGS — There are a couple of things. One is that it is not necessarily a competitive round, but we try to till the soil about what might be pressing public policy issues where our agencies are having difficulty either in being most efficient because of the way in which they gather information and share it, or whether our citizens actually find difficulty in getting access to a service and these line agencies have not been able to get their head around how do you do it, what is that interface? So they have put in expressions of interest. We actually then evaluate that need. I have not actually mentioned that we have partnered very significantly with COTA Australia, which is an outstanding organisation that basically has that technical capability, systems developers and writers of code and systems designers that in fact have been the technicians that come and become embedded within those agencies to lift those agencies' capability to actually take them to a new technical level that they were not capable of doing. That is actually something that we partner.

So we have created a bit of the glue. We have actually helped them assist in the identification of the issue. We will then effectively leverage any money that might be in the line agencies or we might be able to bring from other quarters to be able to deliver on those projects.

Ms SHING — Minister, I might pick up from there to build on a question that Ms Ward asked earlier, at budget paper 3, page 304, and a number of publications or discussion papers released. I note that one of the reports and publications in that total number of 10 includes a term of reference that was set out in a discussion paper around a second container port requiring Infrastructure Victoria to consider the means of distribution of trades across Victorian commercial ports and where a second container port should be located, examining the two sites at Bay West and Hastings, and that this was in fact one of the key objectives in taking the politics out of large-scale infrastructure decision-making —

Mr MORRIS — Ha ha ha.

Mr JENNINGS — Stop tickling him!

Ms SHING — and giving it to an independent body to determine. It is always a joy to make Mr Morris happy in the course of these committee processes.

Ms SHING — Let the record reflect his considerable enthusiasm for my question. In relation to the work around the election commitment to ask Infrastructure Victoria to investigate the location and timing for a second container port, can you update the committee on the status of that advice, noting that it has had a considerable lead time around the discussion of those two potential sites and the long lease of the port of Melbourne?

Mr JENNINGS — Thank you. Mr Morris might have actually been laughing at the fact that a lot of the debate around the second container port was actually embedded in the discussion that led to the port transaction legislation being supported by the Parliament. It was a long period of time.

Ms SHING — It was supported by the Parliament after a lengthy inquiry of which I was part. We missed you on that inquiry, Mr Morris.

Mr JENNINGS — Exactly. It had a lengthy inquiry. It certainly had a lengthy committee stage that was punctuated by about three or four months of negotiation before we could go from the second-reading debate to the — —

Mr T. SMITH — They had to bring you in at the last minute, did they not? It was not going so well as a negotiation.

Mr JENNINGS — I have waited for Mr Smith's support during the course of this hearing, and thank you, Mr Smith, for that support.

Mr T. SMITH — It is great to see you, cardinal; it is great to have you back.

Mr JENNINGS — Thank you so much. The evidence has been compiled by Infrastructure Victoria, and they did a lot of work. They embarked upon a discussion paper in March. They issued a discussion paper. They had 58 technical reports that were commissioned. They have had online responses from the logistics industry — a lot of feedback. They have discussed with stakeholders right across the board, on both sides of the bay: Port Phillip Bay and then Western Port Bay. They have made recommendations based upon what they believe is the future infrastructure pattern and logistics demand of the city and how it configures with the existing infrastructure. They have made an assessment on the environmental impacts that would be associated with the development. They have had a look at what the profile of shipping container industry traffic would be into the long term. They have made a determination that on balance Bay West is preferred comprehensively.

Mr T. SMITH — Budget paper 3, pages 316–18, the Victorian Ombudsman. Can you advise the total cost to date to the Victorian Ombudsman of fighting against your government in the courts, including the High Court, with regard to the parliamentary referral of the Labor Party electoral rolls issue?

Mr JENNINGS — Good on you, Mr Smith. I do not know whether in fact there was a fight, and I do not really know what the costs are that have been borne by the Ombudsman either. I would anticipate that the Ombudsman may choose, if she determines, to identify that cost in her annual report, which would be published in September-October this year. We do not consider it a fight in the sense that you have put it in your question, because it was pretty clear that the statute, by design, limits pretty comprehensively the jurisdictional cover of the Ombudsman. However, in section 16 there was a — —

Mr MORRIS — You did not think that about the Geoff Shaw investigation.

Mr JENNINGS — I have never been asked a question on the public record about that investigation — never. I have not been asked that question.

What I am saying to you is that the Parliament moved a resolution relying on section 16, which in the view of the government's legal advice should have been understood to apply within the context of the jurisdictional constraint and the scope of the Ombudsman's responsibilities, consistent with the rest of the accountability and integrity framework, whether that be the jurisdictional cover of IBAC or of the Auditor-General and other agencies. The reason why these matters ended up being tested in court was that the government's clear legal advice is that the phrase 'any matter' within section 16 should not be read down to sit outside the construct of the legislation or the integrity system.

Mr T. SMITH — Minister, this is all terribly interesting, but I am after a cost.

Mr JENNINGS — I am glad it is interesting to you, because in fact this is the legal issue that ultimately was tested.

Mr T. SMITH — No, I want the cost. Minister, we got the cost from Parliament and we got the cost from DPC. I want the cost for the Ombudsman.

Mr JENNINGS — When you re-read my transcript, I indicated in about the second thing that I said — in probably sentence number 2 — I do not know the costs that have been incurred by the Ombudsman. She may choose to report on that in her annual report, but I am not — —

Mr T. SMITH — Minister, you are responsible for the Ombudsman within your portfolio to Parliament. Can you undertake to get those numbers for us, please?

Mr JENNINGS — As I have indicated to you, the Ombudsman in this instance, I can assure you, has acted independently and will assert her independence, and I am certain if she chooses to publish that number, she will do so.

Mr T. SMITH — Have you provided supplemental funding to the Victorian Ombudsman and Parliament to cover the costs of this litigation?

Mr JENNINGS — There is a standard arrangement that is applied from one budget to the next within the output funding of DPC and the integrity line output. DPC has over many years covered the operating shortfall of those agencies if in fact they have a shortfall, and that has been the practice that has been adopted in a number of instances over the years. If the Ombudsman has a similar outcome in relation to this financial year, it would be my expectation that that would be dealt with by DPC at that time.

Mr T. SMITH — Moving on to Family Safety Victoria, Minister, with the announcement of Family Safety Victoria the Premier said:

The agency will of course be accountable in the first instance to the Special Minister of State ... and that's as it should be.

Minister Richardson has personal professional experience in this area. The minister is far more qualified to oversee this new agency than you are. What is the rationale to give you control and responsibility for this agency and not her?

Mr JENNINGS — First of all, I should make it very clear that my ministerial colleague is a fantastic advocate for gender equality, for safety for women and for the need for our community to engage in respectful ways with women and girls and for that to lead to a comprehensive culture change within our community about the respect and regard shown to women in this and future generations. She was unswerving in her determination to achieve that outcome.

Mr MORRIS — An effective advocate but not trusted to implement the steps necessary for reform.

Mr JENNINGS — I think it is very important to actually understand the different activities and functions that can occur within a high-functioning government in relation to the sharing of responsibilities. I would outline to the committee that my colleague uses her lived experience that she has generously shared with the community, the pain and suffering that she has endured, which actually underpins her philosophical — —

Mr T. SMITH — But what qualifications do you possess that she does not that made you responsible for this authority?

Mr JENNINGS — I can assure you, Mr Smith, I am outlining the solid foundations for why Minister Richardson is leading the prevention of family violence, the way in which she does it and the way in which she achieves it. Minister Richardson does not have to be a person who is associated with the issue of information sharing and the technical way in which information sharing should be built. She does not have to be responsible for the workforce development issue and the planning of workforce development. She is evangelical as she needs to be in terms of being an agent of change in terms of the culture of the community. That is the primary role and responsibility that she has.

Mr T. SMITH — But again, Minister, you are the Special Minister of State, she is the Minister for the Prevention of Family Violence and Family Safety Victoria has been given to you and not her. Why? That is very odd.

Mr JENNINGS — It is not very odd. In fact, Mr Smith, you may or may not have noticed, of all of the aspects of public sector reform for which I am responsible, I am responsible within this administration for enhancing the capability of the Victorian public sector through providing better guidance and structure and an

industry plan for workforce development and the professional development of the Victorian public sector. I am responsible for information sharing. I am responsible for the way in which we improve our systems. Basically to simplify the issue, Minister Richardson is changing the culture of our community through her advocacy and her engagement with the community in relation to gender equality, the empowerment of women and ultimately campaigns and culture change in relation to prevention of family violence as an external advocate.

Mr T. SMITH — But a key agency like Family Safety Victoria, she is not responsible for that. That makes no sense.

Mr JENNINGS — Just at every time in my presentation that I pivot from the external leadership role that Minister Richardson plays and the importance of prevention of family violence to the point of inside government change agent in terms of systems, practices and capability, that is the pivot point. I am responsible as we pivot in relation to internal aspects of culture change and systems building within the government. Minister Richardson is — —

Ms SHING — It is a group effort.

Mr DIMOPOULOS — Collaborative.

Mr T. SMITH — Seems like a real factional effort to me.

Ms SHING — This is how you would diminish something this important, Mr Smith.

Mr JENNINGS — I think the great difficulty that we are actually identifying here is that sometimes intrigue and political narrative may actually get in the way of dispassionately considering the best way for us to achieve change. The best way for us to achieve change is Minister Richardson maintaining the clear advocacy role. She has an agency that is responsible for rolling out prevention strategies. That is a discrete activity within its own right. She will be unencumbered in relation to her ability to be — —

Mr MORRIS — How many other members of the cabinet have a sole role that involves advocacy?

Mr JENNINGS — No. In fact, Mr Morris, if you are actually confused about this, go back to the — —

Mr MORRIS — I am not confused. The general order indicates clearly that the Minister for the Prevention of Family Violence has part administration of one act shared with the Attorney-General — nothing else. And you are saying she is an advocate? I am asking how many other ministers are advocates at the cabinet table.

Mr JENNINGS — No. I have said many other things. There is an engagement with the community in relation to the co-design and delivery of programs that will lead to enduring culture change within the community.

The CHAIR — Order! I would like to thank the witnesses for their attendance: the Special Minister of State, the Honourable Gavin Jennings, MLC; Mr Eccles; Ms Falkingham; Mr Bates; and Mr Porter. The committee will follow up on any questions taken on notice in writing. I believe there were some questions on notice provided by Ms Pennicuik and possibly Ms Patten. The response answering the questions in full should be provided in writing within 10 working days of the committee's request.

Witnesses withdrew.