



## PUBLIC SECTOR NEWSLETTER - VICTORIA

Crime and corruption dominated the past fortnight with restrictions placed on the use of community correction orders for people convicted of aggravated home invasions or carjacking; a call for submissions in relation to offender-paid restitution and compensation in Victoria; the release of an IBAC survey indicating Victorians know what corruption is and they are willing to report it; and Victoria Police defending its internal investigation policy.

The past fortnight also saw steps taken to improve access to justice and the appointment of a new Supreme Court Justice.

We hope you enjoy this edition of our Public Sector Newsletter.

### IN THE MEDIA

#### Victoria enacts Children Legislation Amendment (Information Sharing) Act 2018

The *Children Legislation Amendment (Information Sharing) Bill 2017 (Vic)* was assented on 10 April 2018 and has been enacted as the *Children Legislation Amendment (Information Sharing) Act 2018* (Act No 11 of 2018) (the "Act"). with selected Parts of the Act having commenced on 11 April 2018.

<https://www.timebase.com.au/news/2018/AT04655-article.html>

#### Go to jail: No more Victorian community corrections for carjacking, home invasion

The Victorian Government will further restrict the use of Community Correction Orders so that anyone convicted of aggravated home invasion or carjacking will go to prison under a package of pre-budget crime initiatives which includes \$24 million for long-arm guns training.

<http://www.abc.net.au/news/2018-04-11/jail-home-invasion-car-jacking-offenders-corrections-orders/9640720>

#### Victorian Police Commissioner defends internal investigation policy

Amid robust a discussion on Q&A about police culture and officers' attitudes towards ethnic communities, Commander Stuart Bateson says the force's internal investigations process is working and "we don't want to obscure our own integrity".

<http://www.abc.net.au/news/2018-04-10/qanda/9634396>

#### Victorian Government introduces Bill to improve access to justice

On 27 March 2018, the Victorian Attorney-General, Mr Pakula, introduced the *Justice Legislation Amendment (Access to Justice) Bill 2018 (Vic)* into the Victorian Legislative Assembly. This Bill was introduced with the intended purpose of strengthening Victoria's legal access sector.

<https://www.timebase.com.au/news/2018/AT04643-article.html>

### IN PRACTICE AND COURTS

#### Victoria

##### Court Appointments

The Government has announced the appointment of leading commercial barrister Matthew Connack QC as a Judge of the Supreme Court.

<https://www.premier.vic.gov.au/new-supreme-court-judge-appointed/>

##### IBAC survey - Victorian community perceptions

According to a new report [released](#) by the Independent Broad-based Anti-Corruption Commission, two-thirds (or 65 per cent) of Victorian community respondents to their survey agreed they knew what behaviour constitutes corruption. The full [report](#) and its [key findings](#) can be accessed online.

<http://www.ibac.vic.gov.au/publications-and-resources/article/perceptions-of-corruption---survey-of-the-victorian-community>

**Sentencing Advisory Council - Restitution & compensation for victims of crime - Tell us what you think**

The Sentencing Advisory Council wants to hear from people in the criminal justice system and from the wider community about offender-paid restitution and compensation in Victoria. The deadline for submissions is 20 April 2018. For more information visit the Council's [website](#).

**PUBLISHED - ARTICLES, PAPERS, REPORTS****[Perceptions of corruption - survey of the Victorian community](#)**

Independent Broad-Based Anti-Corruption Commission (IBAC): 10 April 2018

This report provides the responses of the Victorian community about their understanding of corruption, their perception of corruption and misconduct, attitudes to reporting corruption and misconduct, and attitudes towards preventing corruption.

**CASES****[CDI v JXI \(Human Rights\) \[2018\] VCAT 510](#)**

Health Records Act 2001 (Vic) section 25, Health Privacy Principle 6 of the Health Records Act 2001. Under section 78(1)(a)(i) of the Health Records Act 2001, the Tribunal finds the complaint proved and orders that the Respondent provide the Complainant with access to all health information held by the Respondent that related to the Complainant.

**LEGISLATION****Victoria****Proclamations****No 5 [Justice Legislation Amendment \(Victims\) Act 2018](#)**

Date of commencement: 5 April 2018 Sections 32, 33, Parts 6-8 (sections 36-41) of this Act came into operation on 5 April 2018 (SG136 27.3.2018) Act Number: 5/2018

**No 3 [Bail Amendment \(Stage Two\) Act 2018](#)**

Date of commencement: 5 April 2018 Sections 1-2, 26-30 of this Act came into operation on 5 April 2018 (SG136 27.3.2018) Act Number: 3/2018

**No 65 [Crimes Legislation Amendment \(Protection of Emergency Workers and Others\) Act 2017](#)**

Date of commencement: 5 April 2018 Sections 1-20, 24(1), 25 of this Act came into operation on 5 April 2018 (SG136 27.3.2018) Act Number: 65/2017

**Acts Assented to****No. 11: [Children Legislation Amendment \(Information Sharing\) Act 2018](#)**

Assent: 10/04/2018 SG (No. 167) 10/4/2018 p. 1  
Commencement: Ss 1-3, 41-43, 46, 47 on 11/04/2018: SG (No. 164) 10/4/2018 p. 1 Not yet in operation: Ss 4-40, 44, 45, 48

**Statutory Rules as made****No. 32 [Supreme Court \(Appeals to the Trial Division, Judicial Review and Further Powers of Judicial Registrars Amendment\) Rules 2018](#)**

These Rules come into operation on 1 May 2018

**No 34 [County Court \(Chapter II Family Violence Protection Amendment\) Rules 2018](#)**

The Rules came into operation on 3 April 2018

**No 37 [Judicial Proceedings Reports Regulations 2018](#)**

Commencement: 01/04/2018: reg. 3 Not yet in operation: Regs 1-6: on 01/04/2018: reg. 3  
Sunset Date: 27/03/2028

**No 43: [Constitution Regulations 2018](#)**

Date of Making: 10/04/2018 Commencement 10/04/2018 Not yet in operation: N/A  
Sunset Date: 10/04/2028

**No 44: [Sheriff Amendment Regulations 2018](#)**

Date of Making: 10/04/2018 Commencement: 12/04/2018: reg. 3 Not yet in operation: N/A  
Sunset Date: 10/04/2028

Access Victorian legislation at [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

## KEY CONTACTS

### PANEL RELATIONSHIP CONTACTS

Your contacts responsible for navigating our firm, connecting you with appropriate expertise and achieving maximum efficiency and your Newsletter editors.

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## HELP DESK SERVICES

Thomson Geer is delighted to offer access to the Victorian Government to its Legal Help Desk on our usual terms of engagement and as set out below.

**Scope**

We are pleased to be able to work collaboratively with the Victorian Government to offer the following services (at no charge):

- advice regarding discrete and non-complex legal queries – up to 30 minute teleconference with a Partner, Special Counsel or relevant Senior Associate or, short written advice (max. 1 page);
- the opportunity to 'brainstorm' or discuss topical and complex legal issues with industry specialists – up to 30 minute teleconference with a Partner, Special Counsel or relevant Senior Associate; and
- a dedicated library resource to assist Victorian Government departments and agencies research relevant case law, statutes, regulations and articles.

**(Help Desk Services)**

Please note that the Help Desk Services are only available in respect of any matter which is currently unallocated i.e. to this firm or any other firm.

**Key Contact and Help Desk Process**

You can access the Help Desk by:

- (a) Calling 03 8080 3604; or
- (b) Emailing [legalhelpdesk@tglaw.com.au](mailto:legalhelpdesk@tglaw.com.au)

Once relevant details are received from you (whether that be by email or over the phone) it will be directed to the appropriate Thomson Geer Partner, Special Counsel or Senior Associate. The Help Desk number and email address will be monitored during normal business hours (9.00 am to 5.00 pm (EST), Monday to Friday).

Thomson Geer will use its best endeavours to provide the Help Desk Services within one business day of the query being logged.