

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

**WRITTEN RESPONSES TO QUESTIONS
WITHOUT NOTICE**

22 September to 20 October 2017

(Extract from book 17)

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

By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 16 October 2017)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services	The Hon. J. A. Merlino, MP
Treasurer and Minister for Resources	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Industry and Employment	The Hon. B. A. Carroll, MP
Minister for Trade and Investment, Minister for Innovation and the Digital Economy, and Minister for Small Business	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
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Aboriginal Affairs, Minister for Industrial Relations, Minister for Women and Minister for the Prevention of Family Violence	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation, and Minister for Local Government	The Hon. M. Kairouz, MP
Minister for Families and Children, Minister for Early Childhood Education and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, 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 Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Training and Skills, and Minister for Corrections	The Hon. G. A. Tierney, MLC
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Thomas, MP

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Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
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Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Thomas, MP

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(to 12 September 2017)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
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
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
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 Consumer Affairs, Gaming and Liquor Regulation	The Hon. M. Kairouz, MP
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	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 (until 23 August 2017)	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Training and Skills, and Minister for Corrections	The Hon. G. A. Tierney, MLC
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Thomas, MP

Legislative Council committees

Privileges Committee — Ms Hartland, Ms Mikakos, Mr O’Sullivan, 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 — Mr Bourman, #Ms Dunn, Mr Eideh, Mr Finn, Mr Gepp, Ms Hartland, Mr Leane, #Mr Melhem, Mr Ondarchie, Mr O’Sullivan and #Mr Rich-Phillips.

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

Standing Committee on Legal and Social Issues — #Ms Crozier, #Mr Elasmarr, Ms Fitzherbert, #Ms Hartland, Mr Morris, Mr Mulino, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Mr Somyurek, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

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

Fire Services Bill Select Committee — Ms Hartland, Ms Lovell, Mr Melhem, Mr Mulino, Mr O’Sullivan, Mr Rich Phillips, Ms Shing and Mr Young.

Joint committees

Accountability and Oversight Committee — (*Council*): Mr O’Sullivan, 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, Ms Hutchins, Mr Merlino, Mr M. O’Brien, Mr Pakula and Mr Walsh.

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

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

Environment, Natural Resources and Regional Development Committee — (*Council*): Mr O’Sullivan, Mr Ramsay and Mr Young. (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan.

Family and Community Development Committee — (*Council*): Dr Carling-Jenkins and Mr Finn. (*Assembly*): Ms Britnell, Ms Couzens, Mr Edbrooke, Ms Edwards and Ms McLeish.

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 Gepp and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

Public Accounts and Estimates Committee — (*Council*): Ms Patten, 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 — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

Council — Acting Clerk of the Parliaments and 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:

Mr K. EIDEH

Acting Presidents:

Ms Dunn, Mr Elasmar, Mr Melhem, Mr Morris, Ms Patten, Mr Purcell, 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:

Mr L. B. O'SULLIVAN

Leader of the Greens:

Dr S. RATNAM

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John ¹	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	SFFP	O'Brien, Mr Daniel David ⁷	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel ³	Western Metropolitan	AC	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	O'Sullivan, Luke Bartholomew ⁸	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona	Northern Metropolitan	ASP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin ⁴	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Pulford, Ms Jaala Lee	Western Victoria	ALP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Purcell, Mr James	Western Victoria	V1LJ
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ratnam, Dr Samantha Shantini ⁹	Northern Metropolitan	Greens
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Gepp, Mr Mark ⁵	Northern Victoria	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph ⁶	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Melhem, Mr Cesar	Western Metropolitan	ALP	Young, Mr Daniel	Northern Victoria	SFFP

¹ Resigned 28 September 2017

² Appointed 15 April 2015

³ DLP until 26 June 2017

⁴ Resigned 27 May 2016

⁵ Appointed 7 June 2017

⁶ Resigned 6 April 2017

⁷ Resigned 25 February 2015

⁸ Appointed 12 October 2016

⁹ Appointed 18 October 2017

PARTY ABBREVIATIONS

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

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WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE

Responses have been incorporated in the form provided to Hansard and received in the period shown.

22 September to 20 October 2017**Government payment process**

Question asked by: Dr Carling-Jenkins
Directed to: Special Minister of State
Asked on: 10 March 2016

RESPONSE:

The matters you have raised fall within the responsibilities of the Minister for Small Business, Innovation and Trade. I have been advised that Minister Dalidakis will be writing to you to provide a full response to the issues you raised in the Legislative Council.

Parks Victoria camping fees

Question asked by: Mr Young
Directed to: Special Minister of State
Asked on: 20 September 2017

RESPONSE:

In April 2015, the Andrews Labor Government removed camping fees in over 500 camp sites where basic facilities are provided, to encourage Victorian families to experience our regional national parks.

Camping fees continue to apply in 116 campgrounds in 29 national parks where facilities above a basic service level are provided, including campgrounds in the Hattah-Kulkyne National Park on the Murray River.

In consultation with the community, Parks Victoria has developed a draft management plan for the River Red Gum parks. This plan reflects the community's desire to retain dispersed camping as the primary camping experience in these parks. Camping at sites designated as basic or dispersed will continue to be free, to ensure that visitors and campers can continue to enjoy the River Red Gum landscape along the Murray River and tributaries.

The draft plan also includes a proposal to diversify current camping offerings, including the upgrade of facilities and the ability to book and secure camping spots at three locations: Will's Bend, Farley Bend and Stanton's Bend. Upgrades such as these, which provide greater amenity and attract a wider range of users, will lift the service level above basic, and therefore will attract a fee consistent with the camping fees applied across the state.

Fawkner land contamination

Question asked by: Ms Hartland
Directed to: Special Minister of State
Asked on: 20 September 2017

RESPONSE:

Environment Protection Authority (EPA) Victoria have been informed by Moreland City Council that the planning permit application for McBryde St, Fawkner, identified by the Member for Western Metropolitan, was refused at the 27 September 2017 council meeting.

EPA had input into the Moreland City Council planning permit application process. EPA's advice to Council was informed by a review of the planning permit application, an inspection of the former Nufarm Rural Pty Ltd factory site at 100-102 McBryde St and the collection and analysis of soil samples from the adjacent land for any contamination that was leaving the site. Samples were analysed in June 2017 against current standards at a National

Association of Testing Authorities accredited laboratory, and results were reviewed by EPA's environmental health experts.

An environmental audit report, under section 35X of the Environment Protection Act 1970, was issued for 100-102 McBryde St in 1995. The associated Statement of Environmental Audit reports that the site is suitable for industrial zoning provided that the clay capping layer is maintained. The land directly behind the factory (to the east) also had an environmental audit completed in 1995. This land was audited due to an open drain that runs between the former factory site and the Merri Creek. The audit concluded that the land was suitable for its current use as public open space.

Environmental audits conducted under the Environment Protection Act 1970 are authoritative, independent and provide transparent advice and recommendations to reduce identified risks to the environment and public health from a site or industrial facility. If any of the land was to be rezoned to allow for more sensitive uses, this would require an environmental audit under Ministerial Direction No.1 of the Planning and Environment Act (1987). This is to ensure the condition of the land is appropriate for the intended use. Moreland City Council, as the responsible authority, can require planning permit applications to undertake a further environmental audit to satisfy itself that a site is suitable for a specific use. Alternatively, a developer can engage an auditor to carry out a specific assessment under section 53W of the Environment Protection Act 1970.

School cleaning contracts

Question asked by: Mr Ondarchie
Directed to: Minister for Small Business, Innovation and Trade
Asked on: 20 September 2017

RESPONSE TO SUBSTANTIVE QUESTION:

This question does not relate to my portfolio responsibilities, and should be referred to the appropriate Minister in the Legislative Council, The Hon Gayle Tierney, representing the Minister for Education

RESPONSE TO SUPPLEMENTARY QUESTION:

Please see the substantive response.

Forced marriage

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 21 September 2017

RESPONSE:

I am informed that:

All instances of forced marriage involving children are a form of child abuse and are recorded as such by the Department. The department does not therefore have the number of forced marriage reports. In July 2017 enhancements were made to the department's client record system to enable recording of reports where forced marriage is reported. This will enhance the department's capacity to analyse future trends.

To date the Australian Federal Police have not been able to provide my department with the number of cases that involve children. Not all cases of forced marriage involve children and my department's advice is that the vast majority do not involve children.

When a report involving forced marriage is investigated, and child protection practitioners have assessed that the child is at risk of forced marriage, a report would be made to Victoria Police for criminal investigation. They may also issue a protection application to bring the matter before the Children's Court.

In May 2016 my department developed guidance for child protection practitioners to support their practice in relation to reports of forced marriage involving children or young people. My department also works with various communities to develop a better understanding of Australian law on this issue and to encourage reporting of such illegal practices.

In November 2016, a meeting of all state and territory Community Services Ministers agreed underage forced marriage is an issue of national significance and a collaborative and evidence based approach to combat forced marriage between jurisdictions is to be progressed.

It is important that the member understands that a number of agencies are involved in such matters. The Commonwealth Attorney-General's department convened an inter-jurisdictional government meeting in Victoria on 5 June 2017. Representatives included the Australian Federal Police Human Trafficking Team, Commonwealth Director of Public Prosecutions and Victorian Departments' of Premier and Cabinet, Education and Training, Justice and Regulation and Health and Human Services. This discussion focused on the interaction of State and Commonwealth legal and policy frameworks, including key practical challenges and gaps.

I am advised that due to inadequacies of current Commonwealth law, if a forced marriage charge is to proceed, it currently has to be proven under a balance of probabilities that a person over 16 who is forcibly married did not have any understanding of what they were agreeing to. By contrast, our Government has changed Victorian law so that perpetrators of child sexual abuse can no longer use the defence that they thought they were married at the time.

As the legislation that governs forced marriage is Commonwealth law, I encourage the Commonwealth Attorney-General and your federal coalition colleagues to make changes to federal law to prevent such a heinous activity continuing to occur.

Aboriginal Victoria

Question asked by: Mr Rich-Phillips
Directed to: Special Minister of State
Asked on: 21 September 2017

RESPONSE:

The circumstances of the resignation of a particular individual from the public sector concern the employment arrangements between that individual and their employer (in this case the Secretary of DPC).

The information sought is, accordingly, of a nature that is not normally provided.

Parole eligibility

Question asked by: Mr O'Donohue
Directed to: Minister for Corrections
Asked on: 21 September 2017

RESPONSE TO SUBSTANTIVE QUESTION:

All the recommendations in the Callinan Review are publicly available on the department's website.

Recommendation 13 can be found at

<http://www.corrections.vic.gov.au/utility/publications+manuals+and+statistics/review+of+the+parole+system+in+victoria>

RESPONSE TO SUPPLEMENTARY QUESTION:

The Auditor General confirmed that the Callinan Review's 13th Recommendation was implemented in 2015. This was in place when the decision was made by the independent Adult Parole Board to grant Mr Khayre parole.

Transurban

Question asked by: Ms Hartland
Directed to: Minister for Agriculture
Asked on: 21 September 2017

RESPONSE:

Minister Donnellan thanks the member for her question, however this matter falls outside of his portfolio responsibilities as the Minister for Roads and Road Safety and should therefore be redirected to the Treasurer.

Corrections mental health facilities

Question asked by: Ms Pennicuk
Directed to: Minister for Corrections
Asked on: 21 September 2017

RESPONSE TO SUPPLEMENTARY QUESTION:

The mental health treatment of prisoners is a critical feature of the management of offenders in the Victorian Correctional system. All prisoners receive mental health screening assessments within 24 hours of reception. This also occurs on transfer between prisons and on returning from court hearings.

If there are any issues identified through this assessment, prisoners are referred to the primary mental health team or a specialist mental health team. Prisoners have ongoing access to primary mental health services, which include mental health nurses and general practitioners.

Specialist mental health services for prisoners with more serious illness include those provided by psychiatrists, mental health nurse practitioners and psychologists. A mobile forensic mental health unit also provides specialist mental health treatment at the Metropolitan Remand Centre (MRC) with in-reach to Melbourne Assessment Prison (MAP) and satellite services to Barwon and Marnongneet.

For those prisoners in need of more intensive care, bed-based forensic mental health services are available through the 16-bed Acute Assessment Unit at the MAP and the 30-bed Psychosocial Rehabilitation Unit at Port Phillip Prison (PPP) within the men's system. These units offer voluntary treatment and management, provided by Forensicare.

In the women's system, prisoners requiring specialist care attend the 20-bed Marrmark Unit at the Dame Phyllis Frost Centre (DPFC), which provides bed-based, outpatient and outreach services, as well as day programs and consultancy. These services are also provided by Forensicare. Development of a new 44-bed purpose built unit will also provide co-location of bed-based and outpatient mental health services for women at the DPFC.

Forensic mental health services at Ravenhall Correctional Centre, which was officially opened last week, include a specialised unit to provide dedicated forensic mental health treatment for up to 75 prisoners at a time — more than doubling the current capacity across the prison system. In addition to this, a further 100 prisoners to get the mental health support they need through outpatient services at Ravenhall.

Demand pressures on beds at TEH are not new. The Victorian Government is determined to ensure forensic mental health patients receive the care and treatment they need, and has made significant new investments.

Funding of \$16.5 million has been provided to build an additional 18 beds at TEH. Construction is underway, with beds becoming available from the end of 2017 until mid-2018. This additional bed capacity will improve access to compulsory treatment for the Victorian prison population, as well as forensic patients.

The 2017-18 Victorian State Budget has also delivered funding of \$40 million to the Department of Health and Human Services to commence planning on the future expansion of forensic mental health beds for people requiring intensive mental health treatment in a specialised environment. Funding will also enable infrastructure works at TEH.

Youth justice system

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 17 October 2017

RESPONSE:

I am advised that:

This matter is currently before the courts and it would therefore be inappropriate for me to comment further.

The Callinan Review of the Parole System in Victoria provided extensive recommendations intended on strengthening the Adult Parole Board. I have asked my department to consider how these recommendations may apply to the Youth Parole Board.

Youth justice system

Question asked by: Ms Fitzherbert
Directed to: Minister for Families and Children
Asked on: 17 October 2017

RESPONSE:

I am advised that:

This matter is currently before the courts and it would therefore be inappropriate for me to comment further.

Youth justice system

Question asked by: Ms Fitzherbert
Directed to: Minister for Families and Children
Asked on: 17 October 2017

RESPONSE:

I am advised that:

As part the Andrews Government's \$72 million investment in youth justice infrastructure, safe zones have been completed and are now available for the first time at the Melbourne Youth Justice Precinct. Safe zones in remaining units at Parkville Youth Justice Precinct will be completed as part of the strengthening and fortification works program.

The existing availability of exit points for staff in the secure and open units at Malmsbury Youth Justice Precinct meant that no infrastructure changes were required to create safe zones.

Youth justice system

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 17 October 2017

RESPONSE:

I am advised that:

It would be inappropriate for me to comment on any matter under investigation.

Generally speaking when serious misconduct matters come to light they are taken very seriously, staff can be suspended and they are managed by the department's people and culture division. Further, the young person is

offered appropriate support or counselling and matters relating to alleged criminal behaviour are referred to Victoria Police.

Manslaughter charges

Question asked by: Mr Bourman
Directed to: Minister for Corrections
Asked on: 17 October 2017

RESPONSE TO SUBSTANTIVE QUESTION:

The 2014 laws were introduced by the previous Government.

They do not create a separate ‘one-punch’ offence. Rather, they make it easier for the prosecution to prove that a single punch or strike to a person’s head or neck is a dangerous act for the purposes of unlawful and dangerous act manslaughter. The laws do this by making clear that a single punch or strike may be the cause of the person’s death, even if the injury that the person dies from is not the injury from the punch or strike. For example, if the person falls after a punch and hits their head on the road and dies from their head hitting the road, the punch may be the cause of their death.

Manslaughter carries a maximum penalty of 20 years imprisonment. The statutory minimum non- parole period of ten years is applied to manslaughter committed in certain circumstances involving a single punch or strike. The prosecution needs to apply for the statutory minimum non-parole period. The court must impose the 10 year non-parole period, if the court is satisfied of the following circumstances:

- the victim’s death was caused by a punch or strike, and
- the offender intended that the punch or strike be delivered to the victim’s head or neck,
- the victim was not expecting to be punched or struck by the offender, and
- the offender knew that the victim was not expecting, or was probably not expecting, to be punched or struck by the offender.

The court has a discretion to not impose the 10 year non-parole period where it is satisfied that special reasons exist.

Since the laws commenced, two people have pleaded guilty to charges of manslaughter in circumstances involving a single punch or strike. In both cases, the DPP applied for the minimum non-parole period. Both applications were later withdrawn.

A third case is currently before the courts, awaiting committal hearing. The DPP has applied for the minimum non-parole period in this case.

RESPONSE TO SUPPLEMENTARY QUESTION:

There is no readily available information on whether manslaughter charges in cases that may have involved a single punch or strike have not proceeded due to plea negotiations.

LaunchVic

Question asked by: Ms Patten
Directed to: Minister for Small Business
Asked on: 17 October 2017

RESPONSE TO SUBSTANTIVE QUESTION:

Yes, LaunchVic funded accelerator programs are being measured to ensure they are stimulating growth in the start-up sector.

RESPONSE TO SUPPLEMENTARY QUESTION:

Social Traders is a development organisation for Social Enterprises that has an employment focus their success is measured with a combination of metrics that reflect the nature of their activities.

Their KPIs specifically relate to the number of participants in their workshops, networking events and clinics, the number of social enterprises that participate in the pitch fest events, and the number of social enterprise teams that participate in their accelerator program.

Beyond that, we are happy to facilitate a briefing for Ms Patten with LaunchVic as we have extended to the opposition.

Poker machines

Question asked by: Ms Hartland
Directed to: Minister for Small Business
Asked on: 17 October 2017

RESPONSE TO SUBSTANTIVE QUESTION:

Gaming machine density in Victoria has decreased from 7.76 machines per 1000 adults in 1999–2000 to now just 5.57 per 1000 adults. This represents the lowest density of gaming machines per adult in Australia, with the exception of Western Australia, which has no gaming machines outside the casino.

Capping the number of gaming machines at 27 372 for the next 25 years will continue to reduce the density of gaming machines in Victoria over time. Research indicates that the prevalence of problem gambling decreases with time where there is no increase in the density of gaming machines.

Capping the number of gaming machines does not preclude the maximum number from decreasing over the 25 years. It simply means that the number will not exceed the cap of 27 372 machines.

RESPONSE TO SUPPLEMENTARY QUESTION:

The \$500 cap on in-venue withdrawal limits is unrelated to automatic teller machines as these have been prohibited in gaming venues since 1 July 2012. For gaming venues on a race course and the Melbourne casino, the prohibition applies within 50 metres of the gaming machine area or the entrance of the casino respectively.

Cash withdrawals via EFTPOS are currently permitted subject to a \$200 withdrawal limit per EFTPOS transaction and a requirement that cash cannot be accessed from a credit account. Daily withdrawal limits have never applied to EFTPOS transactions in Victorian gaming venues.

The Andrews Government will limit cash withdrawals via EFTPOS to \$500 per card, per 24 hour period in addition to the existing \$200 transaction limit. This represents a restriction to cash access at gaming venues which currently is uncapped. In addition to being the only mainland Australian jurisdiction without ATMs at gaming venues, Victoria will soon also become the only mainland jurisdiction with a daily EFTPOS withdrawal limit.

On 1 December 2016, the Department of Justice and Regulation released a consultation paper seeking community and stakeholder submissions on access to cash in gaming venues. The consultation period closed on 16 January 2017. The department received 61 submissions, which are on the department's website.

I am advised that the Department of Justice and Regulation considered all available research on the topic, including that referenced in the gaming machine harm minimisation consultation paper and material provided in stakeholder submissions. This includes the 2013 evaluation by Swinburne University of the removal of ATMs from gaming venues, commissioned by the department, which found that reducing access to cash led to increased control over gaming machine spending, a reduction in impulsive over-spending and was effective in reducing the amount of money spent by problem gamblers.

Victorian Youth Congress

Question asked by: Mr Morris
Directed to: Minister for Youth Affairs
Asked on: 17 October 2017

RESPONSE:

I am advised that:

The Victorian Youth Congress will involve at least twenty young Victorians aged 12 to 24, who will engage in dialogue with the state government on priority issues that have been identified by young people through the Victorian Government's Youth Summit.

The Victorian Youth Congress will comprise of young people who have been selected through the open application process conducted earlier this year, as well also young people who have been nominated by key organisations in the youth sector.

Running this two-fold process has been important to ensure that young people from a diverse range of backgrounds and experiences are represented on Youth Congress, including young Aboriginal people, young people from culturally diverse backgrounds, LGBTI young people, young people living with a disability, and young people who have experience in living in out of home care. We have also sought to ensure that we have adequate representation of young people from regional and rural Victoria, as well as metropolitan Melbourne.

Given the important role of Youth Congress and the fact that young people from a range of different ages will be working together, we must also ensure that the necessary probity checks are undertaken for young people who have applied or been nominated to Youth Congress.

Unfortunately, seeking the input of youth sector organisations for nominations and probity checks has delayed the process of announcing the successful appointees.

I look forward to announcing the successful applicants soon.

Winton Wetlands

Question asked by: Mr Young
Directed to: Special Minister of State
Asked on: 18 October 2017

RESPONSE:

Winton Wetlands Committee of Management Incorporated has continued to grow by developing strong partnerships with many local organisations including local councils, catchment management authorities as well as tourism bodies and education organisations. The Winton Wetlands Committee of Management is required to provide audited annual reports to the Department of Environment Land Water and Planning. The most recent report outlines their financial position as well as some of the activities they undertake. The Winton Wetlands Committee of Management also keep records of visitor numbers, including visitor numbers to their café and at one key entrance to the reserve. The café figures show that when the café is open between 1000 and 3000 patrons use the café per month. Other visitors to the site include tour groups, educational visits from schools and universities in the region, recreational pursuits such as walking, bike riding and birdwatching. The Reserve covers a large area and has several unmonitored access points. The average daily visitor numbers are currently in excess of 100 visitors per day with weekend visitation being strongest.

Poker machines

Question asked by: Ms Hartland
Directed to: Minister for Trade and Investment
Asked on: 18 October 2017

RESPONSE TO SUBSTANTIVE QUESTION:

The allegations made relate only to the Melbourne's Crown Casino and I am not aware of any similar allegations relevant to the conduct of gaming in clubs and hotels. As the matters alleged have no bearing on the bill currently before the Parliament, the bill will not be put on hold.

RESPONSE TO SUPPLEMENTARY QUESTION:

The Government is unaware of any evidence of the Commission being complicit in these allegations.

Mr Eideh

Question asked by: Mrs Peulich
Directed to: Special Minister of State
Asked on: 18 October 2017

RESPONSE:

Yes.

Taxi and hire car industry

Question asked by: Mr Davis
Directed to: Minister for Agriculture
Asked on: 18 October 2017

RESPONSE:

The commercial passenger vehicle industry is changing globally and every jurisdiction in Australia is moving towards regulating ridesharing.

The Victorian Government is providing over half a billion dollars in financial assistance to the existing taxi and hire car industry, the most generous assistance package in the country. Over \$330 million in financial assistance has already been provided.

Fairness Fund applications started being approved and paid in July 2017 and continue to be approved as they are assessed by the chair of the Fund.

While the Victorian Opposition supported legalising ridesharing and removing taxi and hire car licences they voted against the provisions in the legislation to provide financial assistance.

As a result of reforms bought in by the previous Coalition Government, the value of metropolitan taxi licences reduced from over \$500 000 to under \$250 000 during their term of Government. Despite cutting the value of taxi licence in half, not a cent of financial assistance was paid to licence holders by the previous Government.

Corrections system

Question asked by: Mr O'Donohue
Directed to: Minister for Corrections
Asked on: 18 October 2017

RESPONSE TO SUPPLEMENTARY QUESTION:

The Corrections Act 1986, and the Corrections Regulations 2009, provide that prisoners may receive visits, while also allowing persons to be prohibited from visiting prisons if they present a threat to the good order and security of prisons or the safety of prisoners and visitors.

In accordance with Section 37 of the Act, it is the General Manager of a prison who authorises the entry of relatives or friends of prisoners to a prison. Section 39 of the Act provides the General Manager with the authorisation to order that a relative or a friend be prohibited from visiting a prisoner where they believe on reasonable grounds that the person's entry into the prison or visit with the prisoner might endanger the good order or security of the prison or the safety of the prisoner or prisoners. Further, Section 43 (1A) of the Act authorises the Secretary, Department of Justice & Regulation to prohibit a person from entering all or any prison where they believe on reasonable grounds that the good order or security of prisons or the safety of prisoners or visitors to prisons is threatened.

Relevant protocols require that prisoners seeking to have relatives or friends visit them must submit an application to the General Manager seeking permission to allow the nominated person to visit.

Prior to authorising the entry of a prisoner's relative or friend for a visit with a prisoner, the General Manager will authorise staff to conduct an assessment of the risks associated with the entry of such a person, including examining any intelligence holdings, in order to satisfy themselves that the visit is appropriate. Thus, matters that would warrant particular consideration include where a relative or friend is known to have current or past criminal convictions, known criminal associates or has a previous visit ban.

All prisons have designated visit times to ensure that visits are facilitated at times that are suitable to the operational needs of the prison and to allocate resources to visiting areas to adequately manage and supervise the visit. All visitors are subject to security checks prior to entering a prison, which may include a strip search, and will be required to provide appropriate identification, address and occupation details, together with detailing their relationship to the prisoner and the purpose of the visit. Visitors are advised of items that are regarded as contraband and will therefore not be permitted into the prison. Where illegal items are detected on visitors or in their property, prison staff will notify Victoria Police.

Where a visit ban is imposed by a General Manager, a visitor will be provided with written notice of the refusal or order which will detail: the reason for the ban; the period for which the ban is to apply; the expiry date or review date; and the name of the person applying the ban.

Police vehicle ramming

Question asked by: Mr Morris
Directed to: Minister for Corrections
Asked on: 18 October 2017

RESPONSE TO SUBSTANTIVE QUESTION:

I thank Mr Morris for his interest in this issue. Unfortunately, those opposite only thought to act on this issue after their last term of government. I also note that during the last four years of the Liberal Government, assaults on police and emergency services workers rose a massive 26.9 percent.

Violence towards police officers in their line of duty is absolutely unacceptable. That is why the Government is in the process of developing a comprehensive legislative framework to crack down on offenders who harm, or seek to harm, a police officer or emergency service officer. These reforms will send a clear message to the public that violence towards Police Officers will not be tolerated. This is in stark contrast to the Bill proposed by the

Opposition, which failed to define ramming, and only applied to damaging police property, as opposed to harming or seeking to harm a police officer.

Our reforms are about the safety of police officers and emergency service workers, not just the protection of property or vehicles, because the Andrews Labor Government is about putting people first, not equipment.

In order to ensure a comprehensive response, the Government has been working closely with Victoria Police and the Police Association to advance these reforms and consider how existing laws may be strengthened to deter offenders from harming police officers, including the ramming of police vehicles.

I note that there have been thirteen sitting days since the Government's announcement. The Government remains focused on reducing the risk of harm to police officers and will introduce legislative reforms shortly, with a second tranche of reforms to follow in early 2018.

RESPONSE TO SUPPLEMENTARY QUESTION:

This Government's commitment to supporting Victoria Police is unquestionable. We have made the biggest investment in frontline police and resources to support those police in Victoria's history. We have assured the Chief Commissioner and the community that we will give Victoria Police the powers and resources they need to keep Victorians safe.

The Government will ensure these reforms are properly developed and give the protection our police need to keep them safe. We owe this to Victoria Police members who put their lives on the line every day to promote community safety.

I thank the officers involved in the Ballarat incident for their service to Victoria.

Ministerial travel

Question asked by: Mr Ondarchie
Directed to: Minister for Small Business
Asked on: 19 October 2017

RESPONSE TO SUPPLEMENTARY QUESTION:

Unlike in the movie 'A Few Good Men', there were no flight logs altered, because the flights did not take place, because the planned travel to Saudi Arabia did not occur. The department has advised that the airfares to which the member refers to were refunded as a result.

Corrections system

Question asked by: Mr O'Donohue
Directed to: Minister for Corrections
Asked on: 20 October 2017

RESPONSE TO SUPPLEMENTARY QUESTION:

At the time of this answer, I have received no further information regarding this incident other than what I outlined to the house earlier today. I will be briefed further on this when more information is verified.