

Justice Services

The Department of Justice works as part of a larger system to provide Victorians with safer streets, homes and workplaces, build cohesive communities, reduce inequality, promote rights and respect diversity.

The Department supports the work of the courts and statutory agencies in a way that ensures their independence and maintains a justice system which is fair and free from influence.



The Department works with the courts to create a fair, accessible and understandable justice system that responds to the needs of the community.

Modernising the 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.

The Australian Constitution separates the powers and responsibilities for governing Australia into three processes. This 'separation of powers' provides a system of checks and balance, where no one group has complete control.

- The Legislature is the body that makes the laws (the Parliament).
- The Judiciary is the body that interprets the laws and administers justice (the Judges and Courts).
- The Executive is the body that ensures that the laws are put into practice (the Ministry).

The Department supports the work of the Judiciary (the courts) in a way that ensures their independence from the Legislature and the Executive and maintains the separation of powers. The Department and the courts work collaboratively to provide an efficient and accessible judicial system.

The Department administers the ongoing operations of courts and statutory tribunals and assists the courts in developing plans for the future which reflect the community's needs and expectations.

Through the Victorian Government Reporting Service (VGRS), the Department also provides reporting and recording services for the criminal jurisdictions of Victoria's Supreme, County and Magistrates' Courts, as well as for the Court of Appeal, Coroner's Court, Children's Court and the Victorian Civil and Administrative Tribunal when requested.

In 2003–2004, the Department undertook a range of initiatives and programs to ensure that the legal rights of all persons are protected through a just, responsive and accessible legal system in which the Victorian community has confidence.

Court Registrar's qualification

In 2003–2004, as part of a key 'whole-of-court' initiative, the Department worked towards the introduction of an accredited qualification for staff working as Court Registrars in Victorian courts.

The qualification will provide staff with a uniform standard of technical and operational competency and is expected to enhance the quality and consistency of service delivery in courts, create efficiencies in the deployment of staff between the jurisdictions, and improve career opportunities for court staff.

Victoria University has been appointed as the Department's training provider for this important program, with the first student intake anticipated in February 2005.

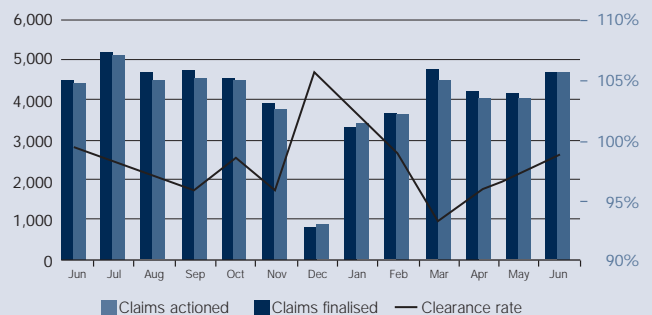
Court performance 2003–2004

In 2003–2004, Victoria's court jurisdictions performed strongly with most exceeding their caseload targets.

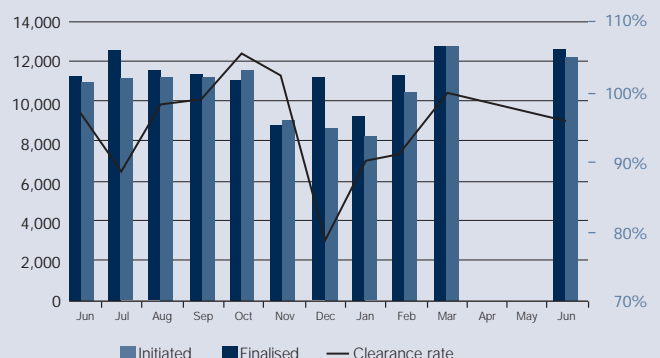
- The Supreme Court is the superior court of Victoria and deals with criminal and civil cases. It primarily considers serious criminal matters such as murder and manslaughter, large civil actions and appeals against decisions of lower courts. In 2003–2004, the Supreme Court disposed of 20,203 matters – an increase of 1,203 over its target.
- 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 2003–2004, the County Court disposed of 11,912 matters – exceeding its target of 11,800 by one per cent.
- 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 2003–2004, the Magistrates' Court of Victoria disposed of 166,034 matters – 11.8 per cent above its target of 148,500.

The *Victims of Crime Assistance (Miscellaneous Amendments) Act 2003* came into operation on 1 January 2004, enabling Court Registrars to make interim awards of up to \$1,000. For the first six months of 2004, Registrars throughout Victoria made 563 Victims of Crime Assistance Tribunal interim awards. By not having to refer the same number of requests for Interim Awards to a Magistrate in chambers, the turnaround time in the decision making process has significantly improved.

Magistrates' Court of Victoria – Civil claims actioned, finalised and cleared 2003–2004



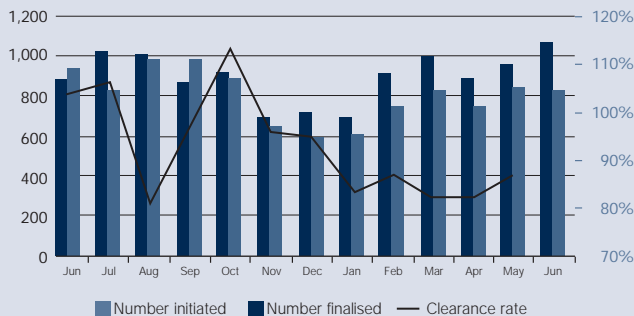
Magistrates' Court of Victoria – Criminal case commenced, finalised and cleared 2003–2004



Modernising the courts and the legal profession continued

- 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 2003–2004, the Children's Court disposed of 14,778 matters – exceeding its target of 14,000 by five per cent, primarily due to unexpected growth in family division applications.

Children's Court of Victoria – Cases commenced, finalised and clearance rate 2003–2004



- The Victorian Civil and Administrative Tribunal (VCAT) aims to resolve disputes in civil matters relating to consumer matters, credit, domestic building works, residential tenancies and retail tenancies. It hears administrative disputes in relation to planning, state taxation, land valuation, Transport Accident commission decisions, Freedom of Information issues and, licences to carry on business enterprises such as travel agencies and motor traders. VCAT also deals with matters relating to guardianship and administration, and discrimination. In 2003–2004, VCAT finalised 88,013 matters. While this was one per cent below its total finalisation target of 88,500 matters VCAT exceeded its targets in most areas. There was a decrease in residential tenancy matters finalised following a drop in matters initiated due to market factors beyond VCAT's control.
- 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 2003–2004, the Coroner's Court disposed of 4,112 matters – two per cent below its caseload target of 4,200 matters.



Pamela Tate was appointed as Victoria's first female Solicitor-General in July 2004. The position is one of the most senior legal positions in Victoria. Ms Tate appears in court in all jurisdictions as Senior Counsel in cases where the Government is a party.

Technological developments in the courts

The Department is enhancing access to technology for courts across Victoria. In 2003–2004, the Victorian Government Reporting Service (VGRS) upgraded video-conferencing facilities. In partnership with the County Court, the Department trialed the installation of a combined DVD, VHS and CD Player for use in the presentation of evidence in courtrooms.

The Department also implemented rapid, electronic delivery of court transcripts, which are now available within two hours of court rising.

The five-year Criminal Justice Enhancement Program is linking vital parties across the Victorian justice system. The program continued in 2003–2004, with the implementation of 'E-filing' which allows 24-hour electronic lodgement of court documents and 'E-justice', which records information on attendance at police interviews.

The Department is also working with the courts to address security issues which may arise during the gangland killing and police corruption cases, with a particular focus on the protection of key witnesses and the security of evidence. Many of the cases are due to be heard in 2004–2005.

Improving the competitiveness of Government legal services

In 2002 the Victorian Government Solicitor's Office began competing with 33 private sector law firms for the provision of legal services to Government. The Government Legal Services Unit coordinates and manages the legal services through panel arrangements on a whole-of-government basis.

Experience over the last two years shows that pre-qualifying a broad panel of firms has streamlined the process for agencies to acquire legal services, secured better rates through the Government's consolidated buying power and assisted the firms to navigate the Government environment.

Legal services are also provided by the Victorian Government Solicitor exclusively for some services and in competition with panel members for other services. Government Legal Services panel members as at 30 June 2004 were as follows.

General panel

Blake Dawson Waldron, Clayton Utz, Corrs Chambers Westgarth, Deacons, Freehills, Holding Redlich, Maddocks, Minter Ellison, Phillips Fox, Russell Kennedy.

Specialist panel

Berry & Associates, Brian Ward & Partners, Dawes & Vary, Francis Abourizk Lightowers, Frenkel Partners, FOI Solutions, Hall & Wilcox, Kenna Teasdale, Ligeti Partners, Logie Smith Lanyon, Malleson Stephen Jaques, Maurice Blackburn Cashman, Middletons, Neveit Ford, Norton Gledhill, Rigby Cooke, Ryan Carlisle Thomas, Sparke Helmore, TressCox, Tait Leishman Taylor, White Cleland, Wisewoulds.

The current contract is due to expire in June 2005, and the Government is examining options for further contract arrangements.

The Sentencing Advisory Council

The Sentencing Advisory Council, established by the *Sentencing (Amendment) Act 2003*, is an ongoing initiative which aims to foster informed debate on sentencing issues and ultimately bolster community confidence in the criminal justice system.

During 2003–2004, significant work towards the establishment of the Council took place. The Attorney-General, Rob Hulls, announced the Council members in July 2004, signifying the formal commencement of the Council. The 12 directors on the Council Board represent a range of perspectives that will ensure robust debate on sentencing issues, based on a practical understanding of how the criminal justice system operates in the community.

Appointments were made under six profile areas, designed to give the council a breadth and depth of experience across all aspects of sentencing.

Profile 1 – Senior member of an academic institution

Council Chairperson Professor Arie Freiberg is the current Dean of Law at Monash University and is uniquely positioned to Chair a body like the Council. Professor Freiberg is a pre-eminent authority on sentencing issues and the criminal justice system, and has undertaken extensive research on sentencing theory, policy and practice.

Profile 2 – Community issues affecting courts

Mr Andrew Jackomos is a highly-respected member of the Indigenous community. He has worked in a policy environment developing a range of initiatives advocating improved social justice outcomes – most notably the Aboriginal Justice Agreement.

Ms Carmel Benjamin AM brings many years of dedication to improving the responsiveness of the court system to the needs of victims, witnesses and offenders. Ms Benjamin is the founder of Court Network, a community organisation designed to assist court users, and has been actively involved in organisations such as Victims of Crime Assistance League.

Ms Therese McCarthy has a long history of involvement with community organisations such as Centre Against Sexual Assault (CASA) House and Court Network, and brings to the Council a community perspective on a range of criminal justice issues including domestic violence and sexual assault.

Profile 3 – Highly experienced defence lawyer

Mr David Grace QC has over 25 years experience as a legal practitioner, has appeared in numerous court jurisdictions and has been involved in a number of leading sentencing cases. Mr Grace regularly appears in the High Court and Court of Appeal and was the previous Chair of the Criminal Law Section of the Law Institute of Victoria.

Profile 4 – Highly experienced prosecution lawyer

Mr William Morgan-Payler QC is the Chief Crown Prosecutor and has over ten years experience prosecuting major criminal trials, as well as 25 years as a legal practitioner.

Profile 5 – Member of a victim of crime support or advocacy group

Professor Jenny Morgan is a member and previous co-chair of the Women's Domestic Violence Crisis Service and has extensive experience with victims' issues. She is a former Chair of the Board of Centre Against Sexual Assault (CASA) House, former member of the board of Court Network, and has well-developed relationships with community organisations working with victims of crime.

Ms Barbara Rozenes is a Board member of the Court Network and has had close contact with victims of crime for over ten years.



Professor Arie Freiberg is the Chair of the Sentencing Advisory Council. Professor Freiberg is also the current Dean of Law at Monash University and is a pre-eminent authority on sentencing issues and the criminal justice system.

Modernising the courts and the legal profession continued

Profile 6 – Operation of the criminal justice system

Mr Simon Overland, Assistant Commissioner (Crime), has extensive experience in law enforcement and administration at senior executive levels with the Australian Federal Police and more recently with Victoria Police.

Mr Bernard Geary brings a valuable youth perspective to the Council, and has approximately 20 years experience on the Youth Parole Board. He has extensive experience in the delivery of a wide array of programs and services through Jesuit Social Services, which helps individuals and families in contact with the criminal justice system.

Ms Carmel Arthur is the widow of murdered police officer Rod Miller and brings to the Council great personal insight into the workings of the criminal justice system.

Mr Noel Butland will bring a vital regional Victorian perspective to the work of the Council. He has worked in the Justice field for over ten years as a Community Corrections Officer in Wodonga.

The Council aims to improve the nature and quality of information available to the judiciary and general public on Victoria's sentencing system. It will undertake research into sentencing policy and practice, analyse sentencing statistics and trends, and provide information to the judiciary, Government and the community about the operation of the sentencing system.

The Council aims to incorporate informed community input into sentencing policy by gauging public opinion on sentencing issues and consulting with interested persons and bodies, relevant government departments and the community on sentencing matters.

Victims Register

Due to commence operations on 30 August 2004, the Victims Register, managed by Corrections Victoria, will enable registered victims of violent crimes to receive particular information on their offender, including the prisoner's earliest release date, eligibility for rehabilitation and reintegration permit programs, interstate or international transfer, and consideration for parole release. Victims are also provided with a statutory right to lodge a victim submission to the Adult Parole Board of Victoria before the prisoner's parole hearing.

The Judicial College of Victoria

The Judicial College was established in November 2002 to provide ongoing formal education and training for Victoria's judges, magistrates and VCAT members. In 2003–2004, the College completed its first full year of operation. The College has received tremendous support and commitment from judicial officers.

The College has delivered judicial education programs to judges and magistrates on a range of topics, including DNA, judicial dispute resolution, sexual offences, Vietnamese cultural awareness, negligence, family violence, and child witnesses. It has developed a schedule of visits to a range of correctional and forensic facilities. Initially only offered to new court appointees, the level of interest from the wider judiciary has resulted in extending the program to all judges and magistrates.

Judicial officers seldom, if ever, see their colleagues at work or receive feedback on the way they carry out their own work. The College has worked on a collaborative pilot project with the Magistrates' Courts in South Australia and Victoria to facilitate an observation and reflective practice exercise.

2003–2004 saw the development of the Judicial Officers Information Network. When completed, it will provide a single online entry point for Victorian judicial officers with links to College publications and other publications, legislation, cases, texts, library catalogues, practice directions and sentencing statistics.



Speakers Brendan Money, Hugh Roberts, Hoang Nguyen and Detective Inspector Pat Boyle, with Judicial Officers and staff members attending the Judicial College workshop on Vietnamese Cultural Awareness at the Australian Vietnamese Women's Welfare Association in Richmond.

Complementary justice services

The Department supports the work of the courts and provides a range of alternative justice services to the Victorian community.

Alternative Dispute Resolution services

Alternative Dispute Resolution (ADR) is a service available to everyone in Victoria. ADR is a process where an impartial person assists those in dispute to resolve the issues between them, without the need to appear before a court. ADR reduces the load on the court system, and frees up magistrates and court staff to focus on more serious criminal cases.

ADR can involve arbitration and case appraisal, however, most services provided through ADR are mediation, facilitation and facilitated negotiation. ADR services are provided through the Department's Dispute Settlement Centre of Victoria (DSCV).

The DSCV deals with a wide range of disputes including those involving noise and behaviour issues, workplace and business disputes, and planning and environmental disputes. It employs over 160 mediators across Victoria, with more than 60 of them from culturally and linguistically diverse backgrounds. They broaden the accessibility of the service through their understanding of culture and language.

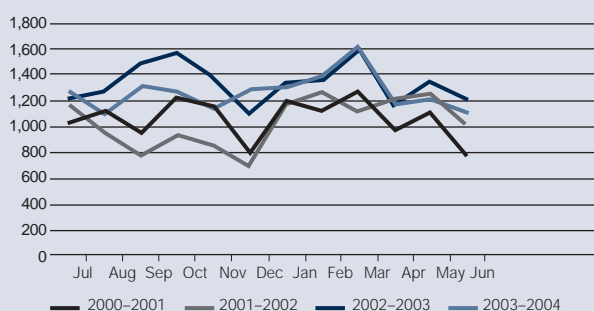
By helping people resolve disputes without resorting to courts or tribunals, ADR provides processes that are simpler, more informal, less costly, quicker and more accessible. In 2003–2004, 90 per cent of clients surveyed reported that they were satisfied with the outcomes of the ADR process.

While there was a slight decrease in total phone calls received in the past year – down from 16,084 in 2002–2003 to 15,215 in 2003–2004, the number of disputes received for resolution was marginally higher, with 2,037 being received in 2003–2004, compared with 2,028 received in 2002–2003.

In 2003–2004, DSCV continued to strengthen the ADR process by:

- launching a new interactive website, providing self-help for people with disputes;
- recruiting and training 25 new rural and regional mediators, 17 of whom came from culturally and linguistically diverse backgrounds;
- recruiting and training an additional seven Koori mediators in the Goulburn region;
- translating key information about the service into 21 community languages; and
- continuing to provide Dispute Assessment Officers to Ringwood, Frankston, Sunshine and Melbourne Magistrates' Courts to enhance referral of cases suitable for ADR to mediation.

Number of enquiries responded to by the Dispute Settlement Centre of Victoria 2000–2001 to 2003–2004



The Department, through Consumer Affairs Victoria (CAV), also provides alternative dispute resolution services to consumers to resolve a range of industry and business disputes. In 2003–2004, CAV received more than 16,000 written complaints and requests from consumers. Around 60 per cent of these were successfully resolved through the ADR process. Approximately 27 per cent were either successfully addressed by other means, unsubstantiated, withdrawn or outside of Consumer Affairs jurisdiction. A further 13 per cent were advised to lodge complaints with the relevant tribunal or agency.

Establishment of the Victims Support Agency

Launched in May 2004, the Victims Support Agency (VSA) is responsible for providing a whole-of-government response to victims of crime and for representing the voice of victims within the justice system. Following the *Review of Services to Victims of Crime*, the Department established the VSA to replace the former Victims Referral and Assistance Service. The VSA works in partnership with police, justice and human services agencies to ensure a responsive service system for victims of crime.

Leading the way

The Victims Support Agency has a central role in bringing key stakeholders together to learn, exchange information and work together to assist victims to recover from the impact of crime. Regular forums and conferences are held on victim-related issues.

A new service model was developed in 2003–2004 to promote more integrated and responsive services to victims of crime at the local and regional level. This involves the purchase of practical support and counselling services for victims of crime. Advertisements calling for submissions for the provision of services were placed in May 2004. The new service model will commence operation in 2004–2005.

The VSA operates a telephone helpline to provide information, advice and referrals to assist victims of crime. In the 2003–2004 financial year there were 46,596 calls for assistance recorded – an increase of six per cent over the previous year.

The VSA also operates the Victims Assistance Program, which provides immediate crisis response as well as counselling for victims of crime. During 2003–2004, 8,020 victims of crime received short term counselling – an increase of 3.5 per cent over the previous year.

In 2003–2004, the VSA also:

- convened, in partnership with the Victorian Law Reform Commission, a workshop conducted by Dr Jane Ursel, a Canadian specialist in family violence courts, on the impact of court specialisation on the processing of family violence cases. The workshop brought together professionals working in the field of family violence; and
- worked with the Victims of Crime Assistance Tribunal to conduct forums to increase public awareness of the role of the Tribunal and to provide information on recent legislative changes to improve access for victims of crime to counselling and urgent expenses.

Protecting consumers

The Department works to ensure a confident and informed marketplace where consumers are protected and traders are responsible.

New Consumer Service model

In March 2004, the Minister for Consumer Affairs, John Lenders MP, announced the implementation of a new consumer service model, including:

- increased face-to-face consumer and tenancy advice services;
- expansion of specialist teams such as the Indigenous Consumers Unit and the Bi-lingual Tenancy Workers Program;
- new mobile units delivering a range of specialised consumer and tenancy advice services; and
- new offices in Ballarat, Bendigo, Geelong, Morwell, Wangaratta.

The new Wangaratta office was opened and the service model for the northeast non-metropolitan region and the eastern metropolitan region were launched in June 2004. It is anticipated that the model will be fully implemented after June 2005.

Legislative reviews

In 2003–2004, the Minister for Consumer Affairs announced four key reviews to protect consumers and ensure the law keeps pace with changing community needs and expectations.

Review of the regulatory framework governing bodies corporate

In September 2003, Helen Buckingham MP commenced a review of the regulatory framework governing bodies corporate. The review is examining the effectiveness and efficiency of the *Subdivision Act 1988* and the Subdivision (Body Corporate) Regulations 2001 to ensure adequate consumer protection of the estimated one million people, or approximately 20 per cent of all Victorians now owning, living or working in bodies corporate.

Review of the Retirement Villages Act 1986

In April 2004, Maxine Morand MP launched a set of proposals for amendment of the Act, with key themes of improved transparency at the contract stage and improved dispute resolution. The Government is currently considering its response to the recommendations.

Review of the Associations Incorporation Act 1981

In November 2003, Dianne Hadden MP was appointed to lead a review of the *Associations Incorporation Act 1981*, which facilitates community participation by enabling not-for-profit community organisations and clubs to attain the benefits of corporate status and limited liability.

Review of the Fundraising Appeals Act 1998

In February 2004, Luke Donellan MP commenced a review of the *Fundraising Appeals Act 1998*. The review is considering the continued appropriateness of the current regulatory framework and assessing how effective the fundraising legislation has been in meeting fundraisers' needs and protecting donors.

Reviewing motor car traders' legislation

In March 2004, the Minister announced a series of formal consultations with key players in the car industry to determine the effectiveness of current consumer protection laws. The consultation process, which is convened by Noel Pullen MP will assess how effective the motor car traders' legislation is at meeting trader and consumer needs.

A series of focus groups have been held across Victoria in areas including Preston, Frankston, Geelong, Bendigo, Wodonga and Traralgon. Once the consultation process has been concluded, a report will be presented to the Minister highlighting areas where legislative change may be required.

Consumer and trader enquiries

CAV deals with many thousands of enquiries from, and provides information to, consumers and traders to assist them with exercising their rights and avoiding disputes.

In 2003–2004, CAV dealt with around 650,000 consumers through telephone, face-to-face enquiries and written complaints. CAV received more than 600,000 visits to its website, an increase of more than 33 per cent on 2002–2003.

Where matters cannot be resolved by other means, the Department, through CAV, is empowered to investigate and sanction traders, and has a number of enforcement tools at its disposal. In 2003–2004, a total of 32 injunctions and disciplinary actions were taken against licensed traders. Forty-seven successful prosecutions were brought against traders.

Consumer Affairs Victoria compliance and enforcement data 2003–2004

Total of fines issued	\$503,600.00
Other penalties	\$36,483.00
Total of costs issued	\$48,284.98
Prosecutions	47
Injunctions and disciplinary actions	32
Infringement notices and enforceable undertakings	223

Fair Trading (Amendment) Act

In 2003, the Government amended the *Fair Trading Act 1999* to ensure that business contracts in Victoria do not contain unfair terms that cause a significant imbalance to the detriment of the consumer in the rights and obligations arising under the contract.

Metropolitan enforcement and compliance exercise

In June 2004, CAV visited 66 businesses at a major Melbourne suburban shopping centre, targeting the areas of fair trading, product safety, trade measurement and travel agents. Product safety inspectors seized 60 items that breached banning orders or mandatory safety standards or were considered to pose a threat of imminent death or injury. Four travel agents were visited, resulting in a number of compliance issues being identified.

Several businesses were identified as having minor *Fair Trading Act 1999* compliance issues and one outlet was considered to have significant compliance issues.

Regional compliance and enforcement exercise

In Bendigo in May 2004, officers conducted inspections to ensure compliance with a range of legislation administered through the Department by CAV. More than 200 retail premises, business premises, prescribed associations or incorporated associations, hotels, restaurants and clubs were visited. Inspections resulted in the issuing of numerous infringement notices and warning letters, and the seizing of 46 products subject to banning orders.

Ensuring consumer safety

One of the most important objectives of the Department is to protect consumers by reducing the risk of injuries or death caused by consumer products or services that are defective, unsafe or fail to meet prescribed standards. The *Fair Trading Act 1999* provides the power to:

- ban the supply of unsafe goods;
- recall consumer goods which pose a safety risk; and
- impose safety requirements by regulation.

In 2003–2004, CAV received over 2,200 calls from consumers and industry seeking advice on matters relating to product safety and conducted more than 260 investigations into the safety of consumer products.

CAV issued numerous warning letters to retailers found selling banned products and successfully prosecuted a national discount retailer for selling banned products including a candle holder that posed a fire risk and plastic toys that posed a choking hazard to children. The retailer was ordered to pay \$10,000 to the Royal Children's Hospital, placed on a 12-month good behaviour bond and ordered to pay \$571.50 in costs for breaching the *Fair Trading Act 1999*.

Seizing unsafe products

Acting on information received, CAV obtained a warrant to search a wholesaler's premises and seized 3,400 individual products that breached three separate CAV ban orders, including toy guns with parts which posed a choking hazard. A few weeks later, acting on new intelligence, CAV executed a new search warrant and seized a further 148 banned toy guns and 4,678 disposable cigarette lighters that contravened regulations. CAV is planning further enforcement action against the wholesaler.

Consumer issues

The Department works to identify emerging consumer issues and address them quickly. Electronic commerce, or 'E-commerce' has grown rapidly in recent years due to the advent of increasingly sophisticated technology. M-commerce, or the use of mobile phones and other wireless devices to make payments, access bank accounts, receive news or promotions, and conduct purchases is now available in Australia. The Department, through CAV is working to develop regulations and legislation to ensure that consumers and businesses can trade fairly and safely using these new technologies.

In 2003–2004, CAV led a National E-commerce Working Party, comprising representatives from all states and territories, the Commonwealth and New Zealand. The working party was formed to consider and report to the Ministerial Council on Consumer Affairs on E-commerce and M-commerce issues. The working party completed a report outlining the expected availability of M-commerce services in Australia and described potential consumer issues which may arise.

'Get rich quick' schemes

In 2003–2004, CAV took part in a global 'sweep' of online 'get-rich-quick' schemes as part of a global strategy by the International Consumer Protection and Enforcement Network.

The sweep investigated 3,000 Australian sites and, as a result, 50 sites were contacted about unbelievable promises, miracle cures, lottery scams, and other 'get-rich-quick' schemes. More than 30 websites were taken down or amended for misleading and deceptive content.

Young consumers

In March 2003 CAV initiated a Consumer Education in Schools (CEIS) Project to address low levels of financial and consumer literacy, and high levels of debt among young people.

As part of the CEIS project, in March 2004, the Minister for Consumer Affairs, John Lenders, launched *Money Stuff*, a package of best-practice curriculum material. The package was sent to every Victorian secondary school and includes books for teachers, details of an interactive website, and a wallet-sized information card for young consumers. The resources are designed to assist students in key areas of concern such as use of credit cards, mobile phone contracts, car purchase, consumer rights and responsibilities, and residential tenancy issues.



The Minister for Consumer Affairs launches Money Stuff, a package of best practice curriculum material for secondary school students. The resource assist students in key areas such as use of credit cards and mobile phone contracts.

Emergency management – keeping communities safe and secure

We live in a changing world where emergencies may result not only from natural occurrences and accidents but also from deliberate acts. It is a challenge for Australians to prepare for bushfires, floods, severe storms and rescues.

Emergency management in Victoria

Emergency management involves the plans, structures and arrangements which are established to bring together the normal endeavours of Government, voluntary and private agencies in a comprehensive and coordinated way to deal with the whole spectrum of emergency needs, including prevention, response and recovery.

Victoria's emergency management arrangements deal with emergencies of all sizes. In particular, they deal with emergencies where more than one organisation is involved.

The Minister for Police and Emergency Services, André Haermeyer, is the Coordinator-in-Chief of Emergency Management in Victoria. As Coordinator-in-Chief, the Minister must ensure adequate emergency management measures are taken by Government. He coordinates the activities of Government in preventing, responding to, and recovering from, a range of emergencies.

The Minister, in his role as Coordinator-in-Chief chairs the Victoria Emergency Management Council (VEMC). The role of the VEMC is to advise the Minister on all emergency management matters. Membership is drawn from all emergency services, most government departments and other key organisations such as the Municipal Association of Victoria. The Emergency Services Commissioner is Executive Officer to the VEMC.

While the VEMC meets at least annually, or during major emergency events, the Minister also chairs the smaller VEMC Coordination Group, which meets quarterly to address more current emergency management issues. The group also oversees a number of subcommittees whose role is to plan and review across the major emergency management activities: prevention/mitigation, response and recovery.

Members of the group are drawn from Victoria Police, emergency service organisations, the ambulance services and emergency management officials from Department of Human Services and Department of Sustainability and Environment.

The Office of the Emergency Services Commissioner (OESC) provides independent advice to Government in relation to all emergency management matters in Victoria. In 2003–2004, OESC took the lead in establishing the State Emergency Mitigation Committee, which aims to provide a strategic overview of, and advocacy for, emergency mitigation in Victoria. OESC also manages a wide range of community initiatives such as fire and water safety.

The Victoria State Emergency Service (VICSES) is predominantly a volunteer organisation. SES volunteers respond to emergencies within their local community and at times in neighbouring communities. VICSES staff provide operational support and assistance to SES volunteers and also provide extensive training support on emergency management across Victoria. VICSES plays a crucial role in planning for, and responding to, emergencies including floods, accidents, storms and motor vehicle accidents.

SAFETY Victoria

In 2003–2004, the Department introduced the SAFETY Victoria website, which provides a single point of access to safety and emergency information in Victoria. The site does not require the user to know which department they need to contact or to understand the structure of government.

The ABC Memorandum of Understanding

In 2003–2004, the Minister for Police and Emergency Services signed a Memorandum of Understanding with the Australian Broadcasting Commission (ABC). The landmark agreement means ABC radio will interrupt regular programming in the event of an emergency and broadcast important information as directed by emergency service agencies. The agreement, while not giving exclusive rights to the network, ensures that the ABC is a key player in alerting Victorians to significant emergencies.

Local government

OESC is working in partnership with other state agencies, local government and LaTrobe University to develop a software measure enabling the socio-economic assessment of major emergency impacts. The software has the potential to significantly assist local governments' emergency mitigation and recovery planning. It is anticipated that pilot projects will be undertaken from June 2005.

OESC supports the Municipal Emergency Management Enhancement Group (MEMEG), which provides a forum for municipal employees with an emergency management role. In November 2003, MEMEG conducted its first annual forum dealing with emergency management issues of particular relevance to local government.

VICSES supports local Government and communities in emergency prevention and mitigation. This includes the delivery of Introduction to Emergency Management (IEM) and Introduction to Emergency Risk Management (IERM) courses and facilitating the development of municipalities' emergency management plans. VICSES is responsible for the auditing of municipal emergency management plans to Ministerial guidelines and, in 2003–2004, audited ten municipal plans from across Victoria.

Emergency resource providers

The capacity to access private sector resources quickly is essential for maintaining the efficiency and effectiveness of the emergency management system. The Department is developing the Emergency Resource Providers Support Scheme as a means of managing the financial and legal risks which private resource providers may incur in emergency operations. It is expected that the scheme will become fully operational during 2005–2006.

Community Safety Emergency Support Program

The Community Safety Emergency Support program/ established by the Government in 2000, is a unique way of acknowledging the work of local emergency service volunteers and assisting them in purchasing a wide range of ancillary emergency equipment. It aims to encourage stronger communities through the promotion of direct community safety and responsibility.

From 2000–2002, the program has provided \$4.5 million to assist VICSES and the CFA. In 2003, the Government announced an additional \$10 million over four years to further support VICSES, the CFA, the Australian Volunteer Coast Guard and Life Saving Victoria.

In 2003–2004, more than 100 grants totalling nearly \$2.4 million were provided across Victoria to purchase emergency equipment and vehicles such as fire-fighting tankers.

Minister for Police and Emergency Services André Haermeyer with emergency services personnel at the launch of the Community Safety Month.



Emergency management – keeping communities safe and secure continued

Major emergency management activities

In 2003–2004, the Department participated in a number of exercises to improve emergency response capabilities.

VICSES and other emergency management organisations such as the CFA and the Metropolitan Fire Brigade participated in Victoria's first Counter-Terrorism Capabilities Open Day in November 2003. Emergency management organisations presented displays and shared knowledge and information.

In November 2003, over 1,000 Victorian personnel participated in an eight-day training exercise. 'Exercise Labyrinth' tested the combined response capability of the Victorian Emergency Management Team to manage a prolonged emergency event such as contamination of local waterways and residential structural collapse.

In May 2004, VICSES hosted Australasian Rescue 2004 in cooperation with the Australasian Road Rescue Organisation. The event was held at the Royal Melbourne Showgrounds with 20 road rescue teams from most Australian states and territories, New Zealand and the UK competing in the challenge.

Responding to bushfires

The *Report of the Inquiry into the 2002–03 Victorian Bushfires* was released on 14 October 2003. The Victorian Government accepted all 148 recommendations either in full, or in-principle.

In 2003–2004, a high level inter-Departmental Committee chaired by the Emergency Services Commissioner was established to ensure a whole-of-government approach is taken to implementing the recommendations. A number of projects will be undertaken over the next four years to enhance community safety outcomes with regard to wildfire, including:

- achieving sustainable firefighting capability;

- improved fire risk management (on public and private land);
- improved community fire awareness and response capacity;
- integrated planning approach across municipalities; and
- improved cross-agency coordination in emergency response and recovery.

The recommendations will require the commitment of all relevant agencies over a number of years in order for the effect of the recommendations to become ingrained in organisational behaviours and policies.

In May 2004, as part of the 2004–2005 Budget, the Victorian Government announced an additional \$217 million over four to five years to continue implementing the recommendations. This includes a \$39 million boost to the CFA's budget for 190 new fire trucks and a further boost of \$11.1 million towards building new, and upgrading existing, CFA fire stations to further enhance their ability to respond to bushfires.

Community fire refuges

The 1983 Ash Wednesday fires prompted the practice of designating public buildings or places as fire refuges. Debate in recent years has focused on the safety of this practice, and in 2001 a municipal committee recommended that the concept of designated public refuges be abolished and all signs removed.

The Department is examining the issue in response to the municipal report, concerns expressed by a State Coroner and a 2003 recommendation of the Auditor-General. Several pilot local consultation processes took place in 2003 in order to draw out conclusions and recommendations for Government policy and action.

A draft policy and practice document was released for stakeholder comment and a final document for adoption by the Victoria Emergency Management Council is expected to be completed in 2004–2005.



Victorian Premier Steve Bracks accepts the bushfire Inquiry Report with Bruce Esplin, Emergency Services Commissioner.

Improving water emergency response and prevention

The Department has been working closely with Life Saving Victoria (LSV) to integrate life saving into the State's emergency management arrangements.

To assist the integration, the Premier, Steve Bracks announced funding of \$3.25 million in December 2003 to support the construction of a State Training and Education Headquarters for LSV, with construction due to commence in 2004–2005.

The headquarters will contain a 24-hour coastal first emergency response radio room to further enhance the capabilities of marine search and rescue agencies. It will also be a key focus of the swimming and life saving world titles to be held in Melbourne in 2006.

In November 2003 the Minister for Police and Emergency Services, André Haermeyer also signed a Memorandum of Understanding (MoU) with the Australian Volunteer Coast Guard (AVCG). The MoU is the first stage in a process of integrating the AVCG into Victoria's emergency services framework.

Encouraging water safety

As part of the 2004–2005 Budget, the Government is providing \$10.2 million to develop water safety initiatives. This includes \$4 million for grants to life saving organisations, nearly \$2 million for community and school education programs, and over \$3.5 million for the continuation of the highly successful *Play it Safe by the Water* public awareness and education campaign. The campaign was implemented in 1999 in response to the tragic drownings at Gunnamatta beach.

Over the past six years, the campaign has helped reduce the number of drownings in Victoria by 30 per cent. As part of this campaign the Department ran a series of advertisements in 2003–2004 with a new message 'Who's looking out for you?' The advertisements reached an audience of more than three million.

Another key component of the campaign was Water Safety Week from 29 November – 7 December 2003. Hundreds of free activities were held at pools, schools, lakes, beaches and rivers across the state. The week also saw the distribution of 80,000 water safety guides and 10,000 educational posters distributed to all pools and schools in Victoria.

The Department has also developed a *Signage Style Guide* for Victorian swimming areas. The Guide was recently presented by Life Saving Victoria at an international water safety conference in Egypt in February 2004 and will be used as a benchmark for international signage.

Students learn the basics of beach safety at Seaford Beach.



Responding to terrorism

As a result of the tragic events of 11 September 2001, the State and Federal Governments re-evaluated their terrorism response arrangements and enhanced plans for dealing with terrorism situations. The Department plays a lead role in managing policy and legislation relating to criminal activity as well as supporting the State's emergency services.

Improving responses to terrorism and multi-jurisdictional crime

Protecting the community from terrorist attack requires high levels of cooperation across all levels of Government. In 2003–2004, the Department worked in conjunction with Federal and State government agencies to strengthen Australia's mechanisms for dealing with and preventing terrorist attack. This included strengthening security laws and implementing a reform program agreed to at the 2002 Summit on Terrorism and Multi-jurisdictional Crime.

These initiatives built upon anti-terrorism legislation passed during the previous year and focused on providing law enforcement agencies with the tools needed to effectively respond to organised criminal networks and cross-border criminal activity. As experience in other countries has demonstrated, organised criminal activity can generate substantial profits which can, in turn, provide a ready source of funding to support terrorist activity.

Uniform investigation powers for multi-jurisdictional crime

Departmental officers led a significant national law reform project to deliver improved investigative powers to address organised and cross-border criminal activity.

Organised criminal networks, such as drug cartels, move freely across the country. Law enforcement agencies are often hampered in investigating criminal activity that crosses borders, because the laws on police investigative powers vary across Australia.

Recognising the need for a nationally coordinated approach, the 2002 Summit on Terrorism and Multi-jurisdictional Crime committed to introducing model laws for a consistent national set of powers for cross-border criminal investigations to address surveillance devices, controlled operations, assumed identities, and witness identity protection.

The model laws were developed by a national Joint Working Group (JWG) established by the Standing Committee of Attorneys-General and the Australasian Police Ministers' Council. Victoria provided intensive secretariat support for the working group.

Following Australia-wide consultation on its February 2003 discussion paper, the JWG revised the model proposals and in November 2003 released a significant report for Ministers titled *Cross-Border Investigative Powers for Law Enforcement*. The report recommended model provisions for adoption by all Australian jurisdictions.

Strengthening legal frameworks in Victoria

Victoria passed four key pieces of legislation to improve the capacity of law enforcement agencies to address serious organised criminal activity.

- The *Surveillance Devices (Amendment) Act 2004* – allows law enforcement officers to obtain a single warrant authorising the use of a surveillance device for local investigations, as well as investigations in all other participating jurisdictions.
- The *Crimes (Controlled Operations) Act 2004* establishes for the first time a comprehensive, regulatory regime for the authorisation and conduct of controlled operations. These are undercover investigations in which operatives conceal their identity to infiltrate criminal networks. The Act will also allow authorisations issued in one jurisdiction to be recognised in other participating jurisdictions.
- The *Crimes (Assumed Identities) Act 2004* creates a comprehensive scheme for police to acquire and use assumed (false) identities for both local criminal investigations and for investigations that cross into another State or Territory. The legislation allows authorised persons to obtain identity documents from a range of agencies, and to use those identity documents in undercover operations and other criminal investigations.
- The *Crimes (Money Laundering) Act 2003* strengthens Victoria's laws against people who profit from or facilitate crime. A new set of offences capture those who deal with the proceeds of crime, being money and property derived from criminal activity. The offences will also cover people who deal with money or other property in preparation for criminal activity. The new offences will ensure that those who engage in criminal activity as a business can be effectively dealt with under the law and do not profit from their crimes.

Emergency response

In October 2002, the Government provided \$38 million in funding for counter-terrorism initiatives. A further \$62 million announced as part of the 2003–2004 Budget and an additional \$23.5 million in May 2004 brings the amount committed by the Government to enhance Victoria's security and counter-terrorism capability to nearly \$124 million.

Funding has been allocated to enhance emergency training and equipment capacity for agencies such as the Metropolitan Fire and Emergency Services Board, CFA, VICSES and Victoria Police. Increased funding for the Victorian Institute of Forensic Medicine has allowed them to introduce additional counter-terrorism technologies that provides more timely, enhanced levels of assistance to other investigating bodies, the Coroner, and the relatives of the victims of a terrorist incident or major emergency resulting in mass casualties.

Mercury 04

More than 1,000 personnel nationwide were involved in Mercury 04, the national counter-terrorism exercise held in March 2004. Agencies involved included the Victoria Police, Victoria State Emergency Service, Metropolitan Fire Brigade, Emergency Services Commissioner and the defence forces. One of the major tasks was to coordinate the responses across different jurisdictions. Mercury 04 provided a rehearsal for a real emergency situation, with procedures and processes tested and improved.

Correctional services

Through its corrections system, the Department protects the community and manages those people who have broken the law and been sentenced to a custodial or non-custodial order by the courts. Through rehabilitation programs, offenders are encouraged to adopt law-abiding lifestyles.

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

The correctional system is responsible for administering sentences for both custodial and 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 not-for-profit agencies.

The *Corrections Long Term Management Strategy* sets the direction for correctional services in Victoria. It involves building three new prisons and introducing the largest expansion of community-based options and offender rehabilitation programs ever undertaken in Victoria. The combination of diversion, rehabilitation and building new, safe and humane prisons will contain the demand for prison beds. The Strategy is a balanced, effective and targeted plan to slow the increase in prison numbers and break the mainly drug-related cycle of re-offending by prisoners and offenders.

Specific strategies have been developed under the *Corrections Long Term Management Strategy* 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.

Corrections Victoria

Under the leadership and direction of the Correctional Services Commissioner, Corrections Victoria is the adult corrections agency for Victoria. It is responsible for achieving the appropriate balance between a high level of community safety and the humane treatment of individual prisoners and offenders. Corrections focuses on strategies to rehabilitate prisoners in custody and tackles the underlying causes of crime to reduce re-offending.

Corrections Victoria formulates strategic advice and directions and develops policy for the Department. It also sets, monitors and reviews standards in both public and private prisons, undertakes business planning, initiates and manages correctional infrastructure programs and provides secretariat support to the Adult Parole Board of Victoria.

Corrections Victoria is responsible for all prisoners in Victoria – in both publicly and privately managed prisons. Operationally, it directly provides for the custody of about 60 per cent of the Victorian prison population in 11 maximum, medium and minimum security prisons – nine for male prisoners and two for female prisoners, and administers the contracts of the two private prison providers.

Corrections Victoria prisons comprise Ararat, Barwon, Beechworth, Bendigo, Dhurringile, Langi Kal Kal, Loddon, Tarrengower (women) and Won Wron Prisons, the Dame Phyllis Frost Centre (women) and the Melbourne Assessment Prison. Corrections Victoria manages and maintains the system-wide Security and Emergency Services Group, which provides security and emergency management services for the Victorian corrections system.

The unit is also responsible for Community Correctional Services (CCS) which enforces court-based non-custodial and parole orders across Victoria. CCS manages court-based non-custodial orders (such as intensive correction orders, community-based orders, home detention orders and parole orders) through a statewide network of offices and reporting centres, and provides advice to the courts and the Adult Parole Board.

Major highlights of 2003–2004 include the following.

Home Detention Program

Victoria's first Home Detention Program commenced in January 2004. The three-year pilot program, which is part of the *Corrections Long Term Management Strategy*, provides a sentencing option for the courts to help keep non-violent offenders out of prison, and as a pre-release option for paroled offenders. The program provides supervision for up to 80 offenders at any one time. As at 30 June 2004, there were 18 offenders on home detention orders (15 males and three females).

Victorian Bail Support Program

As part of the *Corrections Long Term Management Strategy* Diversion Program, the Victorian Bail Support Program diverts defendants, where considered appropriate, on to bail with appropriate community accommodation and support services such as treatment for drug and alcohol issues. A total of 495 defendants were placed on the program in 2003–2004.

The program, which currently operates in the Melbourne, Dandenong and Ringwood Magistrates' Courts, has received widespread support from the courts, legal officers and defendants and is currently being implemented in other magistrates' courts across Victoria.

Correctional services continued

Private prison providers

GSL Custodial Services Pty Ltd

GSL (known as Group 4 Falck until early 2004) is contracted to manage the 744-bed maximum security, multi-purpose Port Phillip Prison, which holds about 20 per cent of the Victorian prison population on behalf of Australian Correctional Facilities (ACF) Pty Ltd. The prison includes statewide medical services, a prison hospital and long-term psychiatric care unit.

GSL is also contracted to transport prisoners between prisons, police cells, courts and juvenile justice locations, utilising a new fleet of prisoner transport vehicles including state-of-the-art closed-circuit television surveillance.

GEO Group Australia Pty Ltd

GEO (known as Australasian Correctional Management until early 2004) is a private prison provider contracted to manage the 845-bed medium security Fulham Correctional Centre as well as the 67-bed Melbourne Custody Centre on behalf of Australasian Correctional Investment Limited.

GEO also provides health care services to 11 prisons managed by Corrections Victoria, with the exception of psychiatric health services at the Melbourne Assessment Prison, which are managed by the Victorian Institute of Forensic Mental Health.

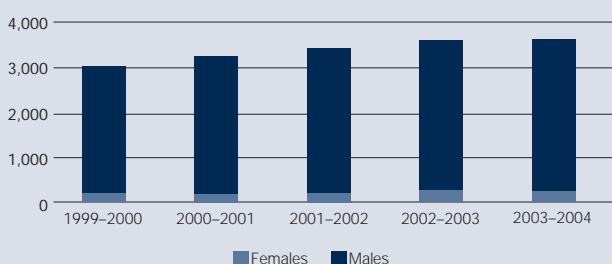
Prisoners in Victoria

In 2002–2003, Victoria's rate of imprisonment was about 40 per cent below the national average, with 95.6 adults in every 100,000 being imprisoned, compared with a national average of 147.2 adults. Victoria has consistently had the lowest imprisonment rate of any jurisdiction in Australia over many years. Comparative national figures are not yet available for 2003–2004.

Prisoner numbers in Victoria have increased by 19.8 per cent over the last five years from a daily average of 3,062 in 1999–2000 to an average of 3,669 in 2003–2004. The overall growth in prisoner numbers in Victoria aligns with the work done by the Department in charting population trends for the correctional system.

Detailed analysis of the factors behind the long-term increase in numbers is continuing. The growth is believed, in part, to be driven by a new trend towards placing more defendants in custody on remand. However, there were around 100 fewer prisoners in the first half of 2004 than at the same time in 2003 reflecting the outstanding success of the wide-ranging departmental initiatives to prevent crime and reduce re-offending.

Daily average number of prisoners in Victoria 1999–2000 to 2003–2004



Higher courts sentencing statistics showed a 34 per cent increase in the total number of defendants being sent to prison between 1997–1998 and 2001–2002, with increases in the length of sentences for violent crimes.

Women in prison

The number of women in prison in Victoria has increased by 34.9 per cent since 1999–2000, almost triple the growth of the male prisoner population over the same period.

While the actual number of women in prison is still relatively low (an average of 251 in 2003–2004), the rapid growth has been cause for concern. It is believed that the key drivers of this sustained increase are a rise in violent offences, drug-related offences, sentence lengths and a rise in the use of remand.

Corrections Victoria is the lead agency in the development of the whole-of-government *Better Pathways: An Integrated Response to Women's Offending and Re-offending Strategy*. The aim of the strategy, which is due to be finalised in 2004–2005, is to strengthen prevention, early intervention, diversion, rehabilitation and transitional support initiatives for women at risk of offending or re-offending.

The new Women's Correctional Services Advisory Committee met regularly in 2003–2004 to inform the development of women's correctional policy in Victoria. Chaired by the Parliamentary Secretary for Justice, Jenny Mikakos MP, the Committee reports directly to the Minister for Corrections.

Prisoner rehabilitation

Victoria's strategies for rehabilitation and reducing re-offending are based on international best practice principles. 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.

Victorian Prison Drug Strategy

Work continued on the implementation of the *Victorian Prison Drug Strategy*, which aims to detect drugs, monitor the level of drug use, provide drug treatment for prisoners and minimise harm to staff and prisoners. In 2003–2004, initiatives under the strategy included the following.

- Commencement of an indicative or on-site Drug Testing Pilot Program at minimum security prison locations.
- Implementation of a statewide Peer Education and Family Support Program for prisoners.
- A further 64 prisoners – 53 males and 11 females – were placed onto the methadone program under the expanded Victorian Prison Opioid Substitution Therapy Program.

Supporting prisoners prior to and following release

Successful re-integration of prisoners into the community is vital to reducing re-offending. In 2003–2004, Corrections Victoria continued to implement a range of initiatives to improve the prospects for prisoners' successful re-integration into the community, including the following.

- Bridging the Gap – providing intensive transitional support to high risk/high need offenders by linking them to drug and alcohol treatment, health and legal assistance, training and employment. *Bridging the Gap: A release transition support program for Victorian prisoners: Final evaluation Report* was completed and published in August 2003.
- In April 2002, a pilot project in partnership with the Department of Human Services established 61 properties to house offenders in Victoria. In 2003–2004, 65 offenders were provided with assistance to live in these properties and a further 200 were assisted in finding other accommodation.
- A two-year Employment Pilot Program provided voluntary, intensive employment assistance to help prisoners and offenders find and keep work. In 2003–2004, 1,392 offenders registered with the program, with 501 placed in full-time work.
- The Preparation for Release Program for prisoners nearing release from custody has been revitalised and will be launched early in 2004–2005.
- A second edition of the *Getting out and how to survive it* booklet was launched in September 2003. The booklet provides basic advice and information on community services to assist offenders to re-establish their lives and is provided to an estimated 5,500 prisoners exiting prison each year.

Prisoner health and safety

A number of key projects have provided data and information to ensure that health services are provided to prisoners in the most efficient and effective manner.

In 2003–2004, the Department implemented recommendations arising from the audit of the high-security Port Phillip Prison in response to serious incidents caused by security faults. All of the audit's 188 recommendations to improve security and enhance the safety of prisoners were implemented by March 2004.

A number of studies were also released during 2003–2004. The *Hepatitis C virus among inmates in Victorian correctional facilities* report, which examined the prevalence of Hepatitis C in Victorian prisons, and the *Survey of Harms in Victorian Prisons* report on infection control in prisons were launched in May 2004. The findings from the reports are assisting in improving health in prisons across Victoria.

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 in 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.

Parole orders are made by the Adult Parole Board of Victoria and allow for the release of a prisoner once the minimum term of the custodial sentence set by the court 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 by a Community Corrections Officer.

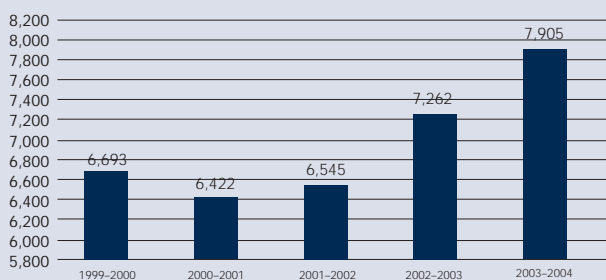
Non-custodial orders in 2003–2004

The daily average number of non-custodial offenders in Victoria was 7,905 in 2003–2004, a rise of nine per cent as compared to 7,262 offenders in 2002–2003.

The CCS Redevelopment Project saw a range of initiatives implemented to reform CCS services during 2003–2004. These reforms included an increase in the number of offices across Victoria, establishment of a Metropolitan Fine Default Office and increased staffing (including clinical staff).

A key initiative of the project was the ongoing development of a statistical model throughout 2002–2004 to predict future workloads, assist with costing and budgeting, measure the effectiveness of programs and understand the changing demographic characteristics of offenders. The pioneering modelling work was recognised at the International Community Justice Awards held in London, UK in January 2004.

Daily average number of offenders in Victoria 1999–2000 to 2003–2004



Correctional services continued

Numbers of community corrections orders registered by order type 2003–2004

Parole	1,628
Home detention order ^(a)	25
Combined custody treatment order	59
Drug treatment order	38
Intensive correction order	1,588
Community-based order (CBO)	4,548
CBO – community work only	2,271
CBO – fine default	7,467
Other ^(b)	304

(a) Home Detention Orders came into effect on 1 January 2004.

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

Reducing breaches of non-custodial orders

Approximately 74 per cent of offenders sentenced to a community-based supervision order successfully completed an order in 2003–2004. Offenders who breach their orders are required to appear again before the sentencing court. In 2003–2004, CCS developed 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 are applied by CCS so that the offender avoids returning to court or the Adult Parole Board. Offenders who continue to breach the conditions of their order remain liable to be dealt with by the sentencing court.

Community Work Partnership Awards 2003

The fifth annual Community Work Partnership Awards were presented to the successful recipients on 17 October 2003. The awards recognise the valuable partnerships between Corrections Victoria and the community. In 2003–2004, more than 630,000 hours, equivalent to about \$12 million of unpaid community work, was carried out.

Reviews

A number of reviews of the prison system were undertaken in 2003–2004. Two major reviews were the *Use of Force Review* and the *Custodial Community Permit Program Review*.

A major review of the management of risk associated with the use of force in the Victorian prison system was led by Mr Neil Comrie, a former Chief Commissioner of Police. This follows a serious incident on a prison escort in May 2002. The review's recommendations, which included setting the agenda for a systemic approach to this issue and developing an overarching organisational philosophy on the use of force, have been approved by the Minister for Corrections. They are now being implemented by a Corrections Victoria working party, in close consultation with the Victoria Police.



Prison Officers Gregory White and Andrew Suggitt from Loddon Prison, winners in the Primary/Secondary School Participation Category at the 2003 Community Work Partnership Awards ceremony.

A major review of the Custodial Community Permit Program was undertaken. The program allows prisoners to be temporarily absent from prison for a particular purpose and specific time. Revised, more stringent guidelines were implemented in October 2003, and the impact of these changes was assessed in October 2004.

The revised guidelines now provide for Corrections Administration Permits for justice, health, emergencies and inter-prison visits and Rehabilitation and Transition Permits for purposes such as rehabilitation, re-integration and community assistance.

Corrections Inspectorate

The Corrections Inspectorate was established on 1 July 2003 to monitor the performance of both public and private correctional service providers, conduct specific investigations and manage the Official Prison Visitors Scheme. The Inspectorate provides advice, independent of Corrections Victoria, on correctional issues and developments across the system. The Director of the Corrections Inspectorate reports directly to the Secretary through the Executive Director of Community Operations and Strategy.

In 2003–2004, the Inspectorate implemented the ‘healthy prison’ framework for whole-of-prison reviews based on the principles that:

- every person in the prison feels safe;
- every person in the prison is treated with respect as an individual;
- prisoners are constructively occupied and are supported in actively working towards an offence-free lifestyle; and
- prisoners are able to maintain and strengthen family ties and prepare themselves for release.

The model was piloted at Loddon Prison in November 2003 and implemented fully at Ararat Prison in May 2004. It gives clear focus to the humane treatment of Victorian community members in custody, maintenance of family ties and rehabilitation. The model will be used to review all 13 state prisons on a three-year basis.

A thematic fire review of three public and the two private prisons was conducted in March 2004. Each of the five prisons selected were tested for fire prevention and preparedness compliance to determine the readiness of Corrections Victoria to deal with prison fires. The review also included a systemic analysis of prison fire incidents over four periods from 1998 to 2003 to identify trends in fire response.

A system-wide review of prisoner lockdowns during normal out-of-cell hours was conducted by the Inspectorate. The review examined the reasons for prison lockdowns across the system and the frequency and duration and impact on the required out-of-cell hours for prisoners.

A further key undertaking of the Corrections Inspectorate in 2003–2004 was an audit of the maximum security Port Phillip Prison. In October 2003, the Minister issued Australian Correctional Facilities (ACF) Pty Ltd, who were contracted to manage the prison, a Correctional Services Default Notice with respect to a number of serious incidents at the prison earlier in the year. ACF was required to submit a Cure Plan detailing remedies for the systemic security faults behind the incidents in question. The Inspectorate conducted a comprehensive audit to ensure that ACF addressed the commitments outlined in the plan.