

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**WRITTEN RESPONSES TO QUESTIONS  
WITHOUT NOTICE**

**9 June to 23 June 2017**

**(Extract from book 12)**

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## **The Governor**

The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

## **The ministry**

(from 10 November 2016)

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
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Minister for Consumer Affairs, Gaming and Liquor Regulation . . . . .	The Hon. M. Kairouz, MP
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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 . . . . .	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 Barber, 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** — #Mr Barber, Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, Ms Dunn, Mr Elasmr, #Ms Hartland, Mr Melhem, #Mr Purcell, #Mr Ramsay, Ms Shing, #Ms Symes and Mr Young.

**Standing Committee on Legal and Social Issues** — #Mr Barber, #Ms Crozier, #Mr Elasmr, 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 Barber, 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, Mr Merlino, Mr M. O’Brien, Mr Pakula, Ms Richardson and Mr Walsh.

**Economic, Education, Jobs and Skills Committee** — (*Council*): Mr Bourman, Mr Elasmr and Mr Melhem. (*Assembly*): Mr Crisp, Mrs Fyffe, Ms Garrett 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 O’Sullivan, Mr Ramsay and Mr Young. (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan.

**Family and Community Development Committee** — (*Council*): 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 Eideh 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 Pearson, Mr T. Smith, Ms Staley 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:**

Mr K. EIDEH

**Acting Presidents:**

Ms Dunn, Mr Elasmarr, Mr Finn, Mr Melhem, 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:**

Mr L. B. O'SULLIVAN

**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 <sup>2</sup>	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Brien, Mr Daniel David <sup>1</sup>	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	O'Sullivan, Luke Bartholomew <sup>4</sup>	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 <sup>3</sup>	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
Elasmarr, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Gepp, Mr Mark <sup>6</sup>	Northern Victoria	ALP	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 <sup>5</sup>	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	SFFP
Melhem, Mr Cesar	Western Metropolitan	ALP			

<sup>2</sup> Appointed 15 April 2015

<sup>3</sup> Resigned 27 May 2016

<sup>5</sup> Resigned 6 April 2017

<sup>6</sup> Appointed 7 June 2017

<sup>1</sup> Resigned 25 February 2015

<sup>4</sup> Appointed 12 October 2016

**PARTY ABBREVIATIONS**

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.*

**9 June to 23 June 2017**

**Brighton incident**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 6 June 2017

**RESPONSE TO SUBSTANTIVE QUESTION:**

This is subject to the ongoing investigation oversights by Office of Correctional Services Review. It would be inappropriate to comment before the full review is complete.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

This is subject to the ongoing investigation oversights by Office of Correctional Services Review. It would be inappropriate to comment before the full review is complete.

**Corrections system**

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**Directed to:** Minister for Corrections  
**Asked on:** 6 June 2017

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**Directed to:** Minister for Corrections  
**Asked on:** 6 June 2017

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**RESPONSE TO SUPPLEMENTARY QUESTION:**

This is subject to the ongoing investigation oversights by Office of Correctional Services Review. It would be inappropriate to comment before the full review is complete.

**Adult Parole Board of Victoria**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 6 June 2017

**RESPONSE TO SUBSTANTIVE QUESTION:**

This is subject to the ongoing investigation oversights by Office of Correctional Services Review. It would be inappropriate to comment before the full review is complete.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

This is subject to the ongoing investigation oversights by Office of Correctional Services Review. It would be inappropriate to comment before the full review is complete.

**Home education**

**Question asked by:** Dr Carling-Jenkins  
**Directed to:** Minister for Training and Skills  
**Asked on:** 7 June 2017

**RESPONSE:**

The Department of Education and Training republished public submissions around the draft Education and Training Reform Regulations 2017 on Tuesday 16 May 2017 on the Department's website.

The submissions were removed and republished after the original publication on 8 April 2017 resulted in a privacy breach where the names and contact details of a number of submission authors were inadvertently published without their consent.

A detailed, individualised process was followed in republishing the submissions. All proposed edits to submissions were sent individually to each submitter for review against their original submissions.

The submitters were advised that sensitive information had been redacted, and submissions were only published if consent was received. A copy of their original submission and a copy of the version for republication, including any redactions, was provided to each submitter as part of the consent process, to ensure transparency.

Only a small number of submissions had content redacted, in most cases to ensure that identifiable information, was removed and in some cases to remove content that revealed very detailed sensitive or health-related personal information about children. Two further submissions were redacted to remove content that was identified as potentially defamatory.

Where submitters requested their information be reinstated, unless it was deemed defamatory, it was published in full.

The Minister for Education requested an independent review be commissioned by the Department of Education and Training. I understand this review is expected to propose recommendations for future process management that incorporates best practice in privacy design, including an examination into how the Department handles public submissions. I have asked the Secretary of the Department of Education and Training to respond to the review once considered.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

Improvements have been identified regarding the publication of submissions, some of which were employed in the republication process, and some of which were identified through that process and which will be incorporated into departmental guidelines about managing public submissions and consultation processes.

I understand the Minister for Education and the Secretary of the Department of Education and Training have discussed these matters considerably over recent weeks and that this matter is being taken very seriously.

### Winton Wetlands

**Question asked by:** Mr Young  
**Directed to:** Special Minister of State  
**Asked on:** 7 June 2017

#### RESPONSE:

Assessment of the Winton Wetlands project is through Annual Reports, and progress of Strategic Plans and Annual Business Plans towards the goals of the Future Land Use Strategy, the Master Plan and the Restoration and Monitoring Plan. Specific detail of project expenditure is set out in the Annual Report which can be found at the following link: <http://www.wintonwetlands.org.au/plans-strategies-publications>.

The restoration of the wetland has delivered considerable environmental benefits. Tens of thousands of trees have been planted and these have been further enhanced by excellent natural regeneration and recent hand sowing of Red Gum seed by volunteers. Hundreds of hectares of Cane Grass have returned. Birds have returned in vast numbers and Brolgas, Koala and Antechinus have been reported on site.

Community and partnerships have been crucial to the success of the project. Friends of Winton Wetlands and volunteers play a key role, and community involvement in events such as the recent Mokoan Music Fest and Wall to Wall street art has been very high.

The project works closely with local people and local businesses. The local community also has ongoing involvement in interpreting local history on site.

The Winton Wetlands Committee has developed strong relationships with local Indigenous people and has worked closely with the Registered Aboriginal Party to understand the site from an Indigenous perspective. Surveys and mapping undertaken with Yorta Yorta people have revealed extraordinary Indigenous heritage on site.

Events such as the Wolupka Woka bike rides, Winton Dreaming with local schools and installation of Indigenous artworks have enabled expression and experience of the deep Indigenous connections to the site.

The above initiatives are contributing to a diverse and growing visitation to the Wetlands and to the success of this project.

### Corrections system

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 7 June 2017

#### RESPONSE TO SUBSTANTIVE QUESTION:

The Victoria Police persons of interest list is a matter for Victoria Police and I am not at liberty to discuss it.

### Parole programs

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 7 June 2017

#### RESPONSE TO SUBSTANTIVE QUESTION:

A tamper alert may occur as a result of accidental or deliberate interference. The electronic monitoring system does not distinguish between accidental or deliberate interference, as staff respond to every alert to understand what has transpired and then respond accordingly.

For security reasons, it would be inappropriate to provide further information on this issue.

### Youth justice system

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Families and Children  
**Asked on:** 8 June 2017

#### RESPONSE TO SUBSTANTIVE QUESTION:

For security reasons consistent with obligations under the Children, Youth and Families Act 2005 a full copy of the Muir report has not been released publicly.

My commitment to identifying opportunities to improve practice and to further strengthen the safety and security of Victoria's youth justice centres is clear. I have released a number of executive summaries and recommendations of reviews I have commissioned. As the reviews go to operational matters, I have released publicly what I can and will continue to do so.

As I have advised previously, the major theme from this review was that the custodial infrastructure inherited by the Andrews Labor Government was not fit for purpose and has been a contributor to incidents occurring in the centres.

That is why, on receiving this report, I commissioned a business case for a new fit-for-purpose facility. Funding for the new youth justice facility at Cherry Creek was fully delivered in the Victorian Budget 2017/18 — a budget that delivered Victoria's biggest ever single investment in its youth justice system.

This government has taken definitive action to address this by investing \$58 million in this year's State budget for capital works to fortify and strengthen the Parkville and Malmsbury Youth Justice Precincts.

#### FURTHER RESPONSE:

For security reasons consistent with obligations under the Children, Youth and Families Act 2005 a full copy of the Muir report has not been released publicly. I draw to the Member's attention evidence given by the Secretary of Department Health and Human Services to the Legal and Social Issues Committee only last week to this effect.

My commitment to identifying opportunities to improve practice and to further strengthen the safety and security of Victoria's youth justice centres is clear. I have released a number of executive summaries and recommendations of reviews I have commissioned. As the reviews go to operational matters, I have released publicly what I can and will continue to do so.

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### **Federation Training**

**Question asked by:** Ms Bath  
**Directed to:** Minister for Training and Skills  
**Asked on:** 8 June 2017

#### **RESPONSE:**

For successive years, previous management decisions combined with policy changes at a state government level meant Federation Training failed to deliver on its commitment to deliver the best facilities, training and skills allowing local students to thrive and industries to grow.

This Government has been active in providing support to Federation Training to transform and rebuild. Federation Training now has a new Managing Director, a new senior management team, a new Board, and a new plan to rebuild in partnership with the Victorian Government, and the communities of Gippsland.

The new Managing Director of Federation Training has been tackling the challenges faced by this Institute head on and is working with his new executive team to ensure that the Institute is best placed to deliver effectively and efficiently for Gippsland communities. As part of this process the structure of Federation Training is being looked at to ensure that it is supportive to both the needs of staff and students.

On Tuesday 23 May, the Institute announced 20 new education management roles, which is an increase of 12 new positions across Gippsland. These new roles will enable the Institute to better focus on priority sectors and industries. They will also provide manageable direct reporting lines, more time to devote to industry development, clearly define roles and responsibilities, alleviate organisational silos and provide more balance in the distribution of students across the institute.

I have been advised by Federation Training that management are working closely with a number of current staff members impacted by these changes and the institute hopes these staff will apply for one of the new roles, which, though different from their current roles, will require similar levels of skills and experience. These staff members have seven weeks to make a decision. The institute has also advised that depending on decisions made by these staff, salary maintenance or a redundancy payment will be considered.

### **Youth justice system**

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Families and Children  
**Asked on:** 8 June 2017

#### **RESPONSE TO SUPPLEMENTARY QUESTION:**

I am advised that due to safety and security concerns that information should not be disclosed publicly.

#### **FURTHER RESPONSE:**

I am advised that providing that number would be inappropriate as it poses safety and security risks.

### **Adult Parole Board of Victoria**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 8 June 2017

#### **RESPONSE TO SUPPLEMENTARY QUESTION:**

The Department of Justice and Regulation will shortly commence a tender process. For commercial reasons the Department is unable to provide information on expected costs for this project.

The final cost will however exceed the initial budget allocation provided by the Coalition which was clearly inadequate and could not have funded the solution needed by the Adult Parole Board nor acquit the recommendation in Callinan Review.

In contrast, the solution the Andrews Government is implementing will acquit the final recommendation and will also deliver what the board needs.

### **Prison programs**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 8 June 2017

#### **RESPONSE TO SUBSTANTIVE QUESTION:**

As the Police Chief Commissioner stated, it is not appropriate to provide any more detail on the people currently engaged in that program.

#### **FURTHER RESPONSE:**

It is not appropriate to provide any more detail on the people currently engaged in that program

### **Fawkner land contamination**

**Question asked by:** Ms Hartland  
**Directed to:** Special Minister of State  
**Asked on:** 8 June 2017

#### **RESPONSE:**

The Environment Protection Authority Victoria (EPA) has advised that the former Nufarm site at 102 McBryde Street, Fawkner, presents limited risk to the environment and human health. This advice is based on a previous environmental audit under the Environment Protection Act 1970, as well as a recent site inspection and testing in April 2017.

The recent test results show no contamination beyond the site, and no contamination in Merri Creek. EPA has recently briefed Moreland City Council on this matter, and to provide further confidence to the local community, EPA has also requested further analysis of samples, the results of which will be provided to Moreland City Council.

Under the Environment Protection Act 1970 the land owner is responsible to ensure any future purchaser of the site is provided with a copy of the environmental audit statement.

On 17 January this year I announced the Andrews Labor Government's response to the Independent Inquiry into the EPA. In the recent Budget, I was pleased to announce an unprecedented investment of \$162.5 million into the reform of the EPA.

These important reforms include the development of a comprehensive statewide database of sites that pose a high risk to the community because of their past use. This database will:

- include past uses of potentially contaminated sites. Guidance materials will be provided so that the information can be easily interpreted; and
- inform the community of potential contamination risks and support informed decision making by individuals, government and councils.

On 6 June I introduced the Environment Protection Bill 2017 into Parliament. This is the first of two pieces of legislation to overhaul the Environment Protection Act and make the EPA a fit for purpose, modern regulator.

The Department of Environment, Land, Water and Planning is leading a comprehensive process to reform and better integrate planning and environmental regulation, policy and management of legacy contamination risks. These reforms will include changes to the Environment Protection Act and environmental and planning statutory instruments to position EPA and planning decision—makers to identify and consistently screen potentially contaminated sites according to risk, including through: expanded notification requirements; providing for proportionate clean up; and strengthening monitoring and enforcement of audit conditions with increased transparency and clarified responsibilities.

These reforms will be supported by enhanced information for landowners and the broader community.

These reforms are focused on supporting the safe and efficient redevelopment of legacy contaminated sites and will complement reforms designed to prevent contamination and target early interventions.

### **Youth justice system**

**Question asked by:** Ms Springle  
**Directed to:** Minister for Families and Children  
**Asked on:** 8 June 2017

#### **RESPONSE TO SUBSTANTIVE QUESTION:**

Youth justice precincts are a challenging environment, and since I have been Minister I have commissioned a number of independent reviews to enhance the safety of staff and young people.

On my request, reviews were commissioned immediately following incidents at the Parkville Youth Justice Precinct in October 2015, March 2016 and November 2016, and at Malmsbury Youth Justice Precinct in September 2016, November 2016 and January 2017. The reviews identified opportunities to improve systems and processes to mitigate further incidents and were conducted by experienced experts, former Chief Commissioner of Police, Neil Comrie AO APM, and Peter Muir, former Director of Juvenile Justice in New South Wales.

The system itself has not been the subject of a comprehensive review in the last 17 years, which is why I commissioned external experts Penny Armytage and Professor James Ogloff to conduct an in-depth review of youth support, youth diversion and youth justice services. I have recently received the final report and its recommendations, and it is being considered by government.

These reviews are in addition to and complement work undertaken by my department to examine operational matters.

A common theme of reviews has been inadequate and aging infrastructure, issues relating staffing and operational model, which is why we are rebuilding our youth justice system. This includes a new fit-for-purpose youth justice facility at Cherry Creek, an enhanced staff training model and examining the operating model.

The Victorian Budget 2017/18 delivered the biggest ever single investment in youth justice in Victoria. That came after four years of a do-nothing Liberal government that neglected the system.

The executive summaries for the two stages of the review undertaken by Neil Comrie AO APM into the incidents at the Parkville Youth Justice Precinct in November 2016 were released on 6 February 2017 and 4 April 2017.

The executive summary of Mr Comrie's review of incidents at the Malmsbury Youth Justice Precinct in November 2016 and January 2017 was released on 9 June 2017.

**Bail reform**

**Question asked by:** Ms Patten  
**Directed to:** Minister for Corrections  
**Asked on:** 8 June 2017

**RESPONSE TO SUBSTANTIVE QUESTION:**

The Coghlan Review recommended, at recommendation 5, that the expression 'show cause' be clarified as he had found it to be poorly understood. Mr Coghlan formed this view following broad consultation that indicated that some decision makers are not giving appropriate weight to 'show cause' considerations. Mr Coghlan noted that this concern was a common theme in submissions to the Bail Review, including in submissions from Victoria Police, the Victims of Crime Consultative Committee, the Police Association of Victoria, the Office of Public Prosecutions, and three bail justices.

Mr Coghlan went on to recommend that the expression 'show cause' be replaced with 'show good reason', in order to simplify the show cause test and ensure that proper weight is given to the onus placed on accused persons in this category.

The Government decided to replace 'show cause' with 'show compelling reason'. This is consistent with the spirit of the recommendation. It makes clear that an accused in this category must provide a reason or reasons why bail ought to be granted, and that it must be a compelling reason or reasons.

This test still falls well short of the other reverse onus test, which requires a person to show exceptional circumstances why bail ought to be granted. Requiring a 'compelling reason' is not equivalent to requiring exceptional circumstances. It remains a lower hurdle.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

Any increase in accused persons being housed on remand will be managed through additional beds becoming available across the system in coming months, including the new Ravenhall Prison.

The 2017-2018 Budget also includes significant other funding to support Victoria's bail system and criminal justice system more generally. \$25.2 million is being provided to expand the Court Integrated Services Program (CISP) and CISP Remand Outreach Pilot to provide specialist court support services to more than 2000 additional participants annually. \$3.4 million is being provided to establish a Fast-Track Remand Court to speed up the processing of youths on remand. \$89.2 million is being provided to update the ageing IT systems at the Children's and Magistrates' Courts, which will mean the courts are able to work faster and get people through the system more efficiently.

**Brighton incident**

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

**RESPONSE TO SUPPLEMENTARY QUESTION:**

This is subject to a series of investigations, inquests and reviews. It would be inappropriate to comment before these are complete.



**Brighton incident**

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**Brighton incident**

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

**RESPONSE TO SUBSTANTIVE QUESTION:**

Firearm registration does not 'lapse' in the way the question asserts.

As the matter referenced in the question is currently before the Coroners Court and other courts in Victoria, it is not appropriate to provide further comment.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

As indicated in the answer to the substantive question, firearm registration does not 'lapse' in the way the question asserts. Victoria Police advises there are no figures able to be provided to respond to this question.

**Police vehicle ramming**

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

**RESPONSE TO SUBSTANTIVE QUESTION:**

Victoria Police advises that information about the cost to repair police vehicles that have been rammed is with the Victoria Police Insurers and has not been obtainable within the timeframe. No police vehicle has been damaged to an extent that required replacement. In all incidents, the damage was listed as minor to moderate and therefore repairable.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

In the 2016/17 financial year to date, two police officers have sustained minor injuries as a result of the ramming of a police vehicle.

### Heyfield timber mill

**Question asked by:** Mr O'Sullivan  
**Directed to:** Minister for Agriculture  
**Asked on:** 20 June 2017

#### RESPONSE:

If the current owners won't keep Heyfield open, the Andrews Labor Government is prepared to assume operations of the mill on fair and reasonable terms.

The negotiations with the owners of the Heyfield mill are being conducted by senior executives from my department, in cooperation with the Department of Treasury and Finance.

We do so because our government is committed to seeing the Heyfield mill remain open.

### Elder abuse

**Question asked by:** Dr Carling-Jenkins  
**Directed to:** Minister for Families and Children  
**Asked on:** 20 June 2017

#### RESPONSE:

The Australian Law Reform Commission (ALRC) report on Elder Abuse highlights a number of important issues. I am advised that the ALRC report does not discuss a link between elder abuse and voluntary assisted dying or suicide.

I am further advised that the expert Ministerial Advisory Panel on Voluntary Assisted Dying is considering the ALRC report, particularly in relation to understanding the risk factors for elder abuse to inform safeguard considerations.

The Ministerial Advisory Panel on Voluntary Assisted Dying is tasked with developing a safe and compassionate voluntary assisted dying framework. A key component of this framework is developing a process that ensures people's requests are voluntary and enduring, safeguards are in place, and that they receive all the information they need to make a genuine choice.

The Ministerial Advisory Panel has already conducted extensive consultations with stakeholders across Victoria and will continue to consult with stakeholders. One of the key topics of consultation has been protecting people who may be vulnerable to abuse and, as the Interim Report demonstrates, the Panel has already received extensive feedback on this issue.

The Panel take very seriously their task in considering and addressing the feedback from the consultations in order to inform their recommendations to Government on voluntary assisted dying legislation.

### Police search powers

**Question asked by:** Ms Patten  
**Directed to:** Minister for Corrections  
**Asked on:** 20 June 2017

#### RESPONSE TO SUBSTANTIVE QUESTION:

Any decision to use narcotics detection dogs is an operational matter for Victoria Police. The Victorian Government supports the judgment of Victoria Police when it comes to how best to use their resources and powers.

We are advised that the use of narcotics dogs in Victoria is just one tool police officers use to form reasonable grounds for suspecting a person may be possessing harmful substances, either for their own use or to sell to others. This tool, as well as many others, enables police to lawfully search a person for drugs without a search warrant.

Regarding drugs at music festivals, there are a number of components to the discussions that the Victorian Government is having with Victoria Police.

The first of these is a safety planning component, focussing on how event organisers can work proactively with police around safety planning and risk management. This will be about making sure festival-goers can enjoy themselves in an environment that is safe.

The second component is around powers for police to explicitly designate areas, like they already do under the Control of Weapons Act 2009, to search for illicit drugs. These designations would be determined by police intelligence and the relevant history of risk and harm associated with some music festivals. The proposed changes will not apply to all music festivals.

The Government strongly supports music festivals. They are an important part of our state's cultural life, and we are working to ensure they are a safe place for everyone. Any additional powers for Victoria Police will be considered along with our broader work on safety planning for festivals.

The objective of these measures is to reduce harm, protect lives and ensure music festivals are great places for young people to get together-not places for tragedies

The Victorian Government is committed to reducing the harm to individuals and the broader community that results from drug use.

#### **RESPONSE TO SUPPLEMENTARY QUESTION:**

The Victorian Government is extremely concerned about drug use and fatal overdoses at some music festivals. These concerns have been prompted by:

- observations from Victoria Police and emergency services that they are seeing an escalation in the use of illicit drugs such as amphetamines, GHB, ecstasy and other psychoactive substances at music festivals;
- the location of “bush doof” raves in regional and rural areas, where patrons are often at a considerable distance from proper medical care;
- a lack of proper planning and safety arrangements by some event organisers;
- the risk of drugged drivers departing events while still affected by illicit drugs and without sleep.

These concerns have been amplified by the recent mass overdose events that occurred in January 2017 in Chapel Street, which resulted in the deaths of three people and over 20 hospitalisations, and in February 2017 at the Electric Parade dance party at the Sydney Myer Music Bowl, which resulted in over 20 hospitalisations.

There has been very serious harm caused by drugs at music festivals, and the Victorian Government is determined to reduce this harm.

#### **Rooming houses**

**Question asked by:** Ms Springle  
**Directed to:** Minister for Small Business, Innovation and Trade  
**Asked on:** 20 June 2017

#### **RESPONSE TO SUBSTANTIVE QUESTION:**

In 2016, Consumer Affairs Victoria conducted an extensive review of tenancy funded services, including the metropolitan Rooming House Outreach Program (RHOP), which resulted in the development of the Tenancy and Consumer Program 2017-21 (the Program), for vulnerable and disadvantaged Victorians. The review was

conducted in consultation with funded agencies and examined ways to ensure best practice service for the specialist tenancy and consumer services in the future. The Program includes a commitment to place based services, with a total of 22 full-time equivalent tenancy workers being funded to support vulnerable tenants across the state.

Under the Program:

- investment is increasing in the first year by \$1.1 million, including an additional 9.3 full time equivalent staff delivering place based services
- vulnerable and disadvantaged tenants across the state will now have access to rooming house advocacy services through the Program, not just those living in metropolitan Melbourne services will be available to all private tenants who are vulnerable, regardless of where they live in Victoria, including vulnerable rooming house residents whether the rooming house is registered or unregistered. This change reflects a strong preference for a consistent and high standard tenancy assistance service across Victoria, and the limited geographic impact of the current RHOP was a key factor in the decision to not continue its funding.

#### **RESPONSE TO SUPPLEMENTARY QUESTION:**

Agencies delivering the Program from July 2017 include a range of community legal centres, community organisations and housing agencies. Each of these agencies will prioritise services to those most in need, including to residents of rooming houses.

Importantly under the Program, workers delivering place-based services will be supported by the Tenancy Central Service (to be delivered by the Tenants Union of Victoria), which will provide increased professional development opportunities and expert secondary consultations.

#### **Anglesea coalmine site**

**Question asked by:** Mr Barber  
**Directed to:** Minister for Agriculture  
**Asked on:** 21 June 2017

#### **RESPONSE:**

The Government has not received the mine rehabilitation plan from Alcoa to date.

Any studies submitted by a private company, such as Alcoa, to Government for regulatory assessment are treated as commercial-in-confidence under Section 119 of the Mineral Resources (Sustainable Development) Act 1990. A private company may release its own reports publicly at its own discretion.

#### **Clyde Road, Berwick, level crossing**

**Question asked by:** Mrs Peulich  
**Directed to:** Special Minister of State  
**Asked on:** 21 June 2017

#### **RESPONSE:**

The Level Crossing Removal Authority (LXRA) is the agency responsible for the removal of level crossings and associated community consultation. The LXRA has not approached any businesses or community organisations in the City of Casey in relation to the removal of the Clyde Road level crossing.

### Kindergarten funding

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

#### RESPONSE:

Since coming to government, the Andrews Labor Government has introduced a number of reforms that have increased funding across the kindergarten sector. During our three budgets average early childhood education and parenting investment has more than doubled compared to the four budgets delivered by the previous Coalition government.

Notably, a \$108.4 million boost in funding across the kindergarten system, as part of delivering the Early Childhood Reform Plan through the Victorian Budget 2017/18. This includes:

- \$55.3 million in school readiness funding to support a new, Australian first, needs-based kindergarten funding model to give more support to the children who need it most. Once fully rolled out, this will increase funding available to kindergartens by around 10 per cent;
- \$22.8 million to improve the quality of early childhood education in Victoria;
- \$10 million to build new Early Childhood facilities co-located with government schools;
- \$1.1 million to encourage non-government schools to offer a kindergarten program;
- \$5.5 million to expand and enhance central enrolment;
- \$6.3 million to support Early Start Kindergarten, so more Koorie children and children known to child protection get two free years of kinder;
- \$2.3 million to make pre-purchased places a permanent part of the system; and
- \$5 million to expand Kindergarten Inclusion Support to enable children with disabilities to access kindergarten.

This is in addition to:

- \$70 million committed by this Government to the Children's Facilities Capital Program over its first three years of funding. This is almost double the investment of the previous Coalition Government who committed only \$37 million over four years.
- up to \$83.7 million over four years in additional funding to support kindergartens to implement the improved educator to child ratio;
- \$4.4 million over four years to maintain the financial viability and sustain high quality programs in rural kindergartens; and
- increased funding rates for all kindergarten service providers to support salary increases resulting from the new Enterprise Bargaining Agreements.

We have also provided targeted support in response to crisis issues through:

- \$1.4 million as part of the Government's Dairy Response Package, provided for a Dairy Kindergarten Fee Subsidy to give free access to kindergarten for dairy farming families across Victoria;
- \$960 000 to support kindergarten participation in drought affected communities which included a drought kindergarten fee subsidy for families in these communities; and
- financial hardship grants of up to \$10 000 for eligible community-based funded kindergarten services to support their continued operation during the droughts.

The Andrews Labor Government contributes per capita funding to help meet the costs of delivering a kindergarten program to all children in the year prior to school. The remainder of the costs are met through parent fees and fundraising, as was the case under the previous government. The Andrews Labor Government also provides a Kindergarten Fee Subsidy to support eligible families to access a kindergarten program free of charge.

Funding arrangements are complicated by arrangements with the Federal Government. Under the National Partnership on Universal Access to Early Childhood Education (the National Partnership), the Commonwealth and all states and territories committed to funding for all children to access 15 hours per week of quality preschool in the year before school.

The Commonwealth Government recently announced a one year extension of the National Partnership (which is the fourth short term roll-over). This leaves funding uncertain beyond 2018, and affects the ability of providers to plan services, families to plan their lives, the retention of quality teachers and the Victorian Government's ability to develop a sustainable and integrated EC system. The Commonwealth Government's funding has also failed to keep up with increases in costs such as the cost of quality reforms and better ratios.

Victoria continues to advocate for the Commonwealth Government to cover their share of the costs and commit to ongoing funding for kindergarten.

### **Greyhound racing**

**Question asked by:** Mr O'Sullivan  
**Directed to:** Minister for Agriculture  
**Asked on:** 21 June 2017

#### **RESPONSE:**

No establishments are affected by this clause as it is a draft code out for consultation.

Greyhound Racing advises that there are 44 establishments with greater than 25 greyhounds in Victoria.

### **Child protection**

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Families and Children  
**Asked on:** 22 June 2017

#### **RESPONSE:**

I am informed that:

As I have explained the Member on numerous occasions, the department collects data on incident reports completed. Child Protection is reliant on kinship carers informing them of critical incidents in order for this data to be captured and accurately reported on. The department is unable to provide information about critical incident reports that are not reported and that therefore it does not know about.

The KPMG report extrapolates critical incident reporting data from service providers and hypothesises that a proportionate amount of incidents should have been reported by the department. This is not a finding of fact but speculation that incidents in kinship care are potentially under-reported.

Through the Roadmap for Reform, the Andrews Labor Government has embarked upon an ambitious reform agenda of our child protection and out of home care system. We are working with the community sector and carers, including carer organisations, to transform the kinship care model which existed unchanged during the previous government. We have also funded in this year's budget the biggest ever expansion of our child protection workforce that will mean carers receive more support from the department. Our government also legislated to ensure that kinship carers are now subject to the Working With Children Check Scheme.

**Timber industry**

**Question asked by:** Ms Dunn  
**Directed to:** Minister for Agriculture  
**Asked on:** 22 June 2017

**RESPONSE:**

VicForests has forecast reductions in the supply of ash sawlogs that can be sustainably harvested from State forests. Auswest Timbers processes mixed species sawlogs and not ash sawlogs. The specific terms of the contract between Auswest Timbers and VicForests are commercial in confidence.