

LEGISLATIVE COUNCIL

JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS  
AND OTHER MATTERS) BILL 2017

(Amendments and New Clauses to be proposed in Committee by Ms PENNICUIK)

1. Clause 2, line 27, omit "60" and insert "62".
2. Clause 2, line 29, omit "60" and insert "62".
3. Insert the following new clauses before clause 59—

**'A Definitions—Children, Youth and Families Act 2005**

In section 3(1) of the **Children, Youth and Families Act 2005** insert the following definition—

*"Victorian Aboriginal Legal Service* means the Victorian  
Aboriginal Legal Service Co-operative Limited ABN 45 926  
675 900;".

**B Child in custody to be placed in remand centre**

- (1) In section 347(2) of the **Children, Youth and Families Act 2005**—
    - (a) in paragraph (a), for "are entitled to" **substitute** "must";
    - (b) in paragraph (b), for "are entitled to" **substitute** "must";
    - (c) in paragraph (c), for "are entitled" **substitute** "must be permitted";
    - (d) in paragraph (d), for "are entitled to" **substitute** "must";
    - (e) in paragraph (f), for "are entitled to" **substitute** "must".
  - (2) For section 347(3) of the **Children, Youth and Families Act 2005** **substitute**—
    - (3) It is the responsibility of the Chief Commissioner of Police to make sure that—
      - (a) subsection (2) is complied with; and
      - (b) in the case of an Aboriginal child, the Victorian Aboriginal Legal Service is notified that the child has been remanded in custody in a police gaol under this section.".!
4. Clause 59, line 18, omit "is entitled to" and insert "must".
  5. Clause 59, line 22, omit "is entitled" and insert "must be permitted".
  6. Clause 59, line 26, omit "is entitled to" and insert "must".
  7. Clause 59, page 44, line 6, omit "is entitled to" and insert "must".

8. Clause 59, page 44, lines 8 to 10, omit all words and expressions on these lines and insert—

'(3) It is the responsibility of the Chief Commissioner of Police to make sure that—

(a) subsection (2) is complied with; and

(b) in the case of an Aboriginal child, the Victorian Aboriginal Legal Service is notified that the child is held in custody in a police gaol under this section.".'