

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

QUESTIONS ON NOTICE

Wednesday, 17 September 2014

(Extract from book 13)

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

(from 17 March 2014)

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Deputy Premier, Minister for State Development, and Minister for Regional and Rural Development	The Hon. P. J. Ryan, MP
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Minister for Liquor and Gaming Regulation, Minister for Corrections and Minister for Crime Prevention	The Hon. E. J. O'Donohue, MLC
Assistant Treasurer, Minister for Technology and Minister responsible for the Aviation Industry	The Hon. G. K. Rich-Phillips, MLC
Minister for Environment and Climate Change, and Minister for Youth Affairs.	The Hon. R. Smith, MP
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Minister for Higher Education and Skills	The Hon. N. Wakeling, MP
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Cabinet Secretary	Mrs I. Peulich, MLC

Legislative Council committees

Privileges Committee — Ms Darveniza, Mr D. Davis, Mr Drum, Ms Lovell, Ms Pennicuik, Mrs Peulich and Mr Scheffer.

Procedure Committee — The President, Mr Dalla-Riva, Mr D. Davis, Mr Drum, #Mr Jennings, Mr Lenders, Ms Pennicuik and Mr Viney

Participating member

Legislative Council standing committees

Economy and Infrastructure Legislation Committee — Mr Barber, Mrs Coote, #Ms Crozier, Mr Finn, #Ms Hartland, #Mr Leane, Mr Lenders, Mr Melhem, Mr D. D O'Brien, #Mr Ondarchie, Ms Pulford, Mr Ramsay and #Mr Scheffer.

Economy and Infrastructure References Committee — Mr Barber, Mrs Coote, #Ms Crozier, Mr Finn, #Mr Leane, Mr Lenders, Mr Melhem, Mr D. D O'Brien, #Mr Ondarchie, Ms Pulford and Mr Ramsay.

Environment and Planning Legislation Committee — Mr Dalla-Riva, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Peulich, Mr Ronalds, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

Environment and Planning References Committee — Mr Dalla-Riva, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Peulich, Mr Ronalds, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

Legal and Social Issues Legislation Committee — Ms Crozier, Mr Elasmr, Mr Elsbury, Ms Hartland, #Mr Leane, Ms Lewis, Mrs Millar, Mr D. R. J. O'Brien, #Mrs Peulich, #Mr Ramsay and Mr Viney.

Legal and Social Issues References Committee — Ms Crozier, Mr Elasmr, Mr Elsbury, Ms Hartland, #Mr Leane, Ms Lewis, Mrs Millar, Mr D. R. J. O'Brien, #Mrs Peulich, #Mr Ramsay and Mr Viney.

Participating member

Joint committees

Accountability and Oversight Committee — (*Council*): Mr D. R. J. O'Brien and Mr Ronalds. (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.

Dispute Resolution Committee — (*Council*): Mr D. Davis, Mr Drum, Mr Lenders, Ms Lovell and Ms Pennicuik. (*Assembly*): Ms Allan, Ms Asher, Mr Clark, Ms Hennessy, Mr Merlino, Mr O'Brien and Mr Walsh.

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Education and Training Committee — (*Council*): Mr Elasmr, Mrs Kronberg and Mrs Millar. (*Assembly*): Mr Brooks and Mr Crisp.

Electoral Matters Committee — (*Council*): Mr Finn, Mrs Peulich, Mr Somyurek and Mr Tarlamis. (*Assembly*): Mr Delahunty.

Environment and Natural Resources Committee — (*Council*): Mr Koch and Mr D. D O'Brien. (*Assembly*): Ms Duncan, Mr Pandazopoulos and Ms Wreford.

Family and Community Development Committee — (*Council*): Mrs Coote. (*Assembly*): Ms Halfpenny, Mr Madden, Mrs Powell and Ms Ryall.

House Committee — (*Council*): The President (*ex officio*) Mr Eideh, Mr Finn, Ms Hartland, Mr D. R. J. O'Brien and Mrs Peulich. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Blackwood, Ms Campbell, Ms Thomson, Mr Wakeling and Mr Weller.

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Law Reform, Drugs and Crime Prevention Committee — (*Council*): Mr Ramsay and Mr Scheffer. (*Assembly*): Mr Carroll, Mr McCurdy and Mr Southwick.

Public Accounts and Estimates Committee — (*Council*): Mr D. R. J. O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms Garrett, Mr Morris, Mr Pakula and Mr Scott.

Road Safety Committee — (*Council*): Mr Elsbury. (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson.

Rural and Regional Committee — (*Council*): Mr D. R. J. O'Brien. (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller.

Scrutiny of Acts and Regulations Committee — (*Council*): Mr Dalla-Riva. (*Assembly*): Ms Barker, Ms Campbell, Mr Gidley, Mr Nardella, Dr Sykes and Mr Watt.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Acting Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

President: The Hon. B. N. ATKINSON

Deputy President: Mr M. VINEY

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Deputy Leader of the Government:

The Hon. W. A. LOVELL

Leader of the Opposition:

Mr J. LENDERS

Deputy Leader of the Opposition:

Mr G. JENNINGS

Leader of The Nationals:

The Hon. D. K. DRUM (from 17 March 2013)

The Hon. P. R. HALL (to 17 March 2013)

Deputy Leader of The Nationals:

Mr D. R. J. O'BRIEN (from 17 March 2013)

Mr D. K. DRUM (to 17 March 2013)

Member	Region	Party	Member	Region	Party
Atkinson, Hon. Bruce Norman	Eastern Metropolitan	LP	Lovell, Hon. Wendy Ann	Northern Victoria	LP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Melhem, Mr Cesar ²	Western Metropolitan	LP
Broad, Ms Candy Celeste ⁹	Northern Victoria	ALP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Coote, Mrs Andrea	Southern Metropolitan	LP	Millar, Mrs Amanda Louise ⁴	Northern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr Daniel David ⁸	Eastern Victoria	Nats
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Davis, Hon. David McLean	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Davis, Mr Philip Rivers ⁵	Eastern Victoria	LP	Pakula, Hon. Martin Philip ¹	Western Metropolitan	ALP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
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Elasmr, Mr Nazih	Northern Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Hall, Hon. Peter Ronald ⁷	Eastern Victoria	Nats	Ronalds, Mr Andrew Mark ⁶	Eastern Victoria	LP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leanders, Mr John	Southern Metropolitan	ALP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Lewis, Ms Margaret ¹⁰	Northern Victoria	ALP			

¹ Resigned 26 March 2013

² Appointed 8 May 2013

³ Resigned 1 July 2013

⁴ Appointed 21 August 2013

⁵ Resigned 3 February 2014

⁶ Appointed 5 February 2014

⁷ Resigned 17 March 2014

⁸ Appointed 26 March 2014

⁹ Resigned 9 May 2014

¹⁰ Appointed 11 June 2014

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QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.
 Questions have been incorporated from the notice paper of the Legislative Assembly.
 Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
 The portfolio of the minister answering the question on notice starts each heading.*

Wednesday, 17 September 2014

Police and emergency services: protective services officers

9561. MR BARBER — to ask the Minister for Planning (for the Minister for Police and Emergency Services): During the 2012 calendar year and in 2013 to date, how many infringements were issued by protective services officers (PSOs) and other charges laid as a result of arrests made by PSOs, broken-down according to —

(a) type of offence.

ANSWER:

I am advised that:

Table 1: Infringements issued by PSOs, by offence group, by year

(data extracted 8 July 2014)

OFFENCE GROUP	2011/12	2012/13	2013/14 (to 30/3/14)
Banning Notices and Exclusion Orders	0	0	1
Control of Weapons Act 1990	7	86	95
Crime—Extra	123	911	817
Crime Offences	2	57	76
Graffiti Prevention Act 2007	3	57	89
Liquor Control Reform Act — Licensee/Permittee Offences	0	1	0
Liquor Control Reform Act — Other Persons (Excluding Underage)	0	1	2
Liquor Control Reform Act — Under-age Persons	2	36	58
Litter	6	38	22
Major Sporting Events Act 2009	0	0	1
Ticket Infringement Notices	318	1567	1683
Traffic — Bicycles	3	49	15
Traffic — Drink and Drug Driving	0	1	0
Traffic — Failing To Give Way Or Stop	0	2	0
Traffic — Limits and Requirements other than Mass Limits	0	1	0
Traffic — Miscellaneous	0	13	2

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OFFENCE GROUP	2011/12	2012/13	2013/14 (to 30/3/14)
Traffic — Parking	147	352	355
Traffic — Pedestrians	0	19	1
Traffic — Registration and Licensing	2	88	22
Traffic — Safety Procedures	1	10	3
Traffic — Signals	0	1	0
Traffic — Signs	1	83	18
Traffic — Speeding	0	0	1
Traffic — Turning	0	1	0
Traffic — Wheeled Recreational Devices	0	1	0
Transport Infringement Notices — Commercial Passenger Vehicles and Private Bus Services	1	0	0
Transport Infringement Notices — Conduct Affecting Amenity	1082	8349	6837
Transport Infringement Notices — General	15	250	396
Transport Infringement Notices — General Conduct Affecting Safety	112	1700	2054
Transport Infringement Notices — General Conduct Affecting Safety (Equipment and Property)	5	45	82
Transport Infringement Notices — General Conduct Affecting Safety (Over Dimensional Vehicles)	0	0	1
Transport Infringement Notices — General Conduct Affecting Safety (Railway Tracks and Crossings)	13	604	837
Transport Infringement Notices — Passenger Vehicles	2	27	31
Transport Infringement Notices — Taxi Cabs	12	34	31
TOTAL	1857	14384	13530

This information is in addition to that provided in the response to Question LC9561, tabled on 27 May 2014.

Police and emergency services: Geelong and Surf Coast police resources

10 117. MS TIERNEY — to ask the Minister for Planning (for the Minister for Police and Emergency Services): How many new police officers have been allocated to the Geelong and Surf Coast region since December 2010.

ANSWER:

I am advised that:

The government is providing \$602 million to deliver 1700 extra front-line police members by November 2014. The allocation of police resources and the operation of police facilities across Victoria is the responsibility of the Chief Commissioner of Police who is best placed to determine statewide policing needs.

The additional resources are allocated across the four Victoria Police Regions. Division 1 of the western region, which includes the Geelong and Surf Coast areas, will continue to benefit as the additional police officers are allocated across the state.

I have been advised by Victoria Police that between the end of November 2010 and the end of June 2014 Division 1 of the western region has received an additional 60 police officers.

Police and emergency services: Bellarine Peninsula police resources

10 118. MS TIERNEY — to ask the Minister for Planning (for the Minister for Police and Emergency Services): At which specific stations on the Bellarine Peninsula have new police officers been located, and how many new officers have been provided.

ANSWER:

I am advised that:

The government is providing \$602 million to deliver 1700 extra front-line police members by November 2014. The allocation of police resources and the operation of police facilities across Victoria is the responsibility of the Chief Commissioner of Police who is best placed to determine statewide policing needs.

The additional resources are allocated across the four Victoria Police Regions. Division 1 of the western region, which includes the Bellarine Peninsula, will continue to benefit as the additional police officers are allocated across the state.

I have been advised by Victoria Police that between the end of November 2010 and the end of June 2014 Division 1 of the western region has received an additional 60 police officers.

Police and emergency services: Surf Coast police resources

10 119. MS TIERNEY — to ask the Minister for Planning (for the Minister for Police and Emergency Services): At which specific stations on the Surf Coast have new police officers been located, and how many new officers have been provided.

ANSWER:

I am advised that:

The government is providing \$602 million to deliver 1700 extra front-line police members by November 2014. The allocation of police resources and the operation of police facilities across Victoria is the responsibility of the Chief Commissioner of Police who is best placed to determine statewide policing needs.

The additional resources are allocated across the four Victoria Police Regions. Division 1 of the western region, which includes the Surf Coast area, will continue to benefit as the additional police officers are allocated across the state.

I have been advised by Victoria Police that between the end of November 2010 and the end of June 2014 Division 1 of the Western Region has received an additional 60 police officers.

Community services: child protection

10 123. MS MIKAKOS — to ask the Minister for Housing (for the Minister for Community Services): In relation to residential care services in Victoria, on 1 March 2014:

- (1) How many staff members were on duty on that evening.
- (2) How many staff members were on duty on that day.
- (3) How many staff members were on duty overnight through until the morning of 2 March 2014.

- (4) How many beds were funded at the RP 2 level.
- (5) How many beds were funded at the RP 3 level.
- (6) How many beds were funded at the therapeutic rate.
- (7) How many children were accommodated in those beds on that evening throughout the night.
- (8) How many absconded that night.
- (9) How many children went to school on 28 February 2014, or attended other educational programs that day.

ANSWER:

I am informed that:

In relation to residential care services in Victoria, on 1 March 2014:

- (1)–(3) Staffing is the responsibility of the funded agency.
- (4) There were 211 funded annual placements at the intermediate RP 2 level.
- (5) There were 251 funded annual placements at the complex RP 3 level.
- (6) There were 80 therapeutic residential care placements across the state.
- (7) All funded beds were accommodated on that evening throughout the night.
- (8) It is not possible to determine when during the day an incident occurred without examining each record.
- (9) 231 children went to school or attended other educational programs on 28 February 2014. Approximately 85 per cent of young people in residential care are enrolled in formal education, however on this date some education programs had not yet commenced for the year. Some young people may also have attended court or other appointments on that day.

Community services: disability services

10 131. MS MIKAKOS — to ask the Minister for Housing (for the Minister for Community Services): In relation to the Victorian Aids and Equipment Program:

- (1) How many people with disabilities are registered on the State-wide Equipment Program (SWEP) and waiting for assistance on 1 April 2014 in each of the four Department of Human Services (DHS) divisions for subsidised aids, equipment, home and vehicle modifications.
- (2) What is the average time taken under the SWEP program to conduct an assessment and subsequent issuing of aid.
- (3) How many people with disabilities are registered on the Electronic Communications Devices Scheme (ECDS) and waiting for assistance on 1 April 2014 in each of the four DHS divisions for speech generating devices and software.
- (4) What is the average time taken under the ECDS program to conduct an assessment and subsequent issuing of aid.

ANSWER:

I am informed that:

- (1) Waiting list information is not reported as at 1 April 2014.
- (2) The Victorian Aids and Equipment Program, including the State-wide Equipment Program, does not undertake clinical assessments for items of equipment.

- (3) As at close of business on 31 March 2014 no one was on the waiting list for the Electronic Communications Devices Scheme (ECDS).
- (4) The Victorian Aids and Equipment Program, including the ECDS, does not undertake clinical assessments for items of equipment.

Community services: children with disability

10 132. MS MIKAKOS — to ask the Minister for Housing (for the Minister for Community Services): In relation to relinquishment of children into state care in Victoria:

- (1) What policies and procedures has the government introduced since the release of the Victorian Equal Opportunity and Human Rights Commission's, March 2012 research report 'Desperate Measures: the relinquishment of children with disability' to prevent and reduce the relinquishment of children into state care in Victoria.
- (2) How many people (adults and children under 18) living with a disability have been relinquished into state care since December 2010.

ANSWER:

I am informed that:

- (1) Policies and procedures that the Victorian government has introduced to respond to the findings of the report are as follows:
 - Targeting existing services to families who are at risk of a child being relinquished or have relinquished a child.
 - Improving the design of services to better respond to this issue, in the context of the National Disability Insurance Scheme.
 - Working with the Department of Education and Early Childhood Development to support young people at risk of school exclusion.
 - Developed and commenced the implementation of Victoria's Vulnerable Children — Our Shared Responsibility 2013.
 - Developed the Children, Youth and Families and Disability Operating Framework November 2012 with a focus on placement prevention and family unification.
- (2) The experiences and pathways of families who seek 'out of home' care for their child are varied and often complex. A number of families who seek 'out of home' care for their child are keen to retain guardianship of their child and have an active role in meeting the child's day to day care needs. On this basis it is not easy to define the term relinquishment and the way the number of cases that might be considered in this category are measured.

Community services: child protection

10 479. MS MIKAKOS — to ask the Minister for Housing (for the Minister for Community Services): With regard to out of pocket expenses for foster carers in Victoria:

- (1) How many requests made by each area within each departmental division have been —
 - (a) approved;
 - (b) rejected.
- (2) What is the basis for each approval or rejection.
- (3) What is the total budget per annum for out of pocket expenses by Local Area and is this funding allocated on a monthly, quarterly or annual basis.

- (4) What level of delegation does the worker approving out of pocket expenses have and what is their position.
- (5) What was the time period it took to approve or reject a request.

ANSWER:

I am informed that:

(1) to (3)

The specific information requested is only collected in the aggregate and cannot be extracted specifically for foster care.

- (4) A child protection team manager is delegated to approve client expenses requests up to \$5000. Child protection senior managers have financial delegation to approve expenses greater than \$5000.
- (5) Timeframes data for client expenses payments is not recorded and can only be extracted by manual review of each individual application.

Community services: child protection

10 480. MS MIKAKOS — to ask the Minister for Housing (for the Minister for Community Services): With regard to the High Risk Youth Register:

- (1) How many children were on this register between —
 - (a) 1 July 2010 and 30 June 2011.
 - (b) 1 July 2011 and 30 June 2012.
 - (c) 1 July 2012 and 30 June 2013.
 - (d) 1 July 2013 and 30 June 2014.
- (2) How much funding was allocated to this register in —
 - (a) 2011–12;
 - (b) 2012–13;
 - (c) 2013–14;
 - (d) 2014–15.

ANSWER:

I am informed that:

- (1) The specific data requested is embedded in case file notes and can only be reliably extracted by manual collection.
- (2) The Department of Human Services financial systems do not record funding specific to the High Risk Youth Register.