



Department of Justice

Annual Report 2002-03

Hon. Rob Hulls, MP
Attorney-General
55 St Andrews Place
Melbourne Victoria 3002

Hon. André Haermeyer, MP
Minister for Police and
Emergency Services,
Minister for Corrections
55 St Andrews Place
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Hon. John Lenders, MP
Minister for Consumer
Affairs
55 Collins Street
Melbourne Victoria 3000

Hon. John Pandazopoulos, MP
Minister for Gaming,
Minister for Racing
55 Collins St
Melbourne Victoria 3000

Dear Ministers

Annual Report 2002-03

As required by the *Financial Management Act 1994*, I have pleasure in submitting the Department of Justice Annual Report for the year ended 30 June 2003, for you to present to the Houses of Parliament.

Yours sincerely



Penny Armytage
Secretary

About Justice

The Department of Justice

Our Goals:

- Victorian communities are safe and people feel confident about their safety.
- Legal rights are protected through a just, responsive and accessible legal system in which the Victorian community has confidence.
- Offenders in Victoria are treated in a just and humane manner and encouraged to adopt law-abiding lifestyles.
- Victorians value diversity and have equality of opportunity.
- Victorian consumers are confident and protected.
- Victorians are protected by responsible regulation and management of the racing and gaming industries.

The Department of Justice is one of ten departments in the Victorian Public Sector.

The Department delivers direct services to the community and provides policy development and advice across six ministerial portfolios.

With a budget of \$834 million, the Department has fifty-one business units and 4,770 staff.

Our purpose is to help the Government achieve its vision of a safe and just Victoria.

The Department does this by contributing to the administration of civil and criminal justice and public safety, the responsible regulation and management of gaming and racing and delivering effective consumer protection.

The work of the Department is aligned to goals identified in *Growing Victoria Together*, the Government's broad vision for the future.

- Create safe streets, homes and workplaces.
- Build cohesive communities and reduce inequalities.
- Promote rights and respect diversity.

The Justice Portfolio

The 'Justice Portfolio' includes the Department of Justice and major agencies such as Victoria Police, the Courts, the Victorian Electoral Commission, the Victorian Casino and Gaming Authority and a range of statutory agencies and offices, judicial and quasi-judicial bodies concerned with protecting and enforcing legal rights and responsibilities and providing social regulation to a range of industries.

This Annual Report provides an account of the work of the Department. Statutory agencies and judicial and quasi-judicial bodies provide Annual Reports on their activities either directly to the relevant Minister or to Parliament.

A full list of agencies and bodies in the Justice Portfolio can be found on page 138.

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The year in review



Penny Armytage
Secretary

2002–03 has been a year of significant achievement for the Department of Justice demonstrating our capacity to deliver high quality justice services and to both lead and support our partners in the wider Justice Portfolio.

Justice is a large multi-disciplinary system. The Department of Justice has 4,770 staff working in fifty-one business units delivering services across the state. There are an estimated 16,400 more staff working in justice portfolio agencies, including Victoria Police.

The Department works closely with Victoria Police and the courts, which have a statutory independence from Government. Together, we share the challenge of making Victoria a safe and just place.

The problems faced by the justice system are complex and multi-faceted: the ongoing impact of illicit drugs, new forms of crime, family violence, the high representation of young and Indigenous people in our criminal justice system as well as those from ethnic communities, shifts in community perceptions and attitudes to safety and consumer protection. Our newest challenge is in social regulation to ensure gambling is conducted responsibly throughout Victoria.

No single agency or service within this wider system can work in isolation. It is only through working strategically and cooperatively that we can deliver the desired outcomes in the most cost effective way, and ensure the health of the whole justice system.

It is the shared challenges of the justice system which creates unique opportunities for partnerships. This year many of our achievements have been the result of partnership with a range of agencies.

This cooperative approach is nowhere better demonstrated than in the response to the bushfires which swept through the state's north east and Gippsland in early 2003. The Office of the Emergency Services Commissioner (OESC) provided streamlined reporting on the fires to the Premier and Minister for Emergency Services. The staff of Victoria Police as well as staff and volunteers of Victoria

State Emergency Services (VICSES) provided crucial support to the lead agencies, Country Fire Authority and the Department of Sustainability and Environment.

The Department worked in partnership with Victoria Police, VicRoads and the Transport Accident Commission to play a crucial part in enhancing road safety during the year. The extensive enforcement activities carried out by the Department contributed to significant improvements in road safety, in particular in metropolitan Melbourne, where there has been a 25 per cent reduction in road fatalities.

Another significant achievement in 2002–03 was the management of a massive construction program worth \$153 million to deliver new police stations, courts and prisons as well as other major justice facilities. I'm delighted that such an extensive program met both its budget and scheduled construction timelines for the year.

The Department continued to make improvements to the way it does business during the year. Considerable foundation work occurred to establish both Corrections Victoria, a single business unit to provide a seamless and integrated management of the correctional system, and a new victims services agency, to provide services to victims of crime. Both will become operational in 2003–04.

The Portfolios of Racing and Gaming were added to the Department following Machinery of Government changes in December 2002. The Department established the Office of Gaming and Racing which has undertaken extensive work to consolidate and streamline gaming legislation and is responsible for delivering the Government's Racing Program.

These achievements show the ability of the Department to adapt – to create new operational strategies to respond to the challenge at hand – a capability which is, I believe, essential for the modern public sector.

The Department of Justice will continue to build these capabilities to meet the challenges of the future.

I would like to acknowledge the work of former Secretary of the Department, Peter Harmsworth. Peter established a strong capability in the Department for strategic planning and organisational management and improvement which stands us in good stead today. It is a pleasure to move into an organisation which is so well equipped for the future.

Finally and most importantly, I would like to acknowledge the work of 4,770 staff and approximately 5,500 volunteers in the Department. This report will inevitably reflect some but not all of their valuable work.

A handwritten signature in black ink, appearing to read 'Penny Armytage'. The signature is stylized and fluid.

Penny Armytage
Secretary

The Justice Ministers

The Department services four Ministers responsible for six ministerial portfolios. The Parliamentary Secretary to Justice supports all Justice Ministers.



The Hon. Rob Hulls, MP
Attorney-General



The Hon. André Haermeyer, MP
Minister for Police & Emergency Services,
Minister for Corrections



The Hon. John Lenders, MP
Minister for Consumer Affairs

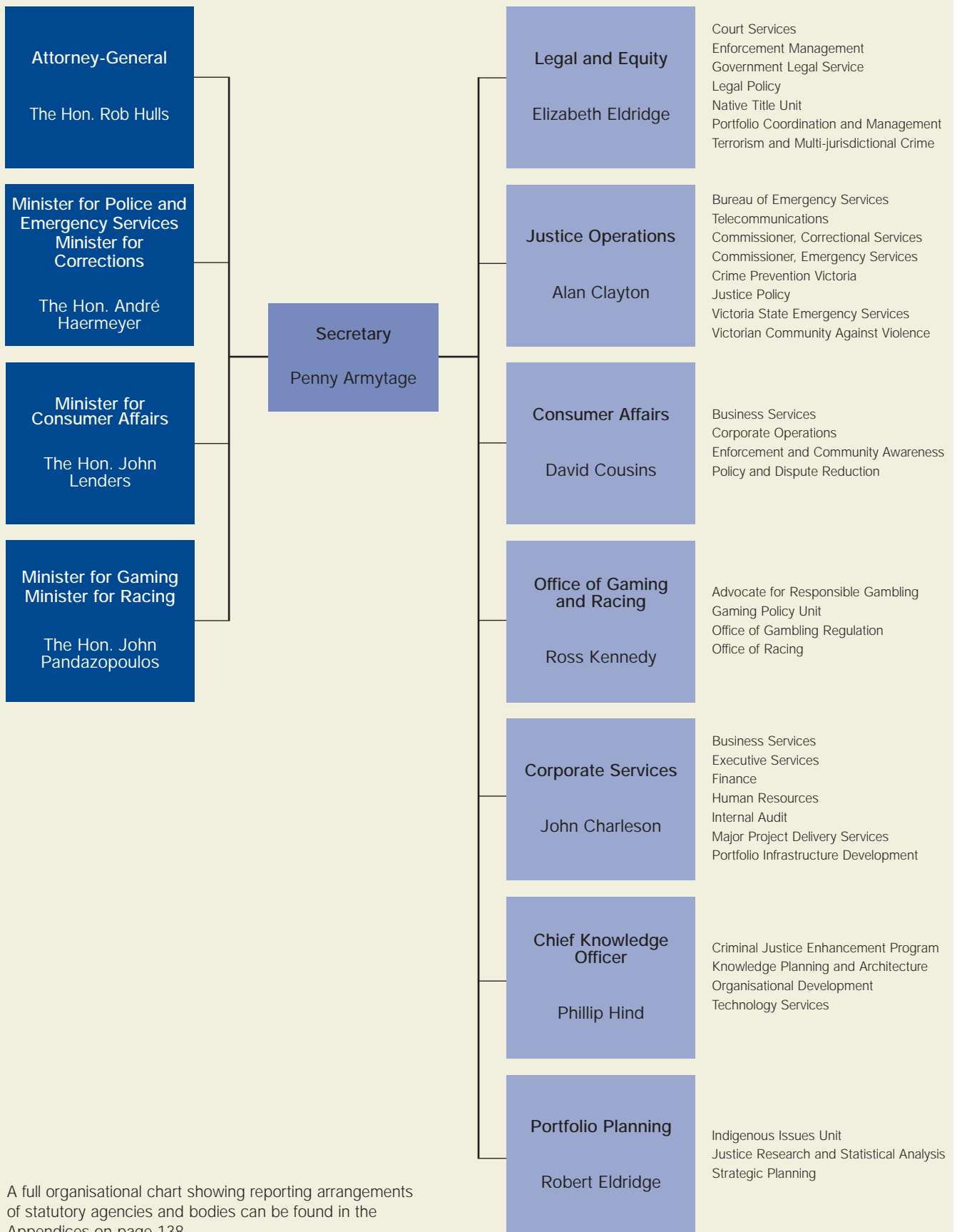


The Hon. John Pandazopoulos, MP
Minister for Gaming, Minister for Racing



Ms. Jenny Mikakos, MP
Parliamentary Secretary, Justice

Organisational chart



A full organisational chart showing reporting arrangements of statutory agencies and bodies can be found in the Appendices on page 138.

The Justice Executive



Justice Executive Committee members: (left to right) Mr Phillip Hind, Chief Knowledge Officer; Ms Elizabeth Eldridge, Deputy Secretary, Legal and Equity; Dr David Cousins, Deputy Secretary, Consumer Affairs Portfolio Group; Ms Penny Armytage, Secretary; Mr Rob Eldridge, Assistant Secretary, Portfolio Planning; Mr John Charleson, Deputy Secretary, Corporate Services; Mr Alan Clayton, Deputy Secretary, Justice Operations; Mr Ross Kennedy, Director, Office of Gaming and Racing.

Departmental Executive Committee

Ms Penny Armytage, Secretary

As Secretary, Ms Armytage is responsible for the administration of the Department and ensuring compliance of Justice Portfolio agencies and bodies with broad Government policy.

Mr John Charleson, Deputy Secretary, Corporate Services

The Deputy Secretary for Corporate Services supports Departmental Business Units by providing essential corporate services such as human resource and financial management and executive and business services for the Department. Mr Charleson is also responsible for coordinating key corporate activities such as budgets, and capital planning across the wider portfolio.

Dr David Cousins, Deputy Secretary, Consumer Affairs Portfolio Group

The Deputy Secretary, Consumer Affairs provides leadership to Consumer Affairs Victoria (CAV) which delivers information, advice and consumer protection services; licenses and registers certain classes of business; and provides advice and support to the Minister for Consumer Affairs. The Consumer Affairs Victoria portfolio group includes an auspicing role to the Business Licensing Authority, the Patriotic Funds Council, the Defence Reserves Re-employment Board, Estate Agents Council and the Prostitution Control Advisory Committee. Trade measurement and liquor licensing are new functions added to CAV during 2002–03.

Mr Alan Clayton, Deputy Secretary, Justice Operations

The Deputy Secretary, Justice Operations oversees the implementation of major Government policy initiatives and projects in crime prevention, justice policy and correctional services and provides support to the State's emergency management arrangements. The position has an auspicing role for statutory authorities and judicial and quasi-judicial bodies including Victoria Police, Police Appeals Board, Metropolitan Fire and Emergency Services Board, Country Fire Authority, Adult Parole Board, Victorian Emergency Management Council, the Victorian Community Council Against Violence and Emergency Communications Victoria.

Ms Elizabeth Eldridge, Deputy Secretary, Legal and Equity

The Deputy Secretary, Legal and Equity provides leadership for Legal Policy, Court Services, Enforcement Management, the Victims Referral and Assistance Service, the Native Title Unit and Government Legal Services. The position has an auspicing role for a number of boards, statutory bodies and administrative offices including the Office of the Equal Opportunity Commissioner, the Office of the Public Advocate, the Office of Public Prosecutions, the Legal Ombudsman, the Legal Practice Board, Victoria Legal Aid, the Victorian Institute of Forensic Medicine, the Victorian Law Reform Commission and the Privacy Commission.

Mr Rob Eldridge, Assistant Secretary, Portfolio Planning

The Assistant Secretary, Portfolio Planning provides leadership in strategic planning and research, coordinates the portfolio's Expenditure Review Committee processes and implements of the Aboriginal Justice Agreement. The Assistant Secretary ensures that Ministers and executive management are able to monitor the operation and performance of the overall justice system.

Mr Phillip Hind, Chief Knowledge Officer

The Chief Knowledge Officer provides leadership, strategic direction and oversees knowledge and information management across the Department. This includes the implementation of the Department's electronic service delivery strategy with management of the Department's Internet and Intranet sites and the Criminal Justice Enhancement Project.

Mr Ross Kennedy, Director, Office of Gaming and Racing

The Director, Office of Gaming and Racing provides leadership for the Government's Responsible Gambling Policy; regulatory measures to respond to problem gambling; monitors policy advice to gaming regulatory agencies; and provides policy support to the Minister for Gaming and the Minister for Racing. As a focal point for industry and community, the Office provides support to the Advocate for Responsible Gambling, which was established to promote responsible gambling and coordinates the activities of the Problem Gambling Roundtable and its workgroups.

While the gaming and racing portfolios were added to the Department following Machinery of Government changes in December 2002, this report includes details of racing and gaming activities for the full 2002–03 year.

Key achievements 2002–03



The new \$6.9 million State and Central Region Headquarters for the Victorian State Emergency Services in South Melbourne.

Photo by Trevor Mein Courtesy of H2O Architects.

Objective One: Maintain and enhance the confidence of Victorians in their personal safety and reduce their fear of crime

- Launch of new state-of-the-art \$6.9 million Victoria State Emergency Services (VICSES) Headquarters in South Melbourne in September 2002.
- Laws to deal with terrorism were strengthened to enhance police powers, create new risk management obligations for operators of essential services and enable new federal powers to apply in Victoria.
- A large-scale awareness campaign was designed and run to reduce the demand and supply of weapons in the community.
- Emergency Communications Victoria (ECV), a new state body responsible for emergency call-taking and dispatch in Melbourne and greater Geelong, commenced operation on 4 September 2002.

Objective Two: Reduce the incidence of violent crime in targeted areas

- Twenty-four new police facilities were opened including major new stations at Bacchus March (\$3.9m); Belgrave (\$4.3m); Kew (\$7.1m); Moe (\$4.6m) and new Water Police facility (\$3.3m).
- Legislation was passed to strengthen controls over handguns and increase police powers to search for weapons.
- Over \$1.02 million worth of programs to reduce offending and violence by young people began, in collaboration with the Departments of Education and Training and Human Services.
- The first report of the Victorian Family Violence Database was released showing the nature and extent of family violence in Victoria and pilot Family Violence Prevention projects began in Brimbank and Shepparton.
- Community Safety Week was expanded to Community Safety Month and delivered over 700 activities, involving over 500 organisations throughout the State.

Objective Three: Reduce Victoria's road toll

- Enhanced enforcement contributed to a reduction in road fatalities. In metropolitan Melbourne, where enforcement increased significantly, there was a 25 per cent reduction in road fatalities.
- PERIN Court dealt with a 33 per cent increase in the number of infringements registered for parking, driving and litter offences.
- Forty-eight New Sheriff's Officers were recruited and trained.
- A \$46.5 million contract was renegotiated with Tenix Solutions Pty Ltd to provide operational support of enforcement activities to Victoria Police.

Objective Four: Improve Victorians confidence in the legal and courts system

- A \$4.8 million expansion and refurbishment of Heidelberg Law Courts which includes four new court rooms was launched in August 2002.
- Work commenced on three major new courts including a \$27.5 million court and police complex in the Latrobe Valley; a \$15.2 million court for Warrnambool and a \$16.5 million court for Mildura.
- New panel arrangements for 33 new private law firms to deliver legal services to Government commenced.
- Legislation was passed to establish the Sentencing Advisory Council to conduct research into sentencing, analyse sentencing statistics and stimulate balanced public debate on sentencing issues.
- The Judicial College of Victoria was launched to provide ongoing formal education and training for Victoria's judges and magistrates.

Objective Five: Improve access to justice services, particularly to legal aid, victim support services and alternative dispute resolution

- The Victims Referral and Assistance Service responded to over 44,000 calls for assistance and facilitated access to counselling for 7,736 victims who were 95 per cent satisfied with the quality of service.
- Laws were changed to enable interim orders for special financial assistance to be made to victims of crime and to childhood victims of sexual assault.

- The Latrobe Valley Rights Centre was launched to provide core services from the Equal Opportunity Commission, the Dispute Settlement Centre of Victoria and the Office of the Public Advocate.
- Forty-two new mediators were trained to deliver services to the Syrian, Eritrean, Iraqi, Sudanese, Lebanese, Cambodian, Chinese, Greek, Horn of Africa, Italian, Spanish and Vietnamese communities.
- Forty-three mediators were trained to resolve planning disputes in local government areas of metropolitan Melbourne.

Objective Six: Ensure that matters in the courts and tribunals are finalised within the respective elapsed time benchmarks

- The first report on sentencing statistics and trends for the County and Supreme courts since 1997 was released. 8,200 cases from 1997–98 to 2001–02 were analysed, and a 34 per cent increase in the total number of defendants sent to prison and an increase in the length of sentences for certain crimes noted.

Objective Seven: Reduce offending and reduce re-offending rates and the number of prisoners returning to prison

- Project management of an extensive prison infrastructure program has continued with the delivery of 397 new beds including 297 permanent and 100 temporary beds throughout the prison system.
- The Victorian Pilot Bail Advocacy and Support Service Program diverted 540 defendants charged with low level non-violent offences to appropriate support services.
- A range of pre- and post-release accommodation, health and employment programs were delivered to support the successful re-integration of prisoners into the community.
- Programs were delivered to improve cognitive skills, target violence and treat sex offenders and drug addiction among prisoners.
- Ongoing training in motivational interviewing, the use of assessment tools and cognitive skills program was provided to staff to support cultural change.
- Increased capacity by Community Correctional Services to manage offenders through increase in staffing and offices.

Objective Eight: Improve access to human rights protection services in targeted areas

- Launched pilot Koori courts in Shepparton in September 2002 and Broadmeadows in March 2003 to apply mainstream law in a more flexible way for Koories.
- Achieved a landmark in-principle agreement with the Wotjobaluk people to settle the largest native title claim in the Wimmera region of Western Victoria.

Objective Nine: Improve access to consumer protection services particularly for vulnerable groups

- Mandatory labelling requirements for ethanol-blended petrol came into operation in May 2003.
- Changes to fair trading laws enhance the powers of Consumer Affairs Victoria to temporarily suspend business licences or obtain cease-trading injunctions, issue warnings to the public and require traders to substantiate product claims.
- A new Consumer Service Charter developed in close consultation with stakeholders and consumers establishes new targets for quality and efficiency of services.
- A sweep of 380 Victorian-based websites checked compliance against consumer protection provisions.
- Action was taken against a major bank for failing to comply with the *Credit Act 1999* with a penalty of \$5.25 million imposed and \$1.65 million in compensation to customers.
- Consumer protection services to consumers from culturally and linguistically diverse communities were enhanced through bilingual tenancy advice, community education and multi-lingual information campaigns.

Objective Ten: Ensure responsible management and regulation of gaming and racing activities

- A new executive position was created for an Advocate for Responsible Gambling to ensure information exchange between the community, the gambling regulator and Ministers.
- A review of governance of gambling regulation led to a proposal for a new Commission for Gambling Regulation which will replace and simplify existing gambling regulatory arrangements. The new Commission is part of legislative reforms to be introduced into Parliament in late 2003.
- A range of responsible gambling reforms began including: a requirement for proper lighting to be put in place in gaming venues; for player information to be made available; the introduction of a maximum bet limit of \$10; a ban on \$100 note acceptors and autoplay facilities on electronic gaming machines; and a limit on any reduction in spin rates below their current level.
- The Jockey Retirement Fund was launched to improve long-term financial security and welfare of jockeys, attracting strong industry support and national and international interest.
- Horse Alert Victoria was launched to provide the Victorian horse industry with effective prevention and emergency management for equine disease outbreaks and provide a plan for business continuity and recovery.
- Funding of \$3.75 million was secured to relocate the existing Australian Racing Museum to Federation Square in Melbourne's CBD and position Victoria as an undisputed national leader in the promotion of racing.

Achievements with our partners 2002–03

These are some of the ways the Department works with its partners in the wider portfolio, the community and the rest of the Government.

IT to join-up the justice system

- The Department continued to lead the Criminal Justice Enhancement Program (CJEP), a major information technology project which began in 1999, to link the vital parties across the Victorian justice system including police, courts, legal professionals and corrections. In 2002–03, 'Court Connect' was introduced in the County Court providing free 24-hour Internet access to selected civil case data and reducing the number of hard copy files accessed by counter staff by 40 per cent.

Work with Victoria Police

- The Department provided strategic planning and coordinated investments for the construction of 24 new police facilities in 2002–03.
- Police were provided with online access to over 60,000 offender images for members at all police stations throughout Victoria through the Criminal Justice Enhancement Program. A pilot trial of E-Justice software for processing accused persons was extended to the Glen Eira District of Victoria Police.

Work with courts

- Video-conferencing facilities were introduced at Horsham and Bairnsdale courts. All circuit courts throughout Victoria now have access to this technology.
- The Department consulted extensively with court jurisdictions to achieve a commitment to the joint development of a Court Administrators Qualification, an accredited qualification for staff working as court registrars.
- The Department continued to participate in the development of the Courts Strategic Directions to identify strategic goals for the court system. The document will complement the Justice Statement, a ten-year strategic vision for the Attorney-General's portfolio.

Work with business and industry

- The Department worked with Racing Victoria and the Victorian Jockey Association to ensure delivery of the Jockey Retirement Fund Package to improve the long-term financial security of jockeys.
- Sweeping legal reforms were implemented to help make the laws of negligence more certain and predictable and resolve problems with the availability and affordability of public liability and professional indemnity insurance.
- A range of industry development seminars, licensee forums and advisory workshops were conducted throughout the State to promote the responsible serving of alcohol and minimise the harm of alcohol.
- Legislation was proclaimed to improve the viability of Victorian racecourse bookmakers by enabling them to form partnerships and restricted companies.
- New regulations came into operation in December 2002 to make it mandatory for oil companies, fuel importers and distributors to base the price of certain wholesale sales of fuel on the volume of the fuel measured at the Australian standard temperature of 15°.

Work with the rest of Government

- Several pilot projects were launched, in collaboration with the Departments of Human Services and Education and Training, to reduce truancy, target early school leavers, enhance life skills among young offenders and help young offenders access appropriate social support services. The projects are part of a \$1.02 million package of initiatives aimed at reconnecting young people to supportive learning environments.
- The Department, through Consumer Affairs Victoria, initiated national discussions with its counterparts in other states and territories aimed at establishing a uniform regulatory approach to the broking industry. Victoria is also taking the lead in developing a national credit over-commitment policy.
- New arrangements began in July 2002 for delivery of legal services to Government with 33 private law firms selected to make up a panel of providers. The panel delivers significant efficiencies to Government and ensures social dividends to the community through contractual obligations which require firms to deliver pro bono legal services and comply with equal opportunity practices.

Work with our partners in emergency management

- The Department, through the Office of the Emergency Services Commissioner (OESC), initiated and established a new group to provide a forum for municipal emergency management staff from across Victoria. The group met five times during 2002–03.
- A contract was signed with Motorola to supply a Mobile Data Network (MDN) to enable communications between Emergency Communications Victoria and terminals in emergency service vehicles and offices. MDN is part of the Statewide Integrated Public Safety Communications Strategy (SIPSACS), a multi-agency approach to delivery of superior emergency response technology.
- The Department implemented extensive changes to laws dealing with terrorism offences and to close any gaps in the application of new federal terrorism laws, including changes to strengthen police powers and impose new obligations on operators of essential services. The Department also took a lead role in developing a nationally coordinated approach to law enforcement powers dealing with cross-border crime.

Working with our communities

- Four meetings were held of the Problem Gambling Roundtable comprising 25 representatives from community and industry, set up to facilitate exchange between the community, industry and Government on current gambling service delivery strategies and approaches to problem gambling.
- The Department supported the work of the Aboriginal Justice Agreement and its six Regional Aboriginal Justice Agreement Committees (RAJACs) comprising Indigenous and non-Indigenous people working collaboratively on locally-based social justice issues. In 2002–03, the Department coordinated and monitored the overall effectiveness of the 60 initiatives being delivered across Victoria under the Agreement.
- The Latrobe Valley Rights Centre was launched in October 2002 to address some of the social needs identified by the Latrobe Valley Ministerial Taskforce. The Centre delivers services for the Equal Opportunity Commission, the Office of the Public Advocate and the Dispute Settlement Centre of Victoria.



A CFA tanker keeps watch on fires coming over the top of Mount Fraser. The fire was 20 kilometres from the town of Omeo. Photo by Simon O'Dwyer, The AGE.

Tackling Problems Early

The Department of Justice aims to improve the safety and confidence of Victorians wherever they live or work.

We are working at preventing crime and violence, we are responsive to emerging issues and we continue to explore new solutions to long-standing challenges.

Preventing crime

Together the Department of Justice and Victoria Police provide statewide leadership in the prevention of crime in our streets, homes and workplaces to make Victoria a safe place to be.

The overall cost of crime to the Victorian community is estimated at around \$4 billion per annum – for economic loss and physical injuries; the cost of insurance; emergency services such as police, fire and ambulance; and the costs of the wider justice system, including courts and correctional services.

While Victoria's crime rate has been well below the national average for the last decade – 22.6 per cent below in the 2002 calendar year – many in our community are still concerned about becoming a victim of serious crime.

After consulting, analysing and reviewing the nature and extent of crime in Victoria, the Department, through its business unit, Crime Prevention Victoria (CPV), developed the *Safer Streets and Homes* Strategy, a statewide framework for preventing crime and violence, which was launched by the Minister for Police and Emergency Services in April 2002.

One of the strengths of *Safer Streets and Homes* is the way it establishes partnerships with Victoria Police and a broad range of local, State and Federal Government and community agencies to deliver a wide range of programs. The Victorian Government provided \$6 million in September 2001 for application over three years to support the implementation of the strategy.

Safer Streets and Homes identifies three key themes.

- Improving Safety in Streets and Neighbourhoods.
- Preventing Family Violence – Safety in the Home.
- Reducing Offending and Violence by Young People.

Significant progress has been made throughout the reporting year in delivering activities targeting each of the themes.



Senior Constable Peter Stefaniw from Victoria Police joins local youth from the City of Port Phillip during Community Safety Month in October 2002, to encourage them to channel their artistic talent into community-based outdoor art projects.

Improving Safety in Streets and Neighbourhoods

In 2002–03, activities focused on improving safety in the places people go about their business: neighbourhoods, local shopping areas and transport hubs. Examples included the following.

- Initiatives to reduce and remove graffiti.
- A large-scale community education campaign designed to reduce the demand and supply of weapons in the community and increase understanding of the changes to the *Control of Weapons Act 2000*. The campaign targeted young people, retailers and suppliers of weapons.
- The development of Safer Design Guidelines to ensure safer design principles are embedded into local planning frameworks to be launched in late 2003.
- Delivery of training on safer design principles: to Office of Housing staff to apply to the redevelopment of public housing estates; and to Victoria Police to influence environmental design strategies.

Preventing Family Violence – Safety in the Home

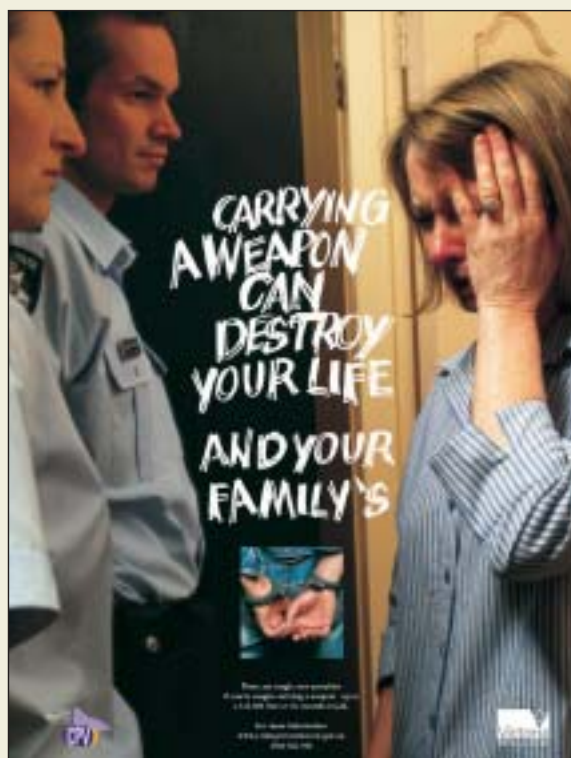
Family violence – behaviour which is violent, threatening, coercive or controlling – can occur in any kind of intimate relationship, but the overwhelming majority of victims are women and children. In 2002–03, several important programs sought to tackle family violence.

- The Family Violence Prevention Pilot Projects were launched by the Minister for Police and Emergency Services, André Haermeyer in Brimbank, and by the Minister for Community Services, Sheryl Garbutt, on behalf of Minister Haermeyer, in Shepparton in February 2003. The projects implement and evaluate a coordinated community model to prevent and intervene early in family violence.
- Research into 'Women's Experience of Crime and Safety 2002' was finalised and published. The research provides statistics on the incidence and effect of crime against women and provides evidence on which programs can be properly targeted.
- A program of consultation with employer and employee organisations and peak sector bodies was introduced to raise awareness of family violence and the potential for prevention through education in the workplace.

Reducing Offending and Violence by Young People

Young people, more than any other group in our community, are more likely to come into contact with the justice system – particularly police.

Safer Streets and Homes aims to reduce youth offending by strengthening the capacity of families to manage young people's life transitions, and improving young people's experience of school and vocational training. By focusing young people on their own development, diversion programs are proving valuable in getting vulnerable young people back on track.



A campaign designed to reduce the demand for and supply of weapons ran from August 2002 to March 2003 featuring the theme 'Carrying a Weapon Can Destroy Your Life and Your Family's'. It ran in the mainstream media and targeted 10 community groups including Arabic, Chinese, Croatian, Greek, Italian, Macedonian, Serbian, Somali, Turkish and Vietnamese.

The Department is working with the Department of Education and Training, Department of Human Services and community-based agencies to deliver a \$1.02 million package of initiatives aimed at reconnecting young people to supportive learning environments, pilot vocational training programs and support young offenders in accessing the right services.

Programs begun in 2002–03 include the following.

- Three Truancy Reduction Pilot Projects which were launched as part of the Reconnecting Youth package. The projects, in Werribee/Hoppers Crossing, Gippsland and Mildura, work closely with local schools and agencies to target young people aged 10–14 years with the aim of getting them back to school or other supportive learning environments.
- Three Early School Leavers Pilot Projects were established which target young people from 12–15 years who are subject to non-custodial Juvenile Justice Orders and excluded from, or who are not attending school. Projects were established in the northern and western suburbs of Melbourne, Frankston and the Mornington Peninsula.

- The Branching Out Program in Maroondah was also established and provides life skills and vocational training to young offenders aged 17–25 years on community-based orders. The Department worked closely with the local council and Kangan Batman TAFE to deliver the program which was evaluated by Turning Point Pty Ltd. The program will be extended to Wodonga in 2003–04.
- The Music and Young People Program targets high-risk students aged 15–17 years and was established in the western metropolitan region. It works with students currently in school who require extensive support services from a range of Government and welfare organisations and aims to engage them in the music industry.
- The Arrest Referral Program was extended to the City of Ballarat and Darebin/Plenty Valley during the year and continued in the City of Yarra. The program aims to reduce offending by helping young offenders at the point of police arrest to access services including housing, health, drug and alcohol and income and welfare support services, and assists offenders to meet court conditions.
- An expansion of Community Safety Week to become Community Safety Month. The month featured a major theme each week including: Crime Prevention Week; Emergency Services Week; Injury Prevention Week; and Business and Community Safety Week. Over 700 activities were held across Victoria involving 500 organisations ranging from local government, State Government, service providers to community groups.
- The Department, in partnership with the Australian Institute of Family Studies (AIFS), released a report on 'Patterns and Precursors of Adolescent Antisocial Behaviour' based on a large longitudinal study of Victorian children who are now young adults. The research was conducted collaboratively by the Department and AIFS and provides valuable Victorian evidence to direct future program development for early intervention and prevention.
- The Crime Prevention Knowledge Bank went live on 30 June 2003. The Bank is an online resource for police and other practitioners as well as community members engaged in community safety and crime prevention work.

As well as these initiatives, work also began on the development of an Independent Person Youth Diversion Pilot Program to address the over-representation of young offenders from newly arrived and refugee communities. The pilot is being developed in conjunction with the Centre for Multicultural Youth Issues and the Youth Affairs Council of Victoria and will provide a trained volunteer able to attend police interviews with young people under 17 years of age, enhance access to legal advice services and the establishment of a regional youth justice network.

Other crime prevention programs

In addition to targeting the three main themes of *Safer Streets and Homes*, other projects have been designed to support the crime prevention efforts of Victoria Police, local government and other crime prevention practitioners. They include the following.

Collaboration with other agencies engaged in crime prevention continued throughout 2002–03 with the Department maintaining strong links with Victoria Police and a range of councils, community organisations and other bodies at local, State and Federal Government levels looking at a range of key crime issues. The Department provides support at a national level to the Australian and New Zealand Crime Prevention Officers' Forum which supports the Australian and New Zealand Ministerial Crime Prevention Council in the development of a national crime prevention agenda. At a State level, the Department supports the Ministerial Crime Prevention Council which advises the Minister on matters of contemporary interest. During 2002–03, the Council finalised advice for the Minister for Police and Emergency Services on graffiti management, the carrying of weapons and confident living for vulnerable groups.

Ensuring the law keeps pace with changing community expectations

Our law reform agenda is responsive and progressive.

Improving personal and public safety

In 2002–03, a number of reforms were introduced to ensure laws relating to personal and public safety remained in step with the needs and views of the community.

Control of weapons

The *Firearms (Trafficking and Handgun) Control Act 2003* significantly strengthens controls over access to handguns throughout Australia and in Victoria and was passed by Parliament in May 2003. The *Control of Weapons and Firearms Acts (Search Powers) Act 2003* was also passed in May 2003. This legislation lowers the threshold at which a police officer is justified in conducting a search of a person without warrant in a public place for a weapon or firearm. It also includes a corresponding increase in accountability measures on police before and after a search.

The new Australian Crime Commission (ACC)

The *Australian Crime Commission (State Provisions) Act 2003* passed in June 2003 provides for the operation of the new Australian Crime Commission in Victoria and complements related Commonwealth legislation which establishes the ACC, a national crime-fighting body with a strong intelligence focus. It collects and analyses criminal intelligence, sets national criminal intelligence priorities and conducts intelligence-led investigations of national significance.

Increasing protections against stalking

The Crimes (Stalking) Bill 2003 was introduced into Parliament in early 2003. The Bill expands the current definition of stalking to include online stalking, and removes the requirement that the victim be aware of the stalking behaviour in order for it to be an offence. The Bill also gives the current stalking provisions extra-territorial operation so that they apply to people from overseas or interstate who stalk a victim in Victoria, and to people in Victoria who stalk a victim overseas or interstate.

New computer crimes offences

The *Crimes (Property Damage and Computer Offences) Act 2003* commenced in May 2003 and introduces offences for unauthorised access to, or modification of computer data, possession of data with intent to commit a serious computer offence, and unauthorised access to restricted data. The Act also incorporates penalties for bushfires and sabotage. The new offences are based on the national Model Criminal Code, which promotes a more consistent approach across Australia to these serious crimes.

Controlling sex tourism in Port Phillip

Sex tourists who cruise the streets of St Kilda and abuse or harass street sex workers and residents are now subject to on-the-spot fines under the new *Summary Offences (Offensive Behaviour) Act 2003*. The Act was passed by Parliament in May 2003 and implements one of the key recommendations made by the Attorney-General's Street Prostitution Advisory Group, which was established in response to community and stakeholder concern about the level of street prostitution in the City of Port Phillip. The new offence will apply to areas declared and gazetted by the Attorney-General.

Resolving problems with insurance

In 2002–03, the Victorian Parliament made sweeping changes to laws to help resolve problems with the availability and affordability of public liability and professional indemnity insurance.

The changes make the law of negligence more certain and predictable. They impose a reasonable burden of responsibility on individuals for their actions while continuing to protect the interests of those who suffer injury, loss or damage.

Consistent with the insurance focus of the reforms, the Victorian Minister for Finance has been responsible for the implementation of tort law reform in Victoria. However, where Acts being amended are within the responsibility of the Attorney-General, the Department has contributed to the development of the reforms.

Key reforms contained in the *Wrongs and Other Acts (Public Liability Insurance Reform) Act 2002* passed in October 2002 and the *Wrongs and Limitation of Actions Act (Insurance Reform) Act 2003* passed in June 2003 include the following.

- A reduction in the period of time within which it is necessary to take court action for damages for personal injury or death. The limitation does not apply to people with a dust or tobacco-related injury as these diseases often go undetected for many years. A new limit will also apply to general damages in personal injury cases.
- New provisions to ensure courts take into account whether the plaintiff was intoxicated by alcohol or drugs at the time they incurred injury or whether the plaintiff was engaged in illegal activity.

- Caps have been placed on damages awards for economic and non-economic losses and there will be a limit on damages allowable for gratuitous attendant care, to cover the costs of care provided free of charge by relatives and friends. Where more than one person is responsible for purely economic losses, the court can assess the liability of each defendant based on their relative responsibility. The changes allow for the structured settlement or payment of a damages award in the form of an annuity.
- Acts of good faith are now given greater protection. 'Good Samaritans' are provided with immunity from civil proceedings. Community volunteers can no longer be held personally liable for anything done or not done if the act was in 'good faith', liability is transferred to the community organisation. Businesses are provided with an immunity where they donate safe food.
- Recreational service providers will be able to ask a participant to sign a waiver to limit their liability for damages for personal injury or death.
- The use of apologies is encouraged by ensuring that they, and the waiver of fees otherwise payable for a service, does not amount to an admission of liability or responsibility.

Early intervention

We get involved early to ensure responsible controls on industry and proper protections for the community.

Promoting responsible gambling

Gaming refers to all legal forms of gambling on games of chance in Victoria such as electronic gaming machines, lotteries, casino table games and Keno. Gambling activities also include wagering on racing or sport.

While the gaming industry provides entertainment and employment, the Government is seeking a more balanced approach to gambling to better protect individuals, families and the community from the harm of problem gambling.

The Department of Justice works in partnership with the Department of Human Services to ensure responsible gambling activity in Victoria. The Department of Justice is responsible for gambling policy and monitoring and regulation, while the Department of Human Services carries primary responsibility for problem gambling intervention and services.

Reforms

In 2002–03, a wide range of measures came into force to ensure more responsible regulation of the gaming industry.

Some of the outstanding regulations proposed in the *Gambling Legislation (Responsible Gambling) Act 2000* became operational. The new regulations require:

- proper lighting to be put in place in gaming venues
- player information be made available
- all new gaming machines introduced from 1 January 2003 to display the odds of winning and a running tally of time and money spent by the player. All gaming machines will be required to comply with these requirements by 2008.

The *Gaming Legislation (Amendment) Act 2002* was passed in June 2002 and a number of measures in the Act came into operation in 2002–03 and these include:

- the introduction of a maximum bet limit of \$10 and a ban on \$100 note acceptors and autoplay facilities on electronic gaming machines
- a limit on any reduction in spin rates below their current level
- limits of \$200 per transaction are in place at ATMs in gaming venues along with a ban on the withdrawal of cash from credit accounts. Winnings in excess of \$2,000 are now required to be paid by cheque.

Other changes which commenced on 1 July 2003:

- clubs and hotels which have gaming machines must provide the community with information on the contribution they make to the community

- clubs and hotels which offer gaming machine loyalty schemes must issue player activity statements at least once a year showing each member their individual spending on gaming machines and warnings about the risks associated with gambling. From 1 January 2004, the activity statements will have to include reminders about players' ability to set and change loss and time limits.

Advocate for Responsible Gambling and the Problem Gambling Roundtable

Another key development in 2002–03, was the creation of a new executive position within the Department for an Advocate for Responsible Gambling to promote responsible gambling. The Advocate will be a conduit for information and exchange between stakeholders, the Minister for Gaming and the Government. The Advocate will take a leadership role in the sector, chairing the Problem Gambling Roundtable, working closely with the gambling regulator and providing a clear channel for Government to hear community concerns about gambling.

The Problem Gambling Roundtable facilitates full and frank discussion between the Advocate, Ministers and stakeholders on current service delivery strategies and approaches to problem gambling. Approximately 25 representatives from community groups and a range of industry stakeholders participate in the Roundtable which is supported by a range of issue-specific working groups on community education, early intervention, counselling and family support, ethnic community strategies, voluntary codes of conduct and the impact of gambling on the general community.

The Roundtable is co-chaired by the Ministers for Gaming and Community Services and attended by the Department of Human Services (DHS). In 2002–03, there were four meetings of the Roundtable in August, September and October 2002 and in April 2003.

The Department provides secretariat support for the Advocate for Responsible Gambling, and in turn supports and coordinates the activities of the Roundtable and its workgroups.

Gambling research

Victoria has taken a leading role in gambling research to ensure Victoria has the best information available to inform policy. The Department provides secretariat support to the Gambling Research Panel (GRP), which is an independent statutory body that commissions and publishes research into the social and economic effects of gambling and problem gambling and strategies to minimise harm from problem gambling.



The Victorian Government has teamed up with the Western Bulldogs Football Club in a unique community partnership as part of the 'Think of What You're Really Gambling With' communication campaign. Community Services Minister, Sherryl Garbutt and Gaming Minister, John Pandazopoulos with Western Bulldogs Football Club players (from left) Chris Grant (Captain), Rohan Smith, Scott West, Brad Johnson and Luke Darcy.

In 2002–03, GRP's research program included 13 separate research projects. Two were completed in the performance year and include a tracking study involving problem gamblers, their families and counselling service providers, and a project focusing on venue self-exclusion programs. Other projects are in progress or have been put out for tender. The GRP reports to Parliament and further information on its work can be found at www.grp.vic.gov.au.

The Department also provides secretariat services for the National Gambling Research Program and in 2002–03 developed a comprehensive database of Australian gambling research and contributed substantially to the development of a Memorandum of Understanding between the Commonwealth, States and Territories to enable funding arrangements for the program to be put in place.

Emerging consumer issues

E-commerce and m-commerce

E-commerce has grown rapidly in recent years and m-commerce, the use of mobile phones to conduct transactions via high-speed connection to the Internet, has arrived in Australia. The regulation of these new technologies presents new challenges and requires a national approach to ensure States and Territories have appropriate powers and extra-territorial laws. The

Department, through Consumer Affairs Victoria (CAV), is working toward achieving appropriate regulation of e-commerce and m-commerce trading.

Through its leadership of a national Ministerial Council on Consumer Affairs Working Party, CAV is considering initiatives to ensure standards of fair trading apply. In particular, in 2002–03, the working party examined the potential introduction of web 'seals of approval' to give consumers confidence in online transactions. It also considered the likely impacts of m-commerce through the development of a Discussion Paper which explores issues of privacy and security, the impact of direct marketing through SMS, and credit over-commitment for young people.

The Discussion Paper was circulated to industry and consumer stakeholders for comment.

Other key activities to enhance protection of consumers online included the following.

- A sweep of 380 Victorian-based websites to check compliance against a number of consumer protection provisions. Ninety-six motor car traders and 15 travel sites were found to have breached legislative requirements. Enforcement activity commenced against those traders and the findings will be used for future policy development.

- CAV launched the only State Government site in Australia with a section dedicated to providing consumer-related information and links relevant to the online consumer at <www.consumer.vic.gov.au/> e-commerce and launched ShopSafe at <www.consumer.vic.gov.au/shopsafe> a web-hosted tool which guides web-users through a series of examples and tips about how to shop safely online.
- The Department convened an international conference 'New Directions for Consumer Protection in a Changing Environment' in September 2002 with consumer advocates from the UK, USA and Canada as well as local and interstate representatives.

Credit and finance

The level of personal debt has risen significantly in recent years. The Australian Prudential Regulatory Authority (APRA) reported in 2002 that brokerage commissions for credit and finance are currently valued in excess of \$800 million per annum and in December 2002, according to the Reserve Bank, Australians owed nearly \$23 billion on credit cards alone.

In 2002–03, the Department, through Consumer Affairs Victoria (CAV), conducted significant prosecutions of credit and finance providers on behalf of consumers including the following.

- Action was taken against a major bank which failed to comply with the *Credit Act 1984*. In December 2002, Victorian Civil and Administrative Tribunal made orders against a major bank to pay a penalty of \$5.25 million, together with \$1.65 million in compensation to identified customers, for issuing approximately 250,000 personal loans that did not comply with the Credit Act. These loans failed to disclose matters such as insurance commissions, certain fees and charges, the correct amount financed and/or multiple interest rates. This penalty sends a clear message of corporate compliance to all financial institutions.
- Four finance brokers were prosecuted for charging up front fees without credit being obtained, resulting in fines of \$10,700.

An analysis of consumer enquiries and complaints relating to finance brokers was undertaken throughout 2002–03 to identify issues and provide an evidence-base for reforms to the sector. The findings indicate ongoing problems with the charging of illegal up front fees, lack of disclosure of the full range of fees and commissions, and lack of transparency in many finance brokers dealings.

While complaint handling, investigations and prosecutions immediately strengthen consumer protections, this work also provides significant insight into the strengths and weakness of regulation across a range of industry sectors, and generates vital evidence for systemic or structural reform.

With its knowledge of the pitfalls for consumers in relation to credit and finance, the Department initiated national discussions with counterparts in consumer protection

agencies in other states and territories aimed at establishing a uniform regulatory approach. The meetings brought about an agreed set of principles for practical uniform regulation of the broking industry. Victoria has also agreed to Chair the National Uniform Credit Code Management Committee and take the lead in developing a national credit over-commitment policy.

Other major activities focusing on consumer credit and finance issues in 2002–03 include the following.

- Development work began on an education campaign to inform consumers of a new comparison rate for fixed term credit which became available on 1 July 2003. The legislative provision will help consumers compare the true cost of credit from various providers by calculating the total cost of one-off and ongoing fees and charges. The requirement is set out in the *Consumer Credit Code (Amendment) Act 2002*.
- In response to increasing public concern, guidelines were developed to eradicate undesirable and illegal debt collection practices. New standards in debt collection are expected to be introduced in 2003–04.
- A conference 'Credit, Debt and the Consumer' was held for consumer representatives from Victoria and interstate, peak industry bodies, financial counsellors, credit providers and finance brokers.



Minister for Consumer Affairs, John Lenders addresses the conference 'Credit, Debt and the Consumer' held in Melbourne in March 2003.



A consumer signs a credit contract.



In 2002–03, Michael Wheelahan (right), the Director of Gaming Policy Unit, was a key member of a team that undertook a full-scale review of gaming and gambling legislation and the governance arrangements for gambling in Victoria.

Sarah Harvey (left), Project Manager, Gambling Legislation Review, led the development of the Gambling Regulation Bill which amalgamates eight existing Acts into one, and replaces the current complicated regulatory structure with a new Commission for Gambling Regulation. The Bill is expected to be passed in 2003–04.

Enhancing Access to Justice

The Department of Justice is helping to create a strong community which is inclusive and treats people equally.

Promoting access and equity

Orienting policies and programs to those with special needs is one of our greatest achievements in 2002–03 and is one of our biggest commitments for the future.



The Attorney-General, Rob Hulls, is pictured with students from Broadmeadows Secondary College following a forum 'Refugees, Human Rights and the Australian National Identity' held on World Refugee Day on the 20 June 2003 at Parliament House. Speakers at the Forum included: Attorney-General, Rob Hulls; Julian Burnside, QC; broadcaster and journalist, Peter Mares; and history academic, Professor Stuart Macintyre.

The State Government recognises that diversity in our cultural backgrounds, languages and abilities are some of Victoria's greatest strengths.

Victorians speak more than 180 languages and dialects. Nearly one in five Victorians (over 900,000 people) speaks a language other than English at home.

Like all citizens, people with disabilities make a unique contribution to the community. They, more than many others, are likely to be vulnerable and need the support of a strong community. Women and young people have also traditionally had less say on the issues which matter to them.

The Victorian Government has a number of policies and strategies governing the way it delivers services to special needs groups and the Department of Justice strives to deliver justice services in an equitable manner so that they are accessible to all groups in the community.

The Department reports on progress and the quality of its service delivery in this area. It works closely with agencies which address discrimination and prejudice, providing administrative and policy support to independent agencies in the wider Justice Portfolio such as the Equal Opportunity Commission, the Office of the Public Advocate and Victoria Legal Aid.

Enhancing access to justice for those with a disability

People with disabilities often experience disadvantage, prejudice and barriers others do not. About 26 per cent of people with a disability live below the poverty line and are more likely to be vulnerable to exploitation and abuse.

The Victorian Government's State Disability Plan 2002–12 ensures people with disabilities receive fair treatment in all aspects of their daily life. The Department of Justice is implementing the Government's plan by developing a three-year Disability Action Plan.

Disability Action Plan

Work continued throughout 2002–03 on the development of the plan which will ensure the Department provides equitable access to its services and just treatment of people with disabilities. A Justice Disability Policy Committee has been established with representation from Department of Human Services to support development of the plan. Consultation with peak disability organisations and other significant stakeholders has begun. The plan is expected to be completed in December 2003.

Guardianship and Administration (Amendment) Act 2002

On 1 January 2003, changes to the *Guardianship and Administration (Amendment) Act 2002* became effective, improving the legal arrangements for making a decision on behalf of a person with a disability, in relation to their medical and dental treatment. The changes improve the effectiveness of services provided by the Office of the Public Advocate and the Victorian Civil and Administrative Tribunal for people with a disability who are under a guardianship or administration order. Prior to the introduction of these changes, an education campaign was conducted by the Departments of Justice and Human Services and the Office of the Public Advocate, aimed at the legal profession, the medical profession, community sector organisations and other affected parties.

Review of compulsory treatment and care of people with an intellectual disability

In July 2002, a Discussion Paper was released by the Victorian Law Reform Commission (VLRC) considering how Victorian law should regulate the care and treatment of people with intellectual disabilities or cognitive impairments without their consent, when their behaviour places them or others at risk of harm. The Discussion Paper is a response to a reference given to VLRC by the Attorney-General on 21 December 2001 to review existing provisions and laws and make recommendations on the development of an appropriate legislative framework which would outline the principles and objectives under which compulsory care and treatment would occur. It outlined relevant options for custody or restraint, admission and review of such options. The Attorney-General also asked the Commission to consider the process for transfers between the criminal justice system and disability services.

Ongoing programs

A range of other ongoing services was provided by the Department during 2002–03 to ensure people with intellectual disability, mental health issues and cognitive impairments are not disadvantaged. Some of these include the following.

- The Magistrates' Court has a Disability Coordinator to assist the court in sentencing and managing defendants with a disability. The coordinator provides information and advice to the court on a person's social and institutional background, treatment history and family and support networks.
- A joint initiative between the Sheriff's Office and the Magistrates' Court has been established to address the number of people with disabilities or 'special circumstances' who incur a variety of multiple infringements. Work done by the Department revealed 124 defendants who had incurred 20 warrants or more each and found all of them had an inability to pay the penalties due to special needs. The court has the discretion to revoke enforcement orders in 'special circumstances' to ensure people are not inappropriately placed in custody or that people unsuitable or indeed incapable of performing community work are not placed on such orders.
- A \$537,000 upgrade and refurbishment to Wangaratta Court was completed in June 2003 to ensure it provides access for people with a disability. The upgrade included the installation of a lift between the ground and first floors and construction of a new jury pool room at ground level with wheelchair access.
- In prisons, Port Phillip and Loddon Prisons contain specialist units that provide accommodation for prisoners with an intellectual disability or other special needs such as acquired brain injury.
- The Department provides sex offender programs to special needs offenders in both prison and the community, and is currently adapting cognitive skills programs and violent offending programs.

Enhancing access to justice for women

The Victorian Government's Women's Safety Strategy is a five-year plan that addresses women's safety in both public and private domains. In particular, a key part of the strategy is a focus on family violence.

The Department delivers justice services to Victorian women in line with the Government's priorities and has designed a number of initiatives which focus on prevention and early intervention in domestic disputes to improve safety in the home for women and children.

In addition to its crime prevention activities, in 2002–03, the Department undertook a range of projects to enhance women's safety and access to justice services.

Victorian Family Violence Database

Released in August 2002, the first report from the Victorian Family Violence Database provides a picture of the nature and extent of family violence in Victoria. Key findings indicate that approximately 80 per cent of adult victims seeking assistance from police and courts are women; women represent over 95 per cent of clients seeking assistance from women's refuges and outreach services; and women aged between 20–44 years were most likely to seek assistance of all kinds. The report also found that 80 per cent of people committing family violence were male. Additional reports of data have also been provided to key stakeholders to inform service planning and policy development.

Family violence – men's behaviour change programs

A four-year pilot program targeting men subject to intervention orders for family violence was launched as part of the Women's Safety Strategy in July 2002. In 2002–03, a reference group of key stakeholders was established to provide advice and direction on program development. The group met twice in May and June 2003. The program will enhance the safety of women and children by tackling men's criminal and non-criminal abusive behaviour toward family members. Magistrates will have the power to direct men subject to an intervention order under section 5(1)(g) of the *Crimes (Family Violence) Act 1987* to attend a men's behaviour change program, subject to eligibility criteria. The project will establish appropriate services for men in both metropolitan and regional Victoria, and services will also be made available to women and children affected by men's violence.

Family Violence Court

In November 2002, the Government allocated \$5.2 million over four years to establish a Family Violence Court as a division of the Magistrates' Court of Victoria. The court is designed to enhance the safety of people affected by family violence – particularly women and children. Consultation began in 2002–03 with stakeholders and other State Government departments and agencies on the development of an appropriate model for the court. It will be designed to bring specialist expertise and targeted resources together to improve the response of the criminal justice system to family violence, and ensure the court works in an integrated way with Government agencies which provide support including policing, housing and health services. A special emphasis will be placed on ensuring equitable access to the court for members of Victoria's culturally and linguistically diverse communities.

Review of the Crimes (Family Violence) Act

On 1 November 2002, the Attorney-General referred the *Crimes (Family Violence) Act 1987* to the Victorian Law Reform Commission (VLRC) for review. The Commission has been asked to consider a range of issues, including whether the Act is based on a coherent philosophy and whether its approach to family violence is the best approach available in Victoria. The terms of reference also ask the Commission to identify any procedural, administrative, and legislative changes to ensure that the Act provides the best available response to the problem of family violence.

Enhancing access to justice for Koories

There are just over 25,000 Koories in Victoria making up 0.5 per cent of the Victorian population. Just over half (52 per cent) of Victoria's Indigenous population live outside metropolitan Melbourne.

Native title claims

The Victorian Government recognises that addressing native title claims is a major part of reconciliation with Koori people.

In Victoria, the long history of dispossession means it is difficult for Indigenous people to meet the high standards of proof required for a native title determination. Wherever determinations cannot be reached, the Government seeks to settle claims through negotiations of Indigenous Land Use Agreements which recognise claimants' cultural links to land.

On behalf of the Government, the Department of Justice coordinates the whole-of-Government approach to resolving native title claims throughout Victoria through compliance with the *Native Title Act 1993* and through mediation and negotiation.

In 2002–03, significant progress was made on a number of claims.

Wotjobaluk

In October 2002, the Victorian Government achieved a landmark decision for an in-principle agreement with the Wotjobaluk native title claimants to settle their claim in the Wimmera region in Western Victoria. The Wotjobaluk native title claim, lodged in 1995, is the largest in Victoria and covers almost one million hectares of Crown Land and involves 438 registered respondents, including 300 farmers.

Under the in-principle agreement, the Wotjobaluk and the Government are seeking a Federal Court determination recognising the Wotjobaluk's non-exclusive native title rights under the *Native Title Act 1993* to hunt, camp, fish and gather along Wimmera River reserves. No native title rights would be recognised in the remaining claim area. The legal rights of all other parties would be affected.

If agreed, the negotiated outcome would recognise the Wotjobaluk's strong cultural connection to a broader 'core' area (approximately 250 sq kms) of the Wimmera district. Within this core area, cooperative management arrangements would be established over Little Desert National Park and other culturally significant Crown Land, and the Wotjobaluk would have a greater role in protecting their cultural heritage, including through a consultative process with respect to major developments in the area. Three parcels of Crown Land totalling 45 hectares of particular cultural significance to the Wotjobaluk would be transferred to them in freehold, and they would receive financial support including capital start-up funds and ongoing administrative support. While local government has come out in support of the



Representatives from the Department of Justice attended a mediation conference for the Wotjobaluk native title claim in the Wimmera region of Western Victoria on 17 March 2003.

Photo courtesy of the National Native Tribunal.

agreement, the State and the Wotjobaluk are still awaiting a response from other parties. All parties must consent before the Federal Court can be approached to make the proposed determination of native title.

Yorta Yorta

In September 2002, negotiations commenced between the Victorian Government and the Yorta Yorta people over their native title land claim lodged in 1994. The Department of Justice took the progressive step of appointing Tony Fitzgerald, QC to negotiate the claim in May 2002. The claim covers the Murray-Goulburn region of Victoria and extends into NSW. The commitment of the Victorian Government to negotiate with claimants outside the legal framework of the *Native Title Act 1993* is unparalleled at a national level. The appointment of Mr Fitzgerald came several months before the High Court determination that native title does not exist in the Yorta Yorta claim area and continues irrespective of the verdict. Negotiations are now aimed at establishing cooperative management arrangements over key areas of interest to the Yorta Yorta including the Barmah State Forest. The Department of Sustainability and Environment and Aboriginal Affairs Victoria have assisted the Department of Justice in the negotiations which are continuing.

Other native title claims

Work continued throughout 2002–03 on a number of other native title claims. In particular, a timeline for mediation of the Gournditch-Mara native title claim in south west Victoria between the Grampians and Portland was agreed to by the parties in August 2002, with claimants now in the process of providing information to assist their claim. Mediation continued through the year on the Robinvale native title claim for approximately 480 square kilometres near Mildura in north west Victoria and on the Wadi Wadi claim, a small area encompassing the Nyah Forest on the Murray River between Robinvale and Swan Hill.

Aboriginal Justice Agreement

Indigenous Victorians are now 12 times more likely to be imprisoned than non-Indigenous Victorians and the Victorian Government is committed to addressing the disadvantage and inequality in the treatment of Indigenous Australians.

The Department, through the Indigenous Issues Unit, monitors the implementation principles and initiatives of the Aboriginal Justice Agreement (AJA) which aims to address the over-representation of Koori people in the criminal justice system and promote their involvement in the administration of justice.

The Department supports the work of six Regional Aboriginal Justice Agreement Committees (RAJACs) which have been established to bring Indigenous and non-Indigenous people together to develop locally based Social Justice Plans and respond to local issues. The six RAJACs have generally met bi-monthly throughout 2002–03.

RAJACs report to the Aboriginal Justice Forum comprising ten senior representatives from Koori communities and the heads of Victorian Government departments and agencies. The Forum met twice during the 2002–03 year, once in Melbourne in September 2002 and Traralgon in April 2003.

The Department is responsible for coordinating and monitoring the overall effectiveness of the 60 initiatives being delivered under the Agreement. The initiatives involve individual business units within the Department of Justice, agencies from the wider Justice Portfolio and other State Government departments including the Department of Human Services and the Department for Victorian Communities.

Koori Court

The most significant achievement under the Agreement in 2002–03 was undoubtedly the launch of Victoria's first pilot Koori courts in Shepparton in September 2002, and Broadmeadows in March 2003.

These courts apply mainstream law in ways which are more flexible and appropriate to Koories and adopt a more team-based approach to the administration of justice. While magistrates are the ultimate decision makers in court, they have the benefit of an Indigenous Elder/Respected Person to advise on cultural and social matters and an Aboriginal Justice Worker to assist with case management. The team also includes an Indigenous Community Corrections Officer, a dedicated police prosecutor and defence lawyers.

While the court is being formally evaluated by independent researchers, the informal evidence to date has been overwhelmingly positive. Of the 99 defendants who have appeared before Shepparton and Broadmeadows courts to 30 June 2003 only one had re-offended. A third Koori court is expected to start in Warrnambool in late 2003.

Aboriginal Liaison Officer in the Magistrates' Court

2002–03 was the first full year of service for the new Aboriginal Liaison Officer in the Magistrates' Court. The officer assists Indigenous defendants and victims of crime, provides advice to magistrates and other members of the community on cross-cultural issues and addresses several recommendations of the *Royal Commission into Aboriginal Deaths in Custody*. An evaluation of the service conducted in early 2003 found support for the program and recommended it continue.



Wally Cooper performs a smoking ceremony at the Shepparton Law Courts prior to the launch of the pilot Koori court in September 2002.

Social Justice Plans

Another major achievement during 2002–03 was the launch by the Attorney-General of the first regional Social Justice Plan under the Aboriginal Justice Agreement, in Gippsland in April 2003. The plan was developed, produced and is owned by the local community and addresses issues of concern such as education, family violence, youth unemployment and training, drug and alcohol use, housing and relationships with Victoria Police. Considerable work has gone into the development of a further five Social Justice Plans for Loddon Mallee, the Grampians Region, Barwon South West, Melbourne metropolitan and Hume. These plans are due to be launched early in 2003–04.



Koori court magistrate, Mr Bob Kumar (right), Respected Person, Joyce Cooper (centre) with Koori Justice Worker Terri Stewart (left) at Broadmeadows Koori court. Magistrates remain the ultimate decision makers in the court, but have the benefit of an Indigenous Elder/Respected Person to advise on cultural and social matters and an Aboriginal Justice Worker to assist with case management. Pilot courts commenced in Shepparton in September 2002 and also in Broadmeadows in March 2003.

Community Initiatives Program

Throughout 2002–03, the Community Initiatives Program (CIP) continued to fund the research and development of community-based projects. A major focus of the program is the underlying causes of crime among Koori youth, and during 2002–03, 25 per cent of CIP funds were directed towards sporting programs and 33 per cent were directed towards youth-related activities and enterprises designed to reduce offending and re-offending.

At 30 June 2003, 21 projects had been funded across Victoria. Some of the highlights from the programs are as follows.

- The Little Bacchus Night Patrol in Mildura was established to deal with Indigenous youth congregating in the local CBD after hours.
- The Indigenous Youth Research Project, also in Mildura, examines the specific needs of Koori youth in relation to sport.
- 'Bidga – Old Fellas Young Fellas' Program in Robinvale was established to provide meaningful activities for older and semi-retired Koori men.

More about CIP can be found in *Koori Justice*, a bi-annual newsletter on the Aboriginal Justice Agreement.

Indigenous Consumers Unit

As part of a strategy to enhance consumer protection for Koories, an Indigenous Consumer Unit with three Indigenous officers was established within Consumer Affairs Victoria (CAV) in 2002–03 to provide advice and information on specific issues and referrals. The unit will conduct education programs to raise awareness of consumer rights and responsibilities and enhance protection of Koori consumers.

Reducing re-offending among Koories

During 2002–03, significant progress was made on initiatives to reduce re-offending among Koori offenders and prisoners.

- Two Aboriginal Official Visitors were appointed to visit and report on Victorian prisons to the Minister for Corrections. A further five Aboriginal Official Visitors will be sought in 2003–04.
- A project group endorsed an initial outline for a program and residential facility providing an alternative to imprisonment for Aboriginal offenders subject to community-based orders. The project received \$1.75 million in capital funding. \$82,000 was provided for development costs from the Victorian Aboriginal Justice Agreement.
- Recruitment began for the appointment of the first Indigenous Community Corrections Officers to provide more culturally appropriate supervision and management of Koori offenders. Six officers will commence duties in late 2003. The officers will supervise Koori offenders, maintain links with Aboriginal community organisations and support the Koori courts established in Shepparton and Broadmeadows.

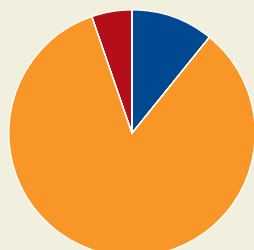
Ongoing initiatives

In addition to the major projects achieved under the Agreement, significant ongoing work occurred in 2002–03.

- The Aboriginal Justice Forum took the first steps to reviewing the implementation of recommendations from the 1991 *Final Report of the Royal Commission into Aboriginal Deaths in Custody* on a whole-of-Government basis. This is the first time in Victoria that Koori community members have, through steering committees, participated in the Review process. Following analysis of the response of Government agencies', it is proposed that a series of focus groups will examine critical issues affecting all members of the Koori community, including Koori prisoners and the Victorian Aboriginal Legal Service (VALS), and in particular, issues relating to alcohol and drug addiction, gambling, chronicling and family violence.
- Seven new Koori Bail Justices were appointed, taking the total number of Koori Bail Justices to 20 across the State. Bail Justices work on a voluntary basis to determine whether a person arrested should be remanded in custody or released on bail, and to determine applications for interim accommodation orders under the *Children and Young Persons Act 1989*.
- The second annual Indigenous Community Justice Awards were held as part of Reconciliation Week in May 2003 and recognised 14 people ranging from Indigenous community leaders to five police officers and an Appeal Court judge. Both Koori and non-Koori recipients were recognised for their outstanding contribution to improving Indigenous justice outcomes.
- Wur-cum barra, is a whole-of-Government Indigenous Employment Strategy, designed to increase Koori employment across all levels in the Victorian Public Sector. It includes a goal to employ 230 additional Indigenous staff in on-going positions by July 2005. The Department of Justice has agreed to target 50 of these 230 appointments. In 2002–03, the Department appointed 14 Indigenous people to ongoing positions across the portfolio, taking the total number of appointments of Indigenous people under Wur-cum barra to 19. Under its recruitment and development strategy, the Department has also offered two additional Koori Tertiary Scholarships to Indigenous tertiary students bringing the total number of awarded scholarships to 18. It also delivered 18 Indigenous Cultural Awareness Training Programs, published a hard-copy calendar targeting job seekers which profiles Indigenous staff within the Department and conducted career development activities for Indigenous staff.

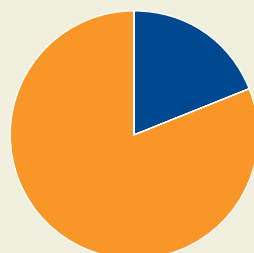
Enhancing access to justice for offenders

Offenders in Victoria by country of birth at 30 June 2003



	Number
Non-English speaking country of birth	818
English speaking country of birth	6,354
Country of birth unknown	400

Prisoners in Victoria by country of birth at 30 June 2003



	Number
Non-English speaking country of birth	703
English speaking country of birth	3,011

A number of prisoners and offenders in Victoria are from non-English speaking backgrounds.

Work continued throughout 2002–03 on these projects.

Reducing breaches of community orders in the Indo-Chinese community

In 2002–03, a Community Correctional Services (CCS) Program was expanded to target Indo-Chinese offenders and improve the completion rate of non-custodial correctional orders. The program provides ethno-specific support and counselling via Community Correctional Services (CCS) offices in Dandenong, Sunshine, Hume, Reservoir, Ringwood, Carlton and Oakleigh.

Language services

Ongoing translation services are provided to prisoners from diverse backgrounds. Prison information is translated and prisoners with a limited proficiency in English are entitled to access a registered interpreter at no cost. The interpreter is provided to assist with prison orientation, disciplinary hearings and consultations with medical staff or professional visitors.

The Office of the Correctional Services Commissioner (OCSC) is currently examining the introduction of English language tuition in prisons. The program will be made

available to prisoners considered eligible for Adult Multicultural Education Program (AMEP) which provides up to 500 hours of English language tuition.

Enhancing access to justice for young people

The Government wants to reduce the level of contact young people have with the justice system, whether it is through their experience as victims of violence or as a result of their own offending.

The Department has initiated a range of crime prevention programs targeting youth which are designed to intervene early to reduce offending and violence by young people.

In addition, in 2002–03, other initiatives targeting young people or responding to the needs of young people were undertaken.

Minimising the harm of substance abuse

In June 2003, Parliament passed the *Drugs, Poisons and Controlled Substances (Volatile Substances) Act 2003* providing new powers for police to prevent chroming and substance abuse among children and young people. The powers allow police to search and seize volatile substances such as spray paint cans from children and young people without a warrant, and empowers them to detain children and young people who are at risk of causing serious bodily harm to themselves or others. Police must, as soon as practical, release the person into the care of someone responsible such as a parent, guardian or a health or welfare worker. The powers implement a recommendation of the Victorian Drugs and Crime Prevention Committee. Operational protocols are currently being developed to accompany the new powers.

Consumer education in schools

Eleven focus groups were held with secondary students in 2003 to gauge their level of consumer awareness and the impact of consumer issues. Young Australians represent a market worth \$4 billion a year, yet they generally have a low level of understanding of consumer rights. The focus groups provided vital information to guide the development of the Consumer Education in Schools Program which aims to raise awareness of consumer rights and responsibilities among secondary students. An interactive website, video and CD are among the curriculum resources to be produced for teachers and students in 2002–03.

Stuff magazine

Consumer Affairs Victoria published the third edition of *Stuff* magazine in September 2002 to provide reliable and comprehensive information about consumer rights to young people. The magazine was distributed to 58,000 school leavers throughout Victoria, providing them with advice about their rights and responsibilities as consumers, renters, car buyers and travellers. It also supplies them with valuable information on job hunting, drugs, depression, further study, dealing with the police, health and relationship issues.

Enhancing access to justice for older and more vulnerable people

There are about 600,000 Victorians over the age of 65 and this figure is rising rapidly. While some older people have good family support, for many, the reliance on community support increases with age.

While poverty is a contested term, many agree that the gap between rich and poor is widening. Most accept that there are those in our community who have become marginalised and are in need of greater support.

Figures from Centrelink and the Tenants Union of Victoria indicate that, in 2002, about 9,000 Victorians lived permanently in caravan parks or rooming houses in Victoria. The Department believes that the majority of people living in these circumstances do so for social and financial reasons.

Making tenancy laws fairer

The *Residential Tenancies (Amendment) Act 2002* was passed in late 2002. The Act defines the rights and duties of landlords and tenants, and of residents and owners of rooming houses and caravan parks, and also regulates bond management. Key changes to the laws, which take effect on 1 July 2003, are the limiting of rent increases to once every six months on 60 days notice, and the requirement that a notice to vacate without a specified reason must be given 120 days in advance rather than the previous 90 days. CAV ran a major public information campaign about the changes in 2002–03.

Latrobe Valley Rights Centre

In October 2002, the Attorney-General launched the Latrobe Valley Rights Centre, to address some of the social needs identified in the local community by the Latrobe Valley Ministerial Taskforce. The Centre is a multi-agency hub for the delivery of core services from the Equal Opportunity Commission (EOC), the Dispute Settlement Centre of Victoria (DSCV) and the Office of the Public Advocate (OPA) in collaboration with long-standing local welfare provider Anglicare. EOC provides complaint resolution services and allow individuals to lodge a complaint about personal discrimination or harassment. OPA represents people with a disability on issues including guardianship, administration, consent to medical treatment and powers of attorney. DSCV provides informal, impartial, accessible, low cost dispute resolution services relating to neighbourhood, planning, workplace and business matters.

Work continued throughout 2002–03 on the following projects.

- Reforms to 'enduring powers of attorney' (a mechanism which authorises a person to act on another's behalf) laws were introduced into Parliament during the year. The proposed reforms improve the standards for execution of documents and provides easier and cheaper options for redress. The changes will enable the Victorian Civil and Administrative Tribunal (VCAT), rather than the Supreme Court, to deal with matters relating to the execution and use of the powers. The Instruments (Enduring Powers of Attorney) Bill is expected to be passed by Parliament in late 2003.
- In April 2002, Consumer Affairs Victoria began a review of the *Retirement Villages Act 1986*. The review involves widespread consultation with stakeholders, including residents, industry and community representatives. A discussion paper was released for public consultation in July 2002. CAV is continuing to examine a range of complex issues raised in submissions to the review.

Enhancing access to justice for culturally and linguistically diverse communities

People who are new to Australia are often unfamiliar with the language, the culture and the system of Government – in particular they are unfamiliar with the justice system. Many newly arrived immigrants and refugees are also from non-English speaking backgrounds.

The Victorian Government is committed to supporting newcomers as they face the challenge of re-establishing their lives in a new country.

Through its programs, policies and services, the Department of Justice aims to respond to the needs of people from culturally and linguistically diverse (CALD) communities by helping them understand their rights and responsibilities as members of the Victorian community. The Department's Diversity Issues Unit provides strategic policy advice on a range of matters dealing with CALD communities.

In 2002–03, the Department spent an estimated \$2.3 million on providing written and verbal language services for members of Victoria's CALD communities.

To ensure members of CALD communities have a say on issues which matter to them, they are represented on many of the Department's boards and committees. The Department is in the process of developing a data system to record CALD representation.

Helping consumers from culturally diverse communities

A number of initiatives to increase protection of consumers from diverse backgrounds were delivered in 2002–03.

- Bilingual tenancy advice and inspections for both tenants and landlords were established in Arabic and Vietnamese.

- Four community educators who speak Arabic, Cantonese, Mandarin, Somali and Turkish were appointed to assist in delivering essential consumer information.
- A large-scale campaign called *New Country New Home* was run in 15 different languages providing multi-lingual information for new arrivals on finding a home in Victoria.
- In partnership with the Adult Multicultural Education Service, CAV developed *Mind Your Money: Consumer Rights In Victoria*, a publication to educate and inform newly arrived migrants with low English proficiency of their consumer rights and responsibilities.

Arabic language mediators appointed

In October 2002, 16 new mediators were appointed to work with Melbourne's Arabic community. The mediators, from Syria, Eritrea, Iraq, Sudan and Lebanon, are from a range of religious and professional backgrounds and represent the diversity of Melbourne's Arabic community. The mediators were trained by the Dispute Settlement Centre of Victoria (DSCV) in conflict management and mediation and in assisting in the resolution of disputes in schools and families.



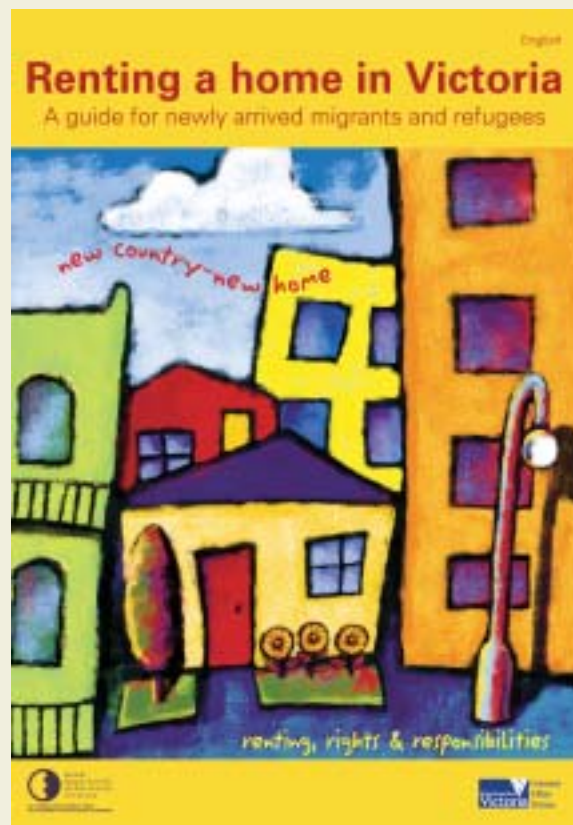
Newly trained mediators from Melbourne's Arabic community: Lena Najib (left), a Year 11 student at Moreland City College and Kay Abou-eid (right), a student at Brunswick Secondary College, both of Lebanese descent, are pictured with Teresa Zerella, (centre) Manager of the Dispute Settlement Centre of Victoria.

Ongoing initiatives

Work continued on several projects during 2002–03 to enhance access to justice services for CALD communities, including the following.

- The Cultural Diversity Project is designed to enhance access for immigrant communities to justice services through the development of a three-year plan. The project enquires into immigrant communities' knowledge, perception and interaction with justice services and the justice system and investigates cultural factors that may inhibit access. It focuses on six areas: Access to Justice Services; Prisoners and Offenders; Family Violence; Consumer Protection; Language Services and Managing Diversity. The plan will be completed in December 2003.

- Development continued on a Multicultural Justice Directory of Services detailing all services and agencies within the Department that could be of relevance to members of CALD communities. The directory will include contact details for each service, and provide a comprehensive list of peak ethno-specific organisations and services working in welfare and justice advocacy. The directory will be published in November 2003 in English, Arabic, Somali, Turkish and Vietnamese.
- The Multicultural Advisory Committee on Crime and Safety comprises representatives from the Department, community safety agencies and peak multicultural bodies, and oversees a number of crime prevention initiatives targeting diverse communities. These include the piloting of three language specific Neighbourhood Watch groups, the development of 'A Safe Start', a curriculum resource on the emergency services for newly arrived migrants, research on access to '000' by CALD groups and development of a telephone survey on crime and safety issues for Turkish and Vietnamese communities. Outcomes for these projects will be reported in late 2003.



The guide 'Renting a home in Victoria' was produced as part of a large-scale communication campaign run by Consumer Affairs Victoria providing information for new arrivals to Victoria. The campaign was run in 15 different languages.

Justice Services

The Department of Justice is part of a larger justice system. We deliver justice services and work closely with our partners to provide leadership, coordination and support for services delivered by other agencies.

The Department respects the independence of our partners in the courts and statutory agencies, and recognises that their autonomy is vital to delivering justice which is fair and free from influence.

Modernising courts and the legal profession

Creating a fair, accessible and understandable justice system and a legal system that responds to the needs of the community.

In Australia, the courts (the judiciary) are independent and separate from the executive (elected Ministers) and the Parliament (the Legislature). While Parliament makes the laws, the courts have the responsibility for interpreting and applying them. With none of these three branches of Government able to exercise total power, the 'separation of powers' provides a system of checks and balances for our democratic system.

The Department supports the work of the courts and assists them in a way that maintains their unique and separate role.

In particular, the Department supports the State's judiciary in dispensing justice by administering the ongoing operations of courts and statutory tribunals. Over 900 administrative and judicial support staff are employed by the Department to support the work of over 235 judicial officers and 149 sessional members in all jurisdictions across the State.

The Department also develops and funds a range of court initiatives and programs to ensure courts remain accessible and responsive to the needs of the community. In 2002–03, initiatives were introduced to modernise the courts and enhance the independence and professionalism of the judiciary.

Significant changes are also underway to the regulation of lawyers in Victoria and how they provide services to Government with new legislation to be introduced to Parliament in 2004.

Court Administrators Qualification

In 2002–03, the Department consulted extensively with all court jurisdictions to achieve a commitment to the joint development of a Court Administrators Qualification, an accredited qualification for staff working as Court Registrars. The qualification is intended to provide staff with a uniform standard of technical and operational competency and ensure that their specialised responsibilities and quasi-judicial powers are executed professionally. This qualification is expected to enhance the public's access to justice, improve levels of service delivery in our courts, create efficiencies in the deployment of staff between the jurisdictions, and improve the career opportunities for court staff. It is anticipated the qualification will be delivered in partnership with a Victorian tertiary educational institution.

Technological developments in the courts

In 2002–03, the Victorian Government Recording Service (VGRS) introduced a number of significant innovations into courts including video-conferencing to Bairnsdale and Horsham courts. As a result, all circuit courts throughout the State now have access to this technology. The use of digital recording technology has improved the recording, storage and transfer of sound data. Prepared transcripts are now delivered electronically to clients twice daily within 90 minutes of the court rising, regardless of location. VGRS also relocated during the year to premises which feature state-of-the-art technical infrastructure making it a world leader in the use of audio-visual technology.

Court performance 2002–03

In 2002–03, all Victoria's court jurisdictions performed strongly with most exceeding caseload targets.

- The Supreme Court is the superior court of Victoria and deals with criminal and civil cases. Mainly it deals with serious criminal matters such as murder and manslaughter, large civil actions and appeals against decisions of lower courts. In 2002–03, the Supreme Court disposed of 20,355 matters and exceeded its target for disposing of matters within 12 months of commencement by 10 per cent.
- The County Court deals with indictable offences with the exception of murder and treason. It deals with civil matters, adoption proceedings and can hear and determine change of name applications. The Court is a Court of Appeal from Magistrates' Court decisions. In 2002–03, the County Court disposed of 12,255 matters, a 9 per cent increase over its target.
- The Magistrates' Court of Victoria is responsible for dispensing a wide range of criminal and civil matters. Registrars perform quasi-judicial functions together with court staff and are responsible for the non-judicial operations of the court. In 2002–03, the Magistrates' Court of Victoria disposed of 234,266 matters, 7 per cent above its target.
- The Children's Court of Victoria has criminal and family divisions which hear and determine matters concerning children and young people under the age of 17 years, in accordance with legislation. In 2002–03, the Children's Court disposed of 14,715 matters, exceeding its caseload target by 23 per cent. The increase was, in part, due to a greater number of prosecutions for transit offences (such as travelling without a valid ticket, failure to produce a valid ticket, and failure to produce evidence of fare concession) by Victoria Police and the Department of Infrastructure.

- The Victorian Civil and Administrative Tribunal (VCAT) resolves disputes in civil matters relating to equal opportunity, discrimination, guardianship, residential and retail tenancies, domestic buildings, credit and small claims. It hears administrative appeals in relation to planning, taxation, traffic accident compensation, land valuation, occupation and business regulation and other matters and provides advisory services through various boards. In 2002–03, VCAT finalised 88,803 matters, slightly below its caseload target of 92,500 matters.
- The Coroner's Court investigates reportable deaths and fires and holds inquests in accordance with legislation and at the request of the State Coroner. The Coroner makes recommendations in relation to preventing death and injury and in the interests of public health and safety. In 2002–03, the Coroner's Court disposed of 3,042 matters, 2 per cent below its caseload target of 3,100 matters.

Sentencing Advisory Council

In May 2003, the *Sentencing (Amendment) Act 2003* was passed to establish the Sentencing Advisory Council (SAC) which will conduct research into sentencing, analyse sentencing statistics and provide information to the public and the judiciary about sentencing. The SAC will also monitor public opinion about sentencing and stimulate balanced public debate on sentencing issues. Work to establish the Council will occur throughout the coming year with commencement of its operation scheduled for 1 July 2004. The legislation also enables Victoria's Court of Appeal to issue guideline judgments, which suggest appropriate types of sentence and relevant sentencing considerations for judges, while continuing to safeguard judicial discretion and the ability of judges to take the individual circumstances of a case into account.

Sentencing statistics

Case data is required to support the work of the SAC, and in June 2003, the first sentencing statistics for the County and Supreme Courts since 1997 were released. Through its analysis of 8,200 cases handed down from 1997–98 to 2001–02, the *Victorian Higher Courts Sentencing Statistics* provide a current picture of crime and punishment in Victoria. The report found there was a 34 per cent increase in the total number of defendants being sent to prison from 748 in 1997–98 to 999 in 2001–02 with increases in the length of sentences for those found guilty of robbery, assault and serious violent crimes against a person. This indicates that the overall trend is toward tougher sentences. The report was prepared by the Department with the assistance of Melbourne University's Melbourne Criminology Research and Evaluation Unit. It is a valuable resource and will be used by the new Judicial College of Victoria and the Sentencing Advisory Council as well as a wide range of academic bodies and interest groups.

Judicial College of Victoria

In May 2003, the Attorney-General officially launched the Judicial College of Victoria. The College provides ongoing formal education and training for Victoria's judges and magistrates and will assist them to maintain a superior level of competence in a dynamic social, legal and community context. The College was established as an independent authority and the Chairperson of the College is the Hon. John Harber Phillips AC, Chief Justice of Victoria.

Improving the way we manage the proceeds of crime

The Confiscation (Amendment) Bill 2003 was introduced into Parliament in the early 2003 sittings. The Bill provides significant new powers to police, the courts and the Asset Confiscation Office (ACO) to remove profits and assets from people convicted of criminal offences. The changes reduce the thresholds at which automatic forfeiture applies and introduces new investigation tools for improving information gathering for confiscation proceedings (including court orders to freeze bank accounts).

Justice Statement and Court Strategic Directions

Work continued throughout 2002–03 on the development of a Justice Statement to provide a 10-year strategic vision for the Attorney-General's portfolio with strategies for implementation over the next five years. It is anticipated that the final draft of the document will be submitted to Cabinet in late 2003.

The Courts Strategic Directions Project complements the Justice Statement. It identifies strategic goals for the court system and provides an opportunity for Government to be engaged with the process of identifying trends and planning for the future of courts. This document has been drafted and is currently being considered by stakeholders. It is anticipated that this will be finalised simultaneously with the Justice Statement.

Providing legal services to Government

In July 2002, new arrangements for the delivery of legal services to Government began with 33 private law firms selected to make up a panel of providers. The Victorian Government Solicitor continues to provide specialist advice to Government and is eligible to compete with private firms for work.

The panel arrangement have delivered significant efficiencies to Government by ensuring information sharing between Government clients and central coordination of services. It enhances the quality of services by ensuring firms adopt model litigant principles, so that the State acts reasonably in litigation. It also enables monitoring and reporting on the quality of legal services obtained.

The new contractual obligations established by the panel provide significant social dividends to the community through the provision of pro bono legal services to disadvantaged people who would otherwise go unrepresented. Firms selected for the panel are required to deliver pro bono services equivalent to a percentage of the fees they derive from panel arrangements.

The obligations also require firms to apply equal opportunity practices in relation to employment, work allocation and briefing practices to barristers. Firms are evaluated individually against performance indicators established and agreed to during contracting and are required to report annually.

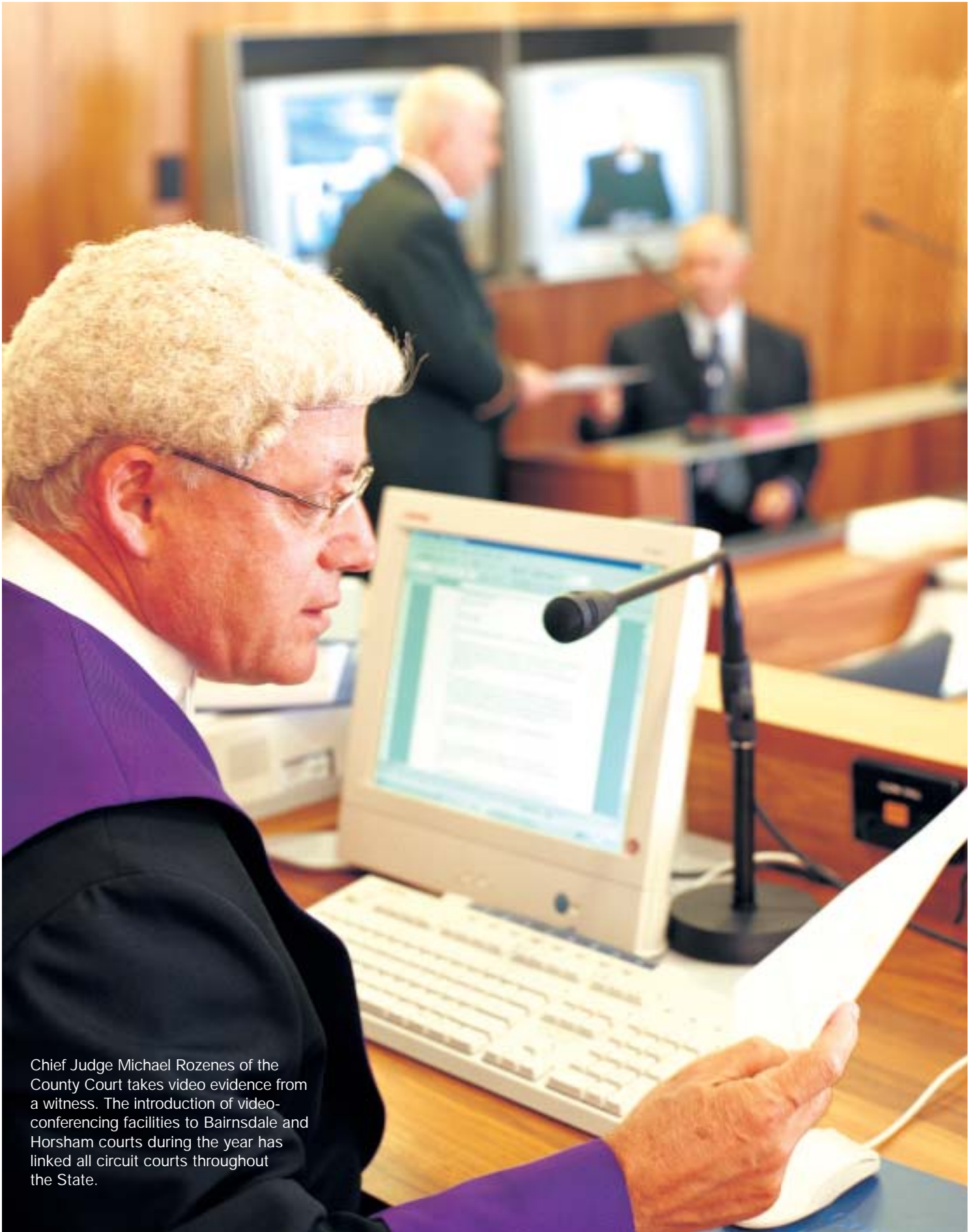
Victorian Government Solicitor competes in an open marketplace

The Victorian Government Solicitor's Office (VGSO) is an administrative office within the Justice Portfolio. While the Victorian Government Solicitor reports direct to the Attorney-General, the Department provides administrative support for the operation of the Office. VGSO reported strong ongoing demand for its services during 2002–03, the first year of competition under new centralised panel arrangements for the provision of legal services to Government. Under competition policy arrangements, the VGSO is required to charge market-related fees for its services. This year, it operated on a new fee structure and reviewed the terms and conditions by which it supplies services enabling Government clients to more easily compare services with private firms in competition for services. As well as the strong ongoing demand for services, the new fee structures led to a financial surplus for the year.

Changes to regulation of the legal profession

In 2002–03, the Attorney-General commissioned an independent audit of the alternative models for regulating the legal profession and is considering its findings. An external consultant conducted the audit which also determined costs associated with the regulation of the profession.

The audit was initiated following a Review of the *Legal Practice Act 1996*. The aim of the review was to recommend changes to the regulation of the profession in order to enhance consumer confidence in the legal system and make the profession more accountable. The report of the review was published in November 2001. It recommended establishing a Legal Services Commission (LSC) which would handle civil disputes between clients and legal practitioners and be accountable to an independent board responsible for governance and funding.



Chief Judge Michael Rozenes of the County Court takes video evidence from a witness. The introduction of video-conferencing facilities to Bairnsdale and Horsham courts during the year has linked all circuit courts throughout the State.

Complementary justice services

The Department delivers a range of justice services which support the work of the courts and provide protections and redress to our citizens.

Strengthening Alternative Dispute Resolution

Alternative Dispute Resolution (ADR) refers to processes, other than judicial decisions, in which an impartial person assists those in dispute to resolve the issues between them. While there are a range of ADR processes, including arbitration and case appraisal, the main ADR services provided by the Department of Justice, through its agency, the Dispute Settlement Centre of Victoria (DSCV), are mediation, facilitation and facilitated negotiation.

A large range of civil disputes from neighbourhood and community issues to complex organisational matters can be resolved through ADR. By helping people resolve disputes without resorting to courts or tribunals, ADR provides processes that are simpler, more informal, less costly, quicker and more accessible. The outcome is also regarded as more equitable and acceptable by those who use ADR. Over 90 per cent of DSCV's clients surveyed in 2002–03 reported they were satisfied with the outcome of their mediations.

Demand for ADR services has increased by 27 per cent in the past year from 1,596 in 2001–02 to 2,028 disputes received for resolution in 2002–03. DSCV received a corresponding increase in enquiries throughout 2002–03 with over 16,000 inquiries, an increase of 28 per cent on 2001–02 when 12,492 enquiries were received.

Clients are generally referred from Government agencies (including courts, prosecuting agencies and registering agencies), local Government and other community organisations.

This year, the Department worked with a range of agencies including the Institute of Body Corporate Managers, the Australasian Housing Institute, the Australasian Institute of Environmental Health, VicSport and the Victorian Racing Industry. It conducted workshops and forums designed to raise public awareness of ADR and conflict management.

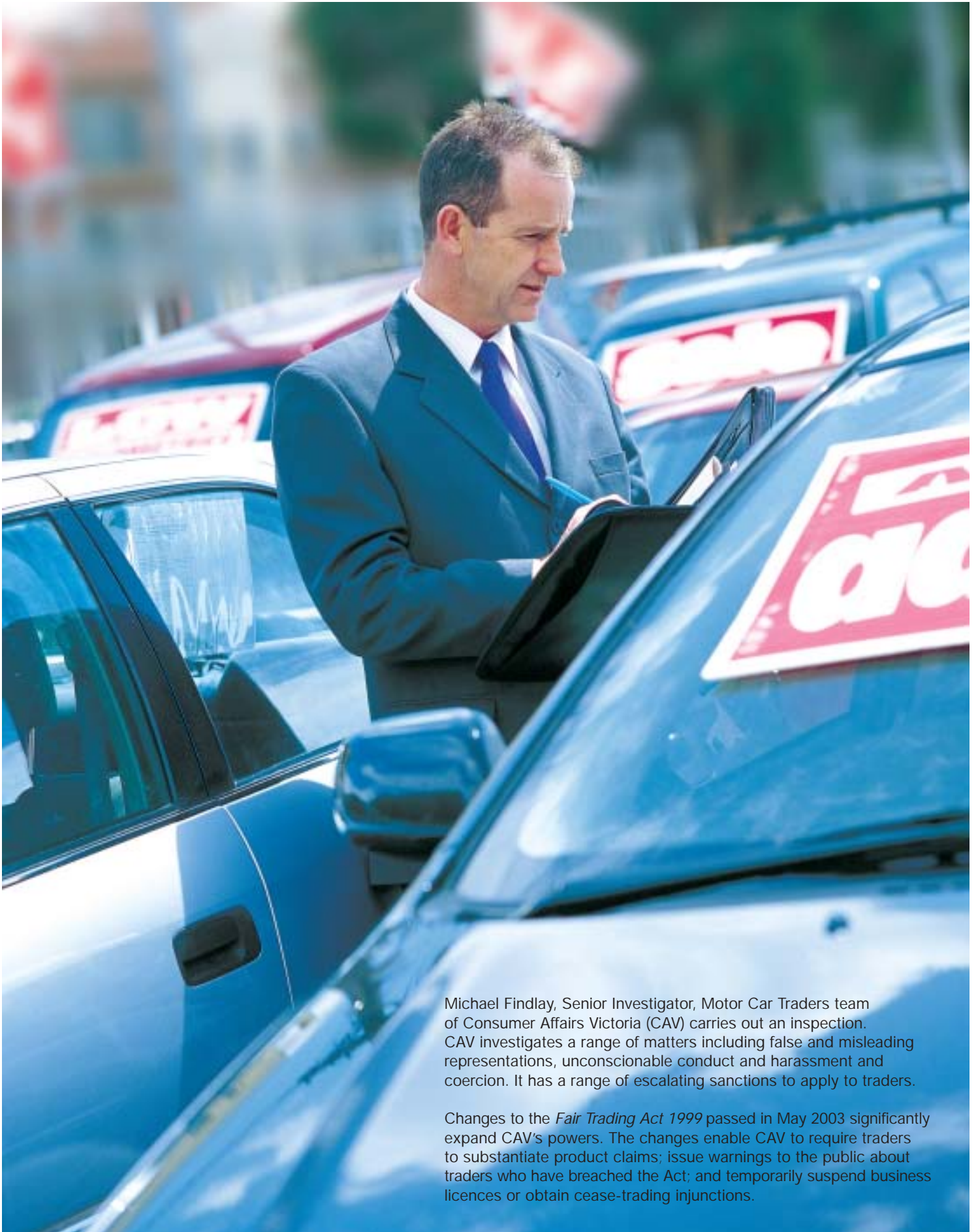
A number of initiatives to strengthen ADR were delivered in 2002–03.

- Forty-three mediators were trained in November 2002 to facilitate meetings related to planning disputes in local Government areas of metropolitan Melbourne. Mediators work with applicants, planners and objectors for the early resolution of disputes which might otherwise escalate to the Victorian Civil and Administrative Tribunal (VCAT). Eight councils started using the services in 2002–03.
- Twenty-six new metropolitan mediators from culturally and linguistically diverse backgrounds were recruited and trained in May 2003. The mediators are from Cambodian, Chinese, Greek, Horn of Africa, Italian, Spanish, Turkish and Vietnamese communities. They have been trained to provide services both to members of their own and the wider community.
- In October 2002, four Magistrates' Courts (Broadmeadows, Frankston, Sunshine and Melbourne) began referral of cases suitable for ADR to mediation. The project invited people involved in neighbourhood disputes, school and workplace bullying and nuisance behaviour to try mediation on a voluntary basis.
- In 2002–03, 12 conflict resolution workshops were held in regional Victoria to expand the role of the Rural Dispute Settlement Centre to deal with non-farming related disputes. The workshops focussed on building skills among staff in key referral agencies and in the methods and processes of managing conflict.

Substantial work was also carried out throughout 2002–03 on the development of a self-help website with information on ADR.

Support for victims of crime

The Department, through the Victims Referral and Assistance Service (VRAS), provides assistance to victims of crime to overcome the impact of crime. VRAS provides a central support, referral, and information service to victims to ensure they have access to practical and psychological support and counselling, and information about financial and legal entitlements and health and community support.



Michael Findlay, Senior Investigator, Motor Car Traders team of Consumer Affairs Victoria (CAV) carries out an inspection. CAV investigates a range of matters including false and misleading representations, unconscionable conduct and harassment and coercion. It has a range of escalating sanctions to apply to traders.

Changes to the *Fair Trading Act 1999* passed in May 2003 significantly expand CAV's powers. The changes enable CAV to require traders to substantiate product claims; issue warnings to the public about traders who have breached the Act; and temporarily suspend business licences or obtain cease-trading injunctions.

The service facilitates immediate access to crisis intervention and five free sessions of counselling with an approved psychologist, social worker, or loss and grief counsellor. It also manages services for victims throughout regional Victoria through its Victims Assistance Program (VAP). VRAS also has links with specialist victim support groups and provides policy advice on victims' issues to Government.

In 2002–03, VRAS received over 44,000 calls for assistance and facilitated access to counselling for 7,736. Clients of the service rated their level of satisfaction with the quality of service at 95 per cent.

Forthcoming reforms to the way we deliver services to victims

In July 2002, the Department began implementing the recommendations of the Review of Services to Victims of Crime Report, which was released in February 2002. A key recommendation of the review was to establish a new Victim Support Agency (VSA).

The Department consulted widely in 2002–03 with key stakeholder groups and the Department of Human Services in developing a new service model for victims of crime. Detailed work was also done in relation to demand for services and identifying best-practice models to assist the development of the new integrated service framework. Operational plans for the new VSA were developed and communication has begun with key stakeholders, service providers and other parties for the transition. The new agency will be a joint partnership between the Department of Justice which will provide system-wide policy directions and provide funding for services, and the Department of Human Services which will deliver services direct to the victims through community agencies throughout the State. The VSA will commence in 2003–04.

Other initiatives to support victims include the following.

- In June 2003, the *Victims of Crime Assistance (Miscellaneous Amendments) Act 2003* was amended to improve responsiveness of services to victims of crime. The changes allow for interim orders to be made to enable the Victims of Crime Assistance Tribunal to deal with interim applications more quickly, and to widen the circumstances in which childhood victims of sexual assault may be awarded special financial assistance. It enables the Victims of Crime Assistance Tribunal to determine a matter without a hearing in certain circumstances and empowers the Chief Magistrate to make guidelines in relation to non-procedural matters. The amendments implement some of the recommendations made in the Review of Services to Victims of Crime Report released in February 2002.

- Consultation began during 2002–03 on the establishment of a Correctional Services Victims Register with a view to preparing appropriate legislation. The Register has been proposed as an information service that will allow a registered victim to receive specific information about the person who committed the offence against them, while that offender is serving a sentence for that crime. It is anticipated that this will assist victims overcome the trauma of being a victim of crime.

Protecting consumers

The Department of Justice, through its agency Consumer Affairs Victoria (CAV) provides consumer protection and promotes responsible trading. It also provides business licensing and registration services to consumers, business and Government.

Working from its head office in Melbourne, and through its contracted agencies throughout Victoria, CAV provides advice and information to consumers on a wide range of issues from renting, building a home to buying a car, and aims to ensure that consumers and traders know their rights and responsibilities.

The key to CAV's operations is the *Fair Trading Act 1999*, which regulates trade practices, provides for the safety of goods or services, regulates sales and provides for codes of practice. It also provides the authority for CAV to conciliate disputes and carry out investigations into alleged breaches of the Act. In addition, a number of other Acts require CAV to establish compliance standards for a range of occupations and industries that are either licensed or regulated by specific legislation, e.g. motor traders, estate agents and travel agents.

Based on its work responding to consumer enquiries, complaints and investigations, CAV is able to understand, identify and put in place improvements to laws protecting consumers, or work collaboratively with industry to improve industry-based codes of practice.

Amendments to the *Fair Trading Act 1999*

In May 2003, changes to the *Fair Trading Act 1999* were passed to strengthen the power of CAV to require traders to substantiate product claims; issue warnings to the public about traders who have breached the Act; and temporarily suspend business licences or obtain cease-trading injunctions against traders who have breached the Act. The Amendment also increased the maximum penalties for most of the main offences to \$120,000 for companies and \$60,000 for individuals. It also enhances consumer rights in a number of ways, including requiring terms to be in plain English, expanding the cooling-off right and providing for fixed-term ban orders for unsafe products.

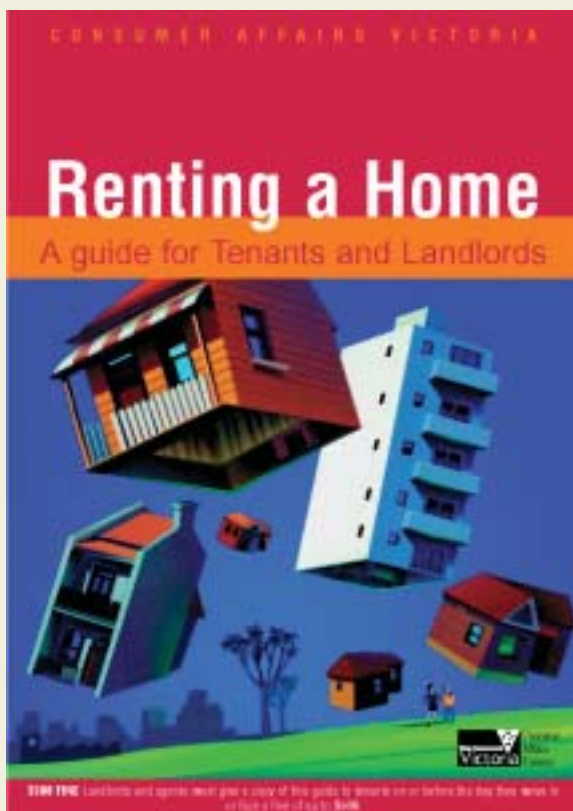
Improving the way we do business

In 2002–03, a number of improvements were made to the way CAV does its business. The most significant development was the production of a new Consumer Service Charter. CAV is committed to excellence in customer service, continuous improvement and transparency and accountability. The Charter ensures that the services delivered by CAV are relevant, meaningful and deliverable and it sets specific and measurable targets for the quality and efficiency of those services.

The Charter was developed through extensive consultation with key industry and consumer organisations and to ensure its services are equitable and address community needs. Focus groups with disadvantaged and vulnerable members of the community were held.

Other major initiatives undertaken throughout the year included the following.

- A major restructure of CAV was undertaken to accommodate Machinery of Government changes in December 2002.
- An output review of CAV's policy work and services was undertaken jointly by CAV and the Department of Treasury and Finance in 2002. The review found that CAV's outputs accord with Government priorities.



The 'Renting a Home' booklet was produced by CAV as part of a major public information campaign informing the community about changes to residential tenancy laws.

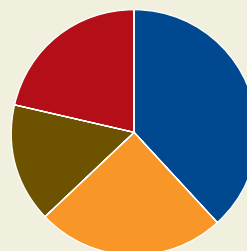
- CAV upgraded its call centre technology to introduce an automated menu-driven facility on the Interactive Voice Response System. The system has been made as efficient and user-friendly as possible and now allows clients to leave their details and have someone return their call, without losing their place in the queue. The upgrade will also ensure CAV can accommodate increased future demand.

Consumer enquiries and complaints 2002–03

In 2002–03, CAV dealt with around 470,000 Victorian consumers via its consumer Helpline, written complaints and visits to its head office and funded agencies throughout Victoria. It also received 441,000 visits to its website and 2,339 online enquiries.

The following pie graph categorises 345,000 consumer telephone calls to CAV.

Consumers telephone calls to CAV



■ Residential tenancy	38.14%
■ Household goods and product safety and standards	24.8%
■ Domestic building, real estate and accommodation	15.66%
■ Other complaints (insurance, finance and investment, motor vehicles and other transport equipment, commercial equipment and matters referred)	21.4%

Renting

In 2002–03, more than one third of enquiries received by CAV were about residential tenancies. CAV operates a Residential Tenancies Inspection Service to report on the increases, repair disputes and goods left behind by vacating tenants. It also administers the Residential Tenancies Bond Authority (RTBA), a statutory authority established by the *Residential Tenancies Act 1997*, to hold all Victorian residential tenancy bonds including those applying to long-term caravan and rooming house residents. Tenants and landlords asked CAV for advice about repairs, rent increases, breaking a lease and privacy and compensation for damage to property.

In 2002–03, the *Residential Tenancies (Amendment) Act 2002* was passed. The key changes, which take effect on 1 July 2003, include a limit to rent increases once every six months on 60 days' notice and the requirement that a notice to vacate without a specified reason must

be given 120 days in advance rather than the previous 90 days. A major public information campaign was run, from May to July 2003 informing the community about the changes.

Household products and purchases

About one quarter of all enquiries and complaints made to CAV were about household products, product safety and questionable sales practices. Many of these were about faulty goods or problems with lay-by agreements. Other calls related to difficulties getting products repaired and experiences with potentially dangerous products. Consumers often asked for advice about contract conditions. Some traders asked advice on the safety of certain products before deciding whether to import them for sale in Victoria.

During 2002–03, inspectors continued to monitor the marketplace for unsafe products and carried out a program of inspections at shows and fairs, and of retailers. The Minister for Consumer Affairs made orders, under the *Fair Trading Act 1999*, permanently prohibiting the supply in Victoria of a range of products, particularly products that caused injury, especially to small children. Detailed information about all banned products and new regulations can be viewed on the Consumer Affairs Victoria website at <www.consumer.vic.gov.au>.

Domestic building, real estate and accommodation

In 2002–03, about 24,450 enquiries and complaints were made about building or buying and selling a home. Unfulfilled contracts with builders were the major issue, but consumers also complained about construction delays, excessive deposits and unsatisfactory work. A significant portion of enquiries related to misleading and dishonest practices by estate agents during auctions, such as dummy bidding. Landlords also had many complaints about the way estate agents managed their properties.

In order to respond effectively to the needs of consumers on these issues, two customised complaint handling services have been developed to provide specialised assistance. 2002–03 was the first full year of operation for both services.

- The Building Advice and Conciliation Victoria (BACV) was established on 1 July 2002, in partnership with the Building Commission. The service provides advice to consumers and builders, conducts site inspections, carries out investigations and provides conciliation services with regard to the *Domestic Building Contracts Act 1995*, the *Fair Trading Act 1999* and the *Building Act 1993*. In 2002–03, its first year of operation, BACV received over 15,000 enquiries and 1,200 complaints, and recovered \$440,000 for consumers.
- 2002–03 was the first full year of operation for the Estate Agents Resolution Service (EARS) which provides advice, information and dispute resolution on real estate issues. The service answered about 8,700 telephone enquiries from consumers and responded to over 900 written complaints concerning the conduct of real estate agents during the year.

Key prosecutions – unregistered tradespeople

A person unregistered and uninsured as a builder was found to have entered into a non-written agreement to renovate and extend a domestic property. The so-called builder accepted cash payments of \$100,600 without providing receipts and then failed to complete the work. The consumer lost over \$70,000, but has forgone any legal action, as the 'builder' is an undeclared bankrupt. The magistrate considered the case, convicted the person and fined them \$10,000 plus costs of \$545.70.

Another unregistered tradesperson was convicted before the Magistrates' Court for accepting payment for work, which he failed to complete within reasonable time, failing to include a full business address in business documents, and for carrying on business under an unregistered business name. He was fined \$15,000 plus \$641 in costs.

Where necessary, changes are made to laws to improve the regulation of business and strengthen protections for consumers. In 2002–03, two significant changes were made.

- In June 2003, much publicised reforms were passed by Parliament to change the auction system for the sale of real estate. The changes are contained in the *Estate Agents and Sale of Land Acts (Amendment) Act 2003*. The reforms prohibit dummy and undeclared vendor bidding, and require all bids made on behalf of a vendor to be made via the auctioneer, who must disclose at the time that it is being made and that it is a bid on behalf of the vendor. Significant penalties apply for a breach of the new laws. The Act also makes significant changes to the *Estate Agents Act 1980* to prohibit under and over-quoting and introduce a requirement that an estate agent record an estimated selling price in the sale authority entered into with the vendor. A small number of the changes brought in by the Act came into force in June 2003 with the remaining provisions due to commence in February 2004. CAV will work closely with industry and consumers during 2003–04 to ensure awareness of the new laws and monitor compliance.
- In 2002–03, CAV took a lead role in a national examination of the domestic building indemnity and home warranty insurance industries. In partnership with the Victorian Building Commission and the Department of Treasury and Finance, CAV will identify a viable competitive home warranty insurance scheme, which provides an appropriate level of protection for homeowners.

Key prosecutions – fraud and improper conduct by estate agents

A licensed estate agent was found to have misappropriated approximately \$58,000 belonging to vendors which he received as deposits on properties sold by him. The deficiency in the agent's trust account was revealed during an inspection by investigators from CAV. As a result, the agent's accounts were frozen and he was ordered to cease trading. The defendant was charged, convicted and fined \$100,000, plus costs of \$633.67. The case is significant as it is the first time an agent has been successfully prosecuted with fraudulent misappropriation.

In October 2002, disciplinary action was taken against a real estate agent and its Director for consistently under-quoting sales prices for a five-month period. The company and its director were each fined \$2,500 and required to enter into an undertaking which restrained them from under-quoting prices.

Other complaints

In 2002–03, other enquiries and complaints were made on a range of matters including the following.

- Complaints were made against insurance policies and claims and finance brokers, investment seminars and schemes. Cases revealed illegal up-front fees were being charged, non-disclosure of terms and conditions and dissatisfaction with services rendered. Many callers wanted to know their rights in cases of foreclosure of loans, repossession of products and about the legality of debt collection practices.
- Complaints about motor vehicles generally related to misleading claims about roadworthiness and dissatisfaction with repairs and delays and problems with the delivery of new cars. Similarly, complaints about equipment purchased for business purposes related to misleading claims and dissatisfaction with repairs and delays.
- Consumers also made general complaints about high-pressure sales tactics and unfair contracts. Where appropriate, referrals were made to industry ombudsmen, insurance complaint offices and other local, interstate or international agencies.

Prosecutions 2002–03

Where matters are not solved through early intervention, CAV is empowered to investigate and sanction traders. In 2002–03, 482 infringement notices and 102 enforceable undertakings were issued. Thirteen injunctions and other disciplinary actions were taken against licensed traders and 77 successful prosecutions were brought against traders.

Key prosecutions – an introduction agent who made false representations

A person acting as an introduction agent while being ineligible to do so, was found to have made false representations to consumers regarding the number of people available for introduction, thereby enticing them to enter contracts. The person also failed to provide written agreements and received more than 30 per cent of the contract price before the provision of any services. After being found guilty by the court, the person was given a six-month prison sentence, suspended for two years and ordered to pay costs and restitution totalling \$2,685.80.

Compliance and enforcement outcomes 2002–03

Type of enforcement outcomes	Number of actions taken	Number successful
Infringement notices	482	482
Enforceable undertaking	102	102
Injunction	13	13
Disciplinary action against licensed trader	34	34
Prosecution	79	77

New enforcement guidelines

In April 2003, CAV released a new enforcement policy which identifies key offences to be targeted including incidents of false and misleading representations, unconscionable conduct, harassment and coercion, particularly in the credit and finance arena. CAV will facilitate redress for those affected by these activities. The new guidelines provide for escalating sanctions according to the response of the trader. Initially, CAV will focus on stopping the conduct with a view to changing the behaviour of the trader concerned. Failing compliance, CAV will punish the trader for non-compliance.

Key investigation – regulation of fundraisers

During the 2002–03, CAV examined the operations of 58 fundraisers for matters such as not being registered, involving ineligible people in fundraising activities and failing to comply with administrative requirements of the relevant Act. Of the 58 there were two successful prosecutions and one fundraiser is currently the subject of prosecution proceedings. Nine have been required to enter into enforceable undertakings, three have received formal warnings and one has had conditions imposed on its registration.

Emergency management

Following the tragic events of 2002–03, the Department helped the Government upgrade its preparedness and ability to respond to major emergencies and the threat of terrorism.

2002–03 was hard for many Victorians. The Bali bombings heralded a new and more dangerous era and demonstrated that no place is immune from terrorist activity.

The bushfires resulted in significant social and economic costs for the State and provided a stark reminder that we are subject to forces we cannot always control. In the early months of 2003, Victoria had the most extensive bushfires since 1939, when fires moved through the north east and Gippsland.

Whether they occurred as a result of deliberate or accidental activity or because of natural disaster, Victoria's emergency management sector faced considerable challenges throughout the year and met them with skill and commitment.

How we provide emergency management

The Minister for Police and Emergency Services is the Coordinator in Chief of Emergency Management in Victoria. As coordinator, the Minister must ensure adequate emergency management measures are taken by Government and coordinate the activities of Government in how it performs its duties in preventing, responding to, and recovering from, a range of emergencies.

The Emergency Services Commissioner provides support and advice to the Minister on any issues relating to emergency management and advises the Security and Emergencies Committee of Cabinet (SECC) and the Central Government Response Committee (CGRC). The Commissioner also establishes and monitors performance standards for emergency services and encourages and facilitates cooperation between emergency management agencies.

The Department, through the Office of the Emergency Services Commissioner (OESC) provides policy leadership and sets the direction for emergency management in Victoria. During 2002–03, a new Water Safety Unit was created in OESC as part of the formal incorporation of lifesaving into the Emergency Services Portfolio.

Victoria State Emergency Services (VICSES), which is also part of the Department, has a core of paid career staff and more than 5,500 volunteers around Victoria. VICSES has a wide range of roles including planning for and responding to floods, severe storms, earthquakes, road accident rescue as well as search and rescue. It provides crucial support to other emergency service agencies including Victoria Police, the Country Fire Authority (CFA) and Metropolitan Fire and Emergency Services Board (MFESB).

In 2002–03, VICSES had its busiest year on record with more than 8,000 calls for assistance received due to severe storms.

During 2002–03, the State Government provided VICSES with \$510,000 in recurrent funding for training and equipment for counter terrorism.

The Department works closely with peak emergency management bodies such as Emergency Management Australia, and emergency services such as the CFA and MFESB which are statutory authorities and Emergency Communications Victoria (ECV), which is a State-owned body. It also works with the wider emergency management sector including local government, Victoria Police, Red Cross, St John Ambulance, Metropolitan Ambulance Service, Rural Ambulance Service, and the Departments of Sustainability and Environment (DSE) and Human Services (DHS).

Responding to bushfires

Bushfires

During January, February and March of 2003, major bushfires occurred across approximately 1.3 million hectares spanning six local government municipalities of Victoria for about 60 days. It involved approximately 16,000 volunteer and career fire-fighters working on rotation, more than 1,000 VICSES volunteers and 4,620 support people from 34 different state, interstate and overseas fire agencies. Despite a thousand homes being inside the perimeter of the fires and thousands more within one kilometre of it, only 41 homes were lost and, more importantly no lives were lost as a direct result of the fire.

The CFA and DSE were lead agencies working in partnership to tackle the fires, the CFA was in charge of fires on private land and DSE in charge of the response to fires on public lands.

The Department, through OESC provided streamlined reporting to the Premier and Minister for Police and Emergency Services during the event and VICSES provided vital support.

The Department also worked closely with the Department of Human Services during the recovery period following the bushfires.



CFA workers fight fires at Omeo in north east Victoria, 30 January 2003.

Picture by Amber Johnson, CFA.

Inquiry into 2000–03 Victorian bushfires

Following the fires, the Premier requested that the Emergency Services Commissioner establish an independent inquiry to examine the effectiveness of preparation for the fire season, including hazard reduction and mobilisation of resources and the response to the fires and issues relating to recovery activities.

Members of the inquiry include Emergency Services Commissioner, Bruce Esplin (Chair), Dr Malcolm Gill, CSIRO and Professor Neal Enright, University of Melbourne. They carried out extensive public consultation with land managers, farmers, foresters, municipalities, catchment management authorities and local water authorities, emergency response organisations, Indigenous representatives, churches, tourism and development associations, the Department of Human Services, the Department of Primary Industries, the Department of Sustainability and Environment including Parks Victoria, MFESB, Victoria Police and the Country Fire Authority.

They received over 270 submissions, which will form part of the report to the Premier. It is anticipated that the inquiry will make recommendations in relation to: land management, fuel reduction burning, use of local knowledge in developing strategies to reduce fire risk and fighting fires, as well as communication about how best to educate the community on fire protection.

Preparing the community for the risk of fire

In 2002–03, the Department continued to facilitate the Fire Refuge Project to promote local planning and local solutions to communication, and joint decision making for fire safety. The project establishes a multi-agency group, including local government and emergency service organisations, to work in an integrated way to achieve emergency evacuation and community warning and information communication. Particular projects facilitated by the Department during the year include the following.

- The Halls Gap Fire Risk Management Plan – a multi-agency initiative to address the management and movement of people – particularly tourists – to refuge and assembly areas.
- A follow-up evaluation was conducted on the Ferny Creek Fire Alert siren. It found that community alerting can be used to assist residents plan for bushfire survival.
- Development work occurred on a technology-based emergency warning system for communities surrounding the Coode Island hazardous materials storage area. The system will be tested in September 2003.

Changing relevant laws

Two significant changes were made to laws throughout 2002–03, to ensure they adequately protect members of the community involved in fighting fires and reflect the gravity of bushfires through its criminal offences.

- The *Country Fire Authority (Volunteer Protection and Community Safety) Act 2003* improved the legal immunity protection for volunteers from third parties arising from performance of their duties. It also clarified the compensation entitlements of volunteers and their dependents in the event of death or injury.
- *The Crimes (Property Damage and Computer Offences) Act 2003* introduced a new bushfire offence which targets people who cause a bushfire and are reckless as to its spread onto property belonging to another person – it includes a penalty of a maximum of 15 years imprisonment. The Act also incorporates penalties for sabotage and computer offences. The amendments flow from the national Model Criminal Code, which promotes a more consistent approach across Australia to serious crimes.

Protecting Victoria

In March 2003, the Premier, Steve Bracks, announced a program called Protecting Victoria to recognise the efforts of all those who contributed to the response and recovery from the bushfires in the north east and Gippsland. The Department coordinated a number of local and regional celebrations, which included the Football Thank You Day at the MCG on Sunday 30 March 2003, the Emergency Services Race Day at Moonee Valley and Pakenham Race Courses on Saturday 10 May 2003 and the Blues Festival on 7 February 2003. During 2003–04, the program will develop scholarships for emergency services volunteers and arrange for a permanent monument to commemorate those who protected our community during 2002–03.

Collapse of Arthur's Seat Chairlift

In January 2003, emergency services responded when a stanchion supporting the chairlift at Arthur's Seat on the Mornington Peninsula broke away from its mountings on the ground and fell onto a passing car. The chairlift has 74 two-seat chairs, is 950 metres long and rises 225 metres over steep inclines, which made it inaccessible for machinery. Many of the 83 passengers were trapped in suspended chairs. Eighteen passengers were transported to hospital immediately for treatment while the remaining 65 passengers were rescued within six hours.

The emergency involved the close cooperation of 200 people from ten agencies. The CFA as the lead agency was strongly supported in the rescue by MFESB, VICSES and Victoria Police. All passengers were rescued safely within six hours of the emergency occurring without further injury. Metropolitan Ambulance Service, St John Ambulance, Red Cross (Registration and Catering), Parks Victoria, the Mornington Peninsula Shire (Recovery) and WorkSafe also assisted at the scene.

Mini-tornado in Bendigo

On 19 May 2003, SES provided the first response to a severe storm described as a mini-tornado which hit Bendigo City and suburbs causing enormous damage. Ten houses and a kindergarten were severely damaged or destroyed, 45 houses suffered moderate to severe damage and power lines were brought down and power lost to large parts of the city.

At least 130 SES volunteers worked throughout the night to provide an immediate emergency response, dealing with at least 210 tasks. CFA also made a significant contribution to responding to the event.



A member of the CFA slides along the cable to recover stranded passengers on the Arthur's Seat Chairlift on 3 January 2003.

Photo by Andrew de la Rue, The AGE.

Senior Constable Adrian Keltie of Victoria Police (right), Country Fire Authority volunteer Michelle Harmer (centre) and Victoria State Emergency Services volunteer Michelle Roe (left) discuss the response to an emergency situation.



Improving emergency management

Significant work has occurred throughout 2002–03 to strengthen Victoria's emergency management and response capability.

Establishment of Emergency Communications Victoria (ECV)

In September 2002, a new state body took over responsibility for emergency call-taking and dispatch services in Melbourne and Greater Geelong.

Emergency Communications Victoria (ECV) is a new public sector body established by the Victorian Government to operate the State Emergency Communications Centres which receive approximately two million calls per year for Victoria Police, Metropolitan Fire and Emergency Services Board, Country Fire Authority, State Emergency Service and Metropolitan Ambulance Service.

A formal agreement has been established between ECV and Emergency Services Organisations (ESOs) for the delivery of services. A group comprising senior representatives of the Department, ESOs and an independent chairperson directs activities under the agreement and reports direct to the Minister for Police and Emergency Services. On behalf of the Department, the Bureau for Emergency Services Telecommunications (BEST) acts as an agent for the Emergency Services Organisations and monitors the performance of ECV. BEST also coordinates multi-agency initiatives related to emergency services telecommunications. The Emergency Services Commissioner is responsible for the non-financial auditing of ECV.

ECV was established following recommendations from the Royal Commission into the Metropolitan Ambulance Service that stressed a need for greater public accountability to ensure the community's needs are protected. ECV is subject to Freedom of Information and Whistleblower legislation, and is accountable to the Auditor-General for its finances and to the Ombudsman for its administrative decisions.

A total of \$30 million has been committed over the next five years for new equipment and additional training for emergency call-taking and dispatch staff.

Strengthening emergency management in local government

Also in July 2002, OESC initiated and established a new group to provide a forum for municipal emergency management staff from across Victoria to engage with State Government emergency management representatives and discuss issues that would benefit from a consistent approach across the State. Municipal Emergency Management Enhancement Group (MEMEG) aims to create an environment in which standards of excellence can be established and members can tackle common problems and develop shared solutions. The group facilitates professional development and networking

and deals with emerging issues in emergency management such as the application of new technology. MEMEG met five times during 2002–03.

Road Rescue Arrangements Victoria

In October 2002, the Minister for Police and Emergency Services launched 'Road Rescue Arrangements Victoria', a statewide policy which builds on the previous strategy ('Road Rescue – A New Era'). The new policy requires road rescue units to meet training and equipment standards and to operate within the agreed structures of the State Emergency Response Plan to achieve defined response standards. The Department conducted a series of regional briefings to introduce and explain the new arrangements to key personnel across the State following the launch.

Adapting to new threats – terrorism

New threats and new types of crimes require a different response. Like every other state and nation in the world, the Victorian community was shocked to witness the terrorist acts which brought down the World Trade Centre in New York in September 2001 and the bombings in Bali in October 2002.

Those events have caused the Government to reconsider the safety and security of our communities.

Because of its role in managing policy and legislation relating to criminal activity and its leadership role in emergency management, the Department of Justice played a key role in helping the Government respond to these new threats.

In 2002–03, the Department participated in exercises to ensure Victoria's operational response to terrorism was robust and effective. It also reformed the criminal law in accordance with the Government's agenda, to ensure Victoria is legally equipped to respond to acts of this nature.

National counter terrorism exercises

The Department, through OESC, continued to strengthen community safety through its participation in key counter terrorism initiatives.

- A positive outcome was reported on Victoria's capacity to deliver sound emergency management in the event of a terrorist threat or act, with some recognition of opportunities to enhance capabilities. The findings flowed from a full-scale counter-terrorism exercise (New Dawn) designed to test planning and practice preparedness and response to a terrorist threat or act. While the findings were that Victoria is well placed to respond to a broad range of emergencies, it was recognised that a dedicated State Crisis Centre was needed along with further integration of counter-terrorism capability with Victorian emergency management arrangements. OESC was a participant in the exercise which was carried out in collaboration with

Commonwealth and other State Government agencies, Victoria Police and emergency service organisations in June 2002.

- In another exercise, a day-long high level discussion was conducted involving the Department, Victoria Police, key emergency services, other Government departments and federal agencies. The exercise brought a facilitator together with representatives from the agencies to work through terrorism scenarios relating to chemical, radiological and biological incidents to test the Government's preparedness to respond.

Control agencies for Essential Services Disruptions

In 2002–03, an amendment was passed to the *Emergency Management Act 1986* to ensure essential services disruptions constitute 'emergencies' under the Act and identify specific Government departments and agencies who will function as control agencies for the purposes of the State Emergency Response Plan.

Correctional services facilities risk assessment

As part of the Victorian Government's counter terrorism response, Victoria's correctional agencies reviewed their ability to respond to security threats. The review provided an assessment of how the system might respond to major risks and the effectiveness of current systems of emergency management. While general recommendations were made to strengthen safety, security and emergency preparedness, the review identified that emergency procedures within Community Correctional Services (CCS) were inconsistent. Work has commenced on an Emergency Management Project for CCS with the development of a Procedure Manual. Staff are currently being trained in the new procedures.

Strengthening laws to deal with terrorism and organised crime

The *Terrorism (Commonwealth Powers) Act 2003* refers certain State powers to the Commonwealth to support Australia's new national legal framework to deal with terrorism offences and closes any gaps in the application of the new federal terrorism laws introduced in July 2002. The new federal laws set out penalties for various terrorism offences such as life imprisonment for committing, preparing or financing a terrorist act. The Commonwealth has agreed to consult with and obtain the agreement of the States and Territories about any changes to its terrorism offences and Victoria can revoke its referral of powers on three months notice. Victoria has included safeguards in the legislation to preserve Victorian criminal laws where they overlap with Commonwealth terrorism laws.

The *Terrorism (Community Protection) Act 2003* strengthens police powers and creates new obligations for operators of essential services. The Act provides for the following.

- Covert search warrants which allow police investigating terrorist activity to enter and search premises without the knowledge of the owner or occupier. The warrants require approval from the highest levels of Victoria Police and a Supreme Court Judge.
- New police powers to detain and organise decontamination of victims of a chemical, biological and radiological attack, and to separate affected people from the general population. Police now have the power to control entry into, and exit from, any contaminated area.
- Mandatory reporting to police of the theft or loss of chemicals, such as those used in the Bali bombing.
- Operators of essential services infrastructure (such as electricity generators, natural gas suppliers, water or sewerage authorities) need to develop terrorism risk management plans which must be audited annually. Operators must participate in at least one exercise a year to test the plan under the supervision of police. Operators who fail to comply may be ordered to do so by the Supreme Court.
- A national security exemption has been added to the *Freedom of Information Act 1982* to bring Victoria into line with the Commonwealth freedom of information legislation and to enhance information sharing among law enforcement agencies in different jurisdictions. A review of the Act is required in three years to ensure the legislation is still appropriate and the Act will automatically sunset in December 2006. If these laws are still necessary, new legislation will be required.

In 2002–03, the Victorian Government, along with other Australian jurisdictions, agreed to develop a nationally coordinated approach to law enforcement powers dealing with cross-border crime. The Department took a lead role in preparing a Discussion Paper containing four model bills for uniform national laws and has been coordinating submissions received on the proposals from around Australia. The Department will be involved in preparing the Final Report which will contain recommended model legislation for controlled operations, assumed identities, electronic surveillance and witness identity protection.

The *Crimes (Property Damage and Computer Offences) Act 2003* creates new offences for sabotage or threatening sabotage to a public facility with the intention of causing major disruption to Government function or major economic loss. The penalty imposed in the legislation is a maximum of 25 and 15 years imprisonment respectively. The Act also incorporates penalties for bushfires and computer offences and has been developed following national agreement to implement offences in the national Model Criminal Code which will promote a more consistent approach across Australia to these serious crimes.

Reducing re-offending

Through its corrections system, the Department protects the community and penalises those who have broken the law. Through our rehabilitation programs, offenders are encouraged to adopt law-abiding lifestyles.

Sentences are imposed by the courts to protect the community, punish an offender and deter them from offending again.

The correctional system is responsible for administering sentences whether they are custodial or non-custodial orders of the court. The majority of non-custodial sentences require the offender to make reparation or repay the victim or community for their offence. Reparation is made through unpaid community work for non-profit agencies. In custody, corrections focuses on strategies to rehabilitate offenders or tackle the underlying causes of crime to prevent re-offending.

How does the correctional system work?

In Victoria, the correctional system refers to both custodial and non-custodial management of offenders and includes both public and private prison providers.

Office of the Correctional Services Commissioner (OCSC)

The Correctional Services Commissioner is responsible for monitoring performance of all correctional services to achieve the safe custody and welfare of prisoners and offenders throughout Victoria. The Commissioner must act impartially in dealing with providers and may be required to exercise other functions as required or determined by the Secretary of the Department of Justice.

The Office of the Correctional Services Commissioner (OCSC) is part of the Department of Justice and, under the direction of the Commissioner, is the lead corrections agency in Victoria. OCSC is responsible for achieving the appropriate balance between a high level of community safety and the humane treatment of individual prisoners and offenders. It sets strategic directions and policy and provides advice to the Minister for Corrections. It also sets, monitors and reviews standards in both public and private prisons, undertakes business planning and initiates and manages correctional infrastructure programs and provides secretariat support for the Adult Parole Board of Victoria.

CORE – the Public Correctional Enterprise

CORE is part of the Department of Justice and is responsible for the custody of 60 per cent of the Victorian prison population in 11 prisons. It is also responsible for Community Correctional Services (CCS) which enforces court-based non-custodial and parole orders throughout the State. In 2002–03, CORE also assumed responsibility for custodial services at the new County Court and the Supreme Court in Melbourne and Geelong. These services were previously provided by the private provider Group 4 Falck.

CORE prisons are Ararat, Barwon, Beechworth, Bendigo, Dhurringile, Langi Kal Kal, Loddon, Tarrengower and Wron Prisons, the Dame Phyllis Frost Centre and the Melbourne Assessment Prison. CORE also manages and maintains the system-wide Security and Emergency Services Group (SESG) which is responsible for providing quality security and emergency management services for the Victorian corrections system.

CCS manages court-based non-custodial orders and provides advice to the courts and the Adult Parole Board of Victoria.

Australasian Correctional Management (ACM)

ACM is a private prison provider contracted by the Department of Justice to manage the 658-bed Fulham Correctional Centre and the 67-bed Melbourne Custody Centre under contract to Victoria Police. Through its subsidiary Pacific Shores Health Care, ACM also provides health care services to CORE prisons, with the exception of psychiatric health services at Melbourne Assessment Prison. Psychiatric services at the Melbourne Assessment Prison are managed by Forensicare (the Victorian Institute of Forensic Mental Health).

Group 4 Falck

Group 4 Falck is a private prison provider managing the 614-bed Port Phillip Prison. This prison includes statewide medical services, a prison hospital and long-term psychiatric unit. Group 4 Falck is also contracted by Victoria Police to provide prisoner transport between police cells and the courts. From 1 July 2003, it will be contracted by Corrections Victoria to provide prisoner transport between prisons and between prisons and courts when the existing service arrangement with Australian Integrated Management Services (AIMS) ceases.

Australian Integrated Management Services (AIMS)

AIMS provided prisoner transport between prisons and between prisons and courts throughout 2002–03, but this arrangement ceases on 1 July 2003.

Future delivery arrangements – Corrections Victoria

Early in 2003, the Minister for Corrections announced that Corrections Victoria, a single authority, would be established to oversee the correctional sector. Corrections Victoria will be part of the Department of Justice. It will amalgamate the OCSC, which was established in 1995, and CORE, which was established in 1996. In its new form it will provide more seamless and integrated management of the correctional system. This is consistent with one of the key recommendations from a review into the management and operation of Victoria's private prisons which was undertaken in 2000 by Mr Peter Kirby.

Corrections Inspectorate

A Corrections Inspectorate, to be established from 1 July 2003, will monitor the performance of both public and private correctional service providers, conduct specific investigations and provide independent advice, as well as manage the Official Visitor Scheme. The Inspectorate will be independent of Corrections Victoria and report directly to the Secretary of the Department of Justice.

Monitoring performance

In late 2002, the Prison Services Agreements for Fulham Correctional Centre and Port Phillip Prison were subject to review after five years of operation. The reviews were successfully completed with a new service regime implemented for the next term. The reviews were undertaken with independent financial, legal and probity experts and an independent chair.

The review of private prisoner transportation contracts found significant opportunities in economies of scale and service in consolidating the two contracts into a single service. The new contract was awarded to Group 4 Falck and began on 1 July 2003. It provides a new fleet of prisoner transport vehicles including state-of-the-art CCTV surveillance.

The Official Prison Visitor Scheme was established in 1986 as a way of providing independent advice to the Minister for Corrections on the operation of Victoria's prisons. Visitors are volunteers and given unlimited access to staff and prisoners to speak about prison policies and conditions. In 2002–03, four new appointments were made taking the total number to 27 at 30 June 2003. Two appointees are Aboriginal Visitors funded by the Aboriginal Justice Agreement who visit several prisons and are required to attend Regional Aboriginal Justice Advisory Committee (RAJAC) meetings.

Rehabilitation across the correctional system 2002–03

Victoria's strategies for the rehabilitation of offenders are based on international best-practice. They involve the assessment, treatment and management of offenders diverted to community-based orders and those sentenced to a term of imprisonment.

Specific strategies have been developed to address the causes of crime and break the cycle of re-offending. Programs tackling violence, sexual deviance, drug and alcohol addiction, cognitive skills and other special needs are a significant part of correctional work. In 2002–03, such programs include the following.

- Cognitive skills training was introduced to improve thinking and problem solving – 114 offenders supervised by CCS began the program, and CORE expanded its clinical services capacity with the appointment of 19 clinicians.
- Correctional staff from across the system received training in a range of skills including motivational interviewing, the use of assessment tools, particularly risk assessment, and the delivery of a cognitive skills program.
- To target violence and violent offenders, a 50-hour moderate intensity program and a 300-hour high intensity program were run.
- Increased resourcing was provided to enhance sex offender treatment programs across the correctional system. OCSC also issued instructions on the processes to be followed when a child sex offender applies for public housing after release. Protocols have been established between DOJ and DHS to ensure appropriate post-release placement of these offenders.



A multi-faith chaplaincy team at Port Phillip Prison, December 2002.

- Work continued on major ongoing programs throughout the year including the Victorian Prison Drug Strategy launched in early 2002, which aims to minimise the harm of drug use. With an estimated two thirds of crimes committed as a result of drug addiction, much work is focused on tackling this problem. Non-custodial court orders designed to deal with drug addiction such as the CREDIT (Court Referral and Evaluation for Drug Intervention and Treatment) and a new pilot Drug Court provide offenders with an opportunity to deal with their drug problem.
- In September 2002, OCSC established a project team to conduct detailed work on policy and planning for young adult offenders aged 17 to 24 years. The project will support an inter-departmental group who are considering the impact of likely change in the age jurisdiction of the Children's Court.

Community Correctional Services

Non-custodial orders can be made by a court either prior to sentencing (bail), upon sentencing and for parole. Bail is given to a person who is required to appear before the court at a later time to answer charges.

Community Correctional Services (CCS) manages non-custodial and parole orders. Non-custodial sentences require supervision of treatment or personal development programs, community work or other programs designed to deal with the causes of crime or make reparation to the community. Parole orders are made by the Adult Parole Board of Victoria and allow for the release of a prisoner after the minimum term of the custodial sentence has been served. Parole is a form of conditional release where an offender is required to comply with certain conditions and is subject to supervision.

Victorian Pilot Bail Advocacy and Support Service

During 2002–03, the Victorian Pilot Bail Advocacy and Support Service Program diverted 540 defendants charged with low level non-violent offences to accommodation and employment assistance, treatment for drug and alcohol problems or referral for treatment by a psychologist or doctor. The pilot ran at Melbourne, Dandenong and Ringwood Magistrates' Courts and finished in June 2003. A recommendation has been made to extend the pilot to a number of other Magistrates' Courts.

Home Detention Program

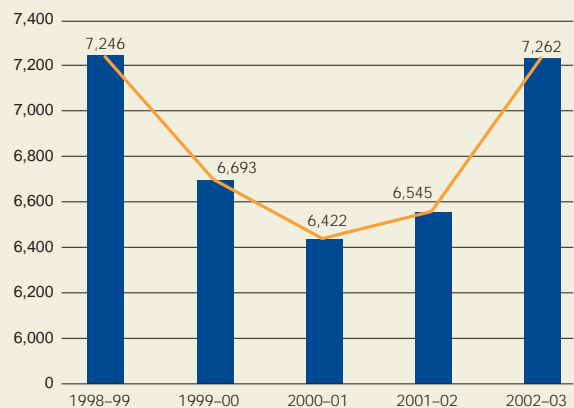
A new Home Detention Program is due to commence early in 2004 as a pilot program following passage through Parliament of the *Corrections and Sentencing (Home Detention) Act 2003* in June 2003. Home detention will become both a pre-release option for the courts to keep non-violent first-time offenders out of prison, and an option for the Adult Parole Board to assist the re-integration of prisoners into the community. At the outset, the program will initially provide supervision for up to 80 offenders.

Non-custodial orders in 2002–03

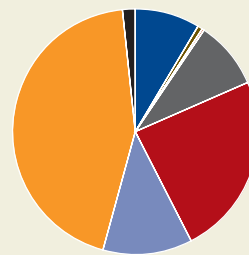
The daily average number of non-custodial offenders in Victoria was 7,262 in 2002–03, a rise of 11 per cent on 2001–02 when there were 6,545 offenders. The figure is similar to that of 1998–99 when there were 7,246 offenders.

CCS has been capable of managing an increased number of offenders through initiatives to redevelop its services, including an increase in the number of offices throughout the State, increased staffing and increased funding for programs. It is also a result of increasing confidence by courts in the capacity of CCS to manage offenders.

Daily average number of community corrections offenders in Victoria 1998–99 to 2002–03



Daily average number of community corrections offenders in Victoria 1998–99 to 2002–03



Order type	Total number of orders
Parole	1,511
Combined custody treatment order	116
Drug treatment order (a)	54
Intensive correction order	1,626
Community-based order	4,361
CBO – community work only	2,138
CBO – fine default	8,000
Other (b)	304
Total (c)	18,110

(a) Drug Treatment Orders came into effect from 12 June 2002.

(b) Includes Commonwealth and interstate orders supervised in Victoria.

(c) The total number of offenders does not equal the sum of the number of offenders on each order type.

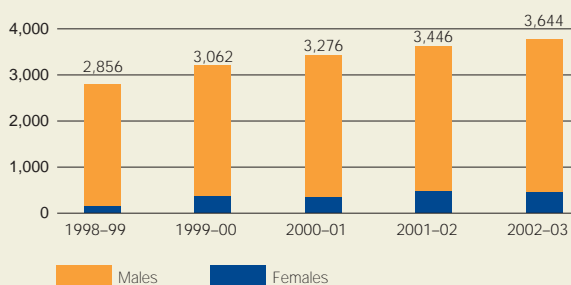
Note: Offenders who receive multiple orders of different types are counted once in each order type but only once in the offender total.

Reducing breaches of non-custodial orders

Approximately 76 per cent of offenders sentenced to a community-based supervision order successfully completed an order in 2002–03. Those who breach their orders are required to appear again before the sentencing court. A major project for CCS in 2002–03 has been to develop a set of discretionary sanctions to be imposed on offenders who breach the conditions of their orders but who do not commit new criminal offences. The sanctions proposed would be applied by CCS rather than returning the offender to the courts or Adult Parole Board. The application of the sanctions will depend on a careful evaluation of the risks, needs and progress of the offender and be designed to retain them in programs to reduce re-offending. Work will continue on the project in 2003–04.

Prisoners in Victoria

Daily average number of prisoners in Victoria 1998–99 to 2002–03



Managing the growth in prisoners

Prisoner numbers in Victoria have increased by 27.6 per cent over the last five years from a daily average of 2,856 in 1998–99 to an average of 3,644 in 2002–03. The overall growth in prisoner numbers in Victoria accords with the work done by the Department in charting population trends for the correctional system.

Detailed analysis of the factors behind the increasing numbers is underway. However, the growth is believed, in part, to be driven by a new trend toward increasing the number of defendants placed in custody on remand.

Higher Courts Sentencing Statistics released by the Department in June 2003, show a 34 per cent increase in the total number of defendants being sent to prison between 1997–98 and 2001–02 with increases in the length of sentences for those sentenced for violent crimes.

In 2001–02, Victoria's rate of imprisonment was 40 per cent below the national average with 95 of every 100,000 adults imprisoned compared with a national average of 146. Comparative national figures are not yet available for 2002–03.

Women in prison

The number of women in prison in Victoria has increased by 85 per cent since 1997–98, almost triple the growth in the male prisoner population over the same period.

While the actual numbers of women in prison is still relatively low (an average of 272 in 2002–03) the rapid growth is cause for concern. It is believed that the drivers of this sustained increase is a rise in violent offences, drug-related offences, sentence lengths and the use of remand.

A Women's Correctional Services Framework is being developed to respond to the increase and look at ways of reducing the number of women in custody through strengthening community corrections options for women (reducing the flow into custody) and improving rehabilitation outcomes for women (reducing recidivism). The development of the framework will be governed by two committees, a whole-of-Government inter-departmental committee and a Non-Government Women's Correctional Services Advisory Committee chaired by the Parliamentary Secretary for Justice, Ms Jenny Mikakos, MP and reporting directly to the Minister for Corrections.

Prison rehabilitation strategies

The rehabilitation of prisoners is measured by 'recidivism' or the rate of prisoners returning to prison within two years of their release. The most recent figures available to measure recidivism in Victoria are for 2001–02 when 33.41 per cent of prisoners (who left prison in 1999–2000) returned to prison within two years of their release.

Victorian Prison Drug Strategy

The Victorian Prison Drug Strategy (VPDS) was launched by the Minister for Corrections in February 2002 and includes strategies to detect drugs, monitor the level of drug use, provide drug treatment to prisoners and minimise harm to staff and prisoners. The following initiatives have been carried out under the strategy in 2002–03.

- Thirteen breathalyser units were introduced in the prisons and 2,476 breath tests conducted from January to June 2003. Since the introduction of the new strategy, prisoners with an active Identified Drug User (IDU) status have decreased.
- The number of drug detector dogs was increased from six to 12, enabling significantly more searches, and an Ion Scanner, a device that can detect the presence of specific types of drugs through an analysis of vapors and surface particles, was trialled at selected prisons.
- Four hundred harm reduction treatment places were provided with an additional 150 places for intensive drug treatment being established across the system.
- Methadone and similar treatment programs were expanded, and access to post-release support enhanced.
- Overdose prevention and peer education services have been implemented to reduce the risk of drug-related illness and death and protective clothing for prison officers has been trialed to reduce potential workplace injuries to staff.

Review of prison education and training

There is significant and growing evidence supporting the value of education and training in reducing re-offending



Minister André Haermeyer (right) pictured with Wurrundjeri Elder, Joy Murphy Wandin (front left) and Sean Braybrook (centre) from Port Phillip Prison at a workshop run by the Office of the Correctional Services Commissioner to develop an integrated strategy for the employment, education and training needs of Koori offenders and prisoners.

among released prisoners. At the same time, it is clear that many prisoners have low levels of educational achievement, with most having left school by Year 10 and not involved in structured learning for some time. In collaboration with the Office of Training and Tertiary Education (OTTE), the Department has undertaken a major review of prisoner education and training and recommended the development of programs according to prisoner need and the use of education and training to build future employment options. Implementation of the recommendations will begin in late 2003.

Supporting prisoners prior to and following release

Successful re-integration of prisoners into the community is vital to reduce re-offending. In 2002–03, OCSC continued to implement a range of initiatives to improve the prospects for prisoners successful re-integration into the community. Some examples include the following.

- Bridging the Gap provides intensive transitional support to high risk/high need offenders by linking them to drug and alcohol treatment, health and legal assistance, training and employment.
- Accommodation provides a critical foundation for the re-settlement. A pilot project established by the Department of Justice and Department of Human Services has established 61 properties to house offenders. In 2002–03, 377 offenders were provided with assistance.
- OCSC's two-year Employment Pilot Program provided voluntary, intensive employment assistance to help prisoners and offenders find and keep work. In 2002–03, 787 offenders registered with the program, with 179 being placed in full-time work.

- The information booklet 'Getting out and how to survive it' was launched in September 2002. It provides basic advice and information on community services to assist offenders re-establish their lives and is available in English, Chinese and Vietnamese, and will be provided to an estimated 5,500 prisoners exiting prison each year.

Reviews

Use of Force Review

In 2002–03, the Minister for Corrections endorsed the findings of a review into the use of force in Victoria's prison system. The review recommended changes to the way situations of risk are managed including particular operational equipment and specific training methods and programs relating to use of force.

Review of the Custodial Community Permit Program

In 2002–03, recommendations were received from the Review of the Custodial Community Permit Program (CCPP) which allows prisoners in Victoria to be temporarily absent from prison for a particular purpose and specific time. The recommendations included a proposal for legislation to abolish all current categories of CCPP to be replaced by two over-arching categories. It also proposed to establish a set of guidelines to provide 'special case' prisoners with access to the scheme.

Prison Disciplinary Review

In early 2003, the Minister for Corrections established a review to provide advice and recommendations on the adequacy of the existing system of privileges and sanctions operating across Victorian prisons. The review panel is due to report early in 2003–04.

Developing, Regulating, Enforcing

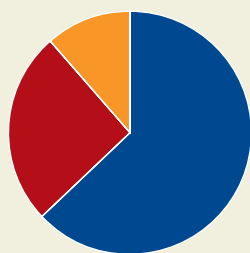
The Department of Justice strives to achieve the right balance between developing and regulating industry and enterprise and enforcing civil rights and obligations.

Monitoring the rules of the game

The Department aims to ensure the probity and integrity of the gaming and racing sector through responsible regulation.

Responsible regulation of gaming

Player expenditure on gaming products in Victoria 2002–03



Electronic gaming machines	\$2.3 billion
Crown casino gaming machines	\$954 million
Lotteries (including lottos, pools, and instant lotteries account)	\$424 million

In 2002–03, player expenditure on gaming was \$4.3 billion. Of all forms of gaming, electronic gaming machines are the most popular. At 30 June 2003 there were almost 30,000 electronic gaming machines in Victoria, or 15 per cent of all Australian machines accounting for \$2.3 billion or 62.9 per cent of player expenditure on gaming in 2002–03.

The next most significant contributor to gaming turnover was Crown Casino, which accounted for \$954 million or 25.7 per cent of player expenditure on gaming in 2002–03. Lotteries, including lotto, pools and instant lotteries account for a relatively small amount of turnover, \$424 million in 2002–03 or 11.4 per cent of player expenditure.

Changes to the way gaming is managed in Victoria

Structural reform of the gaming industry occurred in December 2002 as part of Machinery of Government changes introduced after the last State election. Under the changes, the Office of Gaming and Racing was formed within the Department of Justice comprising the Gaming Portfolio, which was relocated from the Department of Treasury and Finance and the Racing Portfolio, which came from the Department of Innovation, Industry and Regional Development (DIIRD). The Department of Human Services continues to have primary responsibility for the delivery of problem gambling support services.

A key achievement in 2002–03 was the establishment of the Office of Gaming and Racing. The Department through the new Office, is responsible for gambling policy and regulatory measures to respond to problem

gambling and is the focal point for industry and the community. It provides policy support to the Minister for Gaming and the Minister for Racing.

The Department also now monitors and provides policy advice to the Victorian Casino and Gaming Authority (VCGA), the Director of Casino Surveillance and the Director of Gaming and Betting, all of which are statutory bodies. The VCGA and the two statutory Directors have a variety of roles under legislation to ensure the probity of the gaming industry. They regulate the activities of industry and foster responsible gambling and harm minimisation. These entities report direct to Ministers and the Parliament.

Reform of gambling legislation

In 2002–03, a full-scale Review of Gaming Legislation in Victoria was carried out to consolidate and streamline gaming legislation. The Government endorsed several principles to guide the development of the forthcoming gambling legislation and policy including a clear commitment to responsible gambling through measures that assist and protect problem gamblers and those at risk of becoming problem gamblers. The principles also include a commitment to the highest standards of probity for gambling service providers to ensure that the legitimate financial benefits of gambling are transparent, appropriately recognisable and fairly distributed to the Victorian community.

The Gambling Regulation Bill was developed during 2002–03, for introduction and passage in 2003–04. The Bill amalgamates eight existing Acts into one and proposes to replace the current complicated regulatory structure with a new Commission for Gambling Regulation. The proposed Commission will replace the VCGA and the two statutory Directors in providing governance of the industry.

Regulation of gaming licences

The forthcoming legislation also implements the Government's election commitment to require planning permits for applications for all new gaming venues, allow local councils to appeal Commission decisions to VCAT, ban advertising of gaming machines, and require permanent gaming staff to complete a problem gambling training course.

Significant changes to licensing have already been introduced by the *Gambling Legislation (Responsible Gambling) Act 2000*, with the requirement for applications for additional machines or new gaming venues to be evaluated according to economic and

social impact on local communities. Local councils have also been given an opportunity to comment on applications to the VCGA with open hearings of applications providing greater transparency for the community.

Forthcoming reforms due for introduction to Parliament in 2003–04 will require planning permits to be given by local councils when a venue is making an application for any gaming machines – not just when more than 25 per cent, or more of the floor space will be occupied by gaming machines. Local councils unhappy with the decision of the gambling regulator will have the right to appeal to the Victorian Civil and Administrative Tribunal (VCAT) instead of only the Supreme Court.

2002–03 saw further progress in the staged removal of poker machines in areas where there are caps on the total number of gaming machines. These caps were determined by the accessibility the public has to gaming machines, the average player loss and socio-economic data provided by the Australian Bureau of Statistics.

Caps were introduced in five regional areas covering 10 per cent of the state population including Maribyrnong, Greater Dandenong, Darebin, Bass Coast Shire and the City of Latrobe. By February 2003, an additional 254 poker machines had been removed from these regions.

Further caps are anticipated for another five regions including the City of Ballarat, City of Warrnambool, City of Geelong, including the Borough of Queenscliff, the City of Greater Shepparton and the City of Moonee Valley.

The number of 24-hour gaming venues was also reduced from 70 on 30 June 2002 to 24 on 30 June 2003.

Developing the racing industry

Behind AFL football, racing is the second most popular spectator sport in Australia. Victoria's racing industry is the national leader and is ranked among the top four in the world.

Internationally, Victoria places third in the number of races run, third too in the total amount of prize money distributed and fifth in the amount of wagering.

Australia is a world force in thoroughbred breeding and produces over 16 per cent of the world's foals, ranking second behind the USA.

The annual economic impact of racing in Victoria is \$2.2 billion with Melbourne's 2002–03 Cup Carnival generating \$330 million on its own.

Racing in Victoria provides employment for 64,000 people with over 30,000 full-time equivalent jobs – mostly in country areas.

The social and cultural contribution racing makes to Victoria is unique. There are over 103 metropolitan and country racing clubs throughout the state with over 50,000 members.

Facts about Melbourne's Spring Racing Carnival

- Melbourne's Spring Racing Carnival is the biggest annual event in Australia attracting approximately 18,000 international visitors, 80,000 interstate visitors and 70,000 visitors from country Victoria.
- The estimated viewing audience for the Melbourne Cup is 700 million worldwide.
- Fashion spending alone is estimated at \$22.5 million including 46,000 hats, 43,000 pairs of shoes and 14,000 handbags.

The Government aims to ensure that racing industry activities are carried out with honesty and integrity and it is keen to foster the growth, standards and economic contribution of the racing industry for the benefit of all Victorians.

The Department, through the new Office of Gaming and Racing, is responsible for delivering the Government's Racing Program, advising the Minister for Racing and serving as the link between the Government and the racing industry. The Office provides policy advice to Harness Racing Victoria and Greyhound Racing Victoria which have regulatory functions and report to the Minister and Parliament. It also provides support to Racing Victoria Ltd and Racing Analytical Services Ltd which are established under corporations law.

Welfare of retired jockeys

In May 2003, the Jockey Retirement Fund Package was announced as part of a strategy to improve long-term financial security for jockeys. The initiative is one of the recommendations from a study into jockey welfare commissioned by the Government in 2001, which found that half of all retired jockeys experienced financial hardship. The package comprises a Jockeys Super Benefit Scheme and a Career Benefit Scheme, to provide financial assistance after retirement. The initiative, being implemented by Racing Victoria Ltd and the Victorian Jockeys Association, is attracting national and international interest.

Bookmaking partnerships and restricted companies

Bookmakers are considered to be an important part of the racing industry. In 2002–03, the Government proclaimed legislation to enable Victorian bookmakers to form partnerships and restricted companies. The reforms are designed to improve the capacity of Victoria's racecourse bookmakers to remain competitive and viable in the current environment.

Jockey, Joe Murray with Court of Jewels at Flemington Racecourse is one of the many to benefit from the Jockey Retirement Fund Package announced by the Government in May 2003, designed to improve the long-term financial security for jockeys. The initiative will be delivered by Racing Victoria Ltd and the Victorian Jockeys Association and has attracted national and international interest.



Horse Alert Victoria

Launched in February 2003, Horse Alert Victoria is a plan to provide the Victorian horse industry with effective strategies to prevent and control equine disease outbreaks, and includes an operational plan for the emergency management of equine disease. With the devastating impact of equine influenza in Hong Kong, and the Hendra virus in Queensland, this plan provides a blueprint to prevent and minimise the impact of any outbreak and provides a plan for business continuity and recovery.

Racing Museum at Federation Square

In April 2003, the Government announced that it would relocate the existing Australian Racing Museum from its current home at Caulfield Racecourse to Federation Square in Melbourne's CBD. Funding of \$3.75 million has been allocated toward the project, which is designed to position Victoria as the undisputed national leader in the promotion of racing. The Museum recognises the distinctive contribution racing makes toward the cultural, economic and tourism life of Victoria.

Cross-border betting

A national agreement on a 'product fee' for cross-border betting was discussed at the conference of Australian Racing Ministers in November 2002. Cross-border betting occurs when interstate and international bookmakers operate on Victorian race meetings, returning nothing to the local industry or Government. Ministers decided to support, in principle, the application of a product fee to bookmaker betting on racing throughout Australia, pending a response from the three racing codes.

Victoria led a national discussion on the implications of Internet-based betting exchanges located within Australia or overseas and, pending finality on a coordinated national position, Victoria has imposed a moratorium on any betting exchanges.

The Government has given in-principle support for the development of an Internet betting system developed by bookmakers, industry bodies and the Victorian Bookmakers Association (VBA). Racing Victoria is consulting with VBA on various technical and regulatory issues related to the development of such a system.

We work closely with our partners to improve road safety and minimise the impact of road accidents.

The Government launched *Arrive Alive!* Victoria's Road Safety Strategy 2002–07 in November 2001, aiming to reduce the road toll by 20 per cent by 2007 by addressing road design, speeding, drink driving, fatigue and vehicle safety.

A range of agencies share responsibility for managing aspects of the road safety strategy including Victoria Police, VicRoads, the Transport Accident Commission and the Department of Justice.

The Department is responsible for implementing initiatives involving speed detection and enforcement, including the installation and management of many of the fixed-safety cameras which form part of the strategy.

Enforcement activities carried out by the Department are contributing to improvements in road safety. In 2002, the number of road crash fatalities was 11 per cent lower than in 2001. In metropolitan Melbourne, where enforcement activities have increased significantly, there was a remarkable 25 per cent reduction in fatalities.

The Department also manages the contract with Tenix Solutions Pty Ltd for the processing of fines and provision of safety camera services on behalf of Victoria Police and administers the revenue collected on outstanding fines issued by Victoria Police and other agencies through the PERIN court process, and the enforcement of warrants through the operations of the Sheriff.

The impact of road safety initiatives

A key focus of the road safety strategy is to reduce the number of motorists speeding. In 2002–03, the Government introduced a number of new enforcement initiatives, including an increased number of mobile safety camera hours, increased use of no flash in safety camera operations, a reduction of the enforcement threshold by 3 kph and fixed cameras on the Western Ring Road. The number of motorists detected travelling over 10 kph over the speed limit has halved from a high of 3 per cent in August 2001, to a low of 1.5 per cent in June 2003. The reduction in tolerance levels for speeding has led to an increase in penalties but overall, the evidence is clear that motorists are slowing down.

Contract administration

A renegotiated contract worth \$46.5 million annually with Tenix Solutions Pty Ltd (Tenix) became effective on 1 January 2003. Tenix provides operational support to Victoria Police through operation of mobile safety cameras, deployment of operational fixed cameras, inputting on-the-spot fines issued by Victoria Police, verification of all camera images and the production of all infringements for Victoria Police, including CityLink toll infringements. Tenix also provides administrative support to the PERIN Court and the operations of the Sheriff for enforcement of court fines and warrants.

PERIN Court

The PERIN Court was established to deal with unpaid parking, driving and litter offences, which usually go uncontested, thereby reducing the burden on judicial resources. The number of infringements registered with the PERIN Court increased from 665,000 in 2001–02 to 883,000 in 2002–03, an overall increase of 33 per cent. The increase is attributable to the Government's road safety initiatives, the work of Victoria Police and an increase in infringements issued by local councils.

Operations of the Sheriff

Sheriff's Officers enforce court orders and warrants, generally for the settlement of unpaid fines. The number of warrants actioned by the Sheriff has risen from 197,016 in 2001–02 to 408,048 in 2002–03, an increase of 107 per cent. This overall growth in enforcement operations has led to the appointment of 48 new Sheriff's Officers during the year. While Sheriff's Officers primarily carry out work for the Justice Portfolio, they also provide services for a range of clients including local and other Government agencies and execute civil warrants on behalf of private sector clients. In 2002–03, the Sheriff's office focussed on improving communication, data analysis and joint strategic planning capabilities.

Legislative audit and proposed new Sheriff's Act

A review of all legislation impacting on the operations of the Sheriff of Victoria and Sheriff's Officers has been conducted with a view to consolidating the legislation under a new Act and standardising the powers of the Sheriff. Significant progress has been made to ensure the new Act is introduced into Parliament for passage during the Autumn 2004 sittings. The new Act should result in greater effectiveness and efficiencies in the enforcement of court orders and warrants.

Regulating business

Creating a confident and informed marketplace where traders are responsible.

Business services

The Department, through Consumer Affairs Victoria (CAV), registers business names and limited partnerships, and incorporates associations and cooperatives. It maintains public registers of these organisations and monitors their compliance with relevant laws.

CAV services the Business Licensing Authority (BLA), which is governed by the *Business Licensing Authority Act 1998* and administers the licensing and registration of finance brokers, estate agents, motor car traders, prostitution service providers, second-hand dealers, pawnbrokers and introduction agents. Entrants to these industries are screened and conditions can be placed on licences as one method of maintaining honesty and fairness in industry practices.

Registration and licensing provide a degree of transparency in business operations. Accurate public registers allow consumers access to information and increase business accountability.

Online transactions for business registration and licensing

An important ongoing project has been to enhance the availability of business registration and licensing transactions online. A major achievement in 2002–03 has been the addition of a range of new online capabilities including the availability of:

- extracts for incorporated associations and the ability to complete a change of details and extension of time online; and
- a user access module for authorised public officers of incorporated associations which allows them to log in using a user identification and passcode. This will eventually become available to business name owners and registered estate agents.

Work has continued on developing the capacity to handle online registration and changes of business names, and changes and online submission of incorporated association annual statements. Online access is also being developed for business licensing functions including the estate agents register, motor car traders register, annual statement and record update for estate agents and electronic communication with estate agents.

A number of functions were already available prior to 2002–03, including the renewal of business names, where no changes are required, and the capacity to search the Victorian business names register online. An average of about 5,400 searches are done per month and about 2,700 go further to request a partial extract of information about a specific business name or incorporated association.

Review of fees for business registration services

A review has been done of the costs of a range of business registrations with new fees proposed. Regulations setting out new fees are due to come into force in July 2003.

Legislation to enable online delivery

Legislation was passed in May 2003 to reform laws for future online delivery. The reforms remove the requirement for multiple signatures where the risks can be adequately managed through one signature. The changes are contained in the *Business Licensing Legislation (Amendment) Act 2003*.

Effective management of the sale of liquor

In December 2002, Liquor Licensing was transferred from the Department of Industry and Regional Development to Consumer Affairs Victoria (CAV), reflecting the common objective of protecting consumers and maintaining industry standards.

In 2002–03, the liquor and licensed hospitality industry, as measured by the number of licensed premises, expanded by 10 per cent. Regional Victoria shared in the growth of the industry during the 12 months, with over 42 per cent of licensed businesses outside of Melbourne.

Initiatives to promote the responsible serving of alcohol and minimise the harm of alcohol continued throughout 2002–03, including a range of industry development seminars, licensee forums and advisory workshops conducted in metropolitan and regional areas. Significant enhancements were also made to information and training available through the Liquor Licensing website.

Legislative changes were made to the *Liquor Control Reform Act 1998*, which included the phased removal of a cap on the number of packaged liquor licences that could be held by one entity. The amendments were based on an agreement reached between the Liquor Stores Association, the Master Grocers Association, Woolworths Ltd and Coles Myer Ltd.

The regulation prohibiting the retail sale of low fat, milk-based alcoholic beverages for consumption outside a licensed premises was made on 17 June 2003.



Martin Spottiswood, Consumer Affairs Investigator, takes a petrol sample for testing to determine the ethanol content of the fuel. The testing is part of random program to monitor compliance with new mandatory labelling requirements for ethanol-blended petrol introduced in May 2003. Higher concentrations of ethanol as an additive to petrol can affect vehicle performance and damage engine components. Some vehicle warranties may be voided through the use of ethanol blends.

Trade measurement

Trade measurement protects consumers by regulating the measurement of goods by business.

In 2002–03, the Department, through CAV, received 263 consumer complaints. Of those complaints 61 (23.9 per cent) were found justified. Of the justified complaints, 1.9 per cent related to deceptive trading, 0.7 per cent to gross weighing, 15.6 per cent to incorrect measurement, 1.9 per cent to labelling of pre-packed articles and 5.3 per cent to incorrect measurement practices. Trade measurement inspectors visited 5,083 business premises and issued 195 infringement notices containing penalties to the value of \$131,885 for a range of breaches of the *Trade Measurement Act 1995*. One prosecution was taken with fines totalling \$1,500.

Trade measurement reforms

The model Uniform Trade Measurement Legislation (UTML) has been the subject of a national competition policy review that is in its final stages. Trade Measurement has been working with the other States and Territories and the Commonwealth to develop a second round of amendments to the model UTML, to reduce and improve business regulation and to improve consumer protection. The sale-of-meat regulations were identified as a restriction on competition and have been the subject of a national public benefit test that will finalise the review in the second half of 2003.

On 1 January 2003, the *Utility Meter (Metrological Controls) Act 2002* came into operation and will apply the principles of UTML to utility meters. When fully operational, the Act will apply to all water, gas and electricity meters used for trade purposes – approximately 5.8 million meters.

Regulation of the fuel industry

Labelling of ethanol-blended petrol

A significant issue for CAV during 2002–03 was the regulation of ethanol-blended petrol, and mandatory labelling requirements came into operation in May 2003 and apply to both fuel retailers and wholesalers. The requirements were introduced under the Fair Trading (Product Information) (Petrol) Regulations 2003 to ensure consumers and fuel retailers are informed about the content and suitability of ethanol petrol blends available for sale in Victoria. There is evidence that, at higher concentrations, ethanol as an additive to petrol can affect vehicle performance and damage engine components. Consumers are exposed to substantial risk where warranties are voided through the use of ethanol blends. A program of random sampling of petrol at service stations is being conducted to monitor compliance with the new requirements.

Trade Measurement (Fuel Measurement) Regulations 2002

At the initiative of the Victorian Government, State and Territory Governments across Australia have introduced laws to regulate the temperature at which automotive petrol and diesel is measured for sale at refineries and terminals. In Victoria, the new requirements were introduced under the Trade Measurement (Fuel Measurement) Regulations 2002, which came into operation on 1 December 2002. The Regulations provide greater transparency and certainty in the wholesale measurement and pricing of fuel by making it mandatory for oil companies, fuel importers and distributors to base the price of certain wholesale sales of fuel on the volume of the fuel measured at the Australian standard temperature of 15° Celsius. These sales include wholesale sales where the fuel is delivered direct from the refinery or terminal to a storage depot or to a retail site.

Review of terminal gate pricing

Having introduced the *Petroleum Products (Terminal Gate Pricing) Act 2001* to overcome problems resellers were experiencing accessing fuel at terminals at transparent wholesale prices, CAV undertook a review to assess the effectiveness of the Act in achieving these objectives.

A draft report, which found increased transparency and a moderate improvement in resellers ex-terminal access to petrol and diesel, is being considered by industry stakeholders. The final report will be completed in 2003–04.

Delivering Major Projects

The Department of Justice provides state-of-the-art buildings and infrastructure for the delivery of modern justice services.

Tools of our trade

The Department of Justice building program

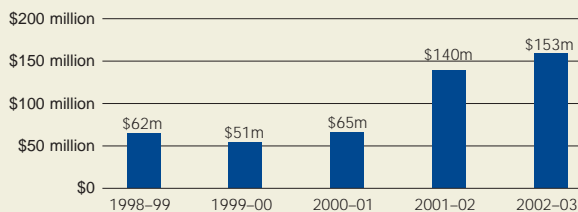
In 2002–03, the Department managed a massive \$153 million construction and facilities program for police stations, courts and prisons and the delivery of other justice services throughout the State.

Focussed on delivering services into the 21st century, the program is designed to meet the growth in new communities throughout the State, to upgrade facilities to meet contemporary functional requirements, replace out-of-date facilities and respond to the growth in Victoria's prison population.

The Department's program has been efficiently implemented throughout 2002–03 with both spending targets and construction timetables met. Projects have been delivered in accordance with the Government's financial policies including providing the best outcomes in terms of value for money, public interests and client satisfaction.

Spending on the program has more than doubled over the past five years from \$62 million in 1998–99 to \$153 million in 2002–03. Forward estimates for the program indicate that spending will remain at or near current levels for the foreseeable future.

Capital expenditure budget 1998–99 to 2002–03



Building better police stations

The Department works closely with Victoria Police in the strategic planning and development of new police stations and provides over-arching policy advice, coordination and monitoring of investments.

Opportunities for police to collocate with courts and the other emergency services is strongly monitored by the Department, consistent with the principles of joined-up Government. Wider policy initiatives, such as Melbourne 2030, growth corridors, local council priorities, are also influencing factors.

A major program to build new police stations across Victoria is designed to make communities stronger and safer. All new police stations include modern operational facilities and supporting technology like digital CCTV, air-conditioning, secure cells or holding rooms, gym and staff amenities.

In 2002–03, 24 new facilities were launched and the Operational Safety and Tactics Training facility was also opened. The major police stations opened are as follows.

- Bacchus Marsh Police Station cost \$3.9 million and became operational on 18 February 2003. It was rebuilt on the site of the former 16-hour station that was established in the early 1930s. The new 24-hour station accommodates 39 members, including the Uniform Branch, Traffic Management Unit and Criminal Investigation Unit.
- Belgrave Police Station cost \$4.3 million and became operational on 18 June 2003. It replaces the original station built in 1923 and provides accommodation for 39 staff with a growth allowance for a further nine.
- Eltham Police Station cost \$4.3 million and became operational on 7 November 2002. The new station operates 24 hours on the site of the former station and brings all 78 staff from operational units servicing Eltham together for the first time including Uniform Branch, Criminal Investigation Unit, Traffic Management Unit, District Inspector and a Schools Resource Officer.
- Kew Police Station cost \$7.1 million and became operational in September 2002. The new 24-hour police station combines the resources from the former Kew and Hawthorn police stations and the Camberwell Criminal Investigation Unit. The new station has been designed to accommodate up to 136 personnel.
- Moe Police Station cost \$4.6 million and became operational on 14 June 2003. It replaces the station which operated from a 52-year-old building in Fowler Street. It accommodates 52 members including Uniform Branch, Police Prosecutors and a School Resource Officer, and has the capacity to house an additional 13 personnel.
- The new Water Police facility cost \$3.3 million and was completed on 20 November 2002. It consolidates the Water Police and Search and Rescue Squad at an expanded Williamstown Police Station. The two units were previously accommodated in separate locations at St Kilda. Wet berths, which are fundamental to the operations of both units, were also located separately at the St Kilda Marina.

Seventeen rural police stations were also upgraded or replaced in Kaniva, Clunes, Eildon, Romsey, Tongala, Violet Town, Lang Lang, Skipton, Underbool, Yackandandah, Lavers Hill, Red Cliffs, Tatura, Apsley, Boolara, Branxholme and Chiltern. The police station at Mt Evelyn, in metropolitan Melbourne, was also upgraded.

A number of police stations have been under construction during 2002–03 and are due to become operational in 2003–04.

- Bellarine Police Station at \$4.8 million is scheduled for completion in September 2003.
- Croydon Police Station at \$5 million is scheduled for completion in October 2003.

- Diamond Creek Police and Emergency Services Facility at \$7.6 million is scheduled for completion in January 2004.
- Gisborne Police Station at \$4.6 million is scheduled for completion in November 2003.
- Heidelberg Police Station at \$9.1 million is scheduled for completion in October 2003.
- Richmond Police Station at \$8 million is scheduled for completion in October 2003.
- Seymour Police Station at \$7.3 million is due for completion in August 2003.

Building better courts

Heidelberg Law Courts

In August 2002, the Attorney-General officially re-opened a \$4.8 million extension and refurbishment of the Heidelberg Law Courts. The refurbishment includes four new court rooms, new magistrates' chambers and secure parking, separate access for Children's Court matters, secure custody access to the court from the adjacent police station (currently under construction) and video-conferencing facilities.

Latrobe Valley Court and Police Complex

In 2002–03, early demolition and site preparation work began on a major \$27.5 million new Court and Police Complex in Morwell. The project, which was announced in July 2001 to service the Latrobe Valley, will incorporate a 24-hour police station and divisional headquarters and multi-jurisdictional court facilities. The construction contract is scheduled to be formalized in early 2003–04, with completion by the end of 2004. The project will provide a significant boost to the economy of the Valley with preference being given to local suppliers of product and materials and for the employment of local trade and labour.

Warrnambool Court Complex

In March 2003, construction began on a \$15.2 million court for Warrnambool. Considerable consultation has occurred with the local community on the design of the building. It will comprise multi-jurisdictional courts with jury and custody facilities, as well as pre-trial hearing room, interview rooms and facilities for public and staff. The building will accommodate the pilot Koori court (due to commence operations in Warrnambool before the end of 2003), the Office of the Public Prosecutions, Sheriff's and Community Correctional Services. The building will incorporate ecologically sustainable development principles, including energy efficient design and feature the latest in court technology. The project is due for completion in September 2004.



Exterior view of Heidelberg Law Courts. A \$4.8 million extension and refurbishment of the court was completed in August 2002.

Mildura Court Complex

Work began on the new \$16.5 million Mildura Court Complex in March 2003. The complex will comprise multi-jurisdictional courts with jury and custody facilities as well as pre-trial hearing room, interview rooms and facilities for public and staff. Community consultation sessions were held throughout the year with a final meeting to present the model and design held in October 2002. The building will also accommodate the Office of the Public Prosecutions, Sheriff's and Community Correctional Services and incorporate ecologically sustainable development principles and energy efficient design.

Moorabbin Court

Initial funding of \$18 million for the new Magistrates' Court in Moorabbin was announced in the State Budget in May 2003. The new court will relieve existing demands on Dandenong and Frankston Magistrates' Courts and ensure efficient court services are provided to an area where significant population growth is occurring. A Site Evaluation Report with accompanying investment evaluation has been completed and submitted to the Attorney-General for consideration.

Court upgrades

Work was carried out on three major upgrades on courts in regional Victoria.

- At a cost of \$537,000, work was undertaken on Wangaratta Court to provide access for people with a disability to the first floor court room and a jury pool room on the ground floor. The project was completed in June 2003.
- Work continued throughout 2002–03 on a \$1.4 million upgrade for the historic Bendigo Court, due for completion in July 2003. The upgrade provides for heating and cooling of court rooms, public waiting areas and administration offices and the relocation of a hearing room. Built in the 1890s, Bendigo Court is the largest and grandest court building outside Melbourne and listed on the Victorian Heritage register for its historical, architectural and aesthetic significance.
- The upgrade of Horsham Court has provided new jury amenities, a jury pool room, two public interview rooms and improved air conditioning. The \$640,000 project is due for completion in August 2003.

Court security

Each of the court jurisdictions has overseen the development of the Court Safety and Security Master Plan to ensure a thorough approach to court safety and security. The \$2 million Master Plan was implemented in 2002 and improves both staff and public security in Victoria's courts.

Building better prisons

The largest correctional building program ever undertaken in Victoria is currently underway, and aims to deal with an unprecedented growth in prisoner numbers over the last decade.

The program, which began in mid-2001, is valued at \$194 million, and will provide three new state-of-the-art correctional facilities, the redevelopment of two existing prisons and the decommissioning of three outdated prisons.

The three new facilities include a 600-bed Remand Centre, a 300-bed medium security Correctional Programs Centre and a 120-bed minimum security prison. The Remand Centre and the medium security Correctional Programs Centre will both be delivered under the Government's Partnerships Victoria program.

Additional prison beds

A major achievement for 2002–03 is the increased prison capacities through the provision of additional beds. The following beds were opened during 2002–03.

- At Barwon Prison, a maximum security facility in Lara near Geelong, a 75-bed permanent facility opened in April 2003 and 100 temporary beds in two 50-bed relocatable cell blocks were opened in July 2002 and September 2002.

- At the Dame Phyllis Frost Centre, a maximum security facility in Deer Park, 50 permanent beds were opened comprising a 20-bed special care unit which opened in October 2002, and a 30-bed protection unit which opened in October 2002.
- At Loddon Prison, a medium security prison near Castlemaine, 70 permanent beds were opened in March 2003.
- At Fulham Correctional Centre, a medium security prison near Sale, 68 permanent beds were opened in April 2003.
- At Port Phillip Prison, a maximum security prison in Laverton North, 34 permanent beds were opened in January 2003.

Site selection for new prisons

During 2002–03, major progress was made, including site selection being finalised for all three new prisons, and the announcement of the short list for preferred tenderers to build and maintain the facilities at Ravenhall and Lara.

- Ravenhall will be the location for the 600-bed Remand Centre.
- Lara near Geelong will be the location for the 300-bed medium security Correctional Programs Centre.
- Beechworth will be the location for the 120-bed minimum security prison.

Redevelopments

In May 2003, the tender was awarded for the redevelopment of Langi Kal Kal Prison, a medium security prison accommodating 110 prisoners in Trawalla, near Ballarat. The redevelopment will provide a new observation post and observation cells, two new 14-bed prisoner accommodation units and the refurbishment of an existing unit, and a water storage dam for fire-fighting purposes. The work is scheduled for completion in December 2003.

In May 2003, the tender was released and submissions received for an \$8 million redevelopment of Ararat Prison, a medium security prison accommodating approximately 400 prisoners. The redevelopment will add 26 new beds and refurbish existing cells. The contract will be awarded in early 2003–04 with work expected to commence in September 2003 and due for completion in 2004.

Beechworth and Bendigo Prisons, both medium security facilities and Won Wron, a minimum security facility, will be decommissioned. Ongoing work was done during 2002–03 to review the progress of local action plans and local working parties to address the impact of closures on local communities and support staff through the decommissioning process.

Paul Spadano (left) General Manager of Barwon Prison with Des Ericson, Prison Officer (centre) and Kerry Freeman (right), Supervisor of 'Grevillea', a new protection unit at Barwon Prison, a maximum security prison facility in Lara near Geelong. The new unit provides 75 of the 397 new prison beds delivered in 2002-03.



Maintaining prison standards

An extensive risk assessment of cell safety was undertaken in 2002–03 to determine priorities for work in a \$50 million Building Design and Review Project. The Project will address cell safety in both maximum and medium security prisons and fire safety in all prisons in Victoria. Work on cell upgrades commenced at the Dame Phyllis Frost Centre during 2002–03 and a number of fire safety initiatives were implemented.

Other major projects

New VICSES headquarters

In September 2002, a new \$6.9 million State and Central Region Headquarters for the Victorian State Emergency Services (VICSES) was completed in South Melbourne. The new building houses the state and central regional management and operations for VICSES and its 5,500 volunteers and includes state-of-the-art training and operations facilities, natural ventilation and extensive natural light.

Other justice facilities

The Department currently manages over 70 leases and a major contract for the ongoing management of the County Court. In 2002–03 a number of ongoing contracts were managed, leases were renewed, rents reviewed, leases terminated and 18 new contracts negotiated for a range of justice facilities.

Developing racing facilities

In 2002–03, a number of initiatives were implemented to develop and improve racing facilities throughout the State.

Living Country Racing Program

Twenty-six clubs received grants worth \$261,541 under the Living Country Racing Program to support capital works at thoroughbred, harness and greyhound racing venues throughout country Victoria. Funding supports both essential track projects to maintain the safety and quality of racing, and capital works to improve racing venues and facilities so that they are more attractive for use by the wider local community. The program began in 2001 and to date, 65 country racing clubs have benefited from \$1.5 million.

Tenure for racing clubs

In collaboration with the racing industry, the Department examined the issue of security of tenure for racing clubs on Crown Land throughout country Victoria. The industry, through Country Racing Victoria, raised concerns that these clubs lack security of tenure, making investment in capital improvements difficult. The Department is currently working together with Land Victoria to ensure that country clubs located on Crown Land are given security of tenure through the development of leasing arrangements that are appropriate to their individual circumstances.

Technology projects

Statewide Integrated Public Safety Communications Strategy

The Statewide Integrated Public Safety Communications Strategy (SIPSaCS) is an over-arching framework that provides a long-term strategic vision to strengthen and enhance emergency communications and community safety in Victoria over the next decade.

The framework identifies the current and future needs of emergency services organisations and associated major stakeholders, and the opportunity for synergies between them. It provides a multi-agency approach that will deliver superior emergency response technology and value for money solutions.

The new technologies provide the opportunity for emergency services organisations and agencies to share common infrastructure and thereby enhance their capacity to work cooperatively in emergencies.

Three major projects are underway as part of the strategy and the following key developments occurred in 2002–03.

- In June 2003, a contract was signed with Motorola to supply a Mobile Data Network (MDN) to enable communication between Emergency Communications Victoria's (ECV) computer-aided dispatch system and terminals located in emergency service vehicles and offices.

Victoria Police will use the MDN to access the Law Enforcement and Protection (LEAP) database, which holds information for operational purposes including identifying unregistered vehicles and unlicensed drivers. The network will provide automatic incident dispatch from ECV. It will also provide remote database access and automatic vehicle location for select Victoria Police and Metropolitan Ambulance Service vehicles.

A performance management system will automatically record performance data and statistics in relation to transmissions over the network and resulting activity by emergency service organisations.

- In August 2002, expressions of interest were called for to provide the Emergency Alerting System (EAS), a personal alerting system for emergency services staff and volunteers throughout Victoria. A shortlist was announced in June 2003. The system will supply 29,000 messaging devices to the Country Fire Authority, Rural Ambulance Victoria and the Victorian State Emergency Services, so that simultaneous up-to-date text-based alerts can be sent. EAS is expected to be operational for the 2004–05 fire season.



An in-car Mobile Data Network (MDN) terminal for use in emergency services vehicles.

- In November 2002, expressions of interest were sought for the supply of a Metropolitan Mobile Radio (MMR), a multi-agency digital radio system for use throughout the greater Melbourne metropolitan area. A shortlist was announced in July 2003. The system will provide enhanced security for voice and data transmissions, improved coverage and allow for a range of emergency call features. The new system will replace the analogue network currently used by Victoria Police and the Metropolitan Fire and Emergency Services Board and enable the Metropolitan Ambulance Services to use the network. Other emergency services may be provided with access in the future. The Government aims to have the new MMR network operational by the 2006 Commonwealth Games.

Criminal Justice Enhancement Program

The Criminal Justice Enhancement Program (CJEP) is a major IT project which began in 1999, with the aim of linking the vital parties across the Victorian justice system, including police, the courts, legal professionals and corrections. It has been designed to introduce improved business processes, case management and the integration of an over-arching information technology architecture across the individual agencies while ensuring jurisdictional separations and accommodating security and privacy issues.

In 2002–03, significant achievements were made including the following.

- Implementation in the County Court of 'Court Connect', a new Internet facility which has reduced the number of hard copy files accessed by counter staff by 40 per cent since its introduction in mid 2002. Court Connect allows legal practitioners and the general public free 24-hour online access to selected civil case data through the County Court website, which provides selected information on civil cases initiated in Victoria since 1 January 1996. The information includes: case numbers; parties' names; lists of documents filed in a case; lists of judgments made by a judge or any order made by a judge or registrar; dates of hearing for events listed and whether jury or hearing fees have been paid.
- CJEP also provided Victoria Police with online access to over 60,000 offender images for members at all police stations throughout the State, and a pilot trial of E-Justice software for processing accused persons was extended to the Glen Eira District of Victoria Police.
- In the correctional system, a successful pilot trial of E-Justice software was undertaken to manage community-based offenders in the Hume Office of Community Correctional Services. The scope of the software was also expanded to embrace the replacement of most remaining functions within the ageing prisoner management system (PIMS).

Other facilities and projects

Also in 2002–03, development of a new civil 'E-Filing' system for the County Court continued and this is due to be operational from 1 July 2003. Ongoing establishment of the Justice Knowledge Exchange to provide messaging between justice agency systems with over one million messages have been exchanged since its implementation.

Video-conferencing in correctional system

Under a separate project in September 2002, CORE – the Public Correctional Enterprise, introduced video-conferencing facilities at 34 sites across Victoria including 25 CCS locations, seven prisons, the Adult Parole Board and CORE head office. The technology enables meetings between prisoners and community corrections officers, facilitates the delivery of specialist programs to remote locations, allowing video-conference visits between prisoners and families and contributes to reduced prisoner transportation costs.

Equipment

VICSES Trucks Grant Program

In 2002–03, \$1.95 million was spent on the supply of purpose-built rescue trucks to VICSES units throughout Victoria. The funding is made available through a VICSES Truck and Equipment Replacement Program, which in 2000–01, provided \$7.5 million to fund trucks and equipment purchases over four years. To date, 26 trucks have been delivered to units throughout the State.

Community Safety Emergency Support Program (CSESP)

In 2002–03, the Community Safety Emergency Support Program provided grants of \$1.22 million to support emergency responses in local communities through acquisition of search and rescue craft for VICSES and tankers and pumps for CFA. While the Department provides funding for the program, CFA and VICSES administer the program direct to communities. Allocations made by CFA include two- or four-wheel drive tankers with 1,500 or 3,000 litre capacity and a range of equipment to brigades across the State. VICSES allocated funding to 20 units throughout the State enabling them to acquire items such as four-wheel drive dual-cab utilities, boats, hydraulic rescue equipment, satellite phones and other communication equipment. The funding is the third annual round made available by the Victorian Government from the Community Support Fund. The Government recently announced that the CSESP will continue for another four years.

Corporate Services

The Department of Justice supports the delivery of high quality justice services by providing responsive and efficient corporate support.

Strong internal services

We strive to provide corporate services to both lead and support our business units and portfolio agencies.

The Department's corporate support services lead and manage the delivery of programs in the areas of finance and administration, budget management, human resources, knowledge and information systems and services, asset management, strategic planning and governance and reporting.

The Department of Justice has over fifty-one business units and service agencies with a budget of \$834 million and a staff of 4,770 throughout the State. Staff work in a wide range of environments, from small country courts, statewide call centres, our central administration with large licensing and registration services in metropolitan Melbourne, to prisons throughout Victoria.

The Department's corporate services establish over-arching standards, systems and processes to meet the complex needs of these highly dispersed functions.

Planning for our future

The Department's planning helps services to navigate a complex and multi-faceted environment and be responsive to changing community needs. It must reflect the changing character of the social, political and economic world. To be most effective, it must also identify common approaches and opportunities for partnership, not only within the portfolio, but with other Government departments and agencies, and of course with the community.

Planning must respond to demands from the community for new, different or better services. It should optimise innovation and developments in a range of fields, and needs to both lead and accommodate ongoing reform and policy direction.

In 2002–03, a range of initiatives were undertaken that helped the Department respond to new demands and a changing environment.

- The first year's data was compiled from a Public Perceptions Survey designed to monitor trends in public perceptions about the justice system. The survey measures the level of community confidence in the legal and courts systems and people's awareness of their legal, civil and consumer rights.
- An environmental scanning project using computer modelling was designed to assemble and analyse trend data about the justice system to determine the external factors which have an impact on the Department's business. It will assist us in providing projections for future needs.

- Use of forecasting models was expanded significantly from providing projections of prisoner numbers to application in other areas of the portfolio, including Community Corrections, victim services, courts and police.
- A database of research being conducted by, or of relevance to the portfolio, was compiled.

Strong people management

The Department's goal is to maintain a flexible, broadly skilled, professional workforce with a participative culture where all employees make a personally satisfying contribution. The Department recognises that satisfied and skilled staff are the means to achieving our goals and delivering our services. The Department undertakes activities to build our strength and capability through workforce planning, recruitment, training and development, rewards and recognition programs, and flexible working arrangements. The specific initiatives achieved in 2002–03 which furthered this approach are as follows.

- The leadership assessment process was enhanced as part of the Leadership and Management Development Strategy and a 360-degree feedback process was introduced to provide middle and senior managers with data on their leadership strengths and areas needing further development.
- A 'Manager as Coach' Program was implemented for all middle and senior managers who have four or more direct reports.
- Self-paced e-learning and recognition of previous learning and experience was introduced. These changes enable more regional staff to complete training programs and gain qualifications. This is an important initiative to increase flexibility for staff learning.
- A training needs analysis was undertaken in partnership with Skillgate to evaluate current IT competencies among staff. This allows an appropriate development program to be tailored for the Department in 2003–04.
- There were 200 recipients of Partnership Awards during 2002–03, presented at four ceremonies throughout the year. The Awards were a result of 62 nominations for individuals or teams comprising staff from the Department, Justice Portfolio agencies or others who have supported the Department in its work.
- The Department launched its 'New Look' Partnership Awards to recognise staff and their achievements, along with a Local Recognition Kit to encourage participation in the scheme and help individual managers or staff tailor their own scheme. The Department received a People Management Award from the Office of Public Employment for its redevelopment work.



Staff gather to be photographed to promote the Department's new look Partnership Awards. The Department received a People Management Award from the Office of Public Employment for its work.

Culture at work

The Department supports a range of initiatives to ensure its working environment is equitable, supportive and inclusive, and has a particular strength in managing diversity. During 2002–03, the Department delivered a number of policies and programs to build and strengthen its workforce in this way.

Women

Two projects were undertaken in 2002–03 to redress the gender imbalance at senior levels of both the Department of Justice and the wider public sector. The first appointees to a scholarship for women with leadership potential were announced in late 2002. Scholarship winners will undertake a number of core activities as well as pursue individual professional development opportunities. A career research project involving focus groups, interviews with senior managers and a survey of 400 middle level staff was also undertaken to identify individual and cultural barriers to the advancement of women to senior positions, and recommend actions to overcome these barriers. The recommendations will be implemented over the next two years.

Youth

The Department runs a Youth Employment Scheme (YES) to attract young people aged 15 to 24 years who are unemployed and/or from disadvantaged backgrounds to the Department and Justice Portfolio agencies. In 2002–03, the scheme placed 65 trainees in the Department

and a further 65 in Justice Portfolio agencies. Of those trainees, seven are Indigenous and five have a disability. The Department is pleased that about 85 per cent of these trainees are retained and one young Indigenous trainee was judged one of five finalists for the Victorian Koori Trainee of the Year in Victoria.

Koories

The number of Indigenous employees has grown from six in 2000 to 46 at 30 June 2003. Nineteen of these appointments were made under *Wur-cum burra*, the whole-of-Government Indigenous Employment Strategy. To support the appointment and advancement of Koories working within the justice system, two scholarships have been provided in 2002–03 to support Indigenous students undertaking a Bachelor of Laws. This takes the total number of Koori tertiary scholarships funded since the commencement of the program in 2001 to 18.

Another project, Pathways to Justice, was launched in September 2002, and is a community-based education initiative between the Department and Northland Secondary College in East Preston. It is designed to promote career pathways for Koori students into the justice system. Under 'Pathways', Koori secondary students have access to internships, work-study opportunities and traineeships as well as tertiary scholarships and achievement awards. The Department also provides computers for use in Northland Secondary College classrooms.

During the year, a new Indigenous Cultural Awareness Program was developed to ensure staff of the Department are provided with the knowledge required to deliver programs and services that note the specific needs of Indigenous clients. Eighteen programs were delivered to around 170 staff during the year.

Managing knowledge

The Department supports the creation, sharing and application of knowledge of all kinds which can be facilitated through technical and analytical approaches to data and information management. Knowledge management provides a framework for capturing and applying the information we have and the information we need – whether for a day-to-day business level or for analytical and research-oriented activities. Initiatives in 2002–03, which advance the Department's 'Knowledge Management' objectives are as follows.

- The establishment of a long-term vision for a 'Knowledge Portal' for the Department to integrate the Intranet and Internet and provide a cornerstone for future access to information resources within the Department. Training was also provided for 850 staff in key knowledge management principles and behaviours.
- The development of the Electronic Document and Records Management (EDM) Project which is the first step in the adoption of new corporate document and records management practices for the Department. Following public tender, the Department selected Towersoft's Trim Context EDMS solution provided by Alphawest Pty Ltd. Significant development and training occurred in 2002–03 to enable the system to be implemented in late 2003.
- The replacement of the current Microsoft Windows NT operating system on all LAN servers with MS Windows 2000 before support for Windows NT ceases. The project has been undertaken in stages with the final roll-out expected to be completed by October 2003.

Innovation

The Department's information technology systems and services apply the best possible solutions to address the complex needs of clients. The Department also looks for solutions that not only meet our organisation's needs, but which can be shared with other organisations in Government. Two major whole-of-Government projects continued throughout 2002–03 which put the Department at the forefront in developing across-agency system solutions.

- The development of the Government Infrastructure Management System Project (GIMS), which has been a significant project operating over a number of years. In 2002–03, technical infrastructure was established within the Department to support GIMS. GIMS will be used for planning, acquisition, operation, maintenance and disposal of physical assets (i.e. lands, buildings, equipment infrastructure, roads, etc). Mincom is the IT software supplier.

- The development of FOI Online, making the freedom of information process more accessible. In July 2002, stage one of the project was completed. This established the FOI website of <www.foi.vic.gov.au> and put comprehensive information about Victorian freedom of information laws, and people's rights, online. The site also established 'FOI specific' web addresses for approximately 300 agencies in Victoria, enabling people to deal online with FOI staff. Stage two of the project will allow members of the public to submit FOI requests electronically to the ten State Government departments and Victoria Police, and use a single credit card transaction to pay the application fee. This stage is due to be completed in late 2003.

Delivering sound financial management

The Department undertook a number of projects in 2002–03 to build our capability in budget management and reporting and improve the efficiency of our financial management systems.

Financial and budget systems

Oracle is the financial management system used by the Department. It was upgraded to deliver a more user-friendly system, allow for the first stage of EC4P (e-commerce for purchasing) reforms, and to reform business processes to reduce the processing time for procurement transactions. The upgrade will allow further efficiency gains to be achieved in a range of other areas.

The Department also implemented the QSP Advisor Series Budget Management System, a tailored budgeting and reporting system modelled on the information requirements and processes of the Department of Treasury and Finance. Advisor has improved and streamlined budget decision recording and management, automated updating of budgets and provided new, powerful and flexible financial reporting functionality.

Ensuring good governance

The Department's administrative and audit programs ensure the probity and integrity of our business. The Department's governance framework include audits of financial regularity and compliance, as well as compliance with laws e.g. information privacy laws. In 2002–03, a number of achievements were made in relation to these responsibilities.

- Enhanced compliance with laws and Government and Departmental policy.
- Improved financial regularity through better accounting processes, records and reporting.
- Minimised risks and improved controls to prevent fraud.
- Suggestions for more effective and automated systems for cash handling in courts.
- Cost savings in relation to identification and recovery of overpayments and reductions in fleet costs.
- Reviews of courts, prisons and Community Corrections.