

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into the 2026–27 Budget Estimates

Melbourne – Friday 22 May 2026

MEMBERS

Sarah Connolly – Chair

John Pesutto – Deputy Chair

Jade Benham

Michael Galea

Mathew Hilakari

Lauren Kathage

Aiv Puglielli

Richard Riordan

Meng Heang Tak

WITNESSES

Sonya Kilkenny MP, Attorney-General; and

Dr Emma Cassar, Secretary,

Emma Catford, Deputy Secretary, Justice Services and Regulation,

Kathryn Bannon, Deputy Secretary, Justice System Coordination and Reform,

Louise Anderson, Chief Executive Officer, Court Services Victoria,

Adrian Sculthorpe, Deputy Secretary, Aboriginal Justice, and

Nicola Quin, Chief Operating Officer, Department of Justice and Community Safety.

The CHAIR: I declare open this hearing of the Public Accounts and Estimates Committee. I ask that mobile telephones please be turned to silent.

I begin by acknowledging the traditional Aboriginal owners of the land on which we are meeting, the lands of the Wurundjeri people. We pay our respects to them, their elders past, present and emerging, as well as to elders from other communities who may be here with us today.

On behalf of the Parliament, the committee is conducting this Inquiry into the 2026–27 Budget Estimates. The committee's aim is to scrutinise public administration and finance to improve outcomes for the Victorian community.

I advise that all evidence taken by the committee is protected by parliamentary privilege. However, comments repeated outside of this hearing may not be protected by this privilege.

All evidence given today is being recorded by Hansard, and it is broadcast live on the Parliament's website. The broadcast includes automated captioning. Members and witnesses should be aware that all microphones are live during hearings and anything said may be picked up and captioned, even if said quietly.

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 Chair I expect that committee members will be respectful towards witnesses, the Victorian community joining the hearing via the live stream and other committee members.

I welcome the Attorney-General the Honourable Sonya Kilkenny as well as officers from DJCS and Court Services Victoria. Attorney, I invite you to make an opening statement or presentation of no more than 10 minutes, after which time the committee will ask you questions. Your time starts now.

Sonya KILKENNY: Thanks very much, Chair, and thank you for acknowledging country this morning. We will start with a slide pack here.

Visual presentation.

Sonya KILKENNY: This budget, as you can see, invests over \$189 million into the Attorney-General's portfolio, and this is because community safety is this government's priority. A significant portion of this investment, which I will outline a bit later, is to back in the legislative reform to make Victoria safer. We have responded to an increase in violent offending by introducing Australia's toughest bail laws and bringing in tougher sentences so that there are serious consequences for violent crimes. We are strengthening our court system to be more efficient so cases can be heard and dealt with more quickly.

Next slide. The adult time for violent crime reforms passed Parliament in December last year and came into full effect in February 2026. Under these laws children aged 14 and above will face serious consequences for violent crimes. Children committing crimes like invading someone's home or injuring someone with a machete in a sickening act of violence will face adult sentences in adult courts. This is a significant change to our justice

system and is backed in by investment. We have invested in four new County Court judges to hear serious violent youth offences, one new Children's Court magistrate to respond to demand, installation of new youth custody cells and associated infrastructure to allow trials and guilty pleas of young people to occur in the County Court, and there is additional funding for the Office of Public Prosecutions and Victoria Legal Aid to respond to increased demand.

Next slide. In 2025 the Allan Labor government introduced and passed two separate pieces of legislation to deliver tougher bail reforms, the *Bail Amendment Act 2025* and the *Bail Further Amendment Act 2025*. Those bail reforms are working, and that is evident from the data on the slide, which I wanted to share with the committee today. In particular, bail revocations are up 84 per cent and bail refusals are up nearly 70 per cent in the Magistrates' Court. The 2026–27 budget invests \$397 million across the criminal justice system to implement our bail laws. Within my portfolio that investment includes an additional \$10 million over two years that is invested to support lawyers from Victoria Legal Aid and the Office of Public Prosecution, who are appearing in court more as a direct result of the bail reforms; and over \$7.5 million over four years for the Melbourne Magistrates' Court to pilot a dedicated Koori hearing list to deliver culturally appropriate case management for First Nations accused, including applications for bail.

Next slide, please. Through the 2026–27 budget the Allan Labor government has committed to completely reviewing and rewriting Victoria's sentencing laws to make them clearer, more consistent and better aligned with community expectations. Since the *Sentencing Act 1991* came into force, sentencing law has evolved considerably, but the Act has not been comprehensively reviewed or publicly consulted on since it was enacted. Through time and various amendments to the Act here and there it has become exceedingly complex and very, very difficult to navigate. An independent review of the *Sentencing Act* is backed in by nearly \$3 million in this budget. It is needed to establish foundations for effective, longer term legislative reform. The government has tasked the Sentencing Advisory Council, an independent entity with sentencing expertise, to review the *Sentencing Act* and make recommendations to inform the development of a future rewrite.

The Sentencing Advisory Council will provide advice on whether the Act still meets community expectations, how sentencing can better support victims and ensure their voices are heard and how the Act can better reflect and promote what Victorians expect in the 21st century. We will also ask the Sentencing Advisory Council to consider current sentencing issues affecting Victorians, including sentencing outcomes for offences against people who are trying to intervene to stop violence. These are often known as good Samaritan laws. I am pleased to say that the Sentencing Advisory Council will engage very widely with stakeholders and the community, including the public, victims, legal and justice stakeholders, representatives from the Aboriginal and Torres Strait Islander communities and other groups who are over-represented in the justice system.

Next slide, please. Ensuring courts move quickly, the 2026–27 budget provides over \$155 million across the criminal justice system to meet court system demand and enhance access to safer, more contemporary and accessible justice services. These investments build on commitments already made to ensure our courts and justice services deliver on critical community safety measures. In my portfolio funding has been provided for initiatives right across Victoria's courts and justice services, including \$117 million for a specialised, fast-tracked Youth Court list in the County Court, meaning alleged youth crime matters will be heard faster and justice will be delivered sooner; \$11 million for maintenance, repair and renewal works of courts across the state; \$7.3 million to continue fast-tracking homicide cases straight to the Supreme Court; \$3.9 million to facilitate the early resolution of trial cases at the County Court; \$7.2 million to continue supporting prosecutions at Wyndham Law Courts; \$6.8 million to provide more legal assistance for vulnerable Victorians through programs and services run by Victoria Legal Aid; and in addition to these programs supporting vulnerable Victorians at court, this government has made further investment in culturally appropriate court hearings for Aboriginal people, which I will talk to now.

The Allan Labor government remains committed to working in partnership with Aboriginal communities to reduce the over-representation of Aboriginal people in the criminal justice system, and our government has committed over \$235 million since 2018 to ensure Aboriginal justice outcomes. The 2026–27 budget adds to this investment by providing \$15.9 million for self-determined initiatives that improve justice outcomes for Aboriginal people and prevent deaths in custody, and that includes \$2.9 million to continue the pilot to professionalise the Aboriginal community justice panels program in three regional locations: in Shepparton, in Mildura and in Bendigo. I am sure I can come back and talk more about that program later; the Member for Mildura might be interested in that one. But just to briefly outline, the Aboriginal community justice panels are

a 24/7 service that provide welfare checks and practical supports to Aboriginal people in police custody. There is \$5.2 million to continue the Ngarra Jarranounith Place residential diversion program. This residential program operated by Dardi Munwurro delivers healing and behaviour change services for Aboriginal men at risk of using family violence. There is also \$7.8 million to establish a dedicated Koori hearing list at the Melbourne Magistrates' Court.

Ending family violence and strengthening women's safety – I know the committee has heard from a number of ministers now and will be concerned by the family violence measures recorded throughout the 'Department Performance Statement'. In many instances across portfolios we see numbers indicating concerning rises in the rates of family violence. The Minister for Prevention of Family Violence would have already spoken to you last night about programmatic measures to address this concern, but there is also legislative reform, for which I am responsible, that plays a big part.

This year I introduced the *Justice Legislation Amendment (Family Violence, Stalking and Other Matters) Act*, and these changes will deliver significant improvements to family violence safety notices and intervention orders. We are refining and clarifying the definition of stalking and in particular providing better protections for victim-survivors of family violence at higher risk of misidentification as the predominant aggressor.

Later this year I will be introducing a standalone offence of coercive control, and we will continue to work with stakeholders to develop a pathway to safely implement this offence and improve system response to misidentification of victim-survivors, which builds on all significant reforms that we have done to date. Thank you.

The CHAIR: Thank you very much, Attorney. The first 10 minutes is going to the Deputy Chair.

John PESUTTO: Good morning, Attorney and officials. Attorney, I refer to the Supreme Court proceeding underway at the moment or over the last couple of days involving the release of Operation Richmond, IBAC's long investigation into dealings between the government and the UFU. Can you advise this committee whether the Victorian government is a party to that proceeding?

Sonya KILKENNY: First of all, thank you for your question, Mr Pesutto. I no longer obviously have portfolio responsibility for matters involving IBAC. That is now the responsibility of the Special Minister of State –

John PESUTTO: Sorry, Attorney, I am asking, in your capacity as the state's chief law officer: is the state of Victoria either an applicant/plaintiff or respondent/defendant in that proceeding in the Supreme Court?

Sonya KILKENNY: What I can say to you, Mr Pesutto, is that the government has not taken action to block the release of this report. Obviously, as Attorney-General, I do not want to speak further on matters that are currently before the court.

John PESUTTO: But these are factual matters. Is the Victorian government a defendant in the proceeding?

Sonya KILKENNY: As I have said, the government has not taken any action to block the release of this report.

John PESUTTO: Does the Victorian government support the release of Operation Richmond?

Sonya KILKENNY: I am here as the Attorney-General, Mr Pesutto. In my capacity as Attorney-General, I can speak to the question that you have asked, and I can speak to the justice system more broadly, but I will not be drawn on matters of government policy.

John PESUTTO: I am sorry, Attorney, but the Victorian government is going to be affected one way or the other by the outcome of this proceeding. Are you not concerned as the chief law officer of the state –

A member interjected.

John PESUTTO: Excuse me, are you not concerned as the chief law officer of the state to send the solicitor-general or someone in the solicitor-general's stead to the court this morning, urging the court to resist

the application to block that report and to support the release of that report? Isn't that in the interests of all Victorians?

Sonya KILKENNY: Mr Pesutto, as you know, I cannot speak on individual matters that might be before the court, so I will not be speaking on this individual matter. As I have said, matters involving IBAC are now the responsibility of the Special Minister of State. I understand that you have had an opportunity to question the minister –

John PESUTTO: I am sorry to interrupt, Attorney, but this is not about IBAC's work. This is about the question before the Supreme Court. This report has been blocked now for many years, and Victorians increasingly are asking this question about this IBAC report. How bad is it that so many millions of dollars and so many years are being wasted trying to stop its release? Can't you end it all as Attorney and send the solicitor-general up to the Supreme Court today and urge the court to simply release the report? I am not asking you to comment on IBAC's work, I am asking you to comment on your role and responsibility as chief law officer to do that.

Sonya KILKENNY: Well, I am here as Attorney-General, Mr Pesutto, to answer questions relating to the budget in the capacity of the PAEC inquiry today. And as I have said, the government has not taken action to block the release of that report.

John PESUTTO: Does the Victorian government have a position in the proceeding?

Sonya KILKENNY: I am not here to speak on government matters –

John PESUTTO: Is there anybody who can speak on government matters, Attorney?

Sonya KILKENNY: I am here to speak in my capacity as Attorney-General to answer questions put to me by the PAEC committee in relation to the 2026–27 budget.

John PESUTTO: Minister, you chair the subcommittee of cabinet that looks at all litigation affecting the Victorian government. How much is the litigation around Operation Richmond costing Victorian taxpayers?

Sonya KILKENNY: I do not have those matters to hand, Mr Pesutto.

John PESUTTO: Can you bring them to this committee later?

Sonya KILKENNY: There are a number of matters that are on foot now before the courts across all of government. My role as Attorney-General is of course not to speak to individual matters that might come up before the committee in here, but my role is to maintain the independence and the integrity of the judicial system and ensure that it serves the purpose of Victorians, putting victims at the centre of that system and maintaining the integrity and public confidence in our judicial and justice system.

John PESUTTO: But you would agree, Attorney, would you not, that you have the capacity and the government has the capacity to take a part in any proceeding – to apply to the court to be heard if you are not already a party. Why won't you do that in the interests of transparency and finality and disclosure to the Victorian people? This is shaping up to be, it seems, because of all the effort involved in trying to block the report being released – we are all wondering. There must be explosive things in it. Why do you not want it out there?

Sonya KILKENNY: As I said, the government has not taken steps and has never taken steps to block the release of this report.

John PESUTTO: Have you taken any steps to support the release and urge the court to release the report? On the contrary, have you taken steps to support it?

Sonya KILKENNY: As I have said, Mr Pesutto, you have had an opportunity to question the Special Minister of State, who carries responsibility for IBAC matters.

John PESUTTO: No. I am sorry, Attorney, that is not correct. That minister cannot comment on the litigation before the court, which your government could take part in. Can I ask, Minister, you are also a person

with primary responsibilities under the indemnities and immunities policy of the Victorian government, correct?

Sonya KILKENNY: Yes.

John PESUTTO: Yes. Has any person requested an indemnity under that policy in relation to the litigation surrounding Operation Richmond?

Sonya KILKENNY: I do not have that information to hand, but I am not sure that I would be able to provide that information.

John PESUTTO: Can any of your officials shed any light on whether any individuals, current or former ministers or senior officials are being indemnified under that policy?

Emma CASSAR: Mr Pesutto, we are not aware of any requests, but that is a cabinet process.

John PESUTTO: But the policy is public, is it not, Minister?

Sonya KILKENNY: The policy, I believe, is public, yes.

John PESUTTO: Yes. So, Minister, can I just confirm and can you confirm for the Victorian people that the Victorian government will take no active role in urging the Supreme Court to release Operation Richmond?

Sonya KILKENNY: I am not here to make any announcements on steps that the government might take or may not take. What I have said is that the government has not taken action to block the release of this report.

John PESUTTO: Minister, can I put it to you that your government is doing nothing to urge the court to release the report because to do so prior to November's election would be explosive and have political consequences for your government. I put it to you that is the reason the Victorian government is doing nothing to release the most explosive corruption report in our state's history.

Sonya KILKENNY: Are you putting – is that a question?

John PESUTTO: I am putting a proposition to you.

Sonya KILKENNY: Is that a question?

John PESUTTO: I am asking you to agree or disagree with that proposition.

Members interjecting.

The CHAIR: Excuse me, Mr Riordan. Apologies, Deputy Chair, I actually thought that was a bit of a comment from yourself, but did you want to rephrase the question as you put it to the Attorney?

John PESUTTO: I will repeat it; I will not rephrase it. I am putting to you, Attorney, the reason the Allan Labor government is doing nothing when it could do something to urge the court to release that report and reject the application by whichever party has brought the application to stop the release of this report, to urge the release of the report in the interests of transparency, of integrity, of probity and of the confidence of the Victorian people in the operations of the Victorian government: your government is doing nothing precisely because there will be adverse political consequences for your government leading into the November state election. That is the reason, isn't it?

Sonya KILKENNY: No.

John PESUTTO: Minister, I will move on. We are obviously not going to get anywhere. This morning it was revealed that two of the perpetrators of last month's arson attack on an alcohol storage facility in Keysborough are both back on the street, despite destroying over \$1 million of stock, costing eight people their jobs and directly contributing to the real fear currently gripping our city and our state. One of them was also involved on a recent attack at Bar Bambi. If your government really has delivered the toughest bail laws in Australia, why are people like this allowed to live in freedom while the rest of Victoria lives in fear?

Sonya KILKENNY: Thank you for the question, Mr Pesutto. I must always start of course, as Attorney-General, by saying, as you know, Mr Pesutto, it is not appropriate for me to comment on individual cases. My role is to uphold the integrity and the independence of the judicial system and ensure that victims are at the centre of that system, that they are treated respectfully throughout the legal process and that the laws hold offenders to account, while ensuring that the law is applied fairly and impartially.

John PESUTTO: That is all fair, Attorney. You said you want to put victims at the centre of the system, but doesn't your government put victims at the centre of the storm? People like this are out on the street. How is that allowed?

Sonya KILKENNY: The offending that you have referenced, Mr Pesutto, is really serious and is very concerning, and my thoughts are of course with the victims, with the families.

The CHAIR: We will go to Mr Galea.

Michael GALEA: Thank you, Chair. Good morning, Attorney, Secretary and other officials as well. Thank you for joining us. Attorney, I would like to actually spend most of my time talking about things that will keep the community safe, including the adult time for violent crime reforms, which are outlined on budget paper 3, pages 5 and 6. I believe they came into effect on 27 February this year. Can you update the committee on how these reforms have been implemented and how the output funding in this budget will support their continued implementation?

Sonya KILKENNY: Thank you, Mr Galea. As you have correctly identified, the adult time for violent crime laws came into effect in February this year. This really has drastically changed the way the criminal justice system deals with young offenders, particularly around delivering serious consequences for those young offenders who have been charged with some of the very serious violent crimes that are impacting community safety. Prior to the introduction of these reforms young people charged with offences like aggravated home invasion, aggravated carjacking and intentionally causing serious injury in circumstances of gross violence were dealt with by the Children's Court. We know of course the Children's Court is a specialist court. Their focus is on rehabilitation and ensuring that they are taking the best steps to turn the lives around of these young offenders, but also in the Children's Court judges are limited in the types of sentences that they can hand down. There is generally an upper or maximum limit of three years as the punishment that they can impose on a young person. Prior to the reforms the adult time for violent crime reforms that came into effect this year, only charges that caused or related to a death were enabled to be heard in a higher court, so charges like murder or manslaughter or culpable driving causing death. What that means in relation to those charges is they are heard in a higher court, where a judge has a much broader range of sentencing options available. In fact the *Sentencing Act* applies, and that is the full spectrum of sentencing for all of those offences.

Implementing adult time for violent crime has been done because we are now responding to what we see as a very concerning new trend of offending by particularly younger and younger people, and what we are seeing are these very serious offences being repeated again and again. But we are also seeing, as I said, younger and younger cohorts of children that are committing these crimes. It is instilling fear in our communities, and we want to make sure that in relation to these crimes we get trial by juries for these children and trial in higher courts where the sentencing judge has a fuller spectrum of sentences available so that we are (1) delivering serious consequences and (2) we are delivering them much more quickly so that there are serious consequences faster but justice is getting delivered much more quickly as well.

What these reforms mean is that children aged 14 to 17 can now be uplifted into a higher court where they will be heard by judge and jury and where sentencing options will include the full spectrum of options under the *Sentencing Act*. This includes offences such as aggravated carjacking, aggravated home invasion, home invasion, intentionally causing serious injury in circumstances of gross violence and recklessly causing serious injury in circumstances of gross violence. Importantly, the 2026–27 budget includes funding directly for this, and the funding gives courts the resources that they need, including additional judges. As I mentioned in my presentation, there is funding to construct holding cells for children in the County Court, because it is important that when children are charged and are facing trial they are held separately to adult offenders who may be in those holding cells. And there is also funding of course for the Office of Public Prosecutions and Victoria Legal Aid to support the matters coming through the courts. There will also be funding for the Victorian Aboriginal Legal Service.

But this is, as I said, a major and drastic change to our justice system, essentially uplifting matters where children as young as 14 have been charged with some very serious offences to higher courts where they will face juries, where we know that sentences are more likely and sentence length will be longer, so responding to what we see as a new type of offending but also responding to victims and to community and meeting those expectations from community that we need more serious consequences to address this type of offending.

Michael GALEA: Thank you, Attorney. And from a powerful conversation I had with a constituent last year who was one of those victims of this new type of offending and the impacts it had on him and his family, I am certainly pleased to see the government responding to these concerns and bringing in this escalation.

You have spoken in some detail about how you are resourcing the courts to handle these cases, including the resources for the courts, the judges themselves, but also things like holding cells, which is of course really important. And you did touch on funding for the OPP and Victoria Legal Aid, because obviously it is not just about the court itself, it is about the system that supports it and helps it to actually run in its entirety. Minister, can you talk to me a little bit about how this funding will be deployed to the OPP, to the VLA and to VALS as well, which you also mentioned?

Sonya KILKENNY: Thank you. It is important to note because where matters proceed through the Children's Court, it is the police that conduct the prosecution on behalf of the state. Where matters are handled in the County Court, it is the Office of Public Prosecutions that will take those matters through the court. And that is why there is additional funding in this year's budget to further resource the Office of Public Prosecutions to meet that increased demand and need as more matters are uplifted from the Children's Court and proceed through a trial before a judge and jury in the County Court. Likewise, alleged offenders are going to need legal representation as they proceed through a higher court, and many of course will rely on the services of Victoria Legal Aid and the Victorian Aboriginal Legal Service. So the 2026–27 budget also includes additional funding for Victoria Legal Aid and the Victorian Aboriginal Legal Service to provide that additional support and representation for these young offenders who will be uplifted into the County Court and whose matters will flow through the County Court before a judge and jury, as I said, and then be under the arrangements of the broad spectrum of sentencing options that are available under the *Sentencing Act*.

Michael GALEA: Thank you, Attorney. And you spoke about sentencing just then and in your previous answer as well, and the difference that going through the County Court can have. What effect do you expect that to have on both the victims of these crimes and on broader community safety?

Sonya KILKENNY: There are a number of outcomes and impacts from this. Clearly it sends a very strong message to community that there are going to be very serious consequences for young offenders, so aged 14 to 17, who commit some of these most serious, high-harm offences, like the aggravated home invasion, the aggravated carjacking, home invasion, seriously injuring in circumstances of gross violence, so sending a very clear message to community that there will be serious consequences for this type of offending.

Michael GALEA: Thank you, Attorney.

The CHAIR: Thank you. I am going to go to Mr Riordan.

Richard RIORDAN: Thank you, Chair. Good morning, Minister. Minister, are your bail laws a joke? Are you embarrassed that the people of Victoria woke up this morning with headlines 'Justice joke' and 'Firebomb farce'? How can it be that not only do people admit that they have set fire to something but your bail laws catch someone and then let them go again? Are you embarrassed by that this morning, that you tell us, and you expect Victorians to believe, that you have the toughest bail laws and yet you can walk down AC/DC Lane with a jerry can and accidentally set a bar on fire? How do your laws justify that response to keep people safe in Victoria?

Sonya KILKENNY: Thank you for the question, Mr Riordan. As I said in my answer to Mr Pesutto, the types of offending that we are seeing now, particularly around the arson and the firebombing, are very concerning. It is really concerning, and this is a new type of offending that we are seeing.

Richard RIORDAN: Minister, arsonists have been a pain in the arse for decades and centuries. This is not new. What is new is in Victoria you can set fire to car dealerships, to bars, to tobacco shops, and you wake up the next day and you are out walking around the streets again.

Members interjecting.

Richard RIORDAN: It is not a new type of offending; it is a government that will not deal with the issue. It is a government that wants to sit here in this committee and tell us, 'Oh, everything's good. We're doing a really good job.'

Members interjecting.

The CHAIR: Mr Galea! Mr Riordan, please do not use that kind of language here before the committee. I know you feel passionately about this. I know you have a serious question you wish to ask. Please ask respectfully to the Attorney. Stop yelling over the top of her. Quite frankly, it looks like a whole lot of aggression from your side. I understand this is a big issue for you, but I am asking you to ask questions to the Attorney respectfully and afford her the opportunity to respond. She was just about to respond to you. Attorney.

Sonya KILKENNY: Thank you. Thank you for your clear concern in these matters, and like you I share concern at what we are seeing as disturbing incidents of arson-related offences committed by younger and younger children. First of all, I want to acknowledge –

Richard RIORDAN: If you know this, Minister, why aren't you doing anything about it?

Sonya KILKENNY: Well, let me take you through it. I do want to acknowledge the victims of these crimes, the small businesses, the families behind those small businesses, the workers, the staff –

Richard RIORDAN: If you want to acknowledge it, change the law.

Sonya KILKENNY: I am coming to that, Mr Riordan. Of course it was only last week that the Premier and the Minister for Police announced support for these small businesses with additional funding and grants. The other thing they announced was more powers for Victoria Police – now, this is important – to conduct greater intelligence and data –

Richard RIORDAN: The police are outraged, Minister. They are doing their job. They are not saying, 'Give us more.' They are saying, 'When we catch them, do something with them.' You have not included arson in your bail laws.

Sonya KILKENNY: I will come to that, because we actually have. I want to acknowledge Victoria Police and Operation Eclipse. I know now that there have been more than 170 charges, I believe, and more than 40 arrests, so they are working extremely, extremely hard. As to law reform, last year we passed two Bills that strengthened our bail laws so that our bail laws here in Victoria are now the strongest in the nation.

Richard RIORDAN: Minister, I am sorry, do not tell this committee you have got these tough bail laws when the biggest crime wave of the day, of the week, of the month is nothing more than a catch-and-release fishing episode for the poor police. We are expecting the police to go out, solve these crimes, clean up our streets and not make Victorians feel like we live on the tough streets of Manila. Yet they do that work, they catch the criminals – in fact they allegedly even admit that they have done it – and we let them out again. Do you admit that they are falling short of public expectation?

Sonya KILKENNY: Let me, if I may, continue on the reforms. Bail reforms were brought in last year, and as part of those reforms we actually uplifted a number of offences to make it even harder for offenders of certain offences to get bail. One of those offences was serious arson, and what that means is anyone charged with serious arson as well as other offences –

Richard RIORDAN: Is setting a nightclub alight in the middle of the city not a serious arson offence?

Sonya KILKENNY: Any offender charged with serious arson will have their presumption to bail removed.

Richard RIORDAN: How did we end up with this today if that is the case?

The CHAIR: Mr Riordan, she is trying to answer you.

Richard RIORDAN: She is not, because I am wanting to know: if that is the truth, why do we have this headline today?

Sonya KILKENNY: I do not want to go into too many details in relation to individual cases. However, I do understand in relation to arson offences that all, perhaps, but one of the offenders were put in remand and the one that was not was subjected to electronic monitoring with surveillance and conditions. That shows you our bail laws are working. We uplifted arson, which meant the presumption of bail was taken away and that the offenders have to show compelling reasons why they should get bail. We have made it much, much tougher, and we know that, Mr Riordan, if I can take you to the data, that shows, since we have introduced these bail reforms, bail refusals have gone up by nearly 70 per cent. That is an extraordinary amount. Bail revocations have gone up 84 per cent.

Richard RIORDAN: Minister, I am happy for you to say 70 per cent, but tell us the actual numbers of bail refusals, not the percentage, because 70 per cent of a very low figure to an almost equally low figure is nothing to be proud of, particularly when we are still looking at the fact that you can set a restaurant cafe bar alight while people are there and be out on bail. The word on the street, Minister, is organised crime is making its home here in Victoria. What other city in Australia at the moment wakes up every day to some more businesses, more places, set on fire if people at train stations are not chased away with machetes? It is just getting out of control, and you refuse to widen the scope of your bail laws to take up more offences and more serious offences. The fact that arson is not in your bail refusal seems odd.

Sonya KILKENNY: If I may, we have made the amendments to our bail laws that you are now putting to me. We amended our bail laws last year. In fact the first tranche of bail laws that went through with the first piece of legislation uplifted a number of serious repeat high-harm offences into higher categories, which means it is now –

Richard RIORDAN: Has arson moved?

Sonya KILKENNY: Arson has moved. Serious arson now is a schedule 2 offence under our bail laws, which means anyone charged with arson has presumption of bail removed. They do not get a presumption to bail. They have to show and prove to the court why there are special compelling reasons that they should get bail, and it is a very hard bar to meet.

Richard RIORDAN: So you would agree that anyone who accidentally walks down the street with a jerry can and sets something afire would really have very little excuse to get bail, wouldn't they?

Sonya KILKENNY: Again, I do not want to talk to individual cases, but it is certainly my understanding that in relation to the arson offences that we have seen recently, all but one have been remanded and bail application has been refused. That is a clear consequence of the changes we made last year to our bail laws to toughen them and to make it harder and harder for alleged offenders –

Richard RIORDAN: So your 'adult time for adult crime' policy – does that include people who commit arson?

Sonya KILKENNY: It could include –

Richard RIORDAN: Could?

Sonya KILKENNY: It could include people who commit serious arson.

Richard RIORDAN: Why wouldn't it automatically include arson? With arson it is a bit hard to say, 'Oh, I accidentally set something on fire.'

Sonya KILKENNY: Well, no, that is exactly the case.

Richard RIORDAN: We can understand the need for the law to have some leniency for young people on certain offences, for first-time offenders and so on. But Minister, we have got young people in Victoria caught by the police 70, 80, more than 100 times. There is little excuse.

The CHAIR: Thank you, Mr Riordan. Ms Kathage.

Lauren KATHAGE: Thank you, Chair, Attorney and officials. In your presentation you spoke about the initiatives supporting bail reform implementation in the justice system, and I can see them listed on page 72 of BP3. We know the government has already invested a significant amount to support these bail reforms from last year, but can you tell me how implementation is going so far with that?

Sonya KILKENNY: Thank you. I pick up also from my response to Mr Riordan's question about how our bail reforms are actually working. The data is showing us that very clearly. The significant changes we made to our bail laws last year mean that our bail laws are now the toughest in the nation – and they are working. I was taking Mr Riordan through some of that data where we are seeing that cases of bail revocation have now increased by 84 per cent in the Magistrates' Court and cases of bail refusal have increased by around about 68 per cent in the Magistrates' Court. As to the numbers, there are thousands of cases going through. These are big changes against big numbers. That was part of the two tranches of bail reforms that we brought through the Parliament last year.

If I may, I will take us through those two tranches. I think it is important to spell out just how significant those changes were. In the first tranche of reforms, where we amended the *Bail Act*, we first of all made community safety the overarching priority and principle for decision-makers. That must be the overarching principle that bail decision makers must take into account when deciding whether to grant or refuse bail. We removed remand as a last resort for children. That is a significant change. That means that magistrates are no longer saddled with that restriction. Remand as a last resort for children has been removed. As I took Mr Riordan through, we changed the bail tests for some of the very serious offences, which include arson, to make it even harder for alleged offenders to get bail. What those changes do is actually uplift quite a large number of offences into higher categories under our bail laws and remove the presumption of bail, so people coming before the courts no longer are entitled to presume they will get bail. Once they are charged with these offences they lose that presumption. They will only be granted bail if they can convince a judge that there are either compelling or exceptional reasons why they should get bail. We did that because it is sending a very strong message that these are serious high-harm offences that we are seeing repeated often by people who are out on bail, and we want to put a stop to that.

To fill that out, we also introduced committing an indictable offence on bail and breaching bail conditions as standalone offences. Then we introduced a second tranche of reforms. They have now been in operation since September last year, but some only came into operation as late as March this year, so we are still seeing these changes come through the system. In the second tranche of bail reforms we introduced the toughest bail test in the country for people charged with armed robbery, aggravated burglary, home invasion, aggravated home invasion, carjacking and aggravated carjacking, with a test known as the high degree of probability test. A judge has to be satisfied that for anyone charged with these offences there is a high degree of probability that they will not commit those offences out on bail. It is a very high bar to pass, which sets a very, very high threshold for anyone to get bail. And of course we have created the second strike rule, and that means anyone who commits an indictable offence whilst out on bail will not get bail unless they can provide compelling reasons why they should get bail.

Lauren KATHAGE: Thank you very much, Attorney. You were speaking with Mr Galea about support for the Office of Public Prosecutions and Victoria Legal Aid. I can see in the description on page 77 of the initiative we have been talking about that there is \$10.5 million for VLA and the OPP under there. Can you talk the committee through their roles and how this investment helps them?

Sonya KILKENNY: Thank you, Ms Kathage. The budget, as you can see, contains just over \$10 million to support implementation of bail reforms across the justice system, and that includes funding for Victoria Legal Aid and the Office of Public Prosecutions. They obviously perform very distinct but very complementary roles in the bail process. The Office of Public Prosecutions represents the state in serious criminal matters and plays quite an important role in bail hearings by presenting the prosecution case in court. This can include providing information about the alleged offending, including relevant risk factors, and, where appropriate, opposing bail or proposing conditions to address risks if that person was released on bail and risk to community safety. Additional funding has been included in the 2026–27 budget for the Office of Public Prosecutions to manage that additional workload and the operational impacts that are coming from the reforms and changes that we have made to our bail laws over the last 18 months. Similarly, Victoria Legal Aid supports people who are navigating the justice system but also navigating the bail system. They provide legal advice and representation to those who have been charged with certain offences. Their role is to help individuals understand all of the

various bail tests that may apply, preparing and presenting bail applications on behalf of their clients and ensuring that relevant information and support are always before the court.

We have done this because we know – and in fact the data has played this out – there is additional demand on the Office of Public Prosecutions and Victoria Legal Aid from the bail reforms that we have introduced. More people are now taking – it is becoming harder and harder for them to receive bail, and so the demand on the Office of Public Prosecutions and Victoria Legal Aid has increased, so we have included funding in this budget to meet that increase in demand. Really this investment is about ensuring that our justice system can maintain its integrity and can serve the interests of the Victorian community but also, importantly, implement the reforms to bail that we have brought in and implement them effectively. So we want to make sure that the Office of Public Prosecutions is properly resourced and Victoria Legal Aid is properly resourced so that the bail process and bail hearings can run smoothly and efficiently and that the information that is needed is before the courts so that we are seeing justice served and our community kept safer.

Lauren KATHAGE: I guess the next step in the process is the courts and making sure that the implementation is happening and that it is moving through quickly. What support is the government giving to the court system to make sure that that is happening?

Sonya KILKENNY: Thank you. The budget includes \$155 million to make sure that matters are moving through our courts and moving through efficiently and quickly. That goes, as said in my introduction, to the management of courts and managing court assets and also of course to the appointment of additional judicial officers in our courts. From memory, now it is 11 magistrates, four County Court judges and one Supreme Court judge. So supporting our courts with –

The CHAIR: Thank you, Attorney. Ms Benham.

Jade BENHAM: Thank you, Chair. Morning, Attorney. I just want to follow up on a couple of questions I had from the Minister for Police's session yesterday, when he spoke about Operation Pulse. He had said that there were 200 charges laid for Operation Pulse and 1000 arrests. I just want to know how many of those resulted in bail being granted.

Sonya KILKENNY: Thank you very much, Ms Benham, for the question. Operation Pulse, as you have identified, is a Victoria Police operation that places protective services officers in shopping centres.

Jade BENHAM: Yes, we know what it is.

Sonya KILKENNY: It is actually having a really positive impact. The feedback we are getting –

Jade BENHAM: Of those 1000 arrests, how many were bailed?

Sonya KILKENNY: Well, you have asked me about the number of arrests under Operation Pulse who have been bailed, but I do need to point out that bail decisions are actually made by a number of people. It may be that police actually make bail decisions, bail justices make bail decisions and courts make bail decisions as well. So I do not have the level of detail between –

Jade BENHAM: Are we able to get that level of detail?

Sonya KILKENNY: how many police, how many bail justices and how many courts. I should say, though, the reporting by the Crime Statistics Agency does disaggregate –

Jade BENHAM: Yes, it is just interesting that you can present some numbers but then we cannot drill down into the detail. Are we able to get that level of detail, please?

Sonya KILKENNY: The Crime Statistics Agency does disaggregate that information. It will say how many –

Jade BENHAM: But if it was brought up in a hearing yesterday, are we able to get those numbers, drill down into detail relating to those numbers that the Minister for Police gave, please? I am happy to take it on notice.

Sonya KILKENNY: Well, the Crime Statistics Agency publishes this data. They published it –

Jade BENHAM: When was the last?

Sonya KILKENNY: 31 March.

Jade BENHAM: When is the next?

Sonya KILKENNY: It is published quarterly, Ms Benham. It is June, and it will go to that level of detail.

Jade BENHAM: Terrific. Okay. Will it have it broken down specifically for Operation Pulse?

Sonya KILKENNY: It will be broken down into police bail, into bail justices and into –

Jade BENHAM: So no. I am after it broken down specifically for Operation Pulse.

Sonya KILKENNY: Well, that would probably be a matter for police.

Jade BENHAM: Wow. The police minister said it was you.

Sonya KILKENNY: As I said, the bail data – the Crime Statistics Agency will disaggregate that information.

Jade BENHAM: But not down to operation.

Sonya KILKENNY: It will disaggregate it, as in –

Jade BENHAM: So again, the minister can present the numbers to say what a wonderful job – and Victoria Police do do a wonderful job, and I am going to get to some questions about how frustrated they are – but we cannot drill down into how that results. So, yes, police might be making a thousand arrests and laying 2000 charges, but if 990 of those are ending up on bail with crooks back out on the street, you can understand why Victoria Police are very frustrated.

Sonya KILKENNY: To that point, there are a number of agencies that grant bail, including police bail, bail justices and –

Jade BENHAM: I am just after the detail relating to those numbers that the minister gave yesterday and asking for the detail on how many of those charges resulted in bail. Are we able to get that?

Sonya KILKENNY: I just said the Crime Statistics Agency publishes that data, and the latest was 31 March.

Jade BENHAM: How many of the thousand are back out on the street? Can you tell me that?

Sonya KILKENNY: As I said, Ms Benham –

Jade BENHAM: No. Okay. I want to go through a situation and talk about the tough bail laws that you have been speaking about and spruiking for months. You can understand, again, Victoria Police are incredibly frustrated. I want to put a scenario to you and ask you once again if you still think the tough bail laws are doing their job. An offender was bailed for burglary. He had breached bail and admitted fully to doing so. He was then charged with 15 new charges and contravening a family violence intervention order. He committed an indictable offence whilst on bail and committed seven new burglaries. A remand package was prepared by police over several days, all whilst being out in the van and on other duties as well, which is all labour-intensive. The crook was arrested, interviewed and brought before a bail justice out of hours. He was asked questions as to whether he did it. He admitted to committing an indictable offence. He lied to the bail justice and was granted bail again. Tell me: after all of that – contravening a family violence IVO, committing an indictable offence on bail – how are your reformed bail laws helping to keep Victorians safe?

Sonya KILKENNY: I will take you to that, Ms Benham, and thank you for the opportunity. Last year we passed two tranches of bail reforms, which now means that our bail laws are the toughest in the nation, and those bail laws –

Jade BENHAM: It does not appear so.

Sonya KILKENNY: Well, the data goes to this very point, Ms Benham.

Jade BENHAM: But the people are saying something else, Attorney. Can you appreciate that? Victoria Police, after they have been allegedly warned not to speak to their local MPs, are coming to us now asking and begging for help.

Sonya KILKENNY: As Attorney-General, I can take you through the reforms that we have put in place.

Jade BENHAM: We know about those; you have been talking about them for months. I am after some results.

Sonya KILKENNY: To results, to your very point, Ms Benham, I will take you to the data, which shows an 84 per cent increase in bail revocations, a near 70 per cent increase in bail refusals – that is just in one year.

Jade BENHAM: Let me ask you this, Attorney: is there a difference in the bail conditions when the applicant for bail is of Aboriginal or Torres Strait Islander descent than there is for others?

Sonya KILKENNY: Ms Benham, I cannot speak to individual matters. Those matters are at the discretion of –

Jade BENHAM: But what are the conditions that the bail justice –

Sonya KILKENNY: the bail justice, the police or the court.

Jade BENHAM: So it is up to the individual bail justice and the individual magistrates.

Sonya KILKENNY: There are matters set out in the *Bail Act* that bail decision makers must take into account, and they set out circumstances that must be taken into account by bail decision makers. What is at the top of those circumstances is keeping communities safe, protecting community safety. That is the overarching principle to which all bail decision makers must adhere.

Jade BENHAM: Going back to Operation Pulse then, if we do not know, how can the government spruik how successful it is if we do not know the detail? Saying 2000 charges have been laid, a thousand arrests have been made – no doubt the statistics from the arrest that I spoke about just then also end up in data or talking points somewhere. If you are not collecting data that directly relates to keeping the community safe, how can you have faith and do you actually believe that the community is safer after these reforms?

Sonya KILKENNY: Thank you. On data, Operation Pulse, a Victoria Police operation: we have seen now a 73 per cent drop in retail theft, stock loss and a 50 per cent drop in violent events.

Jade BENHAM: We heard that yesterday, but we are after how many of these crooks end up in the wash-and-repeat cycle, because that is what the police are calling it. It is wash and repeat. They come in through the station, they go out through justice and they are back on the street within 24 hours. Surely you understand this.

Sonya KILKENNY: Ms Benham, I can take you to the data that shows –

Jade BENHAM: I can take you to the people and have them tell you the stories, because the data is not telling the story; I promise you it is not.

Sonya KILKENNY: Well, as Attorney-General, it is my role to ensure that we have a justice system that –

Jade BENHAM: But not your role to listen to the people and the police?

Sonya KILKENNY: puts victims at the centre and ensures that there are the supports and the services, that they are getting the outcomes and that offenders are being held to account.

Jade BENHAM: Do you understand that it feels, to police and to community, that the crooks are the ones at the centre – they are the ones that are being prioritised here, not the victims?

Sonya KILKENNY: I always want to acknowledge individual victims in individual matters. Any type of offending that harms a victim carries with it an incredible burden. But I also think it is important that we bring in reforms and that we consider the data that shows us the impact from those reforms. Are we travelling in the right direction? We look at our bail reforms.

Jade BENHAM: The answer is no to that.

Sonya KILKENNY: Well, we look at our bail reforms and we see –

The CHAIR: Thank you, Attorney. We are going to go to Mr Tak.

Meng Heang TAK: Thank you, Chair, Attorney-General and officials. Attorney-General, a major part of your role as Attorney-General is to ensure our justice system is accessible and fair for everyone. I refer to budget paper 3, page 72, the output initiatives for Justice and Community Safety, and especially the initiative under the heading ‘Public Prosecutions and Legal Assistance’. Attorney-General, can you talk to how the budget is investing in legal support for Victoria’s most vulnerable?

Sonya KILKENNY: Thank you, Mr Tak. The Allan Labor government is continuing to make significant investments in legal assistance services across the judicial system, and we always maintain that these services are absolutely crucial to ensuring that vulnerable Victorians are getting supported, getting the legal information, assistance and representation that they need, particularly if they are facing very complex legal challenges. Our continued investment in this space, as evidenced by the 2026–27 budget, recognises that Victorians experiencing disadvantage, including those on low incomes, victim-survivors of family violence, Aboriginal communities, young people, people with disabilities and those experiencing housing insecurity, often face barriers in seeking and obtaining legal help. That is why services like Victoria Legal Aid are so critical and services like the Victorian Aboriginal Legal Service are so critical, and that is why the services and the support and indeed compassion from the work of over 50 community legal centres right across Victoria are so absolutely critical. So the 2026–27 budget includes an additional \$10 million for legal assistance, particularly for vulnerable Victorians, and that includes \$4 million for Victoria Legal Aid’s Help Before Court program. That really goes to supporting people in the very early stages of those legal matters and tries to help them to resolve them at the very first legal hearing, to prevent them from progressing down the criminal justice path.

Of that \$10 million, there is also \$2.5 million for Victoria Legal Aid’s independent family advocacy and support program that works with parents and primary caregivers in the early phase of child protection proceedings. And then there is also \$3.3 million for Victoria’s LGBTIQ+ legal service, known as Q+Law, and that delivers very specialist legal services for LGBTIQ+ Victorians’ communities.

Just as recently as last Friday we also announced, in partnership with the Albanese government, a \$4 million legal assistance package, and that is for frontline services to support those people who have been caught in the January bushfires, and it is supporting them to navigate various systems, whether that is through legal issues, insurance issues. We know that legal services can be a really vital part of emergency relief and recovery and response, and I do want to acknowledge the legal assistance sector. They step in in times of crisis. When we have natural disasters, they are there. We may not always see them. They are not sort of seen as the frontline relief and recovery providers, but they are there providing that support to those people who have been impacted, in this case by the January bushfires. And I want to always give, when I can, a shout-out to our legal assistance providers, especially Victoria Legal Aid, Allied Justice, ARC Justice, the Consumer Action Legal Centre and Social Security Rights Victoria, and I always want to thank them for their critical work in helping so many vulnerable Victorians navigate the justice system and supporting them with their legal challenges.

Meng Heang TAK: Thank you, Attorney. I am also interested to hear more about the program that you are funding that Victoria Legal Aid are running, particularly because you mentioned they were in early intervention. Can you tell us more about this, please?

Sonya KILKENNY: Yes. Thank you. As I mentioned, there is support of \$4 million for Victoria Legal Aid’s Help Before Court program and \$2.5 million for Victoria Legal Aid’s independent family advocacy program. The family advocacy program provides a non-legal advocacy service to families who are in the very early phases of child protection matters. It is not strictly a legal service, but it can refer parents and primary carers to get that legal advice or other support that they might need, very early in the process. This service is really important because it can actually avoid further escalation of matters, further escalation to court

proceedings, and it actually increases awareness of and access to legal support services much earlier, and that is a much better outcome for families who are navigating child protection matters. The more support we can wrap around early, the earlier intervention we can provide to minimise that risk of having to progress to court proceedings, the better for everyone involved, including of course children, in these matters.

The other program I mentioned is Help Before Court, and this is a flagship program that is run by Victoria Legal Aid. This operates to support people who have been charged with summary crime offences, and it is really about trying to resolve their matters again at the very earliest opportunity, and that is really at the first hearing. This is important too, because as we know, legal proceedings can take some time. And if you have a legal proceeding on foot, it really detracts from getting back to everyday life – that is, you know, maintaining your family relations, maintaining your employment. The earlier we can be getting support to people, particularly in relation to summary offences, the earlier we can get a resolution for their matter, the earlier these people can get back on their feet and get back to living, to working and to resuming a life. Importantly, the earlier we can resolve these matters, it means we are reducing the burden and reducing court delays as well for other matters and relieving pressure on all the service providers in that spectrum of court proceedings.

Meng Heang TAK: Thank you. It is also great to read in BP3, page 77, Attorney, that some of this funding also delivers a specialist legal service for LGBTIQ+ Victorians. Can you tell us a little bit about the work that is being done here for our LGBTIQ+ Victorians in need of legal assistance?

Sonya KILKENNY: Thank you, Mr Tak. As I mentioned earlier, there is \$3.3 million in this budget for legal assistance for Victoria's LGBTIQ+ legal service, known as Q+Law. This is run through the Fitzroy Legal Service in partnership with Queerspace. It is run out of the Victorian Pride Centre. Q+Law was established back in 2023 and continues to provide really important statewide services for individuals who identify as LGBTIQ+ or part of the community. It is a free, statewide entry point to access legal assistance for all individuals, and it gives them initial advice, information or referral. It can be done over the phone, online or in person, but really provides advice around discrimination, family violence, family law, employment law and tenancy law. It is such an important service that is run by the Fitzroy Legal Service.

Meng Heang TAK: Thank you, Attorney. Thank you, Chair.

The CHAIR: Thank you, Mr Puglielli.

Aiv PUGLIELLI: Thank you, Chair. Good morning, Minister. Good morning, officials. Starting off, I am at budget paper 3, page 5. Under the government's new adult time for violent crime laws, courts will treat children like adults, so jail is more likely and sentences much longer. How many children, can I ask, have been uplifted to date to be tried and sentenced in the County Court?

Sonya KILKENNY: Thank you, Mr Puglielli. We commenced the adult time for violent crime laws in late February this year. And as you have correctly identified, this is about uplifting children from as young as 14 to 17 to have their matters formally and finally dealt with in the County Court or superior court, where they will face trial by juries and where we know sentences can be longer because the *Sentencing Act* applies in the County Court, whereas in the Children's Court magistrates are constrained to a maximum three-year sentence. This is, as I was saying earlier, about sending that very strong message that we need serious consequences for some of this violent repeat offending we are seeing committed by younger and younger offenders. The reforms commenced in late February, and I understand we are over 50 matters that have now already been uplifted.

Aiv PUGLIELLI: That is children being uplifted to the County Court?

Sonya KILKENNY: That is right. Under these new reforms that commenced only in late February, I think that is right, just over 50. As I said, this is about ensuring that those young offenders who are charged with some of the most serious high-harm offending are being removed from the Children's Court with a focus on rehabilitation and moved into and uplifted to the County Court where the focus is obviously on deterrence and a greater spectrum of sentencing options for judges in that jurisdiction.

Aiv PUGLIELLI: Thank you for providing that number. Is it possible to disaggregate that by gender?

Sonya KILKENNY: I do not have that number.

Aiv PUGLIELLI: Can you come back to us with it?

Sonya KILKENNY: As we are talking about children, I think under the *Children, Youth and Families Act* there are actually some limitations on the amount of information we can reveal about children. It goes to their safety and security.

Aiv PUGLIELLI: This information cannot be revealed – is that what you are saying to the committee?

Sonya KILKENNY: I believe that it may be the case that the preference is not – actually I am probably not entitled to provide that level of detail because of requirements in the *Children, Youth and Families Act* that go to protecting.

Aiv PUGLIELLI: Thank you for that response. Can I ask: is it possible to know how many First Nations young people have been uplifted following that legislation?

Sonya KILKENNY: I do believe I have received that information. I am advised that also in relation to section 534 of the *Children, Youth and Families Act* I am prohibited from publishing any matter that contains any particulars likely to lead to the identification of a child as being the subject of an order made by the court. I think again I am unable to disclose that level of detail in relation to the number of children who have been uplifted into the County Court.

Aiv PUGLIELLI: The same barrier would also refer to child protection clients, for example. Is that correct?

Sonya KILKENNY: Correct, that is right.

Aiv PUGLIELLI: Thank you. I might move on. The slides at the opening highlighted a 64 per cent increase in the number of young people in youth justice custody following the bail reforms that this government has proceeded with. We often see in Victorian data clearly that youth crime rates are being driven by a small group of repeat offenders. Can I ask: what proportion of the young people that we have spoken about who have been uplifted are first-time offenders?

Sonya KILKENNY: Again, I cannot go to that level of detail given the restrictions in the *Children, Youth and Families Act* that go to the safety and security of those children. But I think it is important to acknowledge that what we are seeing is a new type of offending. We have seen that with the arson-related offending most recently. When I say ‘a new type’, it is a new trend of offending in this sense, and that is that we know these children are being recruited by criminal gangs and criminal agents.

That is why as part of the response last week additional resources have been made available to Victoria Police to give them further support and tools to collect intelligence. This is an issue that is not confined to Victoria. We are seeing this nationally and in fact worldwide where these grubs, these cowards, are exploiting, manipulating and recruiting younger and younger children to carry out their dirty crimes on their behalf. It is why later this year, actually very shortly, we will be introducing a new offence which goes to the recruitment of children to conduct criminal offences. It will carry a maximum life sentence to show our view and send that very clear message that this type of conduct – engaging, manipulating or exploiting children to carry out criminal activities on behalf of criminal gangs – will never be accepted or tolerated. We will bring in that offence. We are now funding Victoria Police with additional resources to enable them to continue their work around intelligence and data gathering.

Aiv PUGLIELLI: Sorry, Minister, I do have to move on, but I appreciate the information you have provided. Can I ask: do you have visibility, in terms of our remand population, of how many people are currently on remand solely for alleged breaches of bail conditions?

Sonya KILKENNY: I do not have that information to hand.

Emma CASSAR: We have corrections coming up later today. It is in the other folder, and I will have that information for you.

Aiv PUGLIELLI: That is all right. I will bring it back then, thank you. Just moving on to court representation, do you keep data on how many people have appeared before the courts following the bail reforms who have not been represented?

Sonya KILKENNY: What the budget does is provide additional funding for Victoria Legal Aid and the Victorian Aboriginal Legal Service to support them in what we are seeing as an increase in demand on their services.

Aiv PUGLIELLI: Yes – I am asking about unrepresented people, though. Is there data kept on that?

Sonya KILKENNY: Well, I am going to the increased budget, and that is to meet the increase in demand.

Aiv PUGLIELLI: Is that a no? I am trying to understand what you are saying, sorry. You do not keep data on that?

Sonya KILKENNY: I do not have that to hand. But where I am taking you is that the budget includes additional funding for Victoria Legal Aid to ensure that it can provide that legal support and legal assistance to those clients, those accused, who come before the courts so that they are legally represented in both the bail applications but also under adult time for adult crimes.

Aiv PUGLIELLI: Okay. I might build on what you are telling us. We are seeing this increased demand from bail and sentencing reforms. We are seeing bail refusals and revocations at record highs. Our CLCs are providing a substantial proportion of duty lawyer services in the Magistrates' Court and in bail support work. So can I ask, why haven't we seen a really significant uplift in funding announced for our CLCs to take that share of bail demand burden?

Sonya KILKENNY: Our CLCs provide a really important role across Victoria. In fact probably the biggest part of their workload is actually around responding to family violence. It is unfortunate I did not get a chance to speak – or I did not get any questions – on our response to women's safety or family violence, but I want to acknowledge the work of our CLCs and the support they provide to not only back in the reforms that we have brought in around women's safety and ending family and gendered violence in this state but also working in partnership with the federal government around the national access to justice partnership in funding our CLCs to provide that really important core work.

Aiv PUGLIELLI: Thank you.

The CHAIR: Thank you. Mr Hilakari.

Mathew HILAKARI: Thank you, Attorney. Thank you, department officials, for attending this morning. Before I get there, I would just like to acknowledge how wonderful it is that the Wyndham Law Courts are now open and operating. Thank you, Ms Anderson, as well. Both of your support has been crucial in that, and they are a great employer in the area, so we really appreciate that support and the support in this budget as well.

Attorney, I just would like to take us to the presentation and also budget paper 3, page 10, around how this government is addressing Aboriginal overrepresentation in the criminal justice system. It is something that goes to all parts of Australia, and Victoria is not immune from that. You mentioned it in your presentation as well, so I am just hoping you can take us there in the first instance.

Sonya KILKENNY: Yes. Thank you, Mr Hilakari. I acknowledge your commitment to serving the west. I remember that day when we opened the Wyndham Law Courts. It is such a significant investment in our western suburbs and the people of the west in making sure that they have got incredible access to services there, but as you said, it is also an incredible provider of jobs and opportunities for people in our west. I am pleased to see it operational, and I also acknowledge that the budget does include additional funding for the operation of Wyndham Law Courts, yes.

Thank you for your question on First Nations over-representation in the justice system. This is something we must continue to focus on and to work on. The 2026–27 budget invests a total of over \$190 million towards First Peoples initiatives, and that is right across government. As I mentioned in my presentation, our Labor government backs in our commitment to Closing the Gap and addressing Aboriginal over-representation in the criminal justice system with an additional \$15.8 million. That of course builds on the nearly \$235 million Labor has invested since 2018 to improve justice outcomes for Aboriginal Victorians. I am pleased to say that Victoria remains at the forefront of Aboriginal self-determination nationally, and of course we are the only jurisdiction that has continued to meet the targets of the National Agreement on Closing the Gap for reductions

in both Aboriginal adult and youth incarceration rates. As of 30 June 2025 we have seen reductions in adult incarcerations and in youth incarcerations, but we know with the introduction of our bail reforms and with the introduction of adult time for violent crime that we are seeing rates of incarceration increase. I have spoken with the Aboriginal Justice Caucus and remain absolutely committed to working in partnership with Aboriginal communities to reduce the over-representation.

As I said, this year's investment in the budget builds on \$235 million we have invested since 2018 to deliver better justice outcomes for First Nations people. In relation to this budget, it includes \$8.1 million over four years to maintain investment in Aboriginal justice community-based solutions. That is continuing that pilot that I mentioned, transitioning Aboriginal justice community panels' volunteers into paid employment in paid positions across three regional sites in Shepparton, in Bendigo and in Mildura. We are continuing a really important residential diversion program known as Ngarra Jarranounith Place. That is delivering a residential healing and behaviour change program for Aboriginal men who use or who are at risk of using family violence. We have also committed \$7.7 million to establish a dedicated Koori hearing list at the Melbourne Magistrates' Court, and that is to deliver culturally appropriate and timely case management for matters involving First Nations accused.

This year's investment goes to show that we are continuing our commitments under the Aboriginal justice agreement. This is an Aboriginal justice agreement we have had in place since 2000. Working closely with the Aboriginal Justice Caucus, we are now up to the fifth iteration of that; we call it AJA5. I understand they will shortly be releasing the next matters, measures, initiatives and policies that will continue the work that we need to do to drive down over-representation of Aboriginal people in incarceration and deliver much better justice outcomes. Of course this is going to sit alongside the really important treaty work that we will be doing across government as well. But we cannot lose sight of the fact that First Nations people are over-represented in our justice system. It is time, as we are doing, that we are listening to the voices of First Nations people and that we are implementing programs in places where they will work alongside Aboriginal communities, and designed by First Nations people as well, to continue that work to drive down that rate of over-representation.

Mathew HILAKARI: I think the element that speaks to me most directly is listening to Aboriginal people. In that light, the Koori hearing list, which you mentioned a few moments ago, has around \$1.9 million each year over the forward estimates. I am hoping you could speak to what this hopes to achieve.

Sonya KILKENNY: Is this the diversion program?

Mathew HILAKARI: The Koori hearing list.

Sonya KILKENNY: The Koori hearing list, yes. It is about \$7.7 million over four years to develop the Koori hearing list. It is a hearing list, so it is to provide those cultural supports early, bringing together magistrates and culturally aware, culturally sensitive supports within the court structure to provide advice, information and supports early. Again, this is recognising, based on listening to First Nations communities, that this is an area that requires attention and that is needed to deliver better justice outcomes for First Nations people who are accused and who are now entering the criminal justice system at the very earliest point, so at that hearing list. This is going to be established in the Melbourne Magistrates' Court. The funding is over four years, and this contributes to the Court Services Victoria output in our budget.

Mathew HILAKARI: Fantastic. Thank you, Attorney. I want to take us also to the presentation, and you mentioned these a moment ago as well, around the Aboriginal community justice panels pilot and the Ngarra Jarranounith Place residential diversion program, residential healing and behaviour change program. I am just hoping you could speak to those in the time that we have got left. I have got some other questions as well, but I am happy to hear about those first.

Sonya KILKENNY: Thanks, Mr Hilakari. Yes, as I mentioned in my presentation, there is \$8.1 million to support these programs. The first is a pilot that is transitioning volunteers who are part of the Aboriginal justice community panels into paid employment in three regional areas, again looking at demand, so in Shepparton, Mildura and Bendigo. The other, the diversion program, is the residential healing and behaviour change program for Aboriginal men who use or who are at risk of using family violence. As I have said, I am absolutely committed to working in partnership with Aboriginal communities to reduce the over-representation of First Nations Aboriginal people in our justice system and to ensure that we are working together to deliver

much better justice outcomes for First Nations people. These are just two examples of the types of programs that we are supporting and funding out of what has been \$235 million since 2018.

Mathew HILAKARI: A substantial package over time. Thank you.

The CHAIR: Thank you very much, Mr Hilakari, Attorney and officials. Thank you very much for appearing before the committee this morning. The committee will follow up on any questions taken on notice in writing. Responses are required within five working days of the committee's request. The committee is going to take a short break before beginning its consideration of the portfolio of planning at 10:15 am. I declare this hearing adjourned.

Witnesses withdrew.