



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Wednesday 30 July 2025**



# Members of the Legislative Council

## 60th Parliament

### President

Shaun Leane

### Deputy President

Wendy Lovell

### Leader of the Government in the Legislative Council

Jaclyn Symes

### Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

### Leader of the Opposition in the Legislative Council

Bev McArthur (from 18 November 2025)

David Davis (from 27 December 2024)

Georgie Crozier (to 27 December 2024)

### Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew <sup>1</sup>	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaelle	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira <sup>2</sup>	Western Metropolitan	Lib	Ratnam, Samantha <sup>5</sup>	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem <sup>6</sup>	Northern Metropolitan	Ind
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Gray-Barberio, Anasina <sup>3</sup>	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Limbrick, David <sup>4</sup>	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard <sup>7</sup>	North-Eastern Metropolitan	Lib

<sup>1</sup> Resigned 7 December 2023

<sup>2</sup> IndLib from 28 March 2023 until 27 December 2024

<sup>3</sup> Appointed 14 November 2024

<sup>4</sup> LDP until 26 July 2023

<sup>5</sup> Resigned 8 November 2024

<sup>6</sup> DLP until 25 March 2024

<sup>7</sup> Appointed 7 February 2024

### Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;  
Greens – Australian Greens; Ind – independent; IndLib – Independent Liberal; LCV – Legalise Cannabis Victoria;  
LDP – Liberal Democratic Party; Lib – Liberal Party of Australia; LP – Libertarian Party;  
Nat – National Party of Australia; PHON – Pauline Hanson’s One Nation; SFFP – Shooters, Fishers and Farmers Party



# CONTENTS

---

PETITIONS	
Guru Nanak Lake .....	2639
BILLS	
Worker Screening Amendment (Safety of Children) Bill 2025 .....	2639
Introduction and first reading .....	2639
PAPERS	
Papers .....	2640
PRODUCTION OF DOCUMENTS	
Port of Hastings .....	2640
Department of Education air purifier program .....	2640
BUSINESS OF THE HOUSE	
Notices .....	2640
MOTIONS	
Middle East conflict .....	2640
MEMBERS STATEMENTS	
Syro-Malabar Eparchy of St Thomas the Apostle .....	2641
Lifeline Ballarat .....	2641
Filipino Australian Association of Ballarat .....	2641
Mela Ballarat Da .....	2641
North Ballarat Football Netball Club .....	2641
Kokoda Track .....	2641
Cannabis law reform .....	2642
South-Eastern Metropolitan Region schools .....	2642
Early childhood education and care .....	2642
John Englart .....	2643
Reproductive rights .....	2643
Education system .....	2643
Tim Noonan .....	2644
PRODUCTION OF DOCUMENTS	
Working with children checks .....	2644
Public sector review .....	2648
MOTIONS	
Ombudsman referral .....	2652
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Mildura riverfront development .....	2666
Non-mains energy concession .....	2667
Ministers statements: community safety .....	2667
Working with children checks .....	2668
Corrections system .....	2669
Ministers statements: gambling harm .....	2670
Early childhood education and care .....	2670
Public sector workforce .....	2671
Ministers statements: housing .....	2672
Water policy .....	2673
Taxation .....	2674
Ministers statements: regional development .....	2675
Written responses .....	2675
CONSTITUENCY QUESTIONS	
South-Eastern Metropolitan Region .....	2675
Northern Victoria Region .....	2676
Northern Victoria Region .....	2676
Northern Metropolitan Region .....	2676
Northern Victoria Region .....	2676
Southern Metropolitan Region .....	2677
Southern Metropolitan Region .....	2677
South-Eastern Metropolitan Region .....	2677
North-Eastern Metropolitan Region .....	2677
Eastern Victoria Region .....	2678
North-Eastern Metropolitan Region .....	2678
MOTIONS	
Ombudsman referral .....	2678

# CONTENTS

---

COMMITTEES	
Select committee.....	2681
Establishment.....	2681
BUSINESS OF THE HOUSE	
Orders of the day .....	2697
MOTIONS	
Workplace drug testing.....	2697
BUSINESS OF THE HOUSE	
Notices of motion and orders of the day .....	2714
STATEMENTS ON TABLED PAPERS AND PETITIONS	
Yoorook Justice Commission.....	2714
Yoorook for Transformation: Third Interim Report.....	2714
Remembrance Parks Central Victoria .....	2715
Report 2023–24 .....	2715
Electoral Matters Committee.....	2716
Inquiry into the Conduct of the 2022 Victorian State Election.....	2716
Department of Parliamentary Services.....	2717
Report 2023–24 .....	2717
Victorian Auditor-General’s Office.....	2718
Work-related Violence in Government Schools .....	2718
Department of Treasury and Finance .....	2719
Budget papers 2025–26 .....	2719
PETITIONS	
National parks .....	2720
CONDOLENCES	
Hilda Gracia Baylor AM and Joan Marjorie Coxsedge .....	2725
ADJOURNMENT	
Community safety .....	2731
Princes Highway, Moe, pedestrian overpass .....	2731
Greater Shepparton bus services .....	2731
Collingwood Football Club .....	2732
Peter MacCallum Cancer Centre .....	2732
LGBTIQA+ equality.....	2732
Circular Economy Infrastructure Fund.....	2733
Homelessness.....	2734
Child sexual abuse.....	2734
Education system.....	2735
Planning policy .....	2735
Red Box Wildlife Shelter.....	2736
Community safety .....	2737
Country Fire Authority Riddells Creek station.....	2737
North-Eastern Metropolitan Region schools .....	2738
Suburban Rail Loop .....	2738
Responses.....	2739

**Wednesday 30 July 2025**

**The PRESIDENT (Shaun Leane) took the chair at 9:33 am, read the prayer and made an acknowledgement of country.**

*Petitions***Guru Nanak Lake**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) presented a petition bearing 2690 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the unilateral changing of the name of Berwick Springs Lake by the Minister for Planning. This name change creates division within our multifaith community, ignores the historical significance of the name, and was done with no community consultation with either local residents or property owners.

The petitioners are aggrieved by the failure to consult with the local community on this significant name change and the disrespect it demonstrates. The petitioners are also aggrieved by the division created in our multifaith community by a decision that appears to privilege one faith over others. Finally, the petitioners are aggrieved by the complete disregard for the historical significance of the name Berwick Springs. The name originates from 1855 when William Clarke named his property 'The Springs' after the natural springs in the area. Edward Greaves continued this heritage in 1903, maintaining the name for his homestead on Stockyard Drive. This significant documented history, confirmed in a 1993 heritage study, has been disregarded by this decision.

**The petitioners therefore request that the Legislative Council call on the Government to revoke the unilateral renaming of Berwick Springs Lake, implement proper local community consultation regarding any future naming decision regarding the lake found in the Berwick Springs Reserve and investigate the processes which led to the unilateral approval by the Minister for Planning.**

**Ann-Marie HERMANS:** As this petition is a petition qualifying for debate under standing order 11.03(10), I give notice that I intend to move 'That the petition be taken into consideration' on Wednesday next sitting week.

*Bills***Worker Screening Amendment (Safety of Children) Bill 2025***Introduction and first reading*

**David DAVIS** (Southern Metropolitan) (09:36): I introduce a bill for an act to amend the Worker Screening Act 2020 in relation to the screening of persons who work with or care for children and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**David DAVIS:** I move:

That the second reading be made an order of the day for the next day of meeting.

**Motion agreed to.**

**Papers****Papers****Tabled by Clerk:**

Auditor-General – Delivering Savings Under the COVID Debt Repayment Plan, July 2025 (*Ordered to be published*).

Interpretation of Legislation Act 1984 – Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 63 (*Gazette G30, 24 July 2025*).

**Production of documents****Port of Hastings**

**The Clerk:** I table a letter from the Attorney-General dated 28 July 2025 in response to a resolution of the Council on 7 February 2024 on the motion of Mr Davis and further to the government's initial response on 5 March 2024 relating to the Port of Hastings' application for offshore wind turbine facilities. The government have identified 37 documents within the scope of the order and make a claim of executive privilege over two documents in part and 12 documents in full. I further table 23 documents in full, two documents in part and schedules of the identified documents. The letter further states that the government has focused its response on documents falling in paragraph (f) of the order, as attempting to respond in full would have unreasonably diverted the resources of the Department of Energy, Environment and Climate Action.

**Department of Education air purifier program**

**The Clerk:** I table a further letter from the Attorney-General dated 28 July 2025 in response to a resolution of the Council on 2 April 2025 on the motion of Mr Limbrick relating to the 2022 rollout of HEPA purifiers in government schools. The letter states that the date for production of documents does not allow sufficient time to respond and that the government will endeavour to provide a final response to the order as soon as possible.

**Business of the house****Notices****Notices of motion given.****Motions****Middle East conflict**

**Sarah MANSFIELD** (Western Victoria) (09:55): I move, by leave:

That this house:

- (1) notes that Israel's continued acts of genocide in Gaza pose devastating threats to pregnant and breastfeeding women and their young children;
- (2) further notes that:
  - (a) the malnutrition of pregnant women has led to a rapid increase in the premature birth of babies who require specialist care;
  - (b) recent nutrition cluster screening data from the World Health Organization revealed that over 40 per cent of pregnant and breastfeeding women are severely malnourished;
  - (c) malnourished breastfeeding women are struggling to produce breastmilk to feed their babies and there is a critical shortage of baby formula;
- (3) does not support the State of Israel's continued invasion of Gaza; and
- (4) supports urgent calls for sanctions and an immediate and permanent ceasefire.

**Leave refused.**

*Members statements***Syro-Malabar Eparchy of St Thomas the Apostle**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (09:56): I recently had the honour of representing the Premier at the consecration of the St Thomas Syro-Malabar Catholic church in Melbourne's south-east. It was a momentous occasion for the Syro-Malabar community in Victoria and for all of us who believe in the power of faith, culture and community. I was joined by the federal member for Isaacs Mark Dreyfus and the hardworking state member for the South-Eastern Metropolitan Region Lee Tarlamis. It was also delightful to have His Beatitude Mar Raphael Thattil, major archbishop of the Syro-Malabar church Bishop John Panamthottathil and Monsignor Francise Kolencherry present at the consecration. Their leadership has guided this community from school halls and borrowed chapels to a permanent and auspicious home. More than 3000 people were in attendance with many more joining online from across the world in what was a true celebration of resilience, belonging and spiritual continuity. What began with St Thomas the Apostle's arrival to India's Malabar Coast in 52 AD has now found firm footing in the multicultural heart of Victoria. Rich in East Syriac liturgy and spoken Malayalam and Syriac, this community is a remarkable addition to the spiritual and cultural landscape of our state. Our government is proud to support this community, from funding for the Santhom Fest to the Albanese government's \$4 million investment in the Santhom community hub. Congratulations to everyone who has devoted their valuable time and effort towards making this dream a reality. This consecration is not the end of a journey, it is just the beginning of a legacy.

**Lifeline Ballarat**

**Joe McCracken** (Western Victoria) (09:57): Over the winter break I had the pleasure of visiting Lifeline Ballarat. They are an amazing community organisation that provide training and support beyond Ballarat. I want to acknowledge the work that is being done, all by volunteers, in the spirit of supporting those who need help the most. The impact that is being made is broad and important and meaningful – thank you.

**Filipino Australian Association of Ballarat**

**Joe McCracken** (Western Victoria) (09:57): I was also proud to attend the 34th annual gala dinner of FAABI in Ballarat, the Filipino Australian Ballarat Association Inc, and I presented a gift to recognise the positive impact that they have on the community. We love our Filipino community in Ballarat and wish them another four years of wonderful success.

**Mela Ballarat Da**

**Joe McCracken** (Western Victoria) (09:58): I also attended the 2025 Mela Ballarat Da which was held, and I was proud to both sponsor and speak at the event as well. We were honoured to have the attendance of Jasmeen Akhtar, a performer who treated everyone to an amazing performance. To organisers and attendees: thank you.

**North Ballarat Football Netball Club**

**Joe McCracken** (Western Victoria) (09:58): I was also proud to attend the North Ballarat sponsors day. They are an amazing club and do so much work to support young people getting involved in footy and netball. To the committee, players and supporters: well done and thank you for your work.

**Kokoda Track**

**Joe McCracken** (Western Victoria) (09:58): Lastly, I had the pleasure of sponsoring students who headed off to Kokoda over the break. I want to thank Darcy Walsh and the entire team for preparing the kids, along with parents and supporters. The gala dinner was amazing, and I hope the experience is one they will never, ever forget.

### **Cannabis law reform**

**David ETTERS HANK** (Western Metropolitan) (09:58): Recently the Penington Institute released a 21-point action plan to safely legalise and establish a regulated cannabis market worth an estimated \$2 billion annually. With demand for cannabis remaining high across the community and most Victorians opposing the criminalisation of cannabis users, Penington has an ambitious plan for a tightly regulated market that puts public health and community safety at its heart. The plan envisages regulated products sold in licensed outlets with no online services, no advertising, zero access for children, and certification and testing of all products. It is a commonsense, valuable contribution to the community debate in this area. Legalise Cannabis Victoria has been calling on the government to decriminalise personal use of a modest amount of cannabis as soon as possible. Reform in this area is now well overdue. Prohibition does not work, and the war on drugs has failed. It is time to adopt a health-centred, economically sound approach to regulation, rather than leaving it to organised crime gangs to manage the market. As a start we could stop arresting people and free up valuable police resources. But when we do want to consider a fully regulated market, Penington offers an interesting version of that end point. I urge the Allan government and all MPs to read the Penington Institute plan.

### **South-Eastern Metropolitan Region schools**

**Michael GALEA** (South-Eastern Metropolitan) (10:00): I rise to update the house on the new schools being built in the South-Eastern Metropolitan region. In Clyde North two new schools will open for term 1 next year, with enrolments already open. Clyde Creek North primary school will be named Balambalam Primary School, which translates to 'butterfly' or 'moth'. The school will have places for up to 715 students, from prep to year 6, including 65 students with disabilities. Clyde Creek North secondary college will be renamed Birranga College, which means 'feathertail glider'. Birranga will be able to enrol up to 550 students when open to all year levels. These schools, alongside Kala Primary School in Cranbourne North and Kulap Primary School in Clyde, will help to meet the increasing demand for enrolment in the south-east, enabling local students to receive a high-quality education close to home.

This year six new schools opened their doors across the state, including three in the south-east, which my colleague Mr Tarlamis was very happy to open, including Mirniyan Primary School, Turrun Primary School and Wulerrp Secondary College. With 19 more schools to be opened next year, this is one further piece of making Victoria the Education State, and indeed today's NAPLAN results even further underscore that. It is new investment in new schools, but it is also support for our wonderful teachers and support staff so that they can give our kids the very best outcomes – as we have seen today, the best outcomes in this state's history and across the entire nation.

### **Early childhood education and care**

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (10:01): The early childhood crisis we find ourselves in has brought forward a wave of parents, educators and advocacy and policy think tanks and organisations, who took time out to share with me their perspectives as we respond to the crisis in the early childhood education and care sector. I would like to thank Victorian families, educators and advocates for wanting more and better for their children, which they deserve. Thank you to the many caring parents for sharing their stories of frustration, hope and honesty to get the system where it needs to be to keep children safe. Thank you to our early childhood educators, who for so many are doing the right thing and have also been distressed by this horrific crisis. Early childhood educators are tasked with one of the most important jobs – shaping the minds of our youngest learners through play, fun and imagination. Thank you to organisations like the Parenthood and the Australian Childhood Foundation for advocating for gaps in the system to be put on the agenda and changed for the better. All of your insights have been powerful and deeply important in shaping the Greens response. The Greens remain committed to transparency, accountability and a system that always puts children's safety and wellbeing at its heart.

**John Englart**

**Sheena WATT** (Northern Metropolitan) (10:03): The world needs more people like John Englart, a committed local activist who made waves in the community. John died recently, but his voice will still hold me to account in my work for Northern Metropolitan Region. In Brunswick he was well known as the convenor of Climate Action Merri-bek. He worked tirelessly to build a more sustainable and resilient community by mobilising action on climate change; advocating for cleaner, greener public spaces; and inspiring countless others to take up the cause. He was a vital and respected member of the Merri-bek Bicycle User Group and was a powerful advocate for bike path expansions and upgrades. In that spirit, John Englart played an important role in many community organisations, always dedicated to making Brunswick, where he lived for many years as part of the Bread and Roses Collective, and indeed making the whole of the Northern Metropolitan Region a fairer, healthier and more welcoming place for us all. Above all, John exemplified the best of local activism: quiet determination, a generous spirit and a refusal to accept the status quo when justice and sustainability were at stake. John was also a partner, a parent and a friend to many. To them I offer my sincere condolences, as well as to those in Brunswick and beyond who were touched by his activism. May his example inspire us to honour his memory through action and care for each other and the world around us. Vale, John.

**Reproductive rights**

**Georgie PURCELL** (Northern Victoria) (10:04): Recently I shared the exciting news that I am pregnant. When I made this deeply personal announcement I spoke of how this pregnancy has only solidified my belief in reproductive choice. Many will know that this is not my first pregnancy, but it is the first that I have decided to proceed with. I feel more grateful than ever before that I had access to options to allow myself to make this decision on my own terms at a time that I felt I was mentally and physically able to. I owe an explanation for these decisions to precisely nobody, but it seems nothing is off limits to anti-choicers. Within a day of this announcement they got busy online, using CapCut and Canva and making content saying things like ‘Georgie Purcell only cares about her babies when it’s convenient,’ ‘Georgie wants this baby girl, so she’ll let her live’ and ‘Georgie Purcell, it’s incredibly twisted to celebrate the baby you killed in your prior abortion.’ To them I say this: being in public life does not make me public property. My body and the choices I have made with it in the past are not a possession for you to advance your harmful, shameful and dangerous political agendas. Abortion will always be part of my journey into motherhood, and I will never shy away from saying that. So to those anti-choice and, frankly, anti-women activists, thank you for reminding me that I will never stop using my platform to ensure that my daughter grows up in a state where she will always have a right to choose.

**Education system**

**Ryan BATCHELOR** (Southern Metropolitan) (10:06): I think we should join all parents across the state in being incredibly proud of the performance of our kids in the latest round of NAPLAN results, released today, which show that Victorian kids are thriving at school, bucking a national trend. Seventy per cent of the students in Victoria earned results in NAPLAN across the domains of reading, writing and numeracy that either were strong or exceeded record levels of attainment, and Victorian students ranked first or second in 18 of the 20 measures used to assess performance. I think most importantly, there were fewer students struggling across all subjects and all age groups. These results only occur when you value the education you are providing to our children. This Labor government is investing in our schools, upgrading classrooms, building new schools and, importantly, delivering evidence-based teaching and learning with the rollout of structured and synthetic phonics and more explicit education, supporting our teachers so that they can make sure our students are learning and learning well.

**Tim Noonan**

**Ryan BATCHELOR** (Southern Metropolitan) (10:07): One last thing. I just want to join the members for Mordialloc and Sandringham in the other place yesterday in paying tribute to Tim Noonan, who died recently, who was a former principal at St Patrick's primary in Mentone. I know he will be missed by many.

*Production of documents***Working with children checks**

**Rachel PAYNE** (South-Eastern Metropolitan) (10:08): I move:

That this house, in accordance with standing order 10.01, requires the Leader of the Government to table in the Council, within 30 days of the house agreeing to this resolution, documents relating to the Department of Government Services 2025 initial review of Victoria's working with children scheme, including but not limited to all reports and draft reports.

Recent news of a childcare worker in Melbourne's south-east being charged with more than 70 offences against children in his care has horrified and shocked Victorians. Disturbingly, this person was able to hold a valid working with children check. Evidently this system is broken. The best time it could have been fixed was before this abuse happened. The second-best time is now. I want to acknowledge the Australian Childhood Foundation and survivor Emma Hakansson, who have been calling for governments across Australia to embed mandatory child abuse prevention education in working with children checks for some time now. I also thank Emma for the support that she has provided me in understanding this issue further.

Unfortunately, it was not these calls that led to the initial review that is the subject of this motion. Instead we understand that this review commenced following the ABC's investigation into Victoria's working with children check scheme, highlighting it as the weakest in the country. Victoria's scheme does not allow for consideration of evidence of abuse or concerning behaviour that has not resulted in a criminal charge or a disciplinary or regulatory finding, unlike all other states and territories. This reporting included stories of disturbing educator misconduct. This misconduct caused the educator to be fired. Because police did not have to press charges it made no difference to their ability to hold a working with children check. In some cases, educators with multiple separate investigations into their behaviour have been allowed to continue to work in childcare centres.

While we welcome the announcement that from August the department's screening can take into account prohibition notices, including from the Department of Education, when determining or revoking a person's permit, there is still much more to be done. Children are some of the most vulnerable members of our society. They deserve to feel safe and be protected. The Australian child maltreatment study paints a bleak picture of how well we are doing at this. This study found almost three in 10 Australians over the age of 16 had endured child sexual abuse, equating to approximately 4.5 million individuals. For most people, it rarely happens once and it is someone known to them. Experiences of child sexual abuse have lifelong and wide-reaching, devastating consequences mentally, physically and socially. It is unacceptable that our working with children check scheme is a tick-box exercise. Essentially, as long as you have not already been charged with abusing a child, you get approved. This does little to stop people who seek out these industries to prey on young people.

It was disappointing to see the Victorian government fail to respond to the Greens documents motion that would require them to publish details of enforcement actions against childcare operators. This information will provide transparency on the state's childcare crisis and must be responded to urgently. My adjournment request to the Premier in February, asking her to call for a nationally harmonised working with children check that includes mandatory child abuse prevention education, also remains unanswered. Crimes like this can be prevented, and we must all do better.

The former Victorian children's commissioner, the Victorian Ombudsman, the Australian Childhood Foundation, victim-survivors and MPs across party lines have all been calling for change to working

with children checks for years. It is shameful that this government has sat on its hands for so long and allowed this broken system to continue. Why did it take so many children getting hurt for there to be finally movement on this? All the way back in 2015, the Royal Commission into Institutional Responses to Child Sexual Abuse made it clear that the working with children system in Australia was inconsistent and complex and required immediate changes to stop predators. We recognise the government's urgent review into child safety in early childhood education and care settings and the working with children check in Victoria, and we understand that a final report is being handed down on 15 August this year, but time is of the essence.

It is for these reasons that we request documents relating to the Department of Government Services' 2025 initial review of Victoria's working with children scheme, including but not limited to all reports and draft reports, be published. We urge the government to comply with this request. Transparency is the first step in improving this system for our young people.

**Sheena WATT** (Northern Metropolitan) (10:13): Thank you very much for the opportunity to rise to support the motion proposed by Ms Payne for the immediate tabling of the Department of Government Services' 2025 initial review of Victoria's working with children scheme. I would like to take a moment to thank her for this motion and acknowledge that this is a very serious and urgent matter facing Victorians and their families. They must be able to trust that their children are safe all the time and anytime. Whether they are at child care or school, performing extracurricular activities or simply being under the supervision of a caretaker, children should always be safe to learn and develop in any environment.

This government will always put the safety of the most vulnerable Victorians at the forefront, and in April we moved to review our working with children scheme and update the Worker Screening Regulations 2021, a system that currently holds accounts of over 2 million people that have a working with children check. People that hold a WWCC are subject to ongoing monitoring of their criminal history and relevant disciplinary findings through multiple institutions, in accordance with the Worker Screening Act 2020. With this, each year on average more than 400,000 applications and renewals are processed, contributing to the education and caretaking of the community workforce throughout Victoria. The working with children checks, assessments and regulations are not only specific to one state but also consider interjurisdictional information on the national reference system to ensure that any worker is suitable to work within the early development sector. The working with children check assessments vary in complexity and category, with last year around 900 clearances being removed or indeed re-evaluated, ensuring the security of children and the legal upholding of our caretakers. The upcoming review, which is already underway into child safety in early childhood education and care settings and the WWCC in Victoria, will report back to the government no later than 15 August this year. That is coming up very soon. The review will not only direct us on the right path to strengthen the check in Victoria but also ensure that children across our state will be safe, no matter where they are or who they are with.

I would like to take a moment to say that this is not the only step. We acknowledge that there is more to be done, not just in Victoria but across the country as well. This is a national issue, and a nationally consistent working with children check framework with more security, more scrutiny and higher penalties must be a priority for our Commonwealth colleagues. Be assured that this government will not wait. We will implement this change now, and there will be further announcements from the government and changes to strengthen the working with children check system in time. We have also announced – I will just briefly update the house – a ban on the use of personal devices in childcare centres and are working to establish a register of childcare educators. These proposals are not an attack on the workers, and I would like to make that very clear. They are boundaries and safety nets for the safety of Victoria's youth of our future. It is also a safety net to ensure our wonderful carers and teachers who work with or care for vulnerable members of our community are safe and suitable to do so and help cultivate the future of Victoria.

The Allan Labor government will always protect the young generation of Victoria, because the children we serve to protect are the members of society today and the leaders of tomorrow. They deserve nothing less than the government's full and unequalled attention over the course of our work here in the Victorian Parliament. Thank you very much for the opportunity. I will just reinforce that I stand here to support the motion proposed by Ms Payne for the immediate tabling of the initial review.

**David DAVIS** (Southern Metropolitan) (10:17): I am pleased to rise and strongly support motion 985, which Ms Payne has brought to the chamber. It seeks, through standing order 10.01, to require the Leader of the Government to table in the Council within 30 days of agreeing to this resolution documents relating to the Department of Government Services' 2025 initial review of Victoria's working with children scheme. It seeks not just the reports but the draft reports as well. This is a very important motion. The chamber has got a scrutiny role to hold government to account. For that reason, the opposition routinely supports documents motions. But in this case, we even more strongly support it because of the urgent public necessity of getting to the bottom of what has gone wrong with our child protection system.

We have all been shocked in recent weeks hearing these stories – the completely and utterly unacceptable stories. It is clear that the government did not act in an early or timely way on these matters. It is clear that the government has dropped the ball on these terrible issues. We have seen the Premier and the minister in this chamber seek to hide and to find silly and obscure reasons why they cannot answer basic and direct questions, so this documents motion is very important. These documents ought to be able to be located cleanly and quickly. Ms Payne is not seeking a big shopping list of documents; she is seeking a very sharp, short group of documents. I would urge the government, in the spirit of discussion about document provision, to actually provide this even earlier to the chamber. There is nothing to stop the government from providing this in seven days to the chamber. The documents are easily locatable. I am speaking ahead for Ms Payne, but if there were individual references to persons where there was a legal matter or something of that nature, I am sure that the chamber would understand that those aspects of the documents ought to properly be treated as confidential. But at the same time, it is our understanding that the document is a broader policy examination and an examination of the system, and those matters are not matters that should attract any protection of any sort. The government ought to thereby quickly provide that matter.

If the government was sincere about this, they could provide that in seven to 14 days without any difficulty, in my humble view, and they ought to do so. The community is wanting to know what has gone wrong on these important childcare matters. So I am quite clear on this: I strongly support the move by Ms Payne to seek these documents. The opposition strongly supports that, and we see this as part of a coordinated attempt to actually ensure that there is greater scrutiny and accountability of the government on these important childcare centre issues.

This is part of a pattern today where the chamber is expressing clearly its view that these matters have got to be dealt with expeditiously and comprehensively. Seeking this document is an important wedge of that approach by the chamber. The referral that Ms Crozier will move later to the Ombudsman is another part of it, and Ms Gray-Barberio's approach to ensuring that there is a proper committee oversight is also a part of that approach. We see these as integral and actually dovetailing very neatly together to actually make sure that there is a proper and thoughtful response by this chamber – but more importantly, by the Parliament as a whole – to what is an undoubted community problem. This has to be fixed, it has to be fixed quickly, and this is an important step in achieving that.

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (10:22): I too rise to contribute to Ms Payne's short-form documents motion 985, the initial review of Victoria's working with children scheme. At the outset I would like to say that the Greens will be supporting this motion calling for the release of documents related to the Department of Government Services' 2025 initial review of Victoria's working with children scheme.

What we have seen unfold over the past months, and the calls for reform that have come as a result, is unfortunately not the first instance of advocates raising concerns about Victoria's working with children check, and Ms Payne has already spoken to this. The 2017 Royal Commission into Institutional Responses to Child Sexual Abuse, numerous children's commissioners and the previous Ombudsman in 2022 have all been calling for this Labor government to enact urgent reforms for many years now. There is a reason for that: because the risk of harm to children has been too high for too long. And where do we find ourselves now? Children have been harmed – thousands of children.

I want to extend my thanks to many stakeholders who have helped us to understand some of the current flaws in the system and the urgency to act right now. Victoria's system is an outlier amongst other states and territories. For example, it cannot consider evidence of abuse that has not resulted in a criminal charge or regulatory finding. Other jurisdictions allow much more information to be considered when considering child safety risk assessments. So while welcome, this review comes years – decades – too late. Back in March 2024 the Greens wrote to the government about this very issue, asking the government to strengthen its working with children check because we needed robust systems in place. But we also know that the working with children check schemes are just the bare necessity if we are to have a functioning network of service systems that place the protection of children front and centre. We have that opportunity to scrutinise this with this motion by Ms Payne. We have an opportunity to strengthen the working with children check, a scheme that right now is very weak. We have an opportunity to prevent predatory perpetrators, who see early childcare settings as a playground to commit their heinous crimes and abuses.

An initial rapid review has already taken place, but we do not know what it found. The government right now cannot be trusted to mark its own homework. This government needs to work with the Parliament to fix this crisis, and in order to do that it needs to be transparent and release these documents immediately. We also know that without an independent watchdog there is no oversight of compliance or enforcement for these changes, let alone complete transparency regarding the nature of any findings that are made. The Greens will continue to urge this government to establish a system that ensures transparency and accountability and that child safety is prioritised above all else and not political damage control. I commend this motion to the house.

**Michael GALEA** (South-Eastern Metropolitan) (10:26): Thank you for the opportunity to speak on this important documents motion. I would like to thank Ms Payne for presenting the motion to the chamber today. Like all members, I acknowledge that this is a profoundly serious matter that all Victorians are taking very seriously and that I think it is fair to say all members across this place and across the aisle in the other place too are taking very seriously. Families must be able to trust that their children are safe, and we will do everything in our power to make sure that they can, which is why in April we moved to review the working with children check scheme and update the Worker Screening Regulations 2021. It is also why the government will not be opposing this documents motion today.

This is a documents motion which goes to the work of the Department of Government Services, specifically in relation to the specific review of the working with children checks, but as other speakers on this debate have discussed, it comes in the context of a broader incident which we have all been horrified by recently. I will resist the temptation to offend sub judice and continue my thoughts on that. I will keep my remarks to the heart of this but acknowledge that there is also a review going into child safety in early childhood education and care settings, which is being led by Jay Weatherill AO and Pamela White PSM, and the government has already committed to accepting every recommendation of that report. We are committed to ensuring that those who work with or care for vulnerable members of our community are safe and suitable to be in those roles.

There are some further comments that I did want to make, but given the approaching clock deadline I will conclude my remarks there. Again, I acknowledge Ms Payne's dedication on this issue and acknowledge the fact that whilst we will, as we do in this place, negotiate and discuss and perhaps argue on the merits of different courses of action, this is a very important topic.

**Motion agreed to.**

**Public sector review**

**David DAVIS** (Southern Metropolitan) (10:28): I move:

That this house:

- (1) notes that:
  - (a) the Silver review has been handed to the Treasurer and the government more generally advising on public service staffing and savings measures;
  - (b) several versions of the review have been provided to the government, including a final version provided in late June 2025, and presumably at least one earlier version was provided to the government in the lead-up to the 2025–26 budget process;
  - (c) there may have been informal briefings, including verbal briefings, provided to the government, in particular to the Treasurer and the Premier;
- (2) in accordance with standing order 10.01, requires the Leader of the Government to table in the Council, within three weeks of the house agreeing to this resolution:
  - (a) all copies and versions of the Silver review provided to the government at any point;
  - (b) all related briefings and/or related notes associated with the Silver review; and
- (3) further requires that when the due date is reached, if the government claims that it is unable to provide these documents within the timeframe, that a list of all documents that have been located to that date must be provided in the interim, including details of their creation dates and when they were provided to the government.

This is a short-form documents motion that seeks assistance in getting the release of the Silver review and earlier iterations of it, if there are earlier iterations, and briefings, whether they be formal or informal, to the Treasurer and Premier and seeks copies of those to be provided to the house within three weeks. It also further requires that when the due date is reached, if the government claims it is unable to provide these documents within the timeframe, then a list of all the documents that have been located to that date must be provided in the interim, including details of their creation dates and when they were provided to the government. So if the government want to say after three weeks that they cannot provide it because of time, they can provide a list of the documents that they have located in that interim period. That is a new addition to a documents motion but I think an important one to insist that the government actually starts complying with these in a more timely and direct way.

It is clear that the Silver review is an important one. Many of us know Helen Silver; we have high regard for her as a person or a bureaucrat.

**Jaelyn Symes** interjected.

**David DAVIS:** As you have heard me say, Treasurer, in the past, I do have high regard for her. Notwithstanding that, she is making seminal recommendations which will have a big impact on the state's finances, the state's public service and the lives of individuals. I believe Victorian communities are entitled to see what those recommendations are and to see them forthwith.

**Jaelyn Symes:** I've already said I'm going to release it. Why are you wasting the Parliament's time?

**David DAVIS:** We want it now. The time is drifting on. People wanted it earlier. We first thought we would see it at the end of June, and it has now drifted on.

**Ryan Batchelor:** Who said that? When?

**David DAVIS:** When I asked the minister earlier.

**Ryan Batchelor:** Have you actually read *Hansard*?

**David DAVIS:** I have.

**Ryan Batchelor:** And what did it say?

**David DAVIS:** I will tell you what: it left the whole world with the view that we would get to see it at an early point. We are not actually seeing it at an early point. I think it has been used to frame the budget. It should have been provided to the Public Accounts and Estimates Committee for PAEC to see what was put in front of government and what informed government on some of its decisions made in the budget. At the same time, we are where we are now, and the government has the chance to rectify these matters and to actually bring forward all of the iterations of the Silver review and to do so promptly.

**Jaclyn Symes:** I asked her to do a review. She gave me a final report.

**David DAVIS:** Yes, but you actually were briefed by her before the final report.

**Jaclyn Symes:** I have a conversation with her every week.

**David DAVIS:** Well, there you are. That is what exactly what we are seeking, the details of those conversations, the briefing documents and what has gone on there – precisely. Let the record record that there are weekly briefings of the Treasurer by Helen Silver. That is entirely appropriate, but it is also entirely appropriate for the Parliament to ask to see those briefings and to understand what the basis of those briefings is and to understand whether the Treasurer has implemented the work that has been done, whether she has not and whether she has rejected some parts of it.

**Jaclyn Symes:** I'm working on that now.

**David DAVIS:** Well, indeed. But you have actually brought down a budget that has been informed by what Ms Silver said.

**The ACTING PRESIDENT (Michael Galea):** Order! As much as I am enjoying this conversation, Mr Davis, through the Chair, please.

**David DAVIS:** I think the government is very tardy and coy on this matter, and they are coy for a reason. I think the community is very nervous about the government's response here and where they are heading. We understand the budgetary problems that the government has got itself and the state into. There is no question of the scale of the budgetary problems. Let me be clear: this is a very straightforward motion. The Treasurer can provide these documents. She can provide them quickly. She can provide them quite reasonably and quickly.

**Jaclyn Symes:** There's nothing called the Silver review that exists as a document.

**David DAVIS:** You will no doubt tell us that. You have been provided with briefings, and we ask about those.

**Jaclyn Symes:** I have not received any briefings.

**David DAVIS:** You have received verbal briefings. Does Helen Silver have any notes on that?

**Jaclyn Symes:** I'll table myself, shall I?

**David DAVIS:** I am happy to hear those. I am very interested to know that the Treasurer is not receiving written briefings but is given verbal briefings alone. Presumably they are noted by somebody, and presumably Helen Silver has her own notes on these matters.

**Jaclyn Symes:** Maybe you should ask her.

**David DAVIS:** We are asking for what was provided. We are asking for exactly these sorts of matters. There may have been informal briefings, including verbal briefings, provided to government, in particular the Treasurer and Premier. It was actually directed precisely at this point and written precisely that way, because I suspect that is precisely how you may be operating. If Helen Silver's notes for those briefings are available, they should be provided. They would fall clearly within these matters. As I said, this is a very significant review that has occurred. We want to see exactly what the

government is doing here. I think the community is entitled to know and to see them at an early point, not dragged off and kicked into the far distance by – (*Time expired*)

**Ryan BATCHELOR** (Southern Metropolitan) (10:34): This documents motion just goes to show that the opposition is a complete shambles, personified by the contribution that we have had from Mr Davis, who is taking the Parliament's time seeking access to a document that the Treasurer in this place has committed to publicly releasing.

**David Davis** interjected.

**Ryan BATCHELOR**: If Mr Davis had spent any time actually listening to what people had to say rather than talking over them all of the time, which is his pattern of behaviour not just on this issue but on all issues – he talks over everyone and never listens to a word they say – he might have understood what was actually being said. The Treasurer has said in this chamber that this review would be released, and she has said repeatedly outside this chamber that the review will be released along with the government response. I think that is a perfectly reasonable position for the government to have. The review will be released with the government's response.

**David Davis**: When?

**Ryan BATCHELOR**: That, Mr Davis, is a question you should put to the Treasurer.

**David Davis**: We have.

**Ryan BATCHELOR**: No, you haven't. The other thing that I think is quite remarkable about this particular documents motion is that Mr Davis is seeking access to documents that he theorises might exist. He says he wants iterations of a review that came in one singular final form. I am not sure of the basis on which Mr Davis has worded his motion today. I do not know what reality he is existing in where he thinks that multiple iterations of a report exist when there is a final report.

What he actually said by way of his substantive contribution and by interjection just now is that he wants to know what happened during the conversations that occurred between the review, led by Helen Silver, and the Treasurer. I am not sure what Mr Davis thinks common and accepted practice is by senior members of the government and people who are engaged to work with them in meetings such as this, but in most places in the professional world colleagues do not record their conversations with each other. The only place that seems to happen in conversations between professionals where colleagues are recorded is in the Liberal Party.

**David Davis**: On a point of order, Acting President, this is a narrow motion about a particular set of documents around the Silver review. It has got nothing to do with a political party – any political party for that matter. It is to do with administration of government and the Treasurer and the Premier's engagement with Ms Silver.

**The ACTING PRESIDENT (Michael Galea)**: I do believe there was discussion about verbal briefings, which I believe this is in response to, which is in the motion. I believe it is relevant to the motion.

**Ryan BATCHELOR**: Perhaps Mr Davis could clarify for us, given it is his motion, how he expects verbal briefings to be produced to the chamber other than by way of recording, because it seems that Mr Davis believes that meetings between colleagues need to be recorded on a routine basis and provided under some sort of a production process, a discovery process. Maybe that is because Mr Davis thinks that all of the meetings he is involved in are being recorded, because we know that there is a pattern of behaviour by senior members of the Liberal Party where they like to record their conversations. Well, that is not what real people do in the real world who take real things seriously, like we do in the government.

The government thinks that the issues it asked Helen Silver to lead a review of, about the way our public service operates, are exceptionally important. The review team has undertaken significant work

at the request of the Treasurer; it provided a very significant piece of work to the Treasurer a few short weeks ago. The Treasurer has said in this chamber that it will be released. This documents motion is seeking something that the government has already agreed to.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (10:40): I rise to make a brief contribution on this production of documents motion brought forward by the opposition in relation to the Silver review. This is obviously an independent review, announced not that long ago, into the Victorian public service, to be headed by Helen Silver, who I understand was a banking executive and former head of the Department of Premier and Cabinet under John Brumby and Ted Baillieu. As put in the terms of reference for this review, it is providing recommendations to government about reducing the Victoria public sector back towards its prepandemic share of employment.

This matter is important. It is about giving certainty to people who work within the public sector, their families and those who they support through their income in those roles. It is important to provide certainty to the community about potential programs that may be cut, effectively, as a result of changes that are recommended in this review process. While the government may see fit to bring forward this information otherwise at a time of its own choosing, many I think here would argue that the workers in the sector want to see relevant information brought forward as soon as possible so that they understand what the implications are going to be for them, for the programs that they work within and for the services that Victorians rely upon.

Actually, in response to the Silver review, we have seen a really strong push from members within the CPSU, public servants, who have pushed back against the government's proposed job cuts under this review process with their own plan, which would provide efficiencies and cost savings to government, which they have called the Gold review, calling instead for reductions, for example, in executive bloat, halving consultant spending and reducing office space, just to name a few examples. That is an approach that members of the CPSU have decided to bring forward and push for, in opposition to what the government has proposed through the Silver review process.

In any case, in the interest of certainty, in the interest of making sure that workers and their families can prepare and understand what these changes are going to mean for them, it is important that we have this information provided as soon as possible. So the Greens absolutely will be supporting this documents motion today, although noting the convention is typically we will support documents motions and documents being provided to the house. To the government: really, you can show us your cuts, show us the documents. We need this information. This is about certainty for workers and making sure that we have fully funded public services that Victorians rely upon.

**Sheena WATT** (Northern Metropolitan) (10:43): Today I rise to speak on the motion from Mr Davis, and it is fair to say that it is a thinly veiled attempt to take cheap shots at this government, because the Allan Labor government has commissioned an independent review of the Victorian public sector to ensure it is firmly focused on the needs of Victorian families. To ensure that the public service is appropriately focused on delivering essential services, the government established an independent review to make recommendations on how to rightsize program expenditure and return the VPS to its prepandemic share of employment, ensuring spending is aligned with the government's cost-of-living relief and key service priorities.

The Treasurer has asked Helen Silver to undertake this review to zero in on waste and inefficiency and ensure Victoria's public sector is firmly focused on what matters most to Victorians – good schools, good hospitals and safe communities. The review was tasked to identify overlaps, inefficiencies, functions and programs that can be streamlined or eliminated, including consolidation of entities; provide recommendations to increase operational efficiency and to deliver process improvements across all VPS departments and programs; and provide recommendations on how to return to a prepandemic share of employment, including an examination of the appropriate levels of executives, by reducing spend on waste and inefficiency in areas that are not a priority for Victorians in a cost-of-living crisis. We can keep investing where it matters most, and that is indeed the front line.

Labor governments also understand that Victorians rely on frontline services like health every day, especially when times are tough. This is why, unlike those opposite, we will never cut our nurses, our teachers, our police officers or our child protection workers. That is why frontline workers are not included in the scope of the Silver review.

Ms Silver has presented the report to the Treasurer, and the government will now consider its recommendations, as has been said multiple times. Most recently the Treasurer herself said in the chamber during this short-form documents motion debate that the report will be published alongside the government's response. That commitment has been made by the Treasurer, as the Treasurer has continually noted, and I am sure that many in this place are aware of that, particularly those in the chamber now.

In a cost-of-living crisis families are having to carefully consider every dollar, and they expect that governments do the same, which is why the budget focused on the priorities that matter most for Victorians. That is cost-of-living relief, and that is frontline services like health, education and communities. The 2025–26 budget sees Victoria return to surplus, and it does this while also delivering much-needed cost-of-living support and funding for critical frontline services. It also includes a range of savings and efficiency measures identified by departments, which are consistent with the objectives of the Silver review. This was made possible by our responsible financial management – and can I take a moment to acknowledge the work of the Treasurer, current and former, in this, including taking carefully targeted savings and efficiency measures. This includes corporate savings from non-frontline functions across government. This will ensure that we have a sustainable budget practice and are not spending on duplicated processes across the VPS. It does not include cuts to frontline services, because while those opposite would like to make funding cuts to our health and education system, we are out there: we are building hospitals and they are opening; we are opening schools and will continue to do so for many years to come. Today we have seen the benefit of that with the announcement of the NAPLAN results, so can I take a moment to thank and honour all the teachers involved in helping deliver this historic result for Victoria, Victorian schools and Victorian students. It is standard for government agencies to constantly evolve how they deliver services in order to provide the services that matter most for Victorians.

This government will always keep public services strong and is ready to deliver and protect them from the damage that those opposite will do. And can I thank, in the last minute that I have, all the public servants right across our state for each and every day that they get up to deliver for Victoria and Victoria's people: thank you so very much.

**Motion agreed to.**

### *Motions*

#### **Ombudsman referral**

**Georgie CROZIER** (Southern Metropolitan) (10:47): On behalf of David Davis, I move:

That this house:

- (1) notes with concern the allegations of child sexual abuse by a Melbourne childcare worker, the significant impact on affected families, and the testing of over 2000 children following the individual's employment across at least 24 centres;
- (2) further notes that:
  - (a) Victoria's working with children check system was identified in a 2022 Ombudsman report, *Investigation into a Former Youth Worker's Unauthorised Access to Private Information about Children*, as among the weakest in the nation, and recommendations for urgent reform have not been implemented;
  - (b) there is an absence of mandatory training for working with children check applicants and a lack of a centralised register of childcare educators to support effective oversight;

## MOTIONS

- (c) the quality assessment and regulation division (QARD) responsible for regulating early childhood services has recorded a 45 per cent increase in complaints and a 67 per cent decline in enforcement action since 2018;
- (3) observes that QARD was excluded from the rapid child safety review announced by the government;
- (4) pursuant to section 16 of the Ombudsman Act 1973, refers the following matters to the Ombudsman for investigation and report:
  - (a) the performance of QARD in monitoring, investigating, and enforcing compliance with Victoria's child safe standards and the national quality framework; and
  - (b) any failure to comply with applicable laws, policies, or codes in relation to its regulatory role.

I am pleased to be able to rise and speak to motion 989 because it is dealing with a very significant issue that we have already been discussing in the Parliament this morning. But more broadly, it is being discussed right across the community and has been for some weeks, following the very alarming and concerning allegations that have occurred within our early childhood education and childcare settings. I say that because what has occurred has clearly exposed monumental failures within the system. After the government was warned about those gaps in the system and the failures within the system they failed to act, and this has led to some very catastrophic findings, as we have been reading in the papers and hearing about and understanding. This motion that the Liberals and Nationals have put forward is a referral to the Ombudsman to look into this matter, and I want to just go through the motion and speak to it, because there have been, as I said, failings by government, and it is incredibly important that we have an independent investigation into those issues. As I said, as we have been hearing through the debate that has been going on this morning with what has already been moved around a documents motion, this is an extremely serious matter.

If I can just go to the point around the 2022 Ombudsman report, in that report there were serious flaws identified in the Victorian working with children check scheme. The Ombudsman's investigation into a youth worker's access to Victorian government information about children and young people exposed the shortfalls in the working with children scheme, and it is very much highlighted in that report. What the Ombudsman found was that Victoria's screening authority was one of the most limited in Australia and that there needed to be legislation to come in line and do more. In tabling the report the Ombudsman called on the Attorney-General and the Department of Justice and Community Safety, which administers the working with children check scheme, to consider much-needed amendments to Victoria's child safety screening laws to ensure Working with Children Check Victoria is able to consider all relevant information relating to a person's risk to children. So it is very much around what the findings around the safety aspects for children were.

In that report, in that investigation, the Ombudsman said:

... the inadequacies in Victoria's child safety screening legislation mean that these prior investigations would not have been grounds to refuse –

the worker that was identified –

... a Working with Children clearance, even if the screening authority had been aware of them.

So there were massive gaps, and the government was called upon to fix them. Ms Glass, the Ombudsman at the time, said:

Some painful lessons have been learnt. For the safety of our children, more needs to be done.

That plea and that call on the government to do more was ignored. At the time the Shadow Attorney-General Michael O'Brien pointed out just how significant this report was and the dangers. In September 2022 in a media release around this report he said, not forgetting that there had been calls to look at the working with children check – and I have to refer back to the child abuse inquiry that I

was chair of, Betrayal of Trust, when we referenced the working with children check in that important inquiry and looked at the scheme:

... after eight years of the Andrews Labor Government, Victoria has the weakest Working With Children safeguards in the nation.

'The Ombudsman has exposed that Labor's poor legislation has created loopholes that only benefits pedophiles and those who would exploit children.'

We took to the election at that time that we would immediately fix this problem and strengthen the Worker Screening Act 2020 to implement stronger reforms. That is the history of what we are talking about here, where the government has continually failed to undertake their responsibility in looking at this very important area. They get up and they spruik every day that they are here to protect the community, and they have failed on multiple points in that area. But in this area, when you come into this house and you hear the minister not taking responsibility for her own area, it is unbelievably galling. I want to go to that because in this motion it talks about the quality assessment and regulation division, QARD, which is responsible for regulating early childhood services. This is what the minister has responsibility for. She is clearly responsible for this area, even though the government has got a massive protection racket going on. In relation to her responsibility, she has abrogated all responsibility in this.

The Department of Education talks about the regulatory role for early childhood services in Victoria under a number of regulatory schemes, including the Education and Care Services National Law Act 2010, the education and care services national regulations – they are the national quality framework and national quality standard; and the Victorian children's services regulatory scheme; the Children's Services Act 1996; the Children's Services Regulations 2020; and regulation of the child safe standards. These are very clearly in her remit.

The Secretary of the Department of Education delegates the functions and powers of the regulatory authority to the quality assessment and regulation division required to administer and enforce the law and regulations. QARD undertakes the full range of functions and powers provided to the regulatory authority under all three schemes to promote the safety, health and wellbeing of children attending early childhood services in Victoria. In the statement of expectations (SOE) around this important area the minister's responsibilities are very clearly laid out, but when she is questioned she refuses to acknowledge that she has any responsibility in this area at all. Well, her own letter to the secretary clearly points out that she has this responsibility. I want to read from that statement of expectations, because it is incredibly important to understand. While I think the minister has abrogated all her responsibility, she has clearly failed as the Minister for Children. This is in this statement of expectations, the letter to the secretary from the minister says:

As Minister for Children, I am responsible for administering the *Education and Care Services National Law Act 2010* and the *Children's Services Act 1996*. This SOE should be read in the context of the objectives, obligations and functions outlined in these Acts which make the safety, health and wellbeing of children attending high quality early childhood education and care services paramount.

These are the minister's own words. It goes on:

I note that QARD is also the integrated sector regulator for the Child Safe Standards, made under the *Child Wellbeing and Safety Act 2005*, as they apply to early childhood education and care services operating in Victoria.

This SOE outlines key governance and performance objectives aimed at improving the regulation of early childhood education and care services. In setting out these expectations, I acknowledge the important role of QARD in supporting the government's *Best Start, Best Life* reforms.

The statement of expectation goes on to say:

**Emerging risks and priorities**

Ensuring the safety, health and wellbeing of children attending early childhood services and improving their educational and developmental outcomes is core to Victoria's ambition to provide a great education for every child and young person.

... QARD plays an important role in ensuring that Victorian children attending early childhood education and care services are safe from harm and abuse.

...

Based on the government's priorities and emerging risks, and in line with good regulatory practice, my expectations for QARD are as follows –

and here are the priorities and that the minister highlights to the department secretary –

Ensure the QARD regulatory regime is fit-for-purpose

Target regulatory effort based on risk of harm

Support duty holders to comply with their obligations

Be transparent and accountable for activities performed

Continuously improve QARD's regulatory operations

Support duty holders to understand the value of compliance and harm reduction

In the expectation component of this priority it says:

Work closely with other Victorian regulatory partners on child safety and protection.

...

Support adherence to the Child Safe Standards in early childhood services by:

- educating and guiding services about compliance with the Child Safe Standards
- monitoring service compliance with the Child Safe Standards and taking appropriate steps to address non-compliance, as the integrated regulator for the early childhood sector.

Now, as you saw, the minister stated herself that they work in partnership and that she has responsibility. Yet when she is questioned in this place, there is no responsibility and she just handballs it to everybody else, saying, 'Nothing to do with me.' This is a shameful failure on behalf of the government and on behalf of the minister in her role around the protection of children and childcare safety. There are clearly massive failures in this, and that is why it is extraordinary that in the government's own review that they are doing QARD is not even mentioned. The scope of the review and the terms of reference talk about identifying:

... the immediate actions the Victorian Government can take to improve the safety of children in early childhood education and care settings –

and it goes down –

including but not limited to ...

various things.

The Liberals and Nationals introduced a bill into the Parliament yesterday. That was immediate action that could have been implemented. But shamefully, the government voted against it. They voted against the protection of children, taking immediate action to protect children – another shameful act by this government. They are ignoring their own failures. And what that bill did, what the shadow minister Jess Wilson did, was explicitly show where the failures are. She outlined the plan about how it could be fixed, and yet the government shamefully voted it down.

This rapid child safety review that the government is spruiking does not even go to the very element around QARD, the regulatory component. It says in the scope of the review:

identify options to improve interactions between regulatory schemes ...

But it does not even involve QARD. It looks at other areas around the national quality framework: the New South Wales Early Childhood Education and Care Regulatory Authority, the Queensland Family and Child Commission and the Victorian Ombudsman's report – which was tabled in 2022 and the government failed to act on. I mean, this is extraordinary. These failures of the government and the minister's abrogation of her responsibilities in this really important area are so clear for everyone to see. This is a catastrophic failure of government in undertaking the important role that they have in having proper systems in place when they are alerted.

We saw in an article today that when a young worker highlighted to the regulator that they were concerned about what was going on, they were told that following a review from the department no further action would be taken. And yet the Department of Education has refused to respond to questions around that. This is extraordinary. I want to just say, in relation to the compliance issues around the 45 per cent increase in complaints and a 67 per cent decline in enforcement action since 2018, that extraordinarily in 2018 one in 20 complaints had an enforcement action and in 2023 just one in 88 complaints had an enforcement action. That is a clear failure of the system, and that is why we are moving this motion today to have the Ombudsman look at this issue again. It is because we need to have independence, because when complaints are being put forward to the department, the department is saying, 'Nothing to see here.' When it is exposed, like these horrific allegations have been exposed over recent weeks, the government are doing an internal review, and they are not even including the very element that needs to be looked at, QARD, the regulatory system which is failing on every front.

This is a shameful period for this government, for their failings of not taking this issue seriously, for just paying lip-service, for deflecting any concerns around the issues that have been raised for years, for the failure to act and for the failure to protect children. If anything, government have a responsibility for safety for the community and for vulnerable children. We need to rebuild trust. So many parents that I have spoken to – and I know that my colleagues have spoken to parents; they are parents themselves – need to have trust back in the system, and that trust has been broken. And it is not just parents of young children, it is family members and it is grandparents. It is everybody involved with those children that are put into these childcare settings. And those workers that work in it, who are doing a tremendous job, also want trust in the system. They want to know, like that young worker who reported their concerns to the department, that they have been acted upon, not brushed off, saying, 'Nothing to see here.' 'Nothing to see here' has led to these catastrophic failures and the huge issues that we are now dealing with.

This government has failed. It has failed every single Victorian in this very important area. It is critical that we do more and that the Parliament does more, and that is why we have brought this motion to the Parliament. It is why the Liberals and Nationals did not write directly to the Ombudsman to do this. The Parliament needs to do this. The Parliament needs to show the support and understand that there are failures in the system that have led to these catastrophic loopholes, which have gone unclosed for years – and they are catastrophic loopholes that should have been closed, should have been identified, because now we have got thousands of children affected and thousands of families affected, and these parents and children deserve much better from a government which has failed at every level.

The lip-service is not enough. Action is required. They have failed for years. They were warned years ago, and now we have got children who have been subjected to the most horrific – allegedly, I should say – crimes. Let the investigators do their job on that bit. But what the Parliament can do is look at the framework and have the Ombudsman look at this, have a comprehensive review into it, because the government's review is not comprehensive, it is cherrypicking items. I urge all members to support this motion in the interests of all children.

**Jacinta ERMACORA** (Western Victoria) (11:07): All Victorians are sickened by these allegations – all of us as parents, as grandparents and as future parents, and also anybody who was in childcare themselves; you might be an adult now but have experienced child care. We know that

families must be able to trust the care of their children and that all settings are safe, and our government will do everything in our power to ensure that they can.

As there is a police investigation underway, I will be cautious about the language that I use in this particular speech. This is also a deeply distressing subject. We have a range of supports as a government in place for all impacted families, and I urge them to visit the [vic.gov.au](http://vic.gov.au) website. You will be able to navigate that very directly.

Let us have a look at the history of the childcare sector over the last 50 years. The sector has fundamentally shifted from a not-for-profit and local government run model to there now being an acceleration into for-profit care. This policy was driven substantially under the Howard government. There is strong and consistent evidence that the institutional environment is a key factor in the likelihood of abuse occurring, and that is certainly something that I know about. As a former sexual assault counsellor, many of the women and men that came to me for counselling experienced their abuse in institutional environments. Abuse risks are amplified or reduced depending on how organisations are run – how they are structured, how they are administrated – their accountability and importantly the culture that exists.

In privatised child care these risks can be amplified when a profit-driven model puts business interests ahead of children's safety. A concern for costs can mean poor staff training, weak screening and understaffing. In the United Workers Union early childhood education and care quality and safety census, most educators reported that this understaffing is putting children at risk, 77 per cent of educators said they are operating below minimum staffing requirements at least weekly and 42 per cent said it is happening daily. Because it will impact the bottom line, warning signs may be ignored, complaints may be silenced and survivors might not be believed. A lack of job security and a profit-driven culture can make it hard for junior staff to raise concerns, and this is certainly the issue in any institution for junior staff.

We know that the ABC reported on 18 June that a recent survey of New South Wales educators revealed that over one-third of respondents had avoided reporting serious child safety concerns for fear of retaliation. Others reported being penalised after raising legitimate issues. The Australian Education Union early childhood vice-president Cara Nightingale made this point well in an AEU press release on 9 July:

Right now, in too many for-profit early childhood businesses, management creates atmospheres where speaking out is not possible and where silence is expected of workers.

...

High quality early years education can't be about business interests and profit margins.

I thoroughly support or agree with those sentiments. Our children, along with our aged, are the most vulnerable members of our community.

It is a matter for the Commonwealth government as to whether they will use the childcare subsidy to prioritise the growth of not-for-profit providers of child care. In Victoria we have used the policy levers available to us through the establishment of 50 government owned and operated early learning centres, and in this chamber we have had multiple contributions on the success of these. I was at one of the first openings earlier this year or late last year; I cannot remember. It is a brilliant model, and it is an example of the Victorian government responding to shortages of child care in our state even though this is a federal area of responsibility.

The hypocrisy from those opposite is breathtaking. Over the break the coalition have criticised our rapid review into child safety that will report in about two weeks, but today they want to initiate a separate review that will provide a final report in 12 months. The coalition have also stated that they want the Victorian Institute of Teaching to regulate early childhood workers, but last year they said that there needs to be an independent audit into the VIT and described it as a failed regulator. They have no credibility in this space. They are all over the place. The coalition have moved from supporting

a review to criticising our child safety review to then releasing a glossy document with no substance – and today they want a different review. They are, in my view, all over the place on this matter. We saw in question time yesterday that they cannot even figure out how to address questions to the Minister for Children that are actually relevant to her portfolio. It was actually the Greens who were able to ask an appropriate question yesterday, before the coalition got some semblance of their act together. This is the result of playing politics with child safety.

I do want to express my caution for everybody who contributes on this issue in this chamber. Each contributor – all of us – should consider carefully the current and future rights of children who are currently in child care in these childcare centres. If personal details are mentioned in this chamber, it can cut across the right of parents to inform their children as they see fit and in a manner that supports the unique needs of their child. I think we all want to absolutely look into what has been going on here – what the strengths and weaknesses of our current systems are – but not to play politics with children's personal experiences.

Child care is regulated under a national framework – and this is important – but we are acting where we can as a state. Work has been underway at a national level to ban personal devices, and many centres have already started to informally do that. We are also establishing a register of early childhood educators and using established systems to take immediate steps – it warms my heart to hear that – to build a register of early childhood educators, and this will be established by late August. This phase is expected to capture information on over 90 per cent of employees. Registration began last week, and we have already got 3456 workers. There are a number of other longer term solutions.

I want to close by saying that it is very important that we get to the bottom of the issues that have come up here, including the work on working with children. I want to say thank you to Minister Lizzie Blandthorn for the work she has been doing. She is absolutely all over what has been going on, and I am looking forward to her leadership on this issue.

**Melina BATH** (Eastern Victoria) (11:18): The contribution we have just heard I think is from the socialist republic of the Labor government, and it would seem that all private industry, all private business and all private childcare centres are indeed among some of the most abominable industries that we know of. I reject that point, and I also reject the government member just now speaking about a 'rapid review' – a rapid review that has taken three years to come to fruition; a rapid review that is not serving the most vulnerable of Victorians, our children. I stand here to support our Liberal and National motion for a referral to the Victorian Ombudsman of this very important issue to the quality assessment and regulation division – QARD, as I will refer to it.

This government is world class in finger pointing: 'Look over there, but don't look in the mirror.' It is atrocious that we have seen some shocking allegations of child sexual abuse at a number of childcare centres presented to the Victorian public, and the government is still obfuscating its responsibility. It is still not looking at actions to close dangerous loopholes after the Victorian Ombudsman Deborah Glass, back in 2022, laid out very clearly a pathway forward to reform this system. This government has completely, unacceptably not looked in the mirror. It is unacceptable that enforcement actions have declined while complaints have increased. Parents deserve confidence. I take up Ms Crozier's very apt point in her speech about the lack of trust that parents, children and families have in this system, and it is not fair on those who work in the system as well. They deserve to know that they are coming and the work that they do supports families, Victorian prosperity and the economy to grow children safely so that parents can go about their business and work. They need that trust, they need that safety, and this government is obfuscating its responsibility. Indeed we know that, very shockingly, an alleged perpetrator is now looking at 70 charges after having worked in the system for eight years and being allegedly employed across 23 childcare centres. The devastation that that is causing those families and those children is simply unfair.

The government introduced child safe standards in 2006, and I have spoken on this a number of times in relation to the disability sector. Many in that sector feel that this is a policy statement rather than an

embedded action in all of the areas of education – in this case, child care and nurturing environments. We see also that the quality assessment and regulation division, QARD, is a division of the Department of Education, yet this government's own investigation – 'rapid review', as we have heard it called – is not looking at its own homework. It is not looking at its internal department. You cannot stand up here and hand on heart say you are making a difference if you are not going to investigate some of the issues around regulation and safeguarding frameworks. It is just an abomination.

We saw that the Victorian Ombudsman – I had the pleasure nine years ago of meeting Deborah Glass – acted without fear or favour. I think she viewed all members of Parliament with scepticism, and we took that on board, because her role was about finding out the truth and delivering comment to government and recommendations to government – and boy, did she find out some things back in 2022 in the review of working with children checks. Certainly she exposed that the system had serious flaws in the way it was managed, particularly around information sharing and revocation delays. Her findings included that there was limited access to intelligence and that Working with Children Checks Victoria could not access interstate child protection reports, intervention orders or unprosecuted allegations. The system relied almost exclusively on criminal charges, so it had to get to a point where the police were called in and there were, as we have seen, criminal charges laid before there was serious consideration. We saw from the Ombudsman the recommendations that she made to expand the powers of Working with Children Checks Victoria. She stated that they were some of the worst in the nation. Her foreword from that report indicates that Victoria's working with children's check laws are 'among the most limited in Australia'. They do not allow consideration of child protection reports or other relevant information unless it results in a criminal charge.

This just highlights how flawed the system was and still is three years later – and the government is calling it a rapid review. The Ombudsman also spoke about improved interagency coordination between police, child protection services and employees. It also called for faster response times and stronger oversight of high-risk individuals. We have seen those individuals in the most alarming and concerning way for our children. What the government needs to look at it is why it is actually doing an internal review without looking at QARD. It is just mind-boggling that it thinks that is acceptable.

What have we seen from the Liberals and Nationals? I put on record my thanks to our Shadow Minister for Education and Shadow Attorney-General for the depth of thorough work they have done and not only that but coming up with solutions for this situation for very vulnerable people. I will not mention other than briefly my thoughts around this as I am a new grandmother and my grandchild is not in this state – I might have to say on this case that it is sad for me – but the system in New South Wales is far stronger in relation to this. Those children are the most precious resource we have in our nation, and they deserve the maximum amount of protection and safeguarding, which this government has not implemented.

In relation to our Worker Screening Amendment (Safety of Children) Bill 2025, which we put forward in the lower house and which the Premier decided to reject, we tabled it and first read it today. We are going to then put it on the notice paper for debate as a private member's bill for the Liberals and Nationals, for the whole of the state, and this house should be looking to adopt it. I also thank, in this case, the Greens for their consideration. They have got a motion up ahead that needs to be dealt with in a positive fashion by this house. It is important that we strengthen this. It is important that there be expanded grounds for refusal of working with children. It is important that there is law enforcement integration. It is important that there is a shortened validity period. We were going to reduce that for people working in the industry – not for those who volunteer at their netball club – to three years, because a lot can happen in five years. It is important that there be mandatory training and that applicants must complete online mandatory training on child sexual abuse and other forms. This is the sort of rigour that the Liberals and Nationals want to put in. We understand that trust in the system has been broken.

We understand that rather than taking an apolitical, focused point of view and having an independent understanding, we are putting this forward for the Ombudsman. In actual fact I have worked for almost

a decade in the education sector. I have worked with fantastic kids and with fantastic teachers in the state sector, but it is not immune. It is not just the private schools or the private childcare centres that have these types of allegations and types of incidents and types of concerns. There are many people that I have spoken to in my time here about our education sector, and we did an inquiry into the education system that threw up a lot of alarm bells across the board. We want to ensure that our children are learning, our children are safe and our children are nurtured, and this government is obfuscating its responsibility. What this government is doing over this case is political issue management versus child safety. This government is looking to mitigate that fallout rather than embrace child safety. If it did, it would have acted on the Ombudsman's report three years ago. If it did, it would have included the QARD in its inquiry.

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (11:28): I rise to speak on motion 989 raised by the opposition for an Ombudsman referral of the quality assessment and regulation division's oversight of the early childhood services. The early childhood education and care sector is not just in crisis at the moment, it is in a downward spiral. Serious allegations of ongoing abuse in childcare settings and a clear systemic issue in the sector have been uncovered and have left so many families, educators and the Victorian public completely distressed and asking questions of 'How?' How could this be, with a regulator, with working with children checks and plenty of schemes and systems that should have been working and functioning well to protect their children? Now more than ever Victorian parents deserve to know that this government, through its regulator and through its department functions, is prioritising the safety of children in the sector. No more words, no more pledges and no more standing in front of podiums saying that they are going to do everything to fix this crisis. What the Victorian public is calling for is action – action that will protect their children when they are dropping them off at early childcare centres every morning.

As it stands, the current structure allows the government to mark its own homework when it comes to child safety, and this is not a sustainable or effective system. Unfortunately, as we have seen in recent weeks, it has allowed for the most horrific of tragedies to take place. An independent, clear-eyed investigation is crucial to finding gaps and holes in the system, giving transparency to Victorian parents and the community and holding every part of this sector to account, starting with the government. We must do everything in our power, we must pull every lever we can to ensure tragedies like this can never happen again and ensure children's safety is at the highest of standards.

The Ombudsman is well placed to lead such an investigation. It operates independently of the government, and in this crisis, where the government is missing deadlines to produce documents and be transparent, the need for impartiality is very strong. It also has the power to investigate ongoing systemic issues in government departments, something that is sorely needed in this current situation, where this government is so obsessed with secrecy. Let me be clear: this is the first of many steps that Parliament must take to rebuild confidence with parents, educators and the Victorian public.

The quality assessment and regulation division, QARD, sits within the Department of Education. I have heard quite frequently mentioned that early childhood care is regulated at the national level, which is true, but this insistence on kicking the can down the road against the backdrop of what is one of the most horrific cases of child sexual abuse is a redaction of responsibility by this government. Recent revelations have made it clear that oversight and transparency must be urgently reviewed. When the department responsible for delivering early childhood services also regulates them, it creates a clear conflict of interest and makes it harder to hold the system accountable when things go wrong.

We have heard across many media outlets of the failures of QARD to investigate, and the Greens have been denied access to other documents which we requested through this Parliament that were related to how QARD is regulating and monitoring the early childhood care system, pertaining to issues like compliance, risk assessments, enforcement notices and emergency notices. We have been denied access to these documents which are well and truly clearly in the public interest. Implementing training to gain a working with children check is a very useful tool to protect our children and to create safer environments for children and their care. The Greens welcome the opportunity to work collaboratively

with parties across the political spectrum for the safety of our babies, our toddlers and our children. The Greens will be supporting this motion today, and I commend this motion to the house.

**Tom McINTOSH** (Eastern Victoria) (11:33): All Victorians have been impacted by the news that we have heard in recent weeks, and I particularly want to start by acknowledging all families – those within the sphere of what has been reported and obviously those directly impacted. I think there are many, many families that have used centres or been in the sphere of the allegations, and for them I just want to note it would have been a particularly traumatic time. For those families that have been confirmed to have been directly impacted, I think it is important to ensure that they are taking all supports available, both financial supports and supports for them to process and deal with this situation.

Having grown up and lived in Ballarat, I have seen the generational trauma that has occurred there. I spoke about this in my first speech – the impacts on the individuals who were directly involved in these sorts of scenarios, on the families and indeed what flowed on out into the community. The mental health knock-ons, when not addressed – which of course happened in that situation and many other towns and cities around not only Australia but the world – result in the mental ill health, the alcohol abuse, the drug abuse and then of course, very sadly, and as I experienced with work colleagues and other people, the suicides that follow. So I just want to acknowledge what has no doubt been a very traumatic time for very many families and their friends, their circles and their connections – lean into the supports available – and also the workers in those centres.

Victorian families must be able to feel safe and secure in the knowledge that their children are safe, and we need to do everything in our power to ensure that this is the case. The government has commissioned an urgent review into child safety in early childhood education and care settings and the working with children check in Victoria, which will be led by Jay Weatherill AO and Pamela White PSM, and the government will adopt every recommendation. This is due to be handed down by Friday 15 August, in a number of weeks time. We are using established systems to take immediate steps to build a register of early childhood educators. This will be established in late August. Other solutions will be able to link into a national registration system once it is established. We are also taking urgent action to stop the use of personal devices in childcare centres, with every centre required to adopt a ban on personal devices by Friday 26 September.

There are state and federal reviews underway. The changes that we make because of these reviews need to be targeted and effective, and we need to get these changes right and do so in a quick manner. Getting these changes right and getting this system working well, so families are secure in the knowledge of their children's safety, is so important because of how important childcare and early education are. I have said in this place before that when I entered this role I did not have the appreciation and the deep respect for early education that I do now and the understanding of just how important it is to the development of our children that whether they are in day care or we are talking about kindergarten they are getting the best possible start to those formative years of their lives. For all of us, it is so beneficial – for the individual, for the family, for the community and for us all as a society to prosper. That investment early in each and every one of these individuals is so valuable, and when ensuring that these individuals are learning and socialising and making happy, healthy connections to others and stimulating their minds obviously they absolutely have to be safe, because we cannot have children going into a space where they are meant to be forming to the absolute best of their ability and leaving that situation with potential trauma.

I think that the relationships – and I heard Jason Clare talking about this – that children form with some of their carers can be some of the most important relationships in their lives. It is such rich work that our carers and early educators do. We want to ensure that as families and as a society we feel comfortable with the settings and the framework that is there so that all of the workers who do such incredible work for our youngsters can get on and do so with families feeling comfortable but also that the workforce feel comfortable that the regulations are right and the framework is right for them to be able to focus on what is important, which is connecting with, caring for and educating our kids. When all that is right, our kids can socialise early and they can develop and get ready for their next steps in

education – and we have had really positive news come out about our NAPLAN results here in Victoria. I think by getting all these settings right we are going to see benefits for generations to come, not just socially but also in the economic capacity of our state. And of course we have got the workforce participation with parents being able to get back to work, but they cannot do that if they are not feeling confident in the care that their children are receiving.

I think I have summed up my thoughts and feelings, but I just acknowledge the workforce that do incredible work and care for our kids. I just stress again that the work that is going on will need to be implemented and implemented quickly, and to ensure that we get all recommendations and all findings implemented correctly so that families can be secure to be at work and their young ones can be educated in a safe and secure environment. I will leave my comments there.

**Trung LUU** (Western Metropolitan) (11:41): I rise to speak on this motion on the horrific childcare failure that occurred under this government's watch, and I do so not just as a local member where so many of the alleged sex abuse incidents reportedly occurred but also as the father of five young children. I am deeply concerned that this system is failing our families and our most vulnerable Victorians – that is, our children. I, like many of my constituents, have been shocked at the extent of the alleged abuse that occurred and can only imagine what these families are going through right now. Can I begin my contribution by acknowledging the distress and hurt to these families experiencing this right now and to those directly and indirectly impacted. I can only say I empathise with these families at a time like now.

This motion is calling on the Ombudsman to investigate and report on these systemic failings. It is imperative and it is timely. I cannot believe it is 2000 young children – that is 2000 young children – who need to be tested for sexually transmitted infection. It is unthinkable, something you can never imagine would occur, let alone in Victoria. And these innocent children are being subjected to this ordeal simply for attending childcare centres. This is not a failure of any one individual or even a manager of a centre or the staff of the centre and their oversight of children, it is a systemic failure of a system that is there to protect our children. We need to go through and look at what went wrong with a fine-tooth comb, leaving no stone unturned, with an investigation by the Ombudsman. We must get to the bottom of the performance of the quality assessment and regulation division, which is responsible for the regulation of these childhood centre services. We need to know what their response was to the monitoring, investigating and enforcing of compliance with Victoria's child safe standards and the national quality framework.

Since this allegation of child sex abuse has come to light in my electorate, residents and parents across Melbourne's west have rightly been concerned. Many do not know where to turn and what services and support are available. I have been thankful that organisations, including the WestCASA, the Western Region Centre Against Sexual Assault based in Melbourne's west, are responding with acute tailored support for people needing a service to help them get through this truly traumatic time. I have personally liaised with the WestCASA community engagement team in light of these incidents in my electorate. They have been very forthcoming with support. I urge my constituents listening to this debate to reach out to WestCASA for support if you need it or if you are unsure or concerned about your family. To learn that at least 24 centres are impacted by these allegations – as I mentioned, many are in my electorate, including Point Cook, Werribee, Truganina, Footscray, Braybrook, Tarneit, Wyndham Vale, Keilor, Sunbury, Hoppers Crossing and Williamstown – is simply devastating. So many children, so many families and so many staff have been distressed by this. How many of these centres are tied up in this ordeal, this failure of this government?

What is alarming and quite frankly inexcusable is that Victorian working with children checks were identified by the Ombudsman's report released in September 2022 as being the weakest in the nation, with recommendations urging reform. In other words, alarm bells were ringing and no-one was paying attention, one of which was to extend the basis upon which working with children checks can be provided or refused and empower the assessor to take into account a broad range of relevant information and risk factors when determining an applicant's suitability. These reforms remain

unfulfilled by this Allan Labor government. These reforms need to be urgently implemented now, given that they have already been delayed by three years under this Labor government.

Thankfully, not only has my hardworking Shadow Minister for Education outlined what is going on, but also we have noted down the changes that can be made to help those families and children right now. Things need to be fixed with working with children checks, allowing assessors to act on red flags, not just on criminal charges and convictions. It is things like empowering parents and giving them the right to know. Currently this information is being withheld. Why, I do not know. It is things like raising the bar of working standards, extending mandatory safety training to cert III or diploma qualifications. It is things like creating independent childcare safety watchdogs. Let us create an independent statutory authority right now to separate the regulator from where it is currently sitting within the Department of Education. These changes are vitally important and are needed to restore the trust of thousands of Victorians whose trust has been shattered.

Also, I want to quickly speak in relation to the ramping up of training provision of working with children applications. It is unbelievable that these days you can just apply for a working with children check and not undergo any formal training to obtain the certificate. If I am going to pay someone to watch my kids, I need to know they have had some sort of training. Compare this to obtaining certificates in hospitality just to pour a beer or working with the elderly in aged care, who all must go through mandatory training, and rightly so.

Alarming, the quality assessment and regulatory division, which is responsible for regulating early childhood services, has recorded a 45 per cent increase in complaints, coupled with a 67 per cent decline in enforcement actions since 2018. This division was for some reason excluded from the government's so-called rapid review into child safety in early education. If you are going to look at something, you look at every single thing and do not cherry-pick what you want to pick. The same review is being led by the former Labor Premier of South Australia Jay Weatherill. Why are they left out in the review? Given all the experience in managing compliance and enforcement, why would the government exclude them from the timely review? It is another 'Nothing to see here.' It is another 'I cannot recall what has happened' or blame-shifting. I would urge the government to reconsider this and work this division in as part as their review.

If you want to know what is happening and you want to improve and make sure safety occurs for our children, now is not the time for the government to avoid scrutiny. It is a matter of priority that we have safety for our children. Now is the time to get to the bottom of this debacle which has caused dreadful distress to thousands of families, thousands of children, most of whom are in my electorate, and put an end to what has been a truly traumatic chapter in this state's early childcare sector. It is unforgivable if we do not turn every stone and make sure every investigation is looked at.

I wholeheartedly support this motion to refer it to the Ombudsman, and I thank those who have brought this motion to this chamber for debate and respectful discussion. It is important that we make sure every part is being looked at carefully to ensure that we can move forward and make sure our kids are safe when put under the care of someone else.

**John BERGER** (Southern Metropolitan) (11:20): I rise to speak on the quality assessment and regulatory division performance in Victorian childcare standards, which in light of the horrific allegations of child abuse by an individual actor is an incredibly important matter for us to take up and talk about. I will speak on what we are doing to stamp out any potential for abuse in childcare centres, because what we have seen and heard over the past few weeks has been absolutely horrific. My heart goes out to the countless families and communities affected by these allegations. I can confidently say that everybody in this chamber today is still feeling completely sickened by these events.

We know that families must be able to trust that their children are safe in these settings. The work has been done nationally to strengthen child safety measures in childcare and early education centres, and while their work speaks for itself, I would like to commend the Albanese government for their decisive

action on the matter. The Allan Labor government is working to strengthen child safety standards here in Victoria and bring them in line with other states nationally. Child care is regulated under the national framework, and this is important, but we are acting where we can. Work has been underway at a national level to ban personal devices in child care. Here in Victoria, the ban on personal devices will take place by Friday 26 September. While the majority of childcare workers and providers are doing the right thing by our young Victorian children, even a single bad actor is completely unacceptable.

Today I would like to speak about what our government is doing to stop this from ever happening again, because everywhere, but especially in early childhood care, families should be able to trust that their children are being kept safe from harm. Through this work we are reviewing and strengthening our regulatory bodies and frameworks and, in turn, the quality assessment and regulatory division's performance. This is at the forefront of the Allan Labor government's review into childcare operations. Under national law, approved childcare providers must comply with standards in ensuring that their services facilitate quality care and learning. They are obliged to report any allegations, incidents or complaints that child abuse has occurred. It is increasingly clear that we must look to preventative measures against these abhorrent actions to ensure that no child comes to harm in a place where they should be safe, cared for and learning.

As a matter of priority, we have commissioned an urgent review into child safety in childcare centres, and marked attention is being paid to the processes of obtaining a working with children check in Victoria. Jay Weatherill and Pamela White will be conducting a review into current requirements and standards in procuring a working with children check in Victoria, and every single recommendation made from the findings of this report will be accepted and implemented by the Allan Labor government. Mr Weatherill and Ms White are qualified to conduct this report and are expected to report back to the Parliament in just a couple of weeks, around 15 August. Mr Weatherill was the South Australian Minister for Early Childhood and Development before taking the position of state Premier, and following his tenure in politics, he has worked to reform and strengthen outcomes in early childhood education through his leadership with the Minderoo Foundation's Thrive by Five program. We are confident of his capacity to excel in this endeavour. Ms White is similarly highly qualified for the task, as chair of the Victorian Registration and Qualifications Authority, providing unique expertise in regulation and registration that will serve well towards our intention to implement a statewide registry of childcare workers. With the combined expertise and experience of these two distinguished individuals, I am confident that they will provide our Parliament with comprehensive and targeted advice on reforming our regulatory bodies.

The aforementioned registry of childcare workers makes up one significant part of the review's scope and will be referred to as the early childhood workforce register. In its first stage of implementation, it will require childcare centres with government-funded kindergarten programs to provide details of all staff by 29 August. This will capture crucial information on childcare workers from over 90 per cent of the sector, with the other 10 per cent, including agency staff and fill-ins, being registered through a second round of data collection rolling out in October. This register will be updated quarterly to ensure accurate and timely information and will record information of all early childhood careworkers in this category who have contact with children of any age in their line of work, including their role, their gender, working with children check status, start and end date of their employment, and their reason for leaving the service. Further, work has been undertaken to capture information on regulated childcare industries, including long day care services, non-government-funded kindergartens and day care services, outside school hours care and occasional care, ensuring that no childcare worker will slip through the cracks and that every family can be assured that their service's workers are eligible, qualified and trustworthy.

To return to the discussion of the working with children check, currently this check serves as evidence of the individual's record being clear from conviction of child abuse in any form. But any way in which we can strengthen these processes to tighten the requirement to qualify for a working with children check and to ensure that the statewide regulator for child safety standards, the quality

assessment and regulation division, is functioning as efficiently and comprehensively as possible we will implement as swiftly as possible, because the safety of Victorian children and our childcare and early learning education centres is not up for negotiation.

One such reform that will be implemented alongside recommendations from the review being conducted by Mr Weatherill and Ms White will be that prohibition notices issued by the Department of Education will be taken into consideration when evaluating an individual's eligibility to be granted a working with children check. As the system currently stands, the process only takes into account criminal charges and a regulatory finding of child abuse. In short, the system will flag an act of child abuse that has already occurred. But it is beyond evident that these processes must be strengthened to ensure that our regulatory bodies are taking a proactive approach to preventing child abuse, because it should not take even a single child being harmed before a bad actor is disqualified from working in the industry, as is alleged to have occurred in Victorian childcare centres.

As there is still an active investigation going, I, like the Premier, will not say anything that could impact judicial proceedings, but these allegations have made it abundantly clear that reform is needed across the sector. To circle back to the work of the quality assessment and regulation division (QARD), it maintains and enforces child safety standards in early childhood education and care statewide using powers granted under the Education and Care Services National Law Act 2010 and the Children's Services Act 1996 to monitor and enforce compliance and standards. This body operates under various child safety frameworks in place through the national quality framework, the education and care services national law, the Education and Care Services National Regulations 2011, the national quality standard, the Victorian children's services regulatory scheme under the Children's Services Act 1996, the Children's Services Regulations 2020 and through regulation of the child safe standards for all early childhood services in Victoria under the Child Wellbeing and Safety Act 2005.

As you can see, the QARD operates under both state and national frameworks, and as such any reform subsequent to the review conducted by Weatherill and White will be initially focused on the Victorian legislation and the state frameworks, but this will be based upon the work already occurring at a national level alongside the Commonwealth and other states and territories. The federal government is working hard in turn to strengthen the child safety regulations in the industry, and with a national register of childcare workers currently in development we will be able to link our state registry body with its national counterpart, ensuring that nobody slips through the cracks and that child safety is protected through uniform regulation and standards.

Families have the right to feel safe dropping their children off at childcare centres across the state. These centres are critical for Victorian families and children, particularly for dual-income households and those who simply need to work while raising a child, not to mention the education or social benefits of young children's experience attending early learning, care and educational centres. It is imperative that the public trust in these institutions as well as our statewide regulatory and compliance bodies is maintained so that parents can continue working and providing for families while knowing that Victorian childcare centres are safe, regulated and free from harmful actors and so that children can benefit from the educational outcomes from early learning programs, which our government has funded and strengthened significantly over the last few years.

I would like to thank the Premier, alongside ministers, government departments, experts such as Jay Weatherill and Pamela White and all the organisations that have facilitated this swift and decisive action against further harm, because child safety is absolutely paramount and the Allan Labor government will take every action to ensure that.

**Business interrupted pursuant to sessional orders.**

*Questions without notice and ministers statements*

**Mildura riverfront development**

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:00): (973) My question is for the Minister for Regional Development. During the winter recess I did a road trip to the beautiful regional city of Mildura. During my visit I met with the mayor and the CEO of the Mildura Rural City Council, who both during our meeting expressed the importance of the Mildura riverfront development to the town and the region's tourism sector. Can the minister confirm the government's commitment to the prosperity –

**The PRESIDENT:** Sorry, Ms Tyrrell, can I interrupt you for one minute. The Minister for Regional Development is on her way. Here she is now, so I will get you to start your question again.

Before you do that, I acknowledge that a previous President of this house, Monica Gould, is in the chamber.

**Rikkie-Lee TYRRELL:** My question today is for the Minister for Regional Development. During the winter recess I did a road trip to the beautiful regional city of Mildura. During my visit I met with the mayor and the CEO of the Mildura Rural City Council, who both during our meeting expressed the importance of the Mildura riverfront development to the town and the region's tourism sector. Can the minister confirm the government's commitment to the prosperity of the Sunraysia region with the development of tourism infrastructure projects such as the Mildura riverfront development?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:02): I thank Ms Tyrrell for her question and the opportunity to talk about the wonderful tourism mecca that is Mildura and the many, many investments that we have made over the last decade in Mildura. In fact when I was previously regional development minister, I had the opportunity to announce and promote investment in riverfront projects. But in relation to the continued investment and the advocacy of Mildura city council, there are certainly conversations that I have had as a local member, such as you have, in a similar type of advocacy receipt. I have not had the conversation with them since being back in the seat of the regional development portfolio, but as the interjections have noted, we have announced Lenny Kravitz, a massive drawcard, who will be going into Mildura.

What I think I would like to do for you, Ms Tyrrell, is give you a list of some of the past projects that have been completed, particularly through tourism and the regional development portfolios and particularly those that have been done in collaboration with the council. Also, you and I can talk about the future aspirations of the area.

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:03): I thank the minister for her response. Whilst I acknowledge the role the state played in developing the riverfront development, the third and final stage of the project, which includes the construction of a new adventure playground at Jaycee Park, still has not yet been completed. Will the minister give a commitment to provide funding to the Mildura Rural City Council of \$1.8 million to complete stage 3 of the Mildura riverfront development?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:04): I certainly appreciate your advocacy on behalf of this project. Again I think I will come back to my answer to your substantive question. There are quite a lot of projects that have been funded in Mildura by the Minister for Regional Development, both during my time and in between my time, and we are obviously looking at future projects. But a lot of the questions that you have asked also particularly fall within the remit of the minister for tourism, and so Minister Dimopoulos's office will have a bit of an update on some of their projects as well. So it is a good opportunity for us to have a stocktake of all of the regional development investment and all of the Tourism Victoria investment, because there is a lot that has gone into Mildura. We will have a bit of a look at that, give you a brief and talk about the future.

**Non-mains energy concession**

**Melina BATH** (Eastern Victoria) (12:04): (974) My question is to the Minister for Disability. As Minister for Disability, you have responsibility for the State Concessions Act 2004. Victorians have been waiting five months for reimbursements under the non-mains energy concession and have also not been given notification that their claims have been formally received. In this present cost-of-living crisis when many households are struggling to put food on the table and pay their bills, Minister, I ask you: will efficient and timely processing be implemented for reimbursements claimed under the non-mains energy concession?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:05): I thank Ms Bath for her question. As coordinating minister for the Department of Families, Fairness and Housing, the concessions program, along with a range of other cost-of-living initiatives, is something that I have the great privilege to work with. I was just in Bairnsdale last week actually, discussing the success of that program with the Vinnies group in Bairnsdale, who support a number of people in accessing those programs on a regular basis.

I know that the officials that run the program within the Department of Families, Fairness and Housing are always committed to the efficient processing of appropriate claims, and if the member has particular claims that she feels are not being progressed in the way that they should be then I would appreciate her providing my office with those details so that we can ensure that people are getting the reimbursements and the concessions that they might be entitled to. It is very difficult to take a hypothetical of just a group of people and five months without knowing specifically the circumstances around the particular claims, but I would be more than happy to work with the member to ensure that people are getting the appropriate concessions that they are entitled to. If there has been any unnecessary slowness or error in the assessment of their claims, then I am also happy to work with the member to ensure that those get resolved, because it really is an extremely important program for the most vulnerable people in our community – those who are particularly in times like this feeling the cost-of-living pressures that we are experiencing.

Like I said, I was out in Gippsland just last week talking with members at Vinnies about this very program and had in my hand the very booklet that explains the program. I could provide you with a copy of that, if that would assist, and if you could provide me with the details of your constituents who might feel they are not getting what they need, we would be more than happy to ensure that they do.

**Melina BATH** (Eastern Victoria) (12:07): Minister, these people just need their reimbursements. When applicants have called the hotline to follow up on whether the claims have been received or are progressing by processing, they have been routinely disconnected from that hotline. Will you now take immediate steps to rectify the chaos evident in the non-mains energy concession scheme?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:08): Again, as I said in my substantive answer, I am more than happy to assist the member and her constituents if I have the appropriate details. I cannot deal in hypotheticals, but if you were to provide my office with the details and genuinely committed to the resolution of your constituents' issues, like those that I was hearing from in Vinnies in Bairnsdale just last week, we would be more than happy to assist.

**Ministers statements: community safety**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:08): I rise to address the concerning acts of division and hate in our community in recent days. I have said it many times in this place, but let me say it again: there is no place for extremism or antisemitism in Victoria. People have a right to protest in any democracy, but no-one has a right to spread hate or cause hurt. As I have made clear, we are a government that stands firmly against racism.

*Members interjecting.*

**The PRESIDENT:** Sorry, Minister, can you just take your seat for a minute. Ms Watt, I will let you call your point of order, because I reckon I am going to be agreeing with you.

**Sheena Watt:** On a point of order, President, I actually am deeply interested in hearing the remarks from the minister in this ministers statement, and I ask that that be afforded to all members of this chamber.

**The PRESIDENT:** I uphold the point of order. I want the clock reset to 2 minutes. I ask, Minister, if you could start from the start, and any interruptions – well, we can do this all day.

**Ingrid STITT:** I rise to address the concerning acts of division and hate in our community in recent days. I have said it many times in this place, but let me say it again: there is no place for extremism or antisemitism in Victoria. People have a right to protest in any democracy, but no-one has a right to spread hate or cause hurt, and I have made that clear. We are a government that stands firmly against racism and hatred, and we continue to demonstrate this not just with words but with action. Last month, following the disgraceful attacks on the Jewish community, the Premier established the Anti-Hate Taskforce, a whole-of-government leadership to reduce acts of racism and hate. I have released Victoria's first ever anti-racism strategy, which commits our government to work alongside multicultural communities to stamp out racism in Victoria. I was proud to stand with the Premier and announce the Victorian multicultural review, led by the esteemed George Lekakis AO, to assess how Victoria's multicultural systems can be better set up to resolve conflict.

I am proud to be part of a government that delivered tough anti-vilification and social cohesion laws. We have provided over \$5 million to initiatives to directly combat antisemitism and improve safety for our Jewish community, and we are also in the process of developing a new guide to combat Islamophobia. Alongside recent increases in antisemitism, we have also seen a rise in anti-Muslim hate. Last week I visited Boronia with the member for Bayswater, and we stood side by side with the Hindu community, who woke up to the hateful, racist vandalism of their temple. Hate has no place in Victoria, and I am fully focused on delivering strong action to stamp it out. I will continue to work every day for multicultural communities so they feel safe and valued, no matter who they are and no matter where they live.

### **Working with children checks**

**Georgie PURCELL** (Northern Victoria) (12:12): (975) My question is for the minister representing the Minister for Government Services. Last year the Australian Childhood Foundation released their Our Collective Experience Project report, and I spoke in this place about the need to include mandatory education and training in the working with children check system. At present, Victorians who serve cocktails and pour beers at the pub receive more safety training and testing through the RSA than people who work with children every day. In recent weeks, Victorians have been horrified to learn that an individual with a valid working with children check allegedly sexually abused multiple children in his care. The reality is that a simple police check will not keep children safe from predators, as many do not have a prior record. Rather than waiting for the federal government to act, will the minister act with urgency to include mandatory education and training in the working with children check?

**Jaelyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:13): I thank Ms Purcell for her question. Ms Purcell, you have directed your question to the Minister for Government Services. I am very confident that your question should be directed to the Attorney-General. When it comes to working with children checks, the Attorney-General and the department of justice are responsible for policy, and the Department of Government Services are responsible for the administration, not the policy decisions. I am very happy to take your question via DGS. I can shepherd it through, or we can go straight through Minister Erdogan.

**The PRESIDENT:** Are you happy for it to go to the AG?

**Georgie PURCELL:** I am more than happy for it to go to the AG, but the AG's office has told us it is the responsibility of the Minister for Government Services in prior meetings.

**Jaelyn SYMES:** I think that goes to the invitation that I extended to the member, which would be: how about I have both ministerial offices collaborate in a response to Ms Purcell?

**Georgie PURCELL** (Northern Victoria) (12:14): Thank you, genuinely, for referring that on. Emma Hakansson, who is a victim-survivor of child sexual abuse and an advocate at the Australian Childhood Foundation, has been leading the push to introduce this change. Despite her advocacy, little action has been taken in this space, and she has received more engagement, unfortunately, from the federal government than from the state government on this issue. Will the minister agree to meet with Emma – whichever minister that is – and the Australian Childhood Foundation to discuss this reform in the wake of the recent child abuse case and hear the asks of those with lived experience about how important this change is to them?

**Jaelyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:15): I will pass that on.

#### Corrections system

**Moira DEEMING** (Western Metropolitan) (12:15): (976) My question is for the Minister for Corrections. Minister, the Attorney-General has said your proposed new bail laws will not be introduced until there is enough room in the state's prisons and it is safe to do so. Minister, have you discussed the planned closure of Port Phillip Prison with her and the impact that this may have on the commencement of the so-called toughest bail laws in the nation?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:15): I thank Mrs Deeming for that really important question. Yesterday the Attorney-General and the police minister together with the Premier announced our further tough new bail laws that we had promised and that we are committed to bringing to this chamber in due course. I think it reflects growing community concern about people whilst they are out on bail committing further serious repeat offending, and I think it is an important justice initiative that this government has committed to and is delivering.

As Minister for Corrections, I have always said I do not decide who enters into our system, but when they do, we have a commitment to providing an environment that is obviously holding people to account and addressing their behaviour but also providing an environment that is rehabilitative where possible. In terms of our corrections system and where it is placed, we are closing the Port Phillip Prison, but I am also proud to announce that we have opened Western Plains, a new, modern state-of-the-art maximum-security prison, which is in fact larger than the Port Phillip facility. At this stage there are no plans to reopen Port Phillip, and we are in the process of scaling up our system. I always talk about the ability to scale up and down as required. At this stage we are scaling up. We have seen that our bail reforms have meant an increase in people on remand, and that will of course continue if the second stage and tranche of our reforms are implemented. We want to do that in a safe and careful way to ensure we can maintain the high standards that we hold in Victoria.

Most recently, last week, I had the opportunity to attend the corrections ministers meeting in Sydney with corrections ministers from across the country, and I am proud to inform the house that I am in fact the longest serving corrections minister in the nation and in fact the longest serving corrections minister in this government. We are leading the way in many areas. We have the highest engagement in employment programs. We have the second-lowest recidivism rate. We have the second-highest engagement in education. We have invested in a modern, effective, humane system, and we will continue to do that work. We are turning beds back on line, beds that obviously we switched off in terms of running an efficient system when we had lower numbers, but we are turning them on. I want

to thank the Treasurer for her \$727 million investment in community safety. The majority of those funds will be for hiring new staff. We have been quite successful and I know the envy of many other jurisdictions with our \$8000 sign-on bonus to recruit new staff across our prisons. I did say Western Plains will be open in the middle of this year, and it is now open and it is working very effectively.

**Moira DEEMING** (Western Metropolitan) (12:18): Seeing you have already opened this extra prison and it is working very effectively and you have done all these wonderful things, have you been made aware of exactly what the number of beds remaining to be opened is so that these bail laws can actually come into effect?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:18): I think in the end we are seeing already the first stage of our bail reforms taking effect, and we are opening up more beds – we already have about a 10 per cent increase in the custodial facilities from what we had last year – but we are going to do that in a safe way. We have got new squads training as we speak. We want to make sure we implement it in a safe way so we can keep our high standards. We have committed to 1000 extra beds. That was the announcement I made last month.

**Moira Deeming:** On a point of order, President, it is a yes or no question.

**The PRESIDENT:** I thought it asked for a quantum, which the minister was getting to, but I could be wrong. I thought it was a question about a quantum. I think the minister was getting there.

**Enver ERDOGAN:** We are in a good position. We have the physical capacity, and now we are hiring more staff so we can have the right people in the right posts to do that as safely as possible for the safety of our staff but also for those in custody. We are well placed to have the beds in place when these bail laws commence.

#### **Ministers statements: gambling harm**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:19): I rise to update the house on how the Allan Labor government is continuing to lead the nation on efforts to reduce and prevent gambling harm. Last week I was pleased to announce that we are rolling out our landmark gambling reforms with the first trial of mandatory account-based play to kick off from September. We will commence a trial of mandatory account-based play across gaming venues in Monash, Greater Dandenong and Ballarat LGAs. Running until November, people at these venues will need to use a YourPlay card to use electronic gaming machines, helping them to take control and make better choices. The design of the trial follows ongoing consultation with peak industry bodies, ensuring venues and staff are supported every step of the way. Our approach was influenced by hearing personal stories from people with lived experience of gambling harm, and advocates like the Alliance for Gambling Reform also provided important insights that helped shape these changes we made. The trial will evaluate both the technology and its impact on patrons and help guide future decisions.

Victoria is leading the way in gambling harm reduction and building on reforms that this government has already delivered – this includes mandatory venue closure periods between 4 am and 10 am, limiting EFTPOS withdrawals and capping the number of gaming machines in our state – and we are making further improvements from this December. We are reducing load-up limits on machines from \$1000 to \$100 and slowing spin rates on new gaming machines to help reduce the rate of play. This government is committed to tackling gambling harm and delivering stronger protections for all Victorians, leading the nation in safer, fairer gambling reforms.

#### **Early childhood education and care**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:21): (977) My question today is to the Minister for Skills and TAFE. Last year there were students studying a certificate III or diploma of early childhood education and care at the Australian Education and Career College, who had their

qualifications cancelled after the college was deregistered following allegations that they were issuing fake diplomas. Can you assure the house that there are no early childhood educators working in centres in Victoria who have received fake qualifications – for example, those received from Luvium or other dodgy and deregistered providers?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:21): I thank the member for his question. He is quite correct that this did happen in relation to a private provider. The normal course of action in these situations is for the department to provide a helpline so that there can be direct contact with the students and to ascertain exactly what their personal experience has been and what they need to do. We also then provide places at TAFE for the continuation of the student being able to qualify. That is the normal process. In terms of the actual specifics that you are asking, that is very detailed information and very operational, and I would need to seek further advice from the department in regard to that.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:22): Thank you, Minister, for that response. Staying on the topic of assurances in these matters, the community needs to know that our early childhood educators are properly trained and that they are properly qualified. I think we all know, every single one of us in this house, that the vast, vast majority are. They are incredibly hardworking people who take their training seriously, and they are highly skilled educators and people doing really important work in our community. However, in light of the recent allegations, the potential for people to buy a diploma without studying is very worrying. Minister, can you update us on what steps you have taken to ensure that there are no registered training organisations offering fake early childhood education diplomas in Victoria currently?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:23): There are a couple of things that I can say. Firstly, ASQA is very active and proactive, and I thank them for their efforts in terms of ensuring that we have got the right people delivering the right courses at the right level of quality right across Australia. ASQA is providing updates to the state skills ministers council on a regular basis, which I am very appreciative of. We also of course have our own VRQA, which is active in this space. We have known for some time that there have been operators that have not been doing the right thing generally and that has been the case, but in a reduced way, because we have had much more compliance and regulation in respect to this. It absolutely was out of control when those opposite were last in government – we know that for a fact, and the data and the evidence points to that – and that is why we set up the blitz in terms of making sure that this does not happen.

#### Public sector workforce

**David DAVIS** (Southern Metropolitan) (12:25): (978) My question is to the Treasurer. Treasurer, I refer to the VAGO report released today *Delivering Savings under the COVID Debt Repayment Plan*. I ask: why did DTF not require departments to define ‘frontline workers’ or show how they applied this definition in their plans?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:25): I thank Mr Davis for his question in relation to the VAGO report that has been tabled in the last couple of hours. In relation to the reference to there being no definition of ‘frontline workers’, the savings and efficiency initiatives that were implemented across government had a focus on back-of-office and corporate operations, which has been confirmed by VAGO as exactly what happened. The government chose that path, and it is something that I have been quite public about, particularly in relation to asking Helen Silver to do a complementary review to this type of work. We are on the side of frontline services, and we are very, very clear in relation to wanting to support them.

A change to frontline workers at DEECA identified in the report relates to a reallocation of positions. I just want to point out that, in relation to that particular issue, it resulted in a net increase. While departments will use VAGO’s recommendations to improve processes, the report reinforces that we

have made responsible fiscal decisions and backed frontline workers. I put back to you, Mr Davis, that VAGO have not suggested a definition for ‘frontline workers’ in their report, but they have indicated that we have done what we said we would do, and that was protect frontline workers.

**David DAVIS** (Southern Metropolitan) (12:26): With respect, that is not quite what the Auditor said. The Auditor said:

Without a clear statement of who ... frontline workers are, it is difficult for the public to know whether those workers have been affected by savings.

The review further said:

Departments primarily used restructures to deliver their savings. Their restructure proposals did not always ... exclude frontline workers because they did not distinguish between frontline and back-office roles.

The Auditor further said:

Without targeted metrics or specific monitoring, departments could not show if savings affected their service delivery.

I therefore ask: Treasurer, is it not a fact that there were frontline service cuts because your department failed to distinguish them clearly and this has almost certainly caused a deterioration in services across some agencies?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:27): Absolutely not, Mr Davis. You did not listen to the answer that I gave to your substantive question, and you are cherrypicking elements of a report that do not support the contention that you have put. In simple terms my answer is no.

#### **Ministers statements: housing**

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:28): In recent days we have started to see a pretty rapid escalation in the performative and political posturing over the government’s actions to replace our ageing, deteriorating public housing towers. This posturing – apparently for likes – involved people so opposed to the delivery of more housing that they will lock themselves to machinery to stop this housing being built. They are so opposed to the delivery of housing for vulnerable people that they will oppose and obstruct it at a local government level and in the state Parliament.

Let us be very clear: these are works that are being conducted to build more homes for vulnerable people, more homes for a growing city, including an increase in social housing to take more people off the social housing waitlist. The Greens Party know this. They knew this when they spread mistruths, claiming that towers were being demolished while people were still living in them. They have already started back-peddalling. They are now referring to ‘predemolition works’ rather than ‘demolition works’, because they have known all along that the towers will only be dismantled when they are vacant. When are they going to admit that they have lied and told mistruths and apologise to residents?

What is more, Greens members routinely write to me from all jurisdictions to contact me in order to discuss with me and my office concerns about the conditions at the towers and about the impact of these conditions on renters’ rights to quiet enjoyment, to safety, to dignity and to privacy. Often their requests call for these renters to be transferred to another property. The same political party calling on the government to stop the towers redevelopment program is writing to me asking for renters to be relocated from the towers. They do not want the government to build more homes for vulnerable Victorians. They do not want the government to buy more homes. They do not want the government to redevelop ageing stock and they do not want the government to replace ageing stock with new homes. What do they want?

**Water policy**

**David ETTERS HANK** (Western Metropolitan) (12:30): (979) My question is to the Minister for Water, although if I am asking the wrong minister, I request that she refer it accordingly. The *Age* recently reported that Greater Western Water is currently assessing applications for 19 new data centres in Melbourne's western suburbs. These centres would consume around 20 gigalitres of fresh water a year, which is equivalent to a 4 per cent increase in Melbourne's total usage of potable drinking water. With population growth, climate change and increasing industrial demand, Melbourne faces the very real prospect of serious water shortages unless regulation, minimum water use and conservation standards are applied to industries such as data centres. No such environmental standards exist in Victoria. So I ask: what is the minister doing to introduce water conservation and sustainability standards for data centres?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:31): I thank the member for the question. It is a very good question, and it is a question that was posed at PAEC and in a number of other places as well. I am also mindful of the fact that everyone that is involved in the water sector understands the importance of water and the limitations in terms of rainfall that we have seen over recent times, and whilst we have had some rain also in the last five weeks or so, the fact of the matter is that we are still on that line of making sure that we do everything to avoid water restrictions and the continuation of drought. The issue of run-off is a significant one – the lack thereof.

So the question you ask is timely, and it is very current in terms of it being at the forefront of people's minds. But what I can say is that in terms of data centres, they are important, they do attract jobs and they are obviously part and parcel of the advancement of technology. But with anything that has got something connected to vital resources, there is always the importance of having some balance in all of this. The water corporations and the Essential Services Commission are engaging with data centres early to understand what their infrastructure needs are, and this includes, where possible, exploring the option of recycled water use and stormwater use. Of course I am very pleased to see that DEECA and the Essential Services Commission are proactively exploring policy that will secure our water needs while keeping pace with industry growth and innovation. So there is work that is being done.

Particularly large industrial users – we are encouraging them to actively pursue options in relation to stormwater or wastewater in respect to their operation, because at the end of the day, drinking water is absolutely paramount to all Victorians. The process and the procedures that are put in place in terms of applications that are received are vigorous to ensure that what we do is make sure that we have sufficient water in all activities within the water sector.

**David ETTERS HANK** (Western Metropolitan) (12:33): Likewise a waste-to-energy incinerator is being proposed for Sunbury which, apart from spewing a range of toxins across the Sunbury community, will consume around 180,000 litres of water – fresh drinking water – seven days a week, 365 days a year. Will the minister intervene to ensure that appropriate and comprehensive water sustainability and conservation measures apply to the Sunbury incinerator? Because at this point in time, that is not part of the framework.

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:34): What I do in terms of all of my conversations, whether it be with the department or indeed people who are wanting to introduce different proposals, is encourage them to put proposals to government and departments that are based on alternatives to drinking water. I am sure that the proponents in this case have been encouraged to do so. I personally have not had any interactions – no-one has approached me – in respect to this, but I am sure that there have been some other ministers that have been dealing with this issue on an ongoing basis.

**Taxation**

**David DAVIS** (Southern Metropolitan) (12:36): (980) My question is again to the Treasurer. Treasurer, I refer to the process to discuss national productivity instituted by Commonwealth Treasurer Jim Chalmers, and it is my understanding that Victoria will participate. I therefore ask the minister to confirm that Victoria will participate. But equally, are you open to new taxes or do you rule out new taxes as part of that process?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:36): Mr Davis, first of all, you have asked me to talk to you about a process that is not my process; it is a national process. In relation to my involvement, I am working with the Premier and other ministers in relation to feeding in some of the ideas from Victoria, and I think I could refer you to a paper and an opinion piece from the Premier in relation to this.

This coming Friday is the Board of Treasurers online meeting, which will be a good time, a good opportunity, for treasurers from around the states. The Board of Treasurers is the states' get-together without the federal minister. We will again meet before the productivity round table as a group of treasurers, and I understand we are also planning to have a CFFR, which involves the federal Treasurer, to again talk about some of the issues that will be relevant for the productivity round table that is being conducted by the federal government. I am not quite sure how you expect me to respond to proposals that are going to be put by the federal government that have not yet been formed. I think hopefully I have given you a bit of –

**David Davis** interjected.

**Jaclyn SYMES**: I have been very transparent. I cannot rule out federal government taxes, Mr Davis, but you asked about a process. You asked about my involvement, and I think I have given you a pretty clear indication of some of the work I have been doing.

**David DAVIS** (Southern Metropolitan) (12:38): Let me be very specific, then. I will ask the Treasurer about a state matter. I ask: will you rule out the widening of the GST to include private schools?

**The PRESIDENT**: I had a concern with the substantive question being a hypothetical around a forum organised by the federal government and hypothetically what might happen at it. I appreciate that the minister answered –

**David Davis**: On a point of order, President, it is a very simple question: as part of this process, will the minister rule out supporting a widening of the GST to hit private schools?

**Ryan Batchelor**: On the point of order, President, on Mr Davis's attempt to dig himself out of the enormous hole he has put himself in, it is not within the Victorian Treasurer's responsibilities, the Commonwealth act of the federal Parliament which would be required to amend the GST. It is wholly outside the scope of something that the Victorian Treasurer has administrative responsibility for. He should know better.

**David Davis**: Further to the point of order, President, GST legislation requires the agreement of the states.

**Renee Heath**: On a point of order, President, I do not know if it is a backbencher's role to attempt to answer a minister's question.

**The PRESIDENT**: I will start with the last point of order. Everyone has a right to call a point of order – Mr Batchelor exercised his right – no matter where you are in the chamber. As I said, the substantive question was hypothetical. I think Mr Batchelor's point around whether this is the responsibility of the Victorian Treasurer is a good point of order, but I think that the Treasurer should have the opportunity to answer the question as she sees fit.

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:41): Mr Davis, I was pleased to try and assist in providing information to respond to a question that really – I feel a bit sorry for you actually so I am trying to help. I offered some information about the process I have been following. You have asked me quite a ridiculous question and I think that has been articulated well by Mr Batchelor. But perhaps this might help: the Prime Minister Anthony Albanese has ruled out increases to the goods and services tax. They are going to champion small businesses and a private sector productivity boost.

**David Davis** interjected.

**Jaclyn SYMES**: Please do not make me respond to this. It is going to make you look really, really silly. I think I should just leave it there.

### **Ministers statements: regional development**

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:42): I rise to update the house on the Allan Labor government's support for regional businesses. During the winter break I took the opportunity to meet with businesses who are kicking goals in the regions thanks to our investment and support. In Geelong I met with John and Tony Spence at Prestige Jayco to view the expansion of their sales and service centre in Newcomb, which is supporting 15 new jobs. Tony and John are passionate and so knowledgeable about all things caravans and motorhomes, so if you are in the market, go and head down and talk to them.

I also had the opportunity to walk through the Geelong convention centre site. It is one of the biggest developments ever seen in regional Victoria, and it will have a long-lasting benefit for Geelong and surrounds for decades.

In Ballarat I went to JG King Homes to see Project Windows and Doors, where I met father-and-son duo John King Jr and John King Sr, and CE Bartlett, a textile manufacturer, where they have completed a major expansion. These Ballarat-based businesses have recently created 37 new jobs and driven more than \$6 million in capital investment into Ballarat.

This will be of interest to people, I think. I would encourage anybody to repeat this visit. I went to Morris of Rutherglen to view the \$20 million redevelopment of the commercial distillery and the continued growth of its cellar door, which reopened in 2024.

We are very, very proud to support the growth of local businesses, which play a key role in helping the regional Victorian economy thrive. We also continue to provide lots of support in this regard. On 1 July we also lifted the payroll tax free threshold for the sixth time since coming to government to \$1 million. This equates to a 75 per cent discount on payroll tax for regional businesses, thanks to our regional payroll tax being the lowest in the country at just 1.2 per cent. We will keep talking up Victorian businesses on this side of the house. I would encourage people to support them and get out there and visit them.

### **Written responses**

**The PRESIDENT** (12:44): I am happy for the questions from Ms Purcell to go to the Attorney-General. Therefore, Minister Erdogan, you will chase up Ms Purcell's answers, in line with the standing orders, from the Attorney-General.

### *Constituency questions*

#### **South-Eastern Metropolitan Region**

**Michael GALEA** (South-Eastern Metropolitan) (12:45): (1686) My constituency question today is for Minister Spence, the Minister for Community Sport, and it concerns the recent announcement of the successful recipients of the second round of the 2024–25 sporting club grants program. It is great to see local sports being supported by ensuring that they have the necessary equipment and

facilities. I would love to congratulate Carrington Park Squash Club and the Knox Football Netball Club for their successful grant funding – both wonderful clubs in the Knox region. Minister, how is the government supporting community sport in eastern and south-eastern Melbourne?

**Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:45): (1687) My question is for the Minister for Roads and Road Safety. Minister, when will you order comprehensive repairs to the atrociously bad sections of the Goulburn Valley Highway? Just south of Numurkah there are two sections where potholes cover the entire southbound carriageway that have been developing over several years and are now dangerous. Between Tallygaroopna and Congupna there are two very long stretches of potholes on the left-hand side of the southbound lane and a section where potholes are scattered across the carriageway. South of the Murchison turn-off there has been a section of the southbound carriageway where the speed limit has been reduced since about last September, but beyond that there are potholes that are even worse than those within the speed restriction area. On Saturday night I was driving on this section and there were at least six cars pulled over between Murchison and Nagambie changing tyres in the rain due to the appalling state of the road. The minister must instruct the Department of Transport and Planning to urgently start work on comprehensive repairs to those dangerous sections of the GV highway.

**Northern Victoria Region**

**Georgie PURCELL** (Northern Victoria) (12:46): (1688) My question is for the Minister for Public and Active Transport. The growing town of Avenel in Strathbogie shire is divided by the north-east rail line, which pedestrians must cross to access local services. Multiple passenger and freight trains pass through the town daily, but the area around the train station and rail intersections is lacking basic safety infrastructure. In April a primary school student waiting at the station crossing for a freight train to pass was seriously injured when the edge of their bicycle wheel was caught by the train. The community group Avenel Active have written to the minister twice to put forward their plan to improve the area and to inquire about minimum safety and accessibility standards for rail precincts in Victoria, and they are yet to receive a response. Will the minister act to immediately address the rail and pedestrian safety concerns in Avenel?

**Northern Metropolitan Region**

**Sheena WATT** (Northern Metropolitan) (12:47): (1689) Arden is one of the quickest growing areas in my electorate, and along with the brand new Metro Tunnel station, the Arden community can look forward to a new high school. Having growing areas means having growing families, and the Allan Labor government is taking the necessary steps to support these families and provide the infrastructure needed in such a quickly developing suburb. I remember a few years ago when I opened Docklands Primary School it was a truly transformative change to the community, and since its opening I have watched the kids grow and learn in a community they can call their own – something I know will happen in Arden with this new high school. My constituency question today is to the Minister for Education in the other place on behalf of the residents of north and west Melbourne, and it is to ask: what impact will a new high school make on the growing Arden community?

**Northern Victoria Region**

**Gaëlle BROAD** (Northern Victoria) (12:48): (1690) My question is to the Minister for Emergency Services. Can the minister advise when Bendigo firefighters will move out of their 40-year-old station in Hargreaves Street and when works to build the new station will be completed? It was built in 1983, when there were just five firefighters on a shift. Now there are more than double that number. In 2019 the government announced that construction of a new station would begin in mid-2020. That was five years ago; it still has not begun. A temporary station was constructed in Murphy Street, East Bendigo, and completed in March 2022. It sat empty for over three years. I raised this issue with the minister in February last year and was advised that the design of the new station was being finalised and that Fire

Rescue Victoria would relocate to the temporary station, but this has not yet happened. On behalf of the Bendigo firefighters and the communities they serve, I look forward to an update from the minister.

### **Southern Metropolitan Region**

**Katherine COPSEY** (Southern Metropolitan) (12:49): (1691) My question is for the Minister for Prevention of Family Violence. A constituent has contacted my office concerned about what steps are being taken to stamp out coercive control in Victoria. Coercive control is harmful behaviour that often accompanies family violence and physical or sexual abuse. It is an ongoing pattern of abuse that can be physical as well as emotional or financial. My constituent is concerned as to why this significant issue affecting the women of Victoria has not yet been adequately addressed. Minister, what is the government doing to stop the harmful impact of coercive control for my constituent and people like her across my electorate?

### **Southern Metropolitan Region**

**Ryan BATCHELOR** (Southern Metropolitan) (12:50): (1692) My question is to the Minister for Multicultural Affairs. How is the government supporting senior citizens from multicultural backgrounds in the Southern Metropolitan Region? Southern Metro has some really fantastic multicultural communities that bring so much to our communities, and I am proud to be part of a government that recognises all of them. Recently the Victorian government released the multicultural seniors support program grants, which means that seniors groups, including those from the Jewish community, the Greek community, Chinese Australians, Italian Australians, Arab groups, Polish groups and many more are going to be benefiting from \$2000 grants to support the continued operation of what are hugely important groups for so many multicultural communities. Labor is committed to supporting multicultural groups right across the Southern Metropolitan Region.

### **South-Eastern Metropolitan Region**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:51): (1693) My question is to Treasurer. A local manufacturer operating in the south-east for over half a century saw their land tax bill soar over Labor's decade – that is right, it is more than a decade; it is more than 12 years that they have been in power and in government. Treasurer, on behalf of this business and many others, I am asking whether you would consider capping the forecast 5.4 per cent rise in land taxes for businesses. The recent state budget trumpeted targeted relief. It skited a power saving bonus, free public transport – which is not free, because our taxes are paying for it – and school camp funding assistance, which is just a token gesture when there is a lack of funding for schools. I have to ask: what assistance is this to industry? These are measly measures that will be reversed by massive taxes, charges and regulations. Local businesses are going insolvent thanks to the Allan Labor government's – (*Time expired*)

### **North-Eastern Metropolitan Region**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:52): (1694) My question today is to the Minister for Environment. Yarra Ranges council recently voted unanimously for their municipality to be excluded from the kangaroo harvesting program. The commercial killing of kangaroos is causing significant community distress. A survey recently found that the majority of residents want their kangaroos protected from this cruel scheme. People have reported horrific things happening in this area, like dying kangaroos found with joeys in their pouches, starving joeys being taken to shelters, utes driving through town with a dozen kangaroos strung up in the tray and families with their kids coming across dead kangaroos around their community. We know that these for-profit hunters do not care about our precious native animals. The council have also acknowledged the impact that killing these native creatures has had on tourism in the region. Minister, do not ignore this community's wishes. Yarra Ranges council should be excluded from the kangaroo harvesting program. Will you remove them from this harvesting scheme?

**Eastern Victoria Region**

**Renee HEATH** (Eastern Victoria) (12:53): (1695) My question is for the Minister for Education. Constituents in my area have contacted me about schools in Sale, Pakenham, Officer, Hastings, Monbulk and Wonthaggi, just to name some of them, about the chaos that is going on in schools. One of the issues that they have raised is that because there are not enough teachers, schools basically have monitors going between classrooms just trying to keep the students in order. Parents are very concerned that this is detrimentally impacting their children and about what their choices are going to be in the future. So my question is: what is the minister doing to address the teacher shortage in the Eastern Victoria Region?

**North-Eastern Metropolitan Region**

**Richard WELCH** (North-Eastern Metropolitan) (12:54): (1696) My constituency matter is for the Minister for Transport Infrastructure. Recently while doorknocking across Box Hill North and Blackburn North I was alerted to the fact that state government surveyors have been caught trespassing in people's backyards which back onto the Koonung Creek Trail. There is no doubt these surveyors are connected with the widening of the Eastern Freeway, and naturally this has raised concerns as to whether people's backyards are now in scope of that widening. The government's stated goal was to have the Eastern Freeway widening between Tram Road and Springvale Road commence in July 2025, and residents do not know now whether their homes are going to be compulsorily acquired or if their backyards are in scope. Could you please, Minister, provide clarity to my constituents on the scope of development in this area and what the purpose of these survey works is.

**Sitting suspended 12:55 pm until 2:01 pm.**

*Motions***Ombudsman referral**

**Debate resumed.**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (14:01): I rise today to speak in this house on motion 989, which is regarding the allegations of child sexual abuse by a Melbourne childcare worker and the important step of referring this to the Ombudsman, noting the importance of the working with children check system and the need for further investigation. I know Ms Crozier here in the house was part of an investigation that took place many years ago, and there were recommendations that came out as a result of that inquiry and some of those were not actually implemented. For me, I find with the current situation that the government are lagging in time to make a decision. I know they are saying that they are trying to do it as rapidly as possible, making informed decisions, but can I say as a mother of four children and as a grandmother just recently of one, on behalf of all the parents who cannot be here in Parliament, this situation is incredibly distressing. Parents need to know that when they drop their children off at childcare centres their children are going to be safe, and many parents do not know the presenting signs of abuse. They would not recognise them when their baby or their child comes home. What is worse about this situation is that the allegations that have been made are about babies and toddlers – little ones who have not even yet formed the ability to speak. Their only way of being able to communicate may be to cry, and that cry may have been misunderstood. The importance of acting swiftly and acting now is upon us, and I think it is a grave situation when a government on something as serious as this takes even a week or a month to consider what it is going to do, given that this is not a new situation. It is not a new problem to have young people – children – being abused in care. There should be safeguards that protect children, and they should have been in place to protect children.

Let me say that in schools in Victoria there are a number of safeguards that are put in place that make it much harder for abuse to take place within our Victorian schools and within our Australian schools, although it does happen. But it seems that it is sadly lacking in child care, that in child care where we have people working for a pittance – great people who love children working for very, very little

money – we have the threat that there are also predators who are able to slip through the system and completely abuse vulnerable babies, toddlers and little children who cannot defend themselves, cannot speak for themselves and cannot ask for their rights.

I think that it is really an appalling situation when I hear members across the chamber try to accuse us of politicising something when it is very clear that we are speaking up on this because we need immediate action. Members of Parliament are taking this incredibly seriously, as they should, because vulnerable Victorians have been and still are at risk while this government is taking its time to formulate what it will do. I also need to note that in the other place we attempted to bring in some more stringent rules for working with children checks, and sadly, this government and many members of Parliament from around my area failed to support them. The member for Cranbourne, the member for Narre Warren South, the member for Narre Warren North, the member for Frankston, the member for Carrum, the member for Mordialloc, the member for Clarinda and the member for Dandenong failed to support changes that the opposition tried to bring in instantly, immediately, to put safeguards in place for working with children checks. It is a tragic thing that the opposition and the crossbench are having to push the government to act now.

This motion is incredibly important, and my heart and my condolences go out to all the families that have been affected by child abuse in care and those who have the fear of not knowing whether their child has been and what those implications are. These abuses may have been taking place over many decades, hence the inquiry that took place over 10 years ago, actually, under the Ted Baillieu government, when they pushed to have that inquiry and to put things in place and recommendations were made to the Ombudsman. Not all of those recommendations were followed, and shame on this government that it should lag behind and think that our most vulnerable are not worthy of stringent care and respect.

To every mother out there and every father who has that protective instinct – and I can say that I have very strong maternal instincts; this hits at the very core of who I am as a person, because out in our community this government has been saying it is going to bring in people that have been victims, from institutional care, of abuse and apologise. Well, an apology means nothing if we are going to continue to allow vulnerable people to be abused, if there are not put in place proper safeguards to protect our vulnerable Victorians. And what happens to all of those people that have been abused in the past? They relive the pain of their own situation when they know that there are others out there who are going through and suffering through something similar. It can never be downplayed, the impact that this has on people long term going forward. The way this plays out in a person's life – and I can say this as a former school chaplain, a former social worker, a former youth worker and a former secondary school teacher – is massive. It impacts and impairs their ability sometimes in their sexuality, in their identity, in future relationships or even being able to have long-term relationships. There are so many impacts. It can impact their personality. It can impact their ability to study, their ability to do something else with their life. Very few of them come out of it in a way that they are able to give back at the level that they would like to be able to because of the pain. It is very real, and it just breaks my heart to think that we have so many Victorians that are now allegedly and possibly at risk because of this lack of safeguards that could have been put in place at a more stringent level had the Liberals still been in government and would have been in place because of the great work that had been done. I know Ms Crozier headed that up, and she has spoken about it. It could have been in place and would have been in place had we continued to be in government.

All I can say is that everyone that is at home expects us to do stuff immediately when things like this happen. That is why this motion is so important, because it does that. I will just bring up – I have only got time for one point here. It notes:

... with concern the allegations of child sexual abuse by a Melbourne childcare worker, the significant impact on affected families, and the testing of over 2,000 children following the individual's employment across at least 24 centres ...

That is just one person's employment. How many others have slipped through the cracks? How many other people, children now grown up, are having to deal with the pain and the suffering of what they were subjected to in child care or in any other situation where they were vulnerable?

**Georgie CROZIER** (Southern Metropolitan) (14:12): I want to thank those that have contributed to the debate and Ms Gray-Barberio for acknowledging the responsibility of government and the secrecy that they do have in relation to these very important issues – I think you articulated that extremely well – and the failings of the government and the reasoning why the Liberals and Nationals have moved this motion for a true independent in the Ombudsman to conduct this review, given that the quality assessment and regulation division (QARD) is not included in the government's own rapid review. It is quite shameful that the minister has not been responsible for the role that she undertakes in the protection of children given everything that has been said – the warnings that had been provided by the Ombudsman in 2022 and the government failing to act on those, failing to acknowledge these gaps that have led to catastrophic failings. And look where we are. That is on the government's head. I have highlighted the minister's responsibility. She has abrogated all responsibility, and I think that is absolutely shameful. So it is important that we do have an independent review of what has gone on.

I know there were some inane interjections from members of the backbench when some of my colleagues were contributing to this important motion. It was really quite extraordinary. But also what were extraordinary were some of the contributions around the sector, demonising the private sector. Not everybody working in these centres is guilty of these horrific crimes or alleged crimes.

**Michael Galea**: No-one said that.

**Georgie CROZIER**: Well, Mr Galea, Ms Ermacora was blaming the former federal Liberal government. She made no mention of the government's own failings. Privatisation – she was blaming the private sector. And through you, Acting President, Ms Terpstra and her ridiculous interjections throughout this important debate have been an absolute disgrace. I was writing them down as she was –

**Michael Galea**: On a point of order, Acting President, at no point in her contribution did Ms Ermacora impugn the entire childcare sector or all the workers in the sector. She did not at any point cast those aspersions that Ms Crozier is saying. I would ask Ms Crozier to correct that.

**Georgie CROZIER**: On the point of order, Acting President, I did not say that. She was referring to the privatisation of the sector, and I am saying not everybody that works in the sector is committing these alleged crimes. I am making the point that there were some extraordinary contributions. This is a very important issue, and I am shocked that the government would even want to try and carry on like they have throughout this entire debate on this motion. Can I continue, please?

**The ACTING PRESIDENT (John Berger)**: You have got 2 minutes.

**Georgie CROZIER**: This is an important debate. This is about the safety of our children when the government has failed to protect the most vulnerable. They were warned by the Ombudsman in 2022. They did not take up those warnings. We warned them back in 2022. I read in what Michael O'Brien –

**Sonja Terpstra** interjected.

**Georgie CROZIER**: Ms Terpstra – Acting President, I say again, this is what is wrong with this government. They think they can get away with these massive failures of the system because of what has gone on. It is shameful.

**Sonja Terpstra**: On a point of order, Acting President, I do have the right to interject. If Ms Crozier would like to make a point of order, then she should make it, rather than constantly casting aspersions on government and saying we are doing things that we are not. I support Mr Galea's previous point of order in this regard, that this has been a wideranging debate. The government is concerned about this matter, but we cannot sit here and listen to Ms Crozier say things that were not put on the record.

**The ACTING PRESIDENT (John Berger):** I think we have got 1 minute left, and I would ask that Ms Crozier –

**Georgie CROZIER:** As I was saying, this is a very important issue. It is a very sensitive issue – it is, absolutely. I know the government does not agree with the motion. It was clear from their wideranging contributions. One speaker did not even mention the motion, and that is how they ignore what has gone on. It is so incredibly unfortunate that the government have not taken responsibility for where they have failed – where they have failed children, where they have failed families – and fixed the problems. That is why on this side of the house we say that there must be a fully independent review of what has gone wrong and that the regulator within the department must be included, because the government has not included QARD. It is extraordinary that their own regulator is not included in the government’s own review. I urge all members to support this important motion and get the Ombudsman to do their work.

**Motion agreed to.**

### *Committees*

#### **Select committee**

#### *Establishment*

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (14:17): I seek leave to move motion 988 standing in my name in an amended form.

**Leave granted.**

**Anasina GRAY-BARBERIO:** I move:

That:

- (1) a select committee of six members be appointed to inquire into, consider and report on the early childhood education and care (ECEC) sector in Victoria, including but not limited to:
  - (a) the adequacy of current quality and safety standards across all ECEC service types;
  - (b) the quality and oversight of educator training, professional development and qualifications, including a review of the effectiveness of working with children checks and of registered training organisations issuing early childhood certifications;
  - (c) the impacts of Victoria’s predominantly privatised ECEC system, including a comparison with public, not-for-profit and cooperative models in terms of accessibility, affordability, safety and outcomes;
  - (d) the impact of workforce conditions, such as pay, job security, workload and recognition on educator wellbeing, retention and service quality;
  - (e) the adequacy of staff-to-child ratio regulations, including ratios being averaged across entire services rather than applied per room;
  - (f) whether there is sufficient oversight of the Department of Education and the role it plays in monitoring and maintaining child safety;
  - (g) any other matter in relation to the adequacy, implementation, compliance and/or enforcement of child safety standards and regulations in the ECEC sector;
- (2) the committee provide an interim report by a date determined by the committee, and a final report by 30 July 2026;
- (3) the committee consist of two members from the government nominated by the Leader of the Government in the Council, two members from the opposition nominated by the Leader of the Opposition in the Council, and two members from among the remaining members in the Council, to be nominated jointly by those remaining members;
- (4) substitute members may be appointed and the provisions outlined in standing order 23.08 will apply;
- (5) the members will be appointed by lodgement of the names with the President within five calendar days of the Council agreeing to this resolution;

- (6) the chair of the committee will be a non-government member and the deputy chair will be a government member;
- (7) the first meeting of the committee will be held within one week of members' names being lodged with the President;
- (8) the committee will hold public hearings; and
- (9) the committee may obtain technical and specialist assistance to aid its inquiry.

I just want to highlight to the chamber, in the spirit of transparency, the changes that my amendment is putting forward: point (2) is in relation to a change of date for the interim report, and point (6) is for the chair of the committee to be non-government and the deputy chair to be a government member.

I rise today to speak on the Greens motion 988 for a select committee into the early childhood education and care sector in Victoria, because Victorian parents and families right now deserve transparency and accountability about how this Labor government is going about ensuring the safety of all children in the early childhood sector. On Wednesday 18 June, some six weeks ago, the Greens requested that the government provide a number of documents relating to the safety of children in the early childhood and education care sector, pertaining to information on warnings, rule breaches and penalties issued to childcare providers since 2022, as well as how decisions around risk and compliance are being made by the regulator of the early childhood sector, which also sits in the Department of Education. This request for public information in our motion was respectfully written to prioritise the privacy and confidentiality of children and their families. Shamefully, not only did this Labor government miss the deadline to provide this documentation, but their leader, the Premier of this state, refused to apologise for missing the childcare safety documents release deadline – documents that will help us all as legislators and the Victorian public understand how allegations of one of the worst cases of child sexual abuse by an early childhood worker were enabled not only to be uncovered but to proliferate. In the middle of a childcare sector emergency this government is clearly covering its tracks, and there is no place for an unapologetic lack of transparency and accountability. Victorian families, as well as Victorian educators, are shouting very clearly to this government that now is the time to come clean.

Our request for documents six weeks ago came following the work of *Four Corners* and my Greens colleague Abigail Boyd in New South Wales, where the New South Wales state government worked with the Greens to provide similar documents – documents that revealed systemic issues of abuse and neglect in the early childhood sector. The New South Wales Parliament was not afraid of what was going to be revealed in the documents. What they were more concerned about was transparency and accountability in the early childhood sector. We have seen some really heart-wrenching images and footage of children from this *Four Corners* documentary being the innocent recipients of a system that fails to prioritise their care. Sadly, this is precisely what we have seen unfold right here in Victoria over the past few weeks, only far worse than anyone, perhaps with the exception of the regulator and this Labor government, could have imagined.

Thousands of parents and families have been left devastated, heartbroken and traumatised. Can you imagine: they were forced to take their children, some just months old, babies and toddlers, to GPs and emergency departments for sexually transmitted disease checks – babies. I just cannot even imagine what kind of hell this would have been for them. This is why the Greens are fighting so bloody hard to make sure that, along with action, there is transparency. The scale and nature of this crisis is truly unfathomable – a crisis that has occurred under the watchful yet very complacent eye of this government, a failure of responsibility and care. A childcare worker holding a valid working with children check who is alleged to have sexually assaulted innocent children in early childcare settings went untracked between early childcare centres right throughout Melbourne, especially in the west, where there are multicultural communities who do not understand how to navigate the system. It begs the question that so many educators have echoed to me, that more needs to be done and to also focus on the working conditions of the workforce so it does not become a sector full of casualised workers with no job security. Many of these centres where this alleged paedophile worked were giant corporate

for-profit operators found guilty of malpractice and harm in New South Wales. One of these centres, G8, as reported by the *Age* yesterday, was found to be on the Department of Education's watchlist, though the reasons remain undisclosed and veiled in secrecy by this government.

Today the Greens are calling for the establishment of a select committee, a powerful parliamentary inquiry to investigate the regulation and key aspects of Victoria's early childhood sector and the adequacy of quality and safety standards and sufficient oversight by the Department of Education. While the Labor government operates behind closed doors, the sector continues to suffer from poor oversight, regulatory failures, unsafe staff-to-child ratios and inadequate workforce conditions. The government's approach is about marking its own homework. Unsurprisingly, it has failed to scrutinise its role in this growing crisis, and it gets worse by the day. This is what has compelled me and the Greens to put forward this select committee motion. It is needed to fill the gaping holes in Labor's rapid review which was released in response to this crisis.

The review fails to examine the systemic issues, in particular a key aspect: the regulatory body, the Commission for Children and Young People and how the Department of Education interacts with all these bodies. It is very clear to me that there is a need for an early childhood independent safety watchdog which has the powers to hold the department and this government to account. Thousands of families have already been harmed due to systemic failures of this government. Right now, on the backdrop of this crisis, we need more than piecemeal, bandaid solutions.

Just last night the *Age* reported that a whistleblower raised serious concerns with both the Department of Education and the regulator regarding the safety of children. Yet rather than taking action or offering support, the authorities once again failed to do their job. The complaints were not only ignored, they were dismissed outright. And the whistleblower, who was a student working at an early childcare centre, was blamed for not acting – blamed. Talk about gaslighting. This is a troubling reflection of a lack of responsibility and ownership by this government.

Yesterday during question time the Minister for Children spoke about how the quality assessment and regulation division, the regulator, was exceeding its targets – that its centres were meeting 96 per cent of its targets. Do you know what I want to know? I want to know how many of these centres are on the watchlist. How many of these centres are not meeting targets? That is what the Victorian public deserves. They deserve the other side of the coin.

We believe a broader inquiry is urgently needed to hold this government accountable for how decisions impacting children's safety are being made and acted upon. This inquiry will be transparent, giving the Victorian public the opportunity to participate, understand what went wrong and help ensure that it never happens again. It will also look at how to include voices from a wide range of perspectives to reflect the full picture of this crisis and solutions going forward.

This inquiry would examine the consequences of Victoria's increasingly privatised childcare system and look at all models of care. We know that the majority of early childhood centres that this early childcare worker worked at were part of major corporations that have a business model which obviously conflicts with the care of children, where for them the motive is profit, which is clearly incongruent with the quality of care that is needed to protect our children. We know quality of care is inconsistent in the sector. Many centres do their very best every day to put the care and wellbeing of children first, and I acknowledge the many hardworking early childhood educators who have been equally distressed by the failures of the system to protect children.

For this workforce, in which so many show up every day with children's wellbeing at the heart of their work – for those doing the right thing – this period of heightened scrutiny may be deeply distressing. I want to say to them that the Greens hear the concerns that you have been raising for a long time in the sector, and we will continue to work in a bipartisan way to support the incredible work that you do and make the sector better for you and our children alike. The Greens are committed to doing what it takes to rebuild trust and transparency. We understand that it is what Victorian parents, educators and

the public want and deserve. This inquiry will put the power back in the hands of the public, where anyone – parents, educators, experts – can participate and be part of the solution. As legislators it is our ultimate responsibility in this crisis to reassure parents that their children’s safety comes first, before this government’s ambition of political damage control. I commend this motion to the house.

**Sheena WATT** (Northern Metropolitan) (14:29): Thank you very much for the call and the opportunity to speak this afternoon on the motion put forward by Ms Gray-Barberio calling for a select committee. In rising to speak and make a contribution, can I note the extensive work that this government is already doing to help the early childhood education and care sector in Victoria to ensure the safety and wellbeing of children across Victoria. It is not something that is easy to think about, but the recent news of the disgusting and heinous crimes committed by individuals has really caused undue distress for parents and families right across the state. Families really must be able to trust that their children are safe at all times, whether they are at an early childhood education centre, at school, performing in extracurriculars or simply under the supervision of a caretaker. Children should always be safe to learn and develop, in any environment. I am pleased to say that this government will do all it can to ensure that the events that took place can never be allowed to happen again. Families should be able to send their kids to these centres with peace of mind.

Children are no doubt amongst the most vulnerable in our society, and those tasked with their care must be fit to do so. This government is taking urgent action to ensure that every place where a child is looked after will be held to the highest standards possible. As I saw in the referral motion before us, the inquiry will not only be focused on the early childhood education and care sector but also tasked with examining the effectiveness and impact of the working with children check, registered training organisations and the Department of Education, all key stakeholders in the development of young children across Victoria.

What I think is worth saying to the chamber today is that this government will be working closely with our re-elected federal counterparts to ensure that the early childhood education sector in Victoria will be the strongest and safest it can possibly be. I know that we have the good fortune in Victoria of the newly sworn-in Minister for Early Childhood Education being a Victorian – that is Senator Jess Walsh, who I understand has been working tirelessly to ensure the early learning and development community is a safe place for children across the nation. Of course, she is doing that work in collaboration with the federal education minister, Jason Clare. It is fair to say, and it has been said here before, that early childhood education is a federally funded sector, and much of the regulation around it falls on the federal government. Regardless of that, as we have said in here many, many times over many, many different subject matters, we are not waiting for the feds; we are taking action ourselves and we are taking it right now.

In the immediate response, the Allan Labor government announced the ban on the use of personal devices within childcare centres and the establishment of a register of early childhood educators, and it has already launched the child safety and early education and care and working with children check Victoria review that is underway. As I understand it, the rapid review is seeking to respond by 15 August, and that work is being led by Jay Weatherill AO and Pamela White PSM. They are working incredibly hard to deliver by that 15 August deadline. A commitment has been made by the minister – and I have heard it here in this chamber – that every recommendation from that investigation will be adopted by the government. I thank in advance the minister for having such a steadfast position in the lead-up to that final report coming through from Jay Weatherill and Pamela White.

This government has always put the safety of our most vulnerable Victorians at its forefront. In April we moved to review our working with children check scheme and update the Worker Screening Regulation 2021, a system that currently includes over 2 million people that hold a working with children check. We absolutely are focused on building a strong, child-safe environment by supporting educators, strengthening accountability and encouraging continuous improvement across our sectors. Protecting children remains at the heart of everything we do. Furthermore, can I just say we are dedicated to strengthening safeguards, promoting inclusive practices and supporting early intervention

where needed. The protection of children is a shared responsibility across all layers of government, and we remain focused on building systems and services that prioritise the best interests of our youngest Victorians. People who hold a working with children check are subject to ongoing monitoring of their criminal history and relevant disciplinary findings through multiple institutions in accordance with the Worker Screening Act 2020. With this, each year on average more than 400,000 applications and renewals are processed, contributing to our education, caretaking and community workforces throughout the state. It is a national issue, and a nationally consistent working with children check framework, with more security and higher penalties, absolutely must be a priority for the Commonwealth. I do not think that message can be any clearer than it has been from those here in Victoria.

There are, as we said, over 2 million working with children checks that have been issued in Victoria. All charges, convictions and findings of guilt for serious offences resulting in an exclusion do prohibit a person from working with children. There are also other elements where referrals are made and received from other authorities. I am thinking Victoria Police, the Commission for Children and Young People and the Victorian Institute of Teaching. Substantiated findings notified to the worker-screening unit are considered in assessing new applications as well as in reassessing the suitability of current clearance holders. I could go through the list to say that there are 900 people that have had their clearance taken away due to the worker-screening unit being notified of criminal matters and other relevant reasons. Under the current child safety standards, it is an employer's responsibility to confirm whether their staff requires a check and to ensure that staff hold a current and valid clearance. Employers can verify that status through a range of measures, including the actual card itself, using the Service Victoria website, or using a bulk checker tool that is made available, particularly for those with multiple employees.

I might finish up my remarks by taking a moment to acknowledge and thank the United Workers Union and their predecessors, who for decades have championed early childhood educators in their pursuits to professionalise, recognise and enhance the big steps that value our future. Early childhood educators are the backbone of society. I have met with them and had the good fortune of being around that campaign for a very long time, and I know all the efforts that have been made by that union to ensure that they enjoy the respect and recognition, salary conditions and industrial respect that they absolutely deserve. And so, to the United Workers Union, I give you my thanks. It is important to remember that the disgusting actions of a tiny, tiny, tiny number of childhood educators does not reflect on the thousands of committed and inspiring early childhood educators, who show up each and every day and who continue to show up in the wake of these allegations out there in the community. So to you, can I thank you, honour you and pay you my deepest respects. You show up every day, looking after our youngest Victorians, when so many families so desperately rely on you to do the good that you do.

Early childhood workers consistently support and nurture children right across the state. They must not be forgotten in these decisions, because the care and compassion that I have seen from the many, many hundreds, not only across my electorate but across the country, has solidified my belief in the good of these workers. I hope the inquiry here and the other work that is being led by the government further enforce that. Anything we can do to further support that workforce so that they can deliver the very best service to our youngest Victorians is a good thing. Thank you to the union and thank you to the workers. Thank you for turning up. I know this must be a really tough and troubling time for so many of them out there in the community right now, and I just want to send them my thoughts. I do know some male workers in the sector who are having an incredibly tough time right now turning up to work each and every day, and I just want to reinforce my thanks to them, because we will always stand on the side of workers who do the right thing. I look forward to this debate continuing today.

**David DAVIS** (Southern Metropolitan) (14:39): I am pleased to rise and make a contribution on motion 988 under Ms Anasina Gray-Barberio's name and brought to the chamber by her on behalf of the Greens. This establishes a select committee of six members to inquire into, consider and report on

the early childhood education and care sector in Victoria. This select committee I think dovetails very neatly and correctly with the documents motion we considered earlier in the day and indeed the referral that the Liberals and Nationals brought to the chamber in motion 989 to send part of this issue for examination by the Ombudsman under section 16 of the act. I am very pleased that both of those motions were carried clearly by the chamber, and I expect that this motion should be too, because it is actually a response to a completely unacceptable situation where we are not able to be assured that our children, the most vulnerable young children, in early childhood centres are safe in the way they should be. That clearly has to be dealt with. It has to be dealt with quickly. We do not need any cover-ups, and we have had that from this government. They say they are doing an inquiry, but it has got narrow terms of reference; they cut out some of the key points.

Even today in the Assembly, listening to Premier Jacinta Allan – she was not forthright, she was not clear and she was not honest in the way she responded to questions. We saw that in this chamber yesterday in particular with the Minister for Children not providing the answers that she could well have provided. We have heard –

*Members interjecting.*

**David DAVIS:** Well, we would have had anticipation. The advice from the clerks was that we would be anticipating this very motion if we asked questions on that matter. You can ask the clerks yourself. I am quite happy to comply with the rules of the chamber, and we asked different questions; there are many questions to ask this government. But the minister did not answer fulsomely yesterday. The minister sought to evade and abscond from her responsibilities, and that is completely and utterly unacceptable.

Let us be clear: this is an important motion. The Liberals and Nationals will support this motion. I put on record that we would frame the words a little bit differently if we had written them from scratch, but we accept that there are a range of views. I do not believe it is merely the private sector that is involved here. I think that there is a problem with the vetting process across government. I think there is a problem with the working with children checks. There is a problem with the way the regulation is operating for both public and private sector organisations in this state on these matters. In any event it does not matter where these problems are; they need to be dealt with. We need to make sure that our children are safe, and we need to make sure that the processes and the mechanisms are actually uncovering those who would harm them, who would treat them poorly and who would do some of these extraordinary things that have come forward in the recent period.

At the end of the day the fact is that this chamber has an important scrutiny and oversight role, and that is what the chamber is exercising today: looking for documents, making referrals to the Ombudsman on part of these matters and establishing an overarching select committee which will have the capacity to hold hearings – indeed will be required to hold hearings, will be able to ask the minister to come and answer questions where she cannot so easily evade them and will also be able to ask officials to come and explain what on earth has gone wrong.

One of the questions that needs to be answered is about how a number of years ago there was advice given to the government – advice from the children’s commissioner about these matters – and the government has chosen to ignore that and to let this drift on without proper attention and consequently, because of the government’s own failures and incompetence, exposed our children to risk. That is completely and utterly unacceptable in my view. I think this government should hang its head in shame about the way it has behaved.

I think that the select committee will be in a position to ask some of these questions in a tough and direct way. What has got to happen here is there has got to be a fair mechanism to actually bring government officials to account. We need to be in a position where the deep and chronic failures that have been exposed in our child protection system are actually dealt with. It cannot be allowed to

continue, it cannot be allowed to drift on, and this motion, amongst the others today, is a part of beginning to address that.

Again, I was shocked when I watched question time in the lower house this afternoon and I could see the Premier trying every trick in the book to avoid answering direct questions on things that she ought to have known the answer to. You would think that this matter would be beyond politics, but it clearly is not with this government. This government will do anything to protect its own people, to protect its own ministers, rather than actually hold them to account. These ministers have actually allowed this to drift and drift and drift. They have had warnings and they have not acted, and we need to know why. We need to know why they have been so tardy, why they have been so weak in their response and why they continue to try and cover up what has gone on here. The children's commissioner was very clear about these matters a number of years ago, and the government chose to ignore that advice. Even what we heard in the Assembly today about the Premier's failure to fess up and face up to the fact that the government has not acted properly on this is a sign, again, of an old, tired government. It is now in its 11th year. It is very distant from the community. It does not understand the concerns of the community, and it is prepared to, sadly, cover these things up to protect its own. Anyway, the key point here is that the committee –

*Members interjecting.*

**David DAVIS:** Well, I am implying that there is a cover-up. That is what I am implying, a failure to act. Listen to the questions in the lower house. Listen to the answers by this minister yesterday, the minister's failure to answer questions properly yesterday – direct, simple questions that actually should properly have been answered. She would not answer them. She would not answer the questions. And why would she not answer the questions – because they are inconvenient questions, they are pointed questions and they are questions that go directly to her competence and her failure.

**Sonja Terpstra:** You didn't ask anything.

**David DAVIS:** I did, and so did Ms Crozier. We asked three questions directly to the minister on these matters, and she sought to hide –

*Members interjecting.*

**David DAVIS:** You heard what was in the statement of expectations that the very minister in the chamber here today wrote to the agencies. That statement of expectations lays out very clearly her own responsibility and her directions to the agencies to take certain steps. Well, I say that statement of expectations that Ms Crozier has pointed to closely today puts the minister here directly on notice. She has actually, in her own words, admitted responsibility for a number of these areas. So let us not have any of this 'It's a different portfolio' nonsense. We know what is going on. We know it is an artifice and a device to cover up the minister's responsibility and the minister's own failure. In any event, as I said, the truth of the matter is the select committee will have the opportunity to have ministerial input, to have input from a range of bureaucratic witnesses and to look for the documents that are relevant.

**Lizzie Blandthorn:** On a point of order, Acting President, I take offence at the suggestion that I am indeed in any way responsible for a cover-up, and I ask that the accusation be withdrawn.

**The ACTING PRESIDENT (John Berger):** Mr Davis, I would ask that you withdraw that accusation.

**David DAVIS:** I think, Acting President, that it is true.

**The ACTING PRESIDENT (John Berger):** I ask you to withdraw the accusation.

**David DAVIS:** I withdraw. The government is deeply involved in a direct cover-up here. They want to –

**Lizzie Blandthorn:** On a point of order, Acting President, given the subsequent comment, I would again ask that it be withdrawn.

**The ACTING PRESIDENT (John Berger):** Mr Davis, I ask you to withdraw that comment.

*Members interjecting.*

**The ACTING PRESIDENT (John Berger):** Minister, I will dismiss that point of order, and I will call the next speaker.

**Ryan BATCHELOR** (Southern Metropolitan) (14:50): The matters that have led us to today and the debate are exceptionally serious and exceptionally distressing. I think that certainly the way that the seriousness with which most in the community have taken the issues at hand and the approach that they have taken, including the minister and the government, to make sure that these exceptionally distressing and serious issues are properly dealt with is to be commended. The conduct – worryingly, I think – we have just witnessed from the Liberal Party and their leader is a relentless politicisation of tragedy, to use some words that my colleague Ms Terpstra uttered earlier. It is a relentless politicisation of tragedy, which I think diminishes those who seek to do so in such a way. For the Leader of the Liberal Party in this place to make quite distressing allegations against the minister and the government – that they are not taking this issue seriously – I think is a disgrace. I do not want to repeat the words that they have used, but I think they have set themselves a bar of what they are going to need to be able to demonstrate over the course of this select committee's work. If the Liberal Party is unable to substantiate the very serious allegations that their leader in this place has just uttered, then they –

**Ann-Marie Hermans:** On a point of order, Acting President, I feel that this is completely off topic. It is actually unfair to be making an allegation about the Leader of the Liberal Party. The Leader of the Liberal Party has absolutely nothing to do –

**The ACTING PRESIDENT (John Berger):** Mrs Hermans, it is not a point of order.

**Ryan BATCHELOR:** Maybe members of the Liberal Party who sit behind their leader may wish to express to him privately their concerns about what he has done and what he has said. If they are unable to substantiate their claims, he needs to come back in here after this report is tabled and apologise.

More broadly, I want to go back to the substance of these issues, because they are so critical. And I do not think Mr Davis warrants the airtime he is getting in this debate, because this is a debate about how to best safeguard children in this state. This is a debate about how to best make sure that the children who go to our early childhood settings and who go to our childcare settings are given the absolute best, highest quality and safest care that they possibly can get. That is the goal of everyone who is involved in the regulation of early childhood settings here in this country from the Commonwealth level through to the state level and also for those involved at a local government level, because it is a sector that has various levels of government involved in the policy settings in various ways. I think one of the things that we are seeing in the course of the discussion about the circumstances that have led us here – and I do not want to get into the specifics of the case before us, because Victoria Police have that matter in hand before the courts and I think it is exceptionally dangerous for us to stray into the territory of an individual case, because we want justice to take its course. The policy implications, however, are things that we should be looking at and should be examining. There are a series of policy issues that have had a bearing on the way that our early childhood settings in this country have operated over many years, a limited scope of which is dealt with at a state level.

There are more significant matters about the structure of the childcare industry in this country which are the remit of the Commonwealth. Particularly the way that the funding to the sector, the subsidies to the sector and the proliferation of for-profit childcare providers has occurred in our community over the last couple of decades are matters that rest with the Commonwealth. There have been significant

recent inquiries by the Productivity Commission and by the Australian Competition and Consumer Commission with exceptionally comprehensive and detailed reports on the structure of the childcare sector, market or industry – whatever word you want to use. I think it will be useful for this inquiry – should the motion be successful today, and I expect that it will be – to examine those issues.

Obviously, within that context the state does have a role to assist in both the quality frameworks that exist with the Australian early years quality agency and then also with the safety division with the work that is done on safety and child safeguarding. We always need to be ensuring with all of these settings, whether they be the very significant work and very public work that the national quality agency does with respect to publicly reporting on quality in early childhood settings or whether it be the more detailed work on safeguarding that is done by a state agency, that that process involves constant monitoring of all of the risk factors that exist in the sector. I think it was a little bit unfortunate that other contributions to the debate today and more broadly have tried to imply that there are some kinds of secret documents and secret lists that exist here. What we have in the way that the safety and quality regulation and monitoring are done at the state level is a constant and continuing dynamic assessment of the risks that individual centres face, done so in the context that there are significant operators and a large number of premises where the provision of early years services occurs throughout the state. And the sad reality is that despite our best efforts in the community, there is clearly evil in the world. It is not just Victoria that has faced this; we have had very distressing incidents, charges and convictions in other jurisdictions in recent years, and I think all of those who have read those reports and seen those prior cases can only look on in horror at what has occurred.

The system has to be set up and the system has to operate to do the absolute best job that it can. The government, in responding to the circumstances that have unfolded here in Melbourne in the last couple of months, has taken determined action, with things like bans on personal electronic devices being used in centres, with the rapid review that has been initiated and with the settings that it has committed to implementing when the report is received in the next few weeks. It is an exceptionally important part of our community. It is an exceptionally important issue to make sure that our children are looked after. We do that system no great service by the relentless politicisation of it. This committee, if it is able to do a job that thoroughly examines the policy settings, how to make improvements and how to keep our children safe, will be doing them a great service, and we hope that all those who participate in that process have that same objective.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (15:00): I too rise today to speak on Anasina Gray-Barberio's motion on behalf of the Greens to have a select committee of six members to be appointed to inquire into, consider and report on the early childhood education and care sector in Victoria. I do applaud the opportunity to make sure that we can investigate this at such a deep level as to ensure not only that our children are safe in early child care but that the regulations are thorough and that everybody involved in the regulatory process is investigated.

The more I think about this situation, the more appalled I become. To think that this has been the result of a man allegedly abusing numerous babies and toddlers – not just abusing them but using a phone to take photographs, footage, pornography of people's babies being abused. The more I think about it, the more I cannot understand the delay in this government. Anybody that has a love for their children, a sense of protection, a desire to protect a newborn, a young one, an infant, could only be appalled at the delay and can only welcome the opportunity to have an inquiry that will actually get to the bottom of what is going on and what has happened and who has been responsible for the lack of procedures. It really bothers me to think, when we compare Victorian governments to New South Wales on a regular basis, that there is such a distinction with New South Wales, who care about transparency and accountability to make sure that their children are safe. Yet in Victoria we have to wait until something like this surfaces, and we then decide: 'Now we must come out with some sort of a response.' Well, people do not just want a response, they do not want lip-service and they do not want a framework that is not going to work. This should never happen in this day and age under any state government ever in Australia.

It is appalling to think that we have got to this point, and one has to wonder: what is this government hiding? What is it hiding when it wants to put stringent restrictions on when there are requests for documentation and those documents are not forwarded in a way that allows people to have that transparency, to have the oversight to be able to check that things are being done properly? What is this government hiding? How many of our babies out there are being abused and it is being covered up? How big is the porn industry in Victoria with our children if photos are going out? Where are they going to? What else is taking place? That is why there are restrictions coming in in childcare centres on phones. Otherwise I would actually not be wanting to have those restrictions for people, because you would think that in an emergency it might actually be helpful to be able to have that access. But the fact that those phones can be used for photography and the fact that the phones can be used to actually make babies vulnerable and susceptible to misuse is absolutely appalling.

Many of these recommendations are just so well thought out and are very thorough. I really applaud the fact that we will have a committee that will have two from the opposition, two from the government and two from the crossbench. However, I am a little bit heartbroken to see – obviously it needs to be a thorough investigation – that the final report is not due until 30 July 2026, because I can only imagine how many lives are going to be interrupted and destroyed between now and July 2026, when the reality of this situation has completely unfolded and been reported on and the report has been dropped. I just do not know how to explain to people that do not have a full understanding of the effects of sexual abuse on children that it is a lifelong sentence for people who are abused. A committee is a fantastic thing, but it saddens me to think that it is going to take so much time. I understand that we have so many other committees taking place at the moment for a number of different issues that are going wrong in this state under this Labor government, but it just breaks my heart to think that the committee will not provide the final report until 30 July 2026. To me, it is not soon enough, the action is not quick enough and it is not immediate enough.

In every other area there is so much that is really great about this motion. Of course as an opposition we feel very strongly about protecting families and children. As I said before, it was three years ago that we attempted to have all of the Ombudsman's report exposed so that we could see what had actually been implemented and what had not. During the time of the *Betrayal of Trust* report, an investigation under the Liberals, we were able to make sure that there were safeguards in institutions. It just breaks my heart, as I said earlier, to think that childcare centres, where I know some really great people work for very little money, are in this situation where we have children who are so vulnerable and are being abused.

I strongly support the fact that we will have the opportunity for a committee inquiry. I strongly support the idea and the concept of public hearings. I think that this is the sort of thing where, as a parent, if that was my baby in that childcare centre, depending on how I was coping with the situation – because let us face it, this is a pretty difficult thing for any parent to have to cope with, to think that you have not been able to protect your own child in a childcare centre – I would want to know. I think that there will be grandparents, aunts, uncles, friends and family members and people who themselves have suffered abuse in the past who may choose to be part of these public hearings. Certainly childcare workers that have raised alarms in the past about potential causes for concern, like the 21-year-old student who raised concerns that were dismissed or put back on them as a student – I think people that work in the industry will 100 per cent be wanting to follow this inquiry.

It is so necessary and so overdue for this government to have to be transparent in this area. We have been calling for it on a number of fronts. We have those concerns about Aboriginal children in care. We have concerns about the foster care system and some of the children that have parents that are mentioning extraordinary situations where the change in behaviour of their children would and could suggest abuse. These are things that we need to be dealing with. It is incredibly serious. It cannot come soon enough. I am so appalled by this government. I am so appalled that it has taken so long and has taken the crossbench and the opposition to have to force this after a disaster has finally surfaced and been revealed to the whole world. This is an embarrassment that is global. It is shameful. It is

embarrassing. I wholeheartedly support the concept of a committee, and I thank the crossbench for bringing it forward to the house.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (15:10): I rise to make a contribution to this motion standing in Ms Gray-Barberio's name, and I just want to thank her for providing the chamber with transparency around the amendments that she made to the motion, because it is different to what is on the notice paper slightly. She pointed out those amendments, so I am grateful to her for that.

I have been sitting in the chamber for a while. I have had the benefit of listening to some of the contributions. I have to say at the outset, I know this is a committee referral, but what is at the heart of this is the tragic set of circumstances and the horrific and heartbreaking circumstances surrounding some really disgusting and tragic child sex abuse allegations. What I want to say at the outset is that I am very conscious that there will be legal proceedings on foot in regard to these matters, and I think everyone in this chamber needs to be very, very careful about the way in which they discuss these matters today. The whole day has been pretty much spent discussing a range of matters that are surrounding this matter. I want to make sure that, for anyone who has been a victim of a crime – and I am not speaking about this particular matter but in general – any legal proceedings that are on foot occur so that justice can be served and so no-one who might have a right to access justice, who might be a victim, has their rights impinged by anything that is said in this chamber or in fact that might be said in the context of the proceedings of a select committee where people will be looking at various systems around the regulation of child care and childcare workers and working with children checks. It would be a travesty if something that was said by one of us in here resulted in somebody having a trial that was aborted or victims not having access to justice. It is a very real concern. I know you are not a lawyer, Mrs Hermans. I am, and I have very real concerns about some of the things that have been said in this chamber today.

For example, there has been some pretty heavy quoting of an *Age* article and something that was reported in the *Age*, where it was reportedly said that there is a watchlist that the quality assurance and regulation division has – a secret watchlist. Well, that is garbage. That is why if we come into the chamber and start to talk about what is reported in the media, we are on a very slippery slope, because we have got to make sure we deal with facts. In fact that is why we have agencies like the police and other agencies who are trained and equipped to deal with matters pertaining to child abuse, who are experts and who are trained to deal with these sorts of matters. Politicians in here who want to politic around this – it is shameful and disgusting. I have been consistent in my interjections all day on this matter, that bringing a motion for a joint select committee to inquire into some of the matters that surround what has been alleged is nothing more than disgraceful and disgusting politicking, because what we need to remember is there are families attached to this and there are children attached to this, young and vulnerable children who might ask their parents in 10 years time, 'Mummy, did I go to that centre?' So shame on everybody in here who supports this motion today. Shame on those opposite who are accusing the government of a cover-up. That is an outrageous slur on this government. What I want to see is the police do their job unimpeded and unhindered by anything that might be said and publicly reported on. I want to see the regulator do their job and inquire into and investigate any failings that might have occurred in the system. That is what I want to see. Anybody who cares about children would absolutely want to put that first and foremost on their mind before wanting to enter into nothing more than a political exercise. We are politicians. We are not experts in this field. This is a joke. I want to see anybody who is impacted by this matter get access to justice. And for all we know, there may be other victims. There may be other families. We do not know this. Let the police do their job. Let the courts then deal with matters that have been referred to them.

I am disgusted by the constant politicking of tragic and disgusting circumstances. I know as a parent – and I know there are many people who I spoke to on the day when this news broke – many people were sickened to their stomachs to hear about what had happened, as I was. There would not be a person in here who does not want to see children protected from any sorts of violent acts or sickening acts, and to come in here and say that the government is covering this up is actually a new low, and

the Leader of the Opposition in this chamber did nothing but harp on about that today. It is disgusting. It really is disgusting, and it is a new low.

In terms of what the government is doing – and this is why I think this motion is ill-conceived – the motion talks about the report by this joint select committee being done by 30 July next year, so there is going to be almost a whole year of this, where this is going to continue to get ventilated. But the rapid review that the government has commissioned into this matter talks about a report being delivered by 15 August, which is about two weeks away. We have commissioned an urgent and rapid review into the systems that regulate the industry so that we can look at those recommendations, and we have committed to adopting every recommendation of the review and implementing them as soon as possible. The fact that this motion calls for a joint select committee to continue to discuss this for a whole nother year completely exposes the real and true agenda of those opposite – and the Greens, quite frankly – to continue to politicise around this, to put victims' rights at the bottom of any of their agendas, to put them right at the bottom. It is disgusting.

I will just do a quick segue into another issue for a moment. I was a young organiser many, many years ago, when I was organising childcare workers in the childcare industry. I had never met a bunch of more dedicated, professional and hardworking, caring individuals, but that was at a time when the sector was really a not-for-profit sector and largely run by local government. There was a strong regulator, a tough cop on the beat, which was feared by everybody, and standards were upheld to the highest order. But then we saw the Commonwealth government introduce the use of the childcare subsidy, and many, many for-profit providers entered the market. So of course, what happens when you see market failure is everyone says the government is responsible for this. Yes, well, I can tell you which government was responsible: it was the Howard government, who introduced the childcare subsidy. Now we have a market that is overpopulated with for-profit providers; there are not a lot of not-for-profit providers around. In fact it was this government, the Victorian Labor government, that had to, because of the various childcare deserts and lack of availability of childcare centres, establish 50 government owned and operated early learning centres, because guess what, no private provider would want to do it. Why? Because there was no profit in it.

So here is the problem: anytime you want to profit from the care of vulnerable people, you end up with market failures, and here we are. Those opposite can mock and all the rest of it as much as they like, but I am telling you right now, a society will always be judged by how it treats its most vulnerable people, and that includes young people, children and the elderly. There are some things that should never be for profit, and early childhood education and care is one of those things. When we have market failures, it is always up to government to come in and mop up the mess. And of course if we are talking about the types of centres where these sorts of things have gone on, they are for-profit centres at the moment.

I will go back to my earlier remarks. What I am concerned about is that any illegal activity or criminal activity needs to be dealt with by the police. We need to be very careful in the manner in which we speak about these matters. We need to be very careful about the way in which any evidence is presented to the inquiry, that it does not prejudice anybody's right to a fair trial or the right of victims to get access to justice, not to mention the fact that parents might be trying to deal with and comfort their children about the trauma that they may have experienced. You are also taking away any control from victims or parents to try and manage this. This will have a long tail, but that is lost on those opposite and it is also lost on the Greens, because all those opposite and the Greens want to do is engage in disgusting politicisation of trauma and sadness, and it should be condemned. I will conclude my remarks there.

**Moira DEEMING** (Western Metropolitan) (15:20): While I will not be standing in the way of this inquiry, I have to say that I am pretty disgusted that the political response to children being raped in child care in my region is just another inquiry, another delay and another round of bureaucratic nonsense instead of action – instead of actually legislating to protect children. What we are facing is not actually a one-off failure. It is not just a bureaucratic oversight. It is not the result of one bad actor

at just a few centres. It is obviously the result of an absolutely and utterly broken safeguarding system. It has been weakened by delay, blinded by ideology and hollowed out by cowardice, and now we have thousands of children being tested for STIs.

Over the last 12 years this Parliament has received report after report declaring that Victoria's child safeguarding framework is unfit for purpose, from *Betrayal of Trust* in 2013 through to the royal commission in 2017, Ombudsman and Auditor-General audits and last year's reportable conduct scheme review. Seven major inquiries have repeated the same core recommendations 37 times, yet most of these recommendations are just sitting on ministerial shelves, and here we are again discussing early childhood safety, not because the answers are actually unknown or we need experts to figure out what child safeguarding is but because this government just has refused to legislate them. In 2022 the Victorian Ombudsman declared that our working with children check system was amongst the weakest in the nation. She warned that it lacked automatic suspensions, had no mandatory training and could not detect people under police investigation for child abuse. And what happened? Nothing – no reform, no urgency, just another report shelved. As a result serious offenders were able to hold valid working with children checks while working in child care, including Joshua Brown and Ron Marks.

There is just no excuse. We all saw exactly what this government can get done when they put their mind to it during COVID. When they want to use the powers of government to get things done snappy like, they do. There have already been rapid and urgent reviews into child safeguards, and the recommendations were never put into law. Here are some of the laws and things that they did manage to do over that same period of time – but before I talk about that, I would like to talk about the actual heart of the problem, and the heart of the problem is how we here in Victoria are going to view what children actually are.

Aren't we all outraged here today because we know that by definition children are presexual, non-sexual, unable to consent or to understand sex, vulnerable to exploitation and coercion? I know that is what most Victorians think. Why then has this government allowed the introduction of the idea that children are sexual beings capable of consent, which is a radical shift from traditional child protection principles? Influential academics like Gary Dowsett have said that some relationships between adults and children are sexual, referencing 'the legal right of paedophiles and their young lovers' and 'the sexual rights of children as a whole'. Steven Angelides has said 'children can frequently experience sexual pleasure' and children's sexual desires must be 'normalised'. Both of these scholars' works have been cited in Victorian education and sexuality policy contexts, including Safe Schools biographies and La Trobe's safe and inclusive schools resources. Despite these citations, no Victorian department or child safety body has publicly critiqued the ideological implications of referencing authors who argue for something called 'the sexual agency of children'. By adopting frameworks that treat children as autonomous sexual agents, safeguarding is being redefined in this state in ways that expose children to risk rather than protect them. What about allowing children in brothels? That is another one of this government's bright ideas. In commercial brothels, children under the age of 18 months, and in home brothels, there is no limit – all children of all ages.

What about forbidding clinicians from diagnosing adults with a sexual attraction to children as having a mental health disorder rather than just one of many sexualities? Under the Mental Health and Wellbeing Act 2022 in Victoria, the law precludes clinicians from diagnosing an adult as having a mental health disorder simply on the basis of them admitting to and exhibiting a sexual attraction to children. There are no caveats – even if that person has engaged in a certain pattern of sexual behaviour or engages in conduct that is contrary to community standards of acceptable conduct or engages in illegal conduct. That means if a clinician has a patient with a self-proclaimed paedophilic preference and a known pattern for acting on it, they cannot diagnose that person with a red flag that would preclude them from working with vulnerable children. It is ridiculous. We do not need any more inquiries. We know perfectly well what is going on, and it is an absolutely epic disgrace. There is going to be another round of apologising to the next generation of children who, under your watch,

have been terribly abused and then victimised again and blamed for it because of this redefinition of what a child is.

**John BERGER** (Southern Metropolitan) (15:27): Today I rise to speak on this important issue of child safety in our kindergartens and childcare facilities. I welcome the opportunity for this chamber to debate the issues, because child safety should always be a top priority for the Parliament, in just the same way that it is the top priority for the Allan Labor government. Child care is regulated under the national framework, and this is important to remember, but the Allan Labor government is still acting where it can. All Victorians were sickened by the allegations over the winter break. Families must be able to trust that their children are safe in these environments, and every level of government must do everything it can to ensure that. That is why the Allan Labor government has taken action to address this issue.

To start with, we have banned the use of personal devices like mobile phones by staff inside childcare centres. The ban will be in place starting in September, giving the industry the time it needs to adapt but also making the change soon enough to reflect the urgency that this issue deserves. We are doing this because the safety of children has come first in every single thing that we do in our childcare sector. Because of the actions of a few, the rules are changing for everyone to ensure that nothing like this can happen ever again. We are also creating a childcare worker register that will be ready to go in August, which will help us to know who has worked where and when. This register will apply to all staff – full-time, part-time and casual, teaching and non-teaching staff alike. Anybody who has direct and regular contact with children in the context of childcare centres will be required to be on the register.

We have also commissioned an urgent review to be led by Jay Weatherill and Pamela White. Both of these appointees are beyond qualified for the role and have demonstrated across their long careers not only expertise in the issues that matter to this inquiry but also a dedication and commitment to public service. Jay Weatherill is best known as the former Premier of South Australia, but before taking that role he also served over there as the state's Minister for Early Childhood Development from 2008 to 2011. In his post-politics career Mr Weatherill has continued in his commitment to building an early childhood education system fit for purpose in the 21st century with child safety at its core, working at the Minderoo Foundation's Thrive by Five program. Pamela White, the chair of the Victorian Registration and Qualifications Authority, also brings expertise directly relevant to the challenges we are facing, particularly as they relate to the issue of the workforce register. Specifically, the review into child safety in early childhood education and care settings and the working with children check in Victoria falls under that purview. It does not take a genius to see how Mr Weatherill and Ms White are overqualified for this job, which is the only way that this government would have it on an issue this serious. The Premier has already said that her government will accept and adopt each and every one of the recommendations made by this report. She has made it clear that there is no price too high for us to pay, no burden too great for us to bear when it comes to keeping our children safe. That is why we have taken immediate action and are planning out the long-term solution to make sure that this can never happen again.

We were all shocked a few weeks ago to read the reports of what had happened. One educator arrested was charged with 70 offences, with over 1000 children urgently sent for medical testing out of a fear that they may have been victims too. To say that it would be every parent's worst nightmare would be an understatement. I know that parents across all of the state and the country have been paying close attention to this issue – and those in areas not affected by this particular case. If such a prolific abuser could be allowed to work in the system across a number of childcare centres in one area, people are right to worry that there could be other abusers allowed to work freely in the system too. That is why the work that this government is doing is so important. The story does not end when one abuser is arrested, because if there are systemic faults which allow people like the man who was arrested to work in the system, then the work continues to remedy them. We will continue to work to root any kind of abuse out of the system and restore faith in the system for parents, who are understandably feeling shaken in the light of these developments.

For so many parents, especially working parents, there is no option but to leave their kids in a childcare centre. The circumstances of their lives and their careers may leave them no choice but to participate in the system, so it can be a terrifying thought for all parents, but especially for those with no choice but to leave their kids in child care every day, that our system for preventing child abuse would not be up to scratch. So you can understand why it is so important that we root out any abuse or potential for abuse within the system. We must restore the public's faith in our childcare system, because an early childhood education is such an important part of every young person's development. The education that they receive there, as well as the socialisation with other kids their age, is incredibly important in their preparation to begin primary school. That is why the Best Start, Best Life reforms continue to be so important, because all children deserve a quality early childhood education. These reforms include three- and four-year-old kinder, an introduction to pre-prep and the creation of 50 new early learning centres in areas with the most demand. Infrastructure and capacity upgrades at existing locations are planned to recruit and attract the workforce that the industry needs.

As important as all this work is, it sadly will be all for naught if the public has no faith that their kids will be safe when they leave them there for the day. It is an extraordinary act of trust to leave your child for the whole day with people who you do not know. The reasons why parents trust these centres, particularly if it is a centre that they have not used before, is because they have faith in the institution of early childhood education itself. They need to have faith that the employees are professionally qualified and that the centre is being run according to the highest standards set out for it. That is why we generate this trust. When one employee breaches that trust it sadly affects everybody, including the vast majority of early childhood workers who are doing the right thing and who are just as disturbed as the rest of us by what was revealed in the last few weeks. That is why the role of the state government is not only to drive the systemic reform that ensures that this sort of abuse cannot happen again but also to restore faith in the public system.

One thing that I know many parents want is for action not to be delayed and put off into the future, but for it to happen now, so I think it is appropriate for me to set out the timelines here for when we can expect each of the actions which we took to materialise themselves. The urgent review into child safety led by Jay Weatherill and Pamela White can be expected to report back to the government on Friday 15 August. The government has already committed itself to adopting every one of this review's recommendations and will seek to implement them as quickly as possible. The register of early childhood educators will be up and running by late August. The ban on personal devices will be enforced from Friday 26 September.

The strength and decisiveness of the government's response to this issue has demonstrated just how seriously we take child safety. It is so important that parents will be able to see things start to change over the next few months. They will see these changes being implemented, and they will see further changes come through once the review has been handed down. I want to emphasise as well that most parents will appreciate that we are taking an approach that recognises the urgency and need for immediate action, as we have a moral imperative to address the issues as quickly as possible. When things like this come up, parents often make decisions day to day, so it would not have been much use if we had held off the review until next year, when we might have more time for it, or made it another time, because the situation had to be dealt with. At the same time, parents will equally appreciate that we have taken a long-term approach as well. Some measures can be implemented overnight, others take a few months and others years. It is important that we act with urgency but we do not rush. I think that parents will also appreciate that we have committed ourselves to implementing the recommendations of the review ahead of it being completed, showing that rain, hail or shine, whether it is easy or difficult, we will always put child safety first.

**Georgie CROZIER** (Southern Metropolitan) (15:35): I rise to speak to the motion in Ms Gray-Barberio's name to establish a select committee of six members to be appointed to inquire into, consider and report on the early childhood education and care sector in Victoria. The motion outlines

the various concerns that Ms Gray-Barberio has highlighted in relation to why this inquiry should be established and what it should look at.

We know what the issue is here, because we have been discussing the very important issue around the childcare sector and the failings because of the inadequacies of what the government did – or their lack of response – and what they did after warnings with the working with children check, with the Ombudsman’s report from 2022, the multiple failures that this government has overseen and the very, very concerning allegations that have come to light in recent weeks. Government members are all saying that they are very concerned about what has gone on and that they are taking their time and must get it right. Well, they have had years to get this right, and there is no excuse for the failure to address the gaps in the system that were highlighted by the Ombudsman. That report came down three years ago and made recommendations to improve that very element. The nub of what this inquiry will do if it is established, if the house agrees to it, is to look into the sector and to have a look at the issues around it. In short, as the motion states, it is to look at the adequacy of current quality and safety standards across all early childhood, education and care service types and:

the quality and oversight of educator training, professional development and qualifications, including a review of the effectiveness of Working with Children Checks and of Registered Training Organisations issuing early childhood certifications ...

Again, this is where the massive shortfall has been and the catastrophic failings have occurred as a result of the government’s inaction. They were warned and they did nothing. It is incomprehensible how they got it so wrong, and yet they are, as we have heard in the chamber today, blaming others for their failings. No-one has taken any responsibility. No-one has been accountable for these failings. It is just stunning. So it is really important that we get to the issue around what has gone on.

The inquiry, if set up, will look at the entire sector – it is made up of public, not-for-profit and cooperative models – in terms of accessibility, affordability, safety and outcomes, looking at how those different models work and if there are any shortfalls or any areas for improvement or impacts, including, as the motion says:

the impact of workforce conditions ...  
the adequacy of staff-to-child ratio regulations ...

It will look at how they may be impacted across entire services rather than just being applied per room, and:

whether there is sufficient oversight of the Department of Education and the role it plays in monitoring and maintaining child safety ...

Again, we heard that in the debate earlier today – that the quality assessment and regulation division, the regulator within the department, is not even being looked at in the government’s own rapid review. The government’s own review looking into this issue – well, they have had to address the failings, clearly – is not even looking at the actual regulator that has overseen a lot of these failings. We must look at that. And so that is, again, a very important part of what the department does, what it has done and what it has not done. It is a responsibility for us in this Parliament to do everything we can to ensure child safe standards are adhered to and the regulations are appropriately being monitored.

The inquiry, if it is successful, will also look at any other matters in relation to the adequacy, implementation, compliance and/or enforcement of child safety standards and regulations within the sector. An interim report would be handed down by 30 March and the final report to the Parliament by 30 July 2026. I will not go into the machinery of what the inquiry will be made up of – it is all highlighted in the motion – but the nub of the motion is very important: we must do everything we can; we must understand the failings, and that is what this committee will do. It will be established and look at those specific issues and any other issues the committee might feel are warranted and needed.

I do think that, given the serious nature of the failings in what has happened under the Allan Labor government in ignoring the recommendations of the Ombudsman in 2022 about the working with

children checks and with those recommendations that would have improved childcare safety standards and safety measures and prevented what we have found out in recent weeks with the alleged circumstances of Joshua Brown and the alleged activities that have horrified all Victorians, and especially those parents and grandparents who have children in these settings, we must do everything we can to ensure that those failings by government and what has happened in the system do not happen again. I would urge the government to support this important inquiry and let the Parliament do its work, because that is what we are here for, to look at these very issues and make recommendations to improve the safety of children. That is our responsibility, and I would hope that the government see it as their responsibility in joining with the Greens and other members who are in support of this motion to establish this committee and get this work up and running.

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (15:43): I would like to thank everybody that has contributed to the Greens motion today regarding a select committee into the early childhood education and care sector. We can all agree that this is a really important issue that requires transparency and accountability, but it is also an opportunity to scrutinise how the events that have eventuated in the last few weeks have allowed for the exploitation of and sexual violence against our babies and our young children in early childhood settings. We can all agree that this is unacceptable, but we can also agree something can be done about it. This government have a responsibility not just to this Parliament but to the Victorian public to take action, exercise their moral compass and do the right thing. Now is not the time to retreat from their responsibilities.

It has been very clear from the majority of the contributions made today by members from across the chamber that this does go beyond the political spectrum, that what is at risk here goes beyond political persuasion. The Greens call upon everybody to support this motion for this inquiry so that we can fix and understand the severity of this issue and find a path forward so that events that have occurred and transpired in the last few weeks cannot be repeated, because we are failing the next generation of children that are going to be going to early childcare settings if we are not doing our jobs as legislators to scrutinise. But we cannot do this if the government does not come to the table. I would like to once again thank everybody for their contributions and for their honest feedback and commend this motion to the house.

**Motion agreed to.**

### *Business of the house*

#### **Orders of the day**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (15:46): I move:

That the consideration of order of the day, general business, 1, be postponed until later this day.

**Motion agreed to.**

### *Motions*

#### **Workplace drug testing**

**David ETTERSANK** (Western Metropolitan) (15:46): On behalf of Rachel Payne, I move:

That this house notes that:

- (1) the current workplace drug-testing regime discriminates against people who take prescribed medications, including medicinal cannabis;
- (2) the Legal and Social Issues Standing Committee's inquiry into workplace drug testing in Victoria examined the legislative and regulatory framework for alcohol and other drug (AOD) testing in workplaces and found that:
  - (a) existing AOD testing methods largely focus on testing for presence rather than impairment, making them ineffective in preventing risks to workplace health and safety;

- (b) under the current testing regime, unimpaired employees face the risk of disciplinary action, including loss of employment, for taking a prescribed medication such as medicinal cannabis;
  - (c) Victoria's current laws governing AOD testing are outdated, inconsistent and result in uncertainty for both employers and employees;
- (3) the inquiry recommended that:
- (a) drug testing should only be undertaken in the context of a comprehensive AOD policy and support framework, developed between employees, unions and employers within a workplace relations context;
  - (b) the government amend:
    - (i) the Occupational Health and Safety Act 2004 to regulate AOD testing;
    - (ii) the Equal Opportunity Act 2010 to prevent discrimination against people who have a medical condition or are taking a prescribed medication;
  - (c) WorkSafe update its guidelines and introduce a compliance code to provide a regulatory framework for AOD in the workplace;

and calls on the government to promptly progress these important reforms.

Victoria's workplace alcohol and other drugs framework is a mess, with discrepancies in workplace testing and no agreed processes. AOD testing can rob workers of dignity and privacy and stigmatises those who are prescribed certain drugs, notably medicinal cannabis.

A couple of years ago Legalise Cannabis Victoria referred an inquiry to the Legal and Social Issues Committee to look into the legal and regulatory framework for workplace drug testing, how that framework for AOD drug testing could be improved, the potential for discrimination and how that might be addressed in Victoria's anti-discrimination laws. The committee recommended broad reforms to our workplace drug-testing regime. Recommendations included amending the Equal Opportunity Act 2010 to prevent discrimination against people who have a medical condition or are taking a prescribed medication and updating WorkSafe Victoria's guidance on AOD policies to include medicinal cannabis and WorkSafe developing a compliance code for alcohol and other drugs in the workplace. The inquiry wrapped up nearly a year ago and the government's response was due in February, but there has been little or no action by the government to respond to the committee's report, much less implement its recommendations. I might add those recommendations were fully supported by the government members of the committee. This is harming workers, causing uncertainty for employers and needlessly jeopardising Victorian workplaces.

Let us have a look at those recommendations. The first one seeks government support for the principle that, outside of mandated industries, drug testing should only occur when employers have a well-founded belief that an employee may be impaired at work and only then in the context of a comprehensive alcohol and other drugs policy and accompanying support framework as agreed by employers, employees and their unions. A major deficiency in our current workplace alcohol and other drugs framework is that the majority of workplace tests screen only for the presence of drugs, rather than impairment. As noted by the Health and Community Services Union, analysis of urine, hair and saliva only indicates past drug usage. No test can detect impairment, and the Australian standards' cut-off levels for detecting past drug use are largely set to minimise the likelihood of false positives. But I remind members that the detection of trace elements of a drug is not equivalent to impairment and that those trace elements can stay in one's system for weeks.

AOD testing can generate and exacerbate stigma and discrimination, and it is often based on outdated ideas about the way people who use alcohol and other drugs might behave and the kinds of people who use AOD. Insufficient precautions to protect a participant's privacy, including access to private medical information, can result in all sorts of assumptions, including that a person might be using drugs illegally. It is hardly surprising that workers are reluctant to expose themselves to such stigma and discrimination by disclosing their use of medication.

One memorable case study I would like to share is of a software analyst who contacted us seeking advice after they disclosed their medicinal cannabis use at work and were promptly suspended and then sacked. They had lived overseas, where they had sustained severe injuries and been prescribed heavy-duty opioids and benzodiazepines to treat symptoms including pain, insomnia and anxiety. These highly addictive drugs come with extremely impairing side effects. After moving to Australia they went through an excruciating withdrawal process and were then prescribed medicinal cannabis. Medicinal cannabis enabled them to sleep and perform their job properly with none of the impairing side effects they had experienced on other drugs. They worked behind a desk. They posed no risk to workplace safety and they were unimpaired, yet they were suspended and ultimately sacked for taking their prescription medication. They did not want to go back to opioids and benzos, understandably, but felt they had no option if they were to find work in Victoria. Frankly, that is appalling. So the recommendation that testing only occur in the context of a comprehensive alcohol and other drug policy and accompanying support framework as agreed by employers and employees within a workplace relations context is very pertinent.

Another concern aired during the inquiry was that it is not clear what AOD policies are actually trying to achieve. It is a reasonable question. There is no legal reason to test workers for alcohol and other drugs outside of a few mandated industries. With no enforceable AOD framework, it is left to employers to decide whether to test their employees and how. A comprehensive AOD framework not only affords protection to employees but certainly also to employers.

What would such a framework look like? Ideally, it would be a standardised and progressive health-led impairment policy developed in collaboration with worker representatives and industry leaders, one that promotes early intervention and best practice responses, upholds worker dignity and privacy and provides peer-reviewed training and education on alcohol and other drugs. It would also include mandatory codes of practice around acquiring and handling samples for AOD testing.

Internationally there is a growing body of case law that regards zero-tolerance policies as unreasonable and advocates for reasonable adjustments to be made for workers on prescribed medications. A contemporary AOD policy must include obligations for employers to make those reasonable adjustments where a worker is unimpaired. I want to be absolutely clear: no-one should be impaired at work, whether that be through the use of alcohol, other drugs, fatigue or stress. But workplace AOD policies need to move away from the fear, shame and stigma that exist around alcohol and other drug use. Policies need to foster openness and empower workers to assess their own limits and if need be seek help for problem use.

Unfortunately, as the inquiry heard repeatedly, the principal document for developing such policies, the WorkSafe guide for developing a workplace alcohol and other drugs policy, is profoundly flawed and woefully out of date. It also contains highly problematic language around drug use, which perpetuates stigma and discrimination. It has not been updated since 2014, four years before medicinal cannabis was legalised in Victoria. As such, it assumes that all cannabis detected in the workplace is inherently illicit. The inquiry found that the absence of specific guidance from WorkSafe on some issues, including medicinal cannabis, has resulted in uncertainty and therefore inconsistencies in the approach taken by different workplaces. Happily, there are recommendations about updating WorkSafe's alcohol and other drugs policies and, critically, a recommendation to develop a compliance code for workplaces, giving practical guidance on how an employer can comply with their AOD workplace obligations. WorkSafe's guide should include information for employers and workers around impairment and safety at work, including the rights to privacy and dignity, the provision of health-led AOD policies and procedures, reasonable adjustments to the workplace, training and advice on alcohol and drugs and, where needed, gambling support. There should also be a public education campaign and AOD-specific training for workplace health and safety representatives.

Recommendation 2 calls for an amendment to the Occupational Health and Safety Act 2004 to include key principles around alcohol and other drug testing. While Legalise Cannabis Victoria is,

unsurprisingly, focused on the discrimination faced by prescribed medicinal cannabis patients, we know this occurs within the wider context of a discriminatory and stigmatising approach to alcohol and other drugs in the workplace. The Victorian Equal Opportunity and Human Rights Commission proposed an amendment to the Equal Opportunity Act 2010 to protect workers taking prescription medication or receiving medical treatment for a disability by amending the definition of ‘discrimination’ to clarify that those actions are a characteristic that a person with that disability generally has. Recommendation 3, then, calls for the Victorian government to amend the Equal Opportunity Act 2010 accordingly.

The right to health is a recognised human right under the World Health Organization and under the *Australian Charter of Healthcare Rights*. We have a right to access the services and treatments that meet our needs. The lack of a standardised, progressive and health-led AOD framework compromises this right, robs workers of dignity and autonomy and undermines their right to privacy, and this is a fact that a Victorian government recognised a long while ago. In 2005 the then Labor government commissioned the Victorian Law Reform Commission to inquire into reforms needed to ensure workers’ privacy was protected and consider the physical and psychological testing of workers, including drug and alcohol testing, medical testing and honesty testing. The report had a lot to say about AOD policies and testing. It recommended the creation of workplace privacy legislation and mandatory codes of practice around the taking of bodily samples from workers or prospective workers for AOD testing, including obtaining written consent from a worker, the specific purpose of testing, what kinds of tests should be used and how tests should be conducted. These are exactly the same sorts of things the committee recommended WorkSafe include in its guidance and compliance code.

It has been 20 years since that report was tabled. Had the then government implemented those recommendations, we would be much further along the road to the comprehensive, contemporary and progressive occupational health and safety laws that we need. The government’s response to the inquiry into workplace drug testing is now well overdue, but hopefully we will not be waiting another couple of decades for a government to pull its finger out. AOD testing is not only limiting, it cannot indicate time of use, quantities, doses or patterns of usage. It is ineffective. There is also little evidence that testing does anything to reduce the risk of harm in the workplace.

We recognise that Labor as a party has a strong commitment to workers, and we have been quite overwhelmed by the support these recommendations have received among Victorian trade unions and union members. We were also heartened by the remarks made by the federal health minister on *Sunrise* yesterday:

I’m a very big believer that people should be protected in undergoing their medical treatment, particularly where that treatment is prescribed by their medical practitioner. ... the first principle must be people should be supported through their medical treatment. There will obviously be questions about using heavy equipment and the like, but I think it is time to have that debate about updating our laws.

It is lovely to see Minister Butler recognising this and also that this matter is being debated in the house today.

The government needs to implement the recommendations of the inquiry into workplace drug testing in Victoria now. We simply cannot afford to wait. Prevention, risk education and training are the things that keep workplaces safe, not the fear, shame and stigma that currently exist around alcohol and other drug use in the workplace. I urge members to support the motion.

**Ryan BATCHELOR** (Southern Metropolitan) (16:00): I am very pleased to rise to speak on the motion that has been moved today by Mr Ettershank about the recommendations of the Legal and Social Issues Standing Committee’s inquiry into workplace drug testing in Victoria – an inquiry that, as a member of the Legal and Social Issues Committee, I participated in. The chamber referred the topic to the committee in August 2023, and following an extension we tabled the report in August 2024. I think it was a really good inquiry. I think it was thorough. I think it was thoughtful. I think it heard from a range of witnesses about the need to examine this – that is, the justification for why this

was a matter of concern. I think it also quite comprehensively stepped through some of the areas of ambiguity that exist in current law. What we needed to do as a committee and what the government needs to do is to very carefully consider the matters raised, because there was a lot of complexity in figuring out the framework that should exist to support the issues around drug testing and the presence in the workplace of people who are impaired by drugs, whether they be prescription or non-prescription, whether they are sold for legal consumption or whether they are not sold for legal consumption in the open retail market. We heard from a range of witnesses in a range of industries. Particularly we did hear some very powerful evidence from members of the trade union movement, and I want to join Mr Ettershank in thanking them for their evidence.

What we heard in the course of the inquiry quite clearly was that – and I think this is the major issue that we are trying to grapple with – the tests that we have got or the accepted standards we have got for understanding when impairment exists for those who are consuming certain drugs varies. We have a very clear and commonly accepted definition of ‘impairment’ for those who have been consuming alcohol, and that is one which we find in our road safety framework: impairment exists when someone has a blood alcohol content of greater than .05 per cent. What the inquiry demonstrated to us was that there is no real clear test for impairment for other drugs. There is an absence of an accepted test for impairment for those who have been consuming cannabis, whether through a prescription or otherwise, just as there is a lack of a test for impairment for people who have been consuming opiates or benzodiazepines, whether they are consuming them under prescription or otherwise. That presents I think a pretty significant challenge for policymakers, for regulators and for legislators to be able to quickly and efficiently provide a clear legislative response to remove those ambiguities.

If there was something that we could point to that said, ‘We know that this percentage of this agent is the threshold at which it is commonly accepted that impairment occurs,’ I think the task in responding to the report would be a lot simpler. But there is not, and it was made very clear by the report itself that we do not use a test for impairment and testing for impairment in these circumstances is quite difficult for a number of reasons. I think it was quite legitimately and quite convincingly put across in evidence that there are certainly people who will test positive for the presence of certain drugs, including cannabis, in their system when there is no evidence of impairment at all. But we do not have a mechanism for us to be able to articulate what exactly constitutes impairment. Without a nationally, let alone globally, accepted scientific standard and without a test that has its basis – as many of the tests do, as we do for alcohol – in some sort of body chemical composition test, rather than where we are at the moment, which is largely in the realm of behavioural tests and perceptions of behaviour, I think we can all agree that bringing those sorts of tests firmly into a legislative framework presents a range of challenges which need to be thought through very carefully.

The other thing that I think is important to just go through is that, given the changes that have been made to the prescription of medicinal cannabis in Victoria, it is the right thing that our workplace health and safety agencies and WorkSafe Victoria have a look to make sure that their policy settings are up to date to take account of the current law. We do know that the application of these issues obviously is different in different industries, and the report itself and the committee itself certainly heard evidence that there needs to be or there can be a continued application of different rules in different industries. For example, the mining industry has some pretty strict rules when it comes to the presence of drugs and alcohol in people’s systems. The transport industry, bus regulation – there are some particular industries with some regulated frameworks that the committee certainly considered that were important to both recognise, understand and maintain.

The other aspect of it which I think is worth reflecting on from the committee’s report is the reflections on the issues to do with the Occupational Health and Safety Act 2004. The report at page 31 says:

Legislators face several challenges regarding medicinal cannabis, as established throughout this Report:

- The term ‘medicinal cannabis’ can refer to medication that has zero (or very close to it) THC or higher amounts of THC.

## MOTIONS

- Highly safety-sensitive workplaces are justified in their zero-tolerance approach to alcohol and illicit drugs, yet workers taking medication said to contain only CBD may test positive for tiny amounts of THC.
- Although it can be said that small amounts of THC are unlikely to cause impairment, defining what is a small amount is difficult.
- There is no accepted test for impairment regarding cannabis.
- Safety risks differ between workplaces and within workplaces.

It goes on in a number of other ways. I think it is important to put that on the public record in this debate, particularly a debate that calls on the government to bring forth its response quickly. What the government is trying to do is consider the report carefully and the range of issues that the report itself articulates as being challenges that certainly exist when seeking to formulate a response to the committee's recommendations – recommendations that were in and of themselves framed to underline the complexity of coming up with a straightforward regulatory and/or legislative response because of the range of issues that need to be considered and the limitations that might exist with current accepted testing approaches to simply go to the implementation of an approach which is advocated, which is that the test should be not for presence but for impairment. They are very significant things that the government has to work through. We would wish it was tabled sooner, but that detailed work is being undertaken, as is further engagement with stakeholders. The Labor government is absolutely committed to ensuring that workplace drug testing treats all workers fairly, respectfully and with dignity, and that not only the report itself but the government's response will be as thoughtful.

**Renee HEATH** (Eastern Victoria) (16:10): I rise to speak on this motion around workplace drug testing in Victoria. I want to start off by saying I really have enjoyed both this inquiry and also the industrial hemp inquiry. Just a shout-out to Mr Ettershank and Ms Payne: I was remarking to my colleague Mr McCracken that you have just been really wonderful, open and honest and really willing to share information. I guess coming into both of these inquiries at the start, I would have thought that I would have been an absolute dead no to all of it, but I have thoroughly enjoyed learning about what can be done with hemp in terms of building material, in terms of the use of fabric and in terms of carbon capture and these different things. But I now can say that I strongly support the use of medical cannabis too. I have actually been amazed at some of the incredible benefits, and I am really thankful for these inquiries and the work that we have done together to come to that. I support that, and I want to acknowledge that this is one of those interesting subjects, because we are balancing the rights of individuals but also the safety of workplaces. This is something that is complex, and I think we need to do quite a bit more work in the area. Mr Batchelor spoke about it quite a bit – that we cannot be testing for just the presence of a substance but the impairment that it causes.

One of the questions that I asked just about every witness that came in was 'How do we test impairment?' Unfortunately – and I think this is an area where we have to come up with better ways – every one of the witnesses said, 'Well, we can't test impairment.' I think this is something that we really have to acknowledge. We cannot disregard that in some high-risk workplaces, if you cannot test impairment – like Mr Batchelor said, there are very clear guidelines with alcohol and you can say there are some situations, like if you are a pilot, where there is absolutely zero tolerance. In other situations where it is a more low-risk work environment there are still standards, but there does not seem to be that with medical cannabis. I think that has to be an area where we move forward and advance and encourage that sort of research.

There are a couple of things we put in a minority report, and there were some findings. I want to go through some of those and just put them on record on this topic. I might actually say that one of the stark differences between the main report and the minority report was that the evidence presented during this inquiry showed that the frameworks often fall short in ensuring the highest standards of safety for Victorians. We rejected several of the premises that the majority report suggested – that the

current framework may be inherently flawed or discriminatory. We wanted for a second to say, ‘Well, hang on. We’ve also got to really highlight the need for safety.’ One of the findings was:

The existing legal framework under the Occupational Health and Safety Act 2004 is inadequate and does not provide sufficient clarity or support for employers to implement effective drug testing policies, particularly in high-risk industries.

What we recommended is that that act needs to be amended. I think this is some work we have to do going forward, or we have to issue explicit guidelines under the OH&S act to clarify the lawful authority of employers to conduct workplace drug safety testing and the circumstances in which it is permitted. The reason, like I explained before, is that some jobs and some areas are just inherently more high risk. This is in a sense a shortfall in itself. I know Mr Ettershank mentioned things like benzodiazepines. I agree that if there is the presence of impairment, it should be treated differently. Impairment is impairment, no matter what medication it comes from or what substance it comes from. I do believe that there have to be some areas and many steps forward in the area of how we are going to test that. The experts need to come up with a way to figure out impairment quickly and in a way that does maintain dignity for people. One of the research papers that I read during the inquiry was around eye movements and eye testing. Are there things like this that we can come up with that will move this in the right direction?

Another finding was that the failure to properly regulate or oversee medical cannabis threatens the legitimacy and credibility of medicinal cannabis as a therapeutic option in Australia. I have actually really loved learning about this. I know many in this chamber know that one of my best friends passed away from cancer last week, and it has just been an absolutely terrible time, the most dreadful pain and things like this. One thing that helped her and that I was a champion of in the last couple of months was medical cannabis, while I would not have been a couple of months ago. So I am very thankful for that. There were fewer side effects, it did not affect her digestive system, and it was a real blessing.

The other finding was that the regulatory oversight of medical cannabis products is inadequate, posing significant risks of unintended workplace impairment due to mislabelled or inaccurately controlled THC content. With the science that we have today, this has got to be something that we are able to measure. Our recommendation is to immediately develop robust guidelines specific to Victoria for detecting and managing THC-related impairment in high-risk occupations, ensuring a balance between employee rights and workplace safety.

I think, in a sense, like all human rights, they often compete with each other. We have the community as a whole and what the expectation is, and we have the ability for individuals to choose these sorts of things. I think this is something that should be a real focus moving forward so people, when accessing the medical health care of their choice, have the ability to do so confidently.

The fourth finding we had was that employees find managing THC-related impairment in the workplace complex and confusing, compounded by the lack of clear, scientifically based definitions of impairment. What we recommended is to demand an urgent federal intervention to implement stricter regulations of medical cannabis products, including mandatory THC labelling standards, rigorous compliance orders and penalties for noncompliance.

I have really loved learning about this. I think there is a lot more work to be done, because health care is changing – it is a hugely changing landscape. I think that medical cannabis, as a special piece of the puzzle, gives people an option that is more natural and that has fewer side effects than other more chemically synthesised options. But I do think that we have to always balance individual freedom, individual rights to access the medical care that you need, and safety as a whole.

We will not be supporting this bill for those reasons. Because of those reasons, we want to see those three recommendations acted on so we can ensure safety in workplaces, particularly in high-risk areas.

**Sarah MANSFIELD** (Western Victoria) (16:19): I rise too to speak in support of this motion calling on the government to get on with it and respond to the Legal and Social Issues inquiry report

on workplace drug testing. Better yet, this government needs to move quickly to implement the important reforms recommended by the committee in its majority report. I concur with Dr Heath – this was a great inquiry. I really enjoyed being part of this as well. It was able to dig deep into an issue and identify clear and readily actionable steps that the government could take. This included sensible recommendations that would not only strengthen workers protections and workplace safety but also provide greater certainty around the obligations of employers. The impacts of these reforms could make a huge difference for many people who are currently facing discrimination based on the type of prescription medicine that they have – those who have been prescribed medicinal cannabis to treat one of the many conditions it can assist with. It has been almost 10 years since medicinal cannabis was legalised in Victoria, and thousands are now accessing this treatment. It is well past time that our laws and workplace frameworks were updated to reflect the present situation.

Workplace drug testing is an odd patchwork of regimens where frequently the test itself is seen as a tool for discharging employers' obligations with respect to creating a safe workplace. At the risk of taking the most radical position in this chamber, and I have previously stated this, this inquiry convinced me that workplace drug testing – at least the types of testing that are currently done – has very limited application, if any. There was little convincing evidence to support its use during the inquiry and in fact plenty to suggest that it is not only pointless but actually counterproductive, because apart from alcohol, there is minimal relationship between the detection of the presence of a drug, particularly with the methods that are currently used in workplace testing, and its association with impairment. Of course it depends a lot on the nature or the properties of the drug itself as well as the individual and their unique biology and how it is going to affect them, how long it stays in their system for et cetera, and it is impairment that should be our focus if we are serious about workplace safety.

Employees risk instant dismissal if they return a positive test for cannabis, and we heard this countless times throughout this inquiry. That is regardless of whether it is prescribed cannabis or whether it actually produces any level of genuine impairment. Further, we only test for some drugs, which are selected somewhat arbitrarily based on their legal status or the fact that the tests are easy enough to produce, not on some sound rational basis where we have thought it through: 'Okay, these drugs are ones we are worried about because they cause a lot of impairment and may be a risk in this workplace.'

So many drugs – legal, illegal, prescribed, purchased over the counter, complementary medicines – can impair someone's motor and cognitive functions. As an example – and I know it is just a one-off example, but I think it is a reasonable one – I once took some valerian. Valerian is a herbal over-the-counter sleeping tablet. You can get it from any pharmacy in the multitudes of vitamins you can select from. You can get it from a herbal medicine store. It is easily available. I took it because I was doing shiftwork and I was struggling to adjust to time zones. I was an absolute zombie for at least 24 hours; it knocked me for six. This is something that would never be tested for, but I was not fit to make a cup of tea, let alone drive or work in a high-risk environment.

The inquiry heard growing concerns that people are choosing to take alternative medications, like opioids or benzodiazepines, rather than take cannabis so as not to fail workplace drug tests, but these sorts of medications can cause more impairment and greater risk. That is not the approach we should be taking if we really care about workplace safety. Sadly, we also heard that some people are left choosing between employment or taking a treatment that they can actually tolerate, and I, again, do not think that is a fair situation to leave people in.

We also – and I think Mr Ettershank touched on this – have to recognise that it is not just drugs that cause impairment at work. Any parent of young children has probably been faced with having to turn up to work on no sleep. I know that is something that I have done on a regular basis. Other health and mental health issues can also have a bearing. We heard during the inquiry that some people stopped taking their prescribed medicinal cannabis to ensure they passed the testing, which in turn left them with greater impairment and reduced function at work because their symptoms were not being controlled. They could not sleep; they were in pain. It then caused significant mental health issues for them. If all we are focusing on is a positive mark on a test – a light flashing up, a line coming up, a

report coming back saying this has been detected in your system – we miss all of that story. If we are genuine about creating safe workplaces, then impairment of workers should be the absolute focus. Identifying impairment, as we have heard – and we heard it through the inquiry – is not a perfect science, but we have to remember that neither is drug testing. We require more research in the area of impairment, as acknowledged by the inquiry, but it is possible. We heard about different tests that can be done. There are different methods that are used in different industries, and I think it is possible to adopt an approach that does make impairment the central focus.

Once that focus is shifted to impairment, how it is dealt with also completely shifts. The responsibilities of employers and workers become clearer. The options focus on reducing risk and impairment rather than how to avoid a positive test sample. Workers are more likely to be open. They are more likely to receive support than punishment, or at least that is how it should be geared. It also sharpens the focus on the need to ensure safe work practices in themselves. We do not want the workplace to create an environment that in turn causes impairment, and there are lots of industries where I think there are poor practices that lead to impairment just through the nature of the work. I accept that workplace drug testing is and will continue to be performed – putting aside my reservations about it – and I certainly accept that in some high-risk workplaces it will absolutely continue to be used. But it is clear that medicinal cannabis needs to be treated like other prescription medicines at the very least and systems to accommodate this need to be developed. It is also absolutely imperative that any testing is done within a framework that respects people's rights to dignity and privacy and focuses on supporting rather than punishing workers. These were critical findings and recommendations from the report, and I cannot understand why the government, particularly one that prides itself on being a party of workers, would object to that. I sincerely hope they would not.

Aside from the importance of the substance of this matter, this is also an integrity issue, and I have to take the opportunity to highlight that. It is frustrating that time and time again the government misses key deadlines. There is a well-established pattern now of the government not responding unless they also have the policy response ready to go, which means sometimes those responses simply do not happen or reports remain buried. Responding to committee inquiry reports is really the tip of the iceberg when it comes to failures of transparency and accountability, and it is time we saw better. That said, I look forward to seeing the government's prompt response and commitment to actioning the recommendations of this report that will, I believe, improve worker rights and safety.

**Michael GALEA** (South-Eastern Metropolitan) (16:28): I also rise to make a contribution on the motion that has been put forward by Ms Payne and Mr Ettershank today. In doing so I acknowledge the importance of this inquiry, indeed one of two such inquiries that this committee that I am on, the Legal and Social Issues Committee, has undertaken into these interrelated areas in this term of the Parliament. We had a recent inquiry into potential models for the decriminalisation of personal use of cannabis, modelled on the ACT model earlier this year, and indeed to which today's motion directly refers. We did have the aforementioned inquiry into workplace drug testing in Victoria, which as my colleague Mr Batchelor noted, was passed as a resolution of this house in August 2023, with our report being handed down in August 2024.

I will come to some other broader comments generally, and in the vibrancy of this place and the many different aspects of vibrancy that we have, one such area is the very full and wholesome committee schedule. Unfortunately, due to that schedule I was actually in, I believe, Public Accounts and Estimates Committee hearings for both days of hearings of this particular inquiry, but I did get some good reports back. Certainly the transcripts made for informative and educational reading, and it was a pleasure to take part in further evidence gathering and deliberation and discussion over this report. I acknowledge the work of particularly Mr Ettershank in being able to come together to come to some very sensible and sound recommendations and findings as a result of this inquiry. It is really important that we do conduct these inquiries. They exist for a reason, and they are a very special part of the work that we do in this place. It is the learning of information, the gathering of new information and challenging that information and putting it to the test.

Whilst I was not there in the hearings for this particular inquiry, I certainly was for the more recent cannabis deregulation inquiry, which I greatly enjoyed. Indeed we had a day of visits and meetings in the ACT and then we had some stakeholders come before us here in Melbourne, and we were able to put those ideas to the test. As you can imagine, with a number of those stakeholders there was some overlap for both inquiries. I note in particular for the inquiry that this motion refers to we saw submissions from groups as diverse as Harm Reduction Australia, the Victorian Trades Hall Council, which I acknowledge, the Penington Institute, Ai Group, the Victorian Equal Opportunity and Human Rights Commission, the Police Association of Victoria and indeed the Drug Advisory Council Australia too. I did have the opportunity of meeting with them and putting some of those learnings from our Canberra visit to them. I did not have the opportunity to discuss the evidence that we heard in my previous statement on the report on that. I did try and succinctly capture the very many thoughts of that inquiry into a 5-minute speech, and I almost got there. But I really do value each and every witness that came before the inquiry, even those who perhaps were not overly burdened by an excess of insight or connection with the arguments that were being put to them; I nevertheless appreciated that input. It is important that everyone has the chance to have their say, and that is why the committee process is so important.

It is also important that governments do take the time to properly and, dare I say, soberly and seriously consider the topic here. As my colleague Mr Batchelor went to, there is a really great need – indeed as Dr Heath touched on as well – to get this right. I know that that work is being undertaken and it is underway. As much as we would love to have had a quicker response in this particular instance, I know it is certainly not for a lack of effort or attention by the government, including in particular by the minister, who has taken a keen interest in it.

We have got various different elements of reform as well. I have had the opportunity in this place, through both a confluence of interest and also happenstance, to have been involved in debates such as the one on medicinal cannabis road testing and testing for impairment there, and I was very fortunate to be in a position to present some amendments on that particular piece of legislation which helped to secure its passage. In doing so I was very appreciative to learn, again, much more in that space, including from the very good report by Dr Tony Parsons, who was in the Parliament and who certainly did a lot of work in facilitating that. As we know, there is the ongoing track trial, because in that particular instance we know just how important for the recovery or indeed easing of pain or treatment of people medicinal cannabis can be.

I do want to take a moment to acknowledge the very moving contribution by Dr Heath. It is an unimaginably hard thing for you to have brought into this place and talked about so openly, rawly and honestly, and I think the chamber and this debate have greatly benefited from that and from your courage in sharing that story today. It underscores the importance of treatments such as this, and there are many people for whom medicinal cannabis is the right option. Going back closer to the substance of this motion today, there are many other treatments that people also rely on, and it makes it all the more important that we do have laws that respond appropriately and that acknowledge safety and the precautions that we need to have in place.

Whether it is for treatment or whether it is for any other proclivities that one might have to take these substances, it is important that we are applying the rules in a fair way. I think there is broad acknowledgement, if I hear correctly from across the chamber, that the settings are not quite working right. We all agree on that. We just need to work out the best way to do that. I again appreciate and acknowledge the support and the tireless effort and deeds of the minister but also indeed the advocacy of my colleagues in Legalise Cannabis Victoria for raising this and reminding us of the importance of this issue, which they have done so very well today.

Just touching on that last point as well, we also do know that there is a track trial in Lang Lang in Minister Shing's electorate and in Dr Heath's electorate underway at the moment, which will greatly inform us. And it is in Acting President Bourman's electorate too. How could I forget you? But the minister Melissa Horne has also been deeply engaged on that issue. I know I am very much looking

forward to seeing the results of that. I did in fact have some very good dialogue with a constituent recently who was asking me about this exact issue and asking what we were doing as a government, and it was very good to be able to say, 'Well, this is what we have done, and this is what we still need to do and what we are still working on.' It was very good to be able to have that meaningful conversation insofar as it pertains to the equity and the fairness of medicinal cannabis whilst driving but also as it pertains to road safety and the many measures that we are doing on that front as well. Indeed there was some legislation that was passed just yesterday to further that, but there is a significant power of work that is being done and is still to be done there as well.

Whilst I would love to be in a position today to provide more indication of the response, I reiterate the point that it is more important that we get this work right rather than rush it. I know that work is continuing, and I appreciate the contributions of all colleagues in this place today as we work towards delivering a framework for workplace drug testing that is as fair as it possibly can be for all parties involved. Being a former union official myself – and I know Ms Terpstra, who is in the room, is also very passionate on this subject, being a former union official too – it is really important that we treat workers with dignity, with fairness and with respect and that they are treated appropriately, justly and fairly whilst we also have that paramount importance of protecting workplace safety. Many more contributions will be made in this chamber today, I am sure, so I will leave my remarks there. But I do very much appreciate the chance to reflect on and to discuss this important motion pertaining to a very important inquiry which delivered its report just under a year ago undertaken by the Legal and Social Issues Committee.

**Joe McCracken** (Western Victoria) (16:37): I want to put on the record my thanks to the Legalise Cannabis Party as well for their motion and for their contribution in the inquiry, along with other members of course as well, which I had the pleasure of being on. I do echo the comments and the sentiment around the chamber that it was indeed a very interesting inquiry and a lot of different things came out of it.

I take the issue very seriously, and making decisions always involves balancing competing interests. It is usually not a balance just between two interests, sort of like a seesaw – if you increase one, you diminish another; I do not think it is as simple as that. It is about balancing multiple interests, and balancing out in a careful, considered and informed way can sometimes be a challenge.

In the motion there are a number of different findings that are highlighted. The alcohol and other drug testing methods that are focusing on presence as opposed to impairment: under the current testing regime the unimpaired employees do face risk of discipline or sacking or those sorts of consequences, and current laws, according to the report, need reform. And then the motion mentions a number of recommendations, such as talk of an AOD policy, amendments to various acts, including the Occupational Health and Safety Act 2004 and the Equal Opportunity Act 2010, and updating WorkSafe Victoria guidelines. That is a selection of some of the findings and the recommendations. But I want to talk about some of the other recommendations and findings as well, because it was clear that there were a number of different views that fed into this and probably the broader context of how this operates. Some of the concerns that were raised were about safety as well.

Finding 3 of the report stated that those who were concerned about the bill believed it would lead to increased cannabis use in Victoria and cited the risk of negative health and social outcomes. Some of the risks they were worried about were things like mental health, cognitive development and potential impact on academic performance. There was also discussion about storage controls and ensuring that minors do not have the ability to consume cannabis. I note finding 4 of the report also stated that stakeholders agreed that there was a need overall to prevent children accessing cannabis due to the risk of negative health and social outcomes. That was a recommendation that all stakeholders agreed to.

Recommendation 2 of the report also suggested that any implementation include a five-year statutory review clause, recognising the need for reform in this space to be accompanied by an appropriate monitoring and evaluation process, which I think is fair enough. Finding 9 of the report also noted that

if the bill passed, for people under the age of 18 drug diversion programs would still be a relevant pathway. The report did not say we should completely get rid of drug diversion pathways, and it is another important element that sort of talks about this in the wider context. It was also noted that the eligibility criteria of existing programs can be rather narrow, and I think it was recommendation 7 that suggested that perhaps some of those eligibility criteria could be expanded so that more people could be considered for those programs.

Apart from the recommendations and the findings that are in the actual motion itself, I wanted to highlight that the inquiry did look at the situation in a very broad sense and made a series of findings and recommendations. Some of the issues raised within the motion are interrelated with other recommendations that I have just gone through now, but also, to be fair, probably wider aspects of lawmaking in society. I guess what I am trying to draw attention to is that it is very difficult to balance out competing interests like that. One of the things that sticks out to me, which I bet everyone in this chamber would not argue against, is that everyone has the right to be safe at work. I do not think anyone in here would argue that is not a fundamental right. The point has been made both by Legalise Cannabis and also throughout the report that the testing arrangements should be around testing for impairment as opposed to how much of a particular substance you can detect in somebody through a test. I guess the challenge to grapple with is that different people have different responses to tests. A person like me – I am not a cannabis user per se – would likely be impaired very quickly as opposed to someone who is a more regular user for a medical purpose. My body reactions would be very different. I will just say that. I do not know what would happen, to be honest.

**David Ettershank** interjected.

**Joe McCracken:** I will leave that one to you, I think, Mr Ettershank. So I guess the question becomes: how do you establish a standard that should be met across the workplace given that there can be varying degrees of sometimes wildly different reactions and responses in users? I know I laughed about my case there, but there is not just one test that tests for impairment. It is quite possible that you have multiple tests that might test for impairment, and you might do different things to establish that. And how do people mask impairment as well? Again, that is just another layer of complexity we can talk about there.

I would probably err on the side of caution in that in a workplace safety has got to come first. Both users of cannabis but also those that might be around them deserve to have a safe workplace. I think of situations where there are examples of heavy plant equipment that is used – I am sure everyone has already thought through a lot of those situations – people that are responsible for driving buses, trains, aeroplanes and those sorts of things. If something for whatever reason is not right, then it is not just the risk of the person who is consuming cannabis; there are obviously others that are put at risk as well. Now, that is not to say that I am not sympathetic to those that, for whatever reason, want to use cannabis for a medical purpose. I know that it is used for pain relief. I know people personally that use it for that purpose. It makes a significant change to their life and their wellbeing and how they can go about their business, so I am not trying to argue that point at all. I guess what I am trying to say is that I think at this point in time more work needs to be done to establish how impairment might be measured and how you implement a standardised sort of approach across a workplace, and a set of different workplaces as well, before we, as the motion says, call for the government to promptly progress important reforms. I guess, probably similar to Mr Galea in a sense, we want to get it right and want to make sure that what we are going forward with has a robust framework around it as well.

In closing, you want to give certainty to employers and employees so they have a clear understanding of what their obligations are so that that reasonable standard that hopefully we come to is understood by all and can be implemented. I am just not sure that that reasonable standard of testing, whatever that case might be, is there yet.

**Rachel PAYNE** (South-Eastern Metropolitan) (16:46): This motion calls for recognition that the current workplace drug testing regime here in Victoria discriminates against people who take

prescribed medications, including medicinal cannabis. As a member of the Legal and Social Issues Committee, I was part of the inquiry into workplace drug testing in Victoria, an inquiry that was off the back of a motion by Legalise Cannabis Victoria in 2023. In this inquiry we examined the legislative and regulatory framework for alcohol and other drug testing in workplaces. We found that existing AOD testing methods largely focus on testing for presence rather than testing for impairment, making them ineffective in preventing risks to workplace health and safety. In fact – and I am sure many in this chamber will recall this – during that inquiry process we heard from many unions that represent workers who disclosed that they are actually not reporting incidents in the workplace out of fear of getting drug tested. So it has the alternate effect of deterring people from reporting workplace safety issues and incidents because they are fearful of getting a drug test, which is the total opposite of what they are trying to achieve. We also found that under the current testing regime, unimpaired employees face the risk of disciplinary action and loss of employment for taking a prescribed medication, including medicinal cannabis. And finally, we found that Victoria's current laws governing AOD testing are outdated and inconsistent and result in uncertainty for both employers and employees.

From these findings, it can be no surprise that the committee recommended several changes to the workplace drug testing regime. These include that:

- (a) drug testing should only be undertaken in the context of a comprehensive AOD policy and support framework, developed between employees, unions and employers within a workplace relations context;
- (b) the government amend:
  - (i) the Occupational Health and Safety Act 2004 to regulate AOD testing;
  - (ii) the Equal Opportunity Act 2010 to prevent discrimination against people who have a medical condition or are taking a prescribed medication;
- (c) WorkSafe update its guidelines and introduce a compliance code to provide a regulatory framework for AOD in the workplace ...

The motion before us today calls on the government to promptly progress these important reforms.

This inquiry confirmed our worst fears. Workplace drug-testing practices in Victoria are discriminatory, disorganised and outdated and lack proper safeguards for employees. The committee's final report was tabled on 27 August 2024, giving the government until February 2025 to issue a response. It is now the end of July, five months after the deadline, and we are no closer to understanding when this government will respond to, much less progress, these important reforms. In trying to encourage the government to respond to this report, we have been handballed from department to department. Where issues are complex and extend across several departments, you would think this would be reason for unity and greater resourcing, but unfortunately it just appears to be a reason to say it is someone else's job, and it is ticked off the list. While these recommendations are handballed between departments, workers suffer – the same workers that this government claims to represent.

Particularly close to my heart is the amendment recommended to the Equal Opportunity Act 2010 that would ensure people living with a disability who are taking a prescribed medication are protected from discrimination. This is vital reform, particularly for those who have lost their job simply for trying to do the right thing and disclosing to their employer that they are a medicinal cannabis patient, and we have heard many cases of that actually happening. It is those people who were front and centre of the committee's work; we listened to their experiences with workplace drug testing and medicinal cannabis. To that end the committee conducted a survey to gather evidence on these issues, and we received 487 responses. Forty-eight per cent of participants that responded to the survey agreed that their employment had been affected by using medicinal cannabis. They cited stigma among colleagues, limited job opportunities, concerns over random drug testing, fears of being fired for disclosure and losing the ability to drive. Alarming, 276 of the people surveyed had been prevented from using medicinal cannabis altogether.

While we cannot know the circumstances of each case and the reasons for the prevention, all too often we know that this is a decision made from the top down. Employers need to meet employees where they are at, have an open mind about why they are being prescribed medicinal cannabis and discuss how appropriate accommodations can be made. The survey found that a failure to do so leads almost half of people to use other medications to replace medicinal cannabis. For some this means instead of using medicinal cannabis to manage pain, they are using other medications, like benzodiazepines, which have a much greater range of side effects.

The committee asked people who declared themselves to be subject to testing in their workplace what industry they work in. It was surprising and concerning to discover that people reported workplace drug testing in industries like retail, tourism and events and education. These findings are symptomatic of a broader issue identified in this inquiry: employers being left to test workers for alcohol and other drugs in the absence of an enforceable AOD framework. The most common industries highlighted in the survey were building and construction and transport and logistics.

It is difficult to have a conversation about workplace drug testing without recognising the relationship it has with Victoria's driving laws. This government's medicinal cannabis driving trial will be completed early next year, and as we understand it, the government will use the data it collects to inform changes to Victoria's road safety laws and definition of 'impairment'. We already know that presence does not equal impairment. They have changed the laws in Tasmania and the sky has not fallen in, and there is no need to wait. When medicinal cannabis patients take their medication as prescribed and are not impaired, they should be able to drive. We do not have prohibitions on people driving while on heavy opioids, and yet even trace amounts of medicinal cannabis are illegal.

My colleague David Ettershank has spoken to the recommendations of the inquiry in detail. I would like to focus on the stories of people who bravely shared their experiences with the committee, many of whom were women who have been prescribed medicinal cannabis. One woman was prescribed medicinal cannabis after dealing with several months of insomnia that left her barely functioning mentally, emotionally, socially and physically at work. Medicinal cannabis helped her finally get a deep sleep with no after-effects. When suffering from insomnia, she was constantly terrified of the dangers she would cause, and her medication now rids her of this fear. Yet many employers would prefer an employee with crippling insomnia over one who is a medicinal cannabis patient.

Another woman shared her fear of not being able to advance from her current position to higher duties because of the medication she uses. She rightly acknowledged that people who take addictive prescription medications are not subject to the same level of scrutiny. We heard about women being denied jobs that they would have loved because their medication meant they would test positive to cannabis, not because they were impaired or unable to do their job.

Medicinal cannabis and women's health are deeply intertwined, and I myself am a medicinal cannabis patient for pelvic pain symptoms, endometriosis and perimenopause. Too often women are shut out of holding positions of power in workplaces, and it is shameful that current workplace testing practices are also contributing to ingraining this kind of inequality in our workplaces. Our current approach relies on a one-size-fits-all punitive response and leaves employees without clarity or support.

The reality is workplace AOD policies should be focused on fostering a relationship of trust between employees and employers and, where necessary, support people to seek help. That is why we call on this government to progress the important reforms highlighted in the inquiry into workplace drug testing in Victoria: because we can do better.

**Jacinta ERMACORA** (Western Victoria) (16:56): I thank the Legalise Cannabis Party for bringing this issue forward and for Mr Ettershank's ongoing activism in this space. It is a very important issue for Victorians, and I would like to thank the many individuals and organisations who made submissions to this inquiry, including the Drug Advisory Council of Australia, the Police

Association of Victoria, the Victorian Equal Opportunity and Human Rights Commission, the Ai Group, Penington Institute, the Victorian Trades Hall Council and Harm Reduction Australia.

The government is currently reviewing the final report and will consider all the recommendations as a part of our response. I want to be very clear that the Allan Labor government is committed to ensuring that workplace drug testing treats all workers fairly, respectfully and with dignity, and that is what I am going to spend some time on in my contribution today. I support a compassionate, fair and evidence-based approach to workplace drug testing. In workplace drug testing, policies are often better when they come from a place of support and understanding rather than punishment. Automatic dismissal can quite frankly be a brutal tool. It is not proven to deter substance abuse, and more often than not it ignores the complex realities that sit behind someone's behaviour. I would say, as I have said on a number of occasions in this chamber, as a former counsellor advocate with the South Western Centre against Sexual Assault in Warrnambool I encountered multiple clients seeking counselling who were using substances to help them cope with PTSD. So it is true that there are often complex circumstances sitting behind substance abuse in the workplace.

Let us be up-front: substance abuse and impairment are not just legal matters; they are health issues, they are social issues and, yes, they are also workplace safety issues. However, treating people punitively without context or care does not make workplaces safer, it simply makes them harsher. A compassionate and rehabilitative approach is not just humane, it is also smart policy, and it is good for business. We know that alcohol and other drug issues are often deeply linked to mental ill health, trauma, chronic stress or illness. These are often signs that someone needs support, and a termination letter is in no way the first or best option. If someone came to work with a broken arm, we would not fire them. We would help them adjust to the workplace and recover. Substance dependence should be treated with the same care.

Many current tests detect the presence of substances that do not cause impairment, and there have been a number of contributions referring to this. Medicinal cannabis, for example: a worker could legally use a prescribed treatment for pain, anxiety or a chronic condition and yet still test positive days later, as has been very eloquently raised in this chamber. Should that person be fired? It does not seem either fair or logical. Workers are far more likely to come forward and seek help or disclose a health issue when they know they will be treated fairly rather than punished without explanation. Unsurprisingly, when people feel safe, they are more likely to act early and are more likely to recover well. Compassionate policy allows for clear procedures, appeals and rehabilitation pathways. Importantly, it also helps employers meet their legal obligations around fairness, privacy and equity.

I want to be clear: this is not about being soft; this is about being effective. Workplace safety is best achieved through managing risks, not through punishment. Drug testing should be a tool to prevent harm, not to catch people out. A one-off test taken out of context does not tell us whether someone is actually unsafe at work, yet when combined with a good risk assessment, proper supervision and genuine support it becomes part of a responsible and just safety culture.

At a broader level, a compassionate approach also makes economic sense. Replacing a skilled worker can cost 50 to 150 per cent of their salary. However, workers who receive support and are retained through tough times often become the most loyal, grateful and productive members of a team. Compassionate policies can build a culture of inclusion, dignity and mutual respect. These qualities are highly valued in modern workplaces, particularly amongst millennials and gen Zs, for whom many employers are competing.

In today's climate, workplaces are being held to higher standards. Under Victoria's updated workplace safety framework, employers are expected to uphold psychosocial safety as well as physical safety. Employees are increasingly seeking workplaces that prioritise support, flexibility and mental health, not outdated, punitive approaches, a shift that reflects the broader attitudes of our community towards addiction, towards disability and towards lawful use of prescribed medication.

These are views backed by both health professionals and unions. The evidence supports this. Unions have long advocated for alcohol and other drugs policies that are comprehensive and balanced: testing only when there is a reasonable suspicion of impairment, education and peer support, referral pathways and genuine consultation with staff. Health experts agree that early intervention and wraparound care are more effective than fear-based approaches.

Every person deserves the chance to be safe, supported and productive, rather than enduring silence or shame. Let us build workplaces where people can speak up, can seek help and can contribute meaningfully even when life gets hard. This is the Labor way: equality of opportunity, valuing workers and their rights, supporting the vulnerable and listening to unions, communities and local voices. I will end my contribution there.

**Georgie PURCELL** (Northern Victoria) (17:03): I too rise to briefly speak in support of the motion before us and in doing so join the calls for the government to respond to the now overdue recommendations of the inquiry into workplace drug testing. I thank my colleagues from the Legalise Cannabis Party for bringing this to the house today, and I would really like to acknowledge the work of Ms Payne and Mr Ettershank in advocating for the rights of medicinal cannabis patients across Victoria and beyond.

It has been nine years since Victoria first legalised medicinal cannabis, and today it is estimated that over 400,000 Victorians use cannabis to treat a range of conditions, including chronic pain and sleep disorders. For many, this represented the very first time their symptoms were successfully managed by a medication, and for others, medicinal cannabis was a medication with far fewer and less harmful side effects than the alternatives that they had used in the past. Despite this, our workplace drug testing framework has remained the same, and it is fundamentally flawed. As many have already mentioned today, it focuses on the presence of substances in someone's system, not on whether they are impaired for duty at work. That distinction is critical. We have heard far too many cases of unimpaired workers doing the right thing and disclosing their medicinal cannabis usage to their employer, only to face immediate dismissal.

Critical to solving this is recommendation 3 of the inquiry, which proposes amending the Equal Opportunity Act 2010 to prevent discrimination against people who have a medical condition and are taking a prescribed medication. This would protect not only medicinal cannabis patients at work but also all Victorians with a disability or a chronic illness who have found a medication which alleviates their symptoms. No worker should face discrimination due to their chronic illness, and as someone who lives every single day with a chronic illness that often manifests in chronic pain and is invisible to so many in society – and I know Mr Ettershank deals with the same thing – I can speak to the many, many patients that suffer from my autoimmune condition, and medicinal cannabis has absolutely changed the entire course of their lives and the way in which they can function every single day. The inquiry also recommended amending the Occupational Health and Safety Act 2004 to create more consistency when it comes to workplace drug testing and to further enshrine privacy and dignity for all workers. I would really encourage the government to consider the review of both of these acts more broadly, with a particular focus on improving discrimination protections for workers. The recent vilification legislation made great strides, but clearly there is so much more that can be done.

Victorian workers deserve laws that are fair, consistent and modern. Employers deserve clarity so they can implement policies that protect safety without trampling on the rights of their staff, and people living with chronic illnesses deserve dignity while managing their conditions in a way that works for them and for their doctors. Presence-based drug testing does not make workplaces safer. It is an ineffective tool that punishes workers rather than addressing genuine risks. For those reasons I commend this motion to the house today.

**David ETTERS HANK** (Western Metropolitan) (17:07): May I start out by thanking all of the members who have contributed to the debate this afternoon for their very thoughtful and frank contributions. I would also like to thank all of the many organisations and individuals who participated

in the inquiry process and who appeared before the committee. I think it was, for all of us, a big learning curve. It was a great experience, and I think the quality of the recommendations that have come from that reflect that richness of thought.

Dr Heath and Mr Batchelor both talked about the difficulties associated with impairment testing, and I think clearly that is an issue. It is for that reason that one of the findings of the inquiry is that workplace drug testing should only occur where there is a well-founded concern that a worker is impaired. In other words, it is not a simple random act, it is not a coercive act; it is one that takes into account concepts of due process and natural justice and is premised upon the observation of impairment. That is a fairly simple test to make, and it is only reasonable that workers not live in fear on a daily basis that they will be discriminated against, stigmatised or victimised simply for taking a prescription medication.

Dr Mansfield talked about the fact that all too often current testing is actually counterproductive. That is, again, very often because what we are seeing are coercive or prejudicial alcohol and other drug policies that assume a level of guilt, ignorance or abuse by workers. I think we really need to push back against that, and I know the government is committed to pushing back against that sort of stereotyping of people who consume alcohol and other drugs. Also, in addressing these questions we need to have a health-based approach that reflects best practice and that reflects a harm minimisation approach to dealing with issues such as this. Mr Galea talked about the closed-track driving trial. I think a number of us were a bit disappointed when we went out to the closed-track driving trial. What was promised in the early scoping documents for that trial included extensive testing of different impairment methodologies, and in fact was no longer the case. This does strike on a motion that was moved by Mr McCracken to actually learn more about this question, including the incorporation of the findings from the closed-track driving trial.

Ms Payne talked about the Equal Opportunity Act 2010 amendment, and I think it is a great example of a change that the government can do really quickly and with minimal further delay. What we saw in the inquiry was that the Victorian Equal Opportunity and Human Rights Commission came before the committee advocating for this change, and not only did they advocate most persuasively about the need for change but they even provided drafting for amendments to the act. I guess this is a good example of where we say that the pursuit of perfection should not be the enemy of the good. There is more than enough on the plate here for the government to make meaningful changes both to the Equal Opportunity Act and also to the Occupational Health and Safety Act 2004.

We implore the government to pull its finger out and make these changes. They are needed to protect workers. It has broad support within the labour movement, and there was a high level of consensus within the committee. With that I thank the members and commend the motion to the house.

**Council divided on motion:**

*Ayes (20):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

*Noes (13):* Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Rikkie-Lee Tyrrell, Richard Welch

**Motion agreed to.**

*Business of the house***Notices of motion and orders of the day**

**Renee HEATH** (Eastern Victoria) (17:18): I move:

That the consideration of the remaining notices of motion and orders of the day, general business, be postponed until the next day of meeting.

**Motion agreed to.**

*Statements on tabled papers and petitions***Yoorrook Justice Commission***Yoorrook for Transformation: Third Interim Report*

**Sheena WATT** (Northern Metropolitan) (17:19): I rise today to acknowledge the release of the *Yoorrook for Transformation* report, the third and final report of the Yoorrook Justice Commission. I express my solidarity and gratitude to everyone who gave evidence to this inquiry. As a proud Yorta Yorta woman and member of the Victorian Parliament, I offer my deep respect to the commissioners and to everyone who gave evidence to this inquiry. I also thank commissioner Travis Lovett – a proud Kerrupmara, Gunditjmara and Boandik man – and the entire Yoorrook team for delivering a powerful account of systemic injustice in Victoria.

I remember the last time we gathered in this place, he had just walked and arrived with his Walk for Truth. You see, this report is a record of truth. It exposes a systemic injustice inflicted on the First Peoples of Victoria across every domain of life – land and water, health, education, housing, economic opportunity, political representation and access to records. It is a record of resistance, of generations of First Peoples who have fought for their rights and who continue to lead the way in transforming the systems that have failed us. The findings of this report are confronting, but they are not new to us. First Peoples have lived the reality of these injustices every day for over 200 years, and our truths have been too often ignored, silenced or rewritten. The strength of this commission is that it listened to and centred the voices of First Nations people.

On land justice, the report details that while the state of Victoria holds approximately 8.8 million hectares of land, only 59,075 hectares have been returned under Aboriginal title, despite a commitment to return over 1.2 million hectares. This is less than 5 per cent of what has been committed to be returned to traditional owners under Aboriginal title. These are not just numbers, they are generations of dispossession and the unfinished business of restoration and recognition.

On housing, the commission focused on a crisis compounded by decades of disinvestment and exclusion. First Peoples in Victoria are 10 times more likely to use homelessness services and are significantly over-represented in social housing. These outcomes are a direct legacy of forced removals, of missions, of reserves and ultimately of land theft. Minister Shing, as the Minister for Housing and Building, rightly described the current situation as an abject failure.

On health, the findings are equally confronting. First Peoples in Victoria experience nearly double the rate of cancer, more than double the rate of preventable hospitalisations and triple the rate of suicide compared to non-Indigenous Victorians. Racism in health care is still very much seen today, and 20.6 per cent of First Peoples in Victoria reported racism in health settings. The public health workforce remains overwhelmingly non-Indigenous at 99.6 per cent. The commission rightly centres self-determination as the essential condition for transformation. It outlines that self-determination must mean control over our system designs, resource allocation and decision-making authority – not just consultation, not just advisory roles but power. The report found that Victoria has failed to deliver on its stated commitment to self-determination.

The work of Yoorrook is a milestone on our shared journey of truth-telling and of treaty. It builds on decades of resistance and leadership by First Peoples, and it creates space for reflection and for

transformation, not only within government but across every institution in this state. We are not at the end of a truth-telling process, we are at the beginning of an accountability process. To those who testified: your truths changed this state. You have forced Victoria to listen. Your courage has laid the foundation for genuine reform, and this report is your legacy.

I call on all levels of government to act, to fund what has been promised, to legislate what is long overdue and to govern in partnership with First Peoples. For too long First Peoples have been dictated to by everyone other than themselves. This is a larger part of taking back control over our own futures. We can only do that by recognising the past. Let this be the turning point. Let Yoorrook be more than a report; let it be a catalyst, a promise kept. There is no time for any more excuses. I commend Yoorrook to all in this chamber and this Parliament and indeed to all Victorians.

### **Remembrance Parks Central Victoria**

#### *Report 2023–24*

**Wendy LOVELL** (Northern Victoria) (17:23): I rise to speak on the Remembrance Parks Central Victoria annual report for 2023–24. I actually thought that I had probably come to the end of speaking about this cemetery trust and to the end of my disappointment with the profound mismanagement of this cemetery trust, but once again they shocked me on 1 July. What we have had in the past year from the cemetery trust has been not one but four price rises. The shock announcement of the fourth price rise in a year for burial costs at Remembrance Parks Central Victoria raises further doubts about the trust's leadership, the chair particularly, and the board's ability to govern this cemetery trust. There has been a massive hike in the price of standard lawn graves for new sections of the cemetery, and it will mean that grieving families face potential cost increases of over \$1600 – a more than 86 per cent cost increase to bury a loved one in newly developed areas at RPCV cemeteries in central and northern Victoria, including sites in Greater Bendigo, Greater Shepparton and Donnybrook.

In 2024 RPCV raised their fees by the statutory CPI increase on 1 July. The cemetery trust then made the controversial move to further increase prices by 14 per cent in December 2024 after a price and product review, and that was followed by a third increase on 1 July 2025 in accordance with CPI. The CPI increase that is built into cemetery trusts is supposed to keep the costs of purchasing their products in line with the cost of living and in line with the cost of developing new sections of the cemetery, but this cemetery trust had not only the CPI increase on 1 July 2024 but also a 14 per cent increase in December, which they said was to catch up because they had fallen behind in keeping up with the cost of burials. They had their third increase for the year on 1 July 2025 in accordance with the CPI, but then a day later, on 2 July 2025, RPCV announced a fourth price increase in the form of a new and much more expensive fee structure for graves in newly developed sections of their cemeteries that open after July 2025.

There are new sections already being developed in Eaglehawk and in Pine Lodge. Standard lawn graves in all newly opened sections will now cost \$3600, which is \$1665 more than the standard lawn grave currently costs at the trust's White Hills and Kialla West cemeteries. That is an 86 per cent increase. A standard lawn grave at Axedale will increase by \$1180, or 48.8 per cent. At the remaining locations, including Bendigo, Eaglehawk, Kangaroo Flat, Pine Lodge and Donnybrook, the standard lawn grave will increase by \$730, or 25.4 per cent. Funeral directors and family members caring for ageing parents are now deeply concerned that, as existing sections of the cemeteries quickly fill up, the current fee structure for those plots will soon no longer be available. Families seeking a resting place for their loved ones will then be forced to pay the new and much more expensive fees that will apply to all new sections of the cemetery.

This cemetery trust is completely out of control. They have no idea what they are doing. This massive fee increase, of course, follows a series of operational, financial and governance scandals at RPCV that I have outlined in previous contributions. Massively increasing the fees for standard lawn graves at RPCV cemeteries shows that the trust board and chair are completely out of touch and do not understand the financial pressure that families are under during a cost-of-living crisis. The current

chair has overseen a series of operational, financial and governance scandals during her tenure but has avoided scrutiny by failing to table annual reports or hold annual general meetings. The Allan Labor government reappointed the chair just in time to announce a massive increase in fees, demonstrating Labor's obsession with taking money from the pockets of Victorian families to cover its own financial incompetence. Labor cannot manage money, they cannot manage cemeteries and Victorians are paying the price.

### **Electoral Matters Committee**

#### *Inquiry into the Conduct of the 2022 Victorian State Election*

**Ryan BATCHELOR** (Southern Metropolitan) (17:29): I rise to make a statement on the Electoral Matters Committee inquiry into the conduct of the 2022 Victorian state election, which was tabled on 30 July last year. We are told from a young age that it is good to tell the truth: it fosters trust in those we are truthful to and creates binding relationships. The Electoral Matters Committee understood the importance of trust in Victoria's public institutions and its impact on the conduct of the 2022 state election. The report on page 147 says:

The Committee was disappointed to see members of Parliament amplifying inaccurate information that undermined trust in the electoral system.

The report goes on to say:

Members can give authority to information and therefore have a duty to be cautious in what they say.

In this report the committee found a link between the conduct of us as members of Parliament, the way we describe what is happening to our community when we tell mistruths and the erosion of trust in our electoral system. Our democratic system is fragile. It is based on a social contract between elected representatives and the public that we represent them to the best of our abilities. People rely on us and take validity from our words. We have an obligation. All of that is at risk if, for our own political advantage, we tell a mistruth here or there, spreading misinformation or disinformation. The 2023 national survey of trust and satisfaction in Australian democracy revealed that 43 per cent of Australians are not satisfied with our democracy. I made some comments about this in November last year, and I make a similar plea to members today again to reflect on their words and the implications of them, because people's words are powerful.

We have seen already today in amongst some contributions how mistruths continue to be spread by members of this place both here and in communities to score political points, to create outrage and to evoke fear. We heard Minister Shing during ministers statements today quite comprehensively debunking the claims that were being made by the Greens and others about their assertions about the redevelopment of the public housing towers in Melbourne. As Minister Shing said today, the towers are not being demolished while people are still living in them, despite the claims that are being made by some. These redevelopment sites are being worked on at the moment. The government is not selling that land in these redevelopments, despite the claims that are being made by some. And of course the redevelopment of these public housing towers will increase the amount of social housing provision in this state, again contrary to the claims that are being made. Falsehoods have been continuously spread for months, and every time they are, they continue to undermine trust that people have in our institutions and they continue to undermine the operation of our democracy, and that does not support anyone. We hear it again and again from those opposite when they spread mistruths about things like the Emergency Services and Volunteers Fund, mistruths that are being whipped up by those on the opposition benches to perpetuate fear and division in the community – many baseless statements calculated to spread and confect public outrage. We know, in the context of some very distressing circumstances that we see unfolding in the Middle East, in the war in Gaza, the way that some have engaged in debate by spreading mistruths, by spreading falsehoods, for their own political gain, including the claim that is regularly made that Labor is arming Israel.

This is not unrelated to the increase in the temperature in our community. The way that misinformation, the way that disinformation, is being exploited and utilised for political gain is causing division in our communities, and it is having an impact on so many. We know the fear that many in our community, particularly many in our Jewish community, live in from encountering lies and hate on our streets. We have seen some exceptionally reprehensible incidents, and I think that as we try and take action as community leaders to calm tense situations we all have an obligation to watch our words so very carefully.

### Department of Parliamentary Services

#### *Report 2023–24*

**Sonja TERPSTRA** (North-Eastern Metropolitan) (17:34): I rise to make a statement on a report, and today I want to focus on workplace relations. But as the parliamentary proceedings dictate, I must speak on a report tabled in this house. So for these purposes, I wish to speak today on the Department of Parliamentary Services annual report 2023–24. The report from the Parliament of Victoria outlines a year focused on consolidation and strengthening democracy. There are a range of other highlights as well, but for my purposes today, I am going to just focus in on the workplace environment. In this case it is DPS, but it could quite easily be any other public service agency or organisation. The principles or ideas in terms of diversity will easily apply to many.

Many white-collar organisations pride themselves on offering inclusive, safe and diverse workplaces. And yet, whilst there is detailed and well-intentioned work going on inside these organisations, often the stated policies miss the mark, particularly when it comes to intersectionality. A quick scan of DPS diversity policies reveals that the word ‘class’, for example, is not recognised as an intersectional issue anywhere within those policies. For example, the DPS annual report speaks about offering a contemporary workplace that offers a ‘modern, forward-thinking workplace that provides a safe and flexible environment for all staff and employees to be their best selves’ and also an engaged and valued workforce where ‘employees will feel empowered and confident and made to feel their contribution is valued’.

When we look around other public service organisations, do we really see diversity? Are these values really engaged? Are there Indigenous people, people of colour, people with disability and people with neurodiversity employed amongst its ranks, or is it populated by Melbourne University educated workers and the like? Gone are the days when a young public service employee could start out in the mailroom and work their way up through the ranks of the organisation and nary a qualification was required. While some might scoff at this practice, it actually provided pathways for working-class kids to gain access to well-paid and secure work.

This leads me to what I want to discuss today, which I just touched on briefly, which is an intersectional issue that is about gender and class. We are all defined by multiple interconnected aspects of our identities. It is not just about being a woman, being from a working-class background, being a person of colour, having a disability or being neurodiverse; it is about how these different facets of who we are combine to shape our lives and intersect with the world. The theory urges us to move beyond what is called single-axis thinking, requiring us to look beyond one form of discrimination or isolation. For example, if we are just discussing gender equality in the workplace, a single-axis approach might focus solely on the challenges faced by women, but an intersectional approach would ask: are all women experiencing the same challenges within that organisation? A woman of colour and a woman of a different class background, for instance, might face not only sexism but also subtle forms of racism and microaggression that a white woman may not face. These experiences are not simply additive; they are intertwined, creating a distinct and often more profound set of hurdles. Her passion and forms of expression can often be seen by ruling-class people as challenging, difficult or hostile, which of course they are not.

But upper-class cultural norms put women from a different class background at a true disadvantage. Are workplaces populated with people intent on rendering at one another microaggressions, fakeness

or toxic positivity in a work environment full of moral thought police? In essence, the double bind means that for working-class women their gender and class identity combine to create a unique set of pressures. They face the general challenges of being a woman in professional environments and specific biases and disadvantages stemming from their class background. It makes it difficult to navigate professional spaces. Their interactions are often misinterpreted; burnout can occur and also slower career progression, and these are only surface level. Attention is given to these issues, but it misses the apparent biases that operate on the intersectionality of identity.

There are two more examples of conflicting expectations of professionalism. Women from a different class background might be expected to embody certain professional norms – for example, communication styles, networking etiquette or social graces – that are often implicitly aligned with middle-class or upper-class cultural capital. If they do not naturally possess these attributes, they might be perceived as less competent. Then of course there is underestimation of their ambition. While they might be ambitious but unable to express themselves in a similar manner to those in the upper-class cohorts, their resilience and hard work can be misinterpreted in favour of perceived natural fit: do they not naturally fit? In essence, the double bind is that these women face contradictory expectations of disadvantage due to the combined impact of their gender and socio-economic class.

### **Victorian Auditor-General's Office**

#### *Work-related Violence in Government Schools*

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (17:39): When I began my career in education – embarrassingly enough, in the 1990s – the key role of teachers was to help students learn, and significant time was given to instruction. But today we find that teachers – and they did this in the past, and I did this in the past too – are operating as counsellors and mentors, and in some cases now teachers are even having to operate as security guards within their classrooms.

The report *Work-related Violence in Government Schools* tabled in May 2025 shows that after a decade of Labor – in fact we have actually had 12 years of Labor – classrooms are no longer just a place of learning. They have become a front line for forceful and violent behaviour in some cases. Since Labor has been in government, work-related violence from student behaviour has risen by nearly 47 per cent annually between the financial years of 2015, when they came into power, and 2024. If we look at the results here, the department's recorded OH&S incidents involving government school staff grew from 8908 incidents in 2014–15 to 30,675 in 2023–24, an average 27.2 per cent increase each year. During the same period, the department has reported an average of 46.7 per cent growth in recorded incidences of work-related violence resulting from student behaviour each year, from 2279 incidences in 2014–15 to 11,858 in 2023–24. Now, if you adjust this for staff numbers and growth, this is an average of 31.4 per cent growth.

The other issue here is that nearly 30 per cent of incidences are not included in departmental OH&S reports, exposing systemic under-recording and under-reporting. Twenty to 25 per cent of teachers feel unsafe in their workplaces. This, combined with additional administrative burdens and insufficient support and guidance, is driving teachers out of the profession. It is not the only thing driving them out of the profession, I might add, because the amount of work that teachers are having to do for preparation and the additional burdens that the government has placed on them to continually be adding things into their curriculum has made it incredibly stressful. Fortunately, there are a number of schools that have been leading the way, in spite of the government, in teaching and giving explicit instruction in the classroom so that students are actually learning, and now, finally, the government is getting on the bandwagon and realising that this is a good thing.

Rampant violence, funding cuts and a lack of transparency have become defining marks of the Allan Labor government. We are seeing the consequences of this neglect in our schools and increasingly on our streets, with at-risk students becoming serious repeat violent offenders. This sort of nonsense cannot continue, and we need the government to continue to act by ensuring honest and transparent reporting so we understand the full extent of the problem and by providing proper support for teachers

and seriously addressing the root causes of this violence. Violence in schools must not be treated as a minor occupational hazard. Teachers are continually leaving the profession. Many choose to be relief teachers over taking a classroom on a full-time or part-time basis because of the administrative burdens and the amount of work that is required of them when they are having to prepare lessons and also mark the work. So we are finding more and more teachers are opting for casual relief teaching. It is simply too difficult. This government is not getting behind teachers, and it is not helping them sufficiently. We cannot expect to attract and retain high-quality teachers while turning a blind eye to the risks that they face every day. I might add that I have had the great pleasure of visiting some schools that have been using explicit instruction, and it actually curtails a lot of the distractions in the classroom and prevents violence and interactions that are unhealthy for students.

### **Department of Treasury and Finance**

#### *Budget papers 2025–26*

**Melina BATH** (Eastern Victoria) (17:44): I would just like to make a couple of comments in relation to the budget papers relating to public land and forests, and indeed budget paper 3, page 112, is a good starting point. In doing so I just want to acknowledge the fact that I think this government is in a real quandary, and the state of our public land forests is at a huge disadvantage because it does not know whether it is coming or going. We see this in the budget papers. The budget forecast for 2025–26 for public land and forests has \$313 million allocated. Indeed last year the money that was spent was \$422 million, so in effect in this budget there has been a cut by \$108 million – a 25 per cent reduction in forecast spending – in the public land space. Some of this has been evidenced by park rangers that have had their jobs cut and park services that have been suspended, and I want to just highlight a couple of very distressing ones from my Eastern Victoria Region.

There is the fact that Parks Victoria have, sadly, had the squeeze put on them and the government has said to cut services, and they have cut the junior rangers program in Eastern Victoria Region. They have cut it. What a fantastic program – talk about encouraging and educating young children around what it means to be in the bush and what it means to understand the connection to nature and biodiversity, from bugs and things that are on the creek beds to plants and indeed fauna. They have cut the rangers program, and this is just one example of where they have actually cut operational services.

Other ones that the government is looking to cut, unfortunately, relate to things I would consider core business, which are pest and weed management and indeed keeping tracks open. The government is saying that it has done this review and that there has been a review submitted to government, but we have not seen that as yet. Nobody has got clarity on what that will actually mean, but based on this budget paper we are seeing a reduction in expenditure on our natural environment.

Indeed one of the other sad activities that I am sure many of us in here have been to is the William Ricketts Sanctuary. Talk about connecting with nature, connecting with spirit and connecting with the spirit of our traditional owners – this amazing space, this sanctuary, is a place that I took my boys many years ago. It is a truly wonderful place. It is closed because of weather damage and storm damage, but it is still yet to open. When we see so much money being spent in a variety of places, surely facilitating the reopening of this very beautiful and very special sanctuary in the Dandenong Ranges – it is again reflective of a government that seems to have its priorities wrong in this space.

Finally, a fantastic young parliamentary intern has just presented to Parliament. She was my intern, and she went and investigated in a most fulsome way biodiversity in the national parks estate. I gave her some parameters, and then off she went. She discovered and discussed this with a variety of stakeholders, from environmentalists to the Wilderness Society to local community groups to individuals, and some of her findings on systemic barriers to biodiversity conservation – lo and behold. She is a cleanskin with a focus. She has just won a very high achievement with this report. Her key findings were that biodiversity is declining in the Victorian national parks estate; systemic factors are influencing the effectiveness of mitigation in the national parks estate; and key risks to the national

parks estate include insufficient funding, insufficient monitoring, a declining ranger force and difficulty retaining youth volunteers. That is what the government has done – it has cut rangers in our region, and that is a very great shame.

### *Petitions*

#### **National parks**

**Wendy LOVELL** (Northern Victoria) (17:49): I move:

That the petition be taken into consideration.

I rise to speak on the petition that I tabled on 27 May this year, bearing 11,974 signatures and so qualifying for debate in this house. The petition requests that the Legislative Council call on the government to not create the Wombat–Lerderderg National Park or Mount Buangor National Park and keep state forests open for public access and the enjoyment of traditional activities. I fully support the petitioners' request and call on all members of this house to support the take-note motion on this petition.

This is not the first petition to come before Parliament concerning the Allan Labor government's plans to create new national parks. The government has flagged its intention to pass legislation to combine Wombat State Forest with the Lerderderg State Park to create the Wombat–Lerderderg National Park, covering 44,000 hectares between Bacchus Marsh and Daylesford. But this plan is vigorously opposed by bush users from all over Victoria, who are seriously worried that converting state parks and forests to national park status will lead to the continual restriction of activity in the area until Victorians are effectively locked out of their own public land.

This petition is the third this year, with a record number of signatures, and they have all been against new national parks. Back in May we debated a petition sponsored by Ms Bath that had over 40,000 signatures, the biggest petition Victoria has ever seen, and there was a petition tabled in the other place by the member for Narracan that had almost 14,000 signatures. Altogether, over 66,000 Victorians have signed the three petitions saying they do not want new national parks in Victoria. Wherever they live in Victoria, whether they live in the city or travel out to our state forests, the people who signed this petition are people who use and enjoy public land, who make the most of the Victorian bush, walk their dogs, fossick for gold, fish, hunt, drive and explore back-country tracks.

Lisa Neville, a former Labor government minister, led a taskforce looking at whether there needed to be any further national parks in Victoria, and that report recommended that no new national parks be created in Victoria. But disappointingly, the government specifically prevented Lisa Neville and her committee from looking at the areas that will be contained in the Wombat–Lerderderg and Mount Buangor national parks. The Allan Labor government should listen carefully to Lisa Neville and the voices of those who signed this petition, but all the signs are that Labor will ignore bush users and push ahead with its plan to close off the forests.

In August last year at the bush summit in Bendigo Jacinta Allan herself publicly promised not to restrict activities in Victorian state forests, saying, 'I will never put a padlock on our public forests,' but just seven weeks later the Premier revealed that promise to be a lie and confirmed Labor's plan to convert state forests into national parks. The government claims that converting state forests into national parks will not have any impact on bush users. The Minister for Environment said that most existing recreational activities will be able to continue in the new national park, but we know this is an empty promise. Jacinta Allan cannot be trusted to keep her word and keep the state forests open. Once public forests are turned into national parks it will only take a flick of the pen for a Labor minister to change the rules, tighten restrictions and lock bush user groups out of the forests and parks.

Creeping restrictions will eventually end traditional activities that Victorians have enjoyed in their public land for so long. Deer hunting will be allowed but only during permitted seasons and in permitted areas. The proposed national park area is a top 20 per cent priority area for deer control in

the *West Victoria Deer Control Plan 2023–28*. If we want to protect the flora and fauna in the Wombat State Forest and Lerderderg State Park, then we need to make it easier to hunt and control deer in those areas, rather than making it harder by imposing national park status and the restrictions that will come with that. Labor says that camping will be allowed but only in designated camping sites, effectively ending the right for all Victorians to freely camp and light cooking fires in state forests. Four-wheel drives will be allowed but only on certain tracks. Four-wheel drivers often clear the tracks of fallen trees as they drive around, but once tracks are closed they will no longer be cleared and they will become overgrown. That may then end up blocking access for CFA trucks that are rushing to respond to fires in the parks. Collecting firewood will be banned, meaning fuel loads will build up in the forests, increasing fire risk. The Labor Minister for Environment has said that dog walking and horseriding will be permitted but only in areas specified by the land manager. The devil is in the detail here, and Labor will restrict those activities further.

**Jacinta ERMACORA** (Western Victoria) (17:55): I thank Ms Lovell and the many people who have signed this petition. I think really we have probably got furious agreement here. Our government is very committed to Victorians entering and enjoying national parks and our public open spaces. I think the signatories to this petition are very much expressing a desire to engage with the natural environment and in particular with our wonderful public lands in Victoria. Thanks to each of the people that signed the petition and got involved in this.

Victoria's forests are the heart of our state. Our forests are spaces for families to experience their favourite activities like camping, fishing, hunting and walking. We see a future where the benefits of our forests are enjoyed by all Victorians. The great outdoors is to be experienced and admired, not locked away. Our focus is bringing more families to the bush and more jobs to the regions while making sure we protect what Victorians love most about the bush. Across Victoria we have 8 million hectares of public land; around 40 per cent of our land mass is public land. We are incredibly lucky to have a varied and unique landscape, from stunning coastlines to rugged forests, from chilly mountain peaks to dry grasslands. This land is there for the public to enjoy, to do activities they love, whether that be hiking, camping, fishing, hunting, mountain bike riding, horseriding or birdwatching, and much, much more.

I myself enjoy mountain bike riding. I have ridden at the Sawpit in Narrawong through the beautiful tracks there. I have ridden on the rail trail from Camperdown all the way through to Timboon and Port Campbell. I have ridden at Mount Buninyong near Ballarat. I have great aspirations to ride at Creswick. I have not been there yet; I am very jealous. I have ridden on the Gold Coast at Nerang in the beautiful mountainsides there; in Newcastle through mud and water – it really was not a lot of fun at Newcastle; at Mount Stromlo in Canberra – the rocks and the steep hills were fantastic; at Mount Majura, with the beautiful pines; and on tracks in Nelson in Victoria as well. I must admit I have ridden on the little mini mountain bike tracks in Warrnambool. They are not as good as Forrest, which are probably what I would describe as my home tracks. There are a lot of tracks at Forrest in the Otway Ranges, and that is where I frequently ride.

As someone who thoroughly enjoys national parks, I fully understand – and so does the Allan Labor government – the joy of exercising in the natural environment but also at the same time showing respect to that natural environment and improving our own health. So I am extremely supportive. As I said, I think we are in furious agreement that national parks are for all Victorians, and we absolutely should not be locking them up. That is why we have to find a balance between ensuring the places we love survive for generations into the future but also maintaining that accessibility. Certainly with mountain bike riding, I know a lot of the clubs are involved in tree planting and in looking after the environment as well. I will just close by saying thanks again to those who signed the petition.

**Melina BATH** (Eastern Victoria) (18:00): I am pleased to associate with this take-note motion from my colleague Ms Lovell and thank her for the work that she has done in this space and thank all those 11,974 people who signed this e-petition in state Parliament. We recognise their dedication overwhelmingly to having continued access to public land but also enjoying the sport or the variety of

traditional recreational activities that they participate in. They are also overwhelmingly incredible stewards of that space, wherever it is – in this case, it happens to be the Wombat, the Wellsford, the Pyrenees and the Mount Cole areas – because they care about that land, and overwhelmingly they leave it a better place than when they found it.

We heard from a government member just then a great dissertation about the importance of having access and how much the government member loves national parks. ‘We shouldn’t lock them up’ were the words that I heard coming out of her mouth. Yet back in 2017 the Victorian Environmental Assessment Council actually took over the review of this particular area, and the actual footprint was around 80,000 hectares in the central west investigation, it was called. It did that, and many of the people who signed Ms Lovell’s petition are quite frustrated, I am sure, with VEAC, because it is supposed to be a forensic scientific entity that assesses on merit and assesses the science. There were a couple of rounds of submissions. There were about 3000 submissions to VEAC’s first and second responses. Indeed overwhelmingly in the second tranche 66 per cent of those submissions actually opposed the establishment of a new national park in that area. Moving forward, what we are seeing is the government ignoring those people and going with what many feel is a biased position from VEAC.

One particular group of those people, called Bush Users Group United, actually spent a forensic amount of time looking into the report and were very frustrated; they felt that it was biased. That was the Honourable Lily D’Ambrosio that led that. It has come through. We have a relatively new Minister for Environment, and that minister has said that it is a historic recommendation – historic from 2021 – to implement this as a national park. I do not consider a recommendation and then a commitment in 2021 historic. The minister does have the capacity to unwind that and leave it as state forest, and that is what we are asking for and will continue to ask this government to do, as have those 11,000 people who have signed this.

One of the key things that we should all be focused on is active management of our public land. I have probably said that about a thousand times in here: active management of public land. I will tell you of one other group who are very committed to that – and we spoke with them, my colleague Mrs Broad and I, in Bendigo the other day – the Dja Dja Wurrung. The Dja Dja Wurrung in that region are very keen to see forest gardening, and it is a fabulous term. Think about that: forest gardening. It is tending the environment, it is actively managing the environment and it is utilising the environment for the best outcomes for country and for people. People should be on the landscape. We have certainly heard Taungurung say that as well, the land and water corporation there. They are people in the landscape, using the landscape.

What the government has not done is make a compelling argument for locking this up. If it is about conservation, we know that our government is not looking after the national parks that we already have – the some 4 million hectares of them. It is not looking after them. It is shutting down services, it is cutting weed control, it is closing tracks and it is cutting park rangers. It has got this the wrong way around. Let us protect our parks and our natural flora and fauna and continue access.

**Sarah MANSFIELD** (Western Victoria) (18:05): Can I first acknowledge Ms Lovell and all the petitioners. While my remarks this evening will highlight why I do not support your cause, and I suspect you will not necessarily agree with everything I have to say, as part of a healthy democracy I support people being able to petition the Parliament on issues that matter to them.

National parks are great. It is not just the Greens who think that; Victorians overwhelmingly love our national parks. We know that because RedBridge polling last year found 80 per cent of the state wants more of them. It is easy to see why Victorians want to protect native forests. They are the places we can go with our families to get out in nature for bushwalking, picnics, photography, camping and more, and I think we would all agree on that. Native forests are both the lungs and heart of this incredible continent. They protect our air and water, storing huge amounts of carbon. They provide safe haven for our beautiful, diminishing wildlife amidst Victoria’s biodiversity crisis, including the more than 2000 species on the threatened list. National parks also protect irreplaceable country for First Nations

people. Destruction of country is one of the many lasting shames of colonisation in Victoria. Forests and woodlands once covered over 90 per cent of this incredible state before the British stole it. Colonisers went on to destroy more than half of that – over 14 million hectares of precious native forests gone. What little remains must be protected as an urgent priority for the sake of both people and the planet.

Yet under this government, under Premier Jacinta Allan, Victorian Labor has gone to, frankly, insulting lengths to dismantle what little protections were promised under Dan Andrews. Premier Allan is happy to sacrifice nature and go against the overwhelming views of Victorians, perhaps because she is worried that a small group of people might jump ship to other parties. First, we saw Premier Allan backflip on duck hunting. Then the Premier ditched the plan to investigate new parks across Victoria's dwindling forests after the end of native forest logging. In 2023 a new panel called the Great Outdoors Taskforce was appointed to examine Victoria's remaining native forests and recommended new areas for national parks. But in 2024, faced with a fear campaign from the coalition, Labor revoked that remit entirely. Just a few weeks ago Labor rejected the decades-long plan for a great forest national park in the Central Highlands. The Minister for Environment even promised to let deer hunters into Victoria's existing national parks. These are more than broken promises; this is Labor letting the shooting lobby dictate Victoria's environment policy.

Of course we have the long-promised, long-delayed national parks in the central west that environmentalists campaigned to protect for decades. In 2021 Labor finally announced plans to legislate three separate parks, the Wombat–Lerderderg, Mount Buangor and Pyrenees national parks, and deliver formal protections for the Cobaw conservation park, Wellsford forest and other reserves. Labor has since sat on that pledge for years, promising the parks and reserves would come and then never following through. In October 2024 the environment minister even promised that legislation for the first two parks would come later in 2024. But it is 2025, and Labor still has not followed through. Why? Why is Labor so scared to act when the overwhelming majority of Victorians and this Parliament are on their side? I urge the government not to succumb to this campaign and to have the courage to follow through on their promises.

**Georgie PURCELL** (Northern Victoria) (18:08): I rise to also speak on this petition and to thank the petitioners for petitioning the Parliament. Like Dr Mansfield, I support their right to do so. But today I will also be speaking against what this petition calls for and in support of the creation of the Wombat–Lerderderg and Mount Buangor national parks, because, sadly, this petition includes several pieces of misinformation that have been continuously promoted by members of this place, as well as the shooting and outdoor recreation lobby. To make matters worse, it seems to be that this is the very lobby that is guiding the government's decisions on conservation and land management.

I would like to start by clearing up some of those common misconceptions and concerns shared by the petitioners. Formalising the protection of these forests is not the same as locking them up. The vast majority of outdoor recreational activities will still be allowed, including bushwalking, camping, fishing, four-wheel driving and trail and mountain biking. Victoria's national parks are a major economic asset, welcoming millions of visitors each and every year. Across Victoria our national parks contribute over \$2 billion to the state economy and provide tens of thousands of tourism and nature-based jobs. An independent economic assessment showed that investing the very bare minimum in the creation of these three new parks would double the economic return on investment. It has been six years since the Victorian Environmental Assessment Council recommended a major expansion of national and regional parks in central Victoria and four years since the government announced they would create three new national parks. This is the longest it has ever taken any state government to gazette a new park in 25 years.

These areas contain over 360 native plants and 180 native animals. There are at least 25 rare, vulnerable or threatened plant species and 15 threatened animals. Victoria is facing an extinction crisis. Our endangered species do not have the time to wait for Labor to get over its political trepidation. The delay in creating these new parks is just one in an ever-growing list of this government's failures and

broken promises when it comes to protecting our precious forests and the animals that call them home. Just recently we saw the Minister for Environment declare that there would be no great forest national park. But how did we hear about this? It was not in a media release. It was not in a report from the eminent panel for community engagement, which is supposed to be considering state forests in the Central Highlands. No, the announcement was shared with parts of the shooting lobby at a private function. And this is exactly what we warned the government would happen if they caved to the Electrical Trades Union with their unreasonable demands when it came to duck shooting. We said it was the thin end of the wedge. Labor has not missed an opportunity to demonstrate their utter indifference towards both protecting our natural environment and, frankly, adhering to the procedures of this place.

Despite the abundance of evidence supporting the protection of these forests, the shooting lobby, alongside some members of this place, have tried to turn this issue into yet another culture war. Communities in the central west and throughout my electorate have been advocating for the protection of these forests for decades, and in 2021 they were given a promise that these forests would finally be protected. Last year we were told the legislation was imminent, and yet here we are, still waiting. They need to keep their word. I urge the government: no more delays, no more excuses, introduce the legislation and finally deliver these national parks.

**Gaelle BROAD** (Northern Victoria) (18:12): I am pleased to rise in support of this petition, and I do thank Wendy Lovell for tabling this petition, which had nearly 12,000 signatures. I have spoken previously about the importance of our state forests. I know Melina Bath, my Nationals colleague, tabled a petition as well. That was a historic petition – the largest we have ever seen in the Legislative Council – and it was very clear in its message to this government: no new national parks. Combined, when you consider the number of people that have signed these petitions, it is about enough to fill the Marvel Stadium. I think that is certainly worth listening to.

Our state forests are so important. I know people that love going through our state forests for bushwalking, horseriding, trail bike riding, four-wheel driving, hunting, firewood collection, prospecting or even just walking their dog. Just recently I was talking with a lady who goes camping, and she loves to take her campervan out. She takes her dog with her and loves to be able to camp with her dog. That is the importance, too, of tourism for the small regional towns that surround these state forests – they look for places where they can go and take their dog and enjoy the great outdoors. But there are many restrictions that exist in national parks. We have heard before the government say, ‘Oh, no, we won’t padlock them.’ But we have seen what has happened in places like Mount Arapiles with the impact of the closure of world-class climbing facilities there and the impact on the town of Natimuk. We know that after that incident the government did initiate a review of Parks Victoria. That is what we see, a repeating pattern under this government: when there is a major issue and a bit of a political backlash, they like to do a review. We saw that with the CFMEU. We have seen that with the reforms that they made to the bail laws. We have seen that as well with Helen Silver’s review of the public sector with the state debt spiralling out of control, looking to make further cuts to staff there, and we have seen it this week. We have been debating it today as well about the childcare safety regulations and a review.

This petition is here because this has been a topic of discussion for some time. I think it is important for this state government to remember that they are a government for the people of Victoria, and the people have made it very clear that they want to retain access to our public parks. We do not want to see them locked up. We do not want to see people having to use a set of keys to get into public land. But it is hard for the public to be heard under this government. We have seen protests on the steps of Parliament today. I do want to thank the nearly 12,000 people that have signed this petition. We are listening to you.

**David LIMBRICK** (South-Eastern Metropolitan) (18:15): I also would like to speak on this petition put forward to oppose the creation of the Wombat–Lerderderg National Park and also the Mount Buangor National Park near Beaufort. I would firstly like to congratulate all of the petitioners

who signed this, in particular the organiser of this, Carly Murphy, who I met today – I am sorry to see that she has got a bad foot; I hope her foot gets better soon – and her group Victorians Against the Great Forest National Park.

Victorians have every reason to be concerned about parks access. They have seen what has happened. We have seen what has happened at Arapiles, we have seen what has happened at the Grampians, we have seen what happened with the Mallee Rally and we have seen what has happened with many other parks in Victoria. They are very right to be concerned about the construction of new national parks, and I share their concerns about this.

I think that the one thing that we need to look at here is one of the key recommendations of the Victorian Environmental Assessment Council report. One of the key justifications for the creation of this national park was around logging. Victoria no longer does native timber logging. In fact my understanding is the only thing that is happening at the moment in this park is that they are doing storm clean-up, salvaging some of the wood there. But there is no logging. Therefore I would suggest to the government that maybe they need to go back to the drawing board with VEAC on this recommendation for the creation of a new national park.

**Wendy LOVELL** (Northern Victoria) (18:17): I thank everyone who has contributed to the debate today. People visiting the bush for outdoor recreation play an important role in stimulating rural and regional economies. We should be bringing more families to the bush to enjoy the great outdoors in Victoria. We should be encouraging traditional outdoor activities like fishing and prospecting, hiking and camping, dog walking and bike riding. But creating new national parks will actually drive bush users away from these areas and hurt the local economy. Ms Ermacora said that we are in furious agreement that Victorians want access to public land and we should not be locking it up, so it disappoints me that she does support locking it up as a national park. It disappoints me that Ms Purcell, who represents this area in the Parliament, also supports this, because it is certainly not what her constituents want.

Jacinta Allan has sold the people of Victoria a lie. The Premier promised that public forests and parks in our state would not be locked up, but all the evidence says that the activity in new national parks will be continually restricted until the Labor government has for all intents and purposes put a padlock on public land. Changing state forests into national parks will not guarantee any additional resources. In fact we know that Parks Victoria is currently a mess and the government is cutting agencies' funding and staff. Management and protection of the park will actually be worse off because banning firewood collection and closing off tracks to four-wheel drives means that fire risks will increase. The only thing that would change is the level of restriction on the use of parks by the public and the ability of government to easily restrict this use further.

I want to thank everyone who signed this petition. I particularly want to thank Amanda Millar, who was the person who started this petition. I urge all members of the chamber to support the petition.

**Motion agreed to.**

### *Condolences*

#### **Hilda Gracia Baylor AM and Joan Marjorie Coxsedge**

**Jaelyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (18:19): I move, by leave:

That this house:

- (1) acknowledges that Hilda Gracia Baylor AM and Joan Marjorie Coxsedge were the first two women elected to the Legislative Council;
- (2) expresses its sincere sorrow at the death on 23 May 2025 of Gracia Baylor AM, member of the Legislative Council for the electoral province of Boronia from 1979 to 1985; and

- (3) expresses its sincere sorrow at the death on 14 January 2024 of Joan Coxsedge, member for the Legislative Council for the electoral province of Melbourne West from 1979 to 1992.

Ms Baylor and Ms Coxsedge made history as the first two women elected to the Victorian Legislative Council in 1979, which really was not all that long ago – I was born around that time – in the areas of Boronia and Melbourne West respectively. They were born a couple of years apart. Both were activists and had heavy interest in the arts prior to being elected. Collectively they brought their passions to the Parliament and offered their views – namely, on the rights of women, which I thank them for – and both had an interest in the rights of workers.

Ms Baylor was also the first president of the Shire of Healesville, and following her time in state politics joined the National Council of Women, where she was later president. In 2003 she was admitted to the Victorian Honour Roll of Women.

While in office Ms Coxsedge wrote the newsletter *Hard Facts for Hard Times* from her Footscray office, in which she offered a left view of current events. She was later involved in many community groups and projects and to this end served on many boards.

Both lived into their 90s and passed away just roughly a year apart. I am sure that in their later years they were able to feel a sense of pride and perhaps relief that this place now looks a lot different to when they were here, with female representation across the political divide. On behalf of the government, I offer my condolences to the families of Ms Baylor and Ms Coxsedge.

**David DAVIS** (Southern Metropolitan) (18:21): I would like to associate the Liberals and Nationals with this condolence motion and at the outset thank the government for working to find a way through to acknowledge this important occasion. It was a seminal occasion in 1979 to see two women elected to this chamber, and it seemed to me impossible and wrong not to mark that in a clear and decisive way. In that sense I am very pleased that we are doing this. Some of us knew, obviously, Gracia Baylor. I did not know Joan Coxsedge, but many in this chamber did. Both were trailblazing women who made a significant contribution in their own right.

I particularly wanted to pick up a number of the points about Gracia Baylor. Both were elected in May 1979, and the Leader of the Government made the point that that was not that long ago. In fact Gracia became a member of the Social Development Committee, a member of the House Committee, a member of the Subordinate Legislation Committee and a member of the shadow cabinet, including the inner cabinet under Jeffrey Kennett. She resigned to actually contest in 1985 the Warrandyte seat.

But her history is actually very interesting. She was born in Brisbane in 1929 and was a schoolteacher and a law clerk. She was a very active schoolteacher until she was later married, indeed as often occurred at that time, and she worked in the family legal practice in this case. But no doubt those skills stood her in very good stead for the career that she had in this place and beyond. As the Leader of the Government has pointed out, she was very active in local government, including by becoming the first president of a number of country municipalities. Indeed later, after she was out of Parliament, she was a member and deputy convenor of the Victorian Women's Council, trustee of the Queen Victoria Women's Centre and president of the National Council of Women, and it is important to note that these organisations played, and continue to play, a very significant role in our state. She was awarded an AM in 1999 and was active again at the time of the centenary of Federation as a member of the Women Shaping the Nation committee. The Healesville shire, as I referred to before, was an important part of her history, and she was also active with the Australian Local Government Women's Association Executive.

I think what is important to understand is that inside the Liberal Party she continued to advocate for the position of women. She continued to support women's progress on a whole range of different fronts, and I think that quiet work that she often did inside the party is something that I particularly want to draw attention to. I certainly knew her quite well, and I know that many of my colleagues also knew Gracia. She had a very quiet and understated way, but her wisdom, her good sense and her

## CONDOLENCES

Wednesday 30 July 2025

Legislative Council

2727

judgement always came to the fore in conversations that you would have with her. I was delighted to have that acquaintance with her. I want to put on record the Liberal Party's specific thanks to her. The torch that she carried is an important one that I am very, very cognisant of, which is one of the main reasons I was very keen to see this marked. As I said, I did not know Joan Coxsedg, but the contribution that she made to the Labor Party and to the broader community is something that I think should also be well marked.

**Sarah MANSFIELD** (Western Victoria) (18:26): On behalf of my Greens colleagues I would like to offer our condolences for the losses this chamber is reflecting on today, those of Gracia Baylor AM and Joan Coxsedg. Our deep condolences go to their families, children and friends, who will miss them very deeply. These were two women from opposite sides of politics, but they had plenty in common. The steps they took as the first women elected to Victoria's Legislative Council paved the way for the many women after them. As one of those who have followed, I am indebted to these trailblazers.

I want to take a moment to reflect on the legacy of Gracia Baylor and her motivation to become politically active: the gaps in educational opportunities for her children living outside of metro Melbourne. It was the sort of issue not being adequately addressed by those who were making decisions, as was the case at that time with so many issues that impacted women and families. Lack of representation was a huge part of the reason for this and something Gracia sought to remedy.

Joan Coxsedg, an avid activist as part of the anti-war movement, protested against conscription and was jailed for her activities. While I did not know her, she sounds like a woman I would have had a bit of time for. She and her co-protesters were the first civilians charged under the summary offences act of 1971, which aimed to limit the rights of protesters, including acts of obstruction and trespassing. Joan was a passionate advocate for protecting the right to protest, and I do wonder what she would say in modern times.

Aside from their individual achievements, the fact of their election as women to this place at a time when social attitudes and structures limited access to many types of work for women, let alone political leadership, has left a tremendous legacy. How proud I am sure they would be to see this chamber achieving gender parity for the first time ever. Across all parties in all parliaments, we need all women. Great gains have been made in increasing the representation of women in the Parliament, but barriers remain. We have many examples to highlight what happens when deliberate efforts are not made to create viable pathways for women to get elected. I feel lucky to have been part of the inaugural Pathways to Politics for Women program, which has now expanded nationally and actively supports women and gender-diverse people with political aspirations.

We still have a long way to go before our parliaments represent the true diversity of our communities, including greater representation of multicultural communities, the LGBTQIA+ community, First Nations people and people with disabilities, different socio-economic backgrounds and different life experiences. Having parliaments that are a genuine reflection of our communities is important, because the decisions made better reflect community sentiment and because they illuminate issues many of us do not see or experience, which is something Gracia recognised and why her representation mattered so much. We also have to acknowledge that the current political structures and culture remain embedded in a patriarchal and colonial system. Dismantling this will take more than changing the people in the room, and this is something that I suspect Joan understood very well.

Once again, my condolences to the families of Gracia Baylor and Joan Coxsedg and my deep gratitude to them for the legacies that they have left.

**Wendy LOVELL** (Northern Victoria) (18:29): I rise to make a contribution to this motion to honour the lives of Gracia Baylor AM and Joan Coxsedg, the first two women who were elected to this house, in 1979. I did not know Joan Coxsedg, so I will confine my comments to Gracia Baylor, who I did know. Gracia was the Liberal member for Boronia Province from 1979 to 1985, when she

resigned her seat in this house to contest the seat of Warrandyte. Gracia served in the shadow cabinet between 1982 and 1985 as the Shadow Minister for Senior Citizens' Affairs and Shadow Minister for Early Childhood Development, Women's Affairs and Community Welfare Services – sounds a little bit like some of the portfolios that I have held in my time as well.

Gracia was someone who served the community in many ways. She served as a Healesville shire councillor. She was chairman of the Healesville Water Trust. She was a state president of the Local Government Women's Association. She was the chairman of the Eastern Metropolitan Regional Library Service, the president and a committee member of the Healesville Pre-school Centre, a member of the Royal Victorian Institute for the Blind and the Royal Victorian Eye and Ear Hospital, Red Cross, St John and a huge amount of other things, as well as being heavily involved with the National Council of Women. She was inducted into the Victorian Honour Roll of Women in 2003.

Gracia, like another Liberal that we celebrated this week, was a true Liberal. Just like Brian Dixon, she was caring, compassionate and progressive, and she always put the needs and best interests of the people of Victoria first. Gracia's pathway to politics began when her husband bought a legal practice in Healesville, a place where they were to make their home for 40 years. Gracia got involved in many local organisations, and as their children were born, she became very concerned that there was no kindergarten in Healesville, because she was very anxious that her children have a year of kindergarten before they went to primary school, and she thought this was something that was lacking in their town. She could not make the councillors of the day – the council was mostly made up of farming men – understand the importance of early childhood. Early childhood and kindergarten was a push that developed from community, from women, post the Second World War to enhance the education of their children. Gracia was one of those leading women who established a kindergarten in her town.

When she could not convince the men, she decided that the thing that she would do was stand for council herself, and that way she could persuade them, because if she was in the room where things were being debated she could make a difference. Her youngest child was only 18 months old when she stood, and as she was doorknocking she was accused that if she got into council she would neglect her children. But she did not take any notice of that and she pushed ahead, and when the votes came in she topped the poll. She served for three terms, or 12 years, on the Healesville council, and after each term when she was re-elected she was overlooked for shire president. It was not until her last year on council that she actually became the shire president.

Not only did she achieve a kindergarten and get that up and running in Healesville, she also got the first social housing built in Healesville. The third thing that she was determined to achieve was a public library. All three of those things still exist in Healesville today. It is a lasting legacy.

Gracia then stood for Boronia Province in 1979 and became one of the first two women elected to this place, but the first woman ever sworn in in this place was Gracia Baylor. She said that when she was first elected to this place people found it hard to accept women, and the people who found it the hardest to accept women were actually the clerks. She said it was a very male-dominated atmosphere when she first came into this place, and she remembered sitting in one of the red leather chairs in the members room and the clerk coming in and taking a double look. She thought he was at the point of saying to her, 'I'm sorry, you can't sit there,' before he realised that she could sit there. She said she never let it worry her. It was her right to sit there and it was her right to speak, and she spoke.

She described herself as a feminist because she believed in equal opportunity, but she never subscribed to going and protesting. She believed the best way to make progress is to get to where the decision-making is done, and that is what she always attempted to do.

When John Cain was the Premier of Victoria, Victoria was running out of money – sounds familiar, a Labor government running out of money – so what did they do? They attempted to sell off a lot of Crown land because they were short of money. They introduced a bill that was called the miscellaneous lands bill, and it was during debate on that bill that Gracia managed to convince this

chamber to excise the Queen Victoria Hospital out of that bill. She was furious that the government was selling it off, because it was a hospital that was provided for the women by the women. Funding was raised by the Shilling Fund, and she convinced the chamber to excise it out of that bill. She gave a recent interview in which she recounted that story, and she said:

... John Cain was terribly annoyed. I remember him ringing me up when I got home to the hills, at midnight, and saying “what do you think you are doing?” I told him that “we wanted part of that hospital kept for the women of Victoria ...”

The government supported her in the end. She ended up saving one of the towers that is now the QV centre for women. So it is there for women in perpetuity because of the legacy of Gracia Baylor.

When I was first elected, I was made the Shadow Minister for Women’s Affairs, and Gracia was actually the chair of the Queen Victoria Women’s Centre Trust at that time. I had a lot to do with her in that time, and it was a great experience for me to learn from a master.

Gracia was also the initiator of baby capsules in Victoria. It had been brought to her attention that a lot of babies were being severely injured in car crashes or even killed in car crashes, so she got baby capsules that were made available through local government centres and places like child welfare centres. We know that that policy has gone on to save the lives of many, many babies in Victoria. She was also the person who advocated to get mammograms included under Medicare. She obviously lived her life to improve the lives of other people, but particularly women.

Gracia was asked in that interview that I spoke of what she would say to young women who are interested in representing their local communities in politics, and she said:

I say go for it. The only way that a woman can wield some power in government is to be a minister. That’s where the power lies. That’s where they can make changes. Though, when they sit around the table with men, you won’t get anywhere if you’re too abrasive, you just do your homework, put up a good argument, and then men will support you. So that’s my message, but it’s not an easy road.

Gracia Baylor has left the women of Victoria an incredible legacy and an exemplary example of how to achieve real progress in public life. I extend my deepest condolences to her four children Andrew, Donal, Peter and Belinda, their partners and her 10 grandchildren. Vale, Gracia Baylor.

**Nick McGOWAN** (North-Eastern Metropolitan) (18:38): I rise today to pay tribute to the late Hilda Gracia Baylor AM, a distinguished former member of this Parliament and a pioneer in Victorian political life who passed away at Eastern Health, Wantirna, on 23 May 2025 at the age of 95. Gracia was born in Queensland, as we have heard, daughter of Herbert David Parry-Okeden, a grazier who later served in the Royal Australian Air Force in World War II, and Hilda Mary Webster.

When Gracia Baylor was elected to this chamber in 1979, representing Boronia Province, which today is part of the region I am proud to represent, she made history by being one of two women, the other being Joan Coxsedg, as we have heard today, elected to the Victorian Legislative Council. Gracia was also the first woman member of the Liberal Party to be elected to the Legislative Council. Interestingly for me, the first woman elected at a general election was Ivy Weber in 1937, who served as an independent for three terms as the member for Nunawading. Millie Peacock had the honour of being our state’s first woman elected at a by-election some four years earlier in 1933. Kay Setches AM and Dee Ryall would proudly follow in Ivy and Gracia’s local footsteps as the member for Ringwood decades apart. I think that makes us especially lucky out Ringwood way.

In short, Gracia was part of breaking the glass ceiling long before the term was well appreciated. Gracia celebrated both her election and the 35 other women who were members of the Parliament in Australia at that time. Gracia also celebrated in fact that some 160 women were at that time serving as municipal councillors across Victoria. It is perhaps most appropriate to deploy Gracia’s words one more time in this chamber. She said:

We can be proud indeed of the pioneering women who have gone before us in State and Federal Parliaments.

It would be short-changing Gracia if this is all I focus on in my tribute today. In preparation for this speech I went back and read Gracia's inaugural speech. Gracia was intently focused on what she was going to do in Parliament. Having been elected, her speech focused on all the ways in which she hoped to serve her community, representing one and all, men, women and children.

Gracia was a champion of local governments, having been, as we have heard, a councillor for 12 years in the Healesville shire before being elected to state Parliament. As she stated in her speech:

People living and working as part of a local community are best able to judge and assess the needs of the people around them. Very often needs have to be assessed in the context in which they appear. In turn, people who need help are more likely to know where to turn if that help can be found locally.

I am proud that all these years on, as an MP for the same district I champion the same values. Indeed democracy is best served when communities can make decisions about their own needs and how best to meet these needs.

Gracia and I shared one more passion: the wellbeing and education of our children. A mother of four, Hilda saw the purpose of education as being more than just teaching skills. I will share her vision in her own words:

The aim of education should be to produce a well-rounded citizen, who has not only achieved satisfactory levels of literacy and numeracy but who has also developed a sense of self-esteem and respect for others.

Gracia championed these causes, and for more than the next seven years in the Victorian Parliament served on important local committees in this place, including the Social Development Committee, the House Committee and the Subordinate Legislation Committee.

In all Gracia's roles she advanced the rights of women, the welfare of families and the strength of communities across our great state. Gracia leaves behind many achievements. Perhaps towering among the many peaks include her initiatives. We have heard of council-approved baby capsules, meaning that parents no longer took their newborn infants home in a bassinet. She was also instrumental, as we have heard, in achieving mammograms approved for the Medicare register, an action that no doubt saved thousands if not millions of women's lives. Fittingly, Gracia was instrumental in ensuring the only remaining tower of the Queen Victoria Memorial Hospital was saved from demolition, which stands to this very day as a centre for women's health and a beacon to others in this place of what a tenacious, passionate former politician could achieve long after she graced these corridors in 1985.

Gracia went on to serve as the president of the National Council of Women of Australia from 1997 to 2000, advocating nationally and internationally for gender equality and civic participation. In recognition of her service she was appointed a Member of the Order of Australia and inducted to the Victorian Honour Roll of Women.

I extend our deepest condolences to her friends and colleagues. A beloved wife of the late Richard, I extend heartfelt sympathies and love to her children Andrew, Donal, Peter and Belinda and Gracia's 10 grandchildren Rosalie, Charlie, William, Hilda, Jesse, Eldon, Gibson, Harry, Grace and George. We honour Gracia's trailblazing spirit, her public service and her unwavering commitment to the communities she represented. May her legacy endure and may her achievements inspire many women and men alike to follow in her footsteps.

**The PRESIDENT:** I ask members to signify their assent by rising in their places for 1 minute's silence.

**Motion agreed to in silence, members showing unanimous agreement by standing in their places.**

*Adjournment*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (18:44): I move:

That the house do now adjourn.

**Community safety**

**John BERGER** (Southern Metropolitan) (18:45): (1770) My adjournment is for the Minister for Consumer Affairs and Minister for Local Government in the other place, Minister Staikos. Earlier this year the Premier announced, alongside my good friend in the other place the Minister for Police, a total ban on the sale of machetes across Victoria. This meant that stores were prohibited from selling any more machetes and were required to take down any machetes available. To ensure that this ban was being upheld a machete taskforce was assembled by Consumer Affairs Victoria, which would enforce the ban on machetes being sold in stores across the state. The Allan Labor government is not just tough on criminals carrying machetes but also making sure that they do not have machetes in the first place. That is why initiatives like the machete taskforce are really important. The machete taskforce is tasked with going from store to store and ensuring businesses are complying with the machete ban. Where businesses are not complying with the ban, the taskforce has the power to penalise these stores accordingly. Community safety is a top priority for the Allan Labor government, and I am happy to see the taskforce is at work cracking down on machete sales. The action that I seek is for the minister to provide me with an update on the success of the machete taskforce and how it is making Victorians safer, particularly in my constituency of Southern Metro.

**Princes Highway, Moe, pedestrian overpass**

**Melina BATH** (Eastern Victoria) (18:46): (1771) My adjournment matter is for the Minister for Roads and Road Safety. I am sure they will agree that public safety should be of paramount importance. This particular matter relates to the concerning issue of missiles being thrown at passing cars and trucks as they drive along the Princes Highway and the overpass at Moe. The action I seek from the minister is to upgrade the barrier fencing to prevent rocks from being thrown at passing traffic but also review and consider the establishment of CCTV to protect all road users and enhance pedestrian safety. I have been contacted by a number of truck drivers in my electorate who use that very busy thoroughfare along the M1, and what they are feeling, knowing and experiencing is that projectiles are actually being thrown at trucks. This is a criminal and dangerous activity. The pedestrian overpass has gaps in it, and these large missiles are able to be hurled down onto the road. We can all imagine that this is a busy space. There is a 110-kilometre-an-hour speed limit. If you get a projectile on the top of your windscreen with a large transport, that is a recipe for significant disaster. As I said, Minister, this needs to be solved. It is not rocket science. It requires a small amount of money, a rehash of the barrier fencing. Let us all be kept safe on the roads. Minister, let us also look at CCTV monitoring being put there to catch these perpetrators, who are really putting lives in significant danger.

**Greater Shepparton bus services**

**Rikkie-Lee TYRRELL** (Northern Victoria) (18:48): (1772) My adjournment this evening is for the Minister for Public and Active Transport. The action I seek is a review into the Greater Shepparton bus network, with a view to developing a modern, faster, more reliable and environmentally sustainable network for the community. It has been brought to my attention by the City of Greater Shepparton that there has not been a review into the bus transport network in over 15 years. In that 15 years the population of Greater Shepparton has increased by over 12,000 people. This increase in population has seen the current bus network become overcrowded, unreliable and unsuitable for the day-to-day travel needs of residents, especially those in smaller outlying towns such as Tatura.

Residents of Tatura face long travel times of up to 2 hours despite the town being only 20 kilometres from the Shepparton CBD. There are also limited services on Saturdays and no services at all on Sundays. The limitation of the current bus network is causing a wide range of issues for residents. It

limits where those unable to drive can live and work within the community. It causes issues for employers, with some staff restricted in their work hours due to the limited nature of public transport in the Greater Shepparton region.

Recently the government announced a review into the bus transport networks for Geelong, Ballarat, Bendigo and the Bellarine Peninsula, yet again Shepparton was overlooked for this vital review. People in regional areas deserve access to good, frequent and reliable public transport just as much as their counterparts in the metropolitan areas. The action I seek from the Minister for Public and Active Transport is for a review into the Greater Shepparton bus network with a view to developing a modern, faster, more reliable and environmentally sustainable network for the community.

#### **Collingwood Football Club**

**Jacinta ERMACORA** (Western Victoria) (18:50): (1773) My adjournment this evening is for the Minister for Tourism, Sport and Major Events. It particularly relates to the importance of AFL football to the economy of Victoria and in particular the major events in Melbourne and, if I drill down specifically, the importance of Collingwood football matches to major events in Melbourne. The average attendance at a Collingwood football game is 74,000. The average attendance for every other football home game is around 40,000. So I think it is worth specifically pointing out that not only does AFL generally in Melbourne have a huge impact on the economy but the Collingwood Football Club does too, and I would like to hear from the minister for sport in relation to that.

#### **Peter MacCallum Cancer Centre**

**Georgie CROZIER** (Southern Metropolitan) (18:51): (1774) My adjournment matter is an important matter that I raise for the Minister for Economic Growth and Jobs. The health technologies and medical research sector was identified by the government in its December 2024 *Economic Growth Statement* as ‘the beating heart of our economy’, yet the sector’s ongoing viability remains uncertain due to lack of government support. The groundbreaking research that medical research institutes do and the clinical trials undertaken in our hospitals are at risk, as the government’s research budget cuts have resulted in hundreds of job losses.

These research institutes are facing increased funding gaps due to the significant increased costs associated with their work, such as admin, staff costs, IT costs, cybersecurity, data storage and the maintenance of facilities. This has gone largely unnoticed by the government. They have not funded it for years. They provided a little bit of money in this year’s budget to cover them over the next two years but not in the foreseeable future, so there remains a huge amount of uncertainty in this operational infrastructure support funding. That OIS funding provides medical research institutes with that support so that they can meet the full costs of doing this important research, which actually saves lives.

In one of the oversights, Peter MacCallum Cancer Centre has been excluded from the government’s funding in this year’s budget, which has placed considerable pressure on its ability to conduct the worldwide, life-saving initiatives that it has done so magnificently. I think this is a critical point, and I think it is a terrible look from the government to not include the Peter Mac in this really important area, where other research institutes have needed this funding as well.

The action I seek from the minister is for the government to extend the OIS program to the Peter MacCallum to ensure its ongoing capacity for developing groundbreaking research and ensure greater certainty for the future of Victoria’s international reputation as a leading medical research hub.

#### **LGBTIQ+ equality**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (18:54): (1775) My adjournment matter is to the Minister for Equality, and the action I seek is for the minister to write to her federal counterparts to address trans and gender-diverse Victorians living and working in the UK no longer being able to use their birth certificates to obtain a gender recognition certificate. Last year the UK government ruled that trans Victorians in the UK would not be able to use their Victorian birth certificates to obtain

gender recognition certificates. Trans and gender-diverse people living in the UK need a GRC to be legally recognised. This means that trans Victorians will need to use the UK's other pathways, which take years to access and require them to experience needless strife in order to be formally recognised as being themselves.

This situation is quite ridiculous, especially for people who have been living as trans or gender-diverse people for many years, even decades. We know a significant number of Australians travel to the UK each year to live, work or study. Being told your birth certificate will not be recognised means that when entering the country you are effectively forced to detransition in the eyes of the law, forgoing your legal protections under the equality act. This decision also impacts, I should note, intersex people. We know that rights for trans people in the UK are also being systematically dismantled. Trans people are unable to access certain spaces and are being limited in their ability to participate fully in public life. They are also losing access to health care, as we are seeing in the media. This situation is a trans travel ban in all but name, and trans people in Australia need to be aware of this before they travel. Trans people and gender-diverse people are victims of intense hate – we are seeing this continually – facing such devastating harassment and prejudice on a global stage.

It goes far beyond just what I have raised today in this speech, and I pledge I will always be a fierce ally to the trans and gender-diverse community. I will always stand up for you and fight for your rights. I appreciate that the Victorian Labor government shares our concerns on how this impacts trans and intersex Victorians, but the queer community is requesting more public leadership on this issue from the Victorian government and more awareness for trans and gender diverse Victorians that this has happened and the real risks and challenges they will face if they decide to travel to the UK.

### **Circular Economy Infrastructure Fund**

**Sheena WATT** (Northern Metropolitan) (18:56): (1776) My adjournment matter this evening is for the Minister for Environment in the other place. Victoria is well known as the state that leads the nation on renewables, environmental protection and conservation, especially protection of our beautiful waterways like the Plenty River and Dights Falls right here. From banning native forest logging to some of the most ambitious climate targets anywhere in the world, this government knows that protecting the environment needs to be front of mind in everything we do. That is why I was absolutely thrilled to hear about the recent announcement of the opening of the fourth round of the hazardous waste grants, which are part of this government's Circular Economy Infrastructure Fund.

This grant, which can be up to \$20,000, is available for charities and local councils so they can install the infrastructure required to allow the Victorian community to safely dispose of possibly harmful e-waste, which is growing and growing and growing. This funding will primarily be used to upgrade or install the drop-off and transfer stations so that loose batteries and electronics containing embedded batteries can be dropped off. These stations will be located in publicly accessible buildings and community centres so that members of the community can have access whenever they need to drop off and safely dispose of e-waste. We have all got some old devices hanging around home, wondering where they can go. Well, this is the place for them. I would like to take this opportunity to encourage councils and charities who meet the criteria to apply for these grants, so that this increasingly necessary community service can be accessible to more and more Victorians.

We have also seen a recent increase in battery-related fires in garbage trucks and on trains, with faulty e-bike batteries and incorrectly disposed of electronics like vapes to blame. These preventable fires result in some really lengthy clean-ups of dumped rubbish and horrific smells for residents that just linger for a little bit too long, and it can be entirely avoided if batteries are disposed of properly. Giving Victorians a proper avenue to dispose of these batteries benefits both the circular economy and community safety, entirely preventing any future fires. I encourage everyone to get on board with this grant round opening up very soon. This funding is a perfect representation of this government's commitment to environmental sustainability and encouraging a thriving Victorian circular economy. So my adjournment matter is to ask the Minister for Environment in the other place, the Honourable

Steve Dimopoulos, if he will attend a successful applicant's project completion in my electorate of the Northern Metropolitan Region.

### Homelessness

**Trung LUU** (Western Metropolitan) (18:59): (1777) My adjournment matter is for the Minister for Housing and Building in relation to the increase in homelessness in the Western Metropolitan Region. The action I seek is for the minister to work with her colleague Minister Stitt, the Minister for Mental Health, and the Department of Families, Fairness and Housing to request funding for the delivery of the dedicated assertive outreach service in the City of Brimbank as part of the H3 partnership – health, housing and homelessness. The H3 partnership – known to other councils in my electorate, including the City of Wyndham – strongly supports the place-based approach model partnering with services across health, housing and homelessness providers to maximise resource collaborations and innovations, which in turn delivers positive outcomes. This program is internationally recognised as an effective model to engage people who experience homelessness, mental ill health or alcohol and other drug concerns through building trust and providing all forms of necessary support on offer. The assertive outreach service will proactively approach and support relevant individuals who are either experiencing or at risk of homelessness, as well as other mental health challenges. It is an effective and trusted way to engage our own most vulnerable, who sometimes do not present directly to housing, homelessness or health services.

The recent state budget allocated \$61 million to help people experiencing homelessness to find a permanent place to live, including funding for outreach teams supporting rough sleepers. I urge the minister to ensure part of this funding is provided for this assertive outreach service in Brimbank, in Melbourne's west. People in this community are some of the most disadvantaged and in need of support services, particularly at the height of the cost-of-living crisis. This funding will target rough sleepers in hotspots, including St Albans, Sunshine and Cairnlea, and undertake a needs-based assessment; coordinate and facilitate access to housing, health and support services; and provide follow-up case coordination and enhance data collection and further referral pathways. I urge the minister to direct some of this funding to Brimbank City Council for the H3 partnership program.

### Child sexual abuse

**Rachel PAYNE** (South-Eastern Metropolitan) (19:01): (1778) My adjournment matter is for the Attorney-General, and the action I seek is clarity on how changes to vicarious liability laws will impact those whose cases are decided before these laws are passed. I would like to begin by thanking the Attorney-General for her commitment to introducing retrospective vicarious liability laws to the Victorian Parliament by the end of 2025. While I appreciate that she is taking the time to consult further and get these changes right, I will say that the bill I tabled earlier this year has been endorsed by survivors and members of the legal community alike. This bill could be passed tomorrow. It would allow victim-survivors access to justice, as it ensures that the law applies equally and retrospectively, regardless of whether a perpetrator held the title of employee. The recent High Court decision in *Bird v DP* means that victim-survivors of institutional child abuse cannot rely on the law of vicarious liability to sue an institution where their perpetrator was not an employee. This created a second class of victim-survivors and gave institutions like the church yet another loophole to avoid accountability for past wrongdoings.

While I commend the Victorian government on their commitment to reform vicarious liability laws, by the time these laws are planned to be introduced a year will have passed since the High Court's decision. Unfortunately, courts will not adjourn cases because of a promise of a change to the law. Many victim-survivors are being left to face having their case thrown out, even though they may have been successful after changes to the law are made later this year. Understandably this creates uncertainty and fear for many victim-survivors and compounds the trauma they are already experiencing when coming into contact with the criminal justice system. The harsh reality is that continued delays risk lives. I urge this government to bring forward reforms to vicarious liability as a

matter of urgency so court dates are not unnecessarily jeopardised. At a minimum, victim-survivors need an assurance from government about what will happen to them. So I ask: will the Attorney-General clarify how changes to vicarious liability laws will impact those whose cases are decided before these laws are passed?

### Education system

**Michael GALEA** (South-Eastern Metropolitan) (19:04): (1779) My adjournment matter this evening is for the Deputy Premier and Minister for Education Ben Carroll. The action that I am seeking is that the minister provide an update on the results from this year's NAPLAN tests. Victorian students have achieved their strongest NAPLAN results ever, a significant achievement by all Victorian students, teachers, school support staff and of course their families. What is more, the results this year for Victoria also put us at the very top of the leaderboard nationally – so Victoria's best results ever, and the best results in the nation. This is what 11 years of investing in the Education State looks like.

I spoke this morning in a members statement about the four new schools that we are building right now – which will open for term 1 next year – just in the City of Casey alone. We are making the investments in new schools, in upgraded schools and crucially also in the supports for teachers and the supports for schools, in reforming things such as phonics education. Seeing these results come through as an early indication of that is very, very exciting indeed.

We have seen some terrific results. For example, let us take numeracy. Victoria now has the lowest or equal lowest rate of students needing additional support in all year levels. In spelling we have achieved the best result for year 3 students of any state or territory, with strong results in all years. Thanks to our hardworking teachers and school support staff, the 2025 results show that fewer students are needing additional support, with fewer students in the bottom band than in 2024 in 16 out of 20 measures. These are very strong results.

I was particularly curious to see last night in this place an adjournment by one of my colleagues in the south-east, Mrs Hermans. Now, it is not quite as sporting to enter into this when they are not in the room. Perhaps she is off doing her homework tonight, because after doing an adjournment to the education minister last night attacking the NAPLAN results, I am sure she was quite surprised to see the results for this year come out this morning – I am not sure; she may or may not have been aware that they were coming out today – to show Victoria's strongest ever NAPLAN results. Whilst Victorian students are going into their classrooms with the support of their wonderful schools and switching their brains on, I am not sure we can say the same thing for our good colleagues in the Victorian Liberal Party in this place.

### Planning policy

**David DAVIS** (Southern Metropolitan) (19:07:01): (1780) My matter for the adjournment tonight is for the attention of the Minister for Planning. What I seek is for the minister to review some recent planning changes and specifically to meet with the Royal Historical Society of Victoria and the National Trust of Australia (Victoria). A news release dated 9 July 2025 with quotes by Collette Brennan, CEO of the National Trust of Australia (Victoria), and Charles Sowerwine, heritage committee chair of the Royal Historical Society of Victoria, makes a number of points. These relate to the changes that have been recently made in planning in metropolitan Melbourne with these poorly designed and poorly thought through so-called activity centres, densification zones – whatever you wish to call them.

What I want to quote here is in the 'More housing and heritage must go hand in hand' statement:

The National Trust ... and the Royal Historical Society of Victoria jointly call on the Victorian Government to ensure that the state's planning reforms deliver more housing without sacrificing the heritage, character, and green spaces that make our neighbourhoods liveable and loved.

They talk about how they are:

... deeply concerned that the current approach – particularly the introduction of the new Housing Choice and Transport Zone ... risks undermining the very qualities that make Victoria's cities and towns desirable places to live.

The government's own expert panel, they point out:

... has warned that the HCTZ **should not be applied** to areas covered by a Heritage Overlay or Neighbourhood Character Overlay because the new zones will override these protections, threatening the demolition of heritage buildings and the erosion of neighbourhood identity.

They make four key recommendations in their statement. The first is to 'Protect Heritage Areas from Blanket Rezoning':

Heritage Overlays must be **exempt** from the new Housing Choice and Transport Zone rezoning. These areas should remain within the Neighbourhood Residential Zone to prevent the loss of valued heritage places and neighbourhood character. In the 10 Centres where the HCTZ has already been gazetted, new mechanisms to ensure proper respect of the Heritage Overlay must be introduced.

They also seek to embed heritage expertise in planning, and they talk about how the Department of Transport and Planning:

... must include **designated heritage professionals** to support local governments in assessing and managing heritage impacts within the planning system.

They ask the government to ensure consistent protection of trees, nature and green spaces and introduce 'uniform statewide protections for significant trees and green spaces'.

On 'Implementation tools for housing development in heritage contexts', expedited planning approval 'must include specific guidance for developments in heritage areas'. They urge the Victorian government to adopt a more thoughtful approach and recognise that heritage should not be a barrier to housing but 'a foundation for building vibrant, attractive, and enduring communities'. The minister should meet – (*Time expired*)

### Red Box Wildlife Shelter

**Georgie PURCELL** (Northern Victoria) (19:10): (1781) I rise to bring the attention of the Minister for Environment to the incredible work being done at the Red Box Wildlife Shelter vet clinic in Elphinstone and to extend a warm invitation to the minister to visit this truly special place. On Saturday 12 July I had the privilege of visiting Red Box Wildlife Shelter and the state-of-the-art veterinary clinic run by the remarkable duo Nikki and Scott Medwell. These two have poured their hearts and their own money into building what is now one of the most advanced wildlife vet clinics in regional Victoria. Red Box is not just a shelter, it is a lifeline for our native wildlife, particularly kangaroos, who are often the forgotten victims of car collisions, dog attacks or shooting injuries.

One of the most inspiring parts of my visit was learning about their monthly wildlife consulting day, a volunteer-led initiative where Dr Mark Sayer drives down from New South Wales to offer free veterinary consults to wildlife carers across Victoria. He drives all the way across the border every month on his own time to provide free specialised treatment to our state's most vulnerable animals. These consult days are incredibly popular, with wildlife carers travelling from all corners of Victoria to have their animals seen. Dr Sayer brings with him not just years of experience but a deep commitment to mentoring the next generation of vets. I met second-year veterinary student Tom, who is currently being mentored by Dr Sayer and is already embedded in the clinic's hands-on approach to wildlife medicine.

Red Box have big dreams to expand this work to bring in more students like Tom and to offer broader services to the wildlife rescue community in coming years, but they cannot do it alone. These are passionate volunteers stepping up where the system falls short, and they deserve recognition, support and investment. The action that I seek is for the Minister for Environment to visit the Red Box Wildlife

Shelter vet clinic and to see firsthand the profound impact this place is having on wildlife welfare, regional veterinary education and community care. Their model is one that could and should be replicated across the state.

### Community safety

**Ryan BATCHELOR** (Southern Metropolitan) (19:12): (1782) My adjournment matter today is to the Minister for Multicultural Affairs, and the action that I seek is an update on the government's actions to combat racism and hate in all of its forms. It has been a very troubling time for many in our community, particularly many in the Jewish community here in Melbourne, obviously a significant proportion of whom reside in the Southern Metropolitan Region and with whom I engage on a regular basis about the significant fear that many in the community are experiencing as a result of the undoubted increase in antisemitic activity that we see across the community. We have seen the attacks recently on the synagogue just across the road here in East Melbourne, the attacks on the restaurant in Hardware Lane, the horrific chants and remarks made at the students at Mount Scopus college, the graffiti both at that college and other places, the attack on our colleague Josh Burns's office last year and the protest recently at the NGV targeting Jewish donors. These are despicable acts, and this kind of hatred needs to end. We need to make sure that our community here in Melbourne is a place where everyone can participate fully in community and civic life and express who they are and be celebrated for it and not live in fear.

I think it is particularly in the context of those attacks, in the context of these remarks, that we must do all we can to eliminate, stamp out and combat. I know that many today were relieved to see the reports from Victoria Police and the joint counterterrorism team about the arrests in relation to the firebombing and arson attacks on the Adass synagogue in Ripponlea last year. I will not reflect too much on that, not wishing to jeopardise any judicial proceedings, other than to say that I want to thank Victoria Police for the dedicated work that they have done. I do want to do that in the context that I know Mr Davis on many occasions, twice here in this Parliament in the past, has criticised Victoria Police for the way that they have gone about this investigation. He did it in March and he did it in February. Those remarks cannot go unanswered. I think today what Victoria Police have achieved speaks for itself. I hope that Mr Davis reflects on his behaviour and his comments in the past and maybe has some contrition.

**David Davis:** On a point of order, President, I am not sure that that is an action that was sought from a government minister on a matter of government administration. I agree with many of the sentiments that the member expressed.

**The PRESIDENT:** I do not think we need a debate. Mr Davis, there is a catch-all where at the papers office sometimes there is a discussion with me around if there was an action or not. If there was not, they do not go anywhere anyway, so I do not think you should be concerned. But I believe there may have been an action there.

**Ryan Batchelor:** Further to the point of order, President, I asked the Minister for Multicultural Affairs for an update on the actions the government is taking to combat racism and hatred in all of their forms.

### Country Fire Authority Riddells Creek station

**Wendy LOVELL** (Northern Victoria) (19:16): (1783) My adjournment matter is for the Minister for Emergency Services. The action that I seek is for the minister to expedite construction of a new fire station in Riddells Creek and explain why the state government has taken so long to deliver this urgently needed project. Country Fire Authority volunteers in Riddells Creek work tirelessly to protect their local community from fires, and they lend a hand to other local brigades in need when big fires threaten the area. The existing fire station in Riddells Creek was built in 1984 and is now over 40 years old. It no longer meets the needs of the brigade, and it is truly past its use-by date. Volunteers put their

lives on the line every week when they respond to call-outs to keep their community safe, and they deserve the facilities and equipment they need to fight fires safely and effectively.

But this brigade has been cruelly let down over and over again by a Labor government that prefers making big announcements over delivering projects on time and on budget. A week before the 2018 election the member for Macedon turned up at the Riddells Creek fire station to take photos in front of a tanker and promise \$950,000 to bring the station up to scratch. A year later that election promise was scrapped and replaced by a grander promise. The 2019–20 state budget then allocated \$3 million to purchase land for a new site and build a bigger and better new fire station for Riddells Creek that would meet modern standards. In June 2019 the member for Macedon turned up once more for pictures in front of a tanker to announce \$3 million for a new station and then said that construction was expected to be completed by the end of 2021. That was four years ago. It is now 2025, and work on the new fire station in Riddells Creek has not even started.

The age and limited space of the existing station is actually hindering the brigade's ability to upgrade their firefighting capacity. In 2019 they had to turn down a tanker that was intended for the brigade because the station did not have the capacity to accommodate it. The Riddells Creek brigade is missing out on new equipment and volunteers because the existing facilities are not adequate to service the brigade's needs. This is bad for the brigade, and it is also bad for the community that relies on them to save property and save lives when dangerous fires break out.

Land for the new site has now been acquired by the state government, but there are doubts about whether it meets the CFA requirement for a 55-metre frontage for new stations. The Allan Labor government has made big promises to the Riddells Creek community and fire brigade but has failed to deliver. It is now seven years since the member for Macedon first promised improved and expanded facilities for the tireless volunteers of Riddells Creek CFA, but work has still not started. I call on the Minister for Emergency Services to urgently intervene and finalise the site and expedite the construction of a new Riddells Creek CFA station.

### **North-Eastern Metropolitan Region schools**

**Sonja TERPSTRA** (North-Eastern Metropolitan) (19:19): (1784) My adjournment matter this evening is for the Minister for Education in the other place. I rise today and want to commend Minister Ben Carroll and in addition Treasurer Jaclyn Symes and the entire Allan Labor government for their commitment to upgrading specialist schools across the state. I want to draw attention to the positive impact this has had, and will undoubtedly continue to have, on students and families in the North-Eastern Metropolitan Region. Making sure our state specialist schools are upgraded and updated comes as part of the Allan Labor government's commitment to maintaining and improving public education across Victoria, ensuring all young Victorians have access to the support they need to succeed in their education. The action I seek is for the minister to provide further detail on how future investments in special schools will benefit students in the North-Eastern Metropolitan Region.

### **Suburban Rail Loop**

**Richard WELCH** (North-Eastern Metropolitan) (19:20): (1785) My adjournment matter is for the Minister for the Suburban Rail Loop. Last Friday the government released around 600 public submissions it had received in response to the draft structure plans. I will draw your attention to two in particular. First, Monash University raised significant concerns about the impact of the SRL on its Monash technology precinct. Monash's submission called out the SRL for marking the existing university land for development without its consent and said that the proposals would hinder the university's ability to pursue growth and realise its strategic objectives. It also said the introduction of specific control overlay 15 to protect the underground infrastructure of the SRL East project has already imposed an encumbrance on the university campus planning and development.

In a second and separate submission the CSIRO flagged similar concerns about the identification of its own land being unilaterally declared as a strategic site, as well as the potential for electromagnetic

interference from the SRL on sensitive research equipment, including the impact of vibration noise on image quality of its transmission electron microscopes. Of course the government has form in failing to consider fundamental technical issues and refusing to listen to real concerns about the impact of its transport projects. Just consider the MRI machines and the other sensitive medical equipment in the Parkville precinct and how the government just blundered on regardless. Clearly now there is also concern that the hapless SRL will have the same impact on the Australian Synchrotron, the heart hospital and similar equipment.

This government has shown time and time and time again it is not capable of planning projects; it is not interested in listening to communities, businesses or institutions; and when the consequences come home to roost, it does not care whose money it wastes. Of course there is no confidence at all that government will listen this time. There are another 598-odd submissions, which the government will no doubt ignore if it is allowed. The action I seek from the minister is to explain why Monash University's and the CSIRO's concerns are unfounded, and if they are not unfounded, how the government can justify proceeding with this project.

#### **Responses**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (19:23): There were 16 adjournment matters this evening, all of which will be referred to the relevant ministers.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 7:23 pm.**