Hansard

LEGISLATIVE COUNCIL

60th Parliament

Thursday 31 July 2025

By authority of the Victorian Government Printer

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[1]	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[2]	Western Metropolitan	Lib	Ratnam, Samantha[5]	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem[6]	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[3]	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[4]	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard[7]	North-Eastern Metropolitan	Lib

[1] Resigned 7 December 2023
[2] IndLib from 28 March 2023 until 27 December 2024
[3] Appointed 14 November 2024
[4] LDP until 26 July 2023
[5] Resigned 8 November 2024
[6] DLP until 25 March 2024
[7] 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

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Thursday 31 July 2025

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

Papers

Papers

Tabled by Clerk:

Melbourne Cricket Ground Trust – Report, year ended 31 March 2025.

Statutory Rules under the following Acts of Parliament –

Country Fire Authority Act 1958 – No. 72.

Worker Screening Act 2020 – No. 71.

Wrongs Act 1958 – Notice of scale of fees and costs for referrals of medical questions to medical panels under Part VBA *(Gazette G26, 26 June 2025).*

Committees

Legal and Social Issues Committee

Inquiry into Food Security in Victoria

The Clerk: I have received the following paper for presentation to the house pursuant to standing orders: government response to the Legal and Social Issues Committee's inquiry into food security in Victoria.

Business of the house

Notices

Notices of motion given.

Adjournment

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (09:48): I move:

That the Council, at its rising, adjourn until Tuesday 12 August 2025.

Motion agreed to.

Motions

Middle East conflict

Anasina GRAY-BARBERIO (Northern Metropolitan) (09:49): I move, by leave:

That this house:

(1) notes that:

(a) the humanitarian disaster in Gaza is deepening in catastrophe, with children dying from starvation at alarming rates;

(b) according to latest data from the United Nations Relief and Works Agency, one in every five children in Gaza City is malnourished;

(c) deaths from malnutrition are completely preventable;

(d) humanitarian partners are being restricted from bringing in humanitarian aid from neighbouring countries, with agencies such as UNRWA reported to have the equivalent of 6000 loaded trucks of food and medical supplies in Jordan and Egypt;

(2) acknowledges that over half of Gaza's population are children and that the deliberate denial of food, water and medical aid constitutes a grave violation of international humanitarian law;

(3) does not support the State of Israel's continued invasion of Gaza; and

(4) supports calls for an immediate and permanent ceasefire.

Leave refused.

Members statements

Western Victoria Region projects

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (09:50): Our tiniest towns are often the heart and soul of western Victoria, places where community spirit runs deep and neighbours always look out for one another. That is why I am proud to see a wide range of projects receiving the funding and the support they deserve. We are seeing valuable upgrades, like $50,000 to transform the old Apollo Bay kinder into a brand new community hub, $50,000 for the Lismore footbridge replacement, $40,000 for stage 3 of Cobden's Tandarook Park restoration, over $46,000 to resurface the Camperdown–Timboon rail trail, over $28,000 to enhance the Wye River Surf Life Saving Club rooms and $50,000 to transform the old football clubrooms at South Purrumbete reserve into modern, vibrant community spaces.

Western Victoria also knows how to put on a show, and it is no surprise our venues have been successful in the latest round of 10,000 Gigs: The Victorian Gig Fund. From Keayang Maar Vineyard to Camperdown's Theatre Royal and Bells Beach Brewing, these grants will create more paid opportunities for Victorian artists, support local businesses and bring more live music to our regional communities. Whether it is restoring a rail trail, upgrading a local park or filling a venue with live music, these investments reflect the rich diversity of our communities and help keep western Victoria vibrant, connected and strong.

Community safety

Richard WELCH (North-Eastern Metropolitan) (09:51): I rise on my members statement. I put aside what I was planning to say. These are clearly difficult times for social cohesion. These are times when the robustness of our multicultural community and the seams of it are put under deep, deep stress. In my electorate there is the seat of Box Hill, and the member there is Mr Paul Hamer, a man of Jewish extraction. I deeply disagree with Mr Hamer about many things in that seat – about the Box Hill brickworks and about the Suburban Rail Loop activity centre. I will contest him very, very harshly when the election comes on the matter of how that electorate is represented. But things have come to my attention that Mr Hamer has had to experience over the past months as the Gazan and Palestinian and Israeli issues unfold. Where I stand absolutely side by side with Mr Hamer is as an Australian. I absolutely abhor the matters that he has had to experience and that everyone else in the Jewish community has had to experience. I will not abide by it, and I will not stand silent as these things happen. I give my support to Mr Paul Hamer.

Freedom of speech

David LIMBRICK (South-Eastern Metropolitan) (09:53): In 2019 the BBC launched the Trusted News Initiative. You may not have ever heard of it, but it controlled a lot of what you saw and heard during the COVID-19 pandemic. Started as an initiative to combat election misinformation, it pivoted during COVID to being the centralised global body that shaped what appeared in the public digital space. Partners included Google, Microsoft, Meta and Twitter. This handful of people were responsible for suspending accounts, removing posts and shaping the global narrative into a small list of acceptable opinions. It was our first experiment in global censorship and information control. Governments around the world had a taste of it, though, and we have since seen an explosion of censorship laws, usually labelled as combating misinformation, online safety or combating hate speech. The censors at TNI got a lot of things wrong too, such as the lab leak theory, whether vaccines prevented disease transmission and much more.

The Australian Online Safety Act 2021 was quietly passed into law by the Morrison Liberal government in 2021, granting the eSafety Commissioner extraordinary powers. She has wasted no time in trying to censor the internet globally and implement social media bans which would require universal online identity checks. I urge all Australians to remain vigilant to these emerging threats to freedom and democracy.

Heatherwood School

Sonja TERPSTRA (North-Eastern Metropolitan) (09:54): Over 10 years ago, prior to entering this place, I began advocating for greater support for our local public schools, and since entering this place I have stayed true to my values. That is why today it gives me great pleasure to rise to share a significant and positive development for Heatherwood School in Donvale in my electorate. Following a devastating fire in August 2023, the school community has shown remarkable resilience, patience and unity in waiting for the wheels of bureaucracy to gain traction so that block A could be rebuilt. Today it gives me great pleasure to announce that the Victorian School Building Authority has appointed a builder to commence the rebuilding of block A. Following a tender process, Devco Project and Construction Management has been selected to deliver the new facilities. Construction is scheduled to commence at the end of next month, with completion forecast for July 2026. The new block A will provide students with modern, inclusive and purpose-built facilities including performing arts spaces, a canteen and trade kitchen, food technology and hospitality classrooms, storerooms, toilets and an administration area. I thank the school leadership, staff, families and students for their patience throughout this process.

The Allan Labor government will always invest in the infrastructure that Victoria's public schools need to deliver high-quality education outcomes for Victorian students. With that, I would also like to thank Deputy Premier Ben Carroll in the other place for his outstanding leadership in ensuring that Victorian students have modern, fit-for-purpose facilities to learn in. I look forward to seeing block A in all of its new glory and the students participating in learning in their new surroundings in July 2026.

Parliamentary internship program

Melina BATH (Eastern Victoria) (09:56): The parliamentary internship program presented me with a remarkable intern, Anastasia Scarpaci. Her first-class honours report into the biodiversity in the national parks estate is independent and comprehensive and highlights Victoria's critical environmental challenges. It affirms what Victorians have often spoken to me about – that biodiversity in our national parks is declining due to underfunding, poor monitoring, a shrinking ranger workforce and difficulty retaining volunteers. Anastasia also identified serious concerns around fire preparedness and invasive species such as feral cats, foxes and weeds that are damaging our natural environment. These are practical issues requiring action. Her outstanding work shows the value of our internship program and the power of evidence-based policy.

National Timber Workers Hall of Fame

Melina BATH (Eastern Victoria) (09:57): I also wish to congratulate the recent 2025 inductees to the National Timber Workers Hall of Fame in Heyfield. These include Mick Johnson, Barry Bedggood, Ernie Hug Sr, Arthur 'Joe' Burton, the Leeson family, Geoff Stevenson, Owen 'Whimpey' Feenstra, Terry 'Bones' Higgins, Diane Blackie, Stash Bednarski and our very own Gary Blackwood, former member for Narracan. There is no more ardent supporter of the native timber industry either hauling in the Gippsland hills or in the halls of this Parliament. We congratulate Gary. We also thank Felicia and Kayla Stevenson and Aaron Ralph for keeping the history, traditions and stories alive.

Bank fees

Aiv PUGLIELLI (North-Eastern Metropolitan) (09:57): In today's edition of the big bank rort report, people are being ripped off by these profit vultures again. Big banks across this country have charged excessive fees to low-income people, affecting millions. It is noticeable that the big banks only ever own up to their rorts, though, when they are caught, so it makes you wonder what has not

been caught yet. The Australian Securities & Investments Commission has forced the big banks to repay $93 million to the vulnerable people that they ripped off. Some of the refunds going to impacted people are between $1000 and $5000. To someone on a low income $1000 can be the difference between having a roof over their head or food on the table, and the big banks just took it until they were forced to give it back. One thousand dollars or even $93 million is chump change to these big banks, which are some of the most profitable in the world. They made $44.6 billion in profit last financial year, profit that came directly from ripping people off. We should not be growing the big banks' already exorbitant coffers. People need this money to live.

Kate Reid and Annie Smithers

Michael GALEA (South-Eastern Metropolitan) (09:59): I rise this morning to acknowledge the achievement of two extraordinary Victorians. Recently, along with the member for Evelyn, I had the great opportunity to convene the launch event for the Parliamentary Friends of France, which was attended by the magnificent Consul General Paule Ignacio and His Excellency Pierre-André Imbert, the ambassador of France to Australia. At this ceremony, we actually got to honour two extraordinary Victorians and acknowledge their achievement in the space of food and agriculture, with both Kate Reid of Lune Croissanterie in Melbourne and Annie Smithers, chef at Du Fermier in Trentham, being awarded France's highest agriculture honour, the Ordre du Mérite Agricole. It was a fantastic opportunity to celebrate the many wonderful things that come out of our great state and these two incredible women in particular. It was delightful to be a part of the occasion and acknowledge that some of the world's best French food actually comes from right here in Victoria. We have much to be proud about.

Carolyn Askew

Michael GALEA (South-Eastern Metropolitan) (10:00): We also as members have the opportunity from time to time to attend citizenship ceremonies, and they are always of great enjoyment to all of us who do get to go along and be part of that process for our newest Australians. I always particularly enjoy it, and at a recent ceremony in Cardinia shire I was also particularly excited to welcome my dear friend and former union delegate at Woolworths, my good friend Carolyn Askew, to become an Australian citizen.

Youth crime

Moira DEEMING (Western Metropolitan) (10:00): This week I went to visit one of my constituents, who was recovering from the trauma and physical injuries that he sustained in a catastrophic violent attack by machete-wielding youths. Mr Saurabh Anand came here from India seven years ago, and he related to me just how much he loved this country. He loved our culture. He loved that we enjoy cricket, like him, and that he had built up a career here in IT. He was just sitting on a bench at the supermarket talking to his family, looking at the same sky that his family were looking at, when he was set upon. The trouble that he has is that of the five youths who attacked him, two are on bail, one is in remand and one is on the run. He cannot understand why it is that the youth in Victoria feel so brazen as to do this to people. In interviews he has had his face blurred out because he is afraid that they might be locals, and he was devastated to hear that the tough bail laws that he had heard about had not actually really come into effect. I just want to say thank you very much to Mr Saurabh for still praising Australia and still loving us.

Education system

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (10:02): Our teachers here in Victoria do the most phenomenal work, not just to make sure that students have what they need but to create and sustain school communities that enable everybody to participate, no matter where they are in the state or the stage of life that they are at. The investments that have been made have really yielded some very important results – most recently the NAPLAN results, which show that Victorian students are top of the class, ranking first or second in 18 of 20 measures and significantly improving upon our

2024 results. Records are really being smashed by Victorian students, with an average of 70 per cent falling in the 'strong' or 'exceeding' bands, and our primary students are ranked first or second in all 10 domains. This is really a testament to the work that is happening right across the state.

Again, our teachers, our staff and our school communities do the most extraordinary power of work, and this sits alongside the investments we have made in a range of areas, including dental check-ups, free glasses and vision checks, the Get Active Kids vouchers, young student support, mental health professionals and of course the breakfast club. This is something which I want to celebrate, and I also want to acknowledge the work of award winners Rohini Arun Kumar, Asmi Pathania, India Van Berkel and Annalisa Baxter. Across Gippsland the Premier's VCE Awards have celebrated participation and achievement just like this.

Greater Dandenong Anti-Poverty Consortium

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:03): I had the great pleasure of attending a local drop-in centre, Cornerstone, in Dandenong recently. As many people would know, the area of the south-east is filled with issues, with poverty, people struggling and people becoming homeless. I met with representatives from the Greater Dandenong anti-poverty steering committee: Naomi Paterson, CEO of Cornerstone Contact; Silva Nazaretian, director of Enliven; and Elena Sheldon, manager of Springvale Learning and Activities Centre Inc. These ladies operate throughout the south-east, and they do it on a shoestring budget for their organisations. In the Greater Dandenong area we have one in five people and one in four children who live in poverty, and that extends throughout different parts of the south-east as well. Cornerstone offers a warm and welcoming environment. In fact they even had the local ukulele singalong with participants learning ukulele. They were able to perform for me, and that was really wonderful. I am always impressed with the work that is done on so little money to provide weekly open house sessions, in the case of Cornerstone, where snacks and regular two-course meals are provided for up to 80 people. The anti-poverty steering committee was established as an integrated approach to working collaboratively with organisations such as South East Community Links, Salvation Army and Red Cross to address identified gaps in current service delivery, aiming to create a community where poverty is no longer a barrier to opportunity.

Rosebud Hospital

Tom McINTOSH (Eastern Victoria) (10:05): On the southern peninsula the Rosebud Hospital is so incredibly important to the community. For decades it has served locals, and for generations to come we will ensure that it serves locals. When you get out and talk to people, they are incredibly passionate about the hospital. It is the fact that there are services close to home. There are services close to home in an emergency, and as I said, when you are out talking to people that is so incredibly, incredibly important. The incredible staff and volunteers at the hospital are so valued by the local community – the nurses and the doctors. Everybody that puts in goes above and beyond to ensure that the southern peninsula receives the best possible care. As a member of the Labor Party, investing in housing, investing in education and investing in transport and looking after our local environment matter, and the Labor Party are investing in health care and providing the healthcare services people need. We created Medicare. We have protected Medicare, ensuring that local services and medicines are cheaper. As a Labor member, I am fighting for the Rosebud Hospital to ensure people of the southern peninsula have the Rosebud Hospital for generations to come. Alongside passionate locals, I will fight for the Rosebud Hospital.

Business of the house

Notices of motion

Lee TARLAMIS (South-Eastern Metropolitan) (10:07): I move:

That the consideration of notices of motion, government business, 278 to 1009, be postponed until later this day.

Motion agreed to.

Bills

Workplace Injury Rehabilitation and Compensation Amendment Bill 2025

Second reading

Debate resumed on motion of Harriet Shing:

That the bill be now read a second time.

David DAVIS (Southern Metropolitan) (10:07): I am pleased to rise and make a contribution to this bill, the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025, and to note in the first instance that this is part of a series of bills that relate to the changes that need to be made to WorkCover and WorkSafe Victoria and that the opposition will not oppose this bill. Though we will seek to amend it, and I will come to those points later.

The main measures in the bill are those that introduce a Code of Claimants' Rights to prescribe service standards that must be met by WorkSafe and self-insurers; introduce a lived-experience criteria for the Occupational Health and Safety Advisory Committee and the WorkCover Advisory Committee; amend the return-to-work provisions by requiring employers to provide return-to-work coordinators with paid time off to undertake mandatory approved training and provide them with facilities necessary to perform their functions under this bill and the changes that will consequently, if the house agrees, be made to the act; and introduce new compensation entitlements for family members after a work-related death, allowing family members to receive provisional payments after a death by suicide, increasing weekly pensions payable to dependent children of deceased workers, extending the duration of provisional pension payments, creating an entitlement to lump sum payments for economic loss for dependants who are not the partner or child of a deceased worker, creating an entitlement to lump sum payments for non-economic loss for close family members, providing access to a broader range of therapy and other supports and introducing a new entitlement to compensation for a forensic cleaning where a worker dies at home or at the home of a family member.

It seeks also to improve the operation of the Workplace Injury Commission, allowing it to certify agreements between parties to resolve arbitration disputes; order costs in favour of an injured worker, where the parties resolve the dispute at arbitration or further conciliation following arbitration; and share information with injured workers after conciliation and arbitration has ended. It also amends the process by which members of the WorkSafe board, the chief executive and hearing loss assessors are appointed. The Parliament, this chamber, did have a short, sharp inquiry recently that looked at WorkSafe, failings in the WorkSafe system and problems with the financial viability of the system. Examinations that had been done on WorkSafe's viability had been kept quiet and hushed up by the government, but clearly the scheme was in some serious trouble and is still in a serious financial position; there is no question about that. All of the increases in benefits that are listed need to be balanced against maintaining the scheme in a viable mode so that into the future the scheme is able to continue to deliver on the one hand for those who are legitimately expecting support after being injured at work and the viability of the scheme for employers. If we squeeze employers too hard, we lose business to other states and we lose employment, so there are significant risks here for the state. That is why the scheme needs to be run at efficiency. It needs to be a scheme that does not have waste and does not have any overruns and lack of financial control in the system. So it needs to strike that balance, making sure that employees are fairly treated when they have been injured but also that the costs are constrained, because at the end of the day this bill is a significant change.

We will, in our amendments, seek to do a couple of relatively modest items, and I would be very much obliged if somebody would distribute those amendments as we speak so that they are able to be discussed. The textual amendments will amend section 448 of the act to prevent the Governor in Council from increasing any premiums in the premiums order for the 2025–26 financial year. This is not the right time for further increases. We might just circulate the materials. The amendments also

require WorkSafe to provide approved training to return-to-work coordinators who are employed by employers with a rateable remuneration of less than $2.895 million at no cost.

One of the findings of the inquiry, and this was an effective inquiry – it was at my reference, but I pay tribute to the work done by many on that committee – was a recognition that by getting quicker return to work, there could be a positive outcome for employees but also a cost saving. This is the virtuous position where, if you can manage the scheme well, constrain the costs, help employees get back to work and provide the support and rehabilitation that is required, you get both a positive social outcome and a good outcome for the scheme's costs as well. Workplace rehabilitation coordinators are an important part of that, and the reality is that by supporting them we could get a better outcome. It is obviously more difficult for smaller employers to employ people who have got those specific sets of skills, and in that sense one of these amendments seeks to support those smaller employers, because it is not just in the interests of those smaller employers but in the interests of their employees and in the interests of the scheme overall. This is where, again, sensible focus means that we will get a better outcome for community, for individual workers who have been injured and for the viability of the scheme and the premiums in the end that employers pay.

This is a thoughtful set of amendments. The government, I understand, has indicated in its commentary that it will not increase the premiums for the 2025–26 financial year, and we welcome that. But let us put that beyond doubt. If the government is serious in its commitment there, it can simply agree to the opposition's amendment, and that will have the desired effect and put it beyond question. We think that is, again, a reasonable point.

Victoria's business costs have become increasingly a problem for our system, not just the costs of WorkSafe but increasingly the costs of taxation and regulation on small businesses. We are very conscious of those costs. We are aware that the state government has jacked them up. There have been more than 60 new and increased taxes under this government since 2014, many of those imposed on small and medium businesses, which actually makes them much less competitive. The Victorian Chamber of Commerce and Industry work that looked at regulation across the states clearly made it transparent that Victoria had the worst regulatory regimes on a wide front. In so many areas we had more regulation, often to little effect other than adding to costs and restrictions on business. One of those issues for businesses is the on-costs of employment, and we obviously need to run this scheme very efficiently and very effectively. That is why we have been focused on return to work. The committee heard significant evidence about the return-to-work focus and the need to strengthen that, and I pay tribute to the fact the government has responded to what the committee had to say and has in part adopted some of its points.

I want to make some points here, too, about the review of WorkSafe's management of complex workers compensation claims undertaken by Peter Rozen KC, now Judge Rozen. This was a consequence of adverse findings made by the Victorian Ombudsman concerning WorkSafe's management of the scheme in December 2019. The Ombudsman, to refresh the chamber's memory, found examples of workers being denied their legal entitlements, and the Ombudsman recommended an independent review be undertaken, which became the Rozen review. Now, the government has been slow in responding to that, and the Rozen review obviously needed some legislative implementation. The second review is known as the family supports review; it made a number of important recommendations as well.

Some of the amendments – clause 4, clause 27 – relate to the structure of WorkCover, the statutory objectives. It also makes it clear that there is a statutory obligation to actively manage claims and to treat workers with dignity and respect. In a sense the Rozen review actually predated some of the work of the parliamentary committee in the focus on active management of cases, but both were pushing in a similar direction. The Rozen review also recommended changes to the composition of workplace advisory committees, composition of the OH&S advisory committee, mandatory training for return-to-work coordinators and a number of other important recommendations. As I say, there was also the

family support review, with a number of amendments, which I have outlined, providing for additional support for family members in certain circumstances that were not clearly covered previously.

A number of the amendments also are unrelated to those two reviews or indeed the parliamentary one. There are some matters around hearing loss assessors, and this proposed amendment appears to restrict the class of persons who can assess hearing loss to medical practitioners only. The amendment reads:

> must be assessed as a binaural loss of hearing and determined by a medical practitioner …

We sought some clarification of that from the minister, and the minister might like in her wrap-up or in committee stage to make some commentary. The minister's office has sought – but I think it is better if it is done in the chamber here openly – to clarify that the amendment only seeks to remove the requirement that the minister must approve individual hearing loss assessors rather than the class of persons who can make the assessment. The minister's office advised the amendments do not change the existing eligibility requirements. I would like to hear that in the committee stage or at a convenient point from the minister if that is possible.

The power to request and share information is strengthened. There is resolution by agreement of parties to the dispute. The costs for arbitration after further conciliation: currently when a dispute is decided in favour of a claimant the body may make an order in favour of the claimant for costs they have incurred. However, the costs cannot be ordered when the dispute is resolved by conciliation. The change provides that if a dispute is resolved as a consequence of further conciliation after being referred from arbitration, the claimant is entitled to be awarded costs. We do not oppose some of these changes; we think they make some reasonable sense.

The appointment of the board of directors: the CEO to be appointed by the board is clause 28. The board of directors is clause 29. It also includes the ability to appoint an acting CEO. Any appointment made by the board is still subject to the minister's approval. The CEO will also be able to resign by giving notice to the board. The minister's office has said that this is designed to align with other bodies. I think some of these changes are changes that are neither here nor there. It is not absolutely clear why the government is determined to proceed with those.

We support initiatives aimed at improving workplace safety and ensuring appropriate treatment and rehabilitation of injured workers. We need at the same time to be careful in that the complexity of the scheme can in itself begin to present challenges for businesses and may jeopardise business viability through even higher premiums. So this is a delicate balance to strike. A very complex scheme can be one where sometimes nobody is actually in charge, and that can lead to worse outcomes for injured employees because the active management is not as sharp as it could in fact be. We have talked already about the code and the return-to-work training and facilities. Again, we support the role of return-to-work coordinators. They do come at a cost for employers. I note the Hanks review in 2008 – also now a judge – found that mandatory training of return-to-work coordinators may impose an unreasonable cost on employers, especially those with very few claims, and the bill will impose this mandatory requirement. So there is this balance to be struck, and we are alive to some of the challenges with that.

In the bill briefing there were a series of questions about the costs here. Officials advised that modelling suggests the cost of these changes would be between $2 million and $10 million. That is a considerable burden, but it may be returned in better management of claims. That is the hope, that there is a return to the system in better management of claims and in better outcomes for injured workers. The minister's office provided some of these figures around the time of the briefing, but there has been some shillyshallying around this and some walking back of the figures that the minister's office provided. There have been some suggestions that the costs may be lesser more recently, because they may be online courses and perhaps $485 for a two-day facilitator-led course. Again, it is important that the scheme be run properly and efficiently. None of the figures, though, that the government has provided seem to take into account any of the on-costs employers will be required to pay. These include the costs of providing additional paid time off to attend the training, which means a loss of productivity while the person is away. There are also the costs of providing a return-to-work

coordinator with the facilities required to undertake their role. The facilities could include an office and equipment and so forth. There are some of these costs, and it does not seem that the government has really come to grips with those.

The need for a continuing review of a lot of these matters is noted. For several years the WorkCover scheme has been in serious decline, and the FOIs that I personally managed to get out of the system, which pointed directly to the huge surge in the financial spending of the scheme but not a consequent increase in income and consequently a massive deficit building over time, are something that I think we have got to be very concerned about. It is no use having a scheme that is unviable. It is no use having a scheme that is fundamentally broken, as some have called it. The average premium rate in Victoria is 1.8 per cent now, and that has increased from 1.27 per cent in 2023. Stakeholders have advised the increasing cost of premiums for small and medium business was a factor when considering the ongoing viability of their business in Victoria, and I can report anecdotally that industry associations raise these WorkCover costs and the premium challenges very significantly.

There have been many cases of good employers who do not have a bad claims history where their premium has increased very significantly, in some cases by more than 200 per cent. While there was a freeze last financial year, employers remain fearful of premium increases, especially in consequence of these changes and increased payments. So we need to be very thoughtful about how this is going to operate. I am far from convinced that the state government really has a proper grip on this scheme. It had become an absolute monster that was running out of control, and you would hope that it could bring them back into some sensible zone. Our amendments seek to make provision for return-to-work training by WorkSafe to employers with a ratable remuneration of less than $2.895 million, and that is comparable and consistent with the position that exists in New South Wales. We have not just plucked that figure out of the air. There is a parity with New South Wales on that, and that is why we have chosen that particular figure.

I do want to say that the government got itself in a panic with that last bill. The opposition referred that bill to the Economy and Infrastructure Committee, which looked at that bill across the Christmas period, and the changes or the recommendations were broadly accepted – I think the government understood what the committee was saying. The committee as a whole actually did come to some reasonable conclusions, I think, and they should still be very much the underpinning for the scheme going forward.

But I cannot get away from the fact that if the scheme is not viable, that puts at risk not just businesses and employers and their financial position but actually vulnerable employees as well. You have actually got to make the scheme run properly and viably for everyone's benefit. You cannot have a scheme that is careering out of control. It was only a few years ago that WorkSafe's WorkCover scheme was actually a major contributor to the state government's coffers through dividends – in some cases many hundreds of millions per year as dividends. In more recent periods the state government has had to put money into WorkCover to keep it afloat. That is a sign of a government that has got its settings wrong, got its understanding of the scheme wrong and actually left the scheme compromised. As I said, the consequence of that is employers are hit and business competitiveness is hit, but employees are also consequently at risk of not getting the support and the return-to-work activity and focus that is actually needed. Safety is a very important part of the scheme, but it is this return-to-work component that I think is absolutely central. I think that is enough. We will discuss the amendment further in committee.

Aiv PUGLIELLI (North-Eastern Metropolitan) (10:31): I rise today to speak on behalf of the Greens on the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025. No-one gets up, heads off to work and expects that their whole life could be changed in a second, but devastatingly, this is something that people in our state continue to endure. People continue to be injured and sometimes lose their lives at work. It is a reality for too many people in our state, and WorkSafe should absolutely be there to support injured workers and their families.

I am pleased to see that there will be increased payments and support services available to family members who have suffered the loss of their loved ones at work. I think the trauma of losing a loved one in this way and the impact that a workplace fatality can have on a family is hard for many people to truly understand. What I know and what I hope that we can all here accept is that providing financial and psychosocial support is critical for any family that does have to deal with this loss.

Introducing a code of rights for injured workers is also something my colleagues and I welcome. There is a very clear need to explicitly state that injured workers and other claimants of the scheme must be afforded dignity and respect. No-one I think, or hope, would disagree with this, but what I do want to see is how this meaningfully will be upheld and what this will look like when it is operationalised, because I am sure that there are many injured workers who would tell you that they do not feel like they have been treated respectfully or with dignity. These changes really will matter in practice.

My colleagues and I are also pleased that there will be improved training for return-to-work coordinators. It can be such a challenging prospect for an injured worker to return to work, and so it is crucially important that they are thoroughly supported through the whole process by skilled coordinators. I am also pleased to see lived experience be further incorporated into the scheme. My office regularly speaks with injured workers, and I will tell you these workers are very well versed on what more needs to be done with the WorkCover scheme to make sure that it truly supports injured workers. On that, I absolutely think there is still so much more to do to improve the WorkCover scheme. This bill is seeking to make important improvements, absolutely, and my colleagues and I support these. Taking a step back, zooming out, there is much more to be done to make sure the scheme is operating as intended and supporting workers through injury.

In the minister's second-reading speech, he said:

> The challenges faced by injured workers and claimants should not be compounded by their experiences of the Scheme.

To be honest, from the injured workers I have spoken to, I have to say this is currently failing. I have spoken to multiple workers who have had the most appalling experiences seeking support for their injury, to the point that they have been further injured by their experience with the scheme and continue to have to fight at every stage of the process. People are already injured, they are already facing the physical and/or psychological impacts of their injury, and then they have to deal with what they experience as a completely hostile and antagonistic system. The fact that this is going on is just downright appalling. I am shocked to the core by what I have heard from some of these injured workers. It is outrageous, the way that they have been treated, and some of these experiences are a direct result of the dreadful WorkCover bill that was passed last year. People are telling me about the terrifying 130-week cliff that they are facing, about the fact that they now cannot claim their mental injuries. Those changes were dreadful, and it was a shameful day in this Parliament – I think it was in the late hours of the evening – that they passed.

As I have mentioned before, this bill is taking some positive and important steps, but the WorkCover scheme needs much, much more work to ensure that it better supports injured workers through their injury and beyond. So my colleagues and I will be supporting the bill and raising some of the concerns I have outlined in the committee stage process.

Jacinta ERMACORA (Western Victoria) (10:35): I am pleased to speak on this bill this morning and to reiterate what Mr Puglielli so articulately said about people's expectations. Workers' expectations, when they get up in the morning and go off to work, are not to come home injured and certainly not at all that they might not come home. If we look back in history, some of the issues and reasons why a group of workers gathered under a tree and formed the Australian Labor Party were because of workplace safety concerns, and we have never let go of that. We know why we exist, and it is for protection and support for working people, working families and people experiencing vulnerable stages in their lives and for justice and equality. So this piece of legislation fits very much centrally within the value set and framework of the Victorian Labor Party.

I would like to acknowledge the presence in the gallery of Ralph Snider from the Workplace Incidents Consultative Committee and thank him, his colleagues and everybody who has contributed to the consultation and feedback on this bill. It is really important for us to hear and understand the lived experience of people who either are related to or close to or indeed themselves have experienced some form of workplace injury. I think sometimes it is really easy for us to slip into feeling like we are the experts and we know this stuff, and it is not true. Circumstances change, new issues emerge, the world changes. Generations of people have different expectations as well, and that brings me to why this bill is here this morning.

The bill will amend the Workplace Injury Rehabilitation and Compensation Act 2013, the Accident Compensation Act 1985 and the Occupational Health and Safety Act 2004, and in doing so it will improve the experience of injured workers who access the WorkCover scheme. It will improve the support the scheme provides to family members and dependants of workers whose death is work related. It will also improve the operation of the Workplace Injury Commission. It will streamline administrative arrangements for members of WorkSafe Victoria's board, WorkSafe's chief executive officer and hearing loss assessors. And it will also correct technical oversights from the Workplace Safety Legislation and Other Matters Amendment Act 2022 and the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Act 2024, which I was here for.

Workplace injuries can have a profound and lasting impact on a person's life, not just physically but emotionally, socially and financially, so when someone is injured at work, compensation is only one factor. The best outcomes of workplace injury rehabilitation help an injured worker recover physically, psychologically and vocationally so they can safely return to work and everyday life as soon as possible. This may include medical treatment such as surgery, physiotherapy and mental health care. It often includes occupational rehabilitation. Using return-to-work planning and modified work duties during periods of adjustment and recovery can support a safer return to work, reduce the risk of re-injury and help maintain or regain an injured worker's confidence, skills and connection with the workplace. We certainly know that the length of time between the injury and an actual re-engagement with work has a direct impact on the pace and extent of recovery from an injury. Support services can also play an important part through counselling, case management and retraining as needed. Overall, the goal is not just to treat the injury but to support the whole person in rebuilding their health, confidence and ability to participate in work and life.

Historically, we have certainly come a long way in how we approach workplace injury and rehabilitation. It is a fascinating story that spans more than a century of progress and reform and a growing recognition that early support changes lives. In the early 1900s, workplace rehabilitation as we understand it today did not formally exist in any Australian state. Across the country, state-based worker compensation schemes did begin to emerge, but their focus was almost entirely on physical compensation, not recovery and not a return-to-work emphasis. In Victoria the Workers' Compensation Act 1914 began providing payments to those injured on the job. However, there was little to no support for treatment or rehabilitation. Workers were often left to navigate their recovery alone and frequently fell into long-term unemployment and poor health.

By the 1980s it was clear the system was not working; the costs were blowing out and recovery rates were poor. Injured workers were falling through the cracks. Employers were facing soaring premium costs as injury rates climbed dramatically, with an average of 450,000 workers injured each year – extraordinary. For many workers the system felt unfair and impersonal, often adding to their distress during recovery. The need for real change, both fiscal and human, was undeniable. Then came landmark reform under John Cain's Labor government. In 1985 the Cain Labor government introduced the WorkCare scheme, which literally transformed the way we supported injured workers. It was a major shift from the adversarial model to a supportive model. With structural rehabilitation embedded within the system for the first time, the focus centred on rehabilitation and return to work. The message was clear: it was not just about payouts, it was also about recovery. The new scheme

introduced compulsory insurance for employers. It centralised claims management. Critically, it put a new focus on early intervention and return to work.

In the 1990s our approach matured further. WorkSafe Victoria became the lead authority and rehabilitation became more holistic. It was no longer just about getting someone back on the job, it was about making sure they were medically, physically and emotionally ready. Employers were given clearer responsibilities. Injured workers were no longer expected to navigate the system alone. The ideas of suitable duties and staged return-to-work plans gained traction.

As we entered the 21st century, Victoria's rehabilitation model aligned more closely with international best practice. We embrace the use of professional rehabilitation providers, we place stronger obligations on employers to keep workers connected to the workplace and we acknowledge that recovery is not just physical, it is also psychological. In the last decade we have faced new challenges, particularly with the rise of workplace mental injury claims. We responded by strengthening mental health support in rehabilitation programs. We improved protections for workers with psychological injuries. We placed further emphasis on educating employers about the importance of mentally safe workplaces. We began to treat mental health with the same urgency and compassion as physical recovery, and rightly so.

Today, as we debate this bill, we are once again in a period of change. Mental injury claims are rising, and complex cases are taking longer. The system is undoubtedly under pressure financially and operationally, and that is why this bill will continue to modernise our approach. It is important to make sure that our workplace injury rehabilitation and compensation legislation is fit for purpose, reflecting the contemporary circumstances and social expectations of our community. These changes deliver on the Victorian government's commitment to implementing recommendations of the independent review of WorkSafe Victoria's management of complex workers compensation claims, led by Peter Rozen KC, now Judge Rozen, and the recommendation to review the adequacy of compensation and supports for family members of workers whose deaths are work related. The details of the proposal include improving the experience of injured workers and other claimants, improving supports for family members after a work-related death, improving the operation of the Workplace Injury Commission and improving administrative arrangements for WorkSafe.

This legislation will continue a long Labor tradition of standing up for fair, safe and respectful treatment for working people, especially when they are at their most vulnerable. From the groundbreaking WorkCare reforms of the 1980s to the improvements we are making today, Labor has always believed that injured workers deserve more than just compensation. They deserve support to heal, to recover and to return to meaningful work and life. Before I conclude, I would say that prevention of workplace injuries is also a focus. It is not relevant to this bill, but I did not want to leave out mention of prevention of workplace injury in my contribution today.

As I mentioned at the start, it is really incredibly important that when we go off to work in the morning we feel confident that we are going to come home in one piece, whether that is physically or mentally.

The safety of workplaces contributes so much to the productivity of a business. It contributes to the confidence of teams and the way teams work together, and it contributes to the legitimacy of working in our society. It is incredibly important that we make sure that we do not just use workers as a cost input. Workers are human beings and members of our society. Workers are equally important at the bottom rung and the top, at the CEO level. It is really a value statement I think to reflect that through the structure of how we ensure workers compensation works in this state. We cannot just have glib statements that express the value; we have to do the hard work to create a structured scheme that practically implements that value set of equality and justice and fairness for workers. These changes that we are proposing in this place today are a reflection of exactly that. The bill strengthens the commitment that we have as a Labor government to workers, and I am very proud to stand with a government that puts dignity, fairness and recovery at the heart of workplace justice.

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:50): I also rise to make a contribution on the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025. Before I start I just want to go through some of the basics of the main purpose of the bill, with its measures that include introducing a Code of Claimants' Rights to prescribe service standards that must be met by WorkSafe Victoria and self-insurers when assessing claims by injured workers and the introduction of the lived-experience membership criterion, which I do not fully grasp. I am looking forward to it coming into committee for questions on that. It also amends the return-to-work provisions by requiring employers to provide coordinators with paid time off to undertake mandatory approved training, which I will come to in a minute, as well as introducing new compensation entitlements and supports for family members after a work-related death.

I have to agree with members throughout the chamber who have mentioned how incredibly important it is that when a person goes to work they expect to be able to come home safely to their family, their friends or wherever they live. Should anything, God forbid, happen in that workplace that causes injury, they should be looked after appropriately so that there is compensation for them. That is why WorkCover came into being – because people were aware that there were severe injuries taking place and that people were not being looked after. This is incredibly important. As a coalition the Liberal–Nationals will be supporting the essence of the right to have that compensation in genuine circumstances when people have been injured at work and cannot continue in their work as a result of that or maybe have lost their lives, and this bill is introducing the opportunity for families to be appropriately compensated. It is quite an extensive compensation, I must say, for family members; it is not just for one family member but for several family members for amounts of money. But given that there is no way to replace a valued family member who was contributing to the home and to the income of a family, that is an incredibly important thing to take into consideration.

We have to remember, though, that WorkCover per se under the Andrews–Allan Labor governments over the last 12 years of Labor has become fundamentally broken. I was really interested to hear Ms Ermacora's contribution, because she mentioned a period when WorkCover became more holistic. Of course that was in the Kennett period when the Liberals were in government, from 1992 to 1999. Thank you so much for the shout-out and for recognising the work of the Liberal Party and the things that we have done to make sure that workers are compensated and that there is an approach that allows people to have that compensation. What we do not want to have in WorkCover is businesses going under. We do not want them going under when people are putting in claims that are actually not genuine.

I cannot tell you the number of stories that I heard when people came to see me during the period in which I had the portfolio of WorkCover. Some of them were outrageous. I noticed in here that there are some provisions made for issues of hearing loss. I cannot afford to omit one of the lived experiences of a business owner who had a situation where somebody they employed well over a decade ago, maybe several decades ago, had worked for them for about 13 hours – a very small period of time. In that time they were found to not be working in a safe manner and therefore were not suitable to be working in a manufacturing industry, and they did not continue on in the workplace and were then moved on. Then, years later when they became older, they wanted to put in a claim for hearing loss for that period of time when they worked for less than a week, just a couple of days – or not even that. I just found that extraordinary. It caused tremendous distress to a reputable business and a business owner, who just found the whole thing unfathomable – that this could even be possible. It goes to show that this is still a broken system, that we still have what Labor itself has declared under its own government a fundamentally broken system. They are constantly having to patch it up.

We are looking to support this bill. We do have some minor amendments that we would like to add to it. But I find it extraordinary that we are still having to work on a broken system under the Labor government, and it bothers me that it is so broken. What bothers me too is the number of loopholes that still exist for exploitation. Do not get me wrong: I want people who are genuinely injured to be able to have that compensation. I think that is progress. I think that is a good thing, and I do not think

there would be any dispute from any side of the chamber about the opportunity for that to take place, because we do want people who are genuinely injured to be able to be looked after.

One of the things that we do see as a coalition that is of benefit in this bill is the provision for people who have lost that loved one and the additional working through there that allows them to have some compensation. I could not help but notice, and I am assuming it is to do with the cost-of-living rises, the additional payments that are coming in and the increase in the payments that have been awarded to people. It was really interesting to find, since we only made some amendments recently, that we look like we are continually increasing compensation for non-economic loss. I find that extraordinary, because it has not been substantiated as to why, but I am assuming it is a cost-of-living situation, which again declares something about the state of Victoria under a Labor government.

I was pleased to see some of the insertions. It is just the thought of what we are actually dealing with here. This is the sort of thing that can happen, and it is just really upsetting to think about. This is clause 13(3)(f) under 'Liability of Authority and self-insurer'. It says:

> After section 224(1)(e) of the Principal Act –

we are going to be inserting the following; think about this –

> if death results from the injury, the reasonable costs of forensic cleaning services incurred by family members of the worker in circumstances where the death occurred at the home of the worker or a family member of the worker …

I mean, the fact that in this day and age this could even happen is distressing – to think that somebody could have such severe injuries that would require that sort of clean-up. But thankfully that has been inserted in there. I am not sure why we have to have that level of detail, but I guess, again, it indicates how fundamentally broken the system is.

What I find extraordinary, though, is the amount of money that is going through WorkCover. We look at the TAC, and granted, I think that the TAC is extremely difficult for people to access when they have been in a car accident or whatever accident they may be in. For many people it is quite difficult to access remuneration for injuries and for medical bills. But in WorkCover it has just been way too free flowing, and that has resulted in people exploiting the system. As a result it is just one of the contributing factors to a number of small to medium businesses having to close in Victoria. It is that and the land tax that have made it so incredibly difficult. They are the two things that, if you ever sit down with small to medium business owners, they will tell you are really hurting them, the land tax and their WorkCover expenses.

One of the things I have to address is the situation of training. I looked at it and I was thinking about mandatory training, provision of facilities and requirements for return-to-work coordinators, and this is the introduction of this return-to-work coordinator. I looked at that and I thought, 'This mandatory training comes at a time when we have a teacher shortage and at a time when finding genuine trainers is exceptionally difficult in this state.' I find it extraordinary. I understand the importance of perhaps putting in mandatory training, but there are several provisions for how it can take place, whether it be online or whether it be in person. It was not ruled out in the bill briefing that some of this training could actually be done by trade unions or employer associations that would be approved possibly to deliver the training.

I understand there needs to be context in a workplace for training and return to work if there has been an injury – I do get that – and that there could be a certain person set aside to be able to help a person return to work and to make sure that they have all the necessary arrangements to make that more comfortable for them. I think that is wise. I am not canning that. I am saying that it is not a bad thing; it is a good thing. What I think is something that we need to be watching out for is the exploitation of that. I am just going to put it out as a suggestion to the government, because I know that this state has an extraordinary debt – what is it, $188 billion in debt – and it is costing us $26 million in interest a day to pay off this debt. That is what it is every hour – a million dollars just down the toilet, or more.

In terms of being cost-effective, I do think there is the possibility of having online training that is available to everybody to access – something that is short and succinct that can be provided to people in the workplace, that is ongoing and that can reduce those costs and that can actually be something that is generic. Then it means that the person that is actually having to be rehabilitated for their return to work in their actual workplace does not need to do all the general training through some sort of external, mandatorily required training; they can just be given the generic one through an online system and then just the contextual one in the workplace by a coordinator. That would be my suggestion to the government. To me that is more cost-effective. I know it is not my place to say that, but I am just putting it out there, because the debt in this state really does bother me, as does the situation for businesses, which is that they are under extreme pressure.

I noted that they said that training could be different for smaller businesses than it would be for larger businesses, and there is no context as to how they are going to define what a smaller business is and how they are going to define what a larger business is and who is going to have to pay how much. None of that is actually in there. So the cost that employees and businesses are going to wear in this situation will be another burden on our economic situation and another pressure that could cause more businesses to feel it is just not worth it: 'It's too hard to do business in Victoria. We're going to have to shut down or relocate.' So I think that a holistic approach towards WorkCover is something that needs to be considered.

I applaud the concept of WorkCover and compensation, because like I said, it is highly necessary, and it is extremely important that we are fair and reasonable to people who have been injured. Where I feel there are still areas where it is lacking is in the opportunity for exploitation. I am glad that there is going to be a review. As mentioned in this bill, that is going to be every five years, and I think they are proposing that the next one be around or by December 2030. To me that is a bit far down the track. I actually think that the review of some of the things that are being implemented here needs to be sooner to be able to see if it is working, if it can be done more cost-efficiently and if it is going to actually be working for businesses so that they do not end up having to shut down.

I understand that the Labor Party come from a union background, and I understand that it is incredibly important for them to make sure that their union people are looked after. But at the same time we have to also remember that every Victorian deserves to be looked after and every Victorian is not a member of a union. So we want to make sure that we are being fair and reasonable when we work in the area of WorkCover, and we want to make sure that we are not giving out money – extraordinary amounts – in areas where it would be inappropriate and an illegitimate use of hard-earned taxpayers money.

We will be supporting this bill, because in essence we recognise that families, where they have lost a loved one, need to be compensated, but I just wanted to add these additional thoughts on the bill.

Sheena WATT (Northern Metropolitan) (11:06): Thank you so much for the opportunity to rise and make a contribution on the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025. This is a particularly sensitive topic for me, having lost a very beloved family member to a workplace accident a few years ago now, and I was reminded about it only last week when I was in fact preparing for this bill before us. I will just ask the patience of the chamber at times when I might get a little bit emotional on this subject matter, because it is an emotional subject matter, talking about the loss of our loved ones or talking about folks that just do not come home from work at the end of the day. So thank you so much.

Throughout our state's history Labor governments have delivered for workers union values that are in Victoria's DNA. We are a state and a government that puts workers safety at the forefront, and this bill is another example of that. It provides an improved experience for injured workers accessing the WorkCover scheme and enhances the supports and benefits provided to the family members of those who have died a work-related death. This bill is not just about making legislative changes and administrative improvements; it is about dignity, it is about support and, most importantly, it centres the lived experience of injured workers and their families. These are changes that the entire union

movement has been working towards for a long time, and it is another win for workers, fought for by comrades all around the state and delivered by this Allan Labor government. I know the entire team at Victorian Trades Hall Council have been fighting and advocating for pro-worker changes like these for a long time, and it will be a welcome addition to their long list of wins over the years. I had the good fortune of seeing them as they came to visit us here in Parliament yesterday.

The union movement began in Victoria, and it is safe to say it has not lost its steam. Changes like the one this bill makes will have an impact on every Victorian worker and their family for years to come. It delivers on our commitment to implementing recommendations provided in two separate reports: the independent review into complex workers compensation claims management undertaken by Peter Rozen KC, now Judge Rozen, which was provided to government in April 2021 – and I would like to take a moment to commend Judge Rozen and all those people who submitted reports to the review; all the hard work and harder stories have finally culminated in a piece of legislation that will make real change in the lives of Victorians; and the review of the adequacy of compensation and supports for family members of workers whose death is work-related – that is the family support review.

The bill before us will enact the recommendations requiring legislative change that were accepted by the Victorian government following these reports. I will just take a moment to acknowledge in the chamber the former Minister for Workplace Safety Ingrid Stitt, who I understand has been a champion on this subject matter for many, many years over her esteemed career – thank you for your work with that, Minister Stitt.

Can I also say that this bill provides improved operational efficiency in administrative processes relating to the Workplace Injury Commission, the WorkSafe Victoria board, CEO appointments, hearing loss assessors and minor technical amendments. The reforms before us strengthen Victoria's WorkCover scheme by centring dignity, fairness and high-quality service for all Victorians, from the injured worker navigating a complex claim to the grieving parent, child or sibling facing an unimaginable loss. These changes fulfil key commitments made by the government in response to the review. The bill brings to life the aspirations of so many Victorians. One of the central messages of the Rozen review is that the experience of so many workers in the scheme just was not good enough. People were being let down by a system that failed to treat them with the respect, care and dignity they deserved at a time when they absolutely needed it. The bill responds in many ways, not just tweaks.

I am just going to say one of the pieces that I was pleased to see is the change that empowers the minister to develop and publish a Code of Claimants' Rights, setting out the rights held by workers and the obligations on WorkSafe, its agents and self-insurers to uphold them. This code will include mechanisms for lodging complaints, setting out a process through which rights are enforced and ensuring that remedies are available when breaches occur. It will be developed with robust stakeholder consultation to ensure it reflects the lived experiences and real expectations of people in this system.

We know that the longer a person remains off work, the less likely they are to return, and we also know that returning to work when safe and appropriate is a vital part of recovery. That is why this bill will now require return-to-work coordinators to undergo approved training. Employers will be required to ensure that coordinators have the tools, facilities and support to carry out their responsibilities effectively. This responds to recommendation 17 of the Rozen report and is part of building workplace capacity so that injured workers are supported back into employment as smoothly and safely as possible.

Through WorkSafe's Return to Work Victoria initiative, backed by $50 million in funding, we are trialling new supports like a worker mental health hotline and a program for small businesses to build mentally healthy workplaces. Just last year WorkSafe supported more than 26,000 injured workers to return to work, and with this bill we strengthen the foundation for even better outcomes ahead. Returning to work is not just about getting back to business, it is about restoring dignity, rebuilding confidence and reconnecting with community. For many injured workers, the path back to fulfilment is filled with physical, psychological and logistical barriers. That is why this government has made

Return to Work Victoria a key pillar of our injured worker support system. Through this $50 million investment there is the support that is needed. Returning to work when safe and appropriate delivers better health, financial stability and long-term wellbeing. It is a goal we all share, and it is one that the government is backing with both policy and funding.

The truth is that no-one knows the true cost of workplace injury or death more than those who have lived through it. This bill recognises that by ensuring that the lived experience is not a footnote in policymaking but is truly a voice at the table. Expanding the membership of both the WorkCover Advisory Committee and the Occupational Health and Safety Advisory Committee is testament to that. It includes people directly or indirectly impacted by serious workplace injury, illness or death. It reflects our deep gratitude to the members of the Workplace Incidents Consultative Committee, people who, despite their own unimaginable loss, have chosen to advocate for system reform. Their insights have directly shaped the measures in this bill.

The death of a loved one at work is a tragedy no family should endure, and when it happens our responsibility is to stand by those families. As I said, that was my role when we had a death in the family – trying to navigate the complexity of this system. It is never easy, so hearing that this bill makes it all that much easier by a suite of measures – I am going to say proudly to this chamber these are measures that I am enormously, enormously proud of. These include increasing the weekly pension paid to dependent children from 5 per cent to 12.5 per cent of the worker's pre-injury earnings, applied retrospectively for up to five years, and introducing a new lump sum payment of up to $20,000 for economic loss to dependent family members who are not a partner or a child – that is, siblings, parents or others that relied on the worker's income. I think an example of that is a son who helps out their mum from time to time. I am really pleased to see this. The other one is a non-economic loss payment of $10,000 for close family members who shared a genuine relationship with the deceased, recognising the pain and suffering caused by loss beyond financial dependency. I lost my cousin. I did not have a financial dependency on him, but that loss was enormous. So for me, I was really pleased to see the government recognising that there is loss too for family members.

There is also an extension of the provisional pension period for dependent partners from 12 weeks to 26 weeks, ensuring that families do not face undue hardship while waiting for a claim to be determined. There are also measures to allow for provisional payments to be made in suicide-related workplace deaths, which are always a tragedy. It will expand access to bereavement counselling and therapy, including for families where the worker had an eligible disease or severe injury. I know Mrs Hermans spoke about this, but introducing a new entitlement to cover the cost of forensic cleaning after a work-related death in the home is a practical yet deeply compassionate reform.

The idea that came to mind about where this might be applied was actually in our regional communities. I previously helped some farmers in a life long ago. When there were injuries on the farm they went home. They went back to the home to wait for the ambulance to arrive after their tractor had an accident or there was some sort of accident with machinery; they went to the home. This was the best example that I could think of. If that was a large-scale employer, it would certainly be eligible under this. I am thinking about those sorts of incidents that happen. They are a real tragedy. Even to have the insight to include that in this bill means that absolutely this bill was drafted with voices of lived experience at the table. Can I commend folks for thinking about that, because let me tell you, that is never an easy thing.

Each of these measures – every single one of them – acknowledges the profound and lasting impact of a work-related death on families and communities. The tireless advocacy of many, many injured workers, families and industry leaders has shaped everything from improved bereavement support services to stronger recognition of families' needs in the aftermath of workplace fatalities. By legislating the inclusion of lived-experience voices on the WorkCover and occupational health and safety advisory committees, we are ensuring there is empathy in the DNA of our policymaking. Their presence ensures the system is never disconnected from those it was built to serve.

This bill also contains important changes to the user experience at the Workplace Injury Commission, our independent dispute resolution body. Workers can now access their dispute documents after conciliation or arbitration concludes, including addressing a key barrier to informed decision-making. This bill also includes sensible administrative improvements to ensure that the scheme runs efficiently. These include allowing the WorkSafe board to appoint its CEO with the minister's approval, reducing red tape, which is also in keeping with best practice; enabling some acting CEO appointments for up to 12 months without Governor in Council processes; and clarifying that the WorkSafe board of directors can resign directly to the minister and the minister may determine their terms and conditions. There are also some improvements, which I was pleased to hear – removing the outdated requirement for the minister to approve hearing loss assessors, delegating this responsibility to WorkSafe, just as we do for so many other assessor types. These changes are modest, but they are incredibly important. They free up capacity and align our practices with other modern public sector entities.

The bill mandates that the scheme is subject to a statutory review every five years. The first is to occur by 31 December 2030, and this ensures that the system evolves with the needs of workers, families and workplaces and that we will remain accountable absolutely to those we serve. It also delivers really practical improvements to the operation of the Workplace Injury Commission and WorkSafe's administrative processes and corrects prior technical oversights.

As I said, it is a bill about justice, about dignity and about delivering on the promises we made to injured workers and their families. Labor built the WorkCover scheme to protect workers. Unlike those opposite, who once abolished common-law rights for seriously injured workers, we are never going to walk away from our proud legacy in supporting injured workers. We will always put the rights, health and dignity of working people first. No-one ever plans to get injured at work, and if they do, or if the unthinkable happens, like what happened in my family, I want them to know that this government will be there to support them, just as this government was there for my family back in 2017 when I lost my dearest cousin James.

I will finish my remarks by commending this and recommending a vote of thanks to everyone who put their best efforts in to bring this bill before us today. The legacy of your work will sit with Victorians for many, many years to come.

Tom McINTOSH (Eastern Victoria) (11:20): I am proud to stand and speak in support of the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025 and to follow on from the personal and reflective comments from Ms Watt. I am sure many people, particularly on this side, when they get an opportunity to contribute today, will have stories that are personal by nature and that I think go to the essence of this bill. It is about making people's lives better, particularly when their lives are in very, very difficult situations. I think, no matter what any of us do in our lives, it should be full of purpose. If you look at the establishment of the Labor Party, you see workers represented, you see political representation and you see outcomes for workers, their families and working people and see their lot improved. I am very proud to support this bill, to stand here and talk on it. As Ms Watt said, people have done the work on this bill to improve the lives of Victorians who are in probably one of the toughest spots you can be in. When a family member does not come home from work, that is an absolute tragedy. It is difficult enough for those that go to work and receive an injury and are impacted for the rest of their lives or for even an extended period by that injury.

We have got Ralph Snider here today from the Workplace Incidents Consultative Committee. The committee commenced in mid-2021, and there are 13 lived-experienced members on there. I was just reading through some notes before that Ralph had made, encouraging workers, when they get an injury, to get on top of it. I was an electrician for a decade. I was lifting a drummer cable one day, and I did an injury to my forearm. It is okay – I manage it – but I have still got that injury today. That is probably why I do not do as much handwriting and whatnot as I should in preparation for some of my speeches.

It is important that workers are supported in their workplace to, first, identify risks so that accidents do not happen – and so that when accidents do happen, they are straightaway getting the medical support and help they need and the rehabilitation to get on top of that injury so it does not become chronic. Whether it is a blue-collar injury or whether it is white collar through repetitive strain and whatnot, I do not think we should underestimate it. There are obvious body impacts that come out of traditional blue-collar workplaces, but there are also white-collar injuries. Perhaps our bodies were not designed to be sitting in one place for hours and hours on end every day. I know I use a standing desk whenever I can. I really struggle to sit and be in one place, and people working in a white-collar sector should also be mindful of those repetitive strain injuries.

To come back to the bill, as I was saying, when people are in a situation – and this is not just a worker in this case when we are talking about death, but also their immediate family who is impacted – it turns their lives upside down. It turns extended networks and communities' lives upside down. We know that every year when we go to the workers memorial service, a lot of my colleagues here from the Labor Party turn out alongside those in the union movement to form the political labour movement and come together to acknowledge, reflect on and respect the workers who have lost their lives.

So often we see workers from the construction sector, workers from the manufacturing sector, workers in agriculture – so many people across these sectors – in tragic and quite horrifying accidents, and we have to remember there are a whole lot of people that will be on that worksite and witness and have to live with these accidents. We heard some comments from Mrs Hermans before about costs to business, painting a gloomy picture about business. I actually just ran down to my office – that is why I am puffing. I went and got some notes about the economic situation in Victoria at the moment. I forget where I have sat them, but I am going to come back to that in a few minutes. It is easy to say, 'Everything's a bit tough. Everything's a bit hard to do. That would be nice – but.' And that is exactly why the Labor Party exists – because it is not a nice-to-have, it is a must-have to have protections in place to ensure that accidents do not occur and to have financial safety nets in place when they do occur.

What this bill will do for the dependants of workers – and I am really proud that it is acknowledging other people just outside immediate children and partners as well; again, I come back to that lived experience – is look at what the lived experience of people in this situation is and address it. There are a number of other changes which I will go through as well, which are improving the regulatory framework and the way a variety of things are working. But I want the majority of my contribution just to focus on how important this is and what difference this makes to people's lives. I know my old man was in between shearing, factory working and taxi driving when I was in primary school. He got hit by a truck one night and was laid up for a fair while. Without WorkCover I do not know what we would have done, and there are many, many families that are in that position. So it is incredibly important, as I said – a movement that has determinedly, unapologetically been committed to establishing a framework that protects workers before injuries occur but then supports them in the event that they do occur.

When you hear language from the Liberals framing these things up as 'It would be a nice-to-have but the economy's not in a state to do so,' the same argument could have been made at any decade in the last 130 or 140 years, and we would probably still be having the fatalities that we had when the labour movement formed to protect workers. We would still be having widows with children at home not knowing how on earth they are going to get by without the local community getting around them and supporting them. We are not here to hear apologist lines. We are not here to support amendments to try and water things down, amendments that go nowhere. We are here to recognise the purpose – our purpose: to improve workers' lives and improve families' and communities' lives, and that is exactly what this bill does, and I am really proud of it.

I will pick up on Mrs Hermans's comments about the economy. The Victorian economy is growing, and over the last decade it has grown faster than any other state. The Victorian economy is 31 per cent larger than when we came to government. Victorian employment has increased by 12,800 people in June 2025. Over the last year employment has increased by 84,600 people – that is 2.3 per cent – and

the share of Victorians in work remains high. In the year to June 2025 Victoria's unemployment rate has averaged 4.4 per cent, remaining below the 20-year prepandemic average of 5.5 per cent. Victorian business conditions and business confidence increased in June and both returned to positive, optimistic territory for the first time since October 2024, and business investment grew by 6.6 per cent for the financial years 2022–23 and 2023–24. As a result, business investment reached record levels as a share of gross state product and per worker in 2023–24. We have added 113,000 businesses since June 2020 and created 651,600 jobs since September 2020, and Victoria is home to 3500 startups, scale-ups and unicorns, with an ecosystem worth $132 billion in 2024. There are plenty more notes, but I will not go on and dwell on those. But to say that worker safety or indeed compensation for the families and loved ones of workers have impacted that, (a) there is no time for those comments and (b) there is certainly no evidence to back that up.

I will just go through some of the specifics of the bill. Recommendations 19 and 20 of the Rozen report recommend that the objectives of the Workplace Injury Rehabilitation and Compensation Act 2013 and WorkSafe Victoria be amended to expressly provide for fair, respectful and dignified treatment of injured workers and their dependants by WorkSafe and the provision of high-quality services, adding new objectives to the WIRC act and the Accident Compensation Act 1985 (AC act) to ensure users of the WorkCover scheme receive high-quality services and are treated fairly, respectfully and with dignity. This puts the injured worker at the centre by building these into the scheme as fundamental expectations.

A code of rights: recommendation 14 of the Rozen report recommends that WorkSafe develop a code of injured workers rights, which should identify the rights of workers and the corresponding responsibilities of WorkSafe, identify the process by which rights may be enforced and be developed with consideration of codes in other jurisdictions, such as the New Zealand Code of ACC Claimants' Rights. The bill delivers on this through the creation of a Code of Claimants' Rights, which will be delivered in consultation with stakeholders after the bill is passed. The bill requires that the code includes specific rights of claimants under the code; obligations to ensure services provided by WorkSafe, its agents and self-insurers are provided in a manner that promotes and upholds those rights; a procedure for lodging and dealing with complaints about noncompliance with the code by WorkSafe, its agents and self-insurers; and remedies that apply in any complaints that are substantiated. The code will have the ability to provide rights to all persons who have entitlements under the WIRC act and the AC act, such as injured workers, dependants of deceased workers and family members of deceased and injured workers, and return-to-work coordinator training. We know that the longer a person is away from work, the less likely they are to ever return, and languishing on workers compensation indefinitely is not the answer. In some of the commentary I read from Ralph, that was highlighted in his comments.

Recommendation 17 of the Rozen report recommends that the effectiveness of return-to-work coordinators should be enhanced by requiring employers to ensure return-to-work coordinators have training and the assistance and facilities reasonably necessary to perform their functions under the WIRC act. I think it is important that there is a clear understanding and that training and education piece to ensure that it is embedded in culture across the workplace and that when there is an injury people get back and get actively supported in the right way, under the right expectations, so people can return to work in a really safe way. The bill will implement this recommendation by introducing a requirement for employers to ensure that their appointed RTW coordinator completes approved training within the required timeframe, unless the employer has a reasonable excuse for not doing so. This amendment aims to build the capability of workplaces to more effectively support their injured workers to recover and to return to work, which is better for workers, businesses and the scheme. The minister may determine the training required to be completed, including initial or refresher training, any qualifications to be held by an RTW coordinator and the time period within which the RTW coordinator must complete the approved training.

I am proud to be part of a party that has a very clear purpose and that absolutely understands why we are here. For generations upon generations we have been protecting and supporting workers, their families and their communities, and through that being able to identify values is what enables the Labor Party to form policies and to create policies that are going to make the lives of Victorians better. We see on the other side there is a vacuum of purpose; there is a vacuum of identity and of values. They are not able to form policy. They are not able to bring a plan to Victorians. We hear excuses. We hear reasons why. We hear platitudes. 'This would be nice, that would be nice, but we can't do it. We can't do it because of A. We can't do it because of B.'

A government that is clear on its purpose, that is clear on its values and that formulates policies and brings forward legislation, like we are doing today, is going to make an incredible difference in people's lives. It is going to see a better Victoria for generations to come. It is something that I am incredibly proud to support. No doubt, as we will hear, my colleagues are incredibly proud to support it. I commend the bill.

Georgie PURCELL (Northern Victoria) (11:35): I also rise to speak in support of this bill, the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025, before us this morning. I would like to begin by acknowledging the tireless advocacy of the families of workers who have been seriously injured or lost their lives at work, in particular the lived-experience Workplace Incidents Consultative Committee. This bill is one of many achievements of that committee and proof of the importance of policy guided by those who have lived experience. There have already been 28 confirmed work-related fatalities in Victoria this year alone. While I welcome improvements to injury compensation, it is important to remember the priority must always be the prevention of these incidents and the protection of workers, because the best outcome for any worker is to never actually be injured at all in the first place.

For those who are injured at work, it is essential that they are able to easily navigate a system which compensates them fairly and allows them to return to work when they are fit and able to do so. A key change included in this bill is the creation of a Code of Claimants' Rights. In its current state, it is not legally actionable. I would encourage the government to consider granting it stronger powers in the arbitration process. The WorkCover system has become so complex and confrontational that workers often suffer secondary psychological injuries while trying to navigate it. This was something that became so abundantly clear in 2023, when I chaired an inquiry into the WorkCover bill that we had at the time. Hearing those stories, it was so vital that we listened to them, because many reported being treated with suspicion, being asked to relive their trauma repeatedly and feeling like they were fighting a system designed to deny their claims in the first place. Those experiences run directly counter to the principles this bill seeks to enshrine in the Code of Claimants' Rights.

The mandatory return-to-work, or RTW, coordinator training included in this bill does have the potential to improve this. RTW coordinators can and should support injured workers in their navigation of the system and get them back to work as quickly as possible. But workers need to be able to trust the RTW coordinator in the first place. As long as return-to-work coordinators are employed directly by employers, there will, of course, be a trust deficit. Injured workers must feel confident that the person supporting them is genuinely acting in their best interests, not simply managing liability or risk for the employer. It is wonderful that RTW coordinators will have mandatory training, but it is essential that that training is developed and delivered in a way which actually focuses on the needs of injured workers who are returning to work. Training must also focus on the support needs of those groups which report feeling least capable of navigating the system when they go into it. All of this has major implications. The *It Pays to Care* report found that injured workers who believed they were treated fairly were 25 per cent more likely to return to work.

There are, I guess, a number of things that have changed in this system in recent times, particularly after the last bill that we passed almost two years ago now, but it is great to see these improvements for workers who have been injured at work as they navigate the system and return to work, which was fundamentally the thing that we all agreed we wanted to see in the first place and what is most

important. Obviously there is still so much more for us to do and more for us to consider – potentially winding back those changes that many of us did oppose here on the crossbench. But this bill before us today is fundamentally a good one, and we look forward to working with the government to see how it rolls out. I commend the bill to the house.

Ryan BATCHELOR (Southern Metropolitan) (11:40): I rise to speak on the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025. Fundamentally, this bill is about fairness. It is about ensuring that those who suffer a workplace injury are treated with respect and dignity and that families who have gone through the tragedy of a loss due to a loved one's workplace death receive the compensation and support they need and they deserve. The bill does this by delivering on the government's commitment to implementing recommendations from the Rozen report and the family support review.

Losing a loved one through a workplace incident is every family's nightmare. When people go to work, they should come home safely. Of course there are laws and regulations in place to ensure that people do come home safely, but sadly and rarely but perhaps too commonly, they do not. The grief alone can never be fully compensated for. What we can do as a government is not leave these families behind. We can extend a hand and be the ground beneath their feet to ensure they do not fall when they are at their most vulnerable.

It was obviously up to a Labor government, the Cain Labor government in 1985, to first pass the Accident Compensation Act 1985 following the work done in the Cooney report earlier than that. Through the happenstance and good fortune of the electoral systems and the popularity of the Cain Labor government, we had an opportunity to pass Victoria's first statutory work cover scheme in 1985. Labor then created what was known as WorkCare, a precursor to what we now call WorkSafe Victoria, to have a statutory scheme replace a system of privately underwritten workers compensation schemes. What that change did – the importance and the significance of the change made by that Labor government 40 years ago – was to ensure that there was compensation for workplace injury or death on a universal basis and not just for those who could afford it. The work cover act has been modernised and improved since then, including through the legislation before the chamber today.

The changes within this bill pertaining to supporting families following the death of a worker have been guided by an internal review of WorkSafe as part of the government's families and injured workers system reform and implementation package. One of the major things the bill does is recognise that people can be compensated for their grief following the loss of a family member and deserve to be compensated for that grief – for many, what is the biggest loss of all. The bill will introduce new measures for a $10,000 lump sum compensation entitlement for losses resulting from non-economic matters. The bill therefore explicitly recognises losses due to non-economic factors and legislates for available compensation when it comes to a workplace death. The lump sum will be available for close family members who have a genuine and personal relationship with the deceased worker at the time of their death. It is a first step in recognising their pain and suffering and acknowledges that the impact of work-related deaths is broader than the economic loss inflicted on the family. In further support offered on non-economic loss, the bill provides funding for a more diverse range of counselling, therapy and support services for families, which will better support their needs. The total cost cap for claiming these services will be increased, while changes in the bill will expand eligibility criteria for family members.

In addition to the grief, in addition to the non-economic loss, there are financial losses to families from workplace deaths, and this bill makes sure that families and dependants are sufficiently supported. The bill will create new lump sum entitlements of up to $20,000 for economic loss experienced by a person who was dependent on the deceased worker but was not their partner or their child. Currently family members who were not a partner or a child of the deceased worker but who were dependent upon them are only eligible for support if the worker did not have a partner or a child. The bill strengthens pension payments to child dependants of deceased workers and legislates that the weekly pension payable to dependants of a worker is increased to 12.5 per cent of the worker's pre-injury average

weekly earnings, up from 5 per cent – an increase that will be implemented so that those who are eligible will be entitled to the new pension payments in the five years prior to the commencement of the amendment.

Another important change this bill makes is in relation to provisional payments being paid for a work-related death caused by suicide. Death of a family member has an immediate financial impact, regardless of how the death came about. It is only right that these provisional payments are made to families and dependants while the determination of a claim is ongoing. Claims for provisional payments can be made in relation to aspects such as funeral expenses and associated travel and accommodation expenses. These changes have the wellbeing of those impacted at their heart – higher pensions for children and new entitlements for grief to help heal from the pain and the loss endured.

The bill also deals with improvements to the WorkSafe scheme for workers who suffer injury. The Rozen report, which many of my colleagues have referenced, made several recommendations for strengthening the WorkSafe scheme centred on ensuring that injured workers are treated fairly, respectfully and with dignity – all elements this bill delivers on.

One of the more significant changes made by the bill and recommended by the Rozen report is that those directly affected by workplace injury, illness or death should be provided with a greater voice in the decision-making process. I think the concept of giving a greater voice to those affected by decision-making has been at the heart of this government's approach to legislative change in a variety of contexts to make sure that those who are affected by legislation have a voice in helping to shape it. We see it here in amending laws for injured workers, just as we have seen it in a variety of other contexts. In this bill the lived experience of workers is given greater value. The bill amends the Workplace Injury Rehabilitation and Compensation Act 2013 to expand the membership composition of the WorkCover Advisory Committee to include persons who the minister considers have been affected, directly or indirectly, by a workplace incident involving serious injury, illness or death.

The bill also amends the Occupational Health and Safety Act 2004 to increase the membership of the Occupational Health and Safety Advisory Committee by two additional persons who the minister considers have been affected, directly or indirectly, by a workplace incident involving serious injury, illness or death. These members in both instances are referred to as lived-experience members. It is a huge step forward for workers and their rights and an important way in which in this context, as in other contexts, the government is understanding the need for the voices of those who are affected by matters – those who have the lived experience in the subject matter being referred to – to be included in the processes, the committees and the reference groups that are set up to consider these matters and provide advice to government. It is something I think we should all both reflect on and be very proud of: that we are giving more voice to those who have lived through the matters that are being discussed.

The bill delivers on recommendation 14 of the Rozen report: that WorkSafe develop a code of injured workers rights. This Code of Claimants' Rights further enhances the rights of workers when they have been injured and provides for clarity on how they should be treated. It will outline the obligations of WorkSafe and establish a clear procedure for dealing with complaints.

Another important aspect of the bill is the way it deals with return-to-work coordinator training. We know and understand that the longer that a person is away from work and the more time that someone is disconnected from their workplace following an injury, the less likely they are to return. If they are less likely to return to their former workplace, it means that they are increasingly likely to need to gain new skills in order to return to a workplace. Recommendation 17 of the Rozen report recommends that the effectiveness of return-to-work coordinators could be improved by requiring employers to ensure that return-to-work coordinators have training and the assistance and facilities reasonably necessary to perform their functions under the Workplace Injury Rehabilitation and Compensation Act. The bill implements this recommendation by introducing a requirement for employers to ensure that their appointed return-to-work coordinator completes approved training within the required timeframe unless the employer has a reasonable excuse for not doing so. Oversight: the bill includes provisions

that will enhance oversight of the scheme, requiring that a statutory review of the scheme be undertaken at least every five years, the first of which must be completed by the end of December 2030. There is provision that if the minister forms the view that a review is required earlier than the five-year period, then they can cause review to be held at any time. So the amendments will require a review at least once in each period of five years after 31 December 2030.

This amendment recognises that regular, proactive reviews of Victorian workers compensation will enable emerging trends and issues to be identified as they emerge rather than when there is already a significant issue. It is a proactive step in responsible monitoring of the issues that workers face, in identifying trends and in trying to deal with issues before they become too significant and too significant a burden on workers, employers and the scheme. This requirement for regular reviews also aligns the Victorian workers compensation scheme with provisions that apply in other states.

There are some other more administrative changes which I will refer to at the conclusion of the remarks today. They are designed to both improve the administration of the scheme but also reduce the administrative obligations that the scheme places on a range of processes. They will change the process for appointing the CEO such that the CEO is appointed by the board with the approval of the minister rather than through the inclusion of a Governor in Council process, which will make the process more efficient and more appropriate in the circumstances. That is going to enable the board to appoint an acting CEO for a period of up to 12 months when the substantive CEO is unable to perform their duties.

Further administrative changes proposed in the bill will change the process for WorkSafe board member appointment such that the minister will be empowered to set the terms and conditions for appointment and that directors can then resign in writing to the minister. Currently these processes involve the inclusion of the Governor in Council in the process, which for a range of reasons creates unnecessary and additional layers of administrative burden. Certainly the making of these amendments will ensure that the processes that are required for the efficient administration of the scheme, particularly with the appointment of board members, can be done in a more efficient manner.

The bill will also remove the requirement for the minister to approve a person to undertake hearing loss assessments for impairment benefit claims, to reduce delays in appointing assessors. It seems to be a particularly high threshold to have the involvement of a minister in the appointment of those who are doing what are functional assessments for impairment benefits under the scheme. This will both reduce the delays in appointing assessors to this particularly important element of the scheme but also ensure that their appointment process is consistent with other assessors under the Workplace Injury Rehabilitation and Compensation Act. The bill will fix further and additional drafting errors in the legislation.

I think what the government has demonstrated through this change, and what Labor governments today and in the past have demonstrated, is our absolute determination to provide statutory workplace compensation here in Victoria, schemes that ensure that they are delivering on the support that workers need when they become injured at work and the support that their families need when there are unfortunate circumstances – rare but too many – where people die in the workplace. This bill delivers fairness and more support for those families so that alongside their grief there is some additional support. I commend the bill to the house.

Michael GALEA (South-Eastern Metropolitan) (11:55): I also rise today to speak on the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025. This is a bill which introduces important changes to the Workplace Injury Rehabilitation and Compensation Act 2013, the Occupational Health and Safety Act 2004 and the Accident Compensation Act 1985. These reforms aim to enhance the experiences of injured workers whilst they are on the WorkCover scheme, particularly in terms of improving support for the families and dependants of deceased workers.

This issue is something that, as I have spoken about in previous times as well, is a matter that I am particularly passionate about, given my previous career experience working to represent generally

lower paid retail and frontline service workers, and when it came to supporting them through WorkCover cases it was in some situations all too sad to see the system working in a way which was not supporting their full rehabilitation and was causing them further distress. So anything that we can do – and there have been a number of things that this government already has done to reform and improve in this space and to improve the outcomes for injured workers, and this is a continuation of that work. That is why I am so pleased to be able to share a few words on this bill today, because anything we can do to support those injured workers and, as I noted in particular, support those who have tragically lost their lives and their loved ones is a good thing. It is a very important part of that continuation of reform that we are undertaking in this space to modernise WorkCover and make it as responsive and effective as it can be to support Victorian workers.

The key reforms in this bill will improve the experience of injured workers accessing the scheme, establishing a Code of Claimants' Rights, requiring a return-to-work coordinator to be appointed by employers and adding lived-experience members to the Occupational Health and Safety Advisory Committee and the WorkSafe Advisory Committee to enhance the support and benefits for family members of deceased workers. These amendments will implement the recommendations of the independent review of WorkSafe Victoria's management of complex workers compensation claims, which was led by Peter Rozen KC. The government is committed to ensuring that WorkSafe takes a person-centred approach. Five of the recommendations from the Rozen review do require legislative change to be put into effect, and this bill today is acting upon that commitment of government to fulfilling those recommendations.

When it comes to injury, no-one goes in to work expecting to be injured or put at risk of serious injury. No-one deserves to go to work and be faced with serious injury. Every worker has the right to feel safe at work, and they must be afforded protection in the event of injury. That is at the heart of our state's WorkCover scheme, and it is also a principle that goes to the heart of this bill today. We have a special privilege here in this place as lawmakers to be able to do everything that we can to ensure that workers' rights are protected and that their safety at work is assured, and the Jacinta Allan Labor government is standing with injured workers and their families, ensuring they are treated with the respect, the care and the dignity that they deserve at these toughest of times.

This bill sets out new objectives for both the Workplace Injury Rehabilitation and Compensation Act and the Accident Compensation Act to ensure that workers on the scheme receive high-quality services and are treated fairly, respectfully and with dignity. The new objectives act specifically on recommendations 19 and 20 of the Rozen report, and it is a pretty straightforward change which is aimed at making a high standard of services in the treatment of workers a fundamental expectation of the scheme – putting that expectation clearly at the heart of it. By doing this we are making sure that the outcomes for people going through the scheme and going through the WorkCover system are actually a central foundation of what it sets out to do.

Of course the experience should be straightforward for most people, and there are many good employers and even good case managers who support that process. But far too often, indeed from my experience, people have been finding themselves falling through gaps in the system. Without these robust reforms, such as in this bill today – *(Time expired)*

Business interrupted pursuant to standing orders.

Questions without notice and ministers statements

Early childhood education and care

Georgie CROZIER (Southern Metropolitan) (12:00): (981) My question is to the Minister for Children. Minister, do you stand by your own letter to the department secretary dated 17 September 2024, as follows:

> STATEMENT OF EXPECTATIONS FOR THE DEPARTMENT OF EDUCATION AS REGULATORY AUTHORITY FOR EARLY CHILDHOOD EDUCATION AND CARE

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:00): I thank Ms Crozier for her question. I have the very letter concerned right here. Yes, I do. To go to Ms Crozier's comments yesterday, when she sought to misrepresent this letter and suggested that in some way my answers to the questions the day before had been inaccurate, particularly in relation to the working with children check, I would read to her the paragraph that says:

> I expect QARD to continue to work closely with other Victorian regulatory partners on child safety and protection, including the Commission for Children and Young People, Working with Children Check Victoria, and the Department of Families, Fairness and Housing.

It does not in this letter in any way claim, contrary to the general orders, that I have responsibility for the working with children check.

Georgie CROZIER (Southern Metropolitan) (12:01): But you do have responsibility for children. As you stand by this letter, Minister, the statement of expectations says the priorities are to:

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

And the expectation is to:

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

So I ask: what action did you take following the Ombudsman report in 2022?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:02): I thank Ms Crozier for her question. Of course I would hope that everybody in this chamber – and the letter is a publicly available document – stands by the principles of that letter, which are seeking to ensure that in all of the areas across the vast array of areas of government operations that are impacted by the Minister for Children, or for which I have responsibility as Minister for Children, we work towards child safety in all of those circumstances. As I have said on a number of occasions over many weeks, many of my responsibilities in relation to maternal and child health, in relation to child protection and in relation to early education are critical, but the gravest responsibility that we all have is to keep children safe. I have said that a number of times in this chamber previously. I have said it in recent weeks, and I will say it again today.

In response to Ms Crozier's question – and again, I have already said this publicly – if you take the DFFH aspects of the Ombudsman's report, they were implemented. I have spoken to that publicly on a number of occasions – that the recommendations that related to DFFH – *(Time expired)*

Reportable conduct scheme

Georgie CROZIER (Southern Metropolitan) (12:03): (982) My question is again to the Minister for Children. Minister, in 2022 the former commissioner for children and young people Liana Buchanan warned the government that underfunding of the reportable conduct scheme would put children at risk of abuse. There has been no increase to funding of the scheme since it began in 2017. Why did the government fail to fund the scheme properly?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:03): I thank Ms Crozier for her question. In the case of the Commission for Children and Young People, it has a budget of $14.2 million for 2025–26 to undertake its statutory responsibilities. How the commission chooses to use that funding is indeed a matter for the commission, but I would say this is an increase from its budget of $6.4 million in 2015–16 and it represents an increase of more than 120 per cent to its budget since 2015–16.

Georgie CROZIER (Southern Metropolitan) (12:04): The commissioner absolutely warned you and told you that it was being underfunded. Minister, the CCYP 2023–24 annual report highlighted that since the reportable conduct scheme started in 2017 the number of reports to the scheme has increased by 81 per cent. Last year 35 per cent of reports related to physical violence, and a staggering 70 per cent of all sexual misconduct was in the education sector. Minister, you were warned about the

increased number of reports and were aware of the requests for more funding to investigate allegations. Why did you ignore the advice and fail to act?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:05): Again I thank Ms Crozier for her question. For the benefit of the house, the reportable conduct scheme, which is administered by the CCYP and is the responsibility of the CCYP, has a very important function. This scheme applies to more than 12,000 organisations that work with children. Ms Crozier was asking before what we are doing to improve operations and safety for children; the reportable conduct scheme, as implemented and administered across this period of time, goes a long way to that very question. But, as I have said, without making comment on recent matters, in any case the Commission for Children and Young People has a budget of $14.2 million to undertake its statutory functions. It is an independent statutory authority, and how it implements those functions is a matter for the commission. But this is indeed an increase in its budget of $6.4 million. Taking the figures you have read out, Ms Crozier, I would remind you it is an increase in funding of 120 per cent.

Ministers statements: aged care

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:06): I rise to update the house on how the Allan Labor government continues to invest to deliver high-quality aged care for our regional communities. Over the winter break I was thrilled to join the Treasurer and member for Northern Victoria Jaclyn Symes to officially welcome the first residents to the brand new $57 million Glenview community care nursing home in Rutherglen. Built with dignity, independence and connection in mind, this new facility will operate 50 beds, provide a dementia-friendly environment and mean more residents can age in place. This is particularly important for regional communities like Rutherglen, and it will allow residents to remain close to support networks and maintain family and community connections.

Victorians deserve to age with dignity and respect, and this modern facility in Rutherglen will enable just that. The Allan Labor government is very proud of our investment in public sector residential aged care services, and we are committed to ensuring that all older people are able to access high-quality and safe services that are appropriate for their needs. That is why this week we have introduced legislation that will mean only registered and enrolled nurses are able to administer specific medicines in aged care residences, reducing the risk of medicine-related issues. These changes are about putting the safety of residents first and recognising the high-quality care that our nurses in Victoria deliver every day.

Ahead of Aged Care Employee Day on 7 August, I want to acknowledge the incredible commitment of all aged care workers that support older Victorians across the state, including rural and regional areas. I want to thank the magnificent staff at Glenview for showing us around the new facility and for their compassion, professionalism and care.

Cannabis law reform

David LIMBRICK (South-Eastern Metropolitan) (12:08): (983) My question is for the Treasurer, and my question is: has the Treasurer sought or received advice on the taxation or otherwise raising of money from the legalisation of cannabis?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:08): I thank Mr Limbrick for his question. I have not received advice from the Department of Treasury and Finance in relation to these matters. There have been representations from other advocates and bodies, and I have at a high level had interest in reading all types of proposals. But in relation to specific advice from within government, no, nor has it been sought.

David LIMBRICK (South-Eastern Metropolitan) (12:09): I thank the Treasurer for that answer. My supplementary question is: it was reported in the *Herald Sun* this morning that the government is considering a state distribution model for the legalisation of cannabis. I do not know whether that is

true or not, but if it is true, is the government considering this in order to bypass constitutional prohibitions on the collection of excise tax?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:09): Mr Limbrick, when you articulated your question as 'government is considering', I assume that you were referring to reports that have forecast ideas that might be put at state conference. There is a difference between the ALP and the Labor government. The answer to your question is that your question is not phrased in a way that I am able to provide an answer to in relation to government, because it is not something that government is actively or currently considering. It is something that will be potentially presented.

Early childhood education and care

Georgie CROZIER (Southern Metropolitan) (12:10): (984) My question is again to the Minister for Children. Minister, alleged childcare abuser Joshua Brown was the subject of two complaints in 2023 and 2024, which were investigated and substantiated by the centre's operator. Both were reported to the government's regulator. Despite this, the regulator is specifically excluded from the terms of the government's review. Why is the government unwilling to review a regulator which failed to stop a man committing 73 offences against children in child care?

The PRESIDENT: I am just wondering about it being the same question. There was a very similar question asked by I think Ms Gray-Barberio yesterday about the regulator not being within the scope of the review, and I reckon I could give the minister's answer – what she said.

Melina Bath: That wouldn't be appropriate.

The PRESIDENT: It would be inappropriate if I did that. I might be offending against the same question rule, but anyway, I am going to ask the minister to respond.

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:11): I thank Ms Crozier, and I may also be offending against the same rule by repeating my same answer, although I do appreciate the opportunity to correct the record again, given some of the inaccuracies that were put in the course of debate yesterday. It remains open to the review to consider all matters, including that of the regulator. It is completely disingenuous to suggest that it is excluded in the way that those opposite have.

What I did make clear was that while there is an ongoing police investigation, if those opposite would like to see justice for the accused and for the families involved, then they should also be very careful about the accusations that they are making in this place, because I think all of us see the absolute evil that was perpetrated here and would hope that justice can be achieved, and to in any way be compromising that with the commentary of those opposite is extremely disappointing.

Members interjecting.

Lizzie BLANDTHORN: I make it very clear again to the house that there is a review that can consider the regulator. But the consideration of the status of the regulator, the way in which the regulator is conducted – I have also a number of times publicly said on the record that this is something that the government was already looking at and continues to be looking at. It is something that we were looking at and continue to be looking at and that the reviewers are more than in their remit to make comment on.

Members interjecting.

Tom McIntosh: On a point of order, President, I let it go the first time, the second time and the third time – Mr Davis is yelling and has pointed on three separate –

Members interjecting.

Tom McIntosh: He is just yelling and pointing from the other side. Seriously.

Members interjecting.

Tom McIntosh: You are yelling at the top of your voice.

The PRESIDENT: I reminded members yesterday that it is unparliamentary to point across the chamber. I think the minister has finished her answer.

Georgie CROZIER (Southern Metropolitan) (12:13): Given the minister is completely trying to abrogate all responsibility for the failings of the government on this really serious issue and given the government has excluded the childcare regulator – it is not mentioned in the terms of reference for the review – will you rule out making any changes to the regulator?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:14): I have been absolutely misconstrued. Again I say that it remains open to the reviewers to consider the regulator, and it also has been said by me and the Premier that we will implement every recommendation of the review.

Ministers statements: Western Plains Correctional Centre

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:15): I rise today to inform the house of a major milestone in our Victorian corrections system. A year ago I announced that we would commission the Western Plains Correctional Centre and have it open by the middle of 2025. I am proud to report that is a commitment made and a commitment delivered.

Last month I had the privilege of officially opening the Western Plains correctional facility in Lara. This correctional facility is equipped with state-of-the art security and barrier control systems, including AI-supported facial recognition, CCTV and movement systems. We invested in this new publicly operated maximum-security prison because we as a government are a government of builders, not blockers. We are setting up the critical infrastructure this state needs today and long into the future. The facility significantly bolsters our prison capacity, increasing both our maximum-security and remand bed count. Commissioning the state-of-the art correctional centre has been no small task. We have recruited hundreds of new staff, from corrections officers to clinicians and from facilities to program staff, as well as redeploying experienced staff from other parts of the corrections system. Corrections Victoria are now placing prisoners at Western Plains in an ongoing process, and that will continue to ramp up over the coming months. It will hold up to 1000 prisoners by the end of this year.

Opening this correctional centre is the next major step forward in the Allan Labor government's modernisation of Victoria's corrections system. I want to give my sincere thanks to everyone at the Western Plains correctional facility and Corrections Victoria for the enormous effort in commissioning this new prison, and I particularly want to thank the communities that host a lot of our custodial settings but especially those in the Greater Geelong region, where Western Plains is located, for their ongoing support of our corrections system. We as a government will always prioritise investments in community safety.

Non-mains energy concession

Melina BATH (Eastern Victoria) (12:17): (985) My question is to the Minister for Disability. Minister, yesterday you said you needed names of those who have been waiting for more than five months for the non-mains energy concession before you would take action to fix the issues at hand. Here are two names that have not been paid in full after five months. They are Graham Whittemore and John Webb. I will present you with these names at the end of question time, and there are more to come. Minister, this is the tip of the iceberg, and there are many, many more. Why don't you just get on with making a commitment to fixing the program, which is clearly flawed on a large scale, rather than demanding individual names before you act?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:18): I thank Ms Bath for her follow-up today. I would at the outset correct her misrepresentation. As I have said a number of times, both in response to Ms Bath yesterday and in response to questions of a similar nature, it is absolutely my expectation that people get the supports and services that they are entitled to, and if for some reason there has been a reason why a particular constituent has not been able to access the supports and services that they are entitled to, then, as do a number of other members on all sides of this chamber, raising those matters directly with me so that I can assist them to assist their constituents is my absolute priority, rather than political pointscoring in the way that we are seeing from Ms Bath.

Members interjecting.

The PRESIDENT: There is a bit of noise to the right of me. Mr Davis, you have been very, very loud this week. I am not saying you are not loud on other occasions, but it seems this week – it might be just me, and maybe I have not been paying attention previously – you have been very loud. I would ask if you could cooperate with the chamber.

Melina BATH (Eastern Victoria) (12:19): I thank the minister for her response. Minister, as mentioned yesterday, these people stated that they are still being cut off when they inquire as to the status of their claims on the phone. Will you also commit to ensuring people who call are answered and treated with the respect that they deserve?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:20): Thank you, Ms Bath. As I think my substantive answer indicated, I would be more than happy to help Ms Bath assist her constituents, and she should provide the details to my office so that we can do exactly that.

Community safety

Jeff BOURMAN (Eastern Victoria) (12:20): (986) My question is for the minister representing the Minister for Police. Crime using machetes is a contemporary issue which has seen some new restrictions introduced, both using Commonwealth powers and via legislation in this place, and subsequent regulations. These regulations are a dog's breakfast. They are complex and convoluted, and the government's explanation on the internet leaves me with yet more questions, not to mention these web-based explanations have no standing in court. I felt that the government was listening during the committee stage of the bill, but the output leaves me feeling otherwise, as there is no mention at all of recreational users, just a permit system. Minister, will you urgently revisit the regulations to ensure that they are reflective of the tone of the committee stage?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:21): I thank Mr Bourman for his advocacy and his question in relation to this matter. I will make sure that I pass the question on to the police minister in the other place for an appropriate response in line with the standing orders.

Jeff BOURMAN (Eastern Victoria) (12:21): I thank the minister for his answer. Minister, I can find machetes on the internet for $27.95, and I am now told that LRD will not be issuing permits for recreational machetes anyway. So how does the government justify a $200-plus permit for a $27 knife?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:21): In relation to the supplementary question, Mr Bourman, I will make sure that is passed on to the police minister in the other place for a response.

Ministers statements: Gippsland ministerial visit

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:22): As I mentioned yesterday, I was in beautiful Gippsland last week, and I rise to update the house on the important work happening to support children and vulnerable people in and around Bairnsdale.

I started my visit at the Keeping Place, run by the Gippsland and East Gippsland Aboriginal Cooperative, known as GEGAC. The Keeping Place is a considered and beautiful space which holds imagery, artefacts, timelines and stories. It is a place to understand and appreciate the living, vibrant and continuing culture of the Gunnai/Kurnai people, the original custodians of East Gippsland. I would encourage anyone visiting the region to book a visit.

Just next door at Dala Yooro is the local kindergarten run by GEGAC, offering three- and four-year-old programs. It was wonderful to meet Belinda Lobley, the early years manager, and her team, who work with local children and their families. From 2026 Dala Yooro will be offering 24 hours of pre-prep and will also benefit from increased funding from the 2025–26 state budget. This increase of $5.3 million over four years will mean an uplifted and streamlined rate for Aboriginal-led kinders. The Allan Labor government is committed to improving outcomes for First Nations children and advancing self-determination, and this is just one of the ways in which we are doing so. I would like to congratulate CEO Kenton Winsley and the whole team at GEGAC for the work they are doing across the Bairnsdale community.

It was also fantastic to visit the thriving Bairnsdale conference of the St Vincent de Paul Society, fondly known as Vinnies. Paul Heaton-Harris is the conference president of a 45-strong volunteer group which offers support to people of the local community, from Bairnsdale to Orbost and Lakes Entrance. They support locals from their impressive assistance centre, helping with emergency accommodation, housing assistance, food relief and clothing, as well as supporting residents with financial services. Together with Sheryl Carstein, Gippsland Central president, and Cath McMahon, East Gippsland regional president, we discussed issues close to their work, such as the importance of disability supports and how our government's concession program is working for people with cost-of-living pressures.

While in Bairnsdale I also met with the Aboriginal Children's Forum to progress our important and shared work in continuing to improve outcomes for Aboriginal children and their families.

Public sector review

David DAVIS (Southern Metropolitan) (12:24): (987) My question is to the Treasurer. Treasurer, I refer to the review being undertaken by Helen Silver, already much discussed in this chamber. Will you confirm that Daniel Andrews's former director of policy Cameron Harrison has been employed by the review, opening the way to political interference by the former Premier?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:24): I thank Mr Davis for his question, as it has been well ventilated and a topic of conversation in this chamber and outside the chamber. I was very pleased to ask Helen Silver to undertake an independent review of the public sector. It is an independent review; who she engages is a matter for her.

David DAVIS (Southern Metropolitan) (12:25): I note there is no denial of that position. I therefore ask: will the Treasurer confirm that Tim Pallas's former deputy chief of staff is the senior manager on the staff of the Silver review?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:25): I thank – actually, I do not really thank you for the question. I do not really mean it. The answer I gave you to the substantive question stands. I have the utmost respect for Ms Silver; I believe we share that. In relation to employment of people that she has engaged, I am

aware of a range of things. I did not have any views on who she chose, but she chose people based on their expertise, their experience and their ability to contribute to a really important review. As you know, I have received the review.

David Davis: On a point of order, President, the question is highly specific about an individual. The Treasurer could simply answer about that. She is well able to answer directly about whether that person has been employed or not.

The PRESIDENT: The minister answered at the start of her response in saying that it is an independent review and it is not for the Treasurer to be involved with who that particular independent reviewer decides to employ.

Jaclyn SYMES: I would only end with saying I respect the reviewer, I respect the decisions that she has made and I am not in a position to be able to answer your questions because I do not have a list of who she has employed.

Early childhood education and care

Katherine COPSEY (Southern Metropolitan) (12:27): (988) My question is to the Leader of the Government in the Council. On 18 July it was disappointing to see the government fail to produce documents ordered by this Council relating to complaints, abuse and enforcement failures in Victorian childcare centres. After a very similar motion, my Greens colleagues in New South Wales received documents within 29 days, following an order by an independent legal arbiter. Those documents were released in tranches, allowing for a realistic timeframe with sensitivity to children's privacy and appropriate redactions. The motion that was put and passed by this chamber ordering the production of documents by the government – that motion's scope was narrower than the one that was successfully answered in New South Wales, and it asked for less documents. So my question is: will the government consider releasing these documents in manageable tranches, like they did in New South Wales?

The PRESIDENT: Ms Copsey, could you repeat the question? Just the actual question.

Katherine COPSEY: Will the government consider releasing these documents in manageable tranches, like they did in New South Wales?

The PRESIDENT: I was concerned yesterday. I will just try to externalise my thoughts first. I think yesterday I was concerned because there is no sort of description in the general orders of the Leader of the Government in the upper house. But in saying that, when there is a call for paperwork, the motion usually calls on the Leader of the Government to deliver that paperwork. So when it comes to asking about paperwork, I think that is probably a fair space to be in. I am just concerned about asking the Treasurer a question relating to another jurisdiction.

Katherine COPSEY: We had a productive, I thought, exchange on this yesterday, where the Leader of the Government answered in what capacity she was able to and indicated that there was openness to discussing ways that we can proceed and make this function of this chamber work for all of us. I appreciate there may not entirely be consistency between the two jurisdictions, but I think it is a relevant example of how the Parliament can work together to make this happen.

The PRESIDENT: Before I call the Treasurer, the other concern that I have is whether this is the same question that was asked yesterday. The Leader of the Government, I am sure, will be happy to answer as she sees fit.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:30): I thank Ms Copsey for her question following on from the discussion yesterday. At the outset I will respond to your comparison between New South Wales and Victoria. I am only in a position to do that because I have looked at it, not necessarily in my capacity regarding any of my responsibilities but just by virtue of the fact that I accept that with requests for documents,

the ability of government to respond in the time that everyone would like is really frustrated by the way that we are all operating. But to suggest that the New South Wales Legislative Council in some way did what we are not doing is inaccurate, because if you check *Hansard* of 18 March, you will see that their processes involved a lot of negotiated rescoping and having conversations about that. They are the conversations that I actually have invited. I do not think question time is the opportunity for us to have that discussion, because I do not think we can have it in 2 minutes.

But what I would draw the house's attention to is that we have motions that have been on the notice paper for months, and I would refer to notice of motion 449 in Minister Blandthorn's name, which is putting there for the consideration of the chamber a variation of scope of order for the production of documents. We have been presenting opportunities for parties to come to us and offer solutions. This is a chamber discussion. It is not up to government to present how we think we should fix what we all collectively agree is not working, and I have invited those conversations. The door has not been knocked on to have those conversations. In fact, you are using question time to ask me to respond to something that I think we have a responsibility as a chamber to come up with. Yes, I am happy to have these conversations. As I said, I do not think question time – we have a Procedure Committee.

As the Leader of the Government I am happy to speak to other representatives of other parties in relation to some of the steps that we can take. But I do reiterate, on the documents motion that you specifically refer to, that the advice we have received from the Department of Education on the first run-through identifying the amount of documents that would be captured by the request that you made is 1 million – 1 million documents including personal information, sensitive information and protected information. So the ability to go through that material and even determine what could come out – it is frustrating.

Members interjecting.

Jaclyn SYMES: I am offering –

Members interjecting.

Jaclyn SYMES: To respond to Ms Gray-Barberio's interjection – she is asking me to work with her – I think that is what my answer is, but I am not going to redefine –

Members interjecting.

Jaclyn SYMES: If people want us to bring on motion 449, perhaps we should schedule that for next sitting week.

Katherine COPSEY (Southern Metropolitan) (12:34): I do thank the minister for indulging a response on this point. I will just take issue with one thing that was raised. We collectively adopted these rules as a chamber at the beginning of this term. They are the current rules of this chamber, and the government is not complying with them.

Jaclyn Symes interjected.

Katherine COPSEY: The minister asserts it is impossible for the government to comply with the production of documents, and we are trying to find a way for the government to obey the rules that this chamber has set. My supplementary question is: respectful to the administration and ensuring due diligence around privacy, will the government at least make a commitment that they will eventually release these documents – yes or no?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:34): It is not possible for me to give that commitment. You are literally asking me to potentially disclose personal, sensitive information. You said, 'Will we ultimately release documents?' It might take quite some time to get through these documents, but they are in the process, with a commitment to, yes, releasing what we can. But that process is not quick.

Katherine Copsey: On a point of order, President, I am not sure if the Treasurer heard me, but I did say 'respectful to the need to ensure privacy'. So please do not continue to bring that up as a barrier.

The PRESIDENT: The minister was responsive to the question.

Jaclyn SYMES: Ms Copsey, I will read directly from the advice that was provided to the relevant minister, who has provided this to me. The advice from the Department of Education is that it is estimated that more than 1 million documents may require review in order to identify, review and redact documents that are in the scope of the order. Your question was about whether we will release them – they are in the process. This is literally what people are looking at. But when there are 1 million documents, I cannot give you an estimate of how long this will take.

Nick McGowan: On a point of order, President, it is a long-held practice of this place that when documents are referred to, they are tabled. The minister has clearly referred to a document and she has quoted from that document. I would ask that the minister table the document because that document is being relied upon to substantiate a claim that there are a million documents when what the minister has read today indicates there may or may not be a million documents.

The PRESIDENT: I was assuming the minister was reading from notes. Minister?

Jaclyn SYMES: I am referring to notes.

Ministers statements: water corporations

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:37): Victoria's water corporations are at the forefront of innovation, and it was a pleasure to see this firsthand on Monday at the Intelligent Water Networks annual conference, where I officially launched the water minister's climate innovation challenge at the State Library Victoria. This challenge encourages water professionals to develop bold forward-thinking solutions to climate change impacts in the sector. 2025 has been a very dry year for Victoria; in fact it has been the driest year this century. That is why the Allan Labor government has increased funding through the challenge this year to $280,000 to help bring forward real-world solutions. We know that we will have less precious drinking water in the future, and we want to be more efficient in how we store and move water around the state. Thankfully, we are getting smart ideas from our best and brightest minds in the water sector to turn obstacles into opportunities.

Last year's winner, South East Water, is working in partnership with RMIT on a world-first project to use recycled water and solar to generate green hydrogen, and I am pleased that Victoria's water corporations are on track to be powered with 100 per cent renewable energy by the end of the year. This is a critical step towards achieving net zero. All credit to the water corporations and their countless workers for making this happen. This government understands the value of and the economic imperative of achieving net zero emissions. Our water corporations are committed to ensuring that we will always have enough water, and they are implementing innovative, practical solutions that face up to the climate challenge. I look forward to announcing the recipients later this year.

Written responses

The PRESIDENT (12:38): Minister Erdogan will get responses from the Minister for Police for Mr Bourman for his questions.

Constituency questions

Northern Metropolitan Region

Sheena WATT (Northern Metropolitan) (12:39): (1697) Having an electorate office in the heart of Brunswick, just off Sydney Road, I am sure it is no surprise to anyone to hear that renters are a common feature. In fact over 50 per cent of those residing in Brunswick are renters. After the announcement of the new minimum energy standards was made over the break, I had constituents

reach out asking what the new standards mean for renters, renters rights, renters health and renters comfortability in their rental properties, not just in Brunswick but across the whole of the Northern Metropolitan Region, as they consider their next property and perhaps the property after that. My question today is for the Minister for Energy and Resources. What benefits will renters in the Northern Metropolitan Region experience due to the introduction of the new minimum energy efficiency standards?

Eastern Victoria Region

Melina BATH (Eastern Victoria) (12:40): (1698) My question is to the Minister for Roads and Road Safety. It is about the deplorable state of our regional and rural roads, in particular two sections: one on the South Gippsland Highway along the Lang Lang, Monomeith and Tooradin section, and the second is the Cann River highway right the way to the border. Both of these sections are dangerous for road users and an indictment of this government. Your claim that Labor is repairing roads at record levels has been exposed by my colleague Danny O'Brien: the state budget revealed major road-patching targets were cut by 93 per cent for regional roads. The performance figures show you are just not improving our roads; you are doing far worse. Will you commit to comprehensive maintenance along both of these roads to improve my constituents' safety and security of getting home?

South-Eastern Metropolitan Region

David LIMBRICK (South-Eastern Metropolitan) (12:41): (1699) My constituency question is for the Minister for WorkSafe and the TAC in the other place. WorkCover reimburses people injured at work for travel expenses between their house and a service provider's address for matters related to work-related injury or illness. This is provided at a rate of 30 cents per kilometre for the use of a private motor vehicle. A constituent contacted me about the rate he is paid for travelling from his home in my electorate to a provider. He says he has been told that this rate of reimbursement is reviewed every year, and yet it never changes and no reason is ever given. Can the minister confirm that this is reviewed each year and explain why the level of reimbursement for travel does not appear to be linked to the cost of living?

Eastern Victoria Region

Tom McINTOSH (Eastern Victoria) (12:42): (1700) My question is to the Minister for Environment in the other place. Minister, how is the government supporting landcare organisations in Eastern Victoria to actively improve the environment? Next week is Landcare Week, and as secretary of the Parliamentary Friends of Landcare I want to encourage all members of this place and the other place and all members of the community to engage with their local landcare groups. Special note should be made of the South Gippsland Landcare Network, who are currently celebrating 30 years with the upcoming publication of a book highlighting all the work by volunteers and landholders over that time. Whether improving the quality of farm output, the visual amenity of the local area, connectivity for wildlife or acting locally while thinking globally on climate change, landcare groups bring people together to achieve so much for the environment. It is a labour of love. I want to end by expressing my thanks and gratitude for the many hours of work that land carers across Eastern Victoria do for all of us, for neighbouring farms, for wildlife and for future generations: thank you, indeed. Here is to another 30 years and many, many more landcare groups in South Gippsland, Eastern Victoria and across the whole of Victoria.

Western Metropolitan Region

Trung LUU (Western Metropolitan) (12:43): (1701) My question is directed to the Minister for Community Safety. Can the minister please update my constituents on the need for local councils to take urgent measures in crime prevention by hiring private security to patrol their streets? It is concerning to note that Maribyrnong City Council in my electorate has recently voted to hire a patrol guard for Footscray CBD to address the community's concern following a series of crime incidents. Additionally, Wyndham City Council has approved $370,000 for private security patrols at

Truganina – another crime hotspot. Meanwhile, residents in Tarneit are forming community groups to discuss hiring private security to patrol their streets. What we are seeing is a lack of action from the Labor government, which is shifting state government responsibility onto local councils and communities. As a result, councils are compelled to hire patrol guards to ensure community safety. Residents are effectively paying private security to protect their businesses and children.

Southern Metropolitan Region

Katherine COPSEY (Southern Metropolitan) (12:44): (1702) My constituency question is for the Premier. A constituent in my electorate has contacted me, deeply concerned about rising anti-LGBTIQA+ hate in Victoria, including online abuse, targeted harassment on dating apps and homophobic graffiti on community spaces. This is not an isolated concern. A national survey by Minus18 found that 89 per cent of LGBTIQA+ young people have experienced bullying, harassment or violence in their lifetime, with 57 per cent experiencing it in the past year. My constituent is concerned by these attacks and is calling for stronger leadership. They are particularly concerned that the state's Anti-Hate Taskforce does not appear to include a representative from the LGBTIQA+ community – a group that has long been disproportionately targeted by hate and deserves meaningful representation in the government's response. Premier, will the government appoint a representative from the LGBTIQA+ community to the Anti-Hate Taskforce?

South-Eastern Metropolitan Region

Michael GALEA (South-Eastern Metropolitan) (12:45): (1703) My constituency question is for the Minister for Health Mary-Anne Thomas, and it concerns the Monash Health Cranbourne integrated care clinic on Sladen Street. I had great delight in receiving some firsthand feedback from one of my constituents who had just visited that centre yesterday, and with his permission, he has asked me to convey that to both the minister and the Parliament. He said:

> Hi Michael Pam & I have just been to the community dental clinic in Cranbourne it only cost $63.00 for both of us, the service and the staff were fantastic they need a huge pat on the back
>
> Cheers
>
> Garry

Minister, I would like, firstly, for you to join me in acknowledging the amazing work that the centre staff do. I would like to give a particular shout-out to all the amazing staff at the Cranbourne integrated care clinic, and I ask: how are services such as this supporting my constituents in the south-east?

Western Victoria Region

Joe McCRACKEN (Western Victoria) (12:46): (1704) My question is for the Minister for Mental Health. The Grampians interim regional body community infrastructure mapping final report was delivered to the department in December 2024. The report details a number of mental health needs across the Grampians region and shows wide engagement. So far the government is yet to release the report or respond. The report comes off the back of the Royal Commission into Victoria's Mental Health System, which recommended a raft of changes for a responsive and integrated mental health system across the state. Your most recent announcement of seven mental health and wellbeing locals commencing in late 2025 – none of these are in the Grampians region. Minister, how long will it be before the Grampians region's mental health is taken seriously, especially considering the impact of drought and the emergency services tax, combined with a complete lack of care for the region? Why is the Allan Labor government overlooking my constituents?

South-Eastern Metropolitan Region

Rachel PAYNE (South-Eastern Metropolitan) (12:47): (1705) My constituency question is for the Attorney-General. My constituent is a resident of Frankston and one of many victim-survivors affected by a recent High Court decision limiting vicarious liability to employment settings. Victim-survivors of institutional child sexual abuse will now struggle to access justice where their perpetrator was not

an employee. Earlier this year when we introduced a private members bill to address this issue we drew no distinction on the types of institutions it applied to, because child abuse can and does occur anywhere. While it was pleasing to see the Victorian government commit to changing the law by the end of the year, my constituent is concerned that the government's legislation may not include sporting organisations or some volunteers. So my constituent asks: will the government ensure that changes to vicarious liability laws apply to all institutions?

Western Metropolitan Region

Moira DEEMING (Western Metropolitan) (12:48): (1706) My question is for the Minister for Water. Documents obtained by Greater Western Water through freedom of information show that over the past 16 months PFAS forever chemicals exceeded guideline levels in six raw-water reservoirs used to supply Melbourne's western suburbs, with some detections representing over 80 per cent of current drinking water limits and in one case more than 13 times the proposed new safe level. Given our electorate's rapid population expansion and continued housing pressures, residents require absolute confidence in the quality of their water supply. My question is: will the minister commit to publishing all PFAS monitoring results for reservoirs and treated drinking water in the Western Metropolitan Region and implementing enforceable drinking water standards aligned with the proposed National Health and Medical Research Council guidelines without delay?

Western Victoria Region

Sarah MANSFIELD (Western Victoria) (12:49): (1707) My question is for the Minister for Mental Health. A new study from Monash has shown that Greater Geelong in my electorate of western Victoria is the fourth-highest area for statewide ambulance call-outs as a result of GHB use. GHB is a synthetic drug with a small window of tolerance in most users, meaning that the difference between the so-called desired effect and overdose can be very small. Loss of consciousness in people who use GHB is common simply from taking too much but also as a result of contaminated or stronger than expected batches. Access to drug checking but also access to the honest conversations that go with drug checking are essential if we want to reduce drug harm in our communities. Regional communities should not miss out on sustained access to this care, and advocates in my electorate want to ask the minister: when will you open a permanent, fixed-site drug-checking service in Geelong?

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (12:50): (1708) My question is to the Treasurer. I had a stand at the Australian Sheep and Wool Show in Bendigo recently, and many people raised concerns about funding cuts in regional areas, increased taxes and Victoria's mounting state debt, which is fast approaching $194 billion, with nearly $29 million every single day in interest. Can the Treasurer please advise when the government will release the review undertaken by Helen Silver AO into the Victorian public service, which was recently provided to the government? The review looks to identify inefficiencies, with a focus on entity consolidation, and provides recommendations on how to reduce the Victorian public service back towards its prepandemic share of employment, including an examination of the appropriate level of executives. According to reports in the *Australian Financial Review*, significant job losses are expected and senior executives in the Victorian Public Sector Commission and other departments have started to consult employees about an organisational restructure. The government's website states the Victorian government will publish the report alongside its response in the coming months. If you could please inform the house where and when and in considering the government's response ensure that no further jobs are lost in Northern Victoria.

Northern Victoria Region

Rikkie-Lee TYRRELL (Northern Victoria) (12:51): (1709) My constituency question today is for the Minister for Roads and Road Safety, and my constituents ask when the northern section of the Goulburn Valley Highway between Shepparton and Strathmerton will be fixed. Yet again I find myself standing in this place with questions from my constituents regarding the disgraceful, dangerous

and downright unacceptable condition of the Goulburn Valley Highway, in particular the northern section between Shepparton and Strathmerton. My constituents are reporting deep potholes in the southbound lane before Spences Road and just south of the Numurkah township, which I have raised in earlier questions. Constituents are also reporting crumbling bitumen in numerous sections, such as just before the 80-kilometre-per-hour zone southbound at Congupna and in the overtaking lanes between Numurkah and Congupna. There have been at least five serious traffic incidents along this stretch of highway in the last 12 months, with two of those being fatalities. So my constituents ask the minister when the northern section of the Goulburn Valley Highway between Shepparton and Strathmerton will be fixed.

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (12:52): (1710) My question is to the Minister for Roads and Road Safety. A Clyde North constituent has raised serious concerns about student safety at the Viewbright Road and Bells Road intersection near Hillcrest Christian College. This intersection sees drivers running red lights during peak times, putting children's lives at risk. Casey council declined a request for a school crossing supervisor, saying that the intersection did not meet the government's minimum number of primary school students per hour criteria. Will the minister fully review the school crossing supervisor program to ensure enhanced safety and provide funding for a crossing supervisor at this intersection?

Northern Metropolitan Region

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:53): (1711) My constituency question is for the Minister for Public and Active Transport. Minister, my constituents who live in and around Brunswick are frequent users of the 506 Moonee Ponds–Westgarth station bus service. They were disappointed to see that in the May budget, 2025, several bus routes received funding, while the 506 service, despite its high patronage, was overlooked. The 506 is one of Victoria's busiest bus routes and still lacks a Sunday service. On Saturdays the service averages 20 boardings per hour, a strong indicator of unmet demand. If the 506 bus were to receive a Sunday service, it would likely outperform many other routes in terms of productivity and patronage. This addition would improve the overall efficiency of the network and, most importantly, connect people to their jobs, education, health care and essential services seven days a week. Minister, will you commit to implementing a seven-day service for the 506 bus?

Sitting suspended 12:54 pm until 2:02 pm.

Bills

Workplace Injury Rehabilitation and Compensation Amendment Bill 2025

Second reading

Debate resumed.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (14:03)

Ann-Marie HERMANS: I just wonder whether the minister would mind giving us an overview of how the introduction of lived experience will be playing out throughout the purpose of the bill. If she could perhaps give an expansion on a definition for that and how that will be used in this particular bill, that would be much appreciated.

Jaclyn SYMES: We are obviously pleased to be including members with lived experience on both the Occupational Health and Safety Advisory Committee (OHSAC) and the WorkCover Advisory Committee (WAC). In relation to your question on what 'lived experience' is, the bill defines someone with lived experience as a person who has been affected directly or indirectly by a workplace incident that involved death or a serious injury or illness. This is the same definition as the criteria that is currently used to appoint members to the Workplace Incidents Consultative Committee (WICC).

Ann-Marie HERMANS: In understanding that definition and using it in the committee, would it be possible for the minister to expand a little bit more on how the minister sees that lived experience working through the committee? I am assuming the intention of this is to delineate some greater understanding of how they can improve the WorkCover legislation and the WorkSafe Victoria protocols and regulations, but is there any other purpose to the lived experience on the committee?

Jaclyn SYMES: You are picking up on exactly the motivation. I think if you read the Rozen report, it goes into a lot of this, and this lived-experience inclusion in the work is obviously based off the back of his conclusions. Effectively, that is that those most directly affected by workplace injury, illness and death should be provided with a greater voice in the decision-making process, and that is what the intention is.

Aiv PUGLIELLI: Minister, I am just going to seek to put all my questions on clause 1 for the benefit of the chamber, if that is of use. I will start with this one. In my earlier contribution, I noted that my colleagues and I absolutely welcome a code of rights for injured workers being brought in. There is a very clear need to explicitly state that injured workers and other claimants must be afforded dignity and respect. Can I just ask, on dignity and respect, how is that set to be operationalised as an objective for WorkSafe?

Jaclyn SYMES: I will start by responding in relation to the code of rights and what it will contain. Effectively, the code includes the specific rights of claimants under the code; obligations to ensure services provided by WorkSafe, its agents and self-insurers are provided in a manner that promotes and upholds those rights; and a procedure for lodging and dealing with complaints about noncompliance with the code by WorkSafe, its agents and self-insurers and remedies that apply if any of the complaints are substantiated.

I will go on to further talk in relation to the development of the code and who was consulted. It requires the code to be issued for public comment and review before being provided to the minister for approval, to ensure a broad range of views can be considered before the code is finalised. In developing the draft code for public approval, WorkSafe may seek input from representatives of those who are likely to have had rights conferred by the code – such as injured workers, employee representatives and advocates of injured workers – as well as those who are likely to have obligations under the code, which could include agents and self-insurers.

Aiv PUGLIELLI: Just a bit further on that point, with respect to the operationalisation of dignity and respect in that code, are there any measurable standards that would be set to be applied?

Jaclyn SYMES: As I outlined for the process in developing the code, Mr Puglielli, it is expected that the Code of Claimants' Rights will outline the standards.

Aiv PUGLIELLI: On another matter, what specific minimum training and support will be required for return-to-work coordinators, and will injured workers have input into evaluating these coordinators?

Jaclyn SYMES: In relation to return-to-work coordinator training, I can run through some of the obligations for employers regarding the training. They will be required to ensure that their appointed return-to-work coordinator completes approved training within the required timeframe, unless the employer has a reasonable excuse for not doing so. The minister, via a ministerial order published in the *Government Gazette*, may determine the training required to be completed, including initial or

refresher training, any qualifications to be held by a return-to-work coordinator and the time period within which a return-to-work coordinator must complete the approved training.

WorkSafe will approve the training providers that are able to deliver the approved training, and the ministerial order will be a legislative instrument and will be subject to the requirements within the Subordinate Legislation Act 1994. WorkSafe may make recommendations to the minister with respect to matters to be specified in the ministerial order. Some of these are obviously acquitting recommendations from the Rozen report, and specifically, the most relevant would be recommendation 17, which recommends the effectiveness of return-to-work coordinators should be enhanced by requiring employers to ensure they have training and the assistance and facilities reasonably necessary to perform their functions under the act. There are obligations to comply and consequences for noncompliance, and in relation to other provisions the bill makes sure that it is well known and understood what constitutes a reasonable excuse and the like.

Aiv PUGLIELLI: Forgive me, there was a double whammy to that question. The second bit was: will injured workers have input into evaluating these coordinators?

Jaclyn SYMES: Sorry, Mr Puglielli, did you say 'evaluating coordinators'?

Aiv PUGLIELLI: Yes.

Jaclyn SYMES: Mr Puglielli, in relation to oversight and the ability to raise concerns, the WorkSafe return-to-work inspectorate would have a role to play in that regard.

Aiv PUGLIELLI: On another matter, how does the government envision the inclusion of lived-experience members on OHSAC and WAC will improve decision-making?

Jaclyn SYMES: These were some of the topics that we covered with Mrs Hermans. Obviously we are very pleased to implement the recommendation from the Rozen report that really brings in lived experience. We think that listening to those that have had direct experience always produces better results. The purpose of the amendments basically is to give life to the conclusion that those who are most directly affected by workplace injury, illness and death should be provided with a greater voice in the decision-making process. That is why the bill amends legislation to ensure that membership and composition of those bodies will include representatives from that cohort.

Aiv PUGLIELLI: Can I clarify: will the input of lived-experience members be weighted or formalised in any way?

Jaclyn SYMES: I can confirm that they are equal members with the same rights as every other member.

Aiv PUGLIELLI: Can I also clarify who decides who the lived-experience representatives are?

Jaclyn SYMES: My advice is that the minister will be responsible for appointing the lived-experience members of the OHSAC and the WAC after the bill becomes law. The legislation empowers the minister to make appointments to these bodies from time to time, meaning there is no specific recruitment period or deadline. In terms of how long people will be appointed, it is 12 months for the OHSAC and up to two years for the WAC. Just to go on further, obviously other membership is made up of employer and employee representatives who advocate for their members. The lived-experience members do not represent any group. Their appointment will function similar to the independent members of OHSAC and WAC that contribute relevant formal technical expertise and knowledge. They will represent themselves in their own distinct experience. So in terms of attracting people of interest to these things, it is their lived experience that is relevant, not their other skills necessarily. In relation to making sure that those people are equipped and supported to perform their role in the committee, there will be specific supports and mechanisms to be considered through a trauma-informed lens. Existing supports are in place, such as counsellors and buddy systems. Advance

agenda distribution might be considered as well, just to make sure that when there is distressing content which is expected, we are looking after the members of the committee.

Aiv PUGLIELLI: I will move on to another matter. What processes will be in place for the statutory review every five years?

Jaclyn SYMES: As you have indicated, the scheme will be reviewed every five years. That is to ensure that there is time to allow for trends and issues to be identified but also that we are not letting things go too long so things become entrenched and more difficult to reverse. What further information did you want on the statutory review?

Aiv PUGLIELLI: What processes will be in place?

Jaclyn SYMES: In terms of the timing of the review, to start with, if the minister forms the view that a review is required earlier than five years, then they can cause a review at any time. The amendments require at least once in every five-year period for the reasons that I outlined. In relation to the terms of reference for each review, they will be set by the minister rather than being prescribed for similar reasons, to keep up with contemporary information. The Victorian workers compensation scheme's challenges obviously change from year to year, and different issues come up, particularly with expansion in innovation and the like. I think that has probably answered your question.

Aiv PUGLIELLI: With respect to those reviews, will injured workers or their advocates be involved in them?

Jaclyn SYMES: My advice is that we believe that a review should involve consultation with those very people.

Aiv PUGLIELLI: On another matter, Minister, are you aware of any concerns in the community about ministerial powers to set board director terms and appoint the WorkSafe CEO, potentially impacting the independence of the regulator?

Jaclyn SYMES: As you would appreciate, as the minister that is acting for another minister in relation to this matter, that is not something that has been brought to my attention. I might take that one on notice for you.

The advice I have received is that, no, they are not aware of any concerns as described by you.

Aiv PUGLIELLI: Moving on to family supports, can I ask: how will the lump sum payments for economic loss to non-traditional dependants – for example, parents – be calculated and capped?

Jaclyn SYMES: In relation to compensation for eligible other dependants, each other dependant will be able to receive up to $20,000 compensation. Compensation amounts may vary depending on the level of financial support the person was receiving from the worker and/or the duration for which any financial support provided would have been likely to continue.

Aiv PUGLIELLI: Minister, is there any risk of inconsistent or inequitable outcomes from this that you can foresee?

Jaclyn SYMES: Well, Mr Puglielli, we would argue that by virtue of being flexible and being able to consider the level of dependency prior to the incident and indeed how long that was reasonably likely to continue, that would reflect adequately the financial loss, and therefore the answer to your question is no.

Aiv PUGLIELLI: Can I ask: will the broader access to therapy and support services following a workplace fatality include mental health and trauma-informed care? And can I ask: how will that be funded and monitored?

Jaclyn SYMES: In relation to the therapy and other support services for family members, the minister will be able to issue a ministerial direction specifying the types of therapy and other support

services that family members can access. WorkSafe will be required to approve a person or class of persons that can provide those specified therapy or other services. The ministerial direction will be made as soon as practicable following the passage of the bill. New therapy and supports will be identified in consultation with workers and such bodies as the WICC, so we will be taking advice and views from relevant people.

Aiv PUGLIELLI: Can I ask what safeguards are in place to ensure forensic cleaning compensation is fair and does not become a contested issue which then delays payments?

Jaclyn SYMES: Thank you for your question in relation to forensic cleaning. We know that some work-related deaths may occur at workers' homes or homes of other family members, and the WorkCover scheme currently is unable to assist families with any forensic cleaning that may be required after the death of a worker. We certainly acknowledge that for families responsibility for forensic cleaning can be incredibly traumatising – beyond traumatising, frankly – and can also impose a financial burden. So introducing a new compensation entitlement for forensic cleaning will allow a WorkCover scheme to assist families who otherwise would face responsibility for this harrowing task. WorkSafe or a self-insurer will also be able to make provisional payments for forensic cleaning to ensure that the support is provided as quickly as possible.

I think you are familiar with who would be entitled to the payment, and in relation to working out the value we certainly do not want that to be something of a contested nature. So there is a provision that says family members will be entitled to the reasonable costs of forensic cleaning to be determined by WorkSafe. We are not able to give you a figure because it will very much depend on the circumstances of each individual claim.

Aiv PUGLIELLI: I will move on to another matter. One of the things the bill does not do is remove the whole-person impairment (WPI) test at 130 weeks, which, as I have raised in this chamber, continues to cause hardship for many injured workers. Is the government considering removing or reforming this test to ensure fairer ongoing entitlements?

Jaclyn SYMES: I think you have answered your question in the way you asked it. It is not part of this bill, and I am not in a position to provide you with what the current minister has in his work plan. If you would like to ask that question directly of him, I am sure he would be happy to engage with you on it.

Aiv PUGLIELLI: With respect to this legislation and legislation to come I suppose, what steps are being taken to ensure meaningful consultation with workers and advocacy groups occurs so that we can see changes like those to impairment assessments?

Jaclyn SYMES: Mr Puglielli, I think, again, it is not strictly within the remit of this bill, but because this bill sets up consultative bodies, we are not confining some of those discussions from happening in those groups. I think in relation to ongoing dialogue there are a variety of ways that individuals and advocates can engage with government.

Aiv PUGLIELLI: Minister, can you confirm for me: does the bill include any embedded funding or measures for independent advocacy services to support workers throughout their claims journey?

Jaclyn SYMES: My advice is that these already exist, so they were not required to be replicated in this bill.

Aiv PUGLIELLI: Minister, does the government have any intention to introduce stronger accountability and oversight measures to hold WorkSafe agents and medical assessors, for example, responsible for poor decisions, delays or breaches of obligations?

Jaclyn SYMES: Again, I appreciate your interest in this matter, but that is outside the bill and a matter for the relevant minister.

Aiv PUGLIELLI: Can you confirm: does the bill in any of its provisions address ongoing delays and disputes related to the 130-week WPI test that I mentioned earlier?

Jaclyn SYMES: Mr Puglielli, with respect, you have got a copy of the bill. If you have got a particular clause you want to ask me a question on rather than just asking me to identify things in the bill in clause 1, I think that would be a better way of proceeding.

Aiv PUGLIELLI: I only asked because I had not identified it myself in the bill, but that is okay; I take your point. Is there any plan from government to improve transparency and dispute resolution mechanisms for complex claims to reduce stress and harm to injured workers?

Jaclyn SYMES: Again, Mr Puglielli, I bring you back to the purpose of this bill. You are asking questions about the scheme in general and the support that is available. I am sure that the minister would be more than happy to take you through and answer some of those questions. They are good questions, but I think that they are general questions about the operation of the scheme and WorkSafe procedures and how they go about things, as opposed to the specifics that are in this bill. I am more than happy to pass on your interest, and I am sure they can set up a briefing.

Aiv PUGLIELLI: I think there are a few questions that I will raise directly via that pathway rather than today in this session. I just have one more. It is just to go back to the code of rights that we touched on at the beginning. As I have indicated, the code of rights is very welcome, and my colleagues and I absolutely are in support of this being brought forward by the government. We may have canvassed this in your initial response, but just to be clear, I suppose the focus here is making the code of rights actioned and operationalised. Are there plans from government to make sure that these rights can be meaningfully upheld and that failure to uphold them comes with consequences?

Jaclyn SYMES: Mr Puglielli, the bill requires that the code includes a process for lodging, considering and issuing remedies for noncompliance with the code. The bill does not prescribe what this process will be. The process will be determined in the code itself, once drafted, after the bill becomes law. So the answer would be that it is envisaged that the concerns you raise, or the reassurance that you are seeking, are matters for the development of the code and will be considered at that time.

Clause agreed to; clauses 2 to 26 agreed to.

New clause (14:31)

David DAVIS: I move:

1. Insert the following New Clause to follow clause 26 –

'**26A Premiums order**

After section 448(4) of the Principal Act **insert** –

"(5) A premiums order made under this section for the premium period beginning on 1 July 2025 and ending on 30 June 2026 must not specify a method to be used in calculating the premiums payable in respect of that premium period if the calculation of premiums payable using that method results in premiums payable that are greater than the premiums payable in the preceding premium period.".'.

Amendment 1 is an amendment that deals with the freeze of premiums for the 2025–26 financial year. It is self-explanatory. I believe the government has given official commitments that this is the case, but this would put it beyond doubt and ensure that there is no further premium rise for small businesses and those in the economy that are struggling at this point for this financial year.

Jaclyn SYMES: As Mr Davis has identified, the government has already confirmed there will be a freeze on the average premiums rate for the next financial year in order to provide businesses with certainty. We are not in a position to support the opposition's amendment in relation to future decisions.

Aiv PUGLIELLI: The Greens will also not be supporting this amendment.

Council divided on new clause:

Ayes (11): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Richard Welch

Noes (20): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, 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, Jaclyn Symes, Lee Tarlamis, Gayle Tierney

New clause negatived.

Clauses 27 to 36 agreed to.

Clause 37 (14:39)

David DAVIS: I move:

2. Clause 37, line 22, after "delivered by" insert "the Authority or".

4. Clause 37, page 29, after line 18 insert –

"(3) The Authority must offer training for the purposes of section 106A to employers referred to in section 106(2).

(4) The Authority must not charge a fee for the delivery of training referred to in subsection (3).".

Amendments 2 and 4, as I said, are a pigeon pair. They ensure that for training provided by the authority for small businesses there is a mechanism for that to occur.

Jaclyn SYMES: On the amendments, Mr Davis, my advice is that the amendments are redundant as the legislation already requires that return-to-work training must be delivered by a provider approved by WorkSafe and it would also allow WorkSafe itself to deliver the training if needed. In order to be registered, the provider will be held to the highest possible standards in line with all other providers registered by WorkSafe. Introducing this amendment would result in different requirements for training providers across WorkSafe's legislative framework, creating confusion for industry and perhaps worse outcomes for claimants.

David DAVIS: I am listening to what the government says, but at the same time this does guarantee that those smaller employees would get assistance with training without a fee.

Aiv PUGLIELLI: The Greens will not be supporting the amendments for a similar rationale to that outlined by the minister.

Council divided on amendments:

Ayes (11): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Richard Welch

Noes (20): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, 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, Jaclyn Symes, Lee Tarlamis, Gayle Tierney

Amendments negatived.

David DAVIS: I move:

3. Clause 37, page 29, after line 15 insert –

"(1A) The Authority must not approve a person or body under subsection (1) if –

(a) the person is a natural person who is an insolvent under administration; or

(b) an administrator of the person or body has been appointed under Part 5.3A of the Corporations Act; or

(c) in the case of a body registered under the Fair Work (Registered Organisations) Act 2009 of the Commonwealth, an administrator of the body has been appointed under that Act.".

This is an amendment that will seek to prohibit any organisation or entity that is under administration pursuant to the Fair Work (Registered Organisations) Act 2009, Commonwealth, from becoming an approved training provider. An example would be the CFMEU.

Jaclyn SYMES: The government does not believe that this amendment is necessary. The legislation allows small business different training requirements or subsidies as required and provides flexibility for small business.

Aiv PUGLIELLI: It is apparent in the example that was provided this is a political attempt rather than seeking to resolve an actual issue. We will not be supporting the amendment.

David DAVIS: On the contrary, in fact without this clause it is very possible that the CFMEU may well be given training roles, and we see that as a problem.

Council divided on amendment:

Ayes (11): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Richard Welch

Noes (20): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, 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, Jaclyn Symes, Lee Tarlamis, Gayle Tierney

Amendment negatived.

Clause agreed to; clauses 38 to 57 agreed to.

Reported to house without amendment.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (14:48): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (14:48): I move:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The DEPUTY PRESIDENT: Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill without amendment.

Corrections Legislation Amendment Bill 2025

Second reading

Debate resumed on motion of Harriet Shing:

That the bill be now read a second time.

Trung LUU (Western Metropolitan) (14:49): I rise today to make a contribution on the Corrections Legislation Amendment Bill 2025. This bill amends three acts – namely, the Serious Offenders Act 2018, the Sex Offenders Registration Act 2004 and the Corrections Act 1986, with some miscellaneous provisions dealing largely with some changes to the Adult Parole Board of Victoria. This bill seeks to bring about reform to ensure that the safety risks from serious offenders are managed appropriately and to denounce and deter assaults on our hardworking custodial workers. Lately, assaults, which are becoming far too frequent, demand these new laws which we are debating today. It is also in place to make minor amendments to parole and other provisions that are not operating as originally intended.

From the outset, this bill presents some opportunities for reform to make our prisons safer. That is a good thing – a very good thing. Having worked in custodial management at the Melbourne Custody Centre and in 24-hour police stations with holding cells, this bill is a good start for those working in those areas, but it has some shortfalls and some shortcomings in addressing all the elements that make the prison workplace a safe one for all staff and those employed to work in the prisons. Thus the government must listen to all the issues that are raised by the prison staff and those employed or engaged to work in the prison and their representative, being the Community and Public Sector Union, the CPSU, noting that: the prison system under the current Labor government is unsafe in its current form; the running of prisons is jeopardised by the increase of violent assaults against staff, which I will speak on in more detail shortly, and as a result of the increase of lockdowns that management must initiate; and Victorians have witnessed that 94 per cent of correctional staff have voted in favour of a no-confidence motion against the leadership of Corrections Victoria.

Prisons and remand centres need to be safe working environments, with headlines in the news conveying a significant number of serious assaults on our prison guards. I will give you some examples that relate to what I am referring to. Barwon Prison, from the news on 26 September 2023, 'Killer admits to vicious prison officer bashing', on an unprovoked attack on male and female guards:

> The female guard was knocked out and suffered serious injuries including a broken leg, while her colleague received cuts and bruises.

The inmate is serving a 22-year sentence for stabbing a 48-year-old person to death.

On 9 September 2023 an officer was attacked at Barwon Prison again. A superior at maximum security was attacked and spat on. In Port Phillip Prison on 19 March 2025 we have the headline 'Comanchero accused of severely beating prison guards allegedly lashed out in anger over brother's deportation'. A guard was:

> … felled with sickening blows and repeatedly stomped to the head, before a colleague rushed to their aid.

On 16 March 2025 we had 'Prison guards seriously assaulted by enraged bikie gang members', while in the Dame Phyllis Frost Centre on 2 May 2025 there was the headline 'Crippling staff shortages force Dame Phyllis Frost Centre into lockdown'. They go on and on, example after example, and these are just a few.

These convicted criminals have no interest in treating corrections workers with respect. What would make those opposite think they would treat cleaners, healthcare workers and other staff employed to work in the prison with respect? The fact is there have been 442 assaults on staff in one year alone; that is in the past year. This is not acceptable in any workplace. The 442 assault incidents include 10 sexual assaults and six incidents so horrific that prison guards required hospitalisation. We can see why the CPSU are screaming out that our prisons are unsafe workplaces and that 94 per cent of

corrections staff voted no confidence in the corrections commissioner and her leadership team. I would be disgusted if this happened under my watch as a supervisor managing prisons, and with such figures Victorian prisons cannot be described as being a safe workplace.

I would like to advise the house of amendments to this bill and request that they be circulated. I would debate that these be agreed to by the government. As I stated, our prisons are not safe workplaces for prison staff or for any other person employed or engaged by and working in a prison. That is why we need to strengthen the legislation before us. Reports of assault are becoming far too common, and the perception in the community is that not enough has been done to protect our staff at their workplaces.

Retention in any challenging work environment is hard enough, but when it is coupled with the feeling of being unsafe and not being protected, you would not want to work. You would leave. Why would anyone in the right mindset continue to put their safety in jeopardy? We have observed across many sectors under this government things of a similar nature. I will give you an example: there are over a thousand vacant positions in the Victorian police force at the moment. Right now we have hundreds of members on stress leave or WorkCover. It is no coincidence that in such a demanding work environment as a prison this is also a driving factor of prison staff leaving the system in droves. The government are even offering a financial incentive by way of an $8000 sign-on bonus in their recruitment drive. That is how bad the situation is at the moment in relation to prison guards at that workplace. It is obvious that there is concern in the corrections community about the risks involved in working in a prison. We need to be doing more than just offering financial incentives to bring in recruits. We have got to make sure that they are safe when they are clocked in and that when they clock out they have not sustained any assaults or any injuries and go home to their families in one piece. We need to ensure that prison workplaces are as safe as possible for all staff, contractors, visitors and inmates.

I just want the chamber to understand the important role our prison staff play. They are not there to make life hard for inmates. They are there to look after and care for those people who the court has sentenced to time away from the community. The current system is failing, and the wider community is witnessing that failure. Without our hardworking, dedicated Corrections Victoria staff, our prisons would not operate. It is as simple as that. Without them, the prisons would not be operating. I will talk more about this later on and why we are so serious about making further provisions to toughen up this law to protect our staff working in the prison system.

We need to stress that an attack on any worker, including those working in our prisons, is not okay and that there will be consequences for such actions. The amendment proposes to change this bill so that if you assault a prison guard or a person working in a prison and cause serious injury, you will face additional penalties on top of your sentence. When an inmate assaults and causes serious injuries to a prison staff member, there will be consequences. It is simply not acceptable to assault others who are giving you care. While this bill goes further with consequences for prisoners who assault staff, the staff this bill covers fall into the 'officer' category. Concerningly the bill fails and falls short in providing adequate coverage for others working in the prison system. We believe that the amendment will allow further consideration of what is needed. The amendment reclassifies the term 'officers' to cover all persons engaged or employed to work in a prison. This is an important and crucial addition. All staff who are interacting with inmates in the prison system should receive the same level of legalised protections, the same rights, as they enter the workplace. We need to widen the net to include other workers who are on site at a prison to ensure that they too are protected under this law, such as health and education workers, who are actually frequently attending our prisons to provide various programs and services to the inmates. These supporting staff provide training programs and education services, while nurses provide medical support and so on, and these people deserve the same protections as prison guards.

I know that the CPSU, the Community and Public Sector Union, has been active in this space, leading the debate for this bill to cover all workers in the prison system, not just custodial staff. And we on this side support the union 100 per cent in their endeavour to have the law extend to everyone who

works in the prison system. They should be protected and have the same rights. I want to put on record my thanks to outgoing secretary of the union Karen Batt for her strong representation on this matter. I also want to make note of the extensive work of my colleague David Southwick, member for Caulfield and Shadow Minister for Police and Corrections, who advocates for this area, ensuring that prison staff voices are heard in Parliament and that prison staff and all the employees who are employed to work in prisons have a safe workplace when carrying out their very important community duties. The union has also been calling on the government to offer more consistency in its application of the loss of privilege for prisoners who assault any staff member and that any assault of a staff member should result in the application of restraint of movement around the prison. Consequences for actions and deterrence is a must, even in prison. I will talk more about this shortly.

In regard to the classification of custodial officers, I am alarmed to read that the rationale for not broadening the definition of the workers covered is that non-guard personal assault is very rare and therefore there is no need to implement the same level of protection as other workers onsite. Just because it is rare, does not mean it will not happen. You have got to understand you are dealing with people here. It does not automatically happen like clockwork. People have different minds, different attitudes and it varies from time to time whether you are dealing with people on the street or in prison. The probability of being assaulted in any given interaction in the same work location at the same time, no matter what your job title is, whether you are a prison guard or you are person providing a health service or an education service – you face the same probability of assault if the inmate decides to assault someone at that location. Just because it is rare does not mean that staff do not deserve the same rights or suffer less pain from assault and injuries. You do not take away a person's right because it is rare. Whether an assault happens once, 10 times or 100 times, you deserve to be protected and to be safe in your work environment with the same rights and protections as anybody else. It is absurd that we are not using the opportunity to ensure that all cracks are fixed. Widen the scope and broaden the definition to address this, regardless of whether it is rare or not. This is an opportunity today to send a strong message to the community that an attack or an assault on any staff working and providing services in a prison system is not acceptable.

The coalition supports the application of strong restraint management, such as handcuffs, when deemed necessary, which is absent in this bill. These amendments address this. Again, we want to reinforce the broader message to the community that safety in prison is important. We firmly believe that a system of stronger restraint management will enhance that message. Any prisoner found to have assaulted a staff member should have all movement throughout the prison subject to being handcuffed for a minimum of three months to protect our staff and prevent further assaults. I want you to picture what this means.

For those that have not visited any prisons, I will paint a picture in relation to what a prison cell looks like. Inmates are designated to a prison cell. Depending on whether you are in maximum security, whether you are in mainstream or you are in management security, depending on what level you are, the outside of your cell is a communal area. During the day you have access to the communal area. This means you require restraint to open a door and walk into the communal area. This is when you are moving across the prison system from one location to another in a different area. This is where the restraint management comes in. It is not just when you leave your cell and go into the communal area and there is no need for an escort. It is under escort when we restrain. I want to classify clearly what this means in this area. Not only is it protection for the staff when restraint management occurs, it is also protection for the inmate themselves and other inmates in the vicinity. Injuries occur when assault happens. When assault happens, it is not limited to one person if there is another person in the vicinity.

Secondly, in relation to the assault management amendment proposed in this bill, it is proposed to be rolled out consistently across the board. Restraint management is in the system at the moment, and it depends on the situation whether the governor decides to do it or not. What this does is give consistency across all corrections centres and all prisons, where it is important that inmates' routines are not regularly interrupted. If he or she knows there are consequences for their actions and as a result

restraint management is applied for those three months after being convicted or being found guilty of assault or serious injury to a prison guard or a worker, then he or she knows there are consequences and their mindset is prepared.

This is not a random thing which we will apply straightaway. If it is not applied as we are suggesting today, across the board, then each professional and each corrections centre or prison will manage it according to what is necessary. That is when it can come in, that is when irregularity applies and that is when the smoothness of the management of the system might be interrupted. What the amendments propose is consistency across all prisons and the consistent enforcement of measures that are needed now more than ever to protect our prison staff, whatever their duties are.

For those who are not aware of the prison system, you must understand that incarceration rules and guidelines provide regularity, and that is what inmates need. It is human nature; whether you are in prison or not, you do not like people changing your daily routine. Once you are interrupted your mood changes, and this is the same in prison. I know from past experience that if inmates have the same routine, then they will expect it. It has a smoother system, and that is what an ideal prison system is. Prison guards are not there to enforce punishment. Prison guards are there to make sure it is run to care for inmates and to ensure the smooth running of the system in the prison.

If this is in place consistently across the corrections system, it is not going to cause inconsistency, it will not cause disruption or disturbance. By providing these rules now in this amendment, it will provide consistency in rules and guidelines. It is not a random provocation but rather a structured guideline with consequences for actions. Prisoners need to know the consequences of their actions. We must send a strong message across the wider community and in the prison system community. Restraint measures are already a tool, as I stated. It is important to have this policy become blanket across the whole system. It is an important lesson so that the inmates know what is in front of them.

All inmates, if you are not aware, once arrested will be assessed, and where they go is determined by their medical history, their past history and how they interact with other inmates. This is part of the assessment and where they are placed. It is not just that you get locked up, sentenced and sent straight to prison. The remand centre will actually look through all this. This is for consistency. When they go into the prison system, the inmates are provided with an introduction with guidelines on what is expected of them. There should be uniform and consistent messaging across the board. A policy that applies to all always protects staff but also protects other prisoners. This is not only to protect prison guards and staff visiting or working in prison centres but also to be mindful of other inmates. Ensuring movement is restricted for those inmates who are violent also means limiting the chance of them assaulting other inmates who happen to be in the vicinity, as I stated earlier. This is an ongoing issue, and this is just another reason why this policy must be mandatory.

The only deterrent that will work for these criminals in prison is a loss of privilege. They have already been sentenced, so we need to have some sort of loss of privilege when they commit these other assaults causing serious injury of prison guards. Strong restraints management is a part of it, such as handcuffs when moving throughout the prison under escort. Let me restate that – under escort. If they are going from their cell to the communal centre outside, that is not under escort, so they are not required to wear restraints. So you can understand what we are talking about – it is not constraining the inmate every single time they walk out of the cell. This is a loss of privilege that will make a tangible difference while protecting the staff.

I want to go through another notable element of this bill, the alteration of the reporting period under the Sex Offenders Registration Act 2004 for serious sex offenders. This provision deals with serious offenders on the sex offender register and protects the community once they are released given the danger they may still pose to society. Many victims and their families have rightly been concerned about this release and what will happen and how their safety is at risk. I want to emphasise, in speaking about this concern, that it is concern for the victims and their families, not the public at large. This provision helps ensure that victims and families are supported by way of monitoring where the

offender lives once they are out. The requirement does place a supervision order to report to police. Keeping the register up to date and sharing information is crucial. This provision also covers elements such as wearing a monitoring bracelet, who the offender is living with and whether they are living with people who have committed similar offences. It is also about how we can better prevent reoffending.

Other areas include clarifying Post Sentence Authority directions. This measure will give directions around who a person on a supervision order can live with, which helps manage the person's risk to the community. We know certain co-residents can influence and increase an individual's risk of reoffending if these residents display antisocial behaviour. We want to discourage that behaviour, and therefore the provision tightens the powers given to the authority to determine where and with whom these people reside once they are out of the prison system. We also know this provision is important if the person on the supervision order may have a history of family violence. It is also understandable that given the additional work that will occur in this space, the government has increased the staffing of Post Sentence Authority members from 10 to 13, which includes an Indigenous member.

I also want to mention something of interest about this bill – that we need to improve the safety of prisons before continuing on to other areas. Earlier this year, in May, corrections staff voted clearly on their feet, declaring that they did not feel safe in the workplace, and a no-confidence motion was passed. That no-confidence motion is why we are doing this today and why this legislation needs to be supported with this amendment to make sure it is strong and adequate across the board. The no-confidence motions are coming through thick and fast for the government. We have seen them against the Chief Commissioner of Police, the fire rescue commissioner and now the corrections commissioner. When will the Minister for Corrections ultimately take some responsibility for the lack of safety of staff in the workplace?

I implore the government and the corrections minister to take note of some of the sensible policy solution amendments we have put forward today for this debate. I strongly hope they support it, because we want our prison staff, including all those employed to work in the area, to feel safe and for there to be consequences if prisoners decide to attack people who are looking after them. There will be consequences, and the consequences we put forward are tangible and will help prevent and deter further committing of offences. We have entered into this debate in good faith with the government, and those amendments in good faith have been agreed. I hope this bill will be passed with greater strength, for all our prison staff. We will not stop working hard for the Corrections Victoria staff to make sure they feel safe.

There are a few minutes left before I finish. I want to mention quickly the parole amendment and miscellaneous changes, namely clarity around the application of two provisions in the Corrections Act 1986. The first one is a 'no body, no parole' provision. The second one is an amendment that the adult parole board can revoke an automatic cancellation of parole. In relation to the 'no body, no parole' provision, it is important. It is something we call for, recognising it is vitally important, because it stipulates firmly that you will not be granted parole unless you cooperate with authorities to determine where the body is. I will give you the example – I will not go into too much detail – of the Samantha Murphy case. If you have been convicted and there is enough evidence there but you are not going to cooperate with the authorities and help the victim's family to move on by notifying where the body is, there will be no parole. The other miscellaneous change related to the parole board is altering the discretion to revoke automatic parole cancellation for minor offences.

In the last minute I want to clearly state that, with these amendments, it is important that all those in the chamber recognise those working in the prison system are not just prison guards – they are nurses and they are educators who are there on programs employed to help the inmate to rehabilitate and to find a pathway to leave the system. Secondly, there need to be consequences for your actions whether you are in prison or out of prison. In the prison system if you hit someone and cause serious injury, there need to be consequences. If you do not have consequences, it is going to happen over and over again. The penalty needs to be on top of what you are serving. If a prisoner has been sentenced for

10 years, you are not going to add any penalty above that if he goes, 'I'm doing 10 years anyway. I'll keep committing those offences.' That is why it needs to be put on top of what you have been sentenced to. It is important we send this message strong and loud and assist the governor and prison management to do their jobs by approving and supporting the amendments we put forward. Include all persons working in the prison system. Consequences for your actions – you cannot assault and cause serious injury to people looking after you and walk away scot-free. Make sure they have penalties and are restrained for their safety and the safety of all around them.

Katherine COPSEY (Southern Metropolitan) (15:19): I rise to also make a contribution on the Corrections Legislation Amendment Bill 2025. The bill substantively amends three acts: the Serious Offenders Act 2018, the Sex Offenders Registration Act 2004 and the Corrections Act 1986. I will go through these and speak to some of the elements of the amendments one by one.

On the Serious Offenders Act 2018, I note that the Corrections Amendment Bill implements recommendations of the review of the Serious Offenders Act 2018. It is important to note that review found, encouragingly, that the post-sentence scheme is working well to both protect the community and support rehabilitation and treatment of serious sexual and violent offenders. Stakeholders have made the case that this scheme works precisely because it has more of an intensive case management, support and treatment approach than a purely custodial approach. Even those who, for example, are on detention orders who reside within a prison are managed differently from the general prison population in recognition of their different status. Together these sorts of supports increase rehabilitation prospects and therefore keep the community safer.

The bill also addresses membership of the Post Sentence Authority and requires that at least one of the 13 members who make up the authority must be a member of the Aboriginal or Torres Strait Islander community, and that requirement is positive to provide perspectives on culturally safe supervision and support.

The Law Institute of Victoria does hold reservations about clause 5 of this bill, stating that post-sentencing orders may breach the Charter of Human Rights and Responsibilities Act 2006, namely the right not to be subjected to arbitrary arrest or detention and recognition that the person must not be tried or punished more than once for an offence.

This bill also makes minor or technical amendments to victims' submissions, arrests without warrant, proceedings for the offence of attempting to contravene a supervision order or interim supervision order, and the use and disclosure of information by authorised officers.

The second act that the bill substantively amends is the Sex Offenders Registration Act 2004, relating to reporting periods for registrable offenders who are serious sex offenders. I note that the bill amends supervision orders, extending the current requirement for serious sex offenders who are subject to a supervision or detention order to report to police both during and for five years after the conclusion of their order. A key specialist service provider in this space has asked what the evidence base is for extending these reporting periods. With extensive experience providing forensic casework to people on post-sentence orders, stakeholders have shared with us that where reporting requirements are not combined with targeted reintegrative and rehabilitative measures and regular opportunities to review that registration, the restrictive impact on people can impact their capacity to start afresh or go in a different direction, which could negatively outweigh any risk that they continue to pose to the community.

Finally, the bill substantively amends the Corrections Act 1986. This includes clarifying amendments in relation to processes around Victoria's 'no body, no parole' rule. The bill also reinstates revocation of the cancellation of a prisoner's parole abilities to the Adult Parole Board of Victoria. This gives the adult parole board an appropriate discretion to revoke cancellation of a prisoner's parole, for example, if there is a situation where time has been served for an additional sentence. This is an administrative change that will assist the adult parole board in its function and will support prisoners not having to

restart an entire parole process where that is appropriate and the adult parole board determine so based on information that they already have in existing or prior parole applications.

The bill also inserts a new definition of 'custodial worker' and a new definition of 'prison offence'. It was explained to me in the briefing from the minister's office that this has been done to deter assaults on custodial officers by strengthening sentencing outcomes for people who commit serious offences in prison. We do not believe that this measure is going to achieve the outcome that the government intends, and I will pursue some questions in committee with the minister around this point.

One issue that the Greens have sought to bring forward by amendment and to be explored but have ultimately found is out of scope for this bill is that time served on parole does not count as time served in Victoria. To work through a little example of this, a prisoner could be given a sentence with a minimum of eight years and a maximum of 12 years. If they are successful in applying for parole after serving eight years, it means there is a parole period remaining of four years. Extending the example, if that prisoner does very well in terms of 18 months but then has a relapse into drug use, their parole could be cancelled and they would return to prison. But the 18 months they have had on parole then does not count, so the prisoner is then required to serve out four years, and therefore it is entirely possible the person could end up serving 18 months more than their original maximum sentence.

This system is a real disincentive to applying for parole if a prisoner is worried or scared that due to an addiction or so on they may mess up and then ultimately have to serve more time than they were sentenced to, and it does result in people coming out of prison on unsupported straight release. From a reintegration and assistance perspective this is worse for everyone – the person concerned and the community – so I would encourage the government to explore this issue. We would have liked to see it within the scope of this bill. It does not seem fair to anyone to have to serve more time than they were sentenced to, and it does not seem fair to have a system that this disincentivises eligible prisoners from applying for parole.

My final point on the bill is that there was another set of amendments to the Corrections Act 1986 that we explored to enable notice to be given when a prisoner is released in circumstances where there had been family violence. The amendment we sought to pursue was based on the coroner's recommendation from the inquest into the death of Noeline Dalzell. The specific recommendation I will quote is recommendation 3:

> Victoria Police (in conjunction with DJCS) develop a policy to ensure that any victim of family violence or an AFM in an active FVIO case is notified of a court outcome. It is desirable for Victoria Police to notify all victims and AFMs in an active FVIO, however I consider it essential that in cases where an offender is considered high risk, that this notification occur within 48 hours.

And recommendation 4 is:

> If Recommendation 3 is accepted, the Victorian Government investigate enhancement to the CIP to include a capability that the release of a FV offender (from prison, police cells or directly from a court) triggers an automated notification of that information to all other agencies.

In plain English, this is about people who have been victims of family violence receiving automated notifications when there is a court outcome or the release of a family violence offender from prison, a police cell or court. These recommendations, as we understand it, are yet to be implemented, and we would urge the government to explore this and find a mechanism.

Given this bill makes a relatively narrow set of step changes to the act, the Greens were unable to produce amendments that were in scope to the bill, so we have not pursued those. But we strongly urge the government to find an opportunity to do so with the next convenient piece of legislation. I will leave my remarks on the bill there.

Ryan BATCHELOR (Southern Metropolitan) (15:28): I am very pleased to rise to speak on the Corrections Legislation Amendment Bill 2025, which is before the chamber today. Obviously, this bill, which deals with some matters related to the corrections end of the criminal justice system,

provides an opportunity I think more broadly to briefly make some remarks about community safety. This bill forms part of the continuum of work that the government is doing to improve community safety. I think it is pretty clear – and the government acknowledges this – that there have been concerns about community safety out in the community. The government has listened and we have acted, and the statistics are demonstrating that the changes that the government has made to a range of laws, but particularly to our bail laws introduced earlier this year, are having an impact. We are seeing more people accused of crimes being remanded in custody whilst they await their trial this year compared to last year, so there are fewer people who are accused of committing crimes on our streets as a result of the changes to the law that this government has made. We have heard, we have listened and we have acted.

What that is doing is putting more pressure on our remand and prison system to accommodate these individuals. I am very pleased to have been hearing the regular updates from the minister, who joins us in the chamber today, about the investments that the government is making and the work that he is doing to lead the improvements to our corrections system to make sure that they are there to do their job, which is to look after the people that our criminal justice system has taken the view should not be on our streets. Certainly there has been significant work that has been done. We are recruiting more staff. We are opening up more beds in our prison system. Even as recently as earlier today the minister has been informing the house about the success of the work that has been underway to recruit more staff into our prison system, the additional funding that has gone in to support that work, the significant additional resources that have been made available and the investments made by the Allan Labor government to make sure that our corrections system is able to do the job that the rest of the criminal justice system is asking it to do, and I commend him for that. We heard earlier today of the significant work that has been done to get something like the Western Plains Correctional Centre built, operational and staffed. I think that is exceptionally welcome.

The bill today builds on these changes and makes further amendments to the law to ensure that our communities are kept safe and that those who reoffend face more serious consequences for their actions. The bill makes a number of targeted changes to facilitate our community safety agenda and crack down on serious offending, including by making amendments to the Serious Offenders Act 2018, the Sex Offenders Registration Act 2004 and the Corrections Act 1986. The changes to these acts are designed to facilitate a recently announced suite of reforms.

In relation to the Serious Offenders Act, the changes that we make will strengthen the functioning of Victoria's post-sentence scheme. The post-sentence scheme is designed for people identified as posing an unacceptable risk of committing a serious offence, whether that be a sex offence or a violent offence, when they have completed their sentence. With this bill, the post-sentence scheme will improve the protections for the community, for members of the public, and improve the engagement with victims of those who committed the original offence.

With respect to the improved protections for the public, the bill proposes new tools for managing people on supervision orders. At any one time there are around 150 people who have committed serious crimes and are subject to supervision orders. The amendments in the bill clarify the directions the Post Sentence Authority can give the people on supervision orders to reduce their risk of reoffending. The bill also clarifies the actions that police can take after arresting someone suspected of breaching their supervision order.

In line with our recently implemented tough new bail laws, people who are charged with further offences whilst subject to a post-sentence order will face the full force of these new laws, which put community safety as the overarching principle for decision-making. So those on these post-sentence supervision orders who reoffend will have the principle of community safety put front and centre as the number one consideration in the determination of future decision-making. I think that is an exceptionally welcome change and one that is very consistent with the attitude the government has taken across a range of areas. The Post Sentence Authority will be able to give directions about who a

person on a supervision order can live with. If the court decides to impose such limitations, this will lessen the impact of possible triggers of further offending and protect others from harm.

Another important change is to clarify that electronic monitoring devices can be fitted without a direction from the Post Sentence Authority, in line with things such as court orders, as appropriate. I have mentioned that improvements are being made to engagement with victims, and we all should recognise that victims do have a very difficult time when someone who has been convicted and sentenced for an offence reaches the end of their custodial sentence. So the bill will improve how victims are engaged with, with the aim of avoiding unnecessary trauma for these victims. The changes outlined in the bill make it clear that people on the victims register can receive appropriate information about an individual's involvement in the post-sentence scheme and that they can make submissions to the Post Sentence Authority about how that individual is managed. The Post Sentence Authority will also be given greater resources and flexibility to engage with victims, ensuring they are kept informed and that their wellbeing is placed at the centre of the post-sentence arrangements. I think that is a really critical point to highlight: we are making sure that the Post Sentence Authority is engaging with and taking the wellbeing of the victims to be at the centre of this process. These are part of the recommendations made by a 2023 review of the Serious Offenders Act 2018. This bill will be implementing six of the recommendations from that review. That 2023 review into this did show that the scheme is working well but highlighted some areas where we could see improvement. The improvements that were recommended by that review will be implemented by this legislation.

The bill will also make changes to the Sex Offenders Registration Act 2004. Under this act, offenders who have committed serious sex offences are required to report to Victoria Police for a specified period. Changes to that scheme that this bill will make will lengthen the reporting periods for some individuals who are subject to a post-sentence order. The majority of people who commit serious sex offences already have to report to the police for the rest of their life, but we are strengthening the law for those who do not have the requirement in their post-sentence order to force them to report to police for a further five years after their post-sentence order expires. As with all of the changes that we have been making, this is all about making our communities safe.

The bill will make some further changes to the Corrections Act 1986. One of the results of the tough new bail laws is more people on remand awaiting trial, particularly those who have been repeat offenders. We need to make sure that the corrections system is well placed to manage these additional demands. One of the issues that we face, sadly, and one of the things that our corrections system and particularly those who work in our corrections system face is the threat of injury. Sadly, our corrections workers, prison officers, are from time to time subject to threat and harm by those who they are charged with supervising. In the year to March 2025 there were approximately 330 assaults on staff in prisons, and while most of these did not result in serious injury, five incidents resulted in prison staff being admitted to hospital.

I think we should all agree that everyone has the right to be safe at work and that whilst being a prison officer is a tough job and comes with clear risks, prison officers are not excluded from the right to be safe at work. The changes this bill makes make it clear that a prisoner who injures a prison officer will face extra prison time. I think that principle has been well articulated by the minister and the government and is made clear in the bill. Hopefully it will have a real impact on the attitude of those who are serving custodial sentences as to how they engage with the workers who are there to supervise and take care of them.

The bill clarifies that the courts must impose an additional sentence and not direct that their sentence be served concurrently with their existing sentence. Part of the issue at the moment is that these arrangements are not clear and that additional sentences as a result of the crime of assaulting a police officer can be served concurrently with the existing sentence, meaning effectively there is no difference. This change means there is a real difference. There are real consequences for assaulting a police officer. I think it is an important message to send to both those who are in custody and those

who we seek to employ to supervise them that we have their back and we can support them in the important work that they do.

The bill makes a series of other changes to improve efficiency and make clarifications, including the way that the 'no body, no parole' provisions are applied for use in murder and manslaughter cases. The provision prevents people in prison for such offences receiving parole if they are not cooperating sufficiently with police on matters such as helping to locate the body of a victim. In the bill a minor amendment is made to clarify a provision ensuring the law is enacted as intended and eliminating the administrative burden of Victoria Police and the Adult Parole Board of Victoria having to prepare long reports in cases where a victim's body has been found but there is no longer a reason to incentivise an offender's cooperation with police. In such a case where a victim's body is found, the offender will have to go through a stringent parole suitability process, with paramount importance given to community safety. Further changes in this bill are to do with measures around the revocation of automatic cancellation of parole, and a variety of changes are made.

I just want to remark here on some really positive signs of improvement in the work of the adult parole board. In their 2023–24 annual report the adult parole board has reported that 82 per cent of parolees successfully completed parole without further offending while they were on parole, and that is the highest rate that it has been in 23 years. Further, for the second consecutive year, during the 2023–24 year no person on parole was convicted of committing a serious violent or sexual offence while on parole, and I think it demonstrates that the work that is done inside our prison system, the work that is done to support parolees, the work of the adult parole board, is having its effect, which is ensuring that there is no further offending and that there are significant numbers of those who are not further offending once they are out on parole.

As I said, this government is absolutely committed to keeping Victorians safe. We know that serious offenders need to face the consequence of their actions. We have strengthened our bail laws. We have improved, through this bill and through other actions that the minister has been undertaking, our corrections system. We are absolutely determined to make sure that our community is kept safe.

Melina BATH (Eastern Victoria) (15:42): As I rise to speak on the Corrections Legislation Amendment Bill 2025, I refer to some comments that have come from the cultural review of the adult custodial corrections system 2022 report. This is quoting a staff member. It is out of that document, and I am assuming that that staff member, notably, will be undisclosed. They say that a good day is when no-one gets assaulted or threatened. A good day in this system is when no-one gets assaulted or threatened. The second part of that document that I want to relate to the house is some WorkCover data: staff working in front-end and maximum-security locations are most at risk, accounting for 70 per cent of mental injury claims. It is a good day if you go home without being assaulted or threatened. How many jobs have you been in where that was your primary thought throughout your day – 'I need to get home without being (a) assaulted or (b) threatened.' That provides the context – the dangerous context, the risky nature – of the work that people in the correctional system do.

I know my Liberal and National colleagues Mr Michael O'Brien and Mr David Southwick only recently, and I thank the minister for enabling this, were out at a particular correctional facility and in the period of time that they were there – less than a couple of hours, maybe an hour and a bit – there were two emergency alerts that rang through that system. In that short period of time – we will say 90 minutes – there were two emergency alerts, and it just shows the level of risk people are under in that situation and the fraught and dangerous nature of that workplace.

Before I begin my contribution, I just want to acknowledge the people who work in that system in my region, Eastern Victoria Region, which has Fulham Correctional Centre. When I first came in here many years ago, I had the opportunity to have a very fulsome look around and tour of that centre. I spoke with many of the guards that were there, and we went into the different sections. It is a different situation and mindset. Truly they were very well prepared and trained for these sorts of situations, but they are always on alert. They are always conscious of what could happen and the double-locking that

could occur. They are very mindful of the criminality of the members that are in there, and of course there are different rankings and different rates. But there are always opportunities for people to take a pair of scissors or some sort of implement and turn it into a weapon, so I feel for that person that says, 'I just want to get home without being assaulted or threatened.'

We heard from the former speaker that we are toughening up our bail laws. I feel like this has been semantics ping-pong over the last five to six years. In 2008 the Labor government said that they were tightening the bail laws to be some of the strongest bail laws in the nation, and then back in 2023 they walked some of those bail laws back. I will not have time to go through them today, but they walked them back. They decided they had better soften them. They had been speaking to various people. Maybe they were thinking about the polls. And now we know that, come this month, we are going back and the Premier is talking about the toughest bail laws again in 2025.

A member interjected.

Melina BATH: Tougher-er – much more tougher-er. I do not know. I find it is semantics. I guess you go out into our communities and talk to people in our communities. I raised a constituent issue earlier this week on crime in our streets and the lack of protection that people feel. This is no reflection on our wonderful Victoria Police members, who I have the opportunity to speak to and see on occasion down the street. But this particular person was shopping in her regular shopping centre in what I would consider to be and what should be a safe area not far from my office, and she saw crime and theft and came in quite bewildered and scared. That was one microcosm of an example of where people are not feeling more safe under this Labor government, irrespective of the more tough or less tough bail laws that they seem to be pushing.

I think the Liberals and Nationals have been quite strong over the years. In doing the research for this bill, I want to acknowledge that there are amendments to three acts: the Serious Offenders Act 2018, the Corrections Act 1986 and the Sex Offenders Registration Act 2004, all of which we are not opposing. We want to see a greater level of strength in these areas, not only for prison guards but all staff, as my colleague Mr Luu has mentioned – not just guards but all custodial workers, all of those correctional staff. We want to see that occur. If people accept the amendment that the Liberals and Nationals are putting forward, well, all hail, and that is a good thing. But we need to see it strengthened, and that person who made that quote needs to feel that the work that we are doing in here in letting this bill go through this house and the minister will mean there is better safety in our justice system and criminal system.

One thing that I did research, a really important part of this, is the amendment to the parole amendment, just to clarify the application of a couple of parole provisions. One of them was the 'no body, no parole' provision, just to tighten it up or to give clarity that there can be licence that when a body is found, therefore this no longer applies, because the body has been identified, found, and that person may well be able to enter into parole, meeting all of the provisions. But I actually went back and checked the 'no body, no parole' bill that was introduced by the Liberals and Nationals by the then shadow minister, and a very, very formidable one, Mr Ed O'Donohue. We introduced 'no body, no parole' in 2016 in relation to making prisoners ineligible for parole if they did not cooperate to a satisfactory standard in terms of investigations and finding the last known location of the victim. Indeed when I think about this, I can only imagine this must be one of the most excruciating elements of a homicide. If your loved one has not come home or is known to be or considered to be dead and all the circumstantial evidence and the courts have then placed somebody in jail, for you not to know where that person lies – for you to always wake up on a Sunday morning or on a Monday morning and wonder where your loved one lies and in what part of the earth they lie – must be the most horrendous thing. There are some others. I will not go into them today, but that must be one of the most horrendous situations. Where there can be closure for families – we heard one of the former speakers talk about Samantha Murphy; we certainly identify with that family and their pain, and I am sure everyone in this house would seek to have their pain alleviated – we certainly do not oppose those sorts of amendments.

The other one that I wanted to speak to was in relation to Aboriginal representation in the Post Sentence Authority. This is made up of a number of people with various skill sets – legal skill sets and the like – but to include at least one member of that authority who is Aboriginal I think is a sensible addition to this piece of legislation and one that we certainly would support. It also made me think about some of the contexts in which our First Nations people find themselves incarcerated. Just looking at the Productivity Commission's report into the 2020 – I think it is 2024, but it was released only this week; only yesterday it came into my inbox – Closing the Gap targets, again, all governments at every level should be meeting the objective to focus in on those targets. Sadly, we certainly know that our Aboriginal and Torres Strait Islander Australians are over-represented in that space. Statistics have come out that for every 100,000 members of the population there are 2304 adults imprisoned – that is the adult imprisonment rate. We also see it in youth detention: per 10,000 head of population there are 26 Aboriginal or Torres Strait Islander youths in detention. Really, when you look at that population as a percentage, very, very sadly, it is well, well over-represented. I will offer my support to do everything that is sensible and reasonable and achievable with measurable and demonstrable outcomes to see that those figures go down to a more – well, to go down, period.

In relation to some of the stats, some other stats that are quite alarming to see around the correctional system and to understand are – the stats are out again – that in the past 12 months we have seen 442 assaults on Victorian prison guards, 10 sexual assaults and six serious attacks that required hospitalisation. Again, going back to my starting comments, these are some of the most horrendous and fearful attacks that we could understand, and knowing that these people, our prison guards, are well trained, for that to eventuate it must be quite a graphic and violent space, and all of us want to see improvements on that.

In just a few other comments I would like to make from my electorate, we have seen the crime stats. They are always trending at the moment in the wrong direction. From Bass to Baw Baw to Cardinia to East Gippsland to Latrobe to South Gippsland and Wellington, they all range between 11 per cent and 32 per cent increases – even attacks on the home and in the home situation. That is not good, and this government needs to be held to account for that. I know we have got a new Chief Commissioner of Police. I think the Premier is banking all of her hopes on a cleansing or a transformation. But the reality is, while this government is still playing semantics with bail laws, while it still is having over-representation in our justice system and while we are not supporting our Victorian police with community safety, with resources and with support, it is certainly going to be difficult to get those numbers trending down. I know the Liberals and Nationals are committed to doing this, and we cannot wait for November 2026.

John BERGER (Southern Metropolitan) (15:55): I rise to speak in support of the Corrections Legislation Amendment Bill 2025. This bill represents a significant step forward in our ongoing efforts to enhance the safety, integrity and effectiveness of Victoria's corrections system. It addresses critical areas such as the protection of custodial officers, the management of serious offenders post sentence and the refinement of parole provisions to ensure they operate as intended.

Firstly, I would like to thank my friend the Minister for Corrections Mr Erdogan for all of his hard work and for introducing this very important and timely bill. It is clear that this bill will help fulfil our duty to protect the people who serve our community, to stand by victims and to ensure that individuals who pose a serious risk to public safety are managed appropriately. I think everyone in this chamber today knows and realises our role in making and enforcing safe working conditions for all Victorians, and I cannot imagine any one of us in this room would disagree with that. All of us that go to work, whether we are working on the Big Build here in Melbourne or on worksites or whether we are here in Parliament, deserve to be sure that we have got the regulations and procedures in place that protect us while doing that work, because safety is paramount and everyone is entitled to be safe at work. Without these safeguards, how can we expect our workers, our communities and our economy to function as well as they can and as well as they have been? With these key objectives in mind, this legislation in front of us introduces significant reforms that will provide tangible improvements to our

corrections system and the safety of all Victorians. This is about bringing our existing legislation in line with community expectations, protecting ordinary Victorians and making sure that the worst criminals in Victoria are dealt with properly.

The Corrections Legislation Amendment Bill in front of us today seeks to amend the Corrections Act 1986, the Serious Offenders Act 2018, or SOA, and the Sex Offenders Registration Act 2004, the SORA. The bill will also make minor amendments to the Corrections Act to clarify the application of provisions that are not operating as intended. The primary objectives of these amendments are to strengthen protections for custodial officers by clarifying sentencing outcomes for offences involving injury to these officers; implement recommendations to the 2023 statutory review of the SOA to enhance and strengthen the operation of Victoria's post-sentence scheme, address operational issues and reinforce the scheme's ability to protect the community; and amend the SORA to ensure that individuals convicted of serious sex offences subject to post-sentence orders continue to report to police for the duration of their order for at least five years thereafter to help manage the community safety risks. Collectively, these reforms are designed to bolster community safety, uphold human rights and ensure that our corrections system functions effectively and justly. The proposed amendments in the bill will engage and strengthen protections for a number of rights, as set out in the charter.

One of the key provisions of this bill is the amendment to the Corrections Act 1986 to clarify that offences involving causing injury to custodial officers are prison offences. As we are all well aware, custodial officers play an essential role in maintaining order within our prisons, as well as ensuring rehabilitation efforts can take place in a structured and secure environment. Currently too many people in prison who cause injury to custodial officers are not required to serve any additional prison time for their offences, despite an existing presumption that the Sentencing Act 1991 requires sentences for prison offences to be served cumulatively, and a lack of clarity in legislation has meant that some perpetrators who cause injury to custodial officers receive concurrent sentences to be served at the same time as their existing sentences. Hence they spend no additional time in prison after assaulting a custodial officer as the sentences overlap and are served concurrently.

Unfortunately, this can lead to a false perception among perpetrators that assaulting a prison officer warrants no real consequences, which compromises worker safety and the safety of prisons more broadly. This should not be the case. Individuals that assault a custodial officer should be dealt with and dealt with severely. This clarification will ensure that such offences attract the presumption of sentence accumulation under section 16(3) of the Sentencing Act 1991. By doing so we reinforce the seriousness of assaults on custodial staff and provide a strong deterrent against such behaviour. This bill will broaden the stated definition of a prison offence to include special offences committed against custodial workers on duty, which includes governors, prison officers, escort officers and others fulfilling the same functions, because just like anybody else, these officers have the right to feel safe at work. They perform a challenging and often dangerous role in maintaining the safety and security of our correctional facilities, and it is imperative that we in turn provide them with the legal protections that they need to carry out their duties without fear of assault or injury.

I want to take a moment here just to thank the corrections staff for all the work they do, their professionalism and their dedication. This workforce is fundamental to a safe, secure, humane and rehabilitative prison system. Across my electorate of Southern Metro and indeed across the state of Victoria hundreds and thousands of people work hard day in and day out to keep our community safe. Every one of these people deserves a workplace where their safety is prioritised and where deterrence measures are strong enough to prevent violence from occurring in the first place. Custodial officers are not the exception. The impacts of assaults on custodial officers are often significant and can include ongoing health impacts and trauma requiring specialised support and treatment. Further, assaults on custodial officers can compromise perceptions of safety at work, leading to difficulties attracting and retaining staff, and they can have flow-on effects for the safety of prisoners and more broadly. This bill seeks to address these issues.

The amendment sends a clear message that violence against custodial staff will not be tolerated and will be met with the appropriate legal consequences. It also recognises that safe workplaces and workforces are fundamental to a safe, secure, humane and rehabilitative prison system. Accordingly, alongside broader reforms being rolled out across the corrections system, it will help protect the safety of both custodial officers and people in custody. We know that this government is a champion of workers and a champion of occupational health and safety, and I am proud of that. That is why it has supported workplace manslaughter laws and that is why it works every day with unions and respects unions. We will continue to implement measures that support and protect our hardworking staff and union members. Once again, I thank them for all the hard work that they do.

Clearly the Allan Labor government is dedicated to making our community safer and making our justice system stronger. Hence the bill is one of a number of reforms that the Allan Labor government has brought before this Parliament to crack down on serious offending. This is in addition to recent tough new bail laws, a ban on the sale of machetes and the announcement of the new post-and-boast laws. In the most recent budget the government committed $2 billion towards the criminal justice system, courts and emergency services. $727 million was invested in improving capacity at prisons and youth justice centres. This went towards providing beds and more staff. Further, I would also like to highlight some of the funding in this year's state budget that is targeting recidivism and integration – for example, employment hubs at prisons, as well as assessment and transition coordinators and Aboriginal wellbeing officers, which will assist with the transition in and out of custody. This seeks to help to ensure that the tendency of a convicted criminal to reoffend is decreased, which again is all part of a well-planned and coordinated effort to make the community safer for all.

This bill also implements several recommendations from the 2023 statutory review of the Serious Offenders Act 2018. These amendments aim to strengthen the operation of Victoria's post-sentence scheme, address operational issues and reinforce the scheme's ability to protect the community. These amendments will help strengthen community safety and support effective operation of the scheme through a variety of changes. This includes clarifying that the Post Sentence Authority can give directions about who a person on a supervision order can live with. This is crucial in managing the individual's risk, especially if certain co-residents may increase the risk or be vulnerable to harm. Additionally, there will be an increase in Indigenous and Aboriginal representation amongst the Post Sentence Authority. This ensures that the specific needs and perspectives of Indigenous and Aboriginal people subject to the post-sentence scheme are considered. Therefore we are strengthening their cultural rights. Furthermore, changes will clarify the actions of Victoria Police that can take effect when arresting a person suspected of contravening a supervision order, including allowing police to release the person unconditionally where appropriate. This reduces the risk associated with arbitrary detention and protects the individual's right to liberty.

Overall, these amendments enhance the effectiveness of the post-sentence scheme in managing serious offenders and protecting the community whilst also simultaneously upholding the rights of individuals subject to supervision and detention orders. Our community can be assured that if an offender under post-sentence supervision breaks their conditions, authorities will be able to act immediately and decisively. This ensures that offenders who disregard their conditions are swiftly held accountable.

The bill also amends the SORA to help manage community safety risks posed by serious sex offenders. Currently these individuals are required to provide critical information to authorities, including personal details, employment arrangements and travel plans. This serves the purpose of helping law enforcement monitor their movements and assess any risks. However, the current system enables reporting obligations to cease when a post-sentence order expires. The Allan Labor government recognises the potential dangers that this transition out of intensive supervision possibly presents to the community. This change will therefore ensure that individuals convicted of serious sex offences and who are placed on a supervision or detention order under the SOA must be reported to police under the SORA for the duration of their SOA order and at least five years thereafter. By extending the reporting period we ensure that the law enforcement agencies have the necessary information to

monitor and manage the risks posed by these individuals, and therefore we are enhancing community safety. These reporting obligations provide an additional mechanism to manage the ongoing risk of reoffending – particularly critical when a post-sentence order expires and individuals transition away from the intensive supervision oversight of the post-sentence scheme. I feel confident that this will provide solace for families in Southern Metro and across the state more broadly, especially those with children. They can rest assured that even when the post-sentence order has expired, authorities can still track the whereabouts of these offenders, because it is their safety and the safety of their loved ones that is always at the heart of everything that this government does.

Lastly, the bill also makes an important amendment to the parole provisions in the Corrections Act 1986 to ensure that they operate as intended. The 'no body, no parole' provision is amended to clarify that the presumption against parole does not apply if the victim's body or remains have been located and there is no longer a need to incentivise the offender to cooperate with police. This provision was introduced to incentivise individuals in prison to cooperate with authorities in locating the remains of their victims, thus bringing closure to grieving families. We know all too well the impact that a lack of closure can have on families who have lost a loved one. For many multicultural communities and religious groups mourning is deeply rooted in cultural and spiritual traditions that emphasise the importance of being able to properly lay a loved one to rest. Hence the absence of a body disrupts these traditions and leaves families in an emotional limbo. This government recognises the importance of the grieving process in enabling them to find closure and allowing them to honour their loved one's memory with the dignity they rightfully deserve. As such the clarification provided in this bill prevents the unintended consequences of denying parole to individuals who have already assisted in locating the victim's remains.

The Corrections Act is also to be amended to allow for the Adult Parole Board of Victoria to revoke an automatic cancellation of parole. This provides the board with the discretion to reinstate the parole in appropriate circumstances, ensuring that individuals are not subject to arbitrary detention and that their rights to humane treatment are upheld. Such refinements ensure that the parole provisions are applied fairly and justly, balancing the needs of the community's safety with the rights of individuals.

Evidently, the bill engages several human rights, and proposed amendments strengthen protections for these rights by enhancing community safety, ensuring fair treatment of individuals in the corrections system and recognising the cultural rights of Aboriginal and Indigenous people. Accordingly, the bill strikes an appropriate balance between the rights of individuals and the need to protect the community from serious offenders, because Victorians rightfully expect their government to take decisive action when it comes to community safety. They expect us to promote frontline workers and protect them well. They trust us to stand by the victims and ensure the individuals who pose a serious risk are managed responsibly, and they deserve to be able to fulfil their traditions and practices as is meaningful to them in the worst of circumstances. This is why the Allan Labor government is committed to doing what it can with this bill, and it will deliver. With that I commend the bill to the house.

Ann-Marie HERMANS (South-Eastern Metropolitan) (16:10): I too rise to speak on the Corrections Legislation Amendment Bill 2025. This bill seeks to amend the Serious Offenders Act 2018, the Sex Offenders Registration Act 2004 and the Corrections Act 1986, and it also has other purposes. It specialises in, for particular purposes, the Serious Offenders Act 2018, the Sex Offenders Registration Act 2004 and the Corrections Act 1986, but it also has additional changes around the Adult Parole Board of Victoria. This is because we are looking to provide better support to victims, clarifying directions for electronic monitoring and the Post Sentence Authority and also clarifying police actions on breaches of orders.

It is a really interesting collection within the bill, but I would like to start by remembering why we have to make these corrections: it is because we have an Allan Labor government that has failed Victorians and has not been keeping the community safe. To have a situation where we have sex offenders, for instance, able to come back out into the community and to put people at risk is diabolical, particularly for those victims who are aware that they are now once again at risk, so it is good that we

are actually tightening some things up here. Obviously one would prefer to see reform, in a way, for every individual. But knowing that every individual does not necessarily wish to be reformed and that many others have chosen a life of crime or of violence, it is incredibly important that we do tighten things up.

Having said that, in the past year alone there have been 442 assaults on staff in corrections that we know of, including 10 sexual assaults and six incidents requiring hospitalisation. These are really serious figures, and it really bothers me that we have this situation in the community. If I look at my own community alone, I am aware that we have had a number of rises in crime, which means that there are going to be a number of additional people in time, in corrections. In the Greater Dandenong local government area we recorded in the 2024 calendar year 440 sexual offences, representing a 28.7 per cent increase from 2023. In the City of Casey, in the South-Eastern Metropolitan Region, which I represent as well, it was higher, at about 642 offences. So we can see that there are large numbers of sexual offences taking place. It has been on the rise and people are not safe, so it is incredibly important that we get things right. The coalition does welcome reforms and changes that are going to make our Victorian community more safe. I welcome anything that is going to make the people of the South-Eastern Metropolitan Region more safe, because indeed many times in this place I have raised incidents of crime – violent crimes – and the concerns and causes for them are known and I have spoken about them. But the issue of people feeling unsafe is very, very high.

I am aware that we are looking at prison reform. One of the things that I am not quite sure of is how we are also putting in protections for prisoners. I know that might sound like this is all about making sure that the staff are safe, and they absolutely should be. Everybody should be able to go to work, and they should feel that they are safe at work. To think that we have people working in corrections that can be assaulted, even sexually assaulted or abused in any way requiring hospitalisation, is simply unacceptable in this day and age. In a modern age that is just an archaic thing to even be entertaining, let alone having to deal with the reality of it.

I cannot help but remember the Stanford prison experiment, which I am sure many people would be familiar with, in August 1971 at Stanford University. The Stanford prison experiment was also known as the Zimbardo experiment, named after the person who conducted it. It was a very controversial psychological experiment that took place in a prison which actually showed that when people have too much power, that imbalance of power can cause all sorts of issues, and people can behave outside the normal behaviour that they would have in society and in other contexts and they can do things to people that would be inappropriate and unwarranted and in fact cruel and violent and abusive. I think we need to make sure in these measures that we are also making sure that prisoners are safe and that there is a standard of nonviolence in prisons. It should not be acceptable to have violent behaviour from staff or from prisoners. I think that it needs to be a balanced approach, recognising that this should be an acceptable position that we take in society and that there is zero tolerance for violence and zero tolerance for unacceptable behaviour. I welcome the opportunity for the corrections here. I know that the amendments that we are looking to make will support prison staff, who are entitled to work in a safe workspace, and if a prisoner is assaulted, there will be consequences.

I have mentioned in this place as well that I have a social work background. One of the first things I learned about in social work, and I have said this before, was the consequences of actions. That is what we teach adolescents, teenagers and young adults about – the consequences of actions. Unfortunately, under a Labor government, under the Allan government, that has not been the case for a long time. There have not been significant consequences of actions, so much so that we have young people laughing in the face of being picked up by police and getting off on bail. The highest number of times I have heard of is 58 times, and maybe there are others that have had even more opportunities to get out on bail, but to me that is a ridiculous amount. For a teenager to be laughing and saying 'The police can't do anything to me; I just get let out no matter what I do' is simply unacceptable.

But we are now talking about violent and criminal behaviour within the corrections system with this amendment and keeping the community safe by being able to put particular boundaries in place and

positions in place which will give people the authority to make wise decisions as to whether somebody is actually going to be putting the community at risk. I think it is good that we are making these amendments, but I do have to note that the legal position on this is varied and that there have been concerns regarding potential human rights violations. As the prison population is expected to rise, there are concerns from the Law Institute of Victoria that there are going to be compliance issues with the authorities being able to decide where a person on supervision may reside, impacting their ability to interact with family and friends. I realise that that is in here to provide safety for family members and safety for the community, but one would like to think that we are not going to be coming back to amend this again and again and again. Obviously, we will need to if it is not working, but one would like to think that we are also going to be allowing a situation which is supportive, not preventing those who are perhaps not long-term criminals from having the opportunity for reform and the opportunity to be around support systems that will allow them to have a turnaround in their life.

I realise in some cases, as I have said, this is not going to be the case. Many criminals are embedded in their criminal activity and lifestyle and have made choices and are not unhappy with the choices they have made. It has provided rewards for them. In situations like those and in other cases where reform has just not happened, where a person chooses to continually offend again and again and becomes more and more dangerous and more and more violent, obviously there need to be sensible choices and decisions made around this. And it does need to be well documented so that we can make sure that this is rolling out in a way that is going to work for all Victorians. I do welcome changes as, along with my colleagues, we are aware that things are not working. We all hear it in our electorates. I have 11 electorates in the south-east, and I am continually confronted with stories of crime, stories of assault and stories of situations where it is dangerous for people to be even in their own home or going from their car to their home. Simply going down the street or even going down the supermarket now you can be assaulted at knifepoint. It is simply out of control, and this government has allowed our state to get out of control. So it is great that we are looking at ways that we can make corrections.

This is particularly important when we are looking at sex offences. I think that to keep people who have been violated safe from sexual predators, who are going to be allowed to just be out on the streets without anyone knowing where they are, and to reform that is a good idea. It is essential. I would imagine that that has been done based on a lot of the work that we have been doing in this chamber. I congratulate a number of my colleagues in the coalition, because we have been fighting so hard and raising these issues because we know that the system needs to be reformed and there needs to be a tightening on conditions.

If I go through some of the amendments, for anyone in the prison system that is assaulted, there will be amendments so that not just prison guards but anyone that works in the prison system will be able to be protected or should be protected through this legislation. It is simply unacceptable for violence to take place. The loss of privileges for those who are causing assaults against a staff member – to me that is a little bit weak, but yes, that is a start. Handcuffs should be applied for a minimum of a three-month period – that is interesting. The Serious Offenders Act – it talks about better protection for community, victims and families of victims upon release. There are details, as I mentioned, about where they live, who they live with and ensuring that they do not live with dubious characters or with those who have sexual convictions as well or with people who are violent and need to be managed. Things like ankle monitoring are seriously on the cards here, and it is good that we are looking at these things to be able, as I said, to keep the community safe. This legislation, this amendment, is looking at how the victims register will allow eligibility for victims to have full access to a number of resources. If we look at sex offenders again and I bring them up – and I am sorry if I am jumping all over the place – 22 people are currently on the register. This will allow for those who are not on the register for life to be registered for at least five years. There are changes in the Corrections Act for prisoners who assault corrections workers in prison. They will have further time added to their current term and so on. This is an important change, but I think, again, we must always remember why we are doing it.

I noticed that Ms Bath mentioned the addition of Aboriginal worker representation on the Post Sentence Authority, which I think is very helpful given the number of Aboriginal people that have been put into custody. I, being a Liberal, struggle with the concept of quotas – mandating it. I think it should be highly recommended. I do not know that mandating it is necessarily the way to go. I wonder how much consultation was taken with the Aboriginal community, and I look forward to hearing from the minister a little bit more about that. But I do not know about mandating it.

Whilst I welcome the opportunity for particularly people who have come from an Aboriginal background to have somebody that is part of that authority board to speak to that may understand their culture, I think we have got to remember we are not talking about a homogenous culture here. We are talking about people from all different community groups, originally from different countries. I know those countries were lost over 150-odd years ago, but there are differences in needs, and I think that that needs to be significantly addressed. Just putting in a quota for an Aboriginal person to be on the authority does not mean that they are going to fully have the understanding of or a concept of the situation of that person. Maybe being allowed to have a prisoner allocate somebody to that authority that comes from their own community might have been a better way to go about that if such a person exists. As we know, there are many Aboriginal people that are completely removed from their own Aboriginal culture and background, and so they may not even feel that that is necessary.

Richard WELCH (North-Eastern Metropolitan) (16:25): I rise to make a short contribution on the bill. I think my colleague Ms Bath made a really pertinent observation in that any line of work where you consider it a good day that you go home and were not assaulted points to a bigger and broader problem. Naturally, depending on your line of work, that may be more or less the case, but there are too many situations where assaults should not occur in our community but do. That is obviously prison workers, but the exclusion of other prison staff from equivalent protections seems inappropriate.

My feedback and my input on the bill today really come from the perspective of the community I serve and really wanting to inject their perspective into the debate. Their perspective is: if people in custody assault staff of any kind, there must be genuine consequences, and the consequences must not be at the whim of a magistrate. They must not be concurrent to any other penalties they are serving; they must be in addition to. That is what the community would expect. If you were walking down the street and you asked someone about this matter, they would be surprised if it were otherwise. Equally, we know that we have record numbers of teaching staff being assaulted on the job. One of the major reasons that teachers are leaving the profession is because assaults at work do not have consequences – at least not the consequences that the person in the street and the community would expect.

The purpose of law always is to serve justice, but justice must be seen to be done, and it must be in line with the community's expectations. When it is not, we lose trust in the institutions, we lose trust in the law to protect us and we lose trust in the ability of the law to make sure people are held accountable. I will conclude my contribution there. It is good that we are making progress in these areas, but it is not enough and we can do more.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (16:28): Thank you to all members that have spoken and contributed to the debate on the Corrections Legislation Amendment Bill 2025. We have heard quite thoughtful contributions from many members right across the chamber, and I want to thank everyone for their remarks in regard to this very important bill.

This bill is designed to support the hardworking people employed in our corrections system. It will also help critical justice system agencies to continue to do the important work they do in keeping the Victorian community safe from crime, making it crystal clear that prisoners who assault staff should receive additional prison time. It will denounce that reprehensible behaviour and discourage this sort of violence from occurring in our correctional facilities. Enhancing the operations of the post-sentence scheme will acquit recommendations from the recent statutory review and ensure that the Post

Sentence Authority have all the tools they need to continue to supervise serious offenders in the community.

I also do welcome the opposition's indication that they are supporting this bill. I also note that crossbench members have indicated that they will support its passage today. I want to thank the opposition and Mr Luu for bringing forward his amendments. I will address these in more detail once the amendments are put, but what I will say is that the government will support the first amendment regarding the definition of a custodial worker but we are not in a position to support the changes to the handcuffing regimes. I do understand the broad intent of the opposition's amendments. However, we cannot support these amendments as they are drafted, and I will have more to say when those amendments are before the chamber. What I will say is I am committed to doing everything we can to make prisons as safe a workplace as possible, but these amendments that have been proposed are not necessarily the best way of doing that.

We want to ensure that staff have the right tools, training and powers they need to keep them safe in the best way possible. This bill is one part of that, but there is more work to do both within this act and outside of legislation, and we will continue to do that work. Ultimately, this bill is about making sure that the corrections system is working at its best to keep the community safe as well as keeping our hardworking staff safe. I want to commend the bill to the house.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (16:33)

Katherine COPSEY: I have a series of questions – about 10 – and I will ask them all on clause 1 if it assists the committee. Minister, can I just begin by asking: what is the actual rate of assaults on custodial officers and has it increased recently?

Enver ERDOGAN: I think that is a very important question. It is a question that I note was raised by a number of speakers in their contributions on the second reading, and therefore I do have the statistics with me, Ms Copsey. I might just confirm at the high level that in the year 2024–25 there had been 458 assaults against prison staff by people in custody. Of those, 35 per cent resulted in injury and five assaults on staff resulted in hospitalisation. So more broadly – that is the high level – there have been five hospitalisations in the last financial year. But your direct question was: has there been an increase? I can confirm there has been. The rate of assaults per 100 people was 6.4 in 2023–24, so 6.4 assaults per 100 people in prison. That has gone up to 7.5 assaults per 100 people in 2024–25; it has gone from 6.4 to 7.5 over the last year.

Katherine COPSEY: Minister, have workplace issues within Corrections Victoria relating to, for example, staffing levels, pay, leave, rostering and conditions been a factor in the government's approach to the treatment of people in prison in relation to this bill?

Enver ERDOGAN: The short answer is no. This bill is quite clear about ensuring that there are appropriate consequences for those that do cause significant harm to staff, and in particular in relation to staff assaults. That has been the approach. The law already exists in this regard, but this is about making sure there is clarity about the need for cumulative sentences in these instances.

Katherine COPSEY: I just want to test your view. Can you acknowledge that there certainly can be a link between the conditions that workers within Corrections Victoria are working under, including particularly their staffing levels, and the rates of injuries and assaults?

Enver ERDOGAN: I think there are a number of factors in relation to assaults in correctional facilities. Obviously the behaviour of people in custody – in particular the different security settings are different, and I do know that in maximum-security prisons factors are quite different to those that might be in, say, minimum-security settings, where they are much less likely to occur. But what I will say is that prisoners are already in custody, and the consequence of being sentenced to prison has no effect unless they get additional time. That is why we have brought these laws. It is about bringing consequences where assaults do occur. I do acknowledge that there are a number of factors or reasons for assaults, and I know that after every such incident staff, professionals and the management within our corrections settings do have debriefs to understand the causes and drivers, because there are a number of drivers and causes in correctional settings. Obviously the offending behaviour is clear from those doing that behaviour, but ultimately there could be other underlying reasons for that. We know there are multiple factors. There are a lot of studies in this regard about health reasons: it could be people's actual health, it could be agitation with some of the decisions made, there could be misunderstandings. But ultimately there is no excuse for assaulting staff, and we have zero tolerance for it in our system.

Katherine COPSEY: Minister, what is your evidence base to support the idea that cumulative sentencing is the solution to the problem of assaults on custodial officers?

Enver ERDOGAN: As I was kind of discussing in my previous answer, I think it is a commonsense approach. These people that are doing this offending behaviour are already in custody, so therefore if they do not get any additional time, then in a real sense there is no consequence. Everyone that enters into custody or is in a custodial setting looks forward to being released, and I did note in your contribution you talked about the impact of something that is outside the remit of this debate today per se but broadly linked to my corrections portfolio around parole. The biggest deterrent we can have is people doing additional time, so it is more of a commonsense approach in legislation.

Katherine COPSEY: So you cannot provide any kind of academic reference or documented proof that cumulative sentencing will have a deterrent effect? You want to rely on common sense?

Enver ERDOGAN: I am confirming what we do know from the workers in corrections, which is that people do look forward to their release date. So as a deterrent, as a tough consequence, I think that is the toughest deterrent we can put in place. Of course our focus is on preventing assaults, and I think in terms of safety we need to look at building up the relational security approaches that Corrections Victoria focuses on and obviously having staff trained to deal with those situations, but clearly the best incentive for good behaviour is to ensure that people that offend know that there will be additional time.

Katherine COPSEY: Minister, what other options did you consider as a solution to the problem of assaults on staff, other than cumulative sentencing?

Enver ERDOGAN: As a government we have invested significantly in physical infrastructure. One example that comes to mind is the use of tools. We have reduced the need for stripsearches, which usually do have, as many human rights activists talk about, a dehumanising effect but also can lead to prisoner agitation. Through the use of technology, for the majority of times now people do not need to be stripsearched. So I think the use of investment infrastructure is one way. Other ways are definitely training in de-escalation and relational security approaches – so building those relationships – but also making sure there are tools and accoutrements in place. There is a lot of commentary around management units and the conditions in there, about handcuffing regimes et cetera, so I guess for people who have a history of presenting a risk to staff, managing them appropriately. So there are a number of tools.

I think another really important point, and one that I do always find interesting, is when I hear from corrections after an incident about the lessons that can be learned. I think there are a lot of detailed debriefs that happen in corrections after every incident about the lessons from that because, as I said, every location is different and has its own challenges. I think a combination of staff training, building

relational security, having tools or accoutrements but also having the built infrastructure in place – like I said, less need for body searches – and building up those relationships in terms of that correctional setting are clearly key.

Katherine COPSEY: There are some supports and measures that I did not hear in that list. Why, in terms of deciding to go with cumulative sentencing as your proposed solution here, did you not consider more intensive mental health or behavioural support for people using violent behaviours in prison?

Enver ERDOGAN: I think it is important to state that we do both, and I think there is a role for both – 100 per cent. I was proud of the fact that – we have seen recent reports, but we changed our model of health care in correctional settings, especially on the back of quite a few distressing incidents in custodial facilities. We have had new health contracts in place since 2023, with GEO taking over the delivery of primary healthcare services in our adult men's system and obviously public providers in our women's system. But I think that they are complementary; I think you need to do both. Recently I was at the Melbourne Assessment Prison, and what struck me was the amount of people that were definitely suffering from psychological issues, especially many people with brain injuries. So it is really important that we have appropriate supports and that we do that work together. They are complements; it is not and/or. I think you need to do both in a correctional setting.

Katherine COPSEY: I will turn now to the 2021 Ombudsman investigation into prison disciplinary processes. That Ombudsman investigation found that there are serious issues with disciplinary processes within prisons, including a failure to properly take mental illness and disability, which as you just mentioned, are unfortunately rife throughout the prison population, into account, poor record keeping, inconsistent decision-making, limited rights of review and also an absence of independent scrutiny and oversight. Minister, how many of the Ombudsman's investigation recommendations have the government implemented?

Enver ERDOGAN: At a high level I might say that the real focus of the bill and the reforms today is about staff assaults, and they do not necessarily relate to internal discipline in the sense that many of the staff assaults are automatically referred to Victoria Police in the first instance. But what I will say is that the Department of Justice and Community Safety did consider all six recommendations made by the Ombudsman at the time, and all the recommendations that were accepted have been implemented as far as practicable. I am going to potentially pre-empt your future questions – as much as practicable, they have been considered. They were considered as part of the cultural review as well that looked into these issues, and the final report of that review has been made publicly available. I think they are important, and as far as they could be implemented, they were.

Katherine COPSEY: I would appreciate it if you could tell me where there were particular recommendations that it was not practicable to fully implement.

Enver ERDOGAN: I might seek some clarification from the box, but if they do not have that at hand, it might be one that I take on notice.

I understand that of the six original recommendations from the Ombudsman, three were implemented, so three of the six have been implemented. The other three were considered as part of the cultural review. In terms of a greater breakdown of which ones, I do not have that at hand, and it is something that I can provide in due course if that assists.

Katherine COPSEY: I will not keep us here all night asking your office to look them up, but I would appreciate that. I understand your point that not all assaults might go through a prison disciplinary process, but certainly many would, so I think it is particularly relevant to our debate today. In that context, where people are often facing an internal prison disciplinary process as well, prior to charges being referred to Victoria Police – and by your admission there, some of these recommendations have not been addressed and therefore there are ongoing issues with the prison

disciplinary process – how will you ensure that those ongoing programs do not result in cumulative sentencing being applied unjustly?

Enver ERDOGAN: From the outset, all assaults on staff are referred to police. Of course it is up to law enforcement to decide what course of action takes place afterwards, in terms of investigating those allegations and whether they proceed to court. In terms of the link between prison disciplinary processes, it seems, not anecdotally but through discussions I have had with prison officers in the field – we condemn all forms of assaults on staff – that usually the ones that lead to injury requiring treatment would go through that process with police. All are referred to police, but police might be willing to take them further. They will need to wait for the police's decision on whether they proceed with charges down those paths to ensure that there is no interference with a criminal investigation and no double punishment. I think that is important. Therefore that is what occurs. With the majority of the charges at a disciplinary level, there is obviously harm, but it is a lower level of harm, and they are resolved internally.

There are two different perspectives on this, and I will clarify that. Some of the prison officers that I speak to feel that the consequences are not strong enough, and some of the advocates, in particular those for some of the prisoners, feel that some of the outcomes of the disciplinary processes are unfair and that the consequences are too great considering the limited resources, because some of the penalties could be financial penalties, for example. There are other types of penalties, like loss of privileges in some instances, that do take place. It is something that I am acutely aware of. It is not in this bill, and my staff are probably looking at me, but I have asked the department to get more information about how we can create greater consistency in this area because clearly it is an issue that comes up.

I visit all our prisons across our state and I have a lot of conversations with staff and have a lot of conversations with stakeholders and advocates around these issues. It is something that does come up. I would like to see greater consistency. A lot of those processes are led by default by the operational management at the site, and therefore the general manager is responsible for ensuring discipline, understanding there is a dynamic environment. It is important that discipline is maintained for the safety and security of everyone at the facility – the safety of staff of course, but even the prisoners. If you do not have rules in place and those rules are not enforced and followed, there are consequences. They are a challenging environment, and I do appreciate your interest in this matter.

Trung LUU: What are the reporting obligations for prison assaults, and what data is kept on this?

Enver ERDOGAN: It is my expectation and my understanding of the practice that all assaults are referred to police in the first instance.

Trung LUU: Will the minister update the Parliament on this data on a regular basis?

Enver ERDOGAN: We do provide data annually through the Public Accounts and Estimates Committee process and WorkSafe data. For people that are looking for information on the number of assaults, I feel the current system of reporting does work, because I have been questioned about WorkSafe claims and assaults at PAECs before. I feel like our existing system is quite robust.

Trung LUU: You noted earlier that there are increasing assaults. How many times have the prisons had to go into lockdown because of assaults in the past year?

Enver ERDOGAN: I might just go to the box if it pleases.

It is my understanding that lockdowns do not occur after every assault. It is case by case, depending on the circumstances and depending on the prison. I do not have that level of detail on hand, but it is something I could take on notice if that assists.

Trung LUU: If you could break it down by prison as well, that might make it easier. Will you break it down? Also, I just want to ask how many prisoners are currently under the handcuff regime in Victoria – the restraint management system.

Enver ERDOGAN: I can give you the numbers of people in prison. How many people on handcuff regimes and on management units – I would not have that level of detail. At a high level, I can confirm the numbers of people in custody. That might assist, but I do not have the number that are on management regimes, because it changes from place to place. Obviously, those numbers do fluctuate because people come in and out, but I can say that as of 18 July there were 6565 people in custody, and of that, 6190 were male and 375 were female. That is the breakdown of the prison population. But in terms of who is on a handcuff regime, who is in the protection units within, there is a lot of operational detail that I do not have at hand, and I am not sure if we would share it, for a whole bunch of security-based reasons.

Trung LUU: In that case, if you cannot share the handcuff data, what losses of privilege are used when a prisoner commits an assault, and does this escalate depending on the severity of the assault?

Enver ERDOGAN: I can confirm that with assaults on staff, obviously on the loss of privileges ranges, depending on the offending type. Of course an assault on staff is the highest range, so they would be separated in a management unit and on a handcuff regime. So they would only be moved around in handcuffs.

Trung LUU: So the serious offenders basically are separated, and they are being handcuffed at the moment?

Enver ERDOGAN: Yes.

Trung LUU: What are the circumstances where an assault on staff would not incur a loss of privileges?

Enver ERDOGAN: It is my understanding that whenever there is an assault on staff, there would be a handcuff regime and there would be a loss of privileges.

Trung LUU: Regarding safety, which was one of the main reasons why prison staff supported a no-confidence motion on the commissioner recently, how does adding additional time or loss of privileges keep other staff or prisoners safe in prison?

Enver ERDOGAN: It is crucial to show that there is a consequence for that prisoner, because, like I said, it is important to maintain the security and discipline in these custodial settings. But it is also vital in terms of preventing further offending behaviour. If someone has got a past history of assaulting staff, there is a clear risk of further offending, as we know. Therefore there are two solid reasons why you would put them on such a regime.

Trung LUU: At the moment consequences are important for showing the severity of the offences. Wouldn't a legislated handcuffing regime ensure the safety of prison officers from long-term violent prisoners?

Enver ERDOGAN: It is a really important point you make, Mr Luu, because handcuffing regimes, I understand, are used where there are assaults. I visited the Metropolitan Remand Centre recently, and already when people do assault staff they are usually in handcuffs for a long time. I asked this question to our commissioner recently, and she informed me that on average handcuffs are usually applied to people for more than three months at a time following a serious assault on staff. So usually when people have assaulted staff, especially at the higher end, they could be in a handcuffing regime for months on end, to be frank, because the risk is still there. But it depends on their risk rating. There is currently the ability to handcuff people. People are handcuffed. I do want to make it clear on that perception that we do not handcuff people – we do, especially when they have a history of assaulting

staff. In many instances the people that assault staff are actually on handcuff regimes for much longer than three months. That is what the commissioner has informed me.

Trung LUU: Could you take those operational matters on notice?

Enver ERDOGAN: Sure.

Ann-Marie HERMANS: I have just got a few. Minister, you mentioned the consequence of handcuffs and the loss of privileges. Just a quick question: you mentioned that was for the assault of workers, and obviously that is primary and essential because we need to keep our workers safe in prisons. But does this also apply to assaults on other prisoners from prisoners?

Enver ERDOGAN: Yes, it does.

Ann-Marie HERMANS: Another question I have is regarding the register for five years. We had here that a recent County Court proposal had sought to increase judges' discretion to keep convicted sex offenders off the register, meaning sex offenders could be employed in schools, religious organisations and transport services, leaving police – and victims, more importantly – blind as to people's whereabouts. I am assuming that is what has brought the interest in the register for five years. My question is: is the five years evidence based? Why not 10 years? Why five?

Enver ERDOGAN: We had a statutory review that reviewed and made suggestions for improvements. Many of the recommendations in this bill are directly as a result of that. But in particular on your specific question, I might just seek some guidance.

I understand that with this change in particular the focus was that once people's orders finish they still have a requirement to report for five years – even after their orders are finished. So it is an extra layer of prevention. And I know you asked the question about their employment. It is fair to say that these people would not be getting a working with children's check.

Ann-Marie HERMANS: One last question: I do not like to think of myself as being a token woman for the Liberal Party and as having been put here just because we need to have women in Parliament. I like to think that I am here contributing and that I am a fully functioning member of Parliament because I bring something to the table and I work hard in this area and I have something to offer. My question of course then goes to the addition of – and do not get me wrong, I am not saying I am not supportive of it, because obviously I see the situation that we have – putting into legislation one Aboriginal person on the committee. Could you please expand – is this evidence based? Is this just to do with Labor's ideology? Is there a bit more to it, and is there any particular example of where this has become necessary and was not in place and therefore needed to be put into place? I am just trying to get a better understanding of what is behind this; that is all.

Enver ERDOGAN: At a high level we do know that Aboriginal people are over-represented in the justice system and in custodial settings. We as a government accept that, historically and ongoing, Aboriginal people have been disadvantaged through their interactions with the criminal justice system and the corrections system in particular and there is high level of distrust of these institutions. That is why it is important to have Aboriginal voices there. That is the real goal, and my view is it should be reflective of the community. I would say these are merit-based appointments, but we want people from the Aboriginal community and we encourage them to apply for these roles. I do not view this as a limit on the amount of Aboriginal people. In fact, if there was more than one Aboriginal person and they went through the merit-based process – we do want Aboriginal people to step up. I know corrections have Aboriginal wellbeing officers in our system, and we find those roles challenging to fill. I think for Aboriginal people there is a lot of trauma attached to these settings, and they are grossly over-represented. So I think the whole idea was to have different perspectives. I think seeing that Aboriginal people are so greatly impacted, it would be good to have someone with those perspectives.

Ann-Marie HERMANS: Just one final question based on that response – and I really thank the minister for that, and I agree that it is just completely inappropriate that we have an over-representation

in our community of Aboriginal people in custody and in corrections. I thank you for trying to look for ways to make this more appropriate.

My question, then – you have mentioned the representation of people that have an understanding and a background of their community and are able to have some sort of input into this and insight – perhaps also making it a little bit easier for the criminal who is in this situation. But my question then goes to: we now have a number of other community groups – multicultural, ethnic groups – that are becoming more and more represented in correctional services, as you would be well aware. There does not seem to be any provision therefore for a person that might come from a different multicultural background, maybe language background or historical background or, let us just say, from a very violent background – maybe a former child soldier that has now been resettled and become an Australian and now has been acting out inappropriately in Victorian society and now is coming to a place where they are going to come before the authority. Has there been any thought or provision made for having representatives? I know the Sudanese community, for instance, is working very actively to try to work within their own community to make change to criminal behaviour, with their own young people and young adults. Has there been any thought to that? You have only mentioned Aboriginal representation, and I do thank you for making some decisions in this area. But has there been any thought of that at all in putting this together?

Enver ERDOGAN: Mrs Hermans, you have done a good job of articulating some really challenging questions. I think what I will say is: since becoming minister I have always tried to aim for greater diversity on all committees or appointments. This is not about tokenism; it is merit based, making sure that the people on parole boards or on the Post Sentence Authority – where possible, merit-based; people still need to have the ability to do the role well – reflect our Victorian community. The issues that you have raised about certain groups being over-represented are just factual. I think for our Aboriginal community it is quite unique, as they are the traditional owners in terms of being the Indigenous people of Australia and Victoria, and they continue to be. It is just historic, and they continue today to be well over-represented.

But there are obviously different trends in different communities, so I am aiming for diversity across the board. I encourage people that in the past might not have considered applying for these roles, because as you would know – you are in the south-east – there are a lot of talented people from multicultural backgrounds that might not think, because they do not know people from their backgrounds that have ever been in these kinds of significant roles before, that they really actually do have the underlying talent. We need to encourage that. A broad policy of having greater diversity – not tokenism, diversity, and genuinely merit based – is what we should be aiming for everywhere, and that is what I look for when we make appointments as well: people that have the ability. It is an added bonus if they are quite diverse as well, because that just brings different perspectives and will make these boards stronger.

Trung LUU: You mentioned separation and loss of privilege and handcuffs being used on various occasions in case-by-case situations. With regimes varying from prison to prison depending on the governor, consistency is important for running a smooth prison. Why are we not legislating consistency across all prisons in relation to loss of privilege and handcuffs?

Enver ERDOGAN: There currently are regulations across the system – the regulations are the same, so that provides the consistency, but the governor has to make a decision on a case-by-case basis. I guess it is probably a reflection, from some of the feedback I get, that every case could be different or unique and have different circumstances, and that is why they could be potentially applied differently by different governors. But the actual regulations are consistent and effective. The rules are the same for discipline, but in the end the type of offending might be unique and therefore each governor might effectively give a different penalty to each offender, because every circumstance is different. Not every situation is the same.

Trung LUU: I understand every case of assault is different, but in relation to classifying assault, all serious assault is rated at a certain level and all minor assault is rated a certain level. Wouldn't it be beneficial to have consistency across the board, as prisoners do get transferred from prison to prison, to have the same across all prisons, where all serious assault is at the same level and all minor assault is at the same level?

Enver ERDOGAN: Assaults are a high category in the correction setting. In particular, assaults on staff and serious assaults are police matters, so they are always the first point of call. Usually Corrections and the Department of Justice and Community Safety have been working closely with police to try to make sure that in these cases people are held to account. The police do take action. For a lot of the matters that are resolved at a disciplinary level – it ranges, but from what I hear when I go to prisons – a lot of the time we are talking about verbal abuse within a correctional setting or not following instructions in terms of what they should be doing in the correctional setting. Most of the discretions are at the lower level, because the higher level should be for police matters. When you talk about assaults, my view is that really police should be taking action. But there are some disciplinary matters that the police might not necessarily take further, such as at the lower end of verbal abuse and other things that police might not escalate, and that will go through the disciplinary process. I think the governors are well placed. They understand the broad rules and what they think is appropriate for the prisoner's circumstance.

Trung LUU: I appreciate you mentioned assault. At the moment we are talking about inmates assaulting prison guards or staff at a serious level, causing serious injury – all mentioned serious injuries and assaults. In relation to serious injuries, as classified in the Crimes Act 1958, which hospitalise, why are we not legislating that consistently across all prisons to ensure that governors are acting evenly across the board?

Enver ERDOGAN: Assaults, in my view, are police matters. Obviously with this bill we are hoping that there is consistency when police do prosecute and when people are found guilty so that they do get a cumulative sentence. That is the objective of what we are trying to do here for those assaults and especially for serious assaults. I think it is important that we do have consistency. There are regulations in place that say what should happen more broadly, but there is more work to be done, because as I said, I hear different perspectives. I shared that with Ms Copsey earlier today when I said that some prison officers say they want greater consequences and greater penalties, because the discipline could be a fine. It could be a fine of $100. It could be a lot. For a lot of prisoners that is actually a very significant amount of money. And then a lot of the advocates say that the consequences are too harsh. Clearly, in terms of looking at the disciplinary system, it needs a lot more work and it would need to be looked at closely. I have told the department I want to look at it. There are broad rules already in place, and as a minister I am up for looking at it. But I think it is not something that we would rush into. You would need to get everyone's views on what is appropriate.

Trung LUU: I appreciate you looking into it. I think that does answer my question in relation to consistency. If you make it consistent across the board, everybody knows what the level is. You mentioned assault and serious assault and how that is a police matter. At what stage does the governor decide about the loss of privilege? At what level of assault, whether it is serious assault or normal assault, does a loss of privilege occur? When does handcuffing occur? Is it for serious assault or assault?

Enver ERDOGAN: I can confirm for all serious assaults people are put on handcuff regimes, because I remember having this discussion with the commissioner, and many of the people are on handcuffing regimes for four or five months and some for even longer. I will respond more thoroughly to your question, because I know there are other parts of that question, and I might just go to the box.

I do have some updated information. I understand currently that, where there is a staff assault which causes injury, the average for cuffing regimes is 160 days, so people are actually cuffed for quite a considerable time on average. Your question was more about at which level you decide what privileges are lost. I guess for every kind of indiscretion or where someone is found in breach of a disciplinary

proceeding there are consequences, but that is up to the discretion of the governor. I think that is important, because the governors are best placed to make those operational decisions about the broader impacts on security for staff, for prisoners and for the whole premises or location. There is a lot of discretion and a lot of powers for governors. These are operational matters. I have heard of people being spat at and being sworn at, and the governor is best placed to respond in terms of, if there will be a loss of privilege, what that loss of privilege is. The governor can issue fines effectively, but I think the governors are best placed to decide because they understand the whole dynamic situation on the ground to make those decisions. We back our governors. They have a really important role, and these are challenging roles.

Trung LUU: I appreciate you let the governors decide. In relation to acting on behalf of a prisoner, some prisons at times will have an influx of prisoners or an influx of activities, and stress will occur with that particular prisoner, whereas some will have less. If we vary governors' decisions on each situation and do not have a standard across prisons regarding assault, how would you ensure that the inmates have equal rights and equal privileges across different prisons if he or she gets transferred each time an offence occurs and the punishment varies on the same offence?

Enver ERDOGAN: I can understand that from location to location. That is why I say the governor has the best understanding of the operational situation at that location, and that is why I think them having that discretion is appropriate, because I guess the punishment or loss of privilege that you might give in one setting might not be appropriate in another setting. There might be other factors at play. I think they need that operational flexibility in decision-making, and I back their judgement when they make those calls. I think consistency is important, and I do get the point you are making.

Trung LUU: I move:

1. Clause 1, page 2, line 12, after "offences" insert "and penalties for certain prison offences".

Enver ERDOGAN: As this is testing amendment 3, which is about handcuffing and the approach to handcuffing, the government will not be supporting it. I just want to touch on that a little bit. In terms of the approach to handcuffing I think it is clear that the government and opposition do want to introduce this legislation to protect hardworking corrections staff in the best way possible. What I would say for a number of reasons is I am sympathetic to some of the arguments, but I hope through the committee of the whole I have been able to explain that three months per se might not necessarily be the right formula, because many of the people are doing a lot longer than that anyway. In the attempt to try to create predictability and consistency it might lead to in fact a bit of an opposite effect.

I was thinking about this for some time. Firstly, handcuffing regimes are already applied, and in most cases where there are these sorts of assaults, people are on them for a lot longer than three months. So it might create an unexpected expectation that after three months you get off the handcuff regime. That might be the unintended impact. Secondly, the way it has been drafted creates a bit of a complicated legal judgement on thresholds that might actually put more stress onto corrections officers to try and make those decisions. As for the interaction with police, the way it has been drafted is that the proposed amendment creates further risks and uncertainty. The opposition's amendment applies different rules where the matter has been referred to police. The reality is that all serious assaults covered by the scope of the amendment are referred to Victoria Police for investigation. How the provisions work while police investigation is underway is unclear, and that could potentially undermine the way internal discipline is working and reduce operational flexibility.

The Corrections Regulations 2019 already contain requirements around handcuffing, and we can provide more consistency with existing requirements through amendments to those regulations. I can confirm on the record that I am committed to doing that work and doing everything we can to make prisons a safer workplace, but these amendments are not necessarily the best place. What I am saying is, having weighed the proposed amendment, the best way forward is working through regulations to try and make some adjustments, because having this default three months might send the wrong message in fact. I know you are trying to create consistency, but then there might just be an expectation

that after three months you get off handcuffs, which is just not the case at the moment. It is case by case, depending on the risk that the offender is to staff, really, and to the system.

We want to ensure that staff have the right tools and training and powers to keep them safe. This bill is one part of that, but there is a lot more that we need to do that is outside of legislation, and we are going to continue to do that work. Unfortunately, although I broadly agree with the intention and I understand where the opposition is coming from – it is not often I give credit, but I understand where the shadow minister is coming from on this provision around handcuffing – we cannot support it.

Katherine COPSEY: The Greens will also not be supporting this amendment. The way it is drafted I am concerned will place a further and rather arbitrary use of restraint within the prison system. I do concur with the minister that these sorts of operational matters are best left to operational staff.

Trung LUU: In addressing the minister's concerns, first of all, it did start in section 30B. It is on serious assaults on the prison guard, and it is no less than three months. This is only a strengthening of what is already in place at the moment. Other than that, we are just strengthening it and making sure that it is consistent across the board. It is not 'three months and you're out'; it is basically no less than three months after that date. So at the hearing the governor can determine three months or more as he or she is currently doing. It just legislates it across the board for all prisoners when it has been done. In relation to your concern about police investigations, if an assault has occurred while the police investigation is taking place and a charge has been formulated, at the present time that prisoner needs to understand the consequences and that actions will indeed be taken to ensure the safety of the staff during the time the investigation is occurring. That could be up to three months, depending on the investigations. It is up to the governor's hearing to determine that. This will stay in place to ensure the safety of the staff while the investigation is happening, which at the moment is what is in place. This is just strengthening the process at the moment.

In relation to your concern regarding the three months, the disciplinary officer can determine when the three months can be extended if it needs to be as well. This all addresses what is currently in place, varying from prison to prison, but it lets us legislate across the board, giving assistance to the governor without hesitation about what he or she can do about any issues. But besides that, prisoners or inmates will understand the consequences in place all across the prison system in Victoria and not think if he or she is transferred that it might be different in that situation.

Council divided on amendment:

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

Noes (18): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Lee Tarlamis, Sonja Terpstra, Gayle Tierney

Amendment negatived.

Clause agreed to; clauses 2 to 29 agreed to.

Clause 30 (17:33)

Trung LUU: I move:

2. Clause 30, lines 18 and 19, after "custodial worker on duty" insert "or another person employed or engaged to work in a prison while working in the prison".

Enver ERDOGAN: I will just be very brief. This amendment is about expanding the definition of 'custodial worker' to include all staff who work inside prisons. While assaults on any staff member other than frontline corrections officers are exceptionally rare in our system and there are specific

provisions relating to emergency workers, we do accept that it is appropriate for these to also be treated as a prison offence. The government will support this amendment, and I want to thank the opposition as well. The opposition shadow minister and my office have been discussing this one, and we are happy to support the expansion of this definition.

Katherine COPSEY: The Greens will not be supporting this amendment from the Liberals. Consistent with my comments in the second-reading debate and the discussion that the minister and I had during the committee, we are not satisfied that the government has a sufficient evidence base, essentially, to justify the approach it is taking by seeking to combat prison offences by mandating cumulative sentencing. This limiting of judicial discretion and the failure to consider other mechanisms within prisons to address the use of violence by prisoners we think would have been better for the government to explore. Consistent with that position, we will not be supporting the expansion of the application of that that is represented by the Liberals' amendment.

Council divided on amendment:

Ayes (25): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Harriet Shing, Ingrid Stitt, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Richard Welch

Noes (6): Katherine Copsey, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Amendment agreed to.

Council divided on amended clause:

Ayes (25): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Harriet Shing, Ingrid Stitt, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Richard Welch

Noes (6): Katherine Copsey, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Amended clause agreed to.

Clauses 31 to 58 agreed to.

Reported to house with amendment.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (17:42): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (17:42): I move:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The PRESIDENT: Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill with amendment.

Crimes Amendment (Performance Crime) Bill 2025

Introduction and first reading

The PRESIDENT (17:43): I have received the following message from the Legislative Assembly:

> The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **Crimes Act 1958** to provide for a new offence in relation to the publication of material about the commission of certain offences and for other purposes.'

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:44): I move:

> That the bill be now read a first time.

Motion agreed to.

Read first time.

Harriet SHING: I move, by leave:

> That the bill be read a second time forthwith.

Motion agreed to.

Statement of compatibility

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:44): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Crimes Amendment (Performance Crime) Bill 2025 (the Bill).

In my opinion, the Bill, as introduced to the Legislative Council, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The Bill seeks to protect and promote community safety, by introducing a new performance crime offence into the *Crimes Act 1958* to prohibit a person from publishing material that draws attention to their involvement in the following specified serious offences:

- theft of a motor vehicle
- burglary or aggravated burglary
- carjacking or aggravated carjacking
- home invasion or aggravated home invasion
- robbery or armed robbery, and
- affray or violent disorder.

Human Rights Issues

Human rights protected by the Charter that are relevant to the Bill

The Charter rights that are relevant to the Bill are the:

- Right to privacy (section 13)
- Freedom of expression (section 15)
- Protection of children and families (section 17)
- Rights of children in the criminal process (section 23), and

- Rights in criminal proceedings (section 25).

Under the Charter, rights can be subject to limits that are reasonable and justifiable in a free and democratic society based on human dignity, equality and freedom. I do not consider that the Bill unreasonably or unjustifiably limits rights under the Charter. The limitations are reasonable and justice in accordance with section 7(2) of the Charter.

Right to privacy and reputation

Section 13(a) of the Charter provides that a person has the right not to have their 'privacy, family, home or correspondence unlawfully or arbitrarily interfered with.'

Justice Bell has characterised the right to privacy as including protection of a person's capacity for communication (by whatever means) with others (*Director of Housing v Sudi (Residential Tenancies)* [2010] VCAT 328 [29]).

While the Bill interferes with communication by people charged with certain serious offences about their offending conduct, this limitation is not unlawful (as it is provided for by law), or arbitrary. Interference with privacy will be arbitrary if it is capricious, unpredictable, unjust or unreasonable (*Minogue v Thompson* [2021] VSCA 358 [55]). The Bill is limited in scope to certain communication by certain people that draws attention to the specified offences. Given the harm the Bill is seeking to prevent, this limitation is lawful and does not arbitrarily or unreasonable limit the right to privacy.

The Bill promotes the right to privacy by criminalising the conduct of people who share material about themselves unlawfully entering and interfering with victims' homes and other property or otherwise interfering with their person. Publication of this material can potentially identify and retraumatise victims, compounding the harm caused by the unlawful conduct.

Right to freedom of expression

Section 15 of the Charter provides that every person has the right to freedom of expression, including the freedom to hold an opinion without interference and seek, receive and impart information and ideas of all kinds through a variety of mediums.

The right is not absolute and may be limited where it is reasonably necessary to respect the rights and reputation of others, or for the protection of national security, public order, public health or public morality (section 15(3) of the Charter). This includes measures for 'peace and good order, public safety and prevention of disorder and crime' (*Magee v Delaney* (2012) 39 VR 50 [151]).

The Bill limits this right by restricting a person's ability to publish material advertising specified offending conduct. Criminal acts of threats and violence are not protected forms of expression (*Magee v Delaney* (2012) 39 VR 50 [86]–[91]). While some of the specified offences that would be captured by the Bill may involve criminal acts of threats and violence, others such as theft of motor vehicle or burglary where no victim is present do not.

However, given the limited scope of the Bill, applying only to certain offences, the restriction is lawful as it is reasonably necessary for the protection of public order by preventing crime.

Publishing material to draw attention to involvement in certain high impact offending presents a risk to public order by encouraging others to participate in similar offending, trivialising the harm caused to victims and normalising criminal behaviour. Public order is protected by creating an offence to prohibit publication of this material.

The limitation is consistent with the Bill's purpose to protect community safety by creating a new performance crime offence to address an emerging trend of people publishing material to draw attention to their involvement in offences such as theft, home invasion, robbery, burglary, affray and carjacking.

The Bill is limited in scope to apply only to publication by a person who was involved in committing a specified offence. This recognises that certain prevalent offences present a greater risk to public order and there may be legitimate reasons to share material about offending by others, including for journalistic broadcast, academic purposes or community awareness.

The Bill imposes a narrow limit on the right to freedom of expression. However, I consider these limitations are reasonable and justified in accordance with section 7(2) of the Charter, as informed by the factors set out in section 15(3).

Protection of children and families and children in the criminal process

Section 17 of the Charter protects the rights of families and children. Section 17(2) recognises the vulnerability of children because of their age, conferring additional rights on them. It is concerned with protecting the 'best interests of the child' (*Certain Children by their Litigation Guardian Sister Marie Brigid Arthur v Minister for Families and Children* [2016] VSC 796 [145]).

Sections 23 and 25(3) of the Charter protect the rights of children in the criminal process. An accused child must be brought to trial as quickly as possible (section 23(2) of the Charter). Section 25(3) of the Charter provides that a child charged with a criminal offence has the right to a procedure that takes account of their age and the desirability of promoting the child's rehabilitation.

The new offence does not impact on or alter any protections or special procedures for children in the criminal process. The Bill is consistent with the right of a child to be brought to trial as quickly as possible, as the offence is a summary offence and must be charged within the applicable time limits. The Bill is compatible with the rights accorded to children in criminal proceedings by the Charter.

Hon Enver Erdogan MP
Minister for Casino, Gaming and Liquor Regulation
Minister for Corrections
Minister for Youth Justice

Second reading

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:44): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into *Hansard*:

One of the challenges confronting our community today is the rise of 'posting and boasting' about criminal offending – where people commit serious crimes and then share content advertising or drawing attention to their conduct on the internet, primarily via social media.

The performative nature of these offences introduces a new layer of harm: it glorifies criminal behaviour, encourages others to emulate it, exacerbates community concerns and fear, and erodes public confidence in the justice system. It may also publicly identify and retraumatise victims.

This Bill will introduce a new offence of performance crime into the *Crimes Act 1958* that recognises the additional criminality associated with publishing material that advertises serious criminal offending. While existing laws cover the underlying conduct (such as the motor vehicle theft or burglary), they do not specifically criminalise the act of turning crime into content. Such behaviour can be considered during sentencing of an offender, however the new offence will provide additional accountability, denounce the publication of this content and acknowledge the further trauma it can cause for victims of these crimes.

Introducing a targeted offence sends a clear message: publishing material that advertises or draws attention to offending will result in serious consequences. Communities have a right to feel safe, and to know that the justice system is equipped to respond to new forms of anti-social behaviour. The performance crime offence demonstrates that we are listening and acting accordingly.

The performance crime offence

The new offence criminalises the publication of material that draws attention to someone's own involvement in the following serious offences:

- theft of motor vehicle
- carjacking and aggravated carjacking
- burglary and aggravated burglary
- home invasion and aggravated home invasion
- robbery and armed robbery
- affray and violent disorder; and
- inciting or attempting to commit one of the above offences, or being complicit in such offending (e.g. encouraging or directing a robbery).

The performance crime offence will carry a 2-year maximum penalty. This is in addition to the penalty for the underlying serious offence. For example, if a person is found guilty of a home invasion and also the new performance crime offence, they may be sentenced to a maximum term of 25 years imprisonment in relation to the home invasion and up to 2 years imprisonment for the performance crime offence.

The new offence targets serious confrontational theft and violent group offences of concern to the community, which are increasing in overall frequency or becoming more prevalent among young offenders, who are most likely to 'post and boast' about their conduct.

A person can be found guilty of a performance crime offence if they have been found guilty of the relevant serious offence. However, the Bill makes clear that a person may be charged with the performance crime offence before a finding of guilt for the relevant offence. It is expected that the relevant offence and the performance crime offence will generally be charged at the same time, and will progress together in the same court proceeding. The prosecution of both the underlying offence and the separate performance crime offence is more likely to result in higher sentences as a penalty must be applied to both offences.

The offence will capture a broad range of conduct. The definitions of 'material' and 'publish' in this Bill are defined broadly to reflect the many ways offenders share material that draws attention to their involvement in serious criminal offences. 'Material' is defined to mean any film, audio, photograph, printed matter, image, computer game or text or any electronic material or any other thing of any kind which depicts or describes anything done in the course of committing the relevant offence, property obtained or damage or harm caused. 'Publish' is defined as including exhibiting, communicating, sending, supplying, transmitting the material or making it available to other people. These definitions are consistent with existing definitions of these terms in the *Crimes Act*.

Criminal behaviour that falls outside the scope of the new offence will continue to be dealt with by existing criminal offences where appropriate, such as grossly offensive public conduct and Commonwealth offences of using a carriage service to menace, harass or cause offence.

Conclusion

The new performance crime offence sends a clear message that the community denounces 'posting and boasting' about criminal conduct, and that those who do so will face serious consequences.

I commend the Bill to the house.

David DAVIS (Southern Metropolitan) (17:45): On behalf of my colleague Mr Mulholland, I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Local Jobs First Amendment Bill 2025

Introduction and first reading

The PRESIDENT (17:45): I have received another message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **Local Jobs First Act 2003** to provide for additional obligations, penalties and enforcement powers related to Local Jobs First and for other purposes.'

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:45): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Harriet SHING: I move, by leave:

That the bill be read a second time forthwith.

Motion agreed to.

Statement of compatibility

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:46): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Local Jobs First Amendment Bill 2025 (the **Bill**).

In my opinion, the Bill, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The purposes of this Bill are to:

- clarify the obligations of suppliers and agencies under the Local Jobs First scheme;
- provide additional enforcement powers for the Local Jobs First Commissioner (the Commissioner);
- introduce new civil penalties and other consequences for non-compliance with the Local Jobs First scheme;
- provide for additional Local Jobs First Policy (the Policy) objectives; and
- clarify references to the Local Jobs First Policy and associated obligations and guidelines.

The Bill does this by amending the *Local Jobs First Act 2003* (the Act).

The amendments in this Bill will primarily affect corporations, rather than persons (as defined in the Charter). However, to the extent that they may affect the rights of persons, I discuss the relevant human rights issues below.

Human rights issues

The following human rights are relevant to the Bill: privacy (s 13(a)); reputation (s 13(b)); freedom of expression (s 15); fair hearing (s 24); and property (s 20).

Site inspections by the Commissioner

Clause 11 of the Bill inserts sections 18A to 18F into the Act, which provide new and additional compliance powers for the Commissioner including in relation to investigations by the Commissioner, the provision of written reports to the Minister, site inspections and certain powers of the Commissioner during site inspections.

Section 18A permits the Commissioner to investigate any matter relating to the performance of its functions or the exercise of its powers under the Act. The Commissioner may investigate a matter under this provision on its own initiative, at the direction of the Minister or in response to a complaint (new s 18A(2)). The Commissioner may also refuse to investigate a complaint in certain circumstances and if the complaint was received in writing, it must give written notice to that person of the refusal (new ss 18A(3) and 18A(4)).

New section 18C provides the Commissioner with the power to conduct site inspections by issuing an inspection notice in writing (Inspection Notice). Inspection Notices may be issued to the person who is subject to an investigation by the Commissioner or the owner or occupier of a place or premise where a search is considered necessary. The site inspection power applies if the Commissioner believes on reasonable grounds that entry and inspection of a place or premises by the Commissioner is necessary to determine whether a person has failed or is likely to fail to comply with Local Jobs First (which includes the Act, the regulations and the Policy) or a Local Industry Development Plan and entry and inspection are necessary for the purposes of an investigation by the Commissioner.

An Inspection Notice must set out the Commissioner's intention to enter, the purpose and reason for the proposed entry and inspection, the address, time and day (which must be not less than three business days after the person receives the Inspection Notice), any information or document that the person must provide to the Commissioner during the proposed entry and inspection and any prescribed information (new s 18C(3)).

A person who receives an Inspection Notice can request an alternative time or refuse the proposed entry and inspection, this must be done in writing and they must set out the relevant grounds in each case (new s 18C(5)). The Commissioner must then determine whether the request or refusal is made on reasonable grounds (new s 18C(6)).

The recipient of an Inspection Notice must take all reasonable steps to facilitate the Commissioner's entry and inspection and to provide any information that the Inspection Notice requires to be provided to the Commissioner during the inspection (new s 18C(7)). These obligations do not apply if the person has made a request or refusal in respect of the Inspection Notice and the Commissioner has either not made a determination in relation to a request or refusal or the Commissioner has concluded it is made on reasonable grounds. A person who fails to comply with an Inspection Notice may be liable for a civil penalty order.

Right to privacy

Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

The exercise of the site inspection power may interfere with the privacy of an individual in some cases, however, any such interference will be lawful and not arbitrary (s 13(a) of the Charter). The site inspection power is necessary to support the Commissioner's existing information gathering and compliance activities so it can effectively carry out its monitoring and compliance function. The new site inspection power will allow the Commissioner to obtain information that it is not readily able to obtain using the existing powers in the Act.

The site inspection power is appropriately tailored to the objective. The power must be exercised with clear notice at a reasonable time and only for the specific purposes of an investigation by the Commissioner. In most cases it will be exercised in respect of commercial places or premises as opposed to residential premises, and therefore is likely to involve a lesser impact on privacy. The Bill provides a mechanism for the person to request an alternative time or refuse the entry or inspection on reasonable grounds. The Policy only relates to persons voluntarily involved in government contracts and high value construction projects, is reasonably confined and serves a proper purpose. Accordingly, I consider that these provisions are compatible with the right to privacy under the Charter because any limitation on privacy is not arbitrary, in that it is reasonable and justified in the circumstances.

Powers of the Commissioner during a site inspection

Clause 11 of the Bill adds section 18D which provides a range of powers that the Commissioner may exercise during a site inspection for the purposes of the investigation in which the relevant Inspection Notice was issued. These powers include examining or inspecting documents, taking photographs or making audio or visual recordings, making copies of or taking extracts from documents, requesting the assistance of any person, requesting a person at the place or premises answer questions or produce a document located at the premises that is in their possession or control (new s 18D).

Right to privacy and freedom of expression

These powers engage the right to privacy in s 13(a) of the Charter, which protects against unlawful and arbitrary interferences with a person's privacy, family, home or correspondence. Section 15 of the Charter also protects a person's right to freedom of expression, which has been interpreted to include a right not to impart information. This right may be subject to lawful restrictions reasonably necessary for the protection of public order (s 15(3) of the Charter).

While these powers may involve some interference with a person's right to privacy and expression, they are necessary to ensure that the Commissioner can investigate failures to comply with Local Jobs First or a Local Industry Development Plan or to investigate complaints regarding the same. The powers are limited to being used during a site inspection at the specified place or premises that is the subject of that site inspection. The places or premises subject to site inspections will generally be places of business and therefore areas where there is a limited expectation of privacy. Furthermore, individuals and businesses that will be issued Inspection Notices will be limited to those connected with projects to which the Act and Policy apply. Where such individuals and businesses are not suppliers that have directly entered into contracts with an agency, they will be subcontractors that have entered into contracts with suppliers to support the delivery of projects to which the Act and Policy apply. Accordingly, I consider that the interference is neither unlawful nor arbitrary and is therefore compatible with the right to privacy in section 13 of the Charter. I also consider it compatible with the right to freedom of expression because the limitation of this right is lawful and reasonably necessary for the protection of public order.

Civil penalties

The existing Act provides the Commissioner with powers to issue a notice of non-compliance (Compliance Notice) and in certain circumstances determine that a person has failed to comply with an information notice, the Policy or a Local Industry Development Plan.

Clause 12 of the Bill inserts the failure to comply with an Inspection Notice as an additional basis for the Commissioner to issue a Compliance Notice under s 26 of the Act. Failure to comply with an Inspection Notice includes but is not limited to failing to take all reasonable steps to facilitate the Commissioner's entry and inspection of a place or premises in accordance with the Inspection Notice or to provide information or a document to the Commissioner in accordance with the Inspection Notice (new s 26(1)(ab)).

A determination of non-compliance by the Commissioner attracts various potential consequences.

Section 28 of the Act is amended by cl 13 of the Bill to allow the Commissioner to seek a civil penalty in circumstances where it has determined that a person has failed to comply with an information notice or an Inspection Notice (Compliance Determination). Alternatively in these instances, the Commissioner may recommend that the Minister issue an Adverse Publicity Notice (new s 28(3A)). Before determining to make a recommendation to the Minister that the Minister issue an Adverse Publicity Notice or an application for a civil penalty, the Commissioner must consider whether compliance with Local Jobs First would be better

promoted or encouraged by the issue of an Adverse Publicity Notice or the making of a civil penalty order (new s 28(3B)). Clause 18 of the Bill adds section 30A which creates a civil action for failure to comply with a civil penalty requirement which is where the Commissioner has made a Compliance Determination that a person has failed to comply with an information notice or an Inspection Notice. If the Commissioner recommends that the Minister issue an Adverse Publicity Notice, then the person does not contravene a civil penalty provision, and therefore, the Commissioner cannot issue civil penalty proceedings against that person (new s 30A(2)). Clause 18 also adds section 30B which provides that the Commissioner may apply to a court for a civil penalty order in relation to a person's contravention of a civil penalty requirement.

Criminal process rights

Civil penalties may engage the criminal process rights under the Charter where the penalty is of such a magnitude that a court may consider that it involves truly penal consequences. In my view, the civil penalties in this instance, for a failure to comply with an information notice or an Inspection Notice, would not be considered as being in effect criminal penalties. Further, punishment is not a relevant consideration for the Commissioner in determining whether to seek a civil penalty or recommend an Adverse Publicity Notice.

The civil penalty provisions apply to persons involved in projects covered by the Policy under the Act, including Local Jobs First applicable projects in rural and regional areas with a budget of $1 million or more, or Local Jobs First applicable projects with a budget of $3 million or more located partially or wholly outside of rural and regional Victoria; they will have limited application to general public life and will apply primarily to corporations, rather than individuals. A civil penalty order will be enforceable as a judgment debt, a person will not be liable to be imprisoned for a failure to discharge the debt. Accordingly, I do not consider that the criminal process rights under the Charter are engaged by the civil penalty provisions.

Adverse Publicity Notice

The Bill extends the existing Adverse Publicity Notice regime to instances where a person has failed to comply with an Inspection Notice.

An Adverse Publicity Notice may give rise to the identification of individuals and thereby impact negatively upon the reputation of those individuals. However, for similar reasons as set out in previous Statements of Compatibility in relation to previous amendments to the Act, I consider that any interference with the right to privacy and reputation resulting from these provisions will be neither unlawful nor arbitrary. This is because the adverse publicity notice scheme is clearly set out and only enlivened in specific circumstances relating to non-compliance. An affected person is afforded procedural fairness to respond to a recommendation that an Adverse Publicity Notice be issued. In my view, it remains appropriate that the scheme provides a power to name persons and detail their failure to comply with inspection powers, as it serves the purposes of promoting accountability and transparency of a person's non-compliance with requirements that reflect important public policy.

Deprioritisation regime

Clause 19 of the Bill adds Part 2A of the Act which provides a regime to enable the deprioritisation of a person who has previously failed to comply with their commitments in their Local Industry Development Plan in relation to future government tenders. The deprioritisation regime is intended to ensure that appropriate consideration is given to a potential supplier's past performance on applicable projects in the weighting of a supplier's commitments to Local Jobs First on future applicable projects. New section 11H provides that the Minister may issue guidelines relating to the deprioritisation of suppliers, including in relation to the processes or procedures required, the matters to be considered in making a decision under Part 2A and the weight to be given to those factors. Under Part 2A the Commissioner may issue a deprioritisation notice in relation to a supplier if the supplier does not submit a completion report within 90 days after practical completion of the project or if a supplier fails to comply with any commitment made by the supplier that is specified in the Local Industry Development Plan for the project (new s 11C).

New section 11C includes the matters that the Commissioner must take into account in issuing a deprioritisation notice and the requirements of such a notice. Part 2A also outlines the process of the deprioritisation regime including the requirement for the Commissioner to provide a notice of intention and the process by which the supplier may seek review of the decision to issue the deprioritisation notice. If a deprioritisation notice is confirmed on review, or the supplier does not apply for review within the prescribed period, then the Commissioner must make a deprioritisation determination.

New section 11G provides that the Commissioner is to maintain a register of suppliers in respect of whom deprioritisation determinations are made and any prescribed information, which the Commissioner may disclose to prescribed persons.

Fair Hearing

Section 24(1) of the Charter relevantly provides that a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision makers but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests. While recognising the broad scope of s 24(1), the term 'proceeding' and 'party' suggest that s 24(1) was intended to apply only to decision-makers who conduct proceedings with parties. The deprioritisation regime does not involve applications to a court.

The right may also be limited where procedural fairness is not provided. However, the entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited. If a broad reading of s 24(1) is adopted and it is understood that the fair hearing right is engaged by this Bill more broadly, this right would nevertheless not be limited. In the context where merits review is not provided, an administrative decision-making procedure may still be compatible with fair hearing if the procedure is consistent with affording natural justice, and judicial review is available to ensure the decision was lawfully made.

To the degree that being issued with a deprioritisation notice affects a legal right or interest so as to the engage the right to fair hearing, I am satisfied that the right is not limited because the process outlined in the Bill affords procedural fairness to the person the subject of a deprioritisation notice before they are subject to a deprioritisation determination, including an opportunity to seek internal review.

Deprioritisation notices may only be issued by the Commissioner in specified circumstances. The Commissioner may issue a notice of intention to issue a deprioritisation notice in writing to the supplier before issuing the proposed notice in circumstances where the supplier does not submit a completion report within 90 days after practical completion of the project. A supplier who receives a deprioritisation notice may seek internal review. It is only if the Commissioner confirms a notice or the supplier does not seek review of the deprioritisation notice that the Commissioner must make a deprioritisation determination. The regime provides a reasonable opportunity for the supplier to be heard prior to the Commissioner making any deprioritisation determination. Further, these decisions of the Commissioner will be subject to judicial review. Consequently, the fair hearing rights in section 24(1) of the Charter are not limited by the deprioritisation regime.

Right to privacy and reputation

The deprioritisation regime may engage the right to privacy under s 13(a) of the Charter by authorising the inclusion of the details of certain suppliers on a deprioritisation register if a deprioritisation determination has been made in respect of that supplier. The Bill provides that the information on the deprioritisation register may be disclosed by the Commissioner to any prescribed persons in accordance with the regulations. It is likely that suppliers impacted by this regime will be corporations rather than individuals, and so it is not anticipated that personal information will frequently be included on the register. It is also not intended that the information on the deprioritisation register will be publicly available. The purpose of the register is to deprioritise a supplier who has previously failed to comply with commitments in the Local Industry Development Plan in relation to future government tenders. It is not intended to have any wider application and will only apply to persons involved in government contracts on projects subject to the Act, who have voluntarily chosen to tender for and enter into contracts to which these obligations and consequences apply. To the limited extent that the register impacts the privacy of individuals, the limitation on privacy is not arbitrary, is reasonable and justified in the circumstances.

The regime may also limit the right to reputation under s 13(b) of the Charter. Section 13(b) of the Charter relevantly provides that a person has the right not to have their reputation unlawfully attacked. An 'attack' on reputation will be lawful if it is permitted by a precise and appropriately circumscribed law. As previously outlined, the deprioritisation regime will be prescribed in the Act, is precise, targeted and confined to the specific circumstances of the Act and the Policy. It only impacts persons who have entered into contracts to which these obligations apply. Further, the provisions will primarily apply to corporations, rather than individuals. Any interference with the right to reputation will be neither unlawful nor arbitrary.

State Liability

The Bill adds section 11I which provides that the State and the Commissioner are not liable in any way for any loss, damage or injury resulting directly, indirectly from or arising out of the Bill or the confirmation of a deprioritisation notice or the making of a deprioritisation determination.

It is intended that the immunity in s 11I(a) will extend to any actions carried out under the new provisions added to the Act by this Bill. The scope of the immunity is limited in that it only applies to actions carried out

by the Commissioner under these new sections. The Commissioner, as a creature of statute, exercises confined powers described by the Act.

Right to property

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

Insofar as a cause of action may be considered 'property' within the meaning of section 20 of the Charter, section 11I in clause 19 may engage the right. However, even if these immunity provisions could be considered to deprive a person of property, any such deprivation will be 'in accordance with law' and will therefore not limit the Charter right to property. Any deprivation of a cause of action is reasonably necessary to achieve the important objective of ensuring that the Commissioner can effectively perform their functions without assuming legal or financial risk, in particular, the Commissioner's functions to confirm or make a deprioritisation notice, which may affect a person's commercial interests in relation to their capacity to be awarded future Government tenders or contracts (new s 11I(b)). It serves the objectives of the Act and the Policy by ensuring that suppliers who do not comply with the requirements of the Act or Local Industry Development Plans can be deprioritised from future government tenders without repercussions against the State. As such, there are no less restrictive means of achieving the Bill's objectives of providing additional enforcement powers to the Commissioner.

The immunity in s 11I(a) also supports the objectives of the Act and prevents a potential perverse outcome which would arise where suppliers who have not complied with the requirements of the Act, or the commitments made in their Local Industry Development Plan, could pursue the Commissioner for consequences arising from action taken by the Commissioner in response to the non-compliance. The Bill strengthens the powers and functions of the Commissioner in relation to compliance and enforcement which supports the objectives of the Local Jobs First scheme. The immunity in s 11I(a) is reasonably necessary to achieve the objectives of ensuring that the Commissioner can effectively perform their functions and exercise their powers without assuming legal or financial risk in the event that a supplier's commercial interests are adversely impacted by any compliance or enforcement action taken by the Commissioner in relation to that supplier.

Accordingly, the relevant State liability provision is, in my view, appropriately granted.

Hon Gayle Tierney MP
Minister for Skills and TAFE
Minister for Water

Second reading

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:46): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into *Hansard*:

The Local Jobs First Act (the Act) is Australia's longest-standing industry participation legislation and has been supporting Victorian businesses and workers for over 20 years. Since 2014, Local Jobs First has been applied to 3,185 projects worth over $197 billion in government investment, ensuring that Victorian businesses, workers, apprentices, trainees and cadets benefit from Victorian Government procurement. Additionally, Local Jobs First local content requirements have been set on 382 Strategic Projects, supporting more than 60,000 jobs, and enabling local companies to compete for both large and small government contracts on Victoria's largest projects.

Since its introduction in 2016 the Major Projects Skills Guarantee has been applied to 480 projects worth over $176 billion and supported 19,179 apprentices, trainees and cadets secure employment on Victoria's largest construction projects.

It has been 7 years since the Act was last amended, establishing the role of the Local Jobs First Commissioner (the Commissioner) and bringing the Major Projects Skills Guarantee under the legislation.

Today I am introducing a Bill to deliver on our commitment to strengthen the Act to ensure it continues to maximise opportunities for local jobs and businesses, supporting a stronger workforce, local industry and the Victorian economy.

In summary the Bill will:

- clarify and strengthen mechanisms that support compliance with, and enforcement of, Local Industry Development Plan commitments
- provide the Local Jobs First Commissioner with additional investigation and reporting powers, including a power to conduct site inspections with notice
- introduce stronger consequences for non-compliance with Local Industry Development Plans and the Act, including a deprioritisation scheme, civil penalties for non-compliance with the Commissioner's information gathering powers including the new site inspection power, and contingent payment mechanisms for agencies to include in appropriate contracts
- clarify and strengthen existing policies and procedures under the Act and incorporate additional Local Jobs First objectives, and
- explicitly allow the Minister responsible for the Act to set requirements to use a specified amount of locally produced uniform and personal protective equipment on Strategic Projects.

This Bill acquits the government's 2022 election commitment and ensures that Local Jobs First is fit-for-purpose and meets contemporary expectations.

Enforcement of Local Industry Development Plan commitments

To strengthen compliance with commitments to local content and jobs, the Bill clarifies that suppliers must meet the commitments made in their Local Industry Development Plans, not just the requirements set by the Minister or the Act. The Bill also clarifies that suppliers must comply with those commitments in an aggregate sense, rather than the individual line items stated in the Local Industry Development Plans.

This change will elevate the importance of commitments made by suppliers in their Local Industry Development Plans in relation to local content, job outcomes, any requirements specified by the Minister under the Act, and the Major Projects Skills Guarantee, if applicable.

The amendments will provide greater clarity in relation to supplier obligations and support the strengthened compliance and enforcement measures introduced by the Bill.

Expanded Commissioner powers and functions

The Commissioner was established in 2018 and is responsible for advocating for the Local Jobs First Policy and facilitating greater involvement from local businesses, workers, apprentices, trainees, and cadets. The Commissioner is also responsible for overseeing systemic and project-level compliance with the Local Jobs First Policy by both agencies and suppliers.

Since the establishment of the Commissioner, the Victorian economy and government spending on projects has changed, both in the number of major infrastructure projects under delivery, and the availability and participation of local businesses and workers in the supply chains for major projects.

This Bill introduces new powers and functions for the Commissioner, including additional investigation and reporting powers, a new power to conduct site inspections with notice, and an explicit role to provide advice and support to contracting parties in the resolution of non-compliance issues.

These changes expand on the Commissioner's critical role in advocating on behalf of local businesses, workers, apprentices, trainees and cadets on government procurement matters and ensuring that suppliers uphold their local content and job commitments.

Investigations and reporting functions

The government committed to formalising the Commissioner's role to conduct investigations and produce reports on compliance.

The Bill gives the Commissioner an explicit function to conduct investigations and the ability to receive and investigate complaints.

Currently the only specific Commissioner reporting mechanism in the Act is section 31, which requires the Commissioner to submit an annual report to the Minister responsible about the performance of functions and exercise of powers by the Commissioner during the financial year.

The Bill strengthens and clarifies the Commissioner's reporting functions by creating a function for the Commissioner to report to the Minister at any time on any matter in relation to the Act, the regulations, the Local Jobs First Policy, Local Industry Development Plans, including the Commissioner's functions or powers. This will greatly improve the effectiveness of the Commissioner's investigatory role and the ability of the Commissioner to highlight compliance concerns to the Minister.

Further, the Bill provides the Commissioner with a power to make non-binding recommendations to agencies on how to address specific or systemic compliance issues, supporting a more graduated approach to resolving issues in relation to non-compliance.

These new functions complement the Commissioner's existing compliance functions and will strengthen the process for identifying potential compliance breaches.

Function to facilitate resolution of non-compliance issues

The Bill introduces a function for the Commissioner to provide advice and support to contracting parties, if both parties consent, in relation to potential and actual non-compliance with the Act, regulations, Local Jobs First Policy or a Local Industry Development Plan.

This facilitation function will clarify the Commissioner's role in providing expert advice to contracting parties and support the resolution of issues more quickly, preventatively address non-compliance, and potentially limit the need for agencies and suppliers to invoke costly dispute resolution clauses in their contracts.

Site inspection powers

The government publicly committed to introducing the ability for the Commissioner to conduct site inspections to support its role in investigating Local Jobs First compliance.

The Bill introduces a new power for the Commissioner to conduct site inspections, with notice, if the Commissioner considers it reasonably necessary to investigate an actual or potential failure to comply with the Act, the regulations, the Local Jobs First Policy, or a Local Industry Development Plan.

This power will support the Commissioner to obtain information or evidence that cannot be readily obtained through their existing information-gathering powers, such as conducting a visual inspection of materials, equipment and structures, as well as obtaining information from the supplier on site.

This site inspection power, in conjunction with the Commissioner's expanded investigatory and reporting functions, ensures that the Commissioner is equipped to identify compliance concerns during project delivery, assist with the rectification of any issues and better informs any potential enforcement actions.

Consequences for non-compliance

The government committed to introducing new penalties for the Commissioner to use where non-compliance will lead to suppliers being de-prioritised for future government tenders or financial penalties for non-compliance.

The Bill includes significant reforms designed to disincentivise Local Jobs First non-compliance and ensures that suppliers are held to account to deliver on their local content and job commitments, ensuring the best outcomes for local workers and businesses.

Deprioritisation scheme

The Bill establishes a deprioritisation scheme based on the Commissioner's determination of supplier non-compliance with the fulfilment of aggregate Local Industry Development Plan commitments after a project reaches practical completion.

The scheme will commence on 1 July 2026 and will only apply to new Local Jobs First projects where the solicitation documents or agreements are released after that date.

The process has been designed to ensure procedural fairness for suppliers and that they are not unduly penalised for factors outside of their control.

When a project reaches practical completion, the Commissioner may issue a deprioritisation notice to a supplier if the supplier does not submit a completion report within 90 days of practical completion, or the completion report indicates that the supplier did not achieve one or more of its aggregate Local Industry Development Plan commitments.

Suppliers will have the option to seek a review of a deprioritisation notice, outlining reasons or mitigating factors to explain why they were not able to submit the completion report or fulfil their aggregate Local Industry Development Plan commitments.

The Commissioner will consider this explanation, and if the deprioritisation notice is confirmed, a deprioritisation determination will be provided to the supplier in writing. This determination will result in the supplier being placed on a register established and maintained by the Commissioner. If a supplier is subject to a deprioritisation determination, it will impact the 20% Local Jobs First weighting applied in the evaluation of any future tenders by that supplier for Local Jobs First-applicable projects.

The administrative and operational processes to support the deprioritisation scheme, including how a supplier's tender will be evaluated if they are subject to a deprioritisation determination, will be prescribed by regulations.

The scheme will disincentivise non-compliance with Local Jobs First requirements by strengthening the Local Jobs First compliance framework and establishing a mechanism to ensure that a supplier's poor past performance on Local Jobs First-applicable projects is taken into account on future tenders.

Civil penalty scheme

The Commissioner currently has limited ability to penalise suppliers for non-compliance with the Commissioner's information gathering powers.

The Bill introduces a civil penalty regime to enable the Commissioner to apply to a court for a civil penalty order in relation to a supplier's non-compliance with an information notice issued under section 24 of the Act or a site inspection notice.

This amendment will incentivise supplier compliance with information requests and the facilitation of site inspections by the Commissioner.

Contingent payments

The government committed to introducing a requirement that suppliers 'fulfil local content commitments before receiving the final payment of the contract'.

The Bill introduces a requirement for agencies to include a contingent payment mechanism in Local Jobs First contracts linked to the fulfilment of Local Jobs First deliverables, unless it is not practicable or appropriate to do so. This requirement will preserve agencies' flexibility to manage the drafting of payment mechanisms linked to Local Jobs First deliverables in the project contract, while retaining the discretion to determine where the contingent payment mechanism is appropriate.

This will strengthen the compliance measures available to agencies to ensure Local Jobs First deliverables and supplier non-compliance can be appropriately managed.

Miscellaneous amendments

The Bill includes amendments designed to address stakeholder feedback, improve and optimise the overall operation of the Act, and ensure it is fit for purpose moving forward.

The Bill promotes consistency with other Victorian procurement policies, with 'value for money' being defined under the Act. It also introduces non-contestability and emergency procurement exemptions to the application of Local Jobs First to reduce the administrative burden on agencies and suppliers.

The Bill clarifies and strengthens agencies' obligations in relation to Local Jobs First monitoring and reporting. Additionally, the Bill strengthens agency obligations under the Act by assigning administrative responsibility for the performance of an agency's functions, duties and obligations to the relevant 'accountable officer' of the agency.

The Bill introduces an explicit requirement for suppliers to follow the significant diversion process set out in either the regulations or the Local Jobs First Policy.

This will ensure suppliers investigate local alternatives before considering the need to access an international supplier when significant changes to the local sourcing of goods, materials or labour are proposed.

Additional Local Jobs First objectives have been included in the Bill to promote stronger alignment with our economic development goals. This will mean that, in developing the Local Jobs First Policy under section 5 of the Act, the government must have regard to:

- providing equitable opportunity for the participation of Aboriginal businesses on Local Jobs First projects to reflect government's commitment to working alongside First Peoples to deliver reforms that respect, recognise and empower their participation in, and contribution to, Victoria's economy.
- encouraging the participation of small and medium-sized enterprises based in regional areas in Local Jobs First projects.
- encouraging the use of local content at each stage of Local Jobs First projects.
- promoting the use of Australian Standards on Local Jobs First projects.
- ensuring that the processes and mechanisms for tenders and procurements are structured and designed to provide fair and reasonable opportunities for local industry participation.

Importantly and to acquit the government's commitment to support jobs and businesses in the local Textile, Clothing and Footwear industry, the Bill introduces an explicit provision allowing the Minister to set requirements to use a specified amount of locally manufactured uniforms and PPE on Strategic Projects.

The Bill includes specific transitional provisions in relation to the deprioritisation scheme to ensure that this scheme will not apply to existing Local Jobs First applicable projects that are already underway. In relation to other reforms, the Bill includes a power to make regulations dealing with transitional arrangements to

clarify the application of amendments in the Bill to Local Jobs First applicable projects which will be at different stages of development when provisions of the Bill commence.

Conclusion

Local Jobs First plays a significant role in supporting Victorian businesses and workers by leveraging government spending to provide opportunities for local businesses to create jobs and grow our economy.

From construction to manufacturing to professional services, Local Jobs First ensures that our investments benefit Victorian businesses and workers.

This Bill builds on the strong foundations established in Victoria over 20 years ago and ensures that Local Jobs First continues to be Australia's flagship industry participation policy.

I commend the Bill to the house.

David DAVIS (Southern Metropolitan) (17:46): I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

National Electricity (Victoria) Amendment (VicGrid Stage 2 Reform) Bill 2025

Introduction and first reading

The PRESIDENT (17:46): I have received the following message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **National Electricity (Victoria) Act 2005**, the **Electricity Industry Act 2000** and the **Electricity Industry (Residual Provisions) Act 1993** and for other purposes.'

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:47): I move:

That the bill be now read a first time.

Council divided on motion:

Ayes (18): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Lee Tarlamis, Sonja Terpstra, Gayle Tierney

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

Motion agreed to.

Read first time.

Harriet SHING: I move, by leave:

That the second reading be taken forthwith.

Leave refused.

Harriet SHING: I move:

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

Motion agreed to.

Adjournment

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (17:54): I move:

That the house do now adjourn.

Ambulance services

Jacinta ERMACORA (Western Victoria) (17:54): (1786) My adjournment matter is for the Minister for Ambulance Services Mary-Anne Thomas, and the action I seek is an update on how the Allan Labor government is strengthening paramedic coverage in rural and regional communities. This month 59 new paramedics will join Ambulance Victoria, including in placements in regional communities. These new graduates will work alongside experienced crews, delivering urgent care and building their clinical skills while supporting local health outcomes. I look forward to the minister's update on how this boost will continue to support the delivery of ambulance services across the state.

Police resources

Wendy LOVELL (Northern Victoria) (17:55): (1787) My adjournment matter is for the Minister for Police, and the action that I seek is for the minister to order the prioritisation of a new police station for Wollert and confirm when construction will start and finish. The Victoria Police annual report 2021–22 says that their balance sheet increased in value, in part due to the growth in Crown land to develop police stations at Clifton Hill, Clyde North and Wollert. Construction on the Clifton Hill police station started in September last year, but there has been no progress at all on the Wollert station. The details of the land acquisition are given in the 2021–22 annual report for the Department of Environment, Land, Water and Planning and appear in the register of approved works-in-kind agreements for growth areas infrastructure contributions (GAIC). Exchanges totalling $6.9 million, including $2.65 million supplementary payments from the Building New Communities Fund, were completed in November 2021, transferring a parcel of land in Wollert to Victoria Police for a future station. It is now almost four years since Victoria Police acquired the land for a Wollert station, but no progress has been made on the project, and residents are desperate for more responsive and robust police activity in the area.

Under the Allan Labor government's soft approach crime has exploded in Victoria and in the Whittlesea municipality. According to the last Crime Statistics Agency data, aggravated robbery in the City of Whittlesea increased by 24 per cent, residential aggravated burglary increased by 31 per cent, stealing from retail stores increased by 45 per cent and motor vehicle theft increased by a staggering 81 per cent. The crime wave is having a devastating impact on my constituents in the Yan Yean district, and increased police resources are absolutely vital for crime prevention in Wollert and surrounding areas in the City of Whittlesea. I have spoken in Parliament to tell the stories of families in Donnybrook who have been traumatised by home invasions and cannot sleep because they are so anxious about the frequent car thefts and home break-ins in the area.

I have also spoken in Parliament numerous times, calling on the government to properly resource Victoria Police so that the force can do more to address crime. I have called for increased police patrols and better use of mobile CCTV. I have repeatedly called for a new police station in the Whittlesea township and a station to serve Donnybrook and Kalkallo. We know that Victoria Police has secured land for a new station in Wollert, and officers from that station would be able to provide a more rapid response to calls for help from growth areas in suburbs like Wollert and Donnybrook. But the Allan Labor government is sitting idly on this land and not actually getting on with building the Wollert station that Victoria Police put in their 2019–21 funding priority list. Government guidelines for GAIC funding state that the project must be at a stage of readiness to facilitate rapid delivery. GAIC funds were used to acquire this land, but the project is clearly not being delivered rapidly.

LGBTIQA+ community

Georgie PURCELL (Northern Victoria) (17:58): (1788) My adjournment matter is for the Minister for Equality and relates to the recent wave of violent assaults and bashing of gay men. Gay men across Australia have been confronted with a surge in homophobic incidents. All governments, including the Victorian government, must take immediate action to ensure the safety of the LGBTQIA+ community. Just two weeks ago the owners of the iconic Melbourne gay venue the Laird arrived to find a homophobic slur spray-painted across both entrances. That weekend the very same graffiti was also found near the Melbourne Holocaust Museum. By May of this year Victoria Police had made over 35 arrests in relation to robbery, false imprisonment, extortion and some of the most horrific violent assaults of gay men. These attacks have largely been committed by groups of young men or boys, some of them as young as 13 years old. These are the cases that have been reported, the stories that have been told. But we know that there are far more instances where gay men have been bashed that have not been reported. Gay men are scared, and sadly, many are scared to go to the police. Without complete and accurate data we cannot know the full extent of this crisis and the government cannot fully support victims and cannot take action required to protect the queer community. So the action I seek is for the minister to create a new independent tool for reporting homophobic incidents in Victoria.

Suburban Rail Loop

John BERGER (Southern Metropolitan) (18:00): (1789) My adjournment is for the Minister for the Suburban Rail Loop, Minister Shing. As Australia's fastest growing city, Melbourne needs world-class public transport that will ensure households spend less time on the road and more time with the people that they love. The Suburban Rail Loop will not only transform our public transport network; as Australia's largest housing project it will deliver thousands more homes and housing choice around the new SRL East stations, allowing for more people to find a home closer to where they grew up. Four of the six SRL East stations are in Southern Metropolitan Region – Cheltenham, Clayton, Monash and Burwood. It is the Allan Labor government that will deliver a direct train service for the very first time at Deakin and Monash universities, helping tens of thousands of staff and students access those campuses daily, because Victorians deserve to have better access and more opportunities.

Having a direct line to Monash University will connect students, workers and visitors to Melbourne's largest employment and innovation hub outside the CBD. The area around the new SRL East station at Monash will include a new town centre, becoming a vibrant and thriving destination with new retail, cafes and restaurants and accommodation for visiting staff, students and their families to stay close to the university and other world-leading research and medical facilities. The SRL will make it quicker to travel orbitally around the south-eastern and eastern suburbs, with services every 6 minutes during peak hours and every 10 minutes off peak. This means households can access key employment, education and innovation hubs like Monash easier and quicker, saving time navigating multiple modes of transport. The action that I seek is for the minister to provide me with more information on how much time students, workers and families will save travelling to and through the Southern Metropolitan Region.

Energy policy

David DAVIS (Southern Metropolitan) (18:02): (1790) My matter today is for the attention of the Minister for Energy and Resources, and today we have seen the release of the *2025 Electricity Network Options Report* of July 2025 – and my goodness, what a shock for the community. What is clear is that there is a massive surge in costs for these projects. The VNI West project, which started at around $3 billion, is now put in by the proponent at $7.6 billion, with a minus-30 to plus-30 range. So that is up to $11.4 billion for this project. It could easily be $11.4 billion. If you look at AEMO's estimate – $7.07 billion with a 'plus 30 per cent' – that is still over $11 billion. It is very likely that this project will be way, way, way over.

All of these projects are proposed by the government to be paid for by levies – by taxes, if you will – on electricity bills. This is a huge hit that is going on the electricity bills of every Victorian and every Victorian business. It is time now for the minister to start coming clean and actually saying how much each of these projects will add to the electricity bills of every Victorian. We need stuff clearly and carefully itemised on the bill. Some of these are going to push bills up massively. We know, for example, tomorrow, 1 August, electricity bills are going up right across the state. Gas bills are going up. Many are going up by 10, 12 and 14 per cent. Huge increases in electricity bills is what is happening at the moment. And these capital costs for long-distance transmission wires are actually adding huge costs.

Members interjecting.

David DAVIS: I can tell you what I would not do: I would not run an incompetent capital works program where the prices balloon out of control, where the cost overruns are massive. That is the story of this government: incompetence when it comes to capital projects, allowing the costs to balloon out. In this case the costs are being sheeted home to every single Victorian. Your bill, your bill and your bill – all are being jacked up and jacked up and jacked up. Unlike the minister who tried to say, 'Down, down,' actually what they are doing is going up, up, up, up, up, because of Lily D'Ambrosio's incompetence.

It is time, and my call today is that every Victorian be sent details of how much they are going to pay in their bill for these projects. There needs to be a sheet sent which comes clean on how much Lily D'Ambrosio is charging every single Victorian and every single business.

Nuclear prohibition

Katherine COPSEY (Southern Metropolitan) (18:05): (1791) My adjournment is to the Premier, and I ask her to advocate to the federal government that Australia sign the Treaty on the Prohibition of Nuclear Weapons. 6 August marks Hiroshima Day. On 6 August 1945 the US dropped an atomic bomb on the city of Hiroshima. Three days later Nagasaki was also bombed. The bombings killed between 150,000 and 246,000 people, most of whom were civilians. The death toll among everyday citizens of Japan that day, and in the years and decades after, is a global shame, and how dreadful it is to see echoes of this indiscriminate slaughter so persistent in present conflicts.

As a child at primary school I heard the story of Sadako, one little girl who lived through the bombing despite being blown out the window of her home by the force of the explosion. In the following years Sadako developed leukaemia because of the radiation she was exposed to through the nuclear blast. An old saying in Japan told that if you folded 1000 paper cranes you would be granted a wish. Sadako set about this task, folding cranes from every scrap of paper she could get her hands on, including medical wrappers and packaging, desperate to realise the promise of the saying and be granted her wish – to live. Sadako succumbed to the sickness the nuclear bomb inflicted on her. She died 10 years after the bombing, at the age of 12.

A statue was erected in her memory and the memory of all young people robbed of their lives by the bombings – the Children's Peace Monument. Last year I finally visited Hiroshima, a city that is so like Melbourne, full of galleries and gardens, sited on a river and a bay and with its own iconic trams. I took a paper crane, and I added it to the thousands that people still bring to Sadako's statue. The plaque at the foot of that monument, originally erected through fundraising by Sadako's schoolmates, reads:

> This is our cry, this is our prayer: for building peace in the world.

The Treaty on the Prohibition of Nuclear Weapons was adopted in 2017 and entered into force in 2021. There are currently 94 signatories, and 73 states are parties to that treaty. Australia is not one of them. As we mark the 80th anniversary of the bombing of Hiroshima, Australia must heed the lessons of history, be a good global citizen and finally sign the nuclear weapons ban treaty.

Indonesia trade

Tom McINTOSH (Eastern Victoria) (18:08): (1792) I would like to use my adjournment to raise the importance of Victoria's relationship with Indonesia. Indonesia has become one of Victoria's main export destinations. It is currently Victoria's sixth-largest goods export market, with Victorian exports to Indonesia totalling $1.1 billion and two-way trade reaching $2.8 billion. Indonesia is the fifth-largest export market for food and fibre from Victoria, valued at $987 million, and Victoria is Australia's second-largest exporter of food and fibre to Indonesia, with 24 per cent of the national total. Australia is the number one destination for Indonesian university students worldwide. They are coming here, and the number one state for them is Victoria. The bond that we have through Indonesian students coming to Victorian universities is incredibly strong. We have a memorandum of understanding between the Victorian government and the government of Yogyakarta special region, and we have got a letter of intent between the Victorian government and the provincial government of West Java.

I recently went on a parliamentary delegation during the break to Indonesia, and we were able to visit Jakarta and Bandung. We were able to visit Deakin University's partnership with Lancaster University, which is establishing a uni in Bandung. It is a great opportunity that is thoroughly supported by locals to get an education that is recognised in both the UK and Australia, with the opportunity to do semesters here in Victoria or in the UK and then go on to do masters. Monash University have also set up in Jakarta. We established the Parliamentary Friends of Indonesia at the start of this year. Since doing that, having had the trip, the relationship has been fantastic – growing and growing. We had a national minister for agriculture in Parliament during the week with a big, big delegation of their national MPs. We have a delegation coming out for the big chambers of commerce meeting at the end of September. I think there are just such big opportunities for us, where we respect and we learn from each other and we work together to grow trade between our two nations.

As I said, there is $1 billion of agricultural export from Australia to Indonesia – $300 million of cereal, about $280 million of beef and then about $230 million of dairy product. They are our biggest neighbour – 250 million. They are an emerging economy tipped to be one of the top five economies in the world. To everyone who hosted us while we were in Jakarta and Bandung: thank you so much. To the delegation that came this week and to the delegations that will come in the future: we welcome you and welcome the collaboration between Indonesia and Victoria.

Health system

Georgie CROZIER (Southern Metropolitan) (18:11): (1793) My adjournment matter is for the attention of the Minister for Health, and it is in relation to palliative care funding. I have raised this issue through a motion this week and called on the government to provide immediate appropriate funding to meet the demands. As we know, there are 79 people dying each day, and we have got a huge increase in people that are requiring palliative care. There is a massive increase with the ageing of our population. Unfortunately, the trajectory for terminal illness is also on the increase, which goes hand in hand with an increasing and ageing population, I might add. The government has not met the demand of what this critical part of our healthcare system needs to provide. I think it is shameful that the government has not prioritised this in the way it should.

I have said before that support and care should be provided to people to be able to die with dignity if they are at the end of their lives, and the choice to die at home is not there. The waitlist is huge. People are being forced into our hospitals to die, and it is putting more pressure right across our system. Kelly Rogerson, the chair of Palliative Care Victoria, in a response to the concerns in an article last week said:

> … the state's at-home care system is in crisis following years of underfunding by the Victorian government, with at least an extra $20 m needed to restore service levels.

In last year's budget there was an amount of $36.9 million allocated, which ends in 2027–28. There is no further funding, and so there is no ability to plan for these services. Out of that $36.9 million, there is a component from the Commonwealth government. In fact the budget papers say:

> These initiatives contribute to activity that attracts Commonwealth Government funding under the National Health Reform Agreement … Estimates of the Commonwealth Government's contribution are included.

The action I would like from the minister is to provide me with a breakdown of the $36.9 million that was highlighted in last year's budget as to how much is Commonwealth funding and how much is state-allocated funding.

Early childhood education and care

Anasina GRAY-BARBERIO (Northern Metropolitan) (18:14): (1794) My adjournment matter this evening is for the Premier, and the action I seek is a commitment to a deadline for the release of all requested childcare safety documents from our motion on 18 June 2025. I rise today to raise my concern about the failure of the current early childhood education and care system to protect Victoria's youngest children. Like so many families across Victoria, I also felt heartbroken watching story after story unfold in the news – stories of harm, of children not being properly cared for and of a system that is meant to nurture them completely falling short. My own nieces and nephews go to child care, and as a mother myself I know how much trust it takes to leave a child in someone else's care.

Sadly, I was made aware of systemic issues before the recent media reports, in my role as the Greens spokesperson for early childhood education and care and child protection. That is why over a month ago I asked this government to hand over documents so we can all understand the full scale of this problem. My request asks for 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. I made it clear that any personal information should be removed for privacy and safety, but my office still has not received a single document. Premier, these documents matter. They would help us understand where the system is breaking down and how we fix it in a bipartisan way. We know this because in New South Wales Greens MP Abigail Boyd secured access to similar documents. It prompted inquiry and reforms – much-needed changes to build a system that is safer.

The Victorian Greens have also renewed calls for an independent early childhood safety watchdog. Right now the Department of Education holds the dual roles of funding and regulating childcare services, with no independent oversight and effectively marking its own homework. This clear conflict of interest was identified by the Victorian Ombudsman and child safety experts. The Greens look forward to working with this government to make Victoria a safer place for our children.

Northern Metropolitan Region housing

Sheena WATT (Northern Metropolitan) (18:16): (1795) My adjournment matter tonight is for the Minister for Housing and Building. Earlier this month our Labor government, in collaboration with our newly elected federal counterparts, announced the delivery of hundreds of new social homes across Victoria as part of the second round of the Housing Australia Future Fund. This is vital housing that will help support those doing it tough, from families to older women and people at risk of experiencing homelessness. This is not just about building homes; it is about building security, building dignity and building opportunity – values that speak to what this government is about.

We know that housing stress is real, and it is rising. Whether it is older Victorians struggling to find a safe place to call home or families waiting far too long for secure housing, people across our community are really feeling the pressure, and that is why this announcement matters. These homes will be delivered to areas where demand is high, using already available land and delivered by trusted community housing providers. It is smart, timely and targeted. These homes will provide not just shelter but safety, security and the chance to start again. This will also support jobs in construction and trades – good, stable work in the communities these homes will be built in.

I am proud to be part of a Labor government that builds instead of blocks, a government that does not just recognise that we need more housing but does something about it. We are working in partnership with the Albanese Labor government in Canberra to tackle this challenge head on, and initiatives like the Housing Australia Future Fund are making real differences on the ground. Many of the projects in the first round of this program are already complete and ready for Victorians to move into, with many more homes under construction.

The action I seek tonight is for the minister to provide details on how many of these newly announced homes will be built in the Northern Metropolitan Region. The people of Melbourne's north deserve to have a roof over their head and a safe place to call home. From Coburg to Craigieburn, this region is growing, and our housing infrastructure needs to grow with it. I look forward to seeing the next stage of delivery take shape and continuing the work of building a more secure and equitable future for everyone.

Box Hill brickworks site

Richard WELCH (North-Eastern Metropolitan) (18:18): (1796) My adjournment matter is for the Minister for the Suburban Rail Loop, and it is about a very special vision. In Box Hill there is a former quarry site known as the Box Hill brickworks. It lies as a large green grassed space, unused and locked behind chain wire fences adjoining Surrey Park, crowned with the iconic industrial shell and chimney of the old brickworks factory, an industrial relic that has taken on a rugged new beauty since the smoke and fires of its heyday were extinguished many years ago. The community, led by the Box Hill Brickworks Parkland Association, have a vision for this vacant unused space. It is a fantastic vision, but it is also a solution. Box Hill is zoned for up to seven 50-storey apartments to be built in the coming years. Many other six- to eight-storey apartment blocks are to be shoved into the area. I think it will have terrible human consequences for families and community, because there is no matching social infrastructure proposed. The community know this too. The local community is well awake to the flaws of the Suburban Rail Loop (SRL) plan. The enthusiasm for what was previously sold to them has given way to much deeper concerns about the effect on quality of life, the loss of open space, new Box Hill specific taxes to fund it, massive additions to the population and no additional infrastructure to match.

There has been one ray of light, and that was the hope that the brickworks site might provide additional open space the community will desperately need. It is a vision that amongst the new towers and population there would be a Central Park kind of space for the community to exercise, to walk the dog, to meet – to breathe – before they go back to their tower block apartment. It was a vision that the old brickworks building, with its massive wooden beams and chimney, could become a community centre, an arts centre, a cafe, a gallery, a performance space or all of the above – but no.

Even though the local member teased locals with the idea of a park at the last election, now you and he – the government – have gone and rezoned it for SRL housing development. Then you thumbed your nose at the community and zoned the brickworks for higher density residences. Then you said the local government is to buy it, but you rezoned it to high density and made it unaffordable. Then you said you cannot do anything because it is private property, but you had no hesitation in purchasing 300 private residences in the SRL area, including the Waverley RSL, which you only need for a staging area, which you are paying $35 million or more for. So the action I seek from the minister is to make the Box Hill brickworks a permanent parkland – and pay for it.

Homeschooling

David LIMBRICK (South-Eastern Metropolitan) (18:21): (1797) My adjournment matter this evening is for attention of the Minister for Education. Homeschoolers in Victoria are getting a raw deal. Homeschooling can be a great option for all kinds of families. Many countries experienced a surge of interest after COVID, and Victoria is no different. There is no single reason for this. Some families got a taste of home education and figured out that really works for their family; others are navigating the challenges of school refusal or complex health and mental health challenges. Whatever

the reason, families should be supported to tailor the education experience of their children to ensure the best outcome, and for a growing number of families this means home education.

There are some things that Victoria does quite well in this space, but one area where homeschooling families are let down compared to other states is where it comes to student ID cards. Students participating in home education should not be disadvantaged or made to feel like second-class citizens. In Queensland and South Australia the regulator that registers homeschoolers also provides an official student ID card, which allows the same opportunities for them that a student at a public or private school receives. It is a small change, but it would make a real difference to these families. Therefore my request of the minister is to work with the Victorian Registration and Qualifications Authority to provide student ID cards for registered homeschooling students in Victoria.

Smile Squad

Sonja TERPSTRA (North-Eastern Metropolitan) (18:23): (1798) My adjournment this evening is for the Minister for Health in the other place. Smile Squad is the Victorian government's free dental school program. The program is completely free for all Victorian government school students. Students will be seen by Smile Squad during school hours, saving families time and money. Smile Squad includes all required treatment, excluding orthodontics. Students can receive free dental care regularly, they learn about the importance of good dental care and they will have better oral health outcomes through early intervention. The action that I seek is for the minister to update me on the benefits that this will have for students in the North-Eastern Metropolitan Region.

Moorabool waste and recycling management

Joe McCRACKEN (Western Victoria) (18:23): (1799) My adjournment matter is for the Minister for Environment, and it relates to the EPA's refusal to pay for toxic waste clean-up in the Moorabool shire. In fact the EPA has rubbished VCAT's suggestion that it should assist Moorabool Shire Council in paying half a million dollars for the clean-up of toxic waste that was illegally dumped on council-managed land under the EPA's watch.

Moorabool council challenged an EPA order that it must clean up trailers and harmful industrial waste abandoned just outside of Bacchus Marsh on a Crown land reserve managed by council on behalf of the state. The effect of the VCAT order is that council must perform the clean-up, which will have a significant cost to ratepayers. The VCAT order referred to cost sharing, but the EPA have refused to engage in good faith and provide any funds at all to cover costs. This is despite the illegal dumper having been under surveillance by the EPA since at least last year and the EPA failing to take action.

Mayor of Moorabool shire Cr Paul Tatchell said:

> The EPA has trashed the idea of cost sharing when clearly their actions have let this situation unfold.
>
> Why should our ratepayers bear the cost when the EPA had ample time and opportunity to clean up this waste long before it was dumped on land we manage.
>
> …
>
> VCAT says we have to clean up the containers on our land because they are dangerous and unstable – what's the EPA doing about the canisters on the adjoining property?

Moorabool shire have now engaged specialist contractors who are at work on the logistics of the clean-up. There are half-dissolved cylinders, highly flammable, filled with asbestos, which need to be transported safely to the sole facility in Victoria, which is at Stawell. The action I am seeking from the minister is an inquiry into the actions or, to be fair, the complete and utter inaction of the EPA on this matter. The decision-makers within the EPA should be held accountable for abrogating their responsibilities, and the minister needs to ensure that there is proper oversight of agencies. For the EPA to shirk their responsibilities and not engage with a councillor who is trying to do the right thing is disgusting, especially when toxic waste is a risk to life and land. The EPA have ignored a VCAT

ruling for cost sharing and refuse to engage fairly and reasonably, presumably because they have run out of money, much like every other government department and agency.

Minister, conduct an inquiry into the EPA and ensure that fairness and transparency are restored. Moorabool shire residents deserve honest answers – not excuses, not spin, not to be fobbed off. Hold the EPA accountable, and make sure you do the right thing.

South-Eastern Metropolitan Region housing

Michael GALEA (South-Eastern Metropolitan) (18:26): (1800) My adjournment tonight is for the Minister for Housing and Building, Minister Shing, and the action that I seek is an update on how the Jacinta Allan Labor government is providing real and tangible social housing for my constituents in the South-Eastern Metropolitan Region. We have recently seen a very significant announcement of more than a thousand new social homes – in fact 1043 new social homes – announced across Victoria to be added to the social housing register, including for people escaping family violence, people sleeping rough and for First Nations Victorians. I am very excited to see that of this number a whopping 256 homes are to be built in Greater Dandenong, in the heart of the south-east. Indeed I absolutely have to take this opportunity to acknowledge the hard advocacy of some of my colleagues, including the member for Mordialloc, whose electorate takes in Greater Dandenong as well.

This is a terrific and very important announcement to see. We know that this government under Jacinta Allan is focused on tackling the housing crisis in Victoria. Whilst those on the other side of the chamber block, block and block again on housing, whilst we even see the Greens party blocking social housing projects too –

Nick McGowan interjected.

Michael GALEA: Well, they are not here, Mr McGowan. It is a shame. You are probably one of the better ones when it comes to yimbyism. We obviously have NIMBY-in-chief Mr Davis, who has probably left the building for the day, his tail between his legs after his nice little attempt at a stunt backfired spectacularly on him.

Nick McGowan interjected.

Michael GALEA: You must have missed it. You probably have forgotten it already wilfully, Mr McGowan. He has tried it again, just as he tried to get rid of the activity centres – the activity centres that are going to provide those genuine housing options for generation Z and millennial Victorians to actually get onto the property ladder, to actually live where they want to live, whether that is in an inner-city area, whether that is in the outer suburbs, which I am proud to represent, or whether it is in places such as Greater Dandenong. We know that the Liberal Party oppose those housing options for Victorians, just as they have consistently opposed social housing projects in the past and indeed as the Greens are currently opposing social housing projects too. But this government will continue to carry on, and I acknowledge the fierce advocacy and work and commitment of Minister Shing that she has already put in. This action that we have seen with these new homes is very significant indeed, and I very much look forward to seeing them, as I am sure the member for Mordialloc and others in this place as well will look forward to seeing them. All the while, we know that those opposite will continue to snipe and moan and deliver absolutely nothing for Victorians, because that is all you do and that is all you know how to do.

Nick McGowan: Well, we are in opposition. It is a little bit hard.

Michael GALEA: I will give you maybe one exemption there, Mr McGowan, because you are not so bad. The action that I seek is an update on the social housing that has been built in the south-east of Melbourne.

Police resources

Nick McGOWAN (North-Eastern Metropolitan) (18:29): (1801) I do not really want to moan and bitch and complain –

Michael Galea: I was nice to you.

Nick McGOWAN: Exactly. But I do have a serious matter, and I want to talk about crime. I do not like to talk about crime and be hysterical about it, because I think no matter which side of politics you are on, there is always that temptation when you are in opposition or when you are in government, and I do not want to play politics with crime, because I think genuinely increasingly we are seeing a number of patterns emerging within our community. One that perhaps concerns me most is this pattern of offenders committing crimes against people in their homes. I think that is really what is affecting Victorians perhaps the most at the moment, to be quite frank. There are lots of crimes that are committed, but those that occur in our own homes are particularly chilling because until it occurs to us we think it will not happen to us. The truth is it is increasingly happening to more and more. Wherever we find the solution, we all have to work together to make sure that these things stop, because no-one should be in their own home and feel unsafe. It is particularly concerning for women and it is particularly concerning for young people, but it is particularly concerning for old people and senior citizens as well.

This all leads me invariably to the point of my question tonight, and that is for the Minister for Police, Mr Carbines in the other place, to provide an update. I asked a question at the Public Accounts and Estimates Committee in respect of the uniformed police officers in my local constituency, specifically in the areas of Box Hill, Forest Hill and Ringwood. At the time the information that I was provided with was that at Box Hill there were eight positions that were vacant. That is a lot of police officers that we do not have. One of those positions, I was advised at the time, had been filled but had not yet commenced. In Forest Hill there were nine positions that were vacant. Of those nine, three positions had been filled, but they had not at that point yet commenced either. In Ringwood there were 10 positions – that is 10 police officers and 10 vacancies – of which four positions, I was advised, had been filled and were due to commence but had not commenced. So in total there were 27 vacancies across the district I represent. That, I would propose to anyone, is way, way too many. Combine that with the fact that our police officers as they serve today – last night I was at Box Hill town hall at a community safety forum conducted by the police – are having to deal with antiquated IT systems, which the Chief Commissioner of Police himself says are 10 years behind any other jurisdiction in the country. It is simply not good enough. We all have to lift our game. I would appreciate from the minister an update on the figures for each one of those three police stations: Box Hill, Forest Hill and Ringwood.

Medicinal cannabis

Trung LUU (Western Metropolitan) (18:32): (1802) My matter is for the Minister for Health regarding the urgent need for strong oversight of medicinal cannabis prescribing practices in Victoria. The action I seek is for the minister to work with the Australian Health Practitioner Regulation Agency, AHPRA, to ensure robust enforcement of prescribing guidelines and protect patient safety across Victoria's healthcare system concerning accessing medicinal cannabis prescriptions.

Medicinal cannabis has become a growing part of our healthcare landscape, with over 1 million Australians now receiving prescriptions. While this treatment can offer relief for patients in genuine beneficial need, recent revelations have exposed several flaws in how it is being prescribed and dispensed. AHPRA has raised the alarm over poor prescribing practice, including doctors issuing thousands of prescriptions in a matter of months and some more than 17,000 in six months. With some consultations lasting less than a minute and many telehealth clinics that both prescribe and sell cannabis products, there are growing concerns that a profit-over-patient care model is being prioritised.

Under current guidelines medicinal cannabis should only be prescribed after a thorough assessment of patients' medical histories, identification of clear beneficial need and development of existing

strategies. These safety guidelines exist for a reason, but when they are ignored, the consequences can be serious. Emergency departments across the state are reporting cases of cannabis-induced psychosis, with a story emerging that patients are being coached through online questionnaires to say the right thing to secure a prescription. These poor practices undermine the integrity of the healthcare system and put vulnerable patients at risk. The TGA has approved only two cannabis products for specific conditions. All others are prescribed off label, meaning they have not been assessed for safety, effectiveness or quality. Without proper oversight we risk normalising the use of unproved medicines without adequate justification. Therefore I call for the minister to ensure that Victorian practitioners are held to the highest standard when prescribing medicinal cannabis. Victorians deserve a government that puts patient safety before profit.

Responses

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (18:35): Ms Ermacora has raised a matter for the Minister for Ambulance Services. Ms Lovell has raised a matter for the Minister for Police. Ms Purcell has raised a matter for the Minister for Equality. Mr Berger has raised a matter for the Minister for the Suburban Rail Loop. Mr Davis has raised a matter for the Minister for Energy and Resources. Ms Copsey has raised a matter for the Premier. Mr McIntosh has raised a matter for the Minister for Economic Growth and Jobs. Ms Crozier raised a matter for the Minister for Health. Ms Gray-Barberio raised a matter for the Premier. Ms Watt raised a matter for the Minister for Housing and Building. Mr Welch raised a matter for the minister for the SRL. Mr Limbrick raised a matter for the Minister for Education. Ms Terpstra raised a matter for the Minister for Health. Mr McCracken raised a matter for the Minister for Environment. Mr Galea raised a matter for the Minister for Housing and Building. Mr McGowan raised a matter for the Minister for Police. And Mr Luu raised a matter for the Minister for Health. I will refer them all accordingly.

The PRESIDENT: The house stands adjourned.

House adjourned 6:36 pm.