

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into the 2025–26 Budget Estimates

Melbourne – Wednesday 11 June 2025

MEMBERS

Sarah Connolly – Chair

Nicholas McGowan – Deputy Chair

Jade Benham

Michael Galea

Mathew Hilakari

Lauren Kathage

Aiv Puglielli

Meng Heang Tak

Richard Welch

WITNESSES

Sonya Kilkenny MP, Attorney-General;

Kate Houghton, Secretary,

Marian Chapman, Deputy Secretary, Courts, Civil and Criminal Law,

Adrian Sculthorpe, Deputy Secretary, Aboriginal Justice,

Kathryn Bannon, Deputy Secretary, Integrity, Regulation and Legal Services,

Corinne Cadilhac, Deputy Secretary, Corporate Services and Infrastructure,

Nicola Brown, Deputy Secretary, People, Safety, Culture and Communications, and

Samuel Ho, Chief Financial Officer, Department of Justice and Community Safety; and

Louise Anderson, Chief Executive Officer, Court Services Victoria.

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 elders from other communities who may be here with us today.

On behalf of the Parliament the committee is conducting this Inquiry into the 2025–26 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 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 the hearings and anything you say may be picked up and captioned, even if you say it very 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 today and other committee members.

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

Sonya KILKENNY: Thank you very much, Chair. I too begin by acknowledging we are on traditional lands of the Wurundjeri Woi Wurrung, and I pay my deep respects to elders past and present.

Visual presentation.

Sonya KILKENNY: I have a slide presentation, which has just started. Thank you for the opportunity to address the committee for the first time as Attorney-General. In doing so I would like to update the committee on the work the Allan government is doing to keep our community safe.

The 2025–26 Victorian budget provides over \$400 million over five years for the Attorney-General portfolio. We are introducing Australia's toughest bail laws to put a stop to serious offending while out on bail. And

while Victoria has one of the lowest rates of Aboriginal people in custody, we know that more work needs to be done, which is why this budget includes funding to support Aboriginal justice outcomes. We know a modern justice system needs modern facilities, and this budget invests over \$150 million to open the new Wyndham Law Courts in Werribee later this year, delivering critical justice services to our growing west. There is also \$82 million of further investment in our courts and tribunals to ensure we have a strong justice system, and while it is devastating, we know that there is more work to do to keep women and children safe from family violence, and we are committed to continuing that work.

Next slide. Community safety is the Allan Labor government's top priority. This is demonstrated in everything that we do, in every service we support and every cost-of-living measure we provide. It is also why we are working hard to ensure our bail laws are meeting community expectations and that we are working to protect every Victorian from further harm. As the committee knows, we have made some really big and important changes to the *Bail Act* already, and we plan to do even more. Our focus in making these reforms is to ensure community safety is at the front and centre of every decision on bail – that is, every bail decision made by police, by bail justices and by the courts.

We have also toughened the test to get bail for the high-harm crimes we have seen repeated at a rate on bail that is unacceptable – offences like aggravated burglary, home invasion, armed robbery and carjacking. These offences have been on the rise when out on bail, so we have acted, and acted quickly, to make it harder for a person charged with these offences to get bail. Getting bail for these offences is harder in Victoria than any other jurisdiction in the country. We also think, as does the Victorian community, that remand should not be a last resort for a child. There is nothing more important than community safety, and if a young person charged with an offence poses a risk to that safety if they are out on bail, then remand should not be a last resort.

While our bail reforms are a significant part of community safety, we are not stopping there. Some of the other areas of focus for me are strengthening protections for retail and transport workers and of course protecting women and children against family and sexual and gendered violence, more of which I will come to soon.

Next slide, please. Chair, there is no other state quite like Victoria dedicated to better outcomes for First Nations people. While I am exceptionally proud of what we have done, there is much more to do. Aboriginal men, women and children are over-represented in our criminal justice system. That is why there is a record \$55 million investment in Aboriginal justice in this budget, and if we include dedicated supports and investments in the corrections portfolio, that investment goes up to \$62.9 million. This investment is the largest ever investment in a single budget for Aboriginal-specific criminal justice initiatives and eclipses a \$45.3 million investment in 2018, at the launch of the Aboriginal justice agreement, phase 4. Significantly, this funding includes over \$22 million for a new dedicated self-determined grants program to support First Nations people on remand and on bail. Almost \$14 million will back investment in Aboriginal community-based justice solutions, including the Victorian Aboriginal Legal Service's hubs in Mildura, Bendigo, Morwell, Warrnambool and the western suburbs, and investments to deliver Koori women's and men's diversion programs. I am also pleased to say that we have invested in the next phase of the Aboriginal justice agreement, AJA 5, and that development work with Aboriginal Justice Caucus has already commenced.

Slide 5, please. I know Mr Hilakari has already asked this of the Treasurer, and I know he has got a very keen interest in this, but I hope he also indulges me today to talk about how this budget is investing \$114 million to open the new Wyndham Law Courts in Werribee later this year, delivering really critical services to Victorians in our growing west close to where they live. These extraordinary new law courts will house three jurisdictions under one roof: the Magistrates' Court, the Children's Court of Victoria and the Victorian Civil and Administrative Tribunal. They will open later this year with a range of supporting services, and by 2027 Wyndham will include a full suite of flagship therapeutic programs, including critical diversionary Aboriginal and family violence services. I had the pleasure of touring Wyndham just last week. It is a state-of-the-art facility which really has been built to address the needs of court and tribunal users first and foremost, and I am really excited to see this critical justice service start and to hear the hum of people when they are in there, having justice delivered in our growing west.

Slide 6. This budget invests an additional \$82 million to meet court system demand and to enhance access to safer, more contemporary and accessible justice services. Some of these improvements include \$15.4 million to fund additional court security at specialist family violence courts to enable victim survivors, witnesses and other vulnerable court users to utilise dedicated secure entrances, exits and waiting areas; \$5.5 million to

support family violence risk assessment and information-sharing schemes to ensure that those at risk are better protected; \$3.2 million to fund specialist trauma-informed support for affected family members who choose to participate remotely in family violence intervention order proceedings; and \$27.2 million for the Magistrates' Court service centre. This is a really critical integrated service for court users that answers their queries, prepares them with information and updates for upcoming court events, and connects them to key support services. And there is \$5.9 million to continue the online Children's Court with three judicial registrars and support staff, ensuring sufficient hearings for young people and their families in the youth justice and child protection systems.

Slide 7, please. Finally, I would like to conclude my presentation today by talking about the Allan Labor government's commitment to ending family violence and ensuring the safety of women and children. Family violence is a national crisis that requires our continued focus, resilience and momentum. We cannot and will not become complacent. Victoria has led the way in our family violence prevention response. We have paved the way to ensure perpetrator accountability and victim safety, but we have more to do. It is the number one law and order issue, and I consider it to be a key priority of mine as Attorney-General to focus on.

Since we announced work in May last year, my department have been working with and listening to victim-survivors and experts on what more we can do, and we are on track to deliver a package of reforms this year that will work to refocus our family laws to focus on supporting and providing protection to victim-survivors first and foremost. In this budget we invest almost \$19 million in funding to Victoria Legal Aid and community legal centres to deliver pre-court advice and support in family matters and \$19 million for dedicated court security officers at specialist family violence courts, making sure family violence victim-survivors feel safe. Funding is also provided to continue the remote hearing support service, giving victims the option to attend a family violence intervention order hearing without coming to a court building. Thank you, Chair.

The CHAIR: Thank you very much, Attorney. We are going to go to Mr Welch.

Richard WELCH: Thank you, Chair. Thank you, Minister and officials. I will go to budget paper 5, page 154, and Ms Anderson actually I would like to start asking you. The budget papers show Court Services Victoria has a revised budget of \$864 million in 2024–25, but this falls to just \$834 million in 2025–26, so this is a \$30 million budget cut. What services previously funded by CSV will now have to be reduced or axed entirely in response to the \$30 million cut?

Louise ANDERSON: Thanks, Mr Welch. Good morning, committee. The \$30 million reduction that you are referring to reflects that there were a number of one-off payments in the budget for 2024–25 to support the wage increase out of the enterprise bargaining agreement, some additional funding that Court Services Victoria received through the Victorian Legal Services Board and some other smaller investments. Those do not need to be ongoing in the same way.

Richard WELCH: When they are taken into account, does it account for the full \$30 million, or are there other cuts above that?

Louise ANDERSON: As you would have heard from the Attorney, there has been investment in this financial year that, taking into account ordinary savings measures that are applied to every department – general efficiency dividends, et cetera – there is a reduction, but it is overall a net increase given the investment that the Attorney has referred to.

Richard WELCH: Thank you, Ms Anderson. Last year 34 specialist jobs in the Children's Court conciliation conference unit were axed. Can you confirm that these conciliators had their employment terminated just before Christmas last year? Was it Christmas Eve?

Louise ANDERSON: I cannot remember the actual date. I know that we have moved through a number of change management processes to reduce some of our cost pressures but also to reflect the needs of the courts. I think at the last PAEC hearing I spoke to the policy and practice considerations that the Children's Court had given.

Richard WELCH: Did the court need to cut 34? Is it that the needs of the court were served by cutting 34?

Louise ANDERSON: The work was then to be taken up by the magistrates with the Children's Court, so the work continues but is done where the decision-maker sits; that is, the magistrate. Just in terms of an overall comment, Mr Welch, certainly whenever we are making decisions or I am making a decision to exit staff or reduce positions, we do it with the greatest amount of respect and courtesy we can to the people affected and of course reflect the rights and procedures under the enterprise bargaining agreement. I cannot quite recall the date, but I know we would have taken very good care.

Richard WELCH: Thank you. Ms Anderson, last year, in response to a question from Mr Danny O'Brien about how CSV would manage a \$19.1 million budget cut, you said:

Our focus will be on back office reform in its more general terms ...

Would you agree that sacking 34 Children's Court conciliation staff is actually a reduction in frontline services, not back office?

Sonya KILKENNY: May I add something here? Louise, I might get you to speak to this as well, but I understand that a change was sought by the court to return to the pre-COVID approach of using pre-trial readiness hearings and judicial resolution conferences to assist with managing child protection matters and to facilitate early resolution. I understand it was a decision by the court to change their practices.

Richard WELCH: But you would agree that their front office staff have been reduced, not just back office?

Sonya KILKENNY: My understanding is that the focus was back office and that the front –

Richard WELCH: But 34 staff – these are clearly front office staff.

Sonya KILKENNY: Perhaps Louise can talk to this, but I understand that the decision by the court to revert to pre-COVID conferences was made by the court and was not a consequence of funding issues. I think that is correct.

Richard WELCH: Yes, but the question was that the savings would be through back office staff, and these are front office staff. Do you agree that it was not just back office staff?

Louise ANDERSON: If I may, just to follow on from the Attorney's comment, Court Services Victoria is reducing, as government would expect, duplication and increasing efficiency in back office. We did a lot of reforms through that –

Richard WELCH: The question is simple.

Louise ANDERSON: But I just take the Attorney's point, which I was endeavouring to make myself: the decision taken to change the way conciliation conferences were conducted in the Children's Court was driven principally by practice improvement and reform. There was a clear decision by the president of the Children's Court.

Richard WELCH: But you did say earlier in your answer there was a cost element to this as well – it was partly for cost.

Louise ANDERSON: Yes. We always look to see how we can run the courts most efficiently, Mr Welch, so there would be an understanding of: can this money be redirected by the Children's Court to areas of need?

Richard WELCH: Yes, okay, but we are dancing around the question here. You do agree that front office staff were lost.

Members interjecting.

Richard WELCH: Sorry, this is my time.

Members interjecting.

Richard WELCH: Please stop with the intervention. I am asking a question.

Mathew HILAKARI: A point of order, Chair.

The CHAIR: A point of order – Mr Hilakari.

Mathew HILAKARI: I am trying to follow what reference this is to this budget, not previous years, not 10 years ago, not some other point in time. It is an inquiry into this budget.

Richard WELCH: Last year. It is directly related.

Mathew HILAKARI: Well, just give us the budget page then.

The CHAIR: Mr Welch, if you could please repeat the budget reference that you are referring to and how it relates to the budget at hand.

Members interjecting.

The CHAIR: A point of order has been raised, and I need to rule on it. Mr McGowan. Mr Welch.

Members interjecting.

Richard WELCH: May I proceed, or are there going to be further interjections?

The CHAIR: Mr Welch, on the point of order, a budget paper, please, in reference to the budget, and we can proceed.

Richard WELCH: We can refer to budget paper 5, page 154, which I quoted at the outset.

The CHAIR: Thank you, Mr Welch. If you could repeat your question, please.

Richard WELCH: I will move on. What other services were cut or reduced in response to last year's budget cuts?

Louise ANDERSON: Thanks, Mr Welch. In the main we did drive reform through reduction of duplication in corporate services. Court Services Victoria, as you would know, was established in 2014 to enable the courts to operate and to support their administration. It has taken us a while to move to a more mature shared service model. We made changes which reduced the number of human resource capability but consolidated it within the court services to support the courts. We did that also for communications, finance and what we call our built environment. Predominantly, the savings that we needed to make were made through back office efficiencies and, importantly, ensuring that we were working most effectively and also consolidating and increasing capability so that the service was a better outcome.

Richard WELCH: On page 52 of the CSV PAEC questionnaire there is a headcount reduction of 229 full-time employees over the past year, which is 7.8 per cent of your entire workforce.

Louise ANDERSON: Yes.

Richard WELCH: Do you anticipate similar job cuts next year?

Louise ANDERSON: We will continue to focus on how we can improve our efficiency and effectiveness, and we are looking at continuing the shared service model to reshape the digital services we provide.

Richard WELCH: But will there be similar cuts?

Louise ANDERSON: There will be most likely some change resulting in that that may impact jobs, but it will not be –

Richard WELCH: But is change a euphemism for cuts, or what do you mean?

Louise ANDERSON: No, change means often you are improving your process, you are reducing –

Richard WELCH: But will there be cuts? Will there be job losses?

Louise ANDERSON: We will always look to preserve roles and ensure that we have the right capability for the courts.

Richard WELCH: That is not the question. The question is: will there be cuts?

Louise ANDERSON: I have not got a number in front of me at the moment, but we are doing our planning to see how we can improve the service we offer and reduce the impact on the operations of the courts.

Richard WELCH: So you anticipate there may be cuts?

Louise ANDERSON: I would never rule it out, because I need to do the planning and have good advice from colleagues.

Richard WELCH: I do not think you are being very forthcoming.

The CHAIR: Excuse me, Mr Welch, I think you know you are bordering on being downright rude and disrespectful. Ms Anderson is answering the question that you have asked. Ms Anderson, do you want to state your answer on record again?

Louise ANDERSON: Thank you, Ms Connolly –

Richard WELCH: Ms Anderson, can you rule out the closure of any current operating courthouses in the next financial year and across the forward estimates?

Louise ANDERSON: I am not in a position to rule it out. We do not have anything planned, but I know that we at times need to look at particularly our ageing assets and the occupational health and safety impacts, and that may be something we take into account.

Richard WELCH: So there are no plans at the moment?

Louise ANDERSON: There are no plans at the moment.

Richard WELCH: But if there were, would that make access to justice any easier, do you think?

Louise ANDERSON: Well, our commitment of course is always to provide access to justice to Victorians, and there are different ways to do that. There is the physical asset. There is technology – online courts, as I am sure you would be aware, are also a very accessible form for people to appear before the courts.

Richard WELCH: Page 31 of the CSV questionnaire states that in the 2025 budget CSV has been allocated a savings target of \$26.1 million in 2025–26 and then savings of \$26 million across the forward estimates. This is a total savings target of \$106.1 million. So, put simply, other than massively hiking court fees and massively slashing court services to Victorians, how can CSV meet those savings targets? I will come back.

The CHAIR: Thank you, Mr Welch. We are going to Ms Kathage.

Lauren KATHAGE: Thank you very much, Chair, Attorney and officers. In your presentation you spoke about the community safety package. I know that the government was acting swiftly in announcing reforms to the *Bail Act* earlier this year. I understand that \$727 million is around backing in the reforms and ensuring the system capacity to deliver those reforms.

Sonya KILKENNY: Yes, that is correct. Thank you for the question on our bail reforms and obviously the investment that is required to back in those reforms, as we anticipate seeing an increase in court activity as well as an increase in the numbers of people on remand. Obviously investments are needed to meet that demand, not only at an operational level through corrections but also in support services as well for those people coming before police and the courts. As you have identified, the investment of \$727 million is really to operationalise the bail reforms in the corrections and youth justice systems, and while I am not obviously responsible for that investment in particular, I am certainly happy to talk about the investments insofar as they relate to my portfolio and the impacts for community safety. As you might recall, it was only earlier this year, in February, that I stood up with the Minister for Police and the Premier to announce that we were going to take a look at our bail laws to see what reforms were needed, because we understood that they were not meeting community expectations and that we were seeing an increase in what we call high-harm, repeatable crimes. That is what our bail reforms are all about – they are about ensuring that the community feels safe and is safe. When I became Attorney-General, it was clear to me that our bail laws were not meeting those community

expectations. I think it is extremely important that the Victorian community feels safe, feels protected and has confidence in our system as well. I have also had the opportunity to speak with a number of victims of crime who have been victims by alleged offenders who have been out on bail. What I should add there is that whilst many of these offenders are young, many of these victims also recognise that we need better bail laws, clearer bail laws, but we also need to do more work to stop and prevent the offending in the first place and also work to try to turn the lives of these young people around and get them back on track to break this cycle, this pattern of offending.

Back in March this year we introduced the first tranche of those bail reforms, and that was really to crack down on that repeat high-harm offending, which is causing great harm and fear in our community. One of the really crucial changes of those reforms was to really call out and elevate this overarching principle of community safety – and that is really important, and that has always been an element in our bail laws – but to call it out, to make sure that in every decision on bail the decision-maker must turn her or his mind to that overarching principle of community safety, and that will be whether it is before the courts, before the police or indeed before bail justices.

I also heard, quickly, from both experts and certainly legal stakeholders and people who use the system that the provision in the *Bail Act* that made remanding of a child a last resort did not always have the impact or consequences that it should. Ultimately, I think it is so clear that all of us would say we do not want to see young children in custody, but there will be occasions when that is the only thing that you must do where there is an unreasonable risk to community safety if an alleged offender is let out on bail. To ensure this, our first round of bail reforms in March removed this provision. We are now a few months on from having passed those pretty big changes through the Parliament, and we are actually seeing them have a very real and measurable impact already. The latest remand rates show that there has been an increase of 35 per cent of remanded youth since we introduced the tranche 1 reforms in late March, and compared to this time last year we have seen an increase of almost 350 adults on remand as well. These are not just statistics; they are clear signals that the bail reforms are working and that we have tightened the conditions and made it harder to get bail for those who pose a risk to others. As I said, we are working to ensure that the community feels safe and is safe.

I am sure the committee – and, Mr McGowan, you too – would be interested to hear about the status of the rest of our reforms. We are on track to introduce the toughest bail test and the uplift provision for committing an indictable offence on bail later this year. The tough new bail test that is proposed will be the toughest test in the country. It will be similar to the test that applies currently in New South Wales, which requires a decision-maker to have a high degree of confidence or a high degree of probability that the person will not commit certain offences if released on bail. However, we will go further with our test. It will be a permanent test, and it will apply equally to adults and children. As for the uplift provision – and this applies when someone is charged with an indictable offence while already on bail for an offence – this uplift provision will operate by applying what is called the reverse onus test, and that means that that person who has been charged with an indictable offence whilst on bail will have to prove to the court that there are compelling reasons that justify the granting of bail.

These bail reforms are really just one area of our focus in contributing to the Allan Labor government's commitment to community safety. I am working on a range of other measures and protections as well, including, as I mentioned earlier, strengthening protections for retail and transport workers and also of course changing laws around family violence intervention orders to better protect victim-survivors and keep perpetrators accountable.

I am sure also that the committee is well aware of the work that we are doing to ensure community safety, the work of crime prevention. I should also add this is not just an agenda exclusive to the Attorney-General or my department. Of course these are matters that are whole of government, and I think we are all very proud of the work that our government is doing across government to address issues of community safety. And those go to things as early as free kinder, free TAFE, working with communities and putting in supports that enable them to live a life of purpose through better education pathways, better alternative pathways, better protections and supports at work, supports around now of course real cost of living for families as well and supporting families with the costs of their children going to school. We will be seeing free public transport from 1 January next year for all children under 18. We have vouchers and supports for families to ensure that their children can participate in camps, sports and excursions and of course the free Glasses for Kids program.

So at one end of the spectrum we are doing a lot of work in the justice space, particularly through corrections, police and of course the Attorney-General to address community safety, identifying it as one of our major priorities for the Allan Labor government. But across all of government, across the whole of government, there are so many policies and initiatives that are in place to support families, to support Victorians, as I said, to lead that life of purpose, and to provide greater opportunity for all Victorians as well.

Lauren KATHAGE: Thank you, Minister, for sharing I guess the specifics of what those investments are going to in this budget at the pointy end and how you are working to improve community safety and put community safety at the centre, but also more broadly the government's initiatives that also all push in the same direction so that we are not only keeping the community safe but ensuring that people can live lives of dignity and of purpose. So I want to thank you and your officers for the work that you have done in that regard. As you said, Australia's toughest bail laws have been operationalised through this funding: 720 –

The CHAIR: Apologies, Ms Kathage. We are going to go to the Deputy Chair.

Nick McGOWAN: Thank you. Ms Anderson, it states on the CSV website that:

Construction of the Wyndham Law Courts will be completed in late 2024.

CSV's PAEC questionnaire responses at page 4 say that the new courts 'were completed in March 2025' – that is this year. However, these courts have still not opened. It seems they have been sitting idle now for some three months, or 12 weeks. Can you tell us why that is the case?

Louise ANDERSON: Thank you, Mr McGowan. If I may, Chair, I just have a correction to one of my answers to Mr Welch. It is related to Wyndham Law Courts, in that we are planning to close Werribee Law Court. Sorry, I was not thinking of that when I gave the answer, because its work will now be absorbed by the Wyndham court.

The CHAIR: Thank you.

Louise ANDERSON: Mr McGowan, at the end of 2024 what we call practical completion was achieved where the major construction was finished between December 2024 and March 2025. We needed to undertake landscaping, accessibility and other things that make the court sort of safe to enter. And at the end of March 2025 ownership was transferred to Court Services Victoria. We are now, with the decision of government to fund the operations of it, moving to –

Nick McGOWAN: You did not have the funding?

Louise ANDERSON: Well, the court was not open to fund by –

Nick McGOWAN: So you did not have the funding? You took possession in March, and you still do not have the funding some 12 weeks later to actually staff the court?

Louise ANDERSON: There is work that still needs to be done between –

Nick McGOWAN: That is not incorrect, is it, though, Ms Anderson? That is correct?

Louise ANDERSON: Well, we have funding to open up to five Magistrates' Courts, up to three Children's Courts' –

Nick McGOWAN: Not the whole facility? At this point in time, as we sit here today, you do not have the funding to staff the brand new court?

Louise ANDERSON: A court always takes a while to get –

Nick McGOWAN: So it is a no?

Louise ANDERSON: No, no, no. It is never that straightforward, Mr McGowan. I am not looking to avoid your question –

Nick McGOWAN: It seems that straightforward because it has been sitting idle for 12 weeks. For 12 weeks it has been sitting idle.

Louise ANDERSON: No, it has not been sitting idle.

Nick McGOWAN: Taj Mahal in the west to goodness knows what.

Louise ANDERSON: If I may, it has not been sitting idle. What we needed to do from March until we operationalise is check for defects, make sure that all the things –

Nick McGOWAN: That happens before you take possession, though.

The CHAIR: Excuse me, Deputy Chair. Deputy Chair, you –

Louise ANDERSON: There is a 12-month defect –

The CHAIR: Excuse me, Ms Anderson. Deputy Chair, you have asked a really important question – I actually want to hear the answer to this – and Ms Anderson is providing information for the inquiry before the committee. Ms Anderson to proceed with her response.

Louise ANDERSON: Thanks, Chair. The ownership transferred to Court Services Victoria, but as I am sure you would be aware, with any major assets there is quite a long defects liability period. So we need to check –

Nick McGOWAN: So there are lots of defects.

Louise ANDERSON: No, there are not a lot of defects.

Nick McGOWAN: Then what is the issue? It has been sitting there since March.

Louise ANDERSON: It is very important that we have people who are working through to make sure, before it is open to the public, that the lifts work, that the custody suites are working –

Nick McGOWAN: This did not happen when it was handed over to you in March? It is inconceivable to believe this. When you received it in March you would not receive it because, if there were actual defects, there would be litigation on foot. Is there litigation on foot?

Louise ANDERSON: No, there is not.

Nick McGOWAN: No, there is not. So what has it been sitting idle for 12 weeks for?

Louise ANDERSON: It has not been sitting idle, Mr McGowan.

Nick McGOWAN: Certainly sounds like it.

Louise ANDERSON: Well, I think, if I may –

Nick McGOWAN: Because you did not have the budget to staff it; I get it.

Louise ANDERSON: The court was built on time and on budget.

Nick McGOWAN: So when will it commence in full capacity?

Louise ANDERSON: It will commence this calendar year, and it will increase –

Nick McGOWAN: Ms Anderson, you are not filling me with confidence.

Louise ANDERSON: Oh, well, I feel very confident.

Nick McGOWAN: How can you say this? This is the problem with PAEC: it has turned into a sham. If we cannot rely on the answers we are receiving, then we have no faith in this and this entire system is a waste of time. All I am asking is very straightforward question. You took possession of these courts – multimillion-dollar courts – and sitting here today you cannot tell me when they will commence operation in full.

Louise ANDERSON: They are planned to commence towards the end of this year.

Nick McGOWAN: What does that mean?

Louise ANDERSON: Well, it means –

Nick McGOWAN: That is what it means. You have got no idea.

Louise ANDERSON: No, it means that we are working towards –

Nick McGOWAN: You are the expert. You are the most senior officer of the court, as you know. You cannot tell us?

Louise ANDERSON: Well, I can. I can say that the intention is for the Magistrates' Court, for the Children's Court and for the Victorian Civil and Administrative Tribunal – they will be operating out of Wyndham Law Courts by the end of 2025.

Nick McGOWAN: My goodness. So Christmas, but if by Christmas it does not come, it will be 2026. So we have got hundreds and hundreds of thousands – millions – of dollars sitting there idle. How has this happened? How has this happened that you did not have the budget from day one, in March, to kick off the operation?

Louise ANDERSON: As I have said, Mr McGowan, it –

Nick McGOWAN: Sounds like gross incompetence, Ms Anderson.

Louise ANDERSON: is not idle.

Nick McGOWAN: Ms Chapman, last year you advised PAEC that Deloitte had been commissioned to review fees across Victoria's courts and tribunals. You said that the changes to probate fees – which, I will remind you, resulted in a fee increase of up to 650 per cent – were stage 1 and that every other type of fee would form part of stage 2. What is the status of the stage 2 fee review?

Marian CHAPMAN: Thank you for the question, and I recall the conversation at the last PAEC. At this point stage 2 has not commenced, and I do not have a date for its commencement.

Nick McGOWAN: Why do you guys not have any dates for anything? How can anyone operate with any certainty in this environment? You are making a mockery of the estimates process. How can you possibly form a budget if you do not know when – this is what you said last year. It is not what I said, it is what you said. Deloitte have done their review – 650 per cent increase in stage 1. When will stage 2 even be implemented, contemplated – this year, next year?

Marian CHAPMAN: That is a question for government to approve the commencement of stage 2.

Nick McGOWAN: You are running the courts, are you not? You are deciding this. This is what you said. It is not what I said.

Marian CHAPMAN: I do not run the courts. I am a Deputy Secretary in the Department of Justice –

Nick McGOWAN: I understand your position, and I know you do not run the courts. Clearly nobody in Wyndham is running the courts at all. So there will be no fee increases. Put it the reverse way: there will be no fee increases across any other charges that the courts charge.

Marian CHAPMAN: The report from Deloitte that you referred to recommended a systemic review of court fees, as we discussed last year. It recommended that that be undertaken in two stages, with the first being probate fees. As the committee would be aware, that stage is complete, and those fees were reviewed and commenced in November last year. Other court fees are set under various regulations, and those regulations come up from time to time for renewal. Each of those fees would have to be reviewed as they come up or in a second-stage review.

Nick McGOWAN: Okay, well, you are not instilling any confidence in me whatsoever, but I will move on. Court Services Victoria advised PAEC in its questionnaire again, and I quote, that the court fee pool would be a source of funding for new security measures at specialist family violence courts and the operation of the Magistrates' Court service centre. Why are courts being asked to fund basic security and operational measures out of the court fee pool instead of being budgeted fully?

A member interjected.

Nick McGOWAN: Pages 18 and 19 of the questionnaire. The government never provides quotes or pages or references. All you are doing is interrupting and wasting your time and providing a protection racket for those opposite. Ms Chapman, do you have an answer?

The CHAIR: Deputy Chair!

Nick McGOWAN: Or Ms Anderson?

Louise ANDERSON: The answers in the questionnaire reflect the budget decisions made by government through its government process.

Nick McGOWAN: So the government are forcing you to provide for security measures out of the court fee pool rather than budgeting for it. Is this not scandalous to you, Ms Anderson? I mean, you are an independent officer, and you are sitting here and you are seriously having us believe that in order to provide protection for family violence courts you have to take that from a fee pool rather than being budgeted by the state government. That is how little they care, seemingly, about family violence courts and their protection and the protection for those vulnerable women there. Is this seriously what we are doing? That is what you have to do.

Louise ANDERSON: As I said, the questionnaire reflects the decision made, Mr McGowan.

Nick McGOWAN: It does reflect. It reflects badly on this government, doesn't it Ms Anderson?

The CHAIR: Excuse me, Mr McGowan, you will afford Ms Anderson the opportunity. You have asked a question that you obviously want the answer to. Ms Anderson, if you would like to provide an answer.

Louise ANDERSON: Thank you. Chair. My answer was, as I said, that the questionnaire provides accurately the decision made by government through its budget considerations as to the source of the funding for the service required. It may be a matter that you wish to explore with the Attorney.

Nick McGOWAN: It is pitiful, isn't it, Ms Anderson? Okay, I will move on. Ms Anderson, the probate fee changes were forecast to raise an additional \$46.7 million over a year. Are you able to update PAEC as to whether that forecast was accurate, an overestimate or an underestimate?

Louise ANDERSON: Thanks, Mr McGowan. The probate fee changes came in in November of last year, so it is not a full 12 months. It is a little over, well, at the moment six months, and our projections are that it will sit at around \$30 million. At this point we are not sure what the end of June number will look like, but certainly it is close to the estimate that had been indicated in the regulatory impact statement.

Nick McGOWAN: Ms Anderson, the DJCS PAEC questionnaire response notes that the funding for, and I quote, 'specialist family violence legal assistance at court', end quote, has fallen from \$5.3 million in 2024–25 to just \$1.8 million in 2025–26. With family violence incidents increasing, what is the justification for cutting funding for specialist family violence legal assistance at court? It is page 24 of the questionnaire.

Louise ANDERSON: I think, if I may, Mr McGowan, that is probably a matter for the department. It is a funded service through –

Kate HOUGHTON: Sorry, Mr McGowan, can you repeat that question and the questionnaire part?

Nick McGOWAN: Sure. Page 24 of the questionnaire. It refers to, and I quote, 'specialist family violence legal assistance at court'. That funding has fallen from \$5.3 million in 2024–25 to just \$1.8 million in 2025–26. With family violence incidents increasing, what is the justification for cutting this funding for specialist family violence legal assistance at court?

Kate HOUGHTON: On my version of page 24 we have no variance in the specialist family violence legal assistance at court.

Nick McGOWAN: \$5.3 million in 2024–25.

Kate HOUGHTON: Yes.

Nick McGOWAN: And \$1.8 million in 2025–26.

Kate HOUGHTON: That is from the 2023–24 budget.

The CHAIR: Thank you, Mr McGowan. Mr Hilakari.

Mathew HILAKARI: Thank you, Minister, and thank you, officials, for your attendance this morning. Ms Anderson, we started asking some questions about the Wyndham Law Courts, but you were repeatedly interrupted and actually could not put on to the record what we are opening and what the operationalised funding will do. Could you just tell us about how many courts will open? What rooms are we expecting this funding to support?

Louise ANDERSON: Thanks, Mr Hilakari, and it may be a –

Nick McGOWAN: Point of order.

The CHAIR: Deputy Chair, yes, a point of order?

Nick McGOWAN: Budget paper reference?

The CHAIR: Thank you, Deputy Chair.

Mathew HILAKARI: Yes, certainly. It was in the presentation.

Nick McGOWAN: Which slide?

Mathew HILAKARI: ‘Opening Wyndham Law Courts’.

Nick McGOWAN: Which slide, sorry?

The CHAIR: Thank you. There is no point of order.

Mathew HILAKARI: Slide 5 of 8.

Nick McGOWAN: We are asked all the time to provide some sort of reference and some sort of page. If it is good for the goose, it is good for the gander.

The CHAIR: Excuse me, Deputy Chair. I have ruled on your point of order. There is no point of order. Mr Hilakari to proceed.

Nick McGOWAN: Point of order.

Mathew HILAKARI: I am also happy to reference budget paper 3, page 99 –

The CHAIR: Excuse me, Mr Hilakari. Mr McGowan.

Nick McGOWAN: The member has referred to a document, but the member has not referred to a page. We cannot possibly be expected to sit here and flip through thousands of pages.

Mathew HILAKARI: I will give you two references –

The CHAIR: Excuse me, Mr Hilakari, for a moment. Mr McGowan, this is not an opportunity for you to raise frivolous points of order. Mr Hilakari has answered your question. Mr Hilakari to continue.

Mathew HILAKARI: Just for Mr McGowan's reference, it is slide five of eight, 'Opening Wyndham Law Courts' and budget paper 3, page 99. The operationalisation of Wyndham Law Courts is also a reference point. I am happy to provide both, as I have before.

Ms Anderson, I will not rudely interrupt you. Please go ahead.

Louise ANDERSON: Thank you, Mr Hilakari. It may be a matter that the Attorney also wishes to address.

Mathew HILAKARI: I am definitely going to move to the Attorney in a second.

Louise ANDERSON: So the Wyndham Law Courts: as the committee has heard, we are planning to open by the end of this year. Plans are well advanced. That will be up to five Magistrates' Courts, up to three specialist Children's Courts and VCAT hearings conducted. The court itself has 13 courtrooms, four general hearing rooms and three mediation suites. It has three secure entrances to support vulnerable people, including children coming in secure and supported entrances. It also has 26 holding cells, so it will be a fully operationalised criminal court as well as civil. That is the first part, because it does take a while to operationalise a new court. It is not an extension; it is an area where we have not had a facility like this. Then over the next 12 months after it operationalises this year there will be the bringing forward of the Koori Court, therapeutic courts and the Specialist Family Violence Court as well as the specialist Children's Court for Koori

Mathew HILAKARI: Thank you, Ms Anderson. I will move, Minister, to you on this – the same budget paper references. I should remark on the way through that it is important that the western suburbs have good things. Mr McGowan does not think they should. He does not think the people of Melbourne's west deserve the sorts of assets that we have all across the rest of the state, and he is so disdainful as to call it the Taj Mahal. It is quite disgraceful, and talking down the western suburbs is completely unacceptable. This is the largest court facility outside the CBD. So Minister, I am hoping you can talk about how some of this funding in the budget will operationalise the facility and why it is important that all parts of Melbourne, not just the ones that the Liberal Party wants to ignore but all parts of Melbourne, have good facilities.

Sonya KILKENNY: Thank you, Mr Hilakari. I was going to suggest to Mr McGowan that I actually toured the facility last Friday, and it is a state-of-the-art facility. It is going to provide greater access to justice to our growing western communities, and it means people are not going to have to travel as far to get to court – to have their day in court – to seek the orders, the protections, that they need. This is serving a community that we anticipate is going to grow to over 500,000 in the next couple of decades. This is an important investment for the west, an important investment in access to justice. Mr McGowan, I would be more than happy to take you on a tour of the facility and to point out some of the features that have been included in this facility – that have been included because we learn and we listen to the users, particularly, for example, separate entrances for family violence victim-survivors and separate entrances for children as well who might be there on Children's Court matters or of course even custody matters.

This is a significant investment in our justice system. It is a significant investment in our communities in the western suburbs, not just Werribee but for the broader Wyndham communities, including your own, Mr Hilakari. They deserve, like anyone else, good facilities. They deserve, like anyone else, good access to justice, and at the end of the day this is a question of equity. I am very much looking forward to seeing the courts now operationalised with this budget funding of \$114 million to operationalise the Wyndham facility. There is also going to be support through \$38 million for services like the OPP, Victoria Legal Aid, CLCs and Victorian Aboriginal Legal Service as well, complementary services to support the facility and the users out there.

Of course it does build on the investment of \$275 million to construct this state-of-the-art facility. As Ms Anderson has said, it will bring together three jurisdictions: the Magistrates' Court, the Children's Court of Victoria and the Victorian Civil and Administrative Tribunal. We have never had a facility this large, this complex, out of the Melbourne CBD ever before. Given the sheer size, the sheer scale of it and the change from what we have seen, it is not a matter of just picking up what you have got and plonking it into this new facility. It is going to take a process that needs to be done in a steady fashion, in a measured fashion, to ensure that the building becomes occupied and operationalised in a safe, efficient and effective way if we are going to provide best service to the community and ensure safety for all of the court users as well.

The facility will also, as we have heard, house a range of legal support services, Victoria Police and of course local community services. There are measures also to support children who will be attending the court. There is Cubby House, which is a secure purpose-built waiting space for children and young people in traumatic family situations. It will begin operating next year. And then of course as we stage the operation of this incredible facility and service to the west from early 2027, the Wyndham Law Courts will begin delivering a full suite of therapeutic programs, including very importantly that Specialist Family Violence Court, Koori Court and Children's Koori Court and also hosting of course the Koori family hearing day. As I said, all of this is going to be supported by a range of coordination, advice and referral services, many of which will be provided by local and community groups, ensuring strong support and strong networks are in place, particularly around some of those more vulnerable court users.

Nick McGOWAN: It took less time to build the Suez Canal.

Sonya KILKENNY: As Ms Anderson has said, the \$114 million provided in this year's budget will be spent on initially staffing the five Magistrates' Court courtrooms, three Children's Court courtrooms and four VCAT hearing and mediation rooms. There is a lot that goes into operating a single court, not to mention three jurisdictions under one roof. That includes everything from the judicial officers through to the support staff, through to security and includes integrated services programmed through the Magistrates' Court, the Children's Court clinic and Court Network services. It is also important that the precinct itself is accessible to all court users, and that is an absolute priority. We are going to work very closely with Court Services Victoria, with the courts and with staff service providers to ensure and to support that we have that very smooth, coordinated rollout of services at the Wyndham Law Courts complex.

Mathew HILAKARI: Minister, these sorts of investments are a real anchor of jobs across the whole region, good law jobs –

The CHAIR: Excuse me, Mr Hilakari. Deputy Chair.

Nick McGOWAN: On a point of order, I would not want to mislead the estimates process. I did say it would take longer than the Suez Canal, but as Mr Galea here says, and quite correctly, it actually took 10 years to build the Suez Canal. Although it is not open yet, this could take 10 years to actually finish the Wyndham Law Courts. We hope it does not take that long, but I just wanted to correct the public record before we continued.

Mathew HILAKARI: On the point of order –

The CHAIR: I will make a ruling. There is no point of order. We are going to go to Mr Welch.

Richard WELCH: Thank you, Chair. Ms Anderson, just back to the question I was originally asking, page 31 of the CSV questionnaire indicates that you need to make \$106 million of savings over the forwards. Other than massively hiking court fees and massively slashing court services, how can CSV possibly meet these savings targets?

Louise ANDERSON: Thanks, Mr Welch. As we also said in response to that question in the questionnaire, the government is working with the courts and with CSV on identifying what activities may need to stop or what changes will need to be put in place to meet those savings.

Richard WELCH: So there will need to be services cut to meet those targets?

Louise ANDERSON: There is certainly a lot of consultation underway as to what possibilities may be considered and the impacts of those.

Richard WELCH: When will that consultation be complete?

Louise ANDERSON: We are certainly hoping to bring that to a conclusion prior to the end of the financial year, but that may not be possible.

Richard WELCH: Sometime over the next year? Okay. Ms Chapman, I refer to budget paper 3, page 158. The DJCS's PAEC questionnaire response notes that funding for specialist family violence legal assistance at court has fallen from \$5.3 million in 2024–25 –

A member: No, it doesn't.

Richard WELCH: No, it does not? I will move on. Same reference – budget paper 3, page 158, output summary – the line item 'Public prosecutions and legal assistance' falls from \$407.1 million to the revised figure of \$363.9 million in 2025–26; that is a cut of 6.8 per cent. With rising crime and an already overworked court system, how does the government justify a \$43 million cut to public prosecutions and legal assistance?

Sonya KILKENNY: Is that for me?

Richard WELCH: To Ms Chapman.

Sonya KILKENNY: If I may, first of all, Mr Welch, thank you for the question. This budget invests \$400 million into our justice system. That includes, as we have heard, operationalising the Wyndham Law Courts. It includes various supports to fund demand and to improve court access –

Richard WELCH: The cuts do?

Sonya KILKENNY: I am just going through the budget –

Richard WELCH: I am asking about the 6.8 per cent cut.

Sonya KILKENNY: The 6.8 per cent you are referring to – that is public prosecutions and legal assistance. First of all, I think it has to be in the context of this being a budget of \$400 million that is being presented here. That is going to include –

Richard WELCH: This is nearly 10 per cent of that figure; it is a very significant figure.

Sonya KILKENNY: strengthening community safety and supporting the modernisation of our courts. The amounts that you are referring to there are driven by lapsing programs or reduced program initiatives that were in place I think primarily following COVID and that now are being scaled back because we are not responding to those COVID situations. As set out in the budget papers –

Richard WELCH: But it is a cut.

Sonya KILKENNY: it reflects the completion of programs with our focus on frontline services.

Richard WELCH: So you are expanding?

Sonya KILKENNY: Our budget of \$400 million is a significant investment into the production and delivery of frontline services.

Richard WELCH: But, Minister, with a \$43 million cut, are you saying that is entirely lapsed programs – there are no other services –

Sonya KILKENNY: It will be a reduction. It is a reduction in some of those programs that would have been introduced as a response to COVID. I was not in the position of Attorney and I know you were not here either, Mr Welch, but following COVID there was a big shift in the way that justice had to be served.

Richard WELCH: So the entirety of that \$43 million is purely from lapsed COVID programs, or are there other services being cut?

Sonya KILKENNY: Sorry, Mr Welch, I should point out that I think the comparison you are making is between the revised budget for 2024–25 and the 2025–26 budget, whereas the 2024–25 budget was \$390 million compared with –

Richard WELCH: But you are spending less. You are still spending that much less. So are those cuts entirely accounted for by lapsed COVID programs, or are there other cuts in addition?

Sonya KILKENNY: Quite a significant amount would have been into, say, reduction in program delivery, because we are no longer having to respond in a COVID-like response.

Richard WELCH: Which programs? Thank you, Minister, but which programs?

Sonya KILKENNY: I think also I do want to point out that there has been investment over this period in things like IT upgrades as well, which have delivered efficiencies for the delivery of these programs.

Richard WELCH: That is fine, Minister. That is not the question. With respect, my question is: what programs have been cut?

Sonya KILKENNY: There was additional investment in support services like VLA, VicPol, OPP, Corrections Victoria and victim services to deal with that COVID-like response and also recovery. As you can appreciate, conditions have now changed; we are not having to respond in the manner that we responded to –

Richard WELCH: We already went through that. The question is: what in addition to COVID programs? You have got lapsing COVID programs. We understand that. You have said that already. What in addition to that is being cut? You said there were things being cut, so we would like to know what they are.

Sonya KILKENNY: No, no, the other thing –

Lauren KATHAGE: She did not say that.

Sonya KILKENNY: I did not. I said there have been lapsing programs or a reduction in some of those programs, given that there is now a different response.

Richard WELCH: Which ones? The question was: which ones?

Sonya KILKENNY: The other thing of course too is that as programs are rolled out some of the features of those programs are then embedded in our system as well to deliver and drive those efficiencies. I think where we need to –

Richard WELCH: I am sorry, Minister. Are you having trouble understanding the question or are you refusing to answer? I do not know which. Which programs are being cut?

Sonya KILKENNY: Well, there are no particular programs here. What I am saying is that there will have been –

Richard WELCH: You are saying none are being cut?

Sonya KILKENNY: There will have been lapsing programs from previous years as well as a reduction in some of the programs that have been delivered.

Richard WELCH: And which are those – which ones?

Sonya KILKENNY: Are you able to –

Kate HOUGHTON: They would not have featured in our questionnaire, because they are under \$5 million, and that is the threshold for the questionnaire. They were previous COVID-related programs. What this reduction does not mean is that there is no reduction in funding for the OPP. It is those historical, fixed-term and lapsing –

Richard WELCH: I am happy to receive it on notice.

Lauren KATHAGE: She has just given you exactly the answer.

Kate HOUGHTON: The itemised programs in COVID times, we do not have those, and they are not discovered through the questionnaire because of the funding threshold.

Richard WELCH: Okay. Community legal centres have advised that around 2000 Victorians are turned away every week because of a lack of resources. What does the government anticipate that the cuts to this budget line will have on access to justice?

Lauren KATHAGE: What cuts? What are you referring to?

Richard WELCH: That is a frivolous question.

Lauren KATHAGE: A point of order –

The CHAIR: Ms Kathage on a point of order.

Lauren KATHAGE: Chair, the member made a general reference to cuts, and I do not know what in the budget this year he is –

Richard WELCH: The 6.8 per cent – the \$40 million cuts we have just been speaking about.

The CHAIR: Mr Welch!

Nick McGOWAN: The minister does not need assistance.

The CHAIR: The cuts –

Nick McGOWAN: I am glad the Chair agrees there are cuts. It is a very good start, Chair. It is a very good start.

The CHAIR: Mr McGowan! Mr Welch, do you want to provide context?

Richard WELCH: Budget paper 3, page 158, which is the third time I have had to reference it.

Jade BENHAM: Just to waste time.

Nick McGOWAN: Just to waste time and to prevent transparency.

Sonya KILKENNY: Mr Welch, this budget provides \$40 million in continuing early intervention and resolution legal services, and that is supporting our incredible community legal centres. There will be provision of –

Richard WELCH: But 2000 Victorians are being turned away every week. Are they adequately funded?

Sonya KILKENNY: What this budget is doing – it is \$40 million to support our CLCs, including early intervention programs that are delivered by our CLCs, the Family Violence Assistance Fund, including the family violence duty lawyer at the Magistrates' Court of Victoria, as well as support for the federation of CLCs –

Richard WELCH: Minister, would you like to address the 2000 people being turned away?

Sonya KILKENNY: What I will do is continue to support our hardworking CLCs, who provide an extraordinary amount of support for people accessing the justice system here in Victoria. This budget rightly identifies that and acknowledges the work of our CLCs with this significant investment of \$40 million.

Richard WELCH: Minister, on page 110 of the DJCS questionnaire response to PAEC, it states that the whole-of-government savings and efficiencies for the department in 2025–26 is just \$110,000 across the whole department. Is this correct?

Sonya KILKENNY: I am sorry, I am not sure where you are referring to.

Richard WELCH: Page 110 of the DJCS questionnaire.

The CHAIR: Apologies, Mr Welch, you are out of time. Mr Tak.

Richard WELCH: Point of order.

Meng Heang TAK: Thank you, Chair.

The CHAIR: Excuse me. Mr Welch.

Richard WELCH: I have had constant interruptions to my questions and to answers, and on at least three occasions all four of the Labor members have interrupted or spoken over answers that I have been attempting to hear. Now, this committee can descend to farce if that continues on, because we can all do it. But I would ask that the members be a little bit more respectful of my right and our right, on behalf of the Victorian Parliament and the Victorian people, to ask the questions we are entitled to ask under this process.

The CHAIR: Thank you, Mr Welch. On your point of order, I would remind all members to my left and to my right to afford the witnesses before us today and each other, including me, the respect that I outlined at the beginning of this hearing. Mr Tak to continue.

Meng Heang TAK: Thank you, Chair, Minister, officials. Women's safety is very important in this budget and the government investment, referring to your opening presentation and specifically to women's safety and family violence. Minister, can you tell the committee about how the justice portfolio is contributing to the work the government is doing to protect women and children from family violence?

Sonya KILKENNY: Thank you, Mr Tak. As I mentioned in my presentation, this is a matter of priority for me as Attorney-General. It is also a matter of priority for this government, and I want to acknowledge the work of so many in this government who have been delivering on those 227 recommendations flowing from the family violence royal commission but of course the ongoing work as well to ensure that we are establishing, creating and building a community that protects women and children and that does much to change behaviour that drives a lot of that violence against women and children in our communities. I am very proud that we have delivered all 227 recommendations of the Royal Commission into Family Violence. I think nationally, more than any other state, Victoria has dedicated more funding, more investments, more support to delivering an outcome that is to protect women and children and ultimately end family violence and gendered violence as well.

I think too in any conversation it is so important to recognise and acknowledge the resilience and strength of so many victim-survivors who have come forward, who have shared their stories as well as their experiences of interactions with the justice system. It is only through their sharing of their stories that we are able to deliver change and hopefully an outcome that provides greater community safety for all Victorians.

If you look at the statistics, Mr Tak, family violence is the number one law and order issue in Victoria and, dare I say, across Australia as well. It permeates all aspects of life, and it is one of the things that truly creates debilitation and fear but also takes away a person's right to live a healthy, productive life with dignity and purpose. It is also clear to me how centric family violence is in the conversation of community safety. I recall reading very recently some statistics on young offenders. For a significant proportion of those young offenders their very first interaction with the justice system was not as an offender; it was as a victim-survivor of family violence. For many of them their first interaction with the justice system was named in a family violence intervention order or a protection order where they were the victim or affected family member of family violence. You can see how it permeates through all of our discussions, and it should permeate through all of our responses on community safety right across Victoria. In the budget there is, as I have said, nearly \$19 million for those specialist family violence pre-court engagement services. Those are going to be delivered by Victoria Legal Aid and CLCs together with Victoria Police. This breakdown is not set out in the budget papers, but it is actually a really critical feature of the work that is done at our courts. It means that predominantly women who are having to attend court for family violence-related matters have the opportunity to speak with lawyers, support workers or caseworkers before their hearing. They are able to get information, and they are able to better understand the system, where they need to go and what services and support might be available to them to support them through that process.

At the same time this actually creates efficiencies in the court system as well. When you have got people who better understand the court system and better understand what alternative pathways there might be and what supports are available, that helps the system as a whole. You are not having someone come to court for the very first time on the day of their hearing. As we have also heard, there is significant investment of I think \$15 million for special court security at our specialist family violence courts, and this is really critical too. I have heard firsthand about situations where family violence victim-survivors have come to court and have come face to face with their perpetrator. It is unacceptable that that is happening. This significant investment is going to ensure that at our 13, now, specialist family violence courts – with a 14th to be built out at Wyndham –

there will be dedicated, special, secure entrances for family violence victim-survivors to be able to attend and have proper access to justice without fear and to seek what it is they are seeking from the court.

Of course these investments, as I said, are only building on the significant investments in the family violence portfolio and the incredible work of our Minister for Prevention of Family Violence and Minister for Women. I would like, if I have got a few moments, to talk a bit more on what I think is a very important aspect of this, and this is the pre-court engagement services. I do not think a lot of people necessarily know that this work takes place, but it actually has a profound impact on the way victim-survivors access justice and also the way that our courts operate. The pre-court engagement service was originally set up as a pilot in 2022. It has now expanded across all of our specialist family violence courts. It means that someone can access family violence legal assistance before court. It is so beneficial for court users, including in that it enables them to commence negotiations around a family violence intervention order. It does this outside of the court process. That reduces the length of time that the matter is before the magistrate, and it also reduces the likelihood of contested hearings – that is where matters keep coming back or are extended because there is a contest in the matter. So as I said, that improves court efficiency, but importantly it improves that access to justice and the client or the victim-survivor experience of having to attend and appear at court.

The complex needs of some of these victim-survivors can also be identified earlier by legal practitioners who are very well trained and experienced in dealing with victim-survivors and family violence matters. They are then able, as I said, to make those really appropriate and important referrals early on, and ultimately what we all want to do is improve the outcomes for these family violence victim-survivors. What it then means is victim-survivors and also respondents as well can attend court with the knowledge and the understanding of the court process and the court proceedings and what that will mean. That reduces apprehension, when people know what the process is about and how best they can navigate that system. It reduces that apprehension and anxiety and ultimately can increase safety.

The other thing, too, is I think no-one can take away from the fact that the built form – the built form of buildings – is also critical. It is why I think, having now visited the Wyndham Law Courts, the built form – the structure, the manner in which the court has been designed – is all about access, making people feel welcome, if you like, and making people feel as though it is not somewhere to feel intimidated but somewhere where everyone, including our members in the west, can access justice close to home and access it safely in the knowledge that it is a safe, inclusive environment. As I said, since coming to the portfolio I have met with many, many victim-survivors, particularly of family violence, and it is so important for them to have the opportunity to share their stories. It is so important for us to listen to those stories, to be able to continually improve our system for them and the outcomes for them.

Meng Heang TAK: Thank you.

The CHAIR: Thank you, Mr Tak. Mr Puglielli.

Aiv PUGLIELLI: Thank you, Chair. Good morning. Just starting on budget paper 3, page 98, the online Children's Court output. Can I ask, what proportion of Children's Court cases are held online?

Sonya KILKENNY: Thank you, Mr Puglielli. I think, as I said, the \$240 million in this budget includes funding to continue the online Children's Court. It is a really important service that is run by the Children's Court. It enables court hearings out of hours, which is really important where children may be brought before or charged with offences out of hours and over the weekend. I actually had the opportunity to sit in on an online children's out-of-hours court for two bail hearings actually quite recently, and the manner in which the cases are run is not only incredibly professional but it provides great and good support for the child that is appearing. The child has legal representation there as well, and there is great access for family also. Importantly, it means that these cases can be heard and the child is not having to be held over the weekend until a court is available in the working week. So it is an incredibly important service, and I am really pleased that part of that \$240 million that we are providing to the court's funding will include nearly \$6 million to continue the really important work of the online Children's Court. Again, this comes back to that issue about – one that is very important for me and is a priority for all of us, and that is about that access to justice.

Aiv PUGLIELLI: Thank you, and I do not mean to interrupt. The question was: what proportion of Children's Court cases are held online? If you have that figure to hand, that would be great.

Sonya KILKENNY: I might have to ask Ms Anderson to respond to that on the actual figures.

Aiv PUGLIELLI: Thank you so much.

Louise ANDERSON: Thank you, Attorney. Absent bail hearings, because those on the weekend online Bail and Remand Court do not have the data, the online Children's Court is used also for readiness hearings – for pre-trial, pre-hearing case management. As of this financial year to date, at the end of April, there were just less than a thousand matters heard, which looking at the overall caseload is about 10 per cent of the Children's Court's caseload.

Aiv PUGLIELLI: Okay. Thank you for that. And can I ask: should we expect that proportion to increase over the estimates?

Louise ANDERSON: There is not an expectation that it will increase to any material degree, but it will continue to provide what is seen as a very critical service and improve accessibility.

Aiv PUGLIELLI: Okay. Thank you. And quite a particular question here: is there any projected use of AI in the Children's Court system over the estimates?

Sonya KILKENNY: That is such an interesting question, because I have actually tasked the Victorian Law Reform Commission to look into and prepare a report for me on the use of AI in our court system and by our legal system as well. As you will see from this budget and also from previous budgets, there is a focus on investing in information technology as a way to improve not only the efficiency of the courts but also to improve the experience of court users – enabling, for example, affected family members in family violence matters to appear remotely in court hearings. As you have heard, especially with the Children's Court, in remediation matters and in matters preparing for court conducted by judicial registrars, children and affected members can appear remotely as well.

But more broadly to the use of AI, I think it is not a question of if AI will come but when. It is really important that courts and our justice system are best informed in how to respond to that but also how to embrace it. When I say embrace it, it is not about replacing decisions by humans of course, but how do we embrace it to improve that user experience and also the operations of our courts and our legal system more broadly. I cannot recall, off the top of my head, when that report is coming in. It is the end of this year.

Aiv PUGLIELLI: Okay. Just onto another matter, budget paper 3, pages 98 and 99, there were reported cutbacks for specialist court services provided for the Koori Court system, with a change proposal document, I understand, being cited by the *Guardian*. Can I ask: how does government intend to meet the needs of these communities in the absence of these specialist services that are provided in the Magistrates' Court?

Sonya KILKENNY: Thank you for the question. If I may – and this refers back to my presentation but also to the budget paper – this year, 2025–26, will see the biggest investment in Aboriginal justice. Through my portfolio alone it is \$55 million to support the continuation of those very important five regional hubs that are operated by the Victorian Aboriginal Legal Service, as well as supporting VALS and Djirra to continue their support as CLCs and providing legal support and services to Aboriginal and Torres Strait Islander people throughout Victoria. The record funding also includes – and it is new funding of \$22 million – a self-determined grants program to be led by Aboriginal people on ways to support Aboriginal people on bail and on remand. This is a significant investment, because we know that Aboriginal people are over-represented in our justice system. For me and for this government it is important that we make significant investments to address that overrepresentation and ensure that organisations – specialist organisations like VALS, like Djirra – can continue to provide their really important work.

Aiv PUGLIELLI: Thank you. Yes. Specifically in relation to the courts, which is where the question was headed, can I be quite specific? The Koori Court's manager, project manager, two team leaders and administrative worker, from what was reported at the time – are those jobs still planned to go or has that already happened?

Sonya KILKENNY: I cannot answer those specifics on those particular matters that you have referred to, other than –

Aiv PUGLIELLI: Is there anyone here that can?

Sonya KILKENNY: to bring you back to the significant investment that we are making into Aboriginal justice, the largest investment that we are making this year, also recognising that part of that investment will be in the operationalisation of the Wyndham Law Courts and ensuring that – we have a significant Aboriginal population that lives out in the west – VALS and Djirra are adequately funded to provide that support when Wyndham Law Courts open later this year. There will also be Koori Courts and Koori Children’s Courts established at Wyndham, operating from 2027. The first time I saw the Wyndham Law Courts – they have worked really hard to incorporate a lot of cultural heritage and a lot of cultural art in there as well, to ensure that it reflects a safe space for Aboriginal people to attend. But I do acknowledge that there is a lot of work taking place, and I want to particularly acknowledge the work of VALS in their rollout and their continuation of the five regional hubs, where they are providing that support to people where they live. So again, it is coming back to that question of access to justice.

Aiv PUGLIELLI: Can I just raise another matter? Despite the critical role that community legal centres and legal aid play in providing legal assistance to victims of family violence, they continue to face significant funding shortfalls. I understand that in 2023 over 340 victim-survivors of domestic and family violence were turned away due to insufficient resources. The Law Council of Australia estimates a \$500 million annual shortfall in legal assistance funding. How does government plan to address these funding gaps to ensure that all victims of family violence have access to the legal support that they need?

Sonya KILKENNY: Again, you will see from this budget and from what I have been talking about and certainly from my presentation that it is a priority of this government that we are investing in family violence, not only critical support in protecting victim-survivors but also around the prevention of family violence in the first place. That goes back to not just the work that is done through my portfolio and through my department but also the work of other portfolios, particularly the Minister for Prevention of Family Violence. It is a priority of this government. It is why this budget invests significantly in support for community legal centres and their work with family violence.

The CHAIR: Thank you, Minister and Mr Puglielli. Mr Galea.

Michael GALEA: Thank you, Chair. Good morning, Attorney, Secretary and officials. Attorney, I would like to continue the conversation about community legal centres. We all have many that we know of in our communities – in my case, the South-East Monash Legal Service, who do an incredible job, whether it is through their main functions or whether it is through Justice Q or other initiatives that they have launched as well. Attorney, I do see in budget paper 3 on page 71 and elaborated on page 75 that there is increasing funding over the forward estimates for community legal centres. Can you talk to me a little bit about this funding and how it will support Victorians to get the legal support that they need from their CLCs?

Sonya KILKENNY: Thank you, Mr Galea. As you have heard, I am a very strong supporter of our community legal centres and their vital support and the work that they do right across Victoria. They deliver really what is critical, vital assistance, including free legal advice and access to support services, sometimes to some of the most disadvantaged and vulnerable people across our communities. I do want to acknowledge that last year the community legal centres provided more than 100,000 legal services for Victorians. That is an extraordinary number, providing incredible support for those Victorians.

Again coming back to my theme, which is really about making access to justice easier and fairer, as I have said, this budget invests significantly in community legal centres. Thirty-five community legal centres will be supported through this budget as well as the Victorian Aboriginal Legal Service, and there is an additional \$40 million under the continuing early intervention and resolution legal services initiative. If I break that down, that includes some really important services. Again coming back to family violence, the CLC family violence assistance fund supports a broad range of services including family violence duty lawyer services in local Magistrates Courts’. Importantly, this funding supports 10 early intervention programs that are delivered by CLCs, and that includes Justice Connect’s homeless law program, Westjustice’s youth crime prevention and early intervention program and of course our integrated legal services in public housing estates across metro Melbourne in partnership with Inner Melbourne Community Legal and Moonee Valley Legal Service. I have mentioned also that the funding is going to support the important work that VALS is doing and continuing to

deliver in their five legal service hubs in five regional locations, as well as support for Djirra to maintain CLC support services for Aboriginal people.

In addition, there are five longstanding health justice partnerships that are going to be supported by the significant funding in this budget, and we are going to be supporting the Federation of CLCs to enhance their sector data capability service. Finally, there is also the piece that I spoke about before with Mr Tak, and that was around the specialist family violence pre-court engagement service that is delivered by Victoria Legal Aid, Victoria Police but also the CLCs. Significant investment is going into CLCs, and that is acknowledging the important work that these organisations do to deliver justice but ensure that there is greater access to justice for so many Victorians as well.

Michael GALEA: Thank you, Minister. You mentioned that there are 35 CLCs that have been supported. You have touched on it a little bit, but can you give us more on the breadth of these, where these centres are located and how they are supporting Victorians in all different parts of the state?

Sonya KILKENNY: Well, thanks to the great work of these CLCs, they are actually located throughout Victoria – so many in metropolitan and outer suburbs of Melbourne but also right across our regions. What I really like about these CLCs is that often they have grown out of the needs that are unique to the communities that they are serving as well, so they understand their communities, because they are located within their communities. Again, that comes back to that access to justice, being able to serve your community in the best possible way.

I think too what is important is recognising that people's legal issues are not in isolation. They are often in combination with a whole bunch of other issues. They have been running for a long time, but these longstanding health justice partnerships are really critical. You know, you might present with a legal problem. Alternatively, you might present to your GP with a medical problem, and it turns out you have disclosed a legal problem as well. What better way to be connecting this? I even know from my own experience when I visit my GP. He knows what I do for work, and he has mentioned to me the number of times that he has older patients who come in and actually disclose what turns out to be elder abuse. He has now been able to hook into services so he is able not only to assess his patient on clinical grounds but he has that information now because of that disclosure to be able to give them that referral and that support to address what is actually a very terrible and growing issue in our community. I think it was only yesterday that Minister Hutchins and Minister Stitt were out speaking about investment in elder abuse and recognising it as a form of family violence as well. It is really important work that we are doing. It is not just about legal services; it is about how best you work with community to ensure that you are addressing what might be legal issues that come up that perhaps sometimes people do not even know are legal issues as well. It is so critical for doing that.

The budget provides funding to CLCs right across the state. Fifteen provide statewide services, 20 deliver services within places like – they are everywhere. Relevant to you, Meng, and you, Mr Galea, are Dandenong, Casey and Frankston. There are services in Brimbank. There are services in Whitehorse, Manningham, Maroondah and Banyule, services in Mildura, services of course in Wyndham and services in Whittlesea and Mitchell as well. Beyond legal assistance, those CLCs also focus on a very important part of their work, and that is providing legal education and helping Victorians understand what their legal rights and responsibilities are. And of course they also do advocate on laws that need to be changed to make our system fairer and more accessible.

Michael GALEA: They do. In fact on a recent inquiry – I think Mr Puglielli was on that one as well – in terms of cannabis reform, I think VALS were there and a number of community legal centres were there as well that gave us some very valuable evidence, so the advocacy work that they do is very important in this space too. It is really great to get that cross-state picture of the work that they do. In terms of measuring the effectiveness though, Minister, I note through this funding again, budget paper 3, page 71, through the DJCS's output initiatives – how are you ensuring that the funding that has been provided to these very important services is being used as effectively and efficiently as possible?

Sonya KILKENNY: Yes, it is such a good question. I work pretty closely with the CLCs, and in fact later this month I am hosting a round table with all of the CLCs and the federation of CLCs. One of the themes that I am keen to hear from them is how they operate as an ecosystem, if you like. Whilst we understand that there are CLCs that have developed and are responding uniquely to the unique needs of their community, many of

them have developed specialities as well. So it is about how these CLCs work together to provide the various soft referrals that might be needed to ensure that Victorians who come before a CLC are going to get that better access to justice and best delivery of services as well. It is important with the use of any public funding that the organisations are responding to critical needs of communities and delivering the services that are expected of them. That means ensuring that they are providing access to justice close to where people live and that they are identifying what are the critical issues and what are the drivers of demand.

So much of the work that is done by our incredible CLCs is in response to family violence, and I know that a lot of the work that is undertaken by CLCs and a lot of the funding is directed to keeping family violence victim-survivors safe, supporting them and navigating them through the system but also ensuring we garner that feedback and do our work in the prevention space to ensure that not only are we just responding at that sort of acute end but we are gathering this information to also deliver on significant reforms that are going to drive down the incidence of family violence, prevent it and ultimately end it. At the end of the day, that is what we all want to see – a safer community for everyone, and certainly a safer community where family violence no longer exists and families and children are safe and can go about their daily lives safely as well.

Michael GALEA: Thank you, Attorney.

The CHAIR: Thank you, Mr Galea. 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, and responses are required within five working days of the committee's request.

The committee is going to take a break before beginning its consideration of the planning portfolio at 10:30 am. I declare this hearing adjourned.

Witnesses withdrew.