

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

QUESTIONS ON NOTICE

Tuesday, 7 June 2016

(Extract from book 9)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

HANSARD¹⁵⁰



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry (to 22 May 2016)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Employment	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Industry, and Minister for Energy and Resources	The Hon. L. D'Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Emergency Services, and Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. J. F. Garrett, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Environment, Climate Change and Water	The Hon. L. M. Neville, MP
Minister for Police and Minister for Corrections	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Kairouz, MP

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Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D’Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
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Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Kairouz, MP

Legislative Council committees

Privileges Committee — Ms Hartland, Mr Herbert, Ms Mikakos, Mr O'Donohue, Ms Pulford, Mr Purcell, Mr Rich-Phillips and Ms Wooldridge.

Procedure Committee — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

Legislative Council standing committees

Standing Committee on the Economy and Infrastructure — #Ms Dunn, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Leane, Mr Morris and Mr Ondarchie.

Standing Committee on the Environment and Planning — #Mr Barber, Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, Ms Dunn, #Ms Hartland, #Mr Purcell, #Mr Ramsay, Ms Shing, Mr Somyurek, Ms Tierney and Mr Young.

Standing Committee on Legal and Social Issues — Ms Fitzherbert, #Ms Hartland, Mr Melhem, Mr Mulino, Mr O'Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

Port of Melbourne Select Committee — Mr Barber, Mr Drum, Mr Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing and Ms Tierney.

Joint committees

Accountability and Oversight Committee — (*Council*): Ms Bath, Mr Purcell and Ms Symes. (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.

Dispute Resolution Committee — (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge. (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O'Brien, Mr Pakula, Ms Richardson and Mr Walsh

Economic, Education, Jobs and Skills Committee — (*Council*): Mr Bourman, Mr Elasmarr and Mr Melhem. (*Assembly*): Mr Crisp, Mrs Fyffe, Mr Nardella and Ms Ryall.

Electoral Matters Committee — (*Council*): Ms Patten and Mr Somyurek. (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.

Environment, Natural Resources and Regional Development Committee — (*Council*): Mr Ramsay and Mr Young. (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward.

Family and Community Development Committee — (*Council*): Mr Finn. (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish and Ms Sheed.

House Committee — (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young. (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson.

Independent Broad-based Anti-corruption Commission Committee — (*Council*): Mr Ramsay and Ms Symes. (*Assembly*): Mr Hibbins, Mr D. O'Brien, Mr Richardson, Ms Thomson and Mr Wells.

Law Reform, Road and Community Safety Committee — (*Council*): Mr Eideh and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

Public Accounts and Estimates Committee — (*Council*): Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O'Brien, Mr Pearson, Mr T. Smith and Ms Ward.

Scrutiny of Acts and Regulations Committee — (*Council*): Ms Bath and Mr Dalla-Riva. (*Assembly*): Ms Blandthorn, Mr J. Bull, Mr Dimopoulos, Ms Kilkenny and Mr Pesutto.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

**MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

President: The Hon. B. N. ATKINSON

Deputy President: Ms G. TIERNEY

Acting Presidents: Ms Dunn, Mr Eideh, Mr Elasmar, Mr Finn, Mr Morris, Ms Patten, Mr Ramsay

Leader of the Government:
The Hon. G. JENNINGS

Deputy Leader of the Government:
The Hon. J. L. PULFORD

Leader of the Opposition:
The Hon. M. WOOLDRIDGE

Deputy Leader of the Opposition:
The Hon. G. K. RICH-PHILLIPS

Leader of The Nationals:
The Hon. D. K. DRUM

Leader of the Greens:
Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina ²	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFP	O'Brien, Mr Daniel David ¹	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel	Western Metropolitan	DLP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	Patten, Ms Fiona	Northern Metropolitan	ASP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Davis, Mr David McLean	Southern Metropolitan	LP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Pulford, Ms Jaala Lee	Western Victoria	ALP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Purcell, Mr James	Western Victoria	V1LJ
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Springle, Ms Nina	South Eastern Metropolitan	Greens
Herbert, Mr Steven Ralph	Northern Victoria	ALP	Symes, Ms Jaelyn	Northern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Young, Mr Daniel	Northern Victoria	SFP
Melhem, Mr Cesar	Western Metropolitan	ALP			

¹ Resigned 25 February 2015

² Appointed 15 April 2015

PARTY ABBREVIATIONS

ALP — Labor Party; ASP — Australian Sex Party;
DLP — Democratic Labour Party; Greens — Australian Greens;
LP — Liberal Party; Nats — The Nationals;
SFP — Shooters and Fishers Party; V1LJ — Vote 1 Local Jobs

CONTENTS

QUESTIONS ON NOTICE

TUESDAY, 7 JUNE 2016

4898.	<i>Premier</i>	2933
4943.	<i>Families and children</i>	2933
4949.	<i>Families and children</i>	2934
4950.	<i>Families and children</i>	2934
5022.	<i>Roads and road safety</i>	2935
5068.	<i>Families and children</i>	2935
5069.	<i>Families and children</i>	2936
5070.	<i>Families and children</i>	2936
5071.	<i>Families and children</i>	2937
5072.	<i>Families and children</i>	2937
5073.	<i>Families and children</i>	2937
5077.	<i>Families and children</i>	2938
5082.	<i>Families and children</i>	2938
5099.	<i>Families and children</i>	2939
5100.	<i>Families and children</i>	2939
5101.	<i>Families and children</i>	2939
5102.	<i>Families and children</i>	2939
5104.	<i>Families and children</i>	2940
5106.	<i>Families and children</i>	2940
5107.	<i>Families and children</i>	2940
5125.	<i>Families and children</i>	2941
5136.	<i>Families and children</i>	2942
5148.	<i>Attorney-General</i>	2942
5149.	<i>Attorney-General</i>	2943
5254.	<i>Families and children</i>	2944
5256.	<i>Families and children</i>	2944
5272.	<i>Families and children</i>	2945
5279.	<i>Roads and road safety</i>	2945
5284.	<i>Police</i>	2946
5285.	<i>Police</i>	2946
5286.	<i>Police</i>	2946
5287.	<i>Police</i>	2947
5288.	<i>Police</i>	2947
5289.	<i>Police</i>	2947
5290.	<i>Police</i>	2948
5291.	<i>Police</i>	2948
5292.	<i>Police</i>	2948
5293.	<i>Police</i>	2949
5294.	<i>Police</i>	2949
5335.	<i>Local government</i>	2949
5427.	<i>Police</i>	2950

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 Council.

Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

Headings reflect the portfolio of the minister answering the question.

Tuesday, 7 June 2016

Premier

4898. MR BARBER — To ask the Special Minister of State (for the Premier): Since the commencement of this government, by month, how much public funds have been expended on advertising, promotions and post boosts associated with the Premier’s Facebook page
<https://www.facebook.com/DanielAndrewsMP>.

ANSWER:

I am informed that:

We are reducing expenditure by moving to more effective, efficient and targeted advertising such as digital.

We’ve spent an average of \$15 million less on advertising each year than the previous government.

The most recent Government Advertising Report showed the Government is beginning to achieve reduction in expenditure with 2014-15 expenditure down to \$94.9m from a previous average of more than 100m —
<http://www.dpc.vic.gov.au/index.php/communication/victorian-government-annual-advertising-expenditure>

The amount spent on digital advertising was made publicly available and reported on in an article on March 31, 2016.

Families and children

4943. MS SPRINGLE — To ask the Minister for Families and Children: In her answers to Questions on Notice 1337 through 1345, the Minister confirmed that information relating to whether children in out-of-home care are separated from, or are placed together with, their siblings is contained in individual client records:

- (1) Why does the Department of Health and Human Services not collect aggregate data about whether children are placed with or apart from their siblings; and
- (2) Does the Department have any plans to collect this data in the future.

ANSWER:

I am informed that:

The Department of Health and Human Services maintains this information on individual electronic client records. Aggregated numerical data does not provide detailed information as to the reasons why children are placed with, or apart from, their siblings. The Department is currently developing processes to enable regular reporting of data recorded about sibling groups.

Families and children

4949. MS SPRINGLE — To ask the Minister for Families and Children: How many foster carers have been recruited since the Minister launched the government’s Foster Carer Recruitment and Retention strategy.

ANSWER:

I am informed that:

The Andrews Labor Government is committed to making a difference to the lives of all children. Since coming to government, we have been working to better support everyday people, from all walks of life, who offer their hearts and their homes to children and young people in need.

Finding suitable foster carers for children and young people is an ongoing challenge; a challenge that under the previous Government was ignored.

Despite losing more foster carers from the system than were entering, the former Coalition government had no strategy nor a coordinated approach to attracting, recruiting and retaining carers. This function was undertaken by each individual foster care agency in Victoria.

This is why I announced a \$1.5m recruitment strategy in the first 100 days of our government coming into office.

Last year, I held a number of roundtables with foster carers across the State and listened to them directly about both the challenges of being a foster carer but also the rewards of being a foster carer.

This is why our first budget provided \$31.3 million over four years for an increase in carer payments—the first increase in a decade. This has benefited our foster carers, kinships carers as well as our permanent carers.

We also provided \$3.2 million towards a foster care recruitment and retention strategy, including through a public campaign and support program. This has enabled 26 foster care agencies in Victoria to come together for the very first time under one centralised approach to the attraction, recruitment and retention of foster carers.

The 2016-17 Budget further invested \$16.2 million to provide increased support for carers and children. This initiative addresses barriers to the recruitment and retention of foster, kinship and permanent carers by providing additional funding to support the children with the most complex needs.

The Andrews Labor Government is committed to home based care in Victoria and work in this area did not start or end with the launch of Fostering Connections, it is ongoing work.

Families and children

4950. MS SPRINGLE — To ask the Minister for Families and Children: How many foster carers have left the system since the Minister launched the government’s Foster Carer Recruitment and Retention strategy.

ANSWER:

I am informed that:

The Andrews Labor Government is committed to making a difference to the lives of all children. Since coming to government, we have been working to better support everyday people, from all walks of life, who offer their hearts and their homes to children and young people in need.

Finding suitable foster carers for children and young people is an ongoing challenge; a challenge that under the previous Government was ignored.

Despite losing more foster carers from the system than were entering, the former Coalition government had no strategy nor a coordinated approach to attracting, recruiting and retaining carers. This function was undertaken by each individual foster care agency in Victoria.

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The Andrews Labor Government is committed to home based care in Victoria and work in this area did not start or end with the launch of Fostering Connections, it is ongoing work.

Roads and road safety

5022. MRS PEULICH — To ask the Minister for Agriculture (for the Minister for Roads and Road Safety): In relation to your September 2015 overseas travel to the UK, Sweden and the Netherlands:

- (a) did any Departmental official accompany you and your staff and if so, what was the cost and class of their airfares paid;
- (b) what were the accommodation costs paid by the Department for this Departmental official;
- (c) what meetings, events or locations detailed in your travel report did this Departmental official exclude themselves from during the trip;
- (d) what was the breakdown of the additional costs paid by the Department;
- (e) were you offered an upgrade on any leg of your flights and did you accept that offer; and
- (f) did you claim Frequent Flyer (or any other alternative scheme) points as part of this travel and if so, how many.

ANSWER:

I am informed that, as at the date the question was raised:

All information pertaining to my Ministerial overseas trip can be found at <http://economicdevelopment.vic.gov.au/our-ministers-and-parliamentary-secretaries/ministerial-travel-reports>.

Families and children

5068. MS CROZIER — To ask the Minister for Families and Children: As at 8 March 2016, how many ‘stand up’ staff carers have been employed for residential care units for night shifts.

ANSWER:

I am informed that:

Residential care services are delivered by community service organisations and they employ the staff in accordance with staffing requirements. All records of employment are maintained by community service organisations that employ the staff.

Residential care services are delivered under the DHHS Standards and are monitored through the Quality and Compliance audit process. Since April 2015, they have also been subject to spot audits for the first time.

In the first 100 days of our Government coming into office, I announced \$16m to increase staff in standard residential care units, including stand-up overnight staff and for the first time, \$1.5 million for spot audits of residential care facilities.

The 2016-17 State Budget provides \$35.9 million over the next two years to continue and expand funding in residential care to provide additional over-night staff and safety plans for all residential care units.

Families and children

5069. MS CROZIER — To ask the Minister for Families and Children: As at 8 March 2016, how many residential care facilities employ a ‘stand up’ staff member on duty overnight.

ANSWER:

I am informed that:

Residential care services are delivered by community service organisations and they employ the staff in accordance with staffing requirements. All records of employment are maintained by community service organisations that employ the staff.

Residential care services are delivered under the DHHS Standards and are monitored through the Quality and Compliance audit process. Since April 2015, they have also been subject to spot audits for the first time.

In the first 100 days of our Government coming into office, I announced \$16m to increase staff in standard residential care units, including stand-up overnight staff and for the first time, \$1.5 million for spot audits of residential care facilities.

The 2016-17 State Budget provides \$35.9 million over the next two years to continue and expand funding in residential care to provide additional over-night staff and safety plans for all residential care units.

Families and children

5070. MS CROZIER — To ask the Minister for Families and Children: As at 8 March 2016, how many residential care facilities in Victoria do not have at least 2 staff members on duty each night.

ANSWER:

I am informed that:

Residential care services are delivered by community service organisations and they employ the staff in accordance with staffing requirements. All records of employment are maintained by community service organisations that employ the staff.

Residential care services are delivered under the DHHS Standards and are monitored through the Quality and Compliance audit process. Since April 2015, they have also been subject to spot audits for the first time.

In the first 100 days of our Government coming into office, I announced \$16m to increase staff in standard residential care units, including stand-up overnight staff and for the first time, \$1.5 million for spot audits of residential care facilities.

The 2016-17 State Budget provides \$35.9 million over the next two years to transition residential care targets to complex level of support. This means young people in residential care will receive ‘stand-up’ staffing in units throughout the night, as well as daytime care.

Families and children

5071. MS CROZIER — To ask the Minister for Families and Children: As at 8 March 2016, how much of the \$16 million announced to introduce ‘stand up’ staffing has been expended.

ANSWER:

I am informed that:

As this funding is to be expended in the 2015-16 financial year, it is not yet exhausted as the financial year is yet to end.

The 2016-17 Victorian Budget invests \$35.9 million over the next two year to transition residential care targets to complex level of support. This means young people in residential care will receive ‘stand-up’ staffing in units throughout the night, as well as daytime care.

Families and children

5072. MS CROZIER — To ask the Minister for Families and Children: As at 8 March 2016, how many places in the residential care system have moved from the status of “intermediate” to “complex”.

ANSWER:

I am informed that:

In 2014 there were media reports of children in out of home care, particularly in residential care in Victoria being sexually abused and exploited.

In March 2014, the Victorian Auditor-General found that “... There has been a fundamental failure to oversee and ensure the safety of children in residential care.”

Despite the former Minister for Community Services, Mary Wooldridge, admitting in Parliament in 2014 that she was aware of children being sexually abused and exploited in residential care as far back as 2012, it is unconscionable that the former Minister did not implement any measures to address the safety of children in residential care.

In the first 100 days of our Government coming into office, I announced \$16m to increase staff in standard residential care units, including stand-up overnight staff and for the first time, \$1.5 million for spot audits of residential care facilities.

In the 2016-17 State Budget, the Andrews Labor Government has provided \$35.9 million to transition residential care targets to complex level of support. This means young people in residential care will receive ‘stand-up’ staffing in units throughout the night, as well as daytime care.

Ultimately, these investments will improve the care, safety and supervision of young people in residential care.

Families and children

5073. MS CROZIER — To ask the Minister for Families and Children: As at 8 March 2016, how many residential facilities had increased the number of day time carers.

ANSWER:

I am informed that:

Residential care services are delivered by community service organisations and they employ the staff in accordance with staffing requirements. All records of employment are maintained by community service organisations that employ the staff.

Residential care services are delivered under the DHHS Standards and are monitored through the Quality and Compliance audit process. Since April 2015, they have also been subject to spot audits for the first time.

In the first 100 days of our Government coming into office, I announced \$16m to increase staff in standard residential care units, including stand-up overnight staff and for the first time, \$1.5 million for spot audits of residential care facilities.

The 2016-17 State Budget provides \$35.9 million over the next two years to transition residential care targets to complex level of support. This means young people in residential care will receive 'stand-up' staffing in units throughout the night, as well as daytime care.

Families and children

5077. MS CROZIER — To ask the Minister for Families and Children: What specific training for working with vulnerable children is available for direct-care staff in residential care facilities managed by the Department of Health and Human Services.

ANSWER:

I am informed that:

Residential care workers receive training so they are equipped to deal with complex behavioural issues.

There has been \$3 million allocated over two years for the Department of Health & Human Services to enhance the professional skills and capabilities of all residential care staff.

In addition to this, the Department also provides the Centre for Child & Family Welfare over \$600 000 annually for training of residential care staff under the Residential Care Learning and Development Strategy (RCLDS).

In 2015-16, there are 14 specific courses offered through the RCLDS to support residential care staff working with vulnerable children. This includes topics such as youth mental health, sexual exploitation, substance abuse, cyber safety, conflict management and working with Aboriginal children and young people.

Despite the former Coalition Government being aware in 2014 that approximately one third of residential care staff had no relevant qualifications, they took no action to address this.

In May 2016, I announced \$8 million for mandatory vocational training for all Victorian residential care workers. The training scheme will accelerate the up-skilling of the workforce that provides essential care and support services to extremely vulnerable children and young people.

Families and children

5082. MS CROZIER — To ask the Minister for Families and Children: As at 8 March 2016, what is the total number of residential care units in Victoria.

ANSWER:

I am informed that:

The Department of Health and Human Services maintains a database of all properties owned or leased by the department to deliver a range of services including social housing, disability support and out-of-home residential care. A manual review of every property on the database would be required to determine which properties were being used for out-of-home residential care. The most recent such review was undertaken at 31 December 2015 and on that date there were 219 out of home residential care properties in use.

Families and children

5099. MS CROZIER — To ask the Minister for Families and Children: What were the ten recommendations of the Commission Review Committee on child deaths provided to the Minister.

ANSWER:

I am informed that:

Under practice established by the former Government, child death inquiry reports are confidential reports that are not released publicly. I am advised that all recommendations of the Commission Review Committee in relation to child death inquiry reports reviewed in 2014-15 are either completed or underway.

Families and children

5100. MS CROZIER — To ask the Minister for Families and Children: Has the Department of Health and Human Services implemented all of the recommendations made by the Commission Review Committee on child deaths.

ANSWER:

I am informed that:

Under practice established by the former Government, child death inquiry reports are confidential reports that are not released publicly. I am advised that all recommendations of the Commission Review Committee in relation to child death inquiry reports reviewed in 2014-15 are either completed or underway.

Families and children

5101. MS CROZIER — To ask the Minister for Families and Children: Which recommendations of the Commission Review Committee on child deaths has the Department of Health and Human Services not implemented.

ANSWER:

I am informed that:

Under practice established by the former Government, child death inquiry reports are confidential reports that are not released publicly. I am advised that all recommendations of the Commission Review Committee in relation to child death inquiry reports reviewed in 2014-15 are either completed or underway.

Families and children

5102. MS CROZIER — To ask the Minister for Families and Children: Has the Department of Health and Human Services amended its practice advice in relation to high risk infants as recommended by the Commission Review Committee on child deaths.

ANSWER:

I am informed that:

The high risk practice advice was amended to incorporate the Commission's Review Committee recommendations, as noted in the Commission for Children and Young People 2014-15 Annual Report.

Families and children

5104. MS CROZIER — To ask the Minister for Families and Children: How many staff-to-child sexual abuse Category one incidents were reported in 2015.

ANSWER:

I am informed that:

Incident reporting data is a snapshot in time of allegations made by clients of the Department of Health and Human Services. They are recorded and remain as incidents regardless of whether further information becomes available to substantiate or disprove an event. Incident reports include disclosures of historic abuse and assault that were alleged to have occurred before a client entered state care.

Category One incidents are the most serious incidents and include incidents such as death of clients, allegations of physical or sexual assault and serious client behavioural issues that impact on client or staff safety.

Where there is an allegation, it is met with a strong response that includes medical attention (should this be required), a report to police if it involves an allegation of physical or sexual abuse or a client is a victim of a crime, and counselling and support being offered to all parties.

Data relating to Category One incidents for Child Protection and Family Services is available on the Department of Health and Human Services website.

Families and children

5106. MS CROZIER — To ask the Minister for Families and Children: In relation to Category one client incident reports from residential care facilities in 2015, how many were due to —

- (a) medication error;
- (b) rape; and
- (c) poor quality of care.

ANSWER:

I am informed that:

Incident reporting data is a snapshot in time of allegations made by clients of the Department of Health and Human Services. They are recorded and remain as incidents regardless of whether further information becomes available to substantiate or disprove an event. Incident reports include disclosures of historic abuse and assault that were alleged to have occurred before a client entered state care.

Category One incidents are the most serious incidents and include incidents such as death of clients, allegations of physical or sexual assault and serious client behavioural issues that impact on client or staff safety.

Where there is an allegation, it is met with a strong response that includes medical attention (should this be required), a report to police if it involves an allegation of physical or sexual abuse or a client is a victim of a crime, and counselling and support being offered to all parties.

Data relating to Category One incidents for Child Protection and Family Services is available on the Department of Health and Human Services website.

Families and children

5107. MS CROZIER — To ask the Minister for Families and Children: In relation to child protection workers and practitioners —

- (1) how many new child protection workers were recruited between June 2015–8 March 2016;

- (2) how many child protection workers resigned or left the employ of child protection in 2015; and
- (3) how many child protection practitioner positions were vacant as at 8 March 2016.

ANSWER:

I am informed that:

The 2015-16 State Budget resources an additional 148.8 FTE workers in child protection—the largest ever single increase to the number of child protection positions.

These significant improvements will give the Department of Health and Human Services a greater capacity to respond to the increasing number of children being reported to child protection, to investigate reports where required and to provide longer term intervention and support where necessary.

The 2016-17 State Budget provides a further \$5.76 million to recruit more child protection workers plus a Child Protection Specialist Intervention Unit.

Further information regarding our recruitment campaign can be found at <http://www.premier.vic.gov.au/more-child-protection-workers-to-keep-kids-safe/>

Families and children

5125. MS CROZIER — To ask the Minister for Families and Children: As at 8 March 2016, how much of the \$12.8 million allocated for Health and Education Assessments was expended.

ANSWER:

I am informed that:

Only \$6.4 million of the original \$12.8 million allocated between 2011-12 to 2014-15 was expended on the Health and Education Assessment Initiative (HEAI). Over \$4 million of the remaining HEAI budget was reprioritised by the previous Coalition Government.

In stark contrast, the Andrews Labor Government is committed to improving the health and education outcomes for children and young people in out of home care in Victoria.

We have established new LOOKOUT Education Support Centres to help ensure vulnerable children and young people in out of home care stay remain engaged in education.

As part of the initiative, the Government will provide \$13.2 million over four years and \$4.8 million ongoing from 2019-20 to establish the centres to help about 6000 vulnerable children and young people overcome the challenges they face in education and training.

The new LOOKOUT centres will work with schools and carers to advocate for, and protect, the rights and interests of school-aged children and young people in Victoria who are in out-of-home care.

The HEAI continues to receive \$2.8 million in ongoing recurrent funding.

Families and children

5136. MS CROZIER — To ask the Minister for Families and Children: When will the review of the Critical Incident reporting system be completed.

ANSWER:

I am informed that:

Under the previous Government, the Department commenced work to change the way it manages client incidents. The new system will focus on the most serious incidents and will strengthen processes, systems and workforce capability to prevent and effectively manage client incidents.

The completion of the review and subsequent development and implementation of the new client incident management system will occur throughout 2016.

Attorney-General

5148. MS PENNICUIK — to ask the Minister for Training and Skills (for the Attorney-General): In relation to the recent report by the Australian Bureau of statistics that highlights that Aboriginal people are locked up at 11 times the rate of the non-Aboriginal population —

- (1) what justice reinvestment initiatives is the Government putting in place to address the rise of indigenous people in prison;
- (2) what metropolitan and regional diversionary programs is the Government putting in place which are culturally appropriate for Aboriginal people;
- (3) does the Attorney-General recognise the value of 24 hour custody notification services and if so, does the Attorney-General agree they should be adequately funded;
- (4) does the Attorney-General recognise the value of Aboriginal field officers to establish equity and access points to courts and if so, does the Attorney-General agree they should be adequately funded;
- (5) will the Government consider introducing “Gladue reports” to ensure that any sentence imposed on an Aboriginal offender takes into consideration his or her particular circumstances as well as all available sanctions other than imprisonment that are reasonable in the circumstances;
 - (a) will the Government provide additional resources to Koori Courts and further roll them out; and
- (6) will the Government provide additional resources to the Victorian Aboriginal Legal Service to ensure that they are able to fully service all Koori Courts.

ANSWER:

I am informed that:

The Victorian Aboriginal Justice Agreement (AJA) is a partnership between the Victorian Government and the Koori Community. This partnership includes the Aboriginal Justice Forum (AJF), the Regional Aboriginal Justice Advisory Committee network, and the Local Aboriginal Justice Action Committee network. The AJA commenced operation in 2000, and is now in its third phase (AJA3). Victoria was the first jurisdiction to introduce a Closing The Gap justice target in 2013, committing to close the gap in the rate of Aboriginal and non-Aboriginal people (youth and adult) under justice supervision by 2031.

A priority initiative of the Aboriginal Justice Forum is the Koori Women’s Diversion Project (KWDP). The KWDP aims to reduce Koori women’s contact with the criminal justice system, by developing community-based alternatives and diversionary options for Koori women. The Mildura Koori Women’s Diversion Pilot Project commenced in October 2015.

For Koori men on community based orders, who would otherwise be at risk of imprisonment, there is a culturally appropriate residential facility, Wulgunggo Ngalu Learning Place based in Gippsland.

In regard to custody notification services, Victoria Police is required to notify the Victorian Aboriginal Legal Service (VALS) within one hour when a person of Aboriginal or Torres Strait Islander descent is taken into custody. Funding of \$1 246 909 over three years (July 2014 to June 2017) has been provided to support Aboriginal Community Justice Panels (ACJP) to provide after hours community support to Aboriginal people taken into custody.

There are several roles in Victoria which ensure equity and access points to courts for Aboriginal and Torres Strait Islander people, including Client Service Officers, Local Justice Workers, Koori Offender Support and Mentoring Program Workers, Koori Court Officers, Koori Community Engagement Officers, and Koori Liaison Officers.

Victoria currently has several safeguards to ensure fairness in indigenous sentencing. Koori Courts involve community elders in the sentencing process. The Bail Act 1977 directs decision makers to have regard to any issues that arise in relation to a person's Aboriginality, including their cultural background and ties to extended family or place, pre sentencing reports. This is in addition to specific requirements under the Sentencing Act 1991, which direct judicial officers to consider a CCO with restrictive conditions before they conclude that a sentence of imprisonment is the only appropriate sentence.

There are currently 11 adult Koori Magistrates' Courts in Victoria and 12 Children's Koori Courts in Victoria.

On 31 March 2016 I launched the Geelong Koori Court, which will serve the Barwon South-West region. Options to expand the current Koori Court program to additional venues across the State will continue to be explored.

Options to expand the current Koori Court program to additional venues across the State will continue to be explored.

In 2015, I approved an increase in funding to VALS of \$75 000 per annum, in addition to existing funding of \$225 000 per annum (totalling \$900 000 over three years-2015-16 to 2017-18) to support the Koori Court Initiative.

In 2015-16, the Victorian Government provided additional one-off funding to VALS through the Community Legal Centre Assistance Fund and Family Violence Duty Lawyer Fund.

Attorney-General

5149. MS PENNICUIK — To ask the Minister for Training and Skills (for the Attorney-General): Circle sentencing has proven to be successful in reducing recidivism amongst aboriginal people. However, concerns have been raised that a non-guilty accused may plead guilty in order to have access to the Murri Court process. Given both the success of circle sentencing and the concerns raised to justify making it more widely available —

- (1) will the Government extend the availability of circle sentencing in the criminal justice system; and
- (2) is the Government considering allowing an aboriginal accused to have access to circle sentencing if he or she is pleading not guilty.

ANSWER:

I am advised that:

The Murri Court is a Queensland Magistrates' Court that deals with the sentencing of Aboriginal offenders in Queensland. Circle sentencing is an alternative sentencing court for adult Aboriginal offenders in New South Wales.

In Victoria, the Koori Court was established in 2002. The Koori Court aims to reduce offending behaviour and reduce the number of Koori people being sentenced to a period of detention. The Koori Court operates in the

Children's, Magistrates' and County Court jurisdictions for defendants who plead guilty and have shown an intention to take responsibility for their actions.

The Koori Court process is often referred to as a sentencing conversation. The judicial officer sits across the table from the accused or young person, and has an Elder or Respected Person on either side of them.

On 31 March 2016 I launched the Geelong Koori Court, which will serve the Bannockburn South-West region. Options to expand the current Koori Court program to additional venues across the State will continue to be explored.

Families and children

5254. MS CROZIER — To ask the Minister for Families and Children: How many WorkCover claims were there in the Secure Services division of the Department of Health and Human Services during 2015.

ANSWER:

I am informed that:

The 2014-15 Department of Health and Human Services Annual Report details occupational health and safety measurements and reported a decrease in the overall number and rate of WorkCover claims.

Significant improvement has been realised in the number of WorkCover claims in Secure Services over recent years, with record lows for contemporary times.

Claim rates per 100 FTE for the month of July 2013 were in excess of 20. Since then, there has been a decrease in rates, including a rate of 9.03 per 100 FTE in March 2016.

Families and children

5256. MS CROZIER — To ask the Minister for Families and Children: How many youth justice employees from the Secure Services division of the Department of Health and Human Services were on stress or extended leave as at 22 March 2016.

ANSWER:

I am informed that:

Youth justice workers help young people in youth justice to address their underlying problems, understand the impact of their offending and learn to be accountable for their actions.

Staff undergo training to work in a youth justice environment, including managing difficult situations and behaviours.

Any injury sustained by staff is treated seriously and adequate support is provided.

Youth justice workers have access to a range of leave provisions to help them balance their work and personal commitments. This includes annual leave, personal/carers leave, long-service leave, paid parental leave and a range of other special leave options.

For employees who are on sick leave or off work as a result of a work related injury, including stress, the department maintains contact with the employee to ensure they can return to work when they are fit to do so.

There is always someone responsible for ensuring the needs of vulnerable children and young people in the system are met.

The Andrews Labor Government has increased the oversight powers of the Commissioner for Children and Young People to ensure they receive reports of serious incidents involving a child or young person in a youth justice facility.

The previous Coalition Government only published Category One incident data annually on the Department of Human Services website.

I have instructed the Department of Health and Human Services to publish quarterly data on Category One incident reports in youth justice services on the Department of Health and Human Services website as well as other data relating to youth justice services.

Families and children

5272. MS CROZIER — To ask the Minister for Families and Children: What was the percentage of children identifying as Pacific Island or Maori in residential care for the calendar year 2015.

ANSWER:

I am informed that:

Not all children and young people disclose their cultural background on coming into out of home care.

Roads and road safety

5279. MS DUNN — To ask the Minister for Agriculture (for the Minister for Roads and Road Safety): In relation to the safety of users of the Moonee Ponds Creek Trail (MPCT), which has been impacted by the CityLink-Tulla Widening Project creating a dangerous blind corner near the entrance to Strathmore Secondary College —

- (1) what was the process which allowed for changes resulting in the creation of a corner on the MPCT;
- (2) was the safety of school children, pedestrians, cyclists and workers (of the CityLink-Tulla Widening) taken into account, if so, in what way;
- (3) how long do you anticipate the changes to the MPCT, which create a blind corner, to be in place; and
- (4) will you install convex mirrors to mitigate the dangers faced by all users of the MPCT.

ANSWER:

- (1) Any changes to shared paths go through a consultation and/or approval process that includes Bicycle Network Victoria, the relevant council and relevant bicycle user groups.
- (2) The approved design was developed in accordance with the Austroads Guide to Road Design (Part 6A: Pedestrian-Cycles and Paths). Temporary fencing will be installed to separate the works from the public. While plant/machines are brought into and out of the work zone, a spotter will be in place to manage the public and the plant/machine interface. While the plant/machines are behind the fence during works, a spotter will not be required.
- (3) VicRoads expects detours to be in place until December 2016. Cyclists and pedestrians are encouraged to visit the project website for further information on detours:
<citylinktullawidening.vic.gov.au/cyclists-and-pedestrians>.
- (4) VicRoads has installed a pavement marking and a mirror has been placed in the area for students, pedestrians and cyclists using the path behind the Strathmore Secondary College.

Police

5284. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In the 2014-2015 period, how many premises were raided in the Northern Metro region on suspicion of selling drug-related paraphernalia.

ANSWER:

I am informed that:

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

Information about raids where drug-related paraphernalia was found, may be held in individual files captured in briefs of evidence for police investigations. However, access to this information would require an unreasonable diversion of Victoria Police resources in providing a response.

Police

5285. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In the 2014-2015 period, how many premises were raided in the South-Eastern Victoria region on suspicion of selling drug-related.

ANSWER:

I am informed that:

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

Information about raids where drug-related paraphernalia was found, may be held in individual files captured in briefs of evidence for police investigations. However, access to this information would require an unreasonable diversion of Victoria Police resources in providing a response.

Police

5286. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In the 2014-2015 period, how many premises were raided in the Southern Metro region on suspicion of selling drug-related paraphernalia.

ANSWER:

I am informed that:

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

Information about raids where drug-related paraphernalia was found, may be held in individual files captured in briefs of evidence for police investigations. However, access to this information would require an unreasonable diversion of Victoria Police resources in providing a response.

Police

5287. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In the 2014-2015 period, how many premises were raided in the Eastern Metro region on suspicion of selling drug-related paraphernalia.

ANSWER:

I am informed that:

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

Information about raids where drug-related paraphernalia was found, may be held in individual files captured in briefs of evidence for police investigations. However, access to this information would require an unreasonable diversion of Victoria Police resources in providing a response.

Police

5288. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In the 2014-2015 period, how many premises were raided in the Western Metro region on suspicion of selling drug-related paraphernalia.

ANSWER:

I am informed that:

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

Information about raids where drug-related paraphernalia was found, may be held in individual files captured in briefs of evidence for police investigations. However, access to this information would require an unreasonable diversion of Victoria Police resources in providing a response.

Police

5289. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In the 2014-2015 period, how many premises were raided in the Eastern Victoria region on suspicion of selling drug-related paraphernalia.

ANSWER:

I am informed that:

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

Information about raids where drug-related paraphernalia was found, may be held in individual files captured in briefs of evidence for police investigations. However, access to this information would require an unreasonable diversion of Victoria Police resources in providing a response.

Police

5290. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In the 2014-2015 period, how many premises were raided in the Northern Victoria region on suspicion of selling drug-related paraphernalia.

ANSWER:

I am informed that:

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

Information about raids where drug-related paraphernalia was found, may be held in individual files captured in briefs of evidence for police investigations. However, access to this information would require an unreasonable diversion of Victoria Police resources in providing a response.

Police

5291. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In the 2014-2015 period, how many premises were raided in the Western Victoria region on suspicion of selling drug-related paraphernalia.

ANSWER:

I am informed that:

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

Information about raids where drug-related paraphernalia was found, may be held in individual files captured in briefs of evidence for police investigations. However, access to this information would require an unreasonable diversion of Victoria Police resources in providing a response.

Police

5292. **MS PATTEN** — To ask the Minister for Training and Skills (for the Minister for Police): In relation to raids on suspicion of selling drug-related paraphernalia in the 2014-15 period —

- (a) how many charges were laid for the offence of displaying under section 80U of the Drugs, Poisons and Controlled Substances Act 1981;
- (b) how many of those charges resulted in convictions.

ANSWER:

I am informed that:

I refer to my response provided to Questions 5284 to 5291.

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

As such, a response cannot be provided in relation to questions (a) or (b) above.

Police

5293. MS PATTEN — To ask the Minister for Training and Skills (for the Minister for Police): In relation to raids on suspicion of selling drug-related paraphernalia in the 2014-15 period —

- (a) how many charges were laid for the offence of selling under section 80V of the Drugs, Poisons and Controlled Substances Act 1981;
- (b) how many of those charges resulted in convictions.

ANSWER:

I am informed that:

I refer to my response provided to Questions 5284 to 5291.

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

As such, a response cannot be provided in relation to questions (a) or (b) above.

Police

5294. MS PATTEN — To ask the Minister for Training and Skills (for the Minister for Police): In relation to raids on suspicion of selling drug-related paraphernalia in the 2014-15 period —

- (a) how many charges were laid for the offence of supplying under section 80W of the Drugs, Poisons and Controlled Substances Act 1981;
- (b) how many of those charges resulted in convictions.

ANSWER:

I am informed that:

I refer to my response provided to Questions 5284 to 5291.

Searches of properties must only be conducted in accordance with the Victoria Police operational policy. Victoria Police advises that no searches of properties were undertaken on suspicion of selling drug-related paraphernalia during the relevant period.

As such, a response cannot be provided in relation to questions (a) or (b) above.

Local government

5335. MR DALLA-RIVA — To ask the Minister for Small Business, Innovation and Trade (for the Minister for Local Government):

- (a) what was the Minister’s ‘Ministerial Office’ air travel expenditure from the beginning of calendar year 1 January 2015 to 29 February 2016; and
- (b) what is the breakdown of that expenditure, including but not limited to, flight locations, individual cost and type of class (i.e. first, premium economy or economy) of travel undertaken.

ANSWER:

Flights required to perform ministerial responsibilities are factored into the budget allocated to Departments. Department expenditure is published in their Annual Report. Guidelines for the use of flights are outlined in the Victorian Public Sector Travel Principles, which is available online.

Police

5427. MS CROZIER — To ask the Minister for Training and Skills (for the Minister for Police): In relation to children in residential care:

- (1) Since 1 January 2015 can you provide the total number of children in residential care who committed crimes that was reported to Victoria Police.
- (2) Can you confirm that Victoria Police also provide this data to the Department of Health and Human Services.

ANSWER:

I am informed:

- (1) It is not possible to identify the offences recorded by Victoria Police that relate to the number of children in residential care, as the location type specific to residential care is not recorded by Victoria Police.