



# **Hansard**

## **LEGISLATIVE ASSEMBLY**

### **60th Parliament**

**Tuesday 18 March 2025**



**Office-holders of the Legislative Assembly**

**60th Parliament**

**Speaker**

Maree Edwards

**Deputy Speaker**

Matt Fregon

**Acting Speakers**

Juliana Addison, Jordan Crugnale, Daniela De Martino, Paul Edbrooke,  
Wayne Farnham, Paul Hamer, Lauren Kathage, Nathan Lambert, Alison Marchant,  
Paul Mercurio, John Mullahy, Kim O’Keeffe, Meng Heang Tak, Jackson Taylor and Iwan Walters

**Leader of the Parliamentary Labor Party and Premier**

Jacinta Allan (from 27 September 2023)

Daniel Andrews (to 27 September 2023)

**Deputy Leader of the Parliamentary Labor Party and Deputy Premier**

Ben Carroll (from 28 September 2023)

Jacinta Allan (to 27 September 2023)

**Leader of the Parliamentary Liberal Party and Leader of the Opposition**

Brad Battin (from 27 December 2024)

John Pesutto (to 27 December 2024)

**Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition**

Sam Groth (from 27 December 2024)

David Southwick (to 27 December 2024)

**Leader of the Nationals**

Danny O’Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

**Deputy Leader of the Nationals**

Emma Kealy

**Leader of the House**

Mary-Anne Thomas

**Manager of Opposition Business**

Bridget Vallence (from 7 January 2025)

James Newbury (to 7 January 2025)

## Members of the Legislative Assembly

### 60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lister, John <sup>7</sup>	Werribee	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel <sup>1</sup>	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren <sup>2</sup>	South Barwon	Ind	O'Keeffe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim <sup>8</sup>	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan <sup>9</sup>	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden <sup>3</sup>	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will <sup>4</sup>	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam <sup>5,6</sup>	Prahran	Ind	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole <sup>10</sup>	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Westaway, Rachel <sup>11</sup>	Prahran	Lib
Kathage, Lauren	Yan Yean	ALP	Wight, Dylan	Tarneit	ALP
Kealy, Emma	Lowan	Nat	Williams, Gabrielle	Dandenong	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Belinda	Narre Warren North	ALP
Lambert, Nathan	Preston	ALP	Wilson, Jess	Kew	Lib

<sup>1</sup> Resigned 27 September 2023

<sup>2</sup> ALP until 29 April 2024

<sup>3</sup> Sworn in 6 February 2024

<sup>4</sup> ALP until 5 August 2023

<sup>5</sup> Greens until 1 November 2024

<sup>6</sup> Resigned 23 November 2024

<sup>7</sup> Sworn in 4 March 2025

<sup>8</sup> Resigned 6 January 2025

<sup>9</sup> Resigned 7 July 2023

<sup>10</sup> Sworn in 3 October 2023

<sup>11</sup> Sworn in 4 March 2025

#### Party abbreviations

ALP – Australian Labor Party, Greens – Australian Greens,  
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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**Tuesday 18 March 2025**

**The SPEAKER (Maree Edwards) took the chair at 12:04 pm, read the prayer and made an acknowledgement of country.**

**The SPEAKER:** Can I acknowledge in the gallery former members Craig Ingram and Kirstie Marshall.

***Bills***

**Bail Amendment (Tough Bail) Bill 2025**

***Introduction and first reading***

**Jacinta ALLAN** (Bendigo East – Premier) (12:05): I move:

That I introduce a bill for an act to amend the Bail Act 1977 and the Summary Offences Act 1966 and to make consequential amendments to other acts and for other purposes.

**Motion agreed to.**

**Michael O'BRIEN** (Malvern) (12:06): I ask the Premier for a brief explanation of the bill.

**Jacinta ALLAN** (Bendigo East – Premier) (12:06): This bill will amend the guiding principles to make it crystal clear that community safety is of overarching importance for all decisions on bail; remove the principle that remand is a last resort for a child; introduce two new bail offences, committing an indictable offence while on bail and breaching a condition of bail; elevate serious offences from schedule 2 to schedule 1, those being armed robbery, aggravated burglary, home invasion and carjacking; and elevate serious offences currently not scheduled into schedule 2, those being serious arson offences, serious firearm offences and offences with a controlled weapon, a prohibited weapon or an offensive weapon.

**Read first time.**

**Jacinta ALLAN:** I move:

That this bill be read a second time immediately.

I advise the house that in accordance with standing order 61(3)(b) the other parties have been provided with a copy of the bill and a briefing.

**Motion agreed to.**

***Statement of compatibility***

**Jacinta ALLAN** (Bendigo East – Premier) (12:09): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Bail Amendment (Tough Bail) Bill 2025:

In my opinion, the Bail Amendment (Tough Bail) Bill 2025, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

**Overview**

The purpose of the Bail Amendment (Tough Bail) Bill 2025 (the Bill) is to improve community safety and strengthen consequences for alleged offenders and repeat alleged offenders accused of serious and high-harm offending, as well as certain types of alleged repeat criminal conduct driving community concern.

The Bill will amend the *Bail Act 1977* (the Bail Act) and the *Summary Offences Act* (Summary Offences Act) to –

- Introduce two bail offences – ‘commit an indictable offence while on bail’ for inclusion in the Bail Act and ‘contravene conduct condition of bail’ for inclusion in the Summary Offences Act;

- Incorporate offences into Schedule 1 that were previously in Schedule 2, to ensure people charged with the following offences must satisfy a bail decision maker that ‘exceptional circumstances’ exist to justify the grant of bail:
  - Armed robbery;
  - Aggravated burglary;
  - Home invasion;
  - Carjacking;
- Incorporate additional offences into Schedule 2, to ensure people charged with the following offences must satisfy a bail decision maker that a ‘compelling reason’ exists to justify the grant of bail
  - Serious firearms offences;
  - Serious arson;
  - Committing an offence involving controlled weapons (including machete violence), prohibited weapons and offensive weapons;
  - Motor vehicle theft, where charged in combination with:
    - Reckless conduct endangering life or persons;
    - Failure to comply with a direction to stop; or
    - Possession of a prohibited or controlled weapon in the course of the theft of the motor vehicle;
- Amend the Guiding Principles of the Bail Act to recognise the overarching importance of maximising the safety of the community and persons affected by crime to the greatest extent possible;
- Amend the child-specific bail considerations in section 3B to omit reference to remand of children being a last resort;
- Streamline bail processes to enable police officers to bring a person on bail directly to court during ordinary sitting hours, rather than through a bail justice in all cases, where the person has been arrested for breach or likely breach of bail; and
- Delay the commencement of the statutory review of the Bail Act from 2026 to 2027 and expand the scope of the review to include the reforms in this Bill.

### **Human Rights Issues**

As discussed in this statement, the operation of the Bail Act does limit Charter rights, and will continue to do so after these reforms, but in my opinion, these are reasonable limitations that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom taking into account relevant factors as outlined in section 7(2) of the Charter.

The human rights protected by the Charter that are relevant to the Bill and the operation of the Bail Act are:

- Right to recognition and equality before the law (section 8);
- Protection of families and children (section 17);
- Right to liberty and security of person (section 21);
- Children in the criminal process (sections 23 and 25(3)); and
- Right to be presumed innocent until proved guilty according to law (section 25(1)).

While matters relating to remand principally engage the right to liberty, the very nature of being remanded in custody necessarily involves the limitation of other rights, including freedom of movement (section 12), freedom of expression (section 15) and the right to peaceful assembly and freedom of association (section 16). This is the result of the deprivation of liberty and the powers held by police officers and officers in charge of custodial facilities that are necessary to maintain good order and security of the facilities and the welfare of detained persons. The family unit will also be affected when a child, parent or guardian is remanded, as this interferes with the privacy and protection of family and consequently engages both section 13 and section 17(1). Therefore, the discussion of the impact on the right to liberty and security of the person in this statement also encompasses the rights that are necessarily affected by deprivation of liberty.

### ***Recognition and equality before the law***

Section 8(3) of the Charter provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination. The purpose of the right to equality is to ensure that all laws and policies are applied equally, without a discriminatory effect.



Section 3(1) of the Charter adopts the definition of ‘discrimination’ in the *Equal Opportunity Act 2010*, which includes both direct and indirect discrimination on the basis of a protected attribute, including race, sex, disability and age. Under section 9 of that Act, indirect discrimination occurs where a person imposes a requirement, condition or practice that is unreasonable and has, or is likely to have, the effect of disadvantaging persons with a protected attribute.

***Protection of families and children***

Section 17(1) of the Charter recognises that families are the fundamental group unit of society and are entitled to be protected by society and the State. This right is related to section 13(a) of the Charter, which relevantly provides that every person has the right not to be subject to unlawful or arbitrary interferences with their family.

***Right to liberty and security of the person***

Section 21(1) of the Charter protects the right of every person to liberty and security. Section 21(3) provides that a person must not be deprived of their liberty except on grounds, and in accordance with procedures, established by law. Section 21(2) provides that a person must not be subject to arbitrary detention. Together, the effect of sub-sections 21(2) and (3) is that the right to liberty may legitimately be constrained only in circumstances where the deprivation of liberty by detention is both lawful, in that it is specifically authorised by law, and not arbitrary. In order for an interference not to be arbitrary, it must be predictable, just, and reasonable in the sense of being proportionate to a legitimate aim.

***Rights of children in the criminal process***

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. This recognises the particular vulnerability of children due to their age and confers additional rights on them. Section 23 of the Charter builds on the rights of the child protected by section 17(2) by specifying additional protections that are necessary for the humane treatment of a child who is detained or involved in a criminal process. Finally, section 25(3) provides that a child charged with a criminal offence has the right to a procedure that takes account of that child’s age and the desirability of promoting the child’s rehabilitation. This recognises the need for special procedures for children charged with criminal offences.

***Right to be presumed innocent until proved guilty according to law***

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. The right is relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

***Amending schedules 1 and 2 of the Bail Act***

A person charged with an offence listed in Schedule 1 or Schedule 2 of the Bail Act faces a reverse-onus bail test – meaning they must establish either ‘exceptional circumstances’ (Schedule 1) or a ‘compelling reason’ (Schedule 2) to justify the granting of bail.

The Bill will move certain serious offences currently in Schedule 2 to Schedule 1, namely: armed robbery; aggravated burglary; home invasion; and carjacking. This will mean that those charged with these offences are always subject to the ‘exceptional circumstances’ bail test.

The Bill also expands the list of offences set out in Schedule 2 of the Bail Act to include serious firearms offences, serious arson involving endangerment of life, and committing an indictable offence involving a controlled or prohibited weapon (in addition to the existing item regarding indictable offending involving firearms, offensive weapons or explosives). This will mean that those charged with these offences are always subject to the ‘compelling reasons’ bail test.

In addition, the Bill also expands Schedule 2 to include circumstances where theft of motor vehicle is charged alongside specified offences that endanger public safety (reckless conduct endangering life or persons, failure to stop when directed, or possession of a prohibited or controlled weapon).

***Right to liberty and security of a person***

Expanding the application of reverse onus bail tests engages the right to liberty and security, because a reverse onus bail test increases the likelihood that the accused will be remanded in custody. However, I consider the amendments are justified as they give effect to a clear purpose of the Bail Act – namely, striking a balance between the importance of maximising the safety of the community and victims of crime, with the right to liberty for persons accused of a crime.

The right to individual liberty for persons alleged to have committed serious offences who have not yet had their allegations determined by a court needs to be balanced with the community’s right to safety and security,

which includes protection from being subject to criminal offending. A balance must be struck between these competing priorities each time a bail decision is made.

It is my opinion that any limitation on the accused's right to liberty remains sufficiently targeted and justified based on the specified offending. Reverse-onus tests will remain applicable only to those who are charged with serious offences which by their very nature pose significant risk and concern to the public.

This is particularly applicable to the offences being moved from Schedule 2 to Schedule 1. The evidence demonstrates that these offences are allegedly committed while on bail at a higher rate than the average for other Schedule 2 offences, consistent with broader trends towards repeat offending by a defined group.

The offences added to Schedule 2 also pose elevated risk to the community and have been identified by Victoria Police as posing an inherent threat of injury or other safety risks. Firearms offences and offences involving weapons carry an inherent community safety risk, as does criminal damage by way of arson with intent to endanger life.

Similarly, the co-occurring offences included in Schedule 2 have been specifically identified because of the significant community safety risks involved when these dangerous behaviours are combined. Individuals in a stolen motor vehicle are often detected because of their erratic driving behaviour. Where police attempt to intervene or are seen by the occupant, there will typically be a failure to stop and an increase in dangerous driving behaviour. It may not be operationally safe for police to engage in pursuit of such vehicles, which means that the existing offences in Schedule 2 may not apply (such as the offence of dangerous or negligent driving while pursued by police), meaning tougher bail tests are not currently applied.

#### Right to be presumed innocent

Bail is an ancillary criminal process and therefore is not directly relevant to a determination of guilt. However, the presumption of bail in the Bail Act reflects section 25(1) of the Charter by supporting an accused person to remain in the community pending the determination of charges. Therefore, the presumption of innocence may be described as the starting point for bail applications.

The inclusion of additional offences in Schedules 1 and 2 of the Bail Act will expose people accused of these offences to either a new or more stringent reverse-onus test, therefore displacing the presumption in favour of bail by reversing the onus-of-proof from the prosecution to the accused. However, it is my opinion that any consequent limitation on the presumption of innocence is justified given the inherent seriousness of the offences for inclusion in Schedules 1 and 2, and the significant risk that these offences pose to community safety as set out above. Furthermore, the Bill does not change the existing guiding principle in section 1B of the Bail Act which recognises the importance of the presumption of innocence (together with the right to liberty). Bail decision makers will continue to have regard to the significance of the presumption of innocence when determining bail applications.

#### Rights of children in the criminal process

The expansion of items in both Schedule 1 and 2 of the Act is equally applicable to adult and child accused, but there may be an indirect interaction between these reforms and the rights of children in the criminal process in practice. The evidence suggests that recent increases in some of the affected offences have been disproportionately driven by an escalation in the rate of offending amongst older children, despite the number of individual alleged child offenders remaining relatively stable.

This cohort of child accused is therefore likely to be particularly (though not uniquely) impacted by the addition of Schedule 1 and 2 offences. For example, when applying for bail a child will now be required to show 'exceptional circumstances' if charged with aggravated burglary, or to show 'compelling reasons' if found driving a stolen vehicle and engaging in reckless conduct (driving) that endangers persons. The impacts of these reverse-onus tests on accused children are mitigated by section 3B of the Act, which includes mandatory considerations relevant to the unique vulnerabilities of children. This means that while strict bail tests will be imposed on children, they remain more likely than adults to satisfy those tests.

#### Introduction of bail offences

The Bail Act currently provides that it is an offence to fail to answer bail, and to commit an offence set out in Schedules 1 or 2 to the Bail Act while on bail. The Bill inserts two additional offences: committing an indictable offence whilst on bail; and contravention of certain conduct conditions of bail undertakings. The existing offence of committing a Schedule 1 or 2 offence while on bail (which commenced in December 2024) will be repealed, as the reintroduction of the offence to commit an indictable offence while on bail captures a broader range of conduct and now makes this offence superfluous.

The offence of 'commit an indictable offence while on bail' will apply to both adults and children and will capture indictable offending on bail. This offence will typically be charged alongside the substantive offence which the person is accused of, therefore imposing an additional consequence for those who reoffend on bail.

The offence of ‘contravening certain conduct conditions of bail’ will apply to adults only and will capture breaches of bail conditions that are committed without reasonable excuse. This offence will not apply to a condition that requires the accused to attend and participate in bail support services. This offence will impose an additional consequence for those who do not comply with their bail conditions and will also be punishable via infringement notice. A conviction in relation to this offence will also provide a record of bail non-compliance that is easily accessible for future bail decisions in relation to that person.

*Right to liberty and security of a person*

Although the introduction of these offences does not expand the scope of revocation nor oblige bail decision makers to consider factors that they are not already considering, the existence of an alleged bail offence may strengthen the prosecution’s argument for remand or encourage more revocation applications to be made. This will potentially result in more people being remanded in custody, engaging the right to liberty.

This limitation on the right to liberty is justified in the case of an accused who offends while on bail (and, in the case of an adult accused, breaches a condition of bail). These offences recognise that a person whose liberty is subject to bail conditions who is charged with further offending presents a higher level of risk to the community, which may then be relevant to the court’s consideration of an application for bail or the revocation of bail. This is a reasonable and proportionate response to the risk of harm posed by a person who engages in further offending on bail.

*Right to recognition and equality before the law*

The introduction of these offences may engage with the right to equality before the law due to the potential for elevated rates of offending on bail and breaches of bail conditions by those experiencing disadvantage, vulnerability or who are otherwise over-represented in the criminal justice system. Historically, bail offences have had a disproportionate impact on Aboriginal people, women, children and people experiencing disadvantage due to the correlation between socio-economic drivers and repeat offending on bail or bail breaches. To the extent that the right to equality before the law is limited by the potential operation of the amendments, the limitation is justified under section 7(2) of the Charter, as it is proportionate having regard to the importance of deterring those on bail from offending or breaching their bail conditions. The amendments provide clear incentive to comply with bail conditions by imposing consequences for breaching bail, without applying reverse onus bail tests to these bail offences, which has previously been a key factor in elevated remand rates for minor repeat offending. The offences will also be summary offences with relatively low maximum penalties.

Sections 3A and 3B of the Bail Act set out additional factors which the bail decision maker must consider when the applicant for bail is an Aboriginal person or a child respectively. These mandatory considerations are expected to further mitigate against the risk of the new offences resulting in disproportionate remand rates for these cohorts.

The Bill broadens the scope of the review required under section 32C of the Bail Act to include a review of the proposed amendments in the Bill. This will provide an opportunity to assess the impact of these offences and identify any disproportionate impacts on specific cohorts.

*Rights of children in the criminal process*

Only the offence of ‘commit indictable offence while on bail’ will apply to children. Evidence suggests that applying a bail offence to children in addition to charges for the offending conduct is less likely to deter offending than in the case of adults. Further, it is possible that bail offences may contribute to drawing children further into the justice system, which itself can have a criminogenic effect.

To the extent that the rights of children in the criminal process are limited by the potential operation of the amendments, the limitation is justified under section 7(2) of the Charter, as it is proportionate having regard to the risk that an accused child poses to the safety and security of the community, and the importance of responding to a child who offends on bail or breaches their bail conditions. The additional factors required to be considered by a bail decision maker under section 3B provide for bail determinations to take account of the special needs of children charged with criminal offences.

*Amending the Guiding Principles of the Bail Act*

This Bill amends the Guiding Principles of the Bail Act by substituting the guiding principle in subsection 1B(1)(a) of the Bail Act. The amended guiding principle recognises the overarching importance of maximising the safety of the community and persons affected by crime to the greatest extent possible.

*Protection of families and children*

The amendment promotes the recognition and protection of families, by sending a clear message to the public that government is committed to protecting community safety and persons affected by crime. This is a clear and unambiguous signal that community safety is an overarching principle for bail decision-making for

offenders of all ages. Families and children are included in the community and are also persons affected by crime and these provisions will operate to promote this right.

**Removal of phrase specifying that remand is a last resort for an accused child**

Section 3B of the Bail Act outlines specific considerations that bail decision makers must consider when determining bail for a child. The Bill amends the minimum intervention consideration by removing the requirement that remand of a child is a last resort. This amendment is intended to remove barriers to the use of remand where custody is the minimum intervention required in the circumstances, and remove the risk that bail decision makers may interpret the ‘last resort’ consideration as requiring that all other options – such as continuous grants of bail with increasingly strict bail conditions – are exhausted before remand can be considered, even when the alleged re-offending is particularly dangerous to the community.

The Bill maintains the remaining child-specific considerations in section 3B of the Bail Act that account for the special needs and vulnerability of children and the detrimental impacts of remand for children. The need to impose on a child the ‘minimum intervention required in the circumstances’ will also remain. These remaining considerations, which are all mandatory considerations to take account of a child’s individual circumstances, ameliorate the likely impact of this reform on the exercise by bail decision-makers of their discretion to consider alternatives to detention.

**Rights of children in the criminal process**

The rights of children in the criminal process must be balanced with the community’s right to safety and security, including protection for criminal offending. While the removal of the ‘last resort’ phrasing in section 3B of the Bail Act may limit an accused child’s rights in the criminal process, I consider the amendment is justified as it gives effect to the Bail Act’s purpose of balancing the rights of children with the objective of maximising the safety of the community and victims of crime. The limitation on the rights of children in the criminal process is appropriately targeted, as it removes a consideration from the bail decision process that may result in continued grants of bail even where the alleged re-offending is particularly dangerous to the community, while retaining the requirement that the response to a child’s alleged offending is the minimum intervention required.

**Right to liberty and security of a person**

Removal of the ‘last resort’ element also engages the right to liberty and security, because it increases the likelihood an accused child will be remanded in custody. However, I consider the amendment is justified as it gives effect to a clear purpose of the Bail Act, ensuring that the importance of maximising the safety of the community and victims of crime is balanced with the right to liberty for children accused of a crime.

**Allowing police officers to bring a person arrested without warrant directly to court**

The Bail Act allows police to arrest a person on bail without a warrant if they reasonably believe the person has breached a bail condition. Currently, police must take the person to a bail justice as soon as possible, even during court sitting hours, unless a limited exception applies. The Bill will ensure people arrested without a warrant for breaching bail will be brought before a court where available, while maintaining the role of Bail Justices when arrests are made outside court hours.

**Right to liberty and security of a person**

The Bill promotes the right to liberty of alleged offenders by streamlining processes to prevent people spending unnecessary time in custody. The current requirement to take a person before a bail justice even where a court is available can result in people spending unnecessary time in custody if a bail justice (who ordinarily work outside of court hours) is not available during the day, as police cannot take them directly to court. In this way, this reform will reduce instances of accused persons being subject to arbitrary detention while awaiting a Bail Justice, as the Bill will enable these persons to be presented directly to a court.

**Conclusion**

In my opinion the Bill does not unreasonably limit any Charter rights. The amendments to the Bail Act achieve a proportionate balance between the rights protected under the Charter and the protection of the community.

I consider the Bill to be compatible with the Charter.

**The Hon. Sonya Kilkenny MP**  
**Attorney-General**  
**Minister for Planning**

*Second reading*

**Jacinta ALLAN** (Bendigo East – Premier) (12:09): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

**Incorporated speech as follows:**

The Bill will amend the *Bail Act 1977* (Bail Act) to better protect the community from repeat and serious offending by introducing the toughest bail laws in the country.

This government has heard concerns from the community that the current system, particularly in relation to high harm, repeat and serious offending, is not tough enough and does not adequately protect the safety of victims, families and the community nor reflect the expectations of victims or the public.

Though the number of youth offenders on remand has increased following changes in 2024 to target serious, repeat reoffending, we have formed the view that more changes are needed.

The changes in this Bill are targeted squarely at the risks of people committing serious crimes while out on bail. These new laws ensure that community safety will be a key priority in all bail decisions – for offenders of all ages.

The Bill will make maximising community safety of overarching importance in all bail decisions, reintroduce bail offences and toughen the bail tests for the worst of crimes. These changes will jolt the system and send an unambiguous message: bail must be respected.

I will now explain the key features of the reforms.

*Ensuring that community safety is a Guiding Principle of the Bail Act*

The Bill will introduce a suite of changes to make sure that community safety is at the heart of all bail decision making, starting with the Guiding Principles of the Bail Act. The Bill makes changes to the Guiding Principles to highlight the overarching importance of maximising the safety of the community and victims of crime, to the greatest extent possible, to make clear that community safety is a priority in all bail decisions.

*Removing the principle of remand as a 'last resort' to prioritise community safety*

Additional changes to the way bail decisions are made will go further to elevate community safety and put it front and centre in bail decision making. Currently, bail decision makers deciding whether to grant bail to a child must consider the need to impose the minimum intervention necessary, with remand as a last resort. This government is listening to concerns that this may be misinterpreted by bail decision makers as an additional restriction, suggesting that all other options – such as stricter bail conditions – must be exhausted before remanding a child, even when remand is already the minimum intervention required. The phrase 'with the remand of the child being a last resort' will be removed to clarify that remand may be the minimum intervention required in circumstances where there is an unacceptable community safety risk.

*Consequences for breach of bail through the reintroduction of bail offences*

Bail rules should not be broken. The Bill will introduce two offences: 'commit indictable offence whilst on bail' and 'contravene conduct condition of bail'. The new offences will be applied to repeat offenders and alleged offenders who do not comply with their bail conditions without a reasonable excuse.

These offences were repealed from the Bail Act as part of the 2023 bail reforms, but we have heard community concerns about repeat offending on bail, particularly regarding offending that is not captured in the current offence of committing a Schedule 1 or 2 offence while on bail. The reinstatement of these offences will help make it clear that there are consequences for breaking the rules.

The offence of contravene conduct condition of bail without a reasonable excuse will also be introduced to ensure bail conditions are respected. This will also help police to make strong applications for bail to be revoked or refused by ensuring that a person's record of bail non-compliance is clearly recorded and easily provided.

The new summary offence of contravening certain conduct conditions of bail will be added to Schedule 3. Currently, an accused person cannot be remanded solely in relation to offences in the Summary Offences Act. The exception is where the offence is listed in Schedule 3 of the Bail Act (broadly, the more serious, sexual or violent Summary Offences Act offences), or where the accused goes on to breach their bail for that summary offence.

Adding this offence to Schedule 3 will ensure that someone who has breached their bail conditions can be remanded where it is appropriate, sending a clear message that noncompliance with bail rules is not acceptable.

Each offence will carry a penalty of up to 30 penalty units or 3 months imprisonment. These offences will exist in addition to the current bail offence of failure to appear. The existing offence of committing a

Schedule 1 or 2 offence while on bail (which commenced in December 2024) will be repealed, as the reintroduction of the offence to commit an indictable offence while on bail captures a broader range of conduct and now makes this offence superfluous. Together, these laws will signal to offenders and to bail decision makers that compliance with bail conditions is not optional, and that alleged offending while on bail is a serious matter.

*Ensuring those accused of armed robbery, aggravated burglary, home invasion and carjackings are subject to the toughest bail test on a first offence*

The Bill will also expand the Schedules of the Bail Act to elevate certain categories of serious offending to tougher bail tests. Many crimes that most Victorians would consider serious and high-risk do not face tougher bail tests, so bail is more likely. The evidence also demonstrates that these offences, including armed robbery, aggravated burglary, home invasion, and carjacking, are particularly prone to repeat offending. These offences will be added to Schedule 1 of the Bail Act, meaning that in all cases a person charged with one of the offences must satisfy a bail decision maker that ‘exceptional circumstances’ exist to justify the granting of bail.

Further reforms will add offences to Schedule 2. People charged with offences in this category must satisfy a bail decision maker that a ‘compelling reason’ exists to justify the granting of bail. It is unacceptable that there are offenders, out on bail, stealing cars and using them to endanger the public. Additions to Schedule 2 will ensure that people who are charged with theft of motor vehicle and using that vehicle in a way that endangers public safety – including by failing to stop when directed by police, through reckless conduct endangering persons or life, or while carrying certain weapons – will need to show a compelling reason justifying their release on bail.

Where an accused person has allegedly committed a Schedule 2 offence repeatedly, they will be elevated into the ‘exceptional circumstances’ category. The offences to be added to Schedule 2 include serious firearms offences, serious arson and committing an offence involving a controlled or prohibited weapon – including a machete.

*Streamlining bail processes to enable police officers to bring a person on bail directly to court when the person has been arrested for breach or likely breach of bail*

The Bill will also allow police to bring a person on bail directly to court during ordinary sitting hours when that person has been arrested for breach of bail. Currently, police must take the person to a Bail Justice even when the court is sitting and available to hear the matter, unless a limited exception applies. This reform will protect community safety by ensuring bail breaches are dealt with swiftly and decisively by experienced judicial officers wherever possible. Bail Justices will still be used for such matters outside court hours.

*The scheduled review of the Bail Act will be delayed until 2027 to ensure the impacts of the Bill are captured*

Finally, we recognise that bail reforms need to be carefully evaluated to ensure that they are achieving the intended outcome. For this reason, the planned statutory review of the Bail Act, currently scheduled for 2026, will be delayed to commence in 2027 and expanded to include the reforms in this Bill. This reflects the need for a steady state of bail provisions over several years to ensure the review is meaningful and properly informed.

#### *Conclusion*

The Bill represents a significant step in our commitment to placing community safety at the centre of our justice system. We have listened to the community’s concerns about high-harm, serious and repeat offending and the impact this is having on community safety, especially for families, and we have acted.

The intent of the Bill is not to punish people who have not yet had their day in court. It’s about stopping reoffending before it happens and protecting community safety.

I commend the bill to the House.

**Michael O’BRIEN (Malvern) (12:09):** I move:

That the debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned until later this day.**

**Family Violence Protection Amendment Bill 2025***Introduction and first reading*

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:10): I move:

That I introduce a bill for an act to amend the Family Violence Protection Act 2008 in relation to service of certain orders and for other purposes.

**Motion agreed to.**

**Michael O'BRIEN** (Malvern) (12:10): I ask the Attorney-General to provide a brief explanation of the bill.

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:10): The bill amends the Family Violence Protection Act 2008 to deem that any copies of family violence intervention orders made by the Magistrates' Court or the Children's Court of Victoria on or after 15 November 2024 and before commencement of the bill and served on or after 15 November 2024 are and always have been true copies of the orders as made by the court, and therefore service of those copies is effective. This will ensure that orders are enforceable from the time of service and respondents are liable for any contraventions of those orders after they have been served.

**Read first time.**

**Sonya KILKENNY**: I move:

That this bill be read a second time immediately.

I advise the house that in accordance with standing order 61(3)(b) the other parties have been provided with a copy of the bill and a briefing.

**Motion agreed to.***Statement of compatibility*

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:12): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Family Violence Protection Amendment Bill 2025:

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 Family Violence Protection Amendment Bill 2025 (the Bill).

In my opinion, the Family Violence Protection Amendment Bill 2025, as introduced to the Legislative Assembly, is compatible with human rights as set out on the Charter. While it may constitute a significant limit on rights, it serves a pressing and substantial objective to remedy an important issue where no less restrictive means exist. I recognise that the Bill may, in particular cases, have a significant impact on fundamental rights, and as such, I acknowledge a potential for the Bill to operate in a way that may be incompatible with the Charter. However, it is not possible to frame the amendments in a way that specifically addresses those particular cases. I base my opinion on the reasons outlined in this statement.

**Overview of the Bill**

The purpose of the Bill is to amend the *Family Violence Protection Act 2008* to overcome defects in certain copies of family violence intervention orders that were served, or purportedly served, on or after 15 November 2024.

**Family violence intervention orders**

A Family Violence Intervention Order (FVIO) is a court order that aims to protect a person and, where relevant, their children and their property from someone (the respondent to the FVIO) who has used family violence against that person, or their children or property. An FVIO will include conditions that a respondent must follow, including conduct that the respondent must not engage in. Failure to follow the conditions contained in the FVIO may amount to a breach of the FVIO, which is a criminal offence. A recognised DVO is an FVIO made in another Australian jurisdiction or overseas which is recognised in Victoria under the *National Domestic Violence Order Scheme Act 2016*. The Family Violence Protection Act authorises the

court to vary or extend a recognised DVO, as if that DVO were an FVIO made in Victoria. References in this statement to FVIOs should be taken to include a reference to an order varying or extending an FVIO, or an order varying or extending a recognised DVO.

If a respondent is present in court when the FVIO is made, the order and its conditions will be explained to them at that time, and (unless the respondent is a child) it is not a requirement that they are formally served with a copy of the order. However, if the respondent is not present in court when the FVIO is made, or if they are a child, they must be formally served with a copy of the order and provided with an explanation which confirms its conditions.

#### **Defects in certain copies of relevant orders**

In March of this year, it was identified that words contained in FVIOs when they were made in court were omitted in copies of the orders when the copies were printed and formally served. The phrase missing was 'the Court orders that the respondent must not', which should have been printed before the list of conduct that the respondent must not engage in. While the preceding phrase was omitted from the printed copy of the order, the description of the conduct prohibited was not affected by the error and still appeared on the copy of the order.

While rectified on 5 March 2025, it was established that this computer system error had been operating since November 2024, and a significant number of FVIOs printed in that period had been affected by the error, with the effect that they were not true copies of the order as made. This may result in a defect in service.

#### **The Bill's effect**

In light of this, clause 3 of the Bill inserts into the *Family Violence Protection Act 2008* new section 235, which provides that a copy of any of the orders specified in new section 235(1) that were made on and after 15 November 2024 and before the commencement of the legislation, affected by the error and served on a respondent is taken to be, and to always have been, a true copy of that order as made by the Magistrates' Court or the Children's Court. It also provides in new section 235(2)(b) that any certificate of service completed in respect of that service or purported service

The orders specified in new section 235(1), made by the Magistrates' Court or the Children's Court, are:

- (a) a family violence intervention order;
- (b) an order varying a family violence intervention order;
- (c) an order extending a family violence intervention order;
- (d) an order varying or extending a recognised DVO.

The objective is to ensure that a mere defect in a copy of an order does not prevent enforcement action being taken against a person who breaches the conditions of an FVIO.

#### **Human rights issues**

The human rights protected by the Charter that are relevant to the Bill are:

- the right to protection from retrospective criminal laws (section 27);
- the fair hearing right (section 24(1)); and
- the right to recognition and equality before the law (section 8).

#### **Retrospective criminal laws**

Section 27(1) of the Charter provides that a person must not be found guilty of a criminal offence because of conduct that was not a criminal offence when it was engaged in.

The Bill engages this right because, on a broad construction of the right, the Bill's effect could be interpreted as criminalising conduct that was not criminal, and not otherwise an offence of which the respondent could be aware when they engaged in it. As outlined above, it is a criminal offence to engage in conduct that is a breach of a condition of the FVIO, even if that conduct would not be a criminal offence in the absence of an FVIO. For example, the conditions of an FVIO may provide that the respondent must not communicate with the protected person or go within a certain distance of where the protected person lives, where that conduct that would not otherwise be a criminal offence.

For respondents who were not present in court when the FVIO was made, the offence of breach of the FVIO will apply where two conditions are satisfied: they have been served with a copy of the order and they have contravened the order. When these respondents, who were not present in court when the FVIO was made, or who were children, were served a copy of an order containing the misprint, there is an argument that, despite the explanation provided to them at time of service, some respondents may not have been aware that breach of the conditions of the order would constitute a criminal offence, and so unknowingly engaged in conduct in



breach of those conditions, and were not otherwise afforded notice in order to regulate their conduct to comply with an FVIO. As a result of the retrospective validation of the copy of the order as a true copy, to satisfy the service condition of the breach offence and enable the respondent to be prosecuted for the breach, the Bill's effect would be to limit the right under section 27(1) of the Charter. I will now discuss the justification for this limit in accordance with the factors in s 7(2) of the Charter.

*The nature of the right*

Section 27(1) reflects the principle recognised in criminal law that there can be no crime and no punishment, other than as established by the law. It is a fundamental aspect of the rule of law and of the utmost importance. It has been interpreted as safeguarding two guiding principles: that no one should be punished under a law unless it is sufficiently clear and certain to enable the person to know what conduct is forbidden before they do it; and that no one should be punished for any act which was not clearly and ascertainably punishable when the act was done.

*The nature and extent of the limitation*

The extent of the limitation is best described as variable, with the potential to be significant in particular cases.

In my view, the impact on the majority of affected respondents will not be material. The true meaning of the order, and the purpose of the list of conditions, is still readily realisable from the text and surrounding context of the order. The copy of the order was accompanied by written explanations that made clear that the orders contained conditions which the respondent had to obey, and that these conditions imposed requirements that (for example) the respondent must not behave in certain ways, be around certain people or go to certain places. The explanatory material urges respondents to seek advice if they do not understand the order. Victoria Police officers effecting service were required under Victoria Police procedure to explain the conditions of an order to a respondent, which was routinely recorded on camera. As a practical matter, these requirements ameliorate the impact of any lack of actual notice of the terms of an FVIO received by a respondent as a result of being served with a copy of an order affected by the above defects.

I consider the majority of respondents would have inferred the missing wording from the surrounding context and the accompanying explanations. Respondents to such orders would have understood that they were prohibited from engaging in the conduct comprising the conditions listed in those orders. I consider that respondents to FVIOs were in substance notified and advised of their obligations under the FVIOs.

However, I acknowledge that the effect of the Bill may be particularly acute in some circumstances, such as where, as a result of the printing issue and their personal circumstances, a person did not understand the prohibition that applied to them, and proceeded to breach those conditions. The operation of this Bill will mean that such persons are exposed to potential conviction for an indictable offence, which is a significant limitation on a human right.

*The importance of the purpose of the limitation*

While the Bill's potential to limit human rights may be significant, it does so in pursuit of a pressing and substantial objective of public importance, being the protection of survivors of family violence. It is essential to the safety of survivors and the integrity of the scheme that the legal efficacy of orders are upheld. The enforceability of conditions are essential to ensure perpetrators of family violence can be prosecuted for conduct that a court has determined is necessary or desirable to prohibit to ensure safety, and that such prohibited conduct is continued to be deterred and denounced.

If service of copies of FVIOs affected by the defects outlined above is found to be defective, and therefore a defence to a respondent's breach of an order, it would have the effect of permitting perpetrators of family violence to avoid enforcement and undermine the protective function of the scheme. This would have a particularly devastating effect on victims, particularly where it occurs as a result of a defect in documentation.

FVIOs are key in enforcing the scheme established by the Family Violence Protection Act 2008. They serve the purposes of criminal law and sentencing, including deterrence, protection of the community and, in particular, a vulnerable cohort of people, and also punishment of respondents and rehabilitation of harmful behaviours. Accordingly, FVIOs promote the following rights under the Charter, held by those protected by the FVIOs:

- the right to life (section 9);
- the protection of families and children (section 17);
- property rights (section 20); and
- the right to liberty and security of person (section 21).

*The relationship between the limitation and its purpose*

In assessing the relationship between the limitation and its purpose, it is relevant that the Bill has been designed to have a limited operation. It is not intended to limit the discretion of a court to stay a criminal proceeding in the interests of justice, or to direct how a court decides cases or otherwise exercises its jurisdiction. Rather, it validates the service of a copy of the FVIO so that the breach offence will continue to apply and the validity of a prior court order is given effect to.

**Any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve**

There is no other option available to protect survivors of family violence and ensure that, despite the misprint, a person who uses family violence in breach of an FVIO can be prosecuted for that breach and held accountable for that behaviour. Accordingly, I do not consider that there is any less restrictive means available to achieve the Bill's purpose.

I therefore consider that any limitation on the right under section 27(1) can be justified pursuant to the factors in section 7(2) of the Charter and conclude that, overall, the Bill is compatible with the rights set out in the Charter. I acknowledge the Bill has the potential to impact certain individual circumstances in a significant way which may be incompatible with the Charter, however the important and pressing objective warrants proceeding with the Bill, and it is not possible to address those individual circumstances while giving effect to that objective.

**Fair hearing right**

The Bill is intended to have the practical effect of assisting the prosecution to prove the service element of breach offences, while limiting the ability of the accused to defend the charges by contesting the validity of service. This may also limit the right to a fair hearing under section 24(1) of the Charter, by limiting the respondent's right to respond to the prosecution's case.

Reasonable limits on particular aspects of the right to a fair trial can be justified if the hearing as a whole remains fair. I consider that the Bill would not affect the overall fairness of the process for prosecuting that offence. To the extent that the Bill does have this effect, I consider that any limitation would be justified in accordance with my analysis above.

**Equality**

Finally, the Bill engages section 8 of the Charter, which provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination. Respondents who have limited comprehension skills may have been less likely to have properly understood the conditions that applied to them as a consequence of the defect in the copy of the order and having a protected attribute (for example, race or disability). To the extent that the Bill has the effect that persons with a protected attribute are disadvantaged, this may result in indirect discrimination. Again, as above, the effect on rights will vary in the circumstances, and for the reasons outlined above, however, I consider that any limitation is compatible on the basis of the importance of the objective and that alternative less restrictive means are unavailable, noting there may be specific cases where a limit may be unreasonable in the circumstances to be incompatible with the right.

**The Hon. Sonya Kilkenny MP**  
Attorney-General

*Second reading*

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:13): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

**Incorporated speech as follows:**

The Bill before the House proposes to make urgent amendments into the *Family Violence Protection Act 2008* (the Act) to address a technical issue with the service of copies of some family violence intervention orders. The Bill deems copies of family violence intervention orders made between 15 November 2024 and the commencement of the Bill that are served on respondents to be true copies of the original orders of the Court.

For a person to be convicted of contravening a family violence intervention order, the Act provides that the Court must make the order and arrange for the respondent to be personally notified of the order and its conditions, unless an order for alternative or substituted service is made. The respondent can be notified of the making and conditions of the order either by having the order explained to them in Court, or, if they are

not present in court when it is made, or are a child, by being served with a copy of the order. If the respondent then contravenes a condition of the order, they have committed a criminal offence.

The Magistrates' Court of Victoria and Children's Court of Victoria identified that, from 15 November 2024 to 5 March 2025, copies of some family violence intervention orders generated by the Court for service contained a defect. The defect did not impact the validity of any Court orders, however, there may have been an issue with the service of some copies of orders made between 15 November 2024 and 5 March 2025. The technical issue which resulted in a defect in the copies of some orders was resolved on 5 March 2025. The Bill will ensure that any copies of orders made during that timeframe and served on respondents at any time are taken to have always been true copies of the orders made.

I commend the Bill to the house.

**Michael O'BRIEN** (Malvern) (12:13): I move:

That debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned until later this day.**

### *Business of the house*

#### **Notices of motion and orders of the day**

**The SPEAKER** (12:13): Notices of motion 16 and 35 to 56 and orders of the day 7 and 8 will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 5 pm today.

### *Petitions*

#### **Planning**

**Ellen SANDELL** (Melbourne) presented a petition bearing 25 signatures:

#### **Issue:**

This petition of residents in Victoria draws to the attention of the Legislative Assembly the concerning increase of ministerial call-ins, overriding the decisions made by independent statutory authorities. This is most recently evident in the 1 Spring Street & 21–25 Flinders Lane, Melbourne, amendment to the planning scheme that was approved by the Minister.

#### **Action:**

The petitioners therefore request that the Legislative Assembly calls on the Government to amend the Planning and Environment Act 1987 section 97B to revoke the Minister's absolute authority to call in permits. This excessive mechanism allows the Minister to override the decisions of Heritage Victoria, and other independent statutory authorities, undermining the legitimacy of planning and permit process.

### **Melbourne Energy and Resource Centre**

**Bronwyn HALFPENNY** (Thomastown) presented a petition bearing 2462 signatures:

#### **Issue:**

This petition of residents in Victoria draws to the attention of the Legislative Assembly our strong objection to the proposal by Cleanaway Operations PTY LTD to construct a waste-to-energy incinerator on Summerhill Road, Wollert, known as MERC. Residents of Melbourne's north are concerned about the harm from burning 380,000 tonnes of waste annually. Even with the best available technologies (BAT), dangerous pollutants like dioxins, PFAS, microplastics, and heavy metals will still be emitted, harming children through air, soil, and water contamination. The proposal would also generate greenhouse gases and hazardous ash requiring landfill disposal. The community fears the risks to human health and the environment. The incinerator would disrupt life in nearby residential areas. Wollert, home to many young families, has 59 schools within 10 km of the site. It is 2 km from a retirement village, 400 metres from Curly Sedge Creek, and close to water reservoirs. Heavy trucks would increase pollution and damage roads, while the 56-metre flue stack would affect air quality, soundscape, and views. Public opposition is overwhelming. Ninety-nine percent of the 764 EPA submissions rejected the proposal, and over 5,600 people signed a change.org petition. This shows no social licence for MERC in Wollert.

**Action:**

The petitioners therefore request that the Legislative Assembly reject planning permit application number PA2302234 and development licence application APP024914 for the Melbourne Energy and Resource Centre (MERC), ensuring that an unsafe and unnecessary waste incinerator is not imposed on the region.

**Ordered that petition be considered tomorrow.**

### **Melbourne Energy and Resource Centre**

**Bronwyn HALFPENNY** (Thomastown) presented a petition bearing 197 signatures:

**Grievance**

The Petition of certain citizens of the State of Victoria draws the attention of the Legislative Assembly to our strong objection to the proposal by Cleanaway Operations PTY LTD to construct a waste-to-energy incinerator on Summerhill Road, Wollert, known as MERC.

Residents of Melbourne's north are concerned about the harm from burning 380,000 tonnes of waste annually. Even with the best available technologies (BAT), dangerous pollutants like dioxins, PFAS, microplastics, and heavy metals will still be emitted, harming children through air, soil, and water contamination. The proposal would also generate greenhouse gases and hazardous ash requiring landfill disposal. The community fears the risks to human health and the environment.

The incinerator would disrupt life in nearby residential areas. Wollert, home to many young families, has 59 schools within 10 km of the site. It is 2 km from a retirement village, 400 metres from Curly Sedge Creek, and close to water reservoirs. Heavy trucks would increase pollution and damage roads, while the 56-metre flue stack would affect air quality, soundscape, and views.

Public opposition is overwhelming. Ninety-nine percent of the 764 EPA submissions rejected the proposal, and over 5,600 people signed a change.org petition. This shows no social licence for MERC in Wollert.

**Action**

The petitioners therefore request that the Legislative Assembly of Victoria call on the government to reject planning permit application number PA2302234 and development licence application APP024914 for the Melbourne Energy and Resource Centre (MERC), ensuring that an unsafe and unnecessary waste incinerator is not imposed on the region.

**Ordered that petition be considered tomorrow.**

### *Committees*

#### **Scrutiny of Acts and Regulations Committee**

##### *Alert Digest No. 4*

**Gary MAAS** (Narre Warren South) (12:15): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 4 of 2025, on the following bills and subordinate legislation:

Building Legislation Amendment (Buyer Protections) Bill 2025

Constitution Amendment (Abortion) Bill 2024

Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024

Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025

Superannuation Legislation Amendment Bill 2025

Voluntary Assisted Dying Amendment (Equity and Access) Bill 2024

Workplace Injury Rehabilitation and Compensation Amendment Bill 2025

SR No 95 – Livestock Disease Control Further Amendment Regulations 2024

SR No 108 – Subordinate Legislation (Gambling Regulation (Pre-commitment and Loyalty Scheme) Regulations 2014) Extension Regulations 2024

By-law No. 2024/01 Waterways Protection – North East Catchment Management Authority

By-law No. 02 Waterways Protection 2024 – North Central Catchment Management Authority

By-law No. 3 Waterways Protection 2024 – Wimmera Catchment Management Authority  
 By-law No. 2 Waterways Protection 2024 – Mallee Catchment Management Authority  
 By-law No. 4 Waterways Protection 2024 – West Gippsland Catchment Management Authority  
 By-law No. 5 Waterways Protection 2024 – Corangamite Catchment Management Authority  
 By-law No. 4 Waterways Protection 2024 – Goulburn Broken Catchment Management Authority

together with appendices.

**Ordered to be published.**

### *Documents*

### **Documents**

**Incorporated list as follows:**

**DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

*Financial Management Act 1994* – 2024–25 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 – released on 7 March 2025

Municipal Association of Victoria – Report 2023–24

Murray-Darling Basin Authority – Report 2023–24

*Planning and Environment Act 1987* – Notices of approval of amendments to the following Planning Schemes:

Casey – C301

Greater Geelong – C397

Knox – C192

Melton – C246

Moonee Valley – C212

Mornington Peninsula – C307

South Gippsland – C134

Victoria Planning Provisions – VC267

Wyndham – C256

Statutory Rules under the following Acts:

Conservation, Forests and Lands Act 1987 – SR 2

Surveying Act 2004 – SR 4

Tobacco Act 1987 – SR 3

*Subordinate Legislation Act 1994* – Documents under s 15 in relation to Statutory Rules 3 and 4.

### *Bills*

### **Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024**

#### *Council's agreement*

**The SPEAKER** (12:18): I have received a message from the Legislative Council agreeing to the Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024 without amendment.

#### *Royal assent*

**The SPEAKER** (12:18): I inform the house that today the Governor gave royal assent to the Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024.

**Bail Amendment (Tough Bail) Bill 2025****Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025****Workplace Injury Rehabilitation and Compensation Amendment Bill 2025***Appropriation*

**The SPEAKER** (12:18): I have received messages from the Governor recommending appropriations for the purposes of the Bail Amendment (Tough Bail) Bill 2025, the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025 and the Workplace Injury Rehabilitation and Compensation Amendment Bill 2025.

*Motions***Motions by leave**

**James NEWBURY** (Brighton) (12:18): I move, by leave:

That the house condemns the Premier for misleading Victorians by taking credit for the new police investigation Operation Hawk into ongoing rotten behaviour on government projects, despite that investigation running for the past nine months.

**Leave refused.**

*Business of the house***Program**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (12:19): I move:

That, under standing order 94(2):

- (1) the order of the day, government business, relating to the Bail Amendment (Tough Bail) Bill 2025 be considered and completed by 5 pm on 18 March 2025; and
- (2) the orders of the day, government business, relating to the following bills be considered and completed by 5 pm on 20 March 2025:

Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024

Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025.

As we have just heard, the Premier has introduced and moved to second read –

**The SPEAKER:** Order! Before members commence the government business program I want to remind members not to anticipate debate.

**Mary-Anne THOMAS:** the Bail Amendment (Tough Bail) Bill 2025. It is important that that bill is here before the house today. Members will recall that only last month the Premier announced that she had asked the Attorney-General and Minister for Police to review the current bail laws, and on 12 March the Premier, the Attorney-General and the Minister for Police announced that the Allan Labor government will introduce the toughest bail laws in Australia to prevent reoffending and to keep Victorians safe. With the first tough bail bill introduced to Parliament today, the government is absolutely getting on and meeting this commitment.

A number of other bills will be considered during this week. I want to talk firstly to the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025. This bill owes so much to the advocacy of our hardworking and dedicated SES volunteers. I mention that because in my electorate the very well known and highly regarded unit controller Mike Bagnall came to speak with me some time ago last year about the need to make changes like those that we are debating today to ensure that our emergency services are supported to be able to respond to the changing climate and the different types of emergencies that our state continues to experience. I feel very strongly about this bill because back in June 2021 we had a devastating storm in my electorate, and the SES of course

were the incident controllers at the time and did amazing work on the ground. But the SES has not always had the same profile as our also very hardworking and committed CFA volunteers. As we continue to see the impacts of climate change and storm events – hurricanes and cyclones like those in Queensland last week, necessitating a visit by the Leader of the Opposition to Queensland, allegedly – it is really important that we have this bill being debated today.

The Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024 is also part of our government's continued commitment to reducing gambling harm while ensuring that community clubs, RSLs and hospitality venues remain an important part of Victorian life. The bill will build on the measures we have already delivered to minimise gambling harm and establish a framework for the implementation of stronger harm minimisation measures. Mandatory carded play requires a patron to insert a player card to operate a gaming machine and gives people access to information about their gambling habits, which will help them make healthy choices when they are gambling. It is also important that the house considers this bill this week to allow the government to get on with the commitments to further protect Victorians from gambling harm.

So another week, another busy, considered program of legislation to be debated – the type of program you only get from a Labor government, one that is responsive to the real needs and concerns of the Victorian people. As a government that is what we seek to do every time we have an opportunity to sit in this place. I might say, I know many people are under the illusion that we only work when we are in this place, but I know that members on this side of the house last week were in their electorates working hard every single day while others were taking a holiday – a cruise up to Airlie Beach.

**James Newbury:** On a point of order, Speaker, this debate is not an opportunity for the minister to just throw mud and sledge in an outrageous –

**The SPEAKER:** What is your point of order?

**James Newbury:** On relevance, I would ask you to bring the member back to the motion.

**The SPEAKER:** I would ask you to state your point of order at the outset. Leader of the House, this is a procedural debate; I ask you to come back to the government business program.

**Mary-Anne THOMAS:** I commend the government business program to the house.

**Bridget VALLENCE (Evelyn) (12:24):** This government is in chaos, and it says a lot about the people opposite if all they can do is resort to personal sledges. What a farcical process we have seen to get this –

*Members interjecting.*

**The SPEAKER:** Order! Members will come to order. The member for Laverton can leave the chamber for half an hour.

**Member for Laverton withdrew from chamber.**

**The SPEAKER:** I ask you not to be disrespectful to members on their feet.

**Bridget VALLENCE:** As I said, it is clear evidence that this government is in chaos. If they can only resort to personal sledges, it says a lot about them. What a farcical process we have seen to get this revised government business program, which we only received after 6:30 pm last night, from a tired Allan Labor government scrambling after its disastrous by-election results as a result of the crime crisis on their watch and a dramatic slide in the polls that would have seen them turfed if an election was held today. With a youth crime crisis escalating – young people wielding machetes and terrorising families in shops and in people's homes – we see the Labor government finally reluctantly react to community outrage and a sustained campaign by the Liberals and Nationals, spearheaded by the Leader of the Opposition, the Shadow Attorney-General and the Shadow Minister for Police and Corrections, to strengthen bail laws and ban machetes. But is this tired Labor government really

listening? It was extraordinary to hear the Premier try and spruik so-called tough bail laws after screwing up bail laws last year. Labor is in damage control. When the Premier is –

**Mary-Anne Thomas:** On a point of order, Speaker, which goes to anticipating debate, I think that the member is pre-empting the debate on these bills, and I ask that you bring her back to the narrow procedural motion.

**The SPEAKER:** I had not heard the member pre-empting debate, but I do remind the member for Evelyn that this is a debate about the government business program.

**Bridget VALLENCE:** Clearly this government is in damage control. The Liberals and Nationals have called for tougher bail laws for a long time. We have introduced opposition legislation in this chamber a few times, but Labor has so far disgracefully denied any debate. So we waited for Labor's supposed new tough laws – we waited, we waited, we waited. There was nothing, no bill, no nothing, no details, showing a Labor government disorganised. They are either disorganised or they are playing politics. Last Friday the government business program was released with only two bills, neither of which were the bail bills that were apparently so urgent, and one of which was the Labor government's 61st big new tax, the emergency services levy, another new tax that will force up Victorians' cost of living. Complete disarray – we found out at about 3 o'clock yesterday we were going to get the bill. We had the bill briefing at 3:30 – still no bail bill. Finally, it came out at 6:01 pm and our Shadow Attorney-General finally received that. Now the Labor government wants to move to vote on that less than 24 hours after having had the courtesy of providing that bill.

Only yesterday I received a heartbreaking call from a local trader. Last Friday his shop had an aggravated burglary. The young staff there were completely traumatised by five offenders coming in –

**Mary-Anne Thomas:** On a point of order, Speaker, I understand it is a serious issue that the member has raised, but she has strayed from the narrow procedural debate, which is the government business program.

**The SPEAKER:** The member for Evelyn is to come back to the government business program.

**Bridget VALLENCE:** I am talking about a local trader in my electorate who has had machetes wielded in his store, traumatising the young workers there, and these offenders, the police have told us, were on bail. At the very first sitting of this Parliament the first question the Leader of the Opposition asked the Premier was:

Why can't the Labor government just strengthen bail in Victoria ...

And the Premier's response at that time was to attack us. Well, here we are – fast-forward – and they are actually introducing these bail laws. But are they going far enough? No. The Premier has admitted publicly that she got it wrong, but rushing this bail bill through today is absolute proof of their disastrous and calamitous approach.

Victorians are all over the Premier's spin. Bills like this deserve scrutiny – true scrutiny. We asked for consideration in detail on the fire services levy bill – the big new tax bill – and we asked for consideration in detail on the bail bill, but it has been denied on both these bills. Stubborn, tired, chaotic – this Allan Labor government is out of touch and out of time. We will oppose this government business program. It is a last-minute government business program.

**Dylan WIGHT (Tarnait) (12:29):** It gives me great pleasure this morning to rise in support of this Allan Labor government's business program. Indeed for ordinary Victorians, for working Victorians and for families in Tarnait, this is one of the most incredibly important weeks that we have had in here during this government. It is a packed government business program, and chief amongst it are our changes to bail laws. These changes are a result of extensive community consultation and of extensive consultation with Victoria Police and are a result of listening to community as to how to keep them safe. Over the past two weeks we as a government have been announcing what are the toughest bail settings anywhere in Australia, and we have been doing that whilst the Leader of the Opposition –



**The SPEAKER:** Order! Member for Tarneit, I remind you not to pre-empt debate.

**Dylan WIGHT:** Sure; yes. We have been doing so whilst the Leader of the Opposition has been sunning himself on the deck of a cruise ship somewhere off the coast of Queensland.

**James Newbury:** On a point of order, Speaker – relevance.

**The SPEAKER:** Member for Tarneit, I ask you to come back to the government business program.

**Dylan WIGHT:** Indeed, Speaker. Whilst we have been consulting with community on this government program, whether it be the gambling legislation amendment bill or indeed whether it be our changes to bail laws, the Leader of the Opposition has been missing in action.

**James Newbury:** On a point of order, Speaker, on relevance again, the member is defying your ruling.

**The SPEAKER:** Member for Tarneit, I remind you that this is a very narrow debate about the government business program.

**Dylan WIGHT:** The member for Brighton over there is just up and down. It is like he is in cruise control.

**The SPEAKER:** It is disappointing that the member for Tarneit cannot listen to the rulings from the Chair.

**Emma Kealy:** On a point of order, Speaker, on relevance, this is now the third time that this matter has been raised. I ask you to either bring the member back to heeding your determinations or sit him down.

**The SPEAKER:** Member for Tarneit, I will sit you down if you cannot follow the rules of the chamber and speak to the government business program.

**Dylan WIGHT:** Indeed, Speaker. Thank you for that. As I said, this is one of the most important government business programs that we have considered in this place for ordinary Victorians in the term of this government. It is incredibly important. I know how important it is to the ordinary families – to the families in Tarneit. I know that because they have come and spoken to me. They have been able to come and speak to me because I have been in my electorate during the time. I am not sure if everybody in this place has been, but I certainly have.

It is not just our changes to bail legislation on this government program that are so incredibly important to ordinary Victorians. We also have our gambling legislation amendment bill. These are such incredibly important changes and indeed are relevant to those opposite and are relevant to the Leader of the Opposition. There are poker machines on cruise ships. I wonder if there was a casino on Brad's cruise ship.

**James Newbury:** On a point of order, Speaker, it is disappointing to have to keep moving relevance concerns –

**The SPEAKER:** State your point of order. What is your point of order?

**James Newbury:** and that the member repeatedly refuses to accept your earlier ruling on relevance.

**The SPEAKER:** The member for Tarneit will come back to the government business program.

**Dylan WIGHT:** I mean, really, it is getting quite amusing at this point. The show over there, they are a shipwreck. They are an absolute shipwreck.

**Emma KEALY (Lowan) (12:34):** I rise to debate the government business program, and I do this with goodwill, because I have heard from the government that they are far more interested in cheap,

snide remarks across the chamber than they are in talking about legislation that is before this chamber this week. To stand up and make ridiculous claims, ridiculous comments time and time again –

**The SPEAKER:** Order! The member for Lowan will come back to the government business program.

**Dylan Wight** interjected.

**The SPEAKER:** Order! The member for Tarneit can leave the chamber for half an hour.

**Member for Tarneit withdrew from chamber.**

**The SPEAKER:** Member for Lowan, on the government business program.

**Emma KEALY:** It is so important we have a government that is focused on its job, but what we see time and time again is that Labor cannot manage money. They cannot manage crime, which is totally out of control in this state. They have not been able to manage the bail system. After 10 years of watching crime escalate in this state and of weakening bail laws, we end up with Victorians paying the price. And now we hear ‘We’ve got this great solution. We’ve got legislation. We’re going to fix it. It’s such a rush. We’re going to fix it.’ How much of a rush is it?

**Mary-Anne Thomas** interjected.

**Emma KEALY:** I have got interjections from the Leader of the House, who seems to be largely incompetent at doing her job of actually managing the government business program. We have got an opportunity –

**The SPEAKER:** Member for Lowan, through the Chair. I ask you to speak to the government business program.

**Emma KEALY:** Speaker, on a point of order, the Leader of the House continues to make comments across the chamber. This is not isolated to this instance.

**The SPEAKER:** Member for Lowan, that is not a point of order. I would ask you to continue your contribution on the government business program.

**Emma KEALY:** The government have an obligation to make sure Victorians are safe – make sure they are financially safe and make sure that they are safe in their homes and safe on the roads that they drive on to get to work. And yet time and time again we see this rabble of a government pull together – quickly – bills, maybe from ideas that have been in the bottom drawer of the minister, like these ideas of strengthening bail laws, which they have ignored for 10 long years. Now we are in this rushed position where Victorian people have not got the opportunity to amply look over the legislation that is before this house, to provide their own feedback and to say what the pitfalls might be. Have we seen legislation which was flawed come through this Parliament from the Labor government before? Holy smokes, we have. What was the last time? It was the bail laws which weakened the whole system in Victoria, and this is what we are reflecting upon.

**The SPEAKER:** The Leader of the House has a point of order. Make it succinct, please.

**Mary-Anne Thomas:** Relevance. The member on her feet is not being relevant in discussing the government business program, and I ask that you ask her to come back to the GBP.

**The SPEAKER:** I ask you to stay with the government business program, please.

**Emma KEALY:** I am speaking to the bail laws that are on the agenda today on the government business program. We are set to debate it today after having a bill briefing set down for 3:30 yesterday, where there was an agreement made to provide that bill beforehand so that not just we but all Victorians could have an opportunity to provide input to it. Labor completely ignored Victorians who want to have their say on bail laws in Victoria. This is an offence to this side of the house, which I

think is what this play is being painted as by members of the government today. This is offensive to every single Victorian who has been assaulted by somebody on bail; to the Police Association Victoria, who have been calling for tougher bail laws for years and years and years; and to victims of crime, particularly female victims of crime, who want to know what this government is doing to make laws better in Victoria to keep them safe in their homes and on the streets. And yet we are hearing from the government in their contributions on the business program debate today that this is now super urgent – today, at this minute. It is only super urgent for the government because they have failed to do anything for 10 long years. It is an urgency of their own creation. The crime that is out of control in Victoria is because of their neglect and their mismanagement of the state. It is their mismanagement of the government business program that has gotten us to this position. It means Victorians have not got an opportunity to have their say. It is yet another example that Labor cannot manage bail laws in Victoria, and Victorians are paying the price.

**Belinda WILSON** (Narre Warren North) (12:39): I am bit confused by the member for Lowan and her contribution, who said that we have done the bail laws too fast. She is not happy with them being too quick, but then they are too slow. I am not really sure which one she is talking about. Are we too slow or too fast?

**Emma Kealy**: On a point of order, Speaker, on relevance, the government business program is a narrow debate. I ask you to bring her back to the debate.

**The SPEAKER**: She was referring to your contribution on the government business program, but I remind her that this is a government business program debate.

**Belinda WILSON**: Yes, it has been a very broad debate on both sides of the house. It has certainly been very interesting how many people have been speaking under their breath with ill will about people on the other side, but when it is about them they seem to get a bit arky and narky.

*Members interjecting.*

**The SPEAKER**: Member for Evelyn!

**Emma Kealy**: On a point of order, Speaker – relevance.

**The SPEAKER**: I ask the member for Narre Warren North to come back to the government business program.

**Belinda WILSON**: I am very proud to stand on this side of the chamber with the government business program that we have put forward. I know in my electorate of Narre Warren North we are very proud and excited for these amazing bail changes that we are going to be making today. I think it is really interesting that people on the other side are having a crack at us and saying we are not doing it fast enough when these are changes that need to be made – especially when people on that side of the chamber did not actually vote with us when we made the last changes. They actually voted against the changes that we made.

*Members interjecting.*

**The SPEAKER**: Order! Leader of the Nationals! Member for Evelyn! The member for Narre Warren North, without assistance from the house.

**Belinda WILSON**: A bit of emotion and passion there on the other side.

*Members interjecting.*

**Belinda WILSON**: ‘Stupidity’ – that is interesting. We are out of cruise control.

**The SPEAKER**: Member for Narre Warren North, I ask you to come back to the government business program.

*Members interjecting.*

**The SPEAKER:** Member for Mordialloc, I have warned you. You are not in your place. If you wish to make a contribution in this house, you will need to be in your place or you will be removed.

**Belinda WILSON:** We do have a number of bills put forward today for the government business program. Not only are there the bail amendments we are going to be making but there are also some really important changes to our Emergency Services and Volunteers Fund levy and also our gambling legislation. I would like to do a big shout-out to the Narre Warren SES. I know that the Leader of the House spoke earlier about what an incredible job the SES does in each of the electorates, and they do do that.

**Bridget Vallence:** On a point of order, while I do not disagree about the wonderful work of our SES volunteers, this is a very narrow procedural debate, Speaker, and I would ask you to bring the member back to the government business program.

**The SPEAKER:** Other members have spoken about the SES in their electorates. The member for Narre Warren North to continue, but it is the government business program.

*Members interjecting.*

**Belinda WILSON:** Yes, that is correct. It does fund the SES, and we are very excited to be talking about how incredible our SES are and the work they do.

The other bill I am really excited to hear about is the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. There are a lot of changes being made with that. Some of the key changes are to carded play at Crown, which is an incredible –

**A member:** You are really excited about it.

**Belinda WILSON:** I am, actually, because I do like a bit of a –

**The SPEAKER:** Through the Chair, member for Narre Warren North. I ask you not to go into detail on the bill.

**Belinda WILSON:** I am excited about that change because I think it will make a lot of difference to many people's lives. I think the data that is collected through that service will be make a huge change to many people's lives.

**The SPEAKER:** The member for Evelyn on a different point of order. Make it succinct, please.

**Bridget Vallence:** On a point of order, Speaker, you just mentioned about not anticipating debate, and I think the member is.

**The SPEAKER:** The member for Narre Warren North to come back to the government business program.

**Belinda WILSON:** It is the pot calling the kettle black, isn't it? As I said, I think the bills that we have got –

**Emma Kealy:** On a point of order, Speaker, on relevance, we have had continual snide comments across the chamber during debate. I ask you to bring members into –

**The SPEAKER:** Order! Member for Lowan, I ask you to state your point of order. That is not a point of order. On relevance? Yes.

**Emma Kealy:** On a further point of order, Speaker, the Leader of the House made a really disparaging remark across the chamber. I took great offence, and I ask her to withdraw.

**The SPEAKER:** The Leader of the House to withdraw.

**Mary-Anne Thomas:** I withdraw.

**The SPEAKER:** The member for Narre Warren North to continue on the business program.

**Belinda WILSON:** I look forward to debating this great, amazing government business program today.

**James NEWBURY (Brighton) (12:45):** I rise to oppose the government business program. I do note there has been some debate today about the bail bill, which is on the program; the associated briefing which led to that bill and the lateness of that briefing; and when the bill was provided. I do note in those briefings there were discussions around the new bail test for serious repeat offenders and also the new uplift offence for committing an indictable offence whilst on bail. I do not want to speak to the specifics of the bail bill today, but I would note for the house's and more broadly for Victorians' awareness that those two new measures are not included in the bail bill. Despite the Premier promising to fix crime, repeat offenders who break bail will not be dealt with by this bill.

**The SPEAKER:** Order! Member for Brighton, I would ask you not to anticipate debate.

**James NEWBURY:** I am not. As I said, Speaker, I am not referring to any matters within the bill. I am referring to matters –

**The SPEAKER:** Order! Member for Brighton, I would ask you not to argue with the Chair.

**James NEWBURY:** I am not arguing with the Chair.

**The SPEAKER:** I would ask you not to anticipate debate.

**James NEWBURY:** As I said, discussion in those bill briefings made clear two offences that were committed to be fixed by the Premier will not be fixed this week in Parliament – how craven. What a fibber this Premier is to promise a fix and not deliver it.

**Mary-Anne Thomas:** On a point of order, Speaker, the former Manager of Government Business surely knows –

**The SPEAKER:** What is your point of order?

**Mary-Anne Thomas:** that the government business program is not an opportunity to disparage the Premier in the way that he is.

**James NEWBURY:** I did not disparage her.

**The SPEAKER:** Order! I would ask members to be a little respectful.

**James NEWBURY:** Of course.

**The SPEAKER:** Member for Brighton, I would ask you to speak to the government business program.

**James NEWBURY:** I am speaking to the government business program.

**The SPEAKER:** Order! I would ask you not to argue with the Chair. The member for Brighton to talk to the government business program.

**James NEWBURY:** This week in Parliament we will be considering a bail bill that does not cover all of the elements that were committed to and that were discussed in the bill briefing, which has been the subject of some debate during this motion debate, elements that the community expect, need and demand urgently. They are not included in this bill. I do not think Victorians are fully aware of that yet. I think Victorians will shortly be aware of that, because they know that this whole last week was nothing more than a political smokescreen – a farce – that will not fix the problems in this state. To know that two of the most important fixes needed – in fact I would argue the repeat offences issue on bail is probably what the community is calling for most – are not in this bill says everything about this

government. How can it not have been included in the bill? When will it be? It will not be fixed. It will not be fixed. So I would say to Victorians, when we consider what is being debated in this chamber this week we are not considering a tough bail bill, we are considering a fake bail bill that misses some of the points and fixes needed. Of course we need to make sure that we improve bail, and of course we will support whatever toughening we can support – of course we will. But when it comes to repeat offenders, how has the government just left the jail door open, let the bail door open? That is what this government is doing.

*Members interjecting.*

**The SPEAKER:** Order! Members will cease interjecting across the chamber.

**Mary-Anne Thomas:** On a point of order, Speaker, the member for Brighton is anticipating debate. I ask that you ask him to come back to the government business program.

**The SPEAKER:** The member for Brighton to continue on the government business program.

**James NEWBURY:** This is a farce, and Victorians will see it.

#### **Assembly divided on motion:**

*Ayes (51):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (31):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Will Fowles, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bill Tilley, Bridget Vallence, Peter Walsh, Kim Wells, Rachel Westaway, Jess Wilson

#### **Motion agreed to.**

#### *Members statements*

##### **North East Link**

**Matthew GUY** (Bulleen) (12:55): I rise to put on record some concerns I have about pollution smokestacks being built at the North East Link site, the location of which many of my local residents and I, certainly over the last week, have had a number of conversations about. These stacks will be around 18 storeys high, or the equivalent of. They will be unfiltered, these pollution stacks which will feature on the North East Link Program. They are very, very close to Marcellin; Trinity college; Carey sports field; Belle Vue Primary in the member for Kew's electorate; Bulleen Park, where there are a number of sports played from soccer to AFL to cricket – a whole range of sports; the Yarra River walking tracks; the local Indigenous area, where there is a billabong; the Veneto; and not to mention hundreds and hundreds of homes. This has been a feature of a number of contributions from me in the state Parliament and the member for Menzies in the Commonwealth Parliament about the impact that this will have on residents. What residents are seeking is that these stacks be filtered in the same way that they are in Sydney and in other cities overseas. Again I put on record my absolute concern that both the North East Link and the state government are not listening to local residents, who simply want the same treatment that others get in other cities around Australia and internationally when something so large should be filtered.

**Broadmeadows electorate funding**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (12:57): It was another chock-a-block week in our fabulous community. It was great to get down to JP Fawkner in Oak Park to check out the new sports field lighting we have funded. Congratulations also to Glenroy Cricket Club for making it to the grand final. I loved visiting Broadmeadows Special Developmental School and seeing work progress on our \$20 million upgrade and also catching up with the kids at Westbreen Primary with the member for Pascoe Vale.

**Broadmeadows electorate multicultural events**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (12:57): I was inspired by the strength of the women at the International Women's Day event bringing African and multicultural communities together and was honoured to raise the Australian flag alongside Her Excellency the Ambassador of Nepal at the opening of the consulate office on Sunday. And of course I enjoyed St Pat's celebrations yesterday. On Saturday I celebrated mass with the Vietnamese community for the Feast of Saint Joseph, attended the incredible Nepal Festival, had great fun at the Holi event hosted by the Northern Melbourne Marathi Mandal and then attended the Melbourne Muslimahs fundraiser for their Rebuilding Lives project. I do not think you could have a Saturday like that anywhere else in the world.

**Community safety**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (12:58): I have always felt so fortunate and proud to live in one of the most successful multicultural and multifaith societies in the world, but it breaks my heart to see the rising incidence of hate and Islamophobia, especially against women and girls. Everyone has the right to feel safe and to be safe. We have provided \$3 million to Islamic organisations to combat Islamophobia, and we are strengthening the anti-vilification laws. To all the haters, you will not tear our community apart. Coming together is the antidote to hate, and I have been so fortunate to attend – *(Time expired)*

**Patient transport**

**Danny O'BRIEN** (Gippsland South) (12:58): Public service should be more than just a name for a group of people, but under the Allan Labor government it is increasingly the case that the service element is missing from our public service. The latest government service that is letting down the public is the Victorian patient transport assistance scheme, known as VPTAS. This scheme helps rural Victorians cover the costs of their travel when they have to go long distances, usually to Melbourne, for medical treatment. The VPTAS website states that claims will be processed in six to eight weeks, but recent experience is far beyond that. I have been contacted by many constituents recently, and I know my regional colleagues are getting the same calls, about extremely long wait times for the processing of VPTAS claims. One message I received yesterday was from a pensioner couple who have unpaid claims going back to October last year – six months. They wrote:

VPTAS do not answer calls. You are instructed to leave a message. They do not reply. I have written to them. They do not respond.

This is one of many sectors where the government has just stopped serving the community, and it is not good enough. The government must explain what it is doing to address these VPTAS delays.

**Gippsland South electorate events**

**Danny O'BRIEN** (Gippsland South) (12:59): It is festival season in Gippsland, and there have been some great events in the past month, including the wonderful South Gippsland Garlic Festival in Korumburra, having moved from Meeniyan a couple of years ago. It was great to attend the fabulous Stony Creek Cup last Sunday. For the first time in a long time, possibly ever, I even managed to back the winner in the Danny O'Brien MP handicap, but alas, not the winner of the cup Fam Gorman. Congratulations to all the connections to the cup winner and to everyone at the Stony Creek Racing Club.

**Lara Secondary College**

**Ella GEORGE** (Lara) (13:00): Last week I attended a leadership panel with year 12 students at Lara Secondary College, which was organised by Petra Youssef, the school's incredible personal development teacher. The students had been focusing on leadership and prepared some tough questions for me. It was a thought-provoking session, highlighting the maturity and thoughtfulness of this wonderful group of students. Questions were really varied and covered things from 'Do you have any advice for young women in leadership?' to a question from Ethan, who asked, 'What is your leadership vision?' It is safe to say I was kept on my toes and I thoroughly enjoyed connecting with this incredibly bright group of students. I left feeling safe that our next generation of leaders are certainly thinking ahead for their futures and about their vision for the Lara community. One highlight of our discussion was talking about election commitments, and I asked students what election commitment they would make if they were running Parliament? Their responses included more bus routes and bus stops, a basketball stadium for the Lara Giants and more than one student said they would promise to build a KFC in Lara. Thank you to all the students who participated for your respect and maturity throughout these sessions but most importantly for sharing with me your views, thoughts and visions for our local community.

While I was at Lara Secondary I caught up on the latest news from the new rugby academy. The Lara rugby team had their first game last week, and I am proud to tell the Parliament that Lara beat Narre Warren 56–7. It is wonderful to see the rugby academy thriving. Now in its second year, it is attracting even more students to have a go at rugby.

**Montrose bushfire**

**Bridget VALLENCE** (Evelyn) (13:01): Our Montrose community was confronted with a significant bushfire event over the weekend. Starting as a grass and scrub fire on Saturday 14 March in Dr Ken Leversha Reserve along Sheffield Road in Montrose, it unfortunately spread and became out of control during the middle of the night, with VicEmergency warning residents to 'take shelter now' – another test demonstrating just how resilient our local Montrose community is.

I pay tribute to our local CFA fire brigades and our valued volunteer firefighters, who show exceptional dedication to our Yarra Ranges community, that responded swiftly alongside Forest Fire Management Victoria, battling not only the hot and windy conditions but also what residents have described as overgrown vegetation and debris on the council reserve. Sadly, at least one home was lost. I also pay tribute to Yarra Ranges police for the work that they did doorknocking residents, alerting them to the danger and encouraging evacuation. A massive shout-out to the Montrose CFA fire brigade led by captain Matt Jalowicki on the fireground and communications led by safety officer Liz Peters and all of the amazing Montrose brigade members. A huge thankyou to the more than 30 CFA brigades who helped, including Mooroolbark, Chirnside Park, Coldstream, Wandin, Gruyere, Silvan, Mount Evelyn, Lilydale and Seville CFA fire brigades from our local Evelyn electorate – you are our local heroes.

Montrose at the foot of the Dandenong Ranges is a beautiful part of the world, but this does serve as a reminder that the entire Yarra Ranges is bushfire-prone, and we all need to be alert and prepared.

**BAPS Swaminarayan Sanstha**

**Gary MAAS** (Narre Warren South) (13:03): I recently joined BAPS Shri Swaminarayan Mandir to honour the visit of His Holiness Mahant Swami Maharaj to Melbourne as part of the Celebrate Peace festival. Alongside hundreds of BAPS volunteers and devotees, south-east MPs and the Deputy Prime Minister, we were all privileged to welcome His Holiness and BAPS swamis at Cranbourne Racecourse, which was transformed into a beautiful mandir. I know this visit was special for so many, and I thank the many volunteers who worked hard to put together the Celebrate Peace festival. The event captured the spirit of unity, selflessness and service, which reflect the core ideals of Hinduism. BAPS are an excellent organisation, and they support our Victorian Indian community and the wider



community by fostering faith, history, tradition and cultural exchange. For those who may have migrated from another country, the organisation fosters connections within our community, to culture as well, and empowers celebration of the heritage and traditions that form their identity.

The Allan Labor government has always supported our diverse communities. Our diversity is our strength in our state of Victoria. I know many from the Indian community in my electorate of Narre Warren South and the wider south-east area cherish BAPS's commitment and services in our area. I especially thank Ruchir Patel from the local BAPS mandir in Cranbourne South and all the attendees for welcoming me.

### Family Life

**James NEWBURY** (Brighton) (13:04): Family Life has provided support to vulnerable children, families and communities since it was first established in 1970. The organisation has a big footprint. Last year 12,343 community members were supported by Family Life services and 399 people volunteered 45,533 hours of service. In 1972 they opened their first opportunity shop, which now has a network across Bayside, Kingston, Port Phillip and the Mornington Peninsula. Last week I opened their 13th store in Church Street, Brighton. Thank you to chief executive officer Allison Wainwright and director Alida Williams for both your leadership and the wonderful new store opening.

### Rotary Club of Brighton

**James NEWBURY** (Brighton) (13:05): The Rotary Club of Brighton, formed in 1973, has had a profound impact on Bayside. The club has raised at least \$7 million since formation. The Hampton Primary School community have been overjoyed to learn that Brighton Rotary will support them in establishing a kitchen garden program. The garden space will include a small outdoor kitchen, seating, planter boxes, arches for growth and fruit trees. Thank you to president Donna Wright and school project leader Anne Hostein.

### Housing affordability

**James NEWBURY** (Brighton) (13:05): The state Labor government's property taxes are the biggest imposition on housing cost. Last week the Centre for International Economics' *Taxation of the Housing Sector* found that regulatory costs, statutory charges and infrastructure charges in Melbourne make up 43 per cent of housing costs. This was reinforced by the Commonwealth Grants Commission's finding that Victoria leads the nation in tax collection, totalling \$39.2 billion, land tax accounting for 13.4 per cent of Victoria's revenue and stamp duty 22.5 per cent.

### Holi Festival of Colours

**Mathew HILAKARI** (Point Cook) (13:06): Holi hai, so happy Holi to everyone listening. Melbourne's south-west is the centre of Victoria's and Australia's Indian community, and proudly so. I attended many Holi celebrations, and I would like to thank Neha and Vinayak for the Presidents Park Holi, the president and the founder respectively. Thanks to all the participants and sponsors as well. Sudhir and the team at Western Gymkhana Club organised a great event in Point Cook town centre. It is affectionately named Bolly Holi, and it was great to see Tim Watts, the federal member, there. I believe he was at his fifth or sixth Holi function of the day. Thank you to Maulshri for inviting me to Holi Hungama at the famous Pint Size Indian restaurant – get there if you can – and to Nasz Khan and her invitation to Seabrook Holi. I will be back there again next year.

The week before I was at the Ladies Club 60 Tarneit with Harinder and Nina and all the team for a wonderful Holi – great performances and great food – and then off with Amman to see the West Seniors Holi. Thank you especially for the takeaway snacks requested last year. Finally, a shout-out to Reena Rana and the team at the Indian Women in Australia Holi – a huge showcase that this year included the sport of kho-kho. The women's team who demonstrated the sport on the day have recently returned from the world cup. Holi in the Northern Hemisphere of course celebrates the end of winter, the start of spring, good over evil and the eternal and divine love of Radha and Krishna.

**Government performance**

**Emma KEALY** (Lowan) (13:07): It does not matter who you speak to in Victoria at the moment, Victorians clearly do not feel safe under the Allan Labor government. It does not matter whether it is cost of living, health, housing, our debt or crime, Victorians are very, very concerned with how Labor is mismanaging our state and are feeling like they are paying the price. If you look at cost of living, power bills have gone up 22 per cent, gas bills up 9 per cent. Over the past six years grocery prices have gone up 30 per cent. Demand for Foodbank has gone up 30 per cent. Housing is getting harder and is less affordable, with 15,600 fewer rentals just in the past year alone due to Labor's changes to rental laws. We have 60,000 Victorians on Victoria's public housing waitlist, and meanwhile for those Victorians who want to build their dream home we have Labor's house and tax packages, where we find in Victoria now 42 per cent of a new home build goes to government taxes and charges. Victoria has simply become unsafe and unaffordable for Victorians, and Labor's taxes mean that Victorians are paying the price.

**Jill Miller**

**Emma KEALY** (Lowan) (13:08): I would like to acknowledge the recent passing of Jill Miller from Pomonal. I have known Jill for a very, very long time – from when she was the CEO of Grampians Community Health – and have seen the magic that she has worked within the community of Pomonal through the bushfires earlier this year and more so in the bushfires last February. Thank you so much, Jill. Your networking and improving of the Pomonal resilience will never be forgotten. Vale, Jill Miller.

**Knox Park Athletics Centre**

**Jackson TAYLOR** (Bayswater) (13:09): It was fantastic to officially open the new Knox athletics centre very recently, where we opened up the fantastic world-grade athletics track, the new school board, timing cameras, fencing and new shade sails. That was supported very proudly by the Allan Labor government, and I want to give a big shout-out to Knox City Council, who also put in a huge \$4.7 million or thereabouts to deliver what is going to be a fantastic new and upgraded athletics centre that will be used by children and people of all ages and abilities for generations to come. Thank you to Knox council and to all the councillors who helped to open that very recently.

**North East Link**

**Jackson TAYLOR** (Bayswater) (13:10): Of course it is all happening. We can see it very clearly as we drive into the city on the Eastern Freeway. There is lots of work – lots of boots on the ground and cranes in the sky. There are jobs galore on the North East Link project. It is the state's biggest road project in our history and what it is going to do is lift peak rates from 45 to 85 kilometres per hour. It is going to save you up to 11 minutes getting into the city on the Eastern Freeway, which is great news for people out my way. It is going to save you up to 35 minutes and it is going to save you getting any traffic lights all the way across to the airport. This is absolutely massive. I am proud that the Allan Labor government is getting on with this huge infrastructure project.

**Bayswater electorate**

**Jackson TAYLOR** (Bayswater) (13:10): I would also like to say thank you to every single local who has recently said g'day to me at my mobile offices across Boronia and across our community. I have done hundreds and hundreds and hundreds of these; they make me a better member. Thank you so much for coming out, saying g'day and sharing your thoughts and concerns.

**Family violence**

**Bill TILLEY** (Benambra) (13:11): An additional \$40 million of taxpayers money went into the main not-for-profits dealing with mental health, suicide and domestic violence in the electorate of Benambra last year. Despite this money, we are failing as a society and as legislators to protect. I know firsthand that if we take the step to disrupt and break the cycle, we will stop crime, including one of

the most insidious crimes, and that is the one in the home – the murders of women and damage to children. Crime requires three basic factors to be possible: motive, capacity and capability. Remove one and violence is not possible. Reactors continue to ask for more money based on some wonderful new program. Never has our capacity to collect, analyse and plan from intelligence been greater. Why are we not preventing this harm instead of reacting to it? We need to do more than educate future generations. I call on the government to do something now. Our agencies should be utilising the available intelligence to get in there before it happens. Remove the motivation, remove the capability and remove the capacity and stop the cycle. Do it now – make it just as important as the support we are providing.

#### **Frankston electorate planning**

**Paul EDBROOKE** (Frankston) (13:12): I know everyone in this house was as shocked as I was when we saw construction on the beach south of Olivers Hill, so I want to give everyone in the house and in my community I bit of an update on what went on there. I went for a walk after many, many people in my community reported that there was some construction on a Frankston beach, and lo and behold there was construction on a Frankston beach – no permits, no engineering certificates, no planning – in a sensitive cultural heritage area. A man had moved into his house, seen fit to get rid of 700 square metres of protective foreshore from our community and decided to build a wall in the middle of a Frankston beach. Now, some might be a bit sceptical. The call was ‘I don’t want my house to fall into the ocean,’ while there is evidence that maybe a seawall was pulled up to create this seawall and possibly a boat ramp was being built from his house as well.

The one thing we will not stand in any community in Victoria, let alone in Frankston, I can tell you now, is people deciding that they own the place and they will do what they want. They will put a \$400,000 bond aside in their bank account because that is the cost of doing business. No permits were applied for – nothing. This is insane. The council have done a good job. The department have been onto it. Thank you to the minister for his interaction in this issue. I am sad to hear that the resident will be moving on after this interaction with our community, but our community values our beaches.

#### **Melbourne Energy and Resource Centre**

**Tim READ** (Brunswick) (13:13): Today in Parliament the community group No Northern Incinerator Wollert presented their petition opposing the planned waste incinerator in Wollert. The petition was sponsored by the Labor member for Thomastown and garnered around 2500 signatures, including that of the Victorian Minister for Energy and Resources, who incredibly was the minister who introduced this policy. It is fascinating to watch state and federal Labor MPs court publicity opposing incinerators in their own backyards while quietly backing the policy of their own government that allows them. I guess these MPs might be worried that their constituents might not vote for them again if they are seen to be pushing these unwanted monstrosities on their communities, and I can see why. The proposed incinerators around the state will produce dangerous pollutants and toxic ash at great risk to the health of local residents and workers, not to mention additional carbon emissions and an undermined recycling system. But in case no-one has said it lately, I would like to remind these MPs that they are members of a Labor government. They are in power. Some are ministers at a state or federal level. They have just signed a petition when they could have actually stopped this incinerator, but so far they are not showing any signs of doing that.

#### **Hastings electorate community events**

**Paul MERCURIO** (Hastings) (13:15): A big congratulations to the under-18 girls team from Somerville Cricket Club for winning their premiership.

I would like to thank the Parliamentary Secretary for Education for visiting Langwarrin Primary School with me to talk to parents about the school saving bonus and also to appear on the students’ first podcast for the year. The title of the podcast is *You Don’t Put Tomato Sauce on Your Dimmies*. I have tried it, and the answer is: definitely not.

I had a very busy and fun long weekend. On Saturday I was the head judge for the Golden Sausage competition for the awesome Red Hill show. On Sunday I popped into the Pink Stumps fundraiser event for Baxter Cricket Club and later that day popped over to Somerville to watch the Somerville Cricket Club women's finals. It was a great match, but unfortunately they just missed out on the trophy. Monday was the fabulous Somerville Family Day, where I spent half an hour in the dunking machine helping to raise money for the Somerville Football Netball Club. I note that the first three people to pay money to try to dunk me were my staff. I would like to congratulate family day organisers Cally, Krissy, Leah, Anna and Leanne on their 10th family day event. I note that none of the events over the long weekend could have happened without all of the fabulous people that volunteer their time to the community, and I thank them.

Last Thursday was Thank Your Pharmacist Day, and I got around to all 15 pharmacies in my electorate with a box of locally made treats as a thankyou for all the great work they do for us in the community.

### **Ambulance services**

**Kim WELLS** (Rowville) (13:16): I want to address my members statement by condemning the Allan Labor government for its continued failures in managing Victoria's troubled ambulance services. The unacceptable ongoing mismanagement of our ambulance services is seeing Victorians' lives being placed in danger every single day. Victorians have simply had enough.

One such angry Victorian is a deeply concerned constituent of mine in Rowville whose experiences have been so troubling that they recently resorted to making a submission to the current parliamentary committee inquiry into Ambulance Victoria to highlight their concerns. Over the past year my constituent, with a chronic life-threatening condition, has experienced a number of emergency events requiring an ambulance. However, each time a call was made my constituent was advised an ambulance was not available and they would have to make their own way to hospital. On the first occasion Ambulance Victoria did arrange taxi transport. However, subsequent calls for assistance were met with a disappointing and totally unacceptable response of 'Call us back if your situation gets worse.'

My constituent is not unreasonable and understands that Ambulance Victoria must triage and prioritise all calls. However, when someone has a chronic life-threatening condition and has had an emergency event that has left them in severe pain, it is entirely reasonable for them to expect an emergency ambulance response, not the offer of a taxi or being told to make their own way to hospital. Victoria simply deserves better.

### **State Emergency Service Bannockburn unit**

**Chris COUZENS** (Geelong) (13:18): I was pleased to join the Minister for Emergency Services to announce that the growing Bannockburn community will be better protected with a brand new Victoria State Emergency Service headquarters thanks to the Allan Labor government. We were joined by excited volunteers to announce the site of the new VICSES Bannockburn unit and thank members for their hard work. The new site will feature dedicated training spaces and wellbeing areas. It will also provide better onsite storage for vehicles and equipment, which will go a long way in helping them respond to emergencies and attract more volunteers. As part of the modernising of facilities, the unit will feature environmentally sustainable materials, including solar panels and water recycling.

### **International Women's Day**

**Chris COUZENS** (Geelong) (13:18): On another matter, the 2025 theme for International Women's Day is 'Accelerate action', which is exactly what the women of Geelong did with many events to celebrate incredible women. Celebrations kicked off with the Committee for Geelong's breakfast with the inspiring guest speaker Gina Chick, who was the winner of season 1 of the TV series *Alone Australia*. She is also the author of *We Are the Stars*. First Nations women celebrated International Women's Day with a powerful gathering to honour Aboriginal and Torres Strait Islander

women living on Wadawurrung country. The event was held at the Murran centre, which had an incredible women's art exhibition on display. Corrina Eccles, Wadawurrung woman, presented awards to Aunty Mary Shuttleworth, Jasmine-Skye Marinos, Renee Howell, Kiri Tawhai – (*Time expired*)

### **Armenian Carnival Melbourne**

**Eden FOSTER** (Mulgrave) (13:19): It was a pleasure to be at the Armenian carnival in Mulgrave recently, the heart of our vibrant Armenian community. Mulgrave is proud to be the number one electorate where Armenians live, and this carnival was a testament to the rich cultural heritage and strong community spirit that defines the community. We celebrated not just the traditions and customs of Armenia but also the unity and resilience of this community. From the delicious food, music and crafts, this carnival showcased the best of Armenian culture. I extend my heartfelt thanks to all the organisers, volunteers and participants who made this event possible. Their dedication and hard work were truly inspiring.

### **Holi Festival of Colours**

**Eden FOSTER** (Mulgrave) (13:20): I also had the joy of attending Holi celebrations over the weekend. Holi, the Festival of Colours, is a beautiful reminder of the vibrancy and diversity that enrich our community. This event brought together people from all walks of life to celebrate love, unity and the triumph of good over evil. The explosion of colours, the lively music, the delicious food and the dancing were a fantastic atmosphere. It was heartwarming to see everyone, young and old, coming together to share in the spirit of Holi, and I extend my deepest gratitude to the organisers at the Shri Shiva Vishnu Temple, the volunteers and the community who made this event possible. Their efforts created lasting memories and, might I say, lasting colour in my car perhaps. Happy Holi to those celebrating.

### **Vietnamese Museum Australia**

**Sarah CONNOLLY** (Laverton) (13:21): With so much investment coming to Sunshine, the suburb is fast becoming the place to be, and that is why I was so proud to be down in Sunshine this weekend with the Minister for Multicultural Affairs to kick off works at Australia's first Vietnamese museum. This museum will commemorate and celebrate the incredible story of Vietnamese migration to Australia, from refugees fleeing war and persecution to the incredible contributions made by the Vietnamese Australians to our great Australian story. I want to acknowledge the amazing work and advocacy of Tammy Nguyen, Bruce Mildenhall and the rest of the team at the Vietnamese Museum Australia in securing a site for this project. This project would not have been possible without support and investment from both levels of Labor governments, including over \$6.7 million in funding from the Allan Labor government to support the construction of this museum, with a further announcement on Sunday of an additional \$2 million to ensure the project's completion. And of course a big shout-out to the support and donations from local community members who have supported the VMA over these many, many years and helped them secure this project. Thanks to them, shovels are now in the ground, and I cannot wait to see the museum up and running once works are finished. There is so much coming for Sunshine and the surrounding area, and this project is yet another example of how we are supporting investment in Melbourne's west.

### **West Gate Neighbourhood Fund**

**Katie HALL** (Footscray) (13:22): I rise to speak to fantastic contributions being made by the West Gate Neighbourhood Fund in Footscray. The redevelopment of the Footscray Wharf has transformed the local area into a picturesque promenade that would not be out of place on a postcard. With more green space, lighting and public amenities on the way, as well as this government's \$8.7 million redevelopment of Footscray Community Arts, the West Gate Neighbourhood Fund has helped transform the community. The West Gate Neighbourhood Fund, in collaboration with the City of Maribyrnong and the Little Africa Traders Association, recently held a night market featuring live

music, fashion displays, henna and face painting, African drumming and of course great food from across Africa.

### **Gender equality**

**Katie HALL** (Footscray) (13:23): The Allan Labor government has also committed to helping address a different kind of gender inequity: statue inequity. Less than 2 per cent of public statues in Victoria are of women, and I am delighted that there will be a large-scale mural of Aunty Marge Lillardia Tucker overlooking Lillardia Park in Footscray. The women honoured through the new statues were voted on by more than 10,000 Victorians, and I am so happy that Aunty Marge has been recognised by all Victorians and will add to the beautiful public artwork and murals funded by the Allan Labor government in Footscray.

### **Port Melbourne Football Club**

**Nina TAYLOR** (Albert Park) (13:24): I was really excited last night because I was at the Port Melbourne Football Club season launch for 2025 – VFL and VFLW. We had players, parents and supporters and of course the whole exec, and there was a beautiful jumper presentation. Each player gets up and is able to be properly acknowledged ahead of a fantastic season ahead. I asked one of the co-captains, Olivia Barton, ‘Olivia, what’s the best thing to do to support the club?’ The best thing, she said, is for people to buy a ticket, come along to the games, buy some snacks and enjoy beautiful community football. It was a really wonderful event, and I did share also that what is really great about it is not only that they are getting fit, there is discipline and all the great stuff that comes from being part of a football team but also that they bring community together. This is a gift in and of itself.

### **Holi Festival of Colours**

**Nina TAYLOR** (Albert Park) (13:25): I want to acknowledge a fantastic Holi celebration in Southbank on Sunday. It was raining really heavily, but in spite of it all, the parents and the kids all came out, with water pistols, colour and a beautiful Indian drink as well. There was so much love being shared. It was so uplifting that I felt I absolutely had to be there and I felt uplifted for being part of it. I thank the local Southbank community for persisting in spite of inclement weather and really saluting this very important celebration. Thank you to them.

### ***Business of the house***

#### **Notices of motion**

**Colin BROOKS** (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (13:25): I wish to advise that the government does not wish to proceed with notice of motion 1 on the notice paper but ask that it remains on the notice paper.

#### ***Bills***

### **Family Violence Protection Amendment Bill 2025**

#### ***Second reading***

#### **Debate resumed on motion of Sonya Kilkenny:**

That this bill be now read a second time.

**Michael O’BRIEN** (Malvern) (13:26): It is probably a stretch to say that I am pleased to rise to speak on the Family Violence Protection Amendment Bill 2025, because this bill is to fix a problem that should never, ever have occurred. It is very concerning that between the period of 15 November 2024 and 5 March 2025 inclusive, copies of family violence intervention orders generated by the Magistrates’ Court and Children’s Court for service contained a defect in their form, and as a result of this defect, those copies created during the relevant period may not be true copies of the orders as made by the court and service may not be valid. I am advised by the Attorney-General that around 11,500 orders, family violence intervention orders, have been affected by this flaw. The purpose of

this bill is to seek to regularise those orders, to ensure that those defects are rectified and, more importantly, to ensure that the protection intended by the courts for the beneficiaries of those family violence intervention orders is maintained. The Attorney-General advises that this loophole – and let us call it what it is; it is a loophole – that has been inadvertently created has not so far been the basis for any challenge by a subject of a family violence intervention order and has not yet been the subject of a challenge in the court as to its validity. That is certainly a case of good luck. It is not good management on the government's or Court Services Victoria's behalf.

When you consider that 11,500 people, predominantly women, are the beneficiaries of these orders, it is beyond comprehension that we can have a flaw, a technical flaw, allowed to occur which has put not just the validity of those orders in question but the legal protections for the beneficiaries of them in question too, yet that is where we are today. As to how this egregious error occurred, the opposition is currently none the wiser. The Attorney-General indicated that she is none the wiser, other than to point the finger at Court Services Victoria as the responsible party. We do need to get to the bottom of what happened, we do need to get to the bottom of why it happened and we do need to get absolute assurance that it will not be able to happen again. When people, vulnerable people, approach the courts seeking a family violence intervention order to protect them – to protect their lives and their property – from somebody who can be belligerent or violent, it is absolutely critical that the court process and administrative processes do not let them down. When people receive court orders to protect them, they deserve the benefit of that protection. They do not deserve to have that called into question because of a stuff-up, yet that is exactly what has happened on over 11,500 occurrences here today.

I will not speak on this matter for all that long because I think time is of the essence, but I do flag at the outset that the opposition will not be opposing this bill. We do need to see it passed, and we need to see it passed in a rapid manner.

While the Attorney-General was very quick to point the finger of blame at Court Services Victoria for the issue that is before us today, I do wonder how much the \$19.1 million budget cut that this government delivered to Court Services Victoria this financial year may have been responsible. When the government takes an axe to the budget of Court Services Victoria, it puts the whole system under strain, it puts the whole system under pressure. When systems are under strain and under pressure, mistakes happen and errors occur. We need to find out what went wrong at Court Services Victoria and we need to understand the extent to which this Labor government's savage budget cuts to CSV are responsible, because it is not just the \$19.1 million of cuts to CSV in this budget that concern me, I am also very concerned by the forthcoming \$58 million of cuts which the government has already pencilled in for the 2027–28 financial year. The idea that this government could slash \$19.1 million from Court Services Victoria this year and then in two years time rip out an extra \$58 million from our courts and that is not going to have any impact on the people who rely on the courts to protect them is nonsense.

This government always talks about funding things that matter. Well, I think our justice system matters. I think protecting vulnerable women who have the courage to take on perpetrators of family violence and go to court and seek a family violence intervention order matters. I think they are entitled to have the protections that a court intended to provide to them honoured. That has not happened on 11,500 instances this time around.

In noting that the opposition will not be opposing this bill in the circumstances, I do note that this government is at least responsible for \$19.1 million of budget cuts to Court Services Victoria this year. I note that they are responsible for \$58 million of cuts to CSV happening in two years time, and I urge the government to reverse those cuts. When budgets get cut like this, mistakes happen and people's lives are put at risk, and that is what has happened here, 11,500 times. Victorians, particularly Victorian women, deserve better than that occurring. I wish the bill a speedy passage.

**Ellen SANDELL** (Melbourne) (13:32): I just want to make a very short contribution. The Greens will be supporting this bill going through urgently. I think this is an example of exactly why Parliament

has procedures for the urgent or emergency passage of bills when something like this happens that was unforeseen, a mistake, that then results in, as the member for Malvern said, women's lives being put at risk imminently. We need to deal with it imminently and urgently. This is exactly the kind of bill that those powers of the Parliament should be used for, which is why we have no problem putting this through Parliament urgently. We have no problem with the government saying that it is an emergency and that we all need to act immediately. I think it shows the power of this Parliament and its tripartisanship when we received a briefing from the Attorney-General's office, and I would like to thank her office for that. I think it showed some real maturity to reach out to other parties and say, 'Look, let's be up-front. We've got this issue. We've got this mistake. Let's all come together and fix it and deal with it.' I think that is very reasonable, and we are more than happy to facilitate that happening.

I think that that stands in quite stark contrast to the way that the Bail Amendment (Tough Bail) Bill 2025 will be coming before Parliament this week and the way the Labor government has approached the bail bill, which is something that we have known about for a long time. It goes to huge issues all across the justice system that really need very deep interrogation and consultation. Instead we have got a rushed bill that we are being told has to be forced through the Parliament in a very short period of time with no interrogation, no consultation and huge condemnation from a whole bunch of legal and human rights stakeholders. That is exactly not what the urgent powers of the Parliament should be used for. The Parliament should be used, with those bills where there is a longer lead time, to actually interrogate bills properly and go through proper processes.

I think this bill we are very happy to see have speedy passage through this place, and we will not stand in the way of it. But I think it just shows the stark difference between the way that this bill is being dealt with and the way that the bail bill is being dealt with.

**Motion agreed to.**

**Read second time; by leave, proceeded to third reading.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The DEPUTY SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

### **Bail Amendment (Tough Bail) Bill 2025**

*Second reading*

**Debate resumed on motion of Jacinta Allan:**

That this bill be now read a second time.

**Michael O'BRIEN** (Malvern) (13:36): I felt very sorry for the Clerk there, having to mouth the words 'Bail Amendment (Tough Bail) Bill 2025'. What a debasement of the Parliament and what a debasement of the legislative process. This government is now so desperate that it has to resort to political sloganeering in the name of its legislation. Previous incarnations of bail reform have said 'bail amendment bill'. But no, we have a government that is now so desperate, scraping the bottom of the barrel, that it has to insert the phrase 'tough bail' into the short title of this bill. Well, I was told when I was younger that if you have got to say you are tough you are not very tough, and that sums up this bill entirely.

**Tim Richardson:** How many times did you say you were tough?



**Michael O'BRIEN:** Well, I could talk about the old George Smilovici stand-up comedy routine, member for Mordialloc.

**The DEPUTY SPEAKER:** Through the Chair. Without assistance, member for Mordialloc.

**Michael O'BRIEN:** It was quite funny back in the day, but this is not a laughing matter. I might discuss that with the member afterwards. Not only is this attempt to politically sloganeer in the legislation a bit of a joke, and it shows how desperate this government is, but it is actually misleading and deceptive conduct. If this bill was in trade or commerce, the Labor government would be up before the ACCC, because this is not tough bail at all. This bill, far from being the toughest in the country – which is the claim made by the Premier and the Attorney-General ad nauseam – is not even as tough as the bail laws were in Victoria 12 months ago. Twelve months ago if you committed an indictable offence whilst on bail, not just was it an offence but you automatically faced an uplift in the test for you to stay on bail. Even under the changes in this bill that does not happen. Yes, they have finally reinstated the offence of committing an indictable offence whilst on bail, which they dragged out and they defended deleting from the bail laws time and time again.

On three separate occasions I sought to introduce private members bills to this place to reinstate the offence of committing an indictable offence whilst on bail: on 20 February 2024, 1 August 2024 and 6 February 2025 – three times. Every time it was blocked by those in the Labor government because they were defending their weak bail laws. They were defending abolishing the offence of committing an indictable offence whilst on bail because they wanted weak bail laws, because that is where their heart is. Their heart is not with this 'tough on crime, tough on bail' rhetoric that we have seen from a spooked Premier and a spooked Attorney-General over the last week. Their heart, their bleeding heart, is with weak bail laws, because they genuinely believe society is to blame. They do not want to see individuals held accountable for committing crimes, because it has always got to be somebody else's fault. Otherwise why would they have knocked back our attempts to introduce tougher bail laws, not once, not twice but three times? Three times, and then a cock crowed. Three times we were denied, and then a cock crowed.

**Juliana Addison** interjected.

**Michael O'BRIEN:** I was never a carpenter.

**The DEPUTY SPEAKER:** Through the Chair. Member for Wendouree!

**Michael O'BRIEN:** That is just one example of how these so-called tough bail laws are not even as tough as those which existed on 24 March last year. 24 March was the day before the government's weak bail laws came into effect. So I have given one example.

Here is another example. It used to be, just a year ago, that if you breached a condition of bail in this state then you were guilty of committing an indictable offence of breaching a bail condition. And not only were you guilty of committing an indictable offence of breaching a bail condition, but you automatically faced an uplift in the test – a tougher test – to stay on bail. That reflected the principle that bail is a privilege, not a right, and that if you abuse that privilege by failing to meet your conditions then you should face a tougher test to stay on bail. But what does this bill do, this so-called tough bail bill? It does reintroduce in some form the offence of breaching a bail condition, but is it an indictable offence? No, it is not. It is only a summary offence. And guess what, that means it does not come with any uplift in the test for bail, so you can keep breaching your bail. You might get a slap on the wrist as a summary offence, but it does not mean you face the risk of a tougher test to stay out on bail, so you can keep offending and offending and offending again.

The government say they do not believe that even that offence of breaching your bail conditions should apply to minors. Oh, great, so the 17-year-old, the serial thug, the one running around with a machete in people's living rooms, can keep breaching bail conditions as much as they like. And do you know what the criminal penalty is for that under this so-called tough bail bill? Nothing. There is no criminal

penalty for anybody under 18 for breaching a condition of bail. How on earth does this government claim that these are tough bail laws? They are not even tough. They are about as tough as a marshmallow, these bail laws. It is extraordinary. Far from being the toughest in the country, these bail laws are not even as tough as we had in Victoria 12 months ago. That is how weak they are.

What else? The government say they are recategorising certain offences to make sure that they are going to be schedule 1 and schedule 2 offences, which means that they will have a tougher test to get bail. That is well and good as far as those particular individual offences are concerned, but there are a lot of gaps. For example, this government does not believe that the offence, the crime, of robbery is deserving of a tough bail test. This government does not believe that the crime of burglary is deserving of a tough bail test. They are not schedule 1 or schedule 2 offences. This government does not even believe that arson – not even arson – is deserving of a tough bail test. It is not schedule 1 or schedule 2. How many tobacconists across the length and breadth of Victoria go to bed every night wondering if they are going to have a business to wake up to in the morning or if the firebombers will have been there? But this government says, ‘Oh, no, arson, that’s only a moderate crime. We’re not going to make that a schedule 1 or a schedule 2 offence. That’s fine. You keep committing arson and you keep facing weak tests to get bail and weak tests to stay on bail.’ That is what this government has done in this so-called tough bail bill, which is a disgrace to its name because it is nothing of the sort whatsoever.

Then, when the government announce what are relatively minor changes in this bill, they do not even reflect what the government said last week. Remember the big press conference where the Premier did her big about-face, ate a slice of humble pie and said ‘I’m sorry’? She is not sorry for Victorians; she is sorry for her poll numbers. That is all the Premier is sorry for. She is sorry for the rumbling in the caucus. That is all she is sorry about – only sorry for her poll numbers and the caucus rumblings. In this big announcement the Premier said, ‘We are going to have a new test for bail. We’re going to have the toughest test in the country for repeat serious offenders.’ That test was going to be that the bail decision maker had to have a high degree of confidence that no further crime would be committed. Where is that test in this bill, I ask. I ask rhetorically, Deputy Speaker, because I am sure you know as well as I do it is not in here. There is no super tough, strong test for a high degree of confidence. It is not in here. The government says, ‘We’ll think about that later on in the year. We might do it in a few months time. Maybe around midyear we might think about rolling something out.’ What a government beset by panic, absolute panic, making a big announcement about a big, tough new test – it is nowhere in the bill at all.

You cannot trust this government. You cannot trust this Premier. You cannot trust this Attorney-General. Apparently they were out there this morning at their press conference trying to verbal me, claiming that I was out at a dinner last night and that is why I was not briefed on the bail bill last night. I think the only dinner I was at last night, and my kids could attest, was my homemade chicken burgers. I was cooking chicken burgers for my kids, and I was poring over the bail bill, which the government only sent through after 6 pm. That is how disorganised this rabble is, or that is how secretive this rabble is. Or, why not both: this is how disorganised and secretive this rabble is. If you cannot even produce a bail bill before 6 o’clock the night before you are going to introduce it, you are not trying very hard – you are not trying very hard at all.

**Tim Richardson** interjected.

**Michael O’Brien:** I do not know where the member for Mordialloc was; he was probably out on the turps. But I was working hard, poring over the bill, reading it, doing my job. For the Premier and Attorney-General to go out there and question where I was last night – I was at home going through the bill. Where were they? That is my question.

**Bridget Vallance** interjected.

**Michael O’Brien:** That is a very good question, member for Evelyn – where have the government been for the last 12 months? They have been defending the indefensible. How many

members opposite stood up here when I sought to introduce legislation to toughen bail laws only to say, 'Not necessary. Unnecessary. This is just politicking. You're wrong.' Now we see that the government is now trying to basically steal our homework. The only trouble is they cannot even do that properly.

**Tim Richardson** interjected.

**Michael O'BRIEN:** If you are going to copy someone's homework, at least do it faithfully. You will get a far better outcome, member for Mordialloc, than you will trying to do it yourself.

There are significant problems with this bill – it only starts with the title. We are not going to have an opportunity to introduce textual amendments in this house because the government have made it clear they will not allow us to go into consideration in detail; therefore no textual amendments can be dealt with. What I would say is if the government think that we are going to sit by and vote for bill called Bail Amendment (Tough Bail) Bill 2025, they have got another thing coming. It would be a very dark day in this Parliament if cheap, ridiculous political slogans like that made it into the title of legislation on the statute books of Victoria.

For all the government's talk about the urgency here and the 'This is why we couldn't get you a bill until 6 o'clock last night and this is why we need to curtail debate on bail today', the default commencement of this bill is 29 September 2025. So the government needs to apparently think about things for a very long time. They want to get the statutes on the books, but they do not want to actually implement large slabs of it until the grand final. This government talk about urgency – they are not urgent at all. If they were acting urgently, they would not have a default commencement date of 29 September 2025.

In the bill briefing today the Attorney-General was completely unable to say how many extra resources would be provided for the justice system to take account of the changes the government seeks to make in this bill. In discussion on the Family Violence Protection Amendment Bill 2025, which this house has just considered, I noted that this government has made savage cuts to Court Services Victoria – a \$19.1 million cut this year alone and a really significant cut coming up in two years time. A cut of \$58 million is already in the budget papers, locked in. The budget cuts by this Labor government to Court Services Victoria are \$19.1 million this year and \$58 million in two years time. What on earth does the government think that is going to do for the justice system? How is getting people to trial quickly and efficiently going to occur when this government is making savage cuts to Victoria's court system? You are going to see mistakes like we have seen with the family violence intervention order issue, which we are trying to rectify today. You are also going to see blowouts in the time to get to trial. And what happens when you face long delays in getting to court? Magistrates will be much more willing to grant bail. Yes, we support the principle of putting community safety first – who wouldn't? – but whatever the government says in this bill, if a magistrate is faced with a 12-month delay in somebody going to trial for an offence for which at best they could likely face six months imprisonment, that person is going to get bail. Whatever the government writes in this bill, that person is going to get bail. So this government's budget cuts to Court Services Victoria are actually undermining community safety and undermining the effect of any other bail laws it makes, because when the time on remand exceeds the maximum time somebody would be facing in prison if guilty, they will get bail, and that means more people, potentially dangerous people, will be released into the community on bail regardless of what the government says in this bill.

We do look forward to the budget to see if the government will admit that it has got it wrong. It is admitting to an extent it got it wrong in this bill on bail, but it needs to put its money where its mouth is, it needs to put its money where its rhetoric is, and it needs to ensure that budget cuts to Court Services Victoria are reversed in the forthcoming state budget. It is not just Court Services Victoria, of course; there are other aspects of the judicial system under serious pressure as well.

I have already gone through a number of areas in which this government has weakened bail laws, and this bill will not actually seek to change that at all. I have already flagged that we do not oppose the idea of the primacy of the principle of community safety as being one that operates under the bill. I would say, as a matter of common sense, that most Victorians would probably agree with that. I do have some questions about the wording. I think it could be a little bit stronger. When the government puts in a section 1B(1AA) saying that:

The Parliament recognises the overarching importance of maximising, to the greatest extent possible, the safety of the community and persons affected by crime ...

before the act then talks about the other factors to be taken into account, perhaps, I would have thought, the words 'subject to 1AA' should precede all those other factors, because I think we need to send a strong message that that is the overriding and pre-eminent factor that judicial decision makers and bail decision makers must take into account when applying the Bail Act 1977. I am not sure that the drafting in this is actually tight enough to have that effect, but that is a matter for the government. The government is responsible for this Bail Amendment (Tough Bail) Bill 2025, and if it fails to have the desired impact, it falls very much at the government's feet.

Perhaps the government can explain why it does not believe that young people, people under 18, should be subject to any sanction for breaching bail conditions. I am not sure how this keeps the community safe. If it is good enough for an adult to be told 'If you get bail, you must stick to these conditions to stay on bail,' why shouldn't it be the same for somebody who is 17? It makes no sense at all, particularly given the rash of serious crime we have seen committed, sadly – very sadly – by under 18s. The idea of saying to those young people 'We're going to give you bail and if you breach your conditions of bail, there's no criminal penalty,' to my mind, undermines the whole intent of what the government is seeking to do here.

Once again, the government comes out, issues press releases and makes statements through the Premier and through the Attorney-General, talking loudly and saying nothing. When you look at the detail here, it just is not fit for purpose. I can flag now there will be a number of amendments that the opposition will be seeking to make to this bill to strengthen it in the other place, to at least get back to where we were 12 months ago. Far from being the toughest bail laws in the country, they are not even as tough as Victoria had a year ago. Victorians are being let down, not just because of this government's poor judgement and the Premier's poor judgement.

It was very interesting to see the Premier try and quietly duckshove responsibility for the weakening of bail laws onto the former Premier Daniel Andrews. In fact Jacinta Allan, the member for Bendigo East, was the Premier when that weakening of bail laws passed through the Parliament. It was the current Premier who was responsible. You might recall that the current Premier said to the then Attorney-General she wanted her to pull some of the youth justice laws as well, so there were some changes made. This Premier is personally responsible for what has gone through with the weakening of bail laws. She is personally responsible for the devastation and sadly in some circumstances the death of some Victorians caused by people – criminals – who never should have been on bail, who should have been held on remand to protect the community. They were not, because Labor decided to go off on an ideological frolic and weaken bail laws.

Well, the Liberals and Nationals have been strong on bail laws from day one. We always have been, we always will be. We knew the government got it wrong when it weakened bail laws. We have come into this place time and time and time again trying to strengthen bail laws, which the government refused to do. Now the government comes out with this bill called 'tough bail' – not tough at all. We will have another go at trying to strengthen these laws in the other place. This is not the answer to Victoria's problems, because the answer lies with a change of government and people who genuinely believe in community safety, not just paying lip-service to it because the polls are turning against them. That is what we have with this government – a government that does not have its heart in it, a government that does not believe in strengthening bail laws and a government that does not really

believe in putting community safety first. That is why these laws will be ineffective. This government not only cannot get the detail right but do not have the heart to make it happen.

In deference to my colleagues, many of whom want to speak on this bill, I will conclude my remarks there, other than to say that the opposition will not be opposing this bill, but we have got a lot of amendments to make it better, to make it stronger and to genuinely give Victorians the protection they deserve.

**John LISTER** (Werribee) (13:57): I rise to speak today to wholeheartedly support the Bail Amendment (Tough Bail) Bill 2025. Despite the BuzzFeed-like articles of a certain tabloid, community safety is one of my top priorities. This is not only because nearly every other night I am in a fire truck responding to another call for help in our town or because I have worked with students who have had contact with the police, it is also because when my team knocked on around 20,000 doors in the by-election a number of people told us they were concerned about safety.

This bill is difficult, and it is not the first time we have visited the issue of bail in this place. However, it is not something that sets and forgets. Our role here in this place when we act maturely is to make sure that our laws continue to meet our community's expectations and the responsibilities of the state because every victim of crime is one too many. I apologise for raising my voice like certain members over there, but I will get back to what I have to say about bill. I will use my teacher voice in a moment. This is the first collection of reforms that will see Victoria have the toughest bail laws in Australia. Most importantly, this bill will put community safety above all in every decision about bail, toughen those bail tests for serious offences and ensure there are consequences for those who breach their conditions. We do expect to see the number of people on remand increase as a result of these changes. The system has capacity, and we will ensure that it is resourced.

The first package of reforms will deliver on our government's commitment to act with urgency to ensure that our system responds to the risks posed by repeat offending and reflects the expectations of Victorians. Unfortunately, we have not seen the expectations set by this Parliament being followed through. Offenders are thumbing their nose at the law, and while you are entitled to your day in court, you are not entitled to keep offending. While I do not expect those who break the law to be reading transcripts in *Hansard*, I do expect every member of this house to echo this principle.

The tough bail laws will make two big changes to bail-making decision principles to reduce the risk of reoffending and ensure the system meets community expectations. It will make it unequivocally clear that community safety is our priority. The legislation will provide this as a clear and unambiguous signal to magistrates or judges who preside over bail decisions. Under these new laws, community safety will be the overarching principle for bail decision making for offenders of all ages. Right now, under –

**The DEPUTY SPEAKER:** The time has come for me to interrupt business for question time. The member will have the call when the matter returns to the house.

**Business interrupted under sessional orders.**

*Questions without notice and ministers statements*

**Construction industry**

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:01): My question is to the Premier. Lilly Munro was black-banned from government Big Build sites after she reported an incident where she was locked in a small room by an ice-smoking thug whose employment had been ordered by the CFMEU. Lilly's story is one of many. Premier, why is your government failing to ensure the safety of women on government building sites?

**Jacinta ALLAN** (Bendigo East – Premier) (14:02): In acknowledging the Leader of the Opposition's question, can I say to Lilly Munro and all women, whether they be working on

construction sites or in any workplace here in Victoria, that they absolutely deserve the right to a safe and respectful workplace. The behaviour that was outlined in the media reporting on Sunday was utterly sickening. It was unacceptable, and I have zero tolerance for this behaviour. Those of us on this side of the house in my Labor government have worked incredibly hard to strengthen women's safety, whether it is in the home, on the streets or in workplaces, and that will continue to be my focus.

When it comes to addressing these issues on workplaces, I make it absolutely clear – again, it does not matter whether it is a workplace, whether the projects are funded by the Victorian government or in the private sector – the same standards should be applied. I also accept that when it comes to workplaces that are supported by the government I will be holding those workplaces to account and ensuring that there is safety on workplaces, which is why we have taken a zero-tolerance approach. We are working to strengthen the complaints processes –

**Bridget Vallence:** On a point of order, Speaker – the zero-tolerance approach is not working – on relevance, I ask you to ask the Premier to answer the very narrow question.

*Members interjecting.*

**The SPEAKER:** The member for Evelyn has a right to be heard in silence. The Premier was being relevant to the question that was asked.

**Jacinta ALLAN:** As I was referring to the actions that we have taken, we are establishing a complaints process and we are supporting the work of the federal government through their appointment of an administrator, because we do need to stamp out this rotten culture. I will continue, as we will on this side of the house, to ensure that our workplaces are safe for all women.

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:04): Premier, we have seen shocking footage of a CFMEU delegate bashing and abusing women while on a government Big Build site. Can the Premier confirm that that delegate is banned from all Big Build sites?

**Jacinta ALLAN** (Bendigo East – Premier) (14:05): In acknowledging the Leader of the Opposition's question, I refer back to actions that we took last year regarding making very clear, including through the passage of legislation, the restrictions that –

**Bridget Vallence:** On a point of order, Speaker, the Premier is debating the question. It was very narrow. Has this delegate been banned from government worksites?

**The SPEAKER:** The Premier has only been on her feet for a short time. I remind the Premier of the question. However, I remind the member for Evelyn that I cannot direct the Premier how to answer the question.

**Jacinta ALLAN:** I was referring to legislation about banning people from prescribed government worksites who are members of organised crime groups. In terms of the absolutely sickening footage that was broadcast on Sunday evening, I can advise the house of two matters. The first is I am advised that Victoria Police are undertaking further investigations, and I am also advised that that individual is not on any sites that are under the contracting arrangements from the infrastructure division.

#### Ministers statements: youth justice system

**Jacinta ALLAN** (Bendigo East – Premier) (14:06): I want to see every young Victorian do well in life – see them go to school, find a job, stay out of trouble and make a great contribution to our state – which is why we are investing in record levels in our school system, in our TAFE system, with free TAFE, keeping TAFEs open, not closing them like those opposite, and of course having a pipeline of jobs, whether it is in infrastructure, in energy or in the social sector, so young people can go on and make a productive contribution to our state. But we do know that there are a group of young people in our state who frankly have had more than enough time. They are offenders who think that their actions do not have consequences, and we know that it is everyday Victorians that are paying the price and we know that the laws are not in line with community expectations. We also know that a big part of

this job is to support the work of Victoria Police with the tools, resources and expanded powers that they need to do their job. It is why we have invested more than \$4.5 billion in Victoria Police. We have more police on our streets than any other state in this nation, and we have as a result of that investment more than 3600 new police officers.

And we are going further. We are putting community safety first through our law changes, making bail harder to get for serious offenders. We are creating a dedicated crime for those who offend while on bail. And also, referring to other changes, we are appointing a dedicated magistrate to speed up processes, particularly when it comes to youth offenders. This is all about focusing on breaking this cycle of repeat youth offending and also understanding that there will be consequences, because every Victorian deserves to feel protected. We will keep working incredibly hard to support the work of Victoria Police to support the Victorian community to keep them safe.

### Construction industry

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:08): My question is to the Premier. Is Rebels biker associate and drug trafficker Shannon Tibos, who received \$11,000 despite failing to attend work, still employed as a union delegate on any government Big Build sites?

**Jacinta ALLAN** (Bendigo East – Premier) (14:09): I say this to the Leader of the Opposition: if he or anyone has allegations to make regarding criminal behaviour, I would suggest that that behaviour and those allegations are referred to Victoria Police.

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:09): Why has the Premier failed to take action to stop taxpayer money being funnelled through the government's Big Build sites to bikies and organised crime members like Shannon Tibos?

**Jacinta ALLAN** (Bendigo East – Premier) (14:10): I reiterate the answer I gave in the earlier question: if the Leader of the Opposition, or anyone, has allegations to make, it is my expectation that they be referred to Victoria Police.

**Bridget Vallenge**: On a point of order, Speaker, on relevance, the Premier is debating the question. She could very easily refer this horrific behaviour to police herself.

**The SPEAKER**: There is no point of order. The Premier has concluded her answer.

### Ministers statements: Victoria Police

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:10): There has never been a better time to join Victoria Police, can I just say, with the expanded resources of Victoria Police, the \$4.5 billion budget, but also with the Fair Work Commission currently in the process of approving the Victoria Police enterprise bargaining agreement (EBA). Once approved, members will receive a 4.5 per cent wage increase, an additional 0.5 per cent for our general duties officers on the front line every day, extra correspondence shifts for those at 24-hour stations, an equalised clothing allowance for detectives and of course, for our special operations group, a disturbance allowance for the very difficult and challenging work that they do every day to keep Victorians safe in some of the most dangerous circumstances known to Victoria Police. Some 3600 additional funded police officers are out there on the streets, and we thank them for the work that they do every day.

I also want to touch on that while some were absent last week, the Premier and I were out at the Victoria Police Academy. While at the police academy we were joined by friends and family to honour and thank those new graduates of Victoria Police, our new constables. For a career in policing, we have seen people join and new graduates from India, from the Maldives, from Italy and also from Malaysia. Some of their previous careers include an Australian navy officer, a disability support worker, a retail worker, a chef and even a scuba diver. Can you imagine – a scuba diver. This all goes to our \$2 million Made for More campaign, because we know on this side of the house we are made

for more and there are many Victorians who were made for more who want to step up, join that blue family and make a service contribution to keeping Victorians safe. It is a challenging and rewarding career with a new EBA that delivers the sorts of outcomes for Victoria Police that they deserve to ensure they get a fair day's pay for the work that they do and the risks that they take to keep our communities safe.

*Members interjecting.*

**The SPEAKER:** The member for Mordialloc can leave the chamber for half an hour. It has been coming all day.

**Member for Mordialloc withdrew from chamber.**

### **Operation Hawk**

**Danny O'BRIEN** (Gippsland South) (14:13): My question is to the Premier. Yesterday the Premier announced a new operation, Operation Hawk, and stated it was being 'immediately established'. Victoria Police just hours later confirmed Operation Hawk has been running for nine months. Why did the Premier mislead Victorians?

**Jacinta ALLAN** (Bendigo East – Premier) (14:13): In thanking the member for Gippsland South for his question I can confirm yesterday that the police minister and I were briefed by the acting Chief Commissioner of Victoria Police, and the acting Chief Commissioner of Victoria Police did advise us of Operation Hawk and how it was going to be newly expanded with a renewed focus on the allegations that were raised on Sunday and provided with more resources.

*Members interjecting.*

**The SPEAKER:** Order! Just as I asked for members to have some respect when the member for Evelyn was on her feet, I expect the same for other members as well.

**Danny O'Brien:** On a point of order on the question of relevance, Speaker, there is a difference between established and expanded.

**The SPEAKER:** There is no point of order. The Premier has concluded her answer.

**Danny O'BRIEN** (Gippsland South) (14:14): Operation Hawk has been ongoing for nine months, yet criminal activity and corruption on government Big Build sites continue. When will the Premier end the media spin and tackle the corruption and criminal activity that is leading to taxpayer money ending up in the pockets of organised crime?

**Jacinta ALLAN** (Bendigo East – Premier) (14:15): This does provide me with an opportunity to remind the member for Gippsland South that Victoria Police, as the independent operational agency in this state, have responsibility and powers and tools and resources, all backed by this government, to investigate criminal behaviour. If the member for Gippsland South wants to come in here and criticise Victoria Police for their actions, that is on the member for Gippsland South.

**Danny O'Brien:** On a point of order, the Premier is clearly debating the question, Speaker.

**The SPEAKER:** The Premier was not debating the question, the Premier was being relevant to the question.

**Jacinta ALLAN:** And there is no debate. Those of us on this side of the house will respect the operational independence of Victoria Police, and indeed we will go further. We will back them with the tools and the resources and the powers they need, and that is exactly what we are doing. If the member for Gippsland South has allegations of criminal behaviour –

**Danny O'Brien** interjected.



**The SPEAKER:** Leader of the Nationals, you asked your question. I ask you to cease the commentary.

**Bridget Vallence:** On a point of order, Speaker, there are criminals on government worksites today. On relevance, it was very narrow: when will the Premier end the spin?

**Mary-Anne Thomas:** Speaker, there is no point of order. The Premier is being relevant to the question. I ask that you rule the point of order out of order and let the Premier get on with answering the question.

**The SPEAKER:** I cannot direct the Premier how to answer the question. The Premier was being relevant to the question.

**Jacinta ALLAN:** I remind the member for Gippsland South that we put legislation through this place and through the Parliament last year to ban from prescribed government worksites members of organised crime groups. That is just one of many actions we are taking with zero tolerance for this behaviour.

### Ministers statements: family violence

**Natalie HUTCHINS** (Sydenham – Minister for Government Services, Minister for Treaty and First Peoples, Minister for Prevention of Family Violence, Minister for Women) (14:17): I rise to update the house on how this government, the Allan Labor government, is working so hard to protect women and children experiencing family violence so they can stay safely in their homes.

Last Friday I launched the Safe at Home pilot in Geelong alongside the member for Lara and the member for Bellarine. Partnering with McAuley Community Services for Women and Meli, this initiative aims to change the outcomes and trajectory for women. I got to meet and hear from Diana Connell, who is a victim-survivor, who helped co-design this program. She was forced to live in her car with her son, who was at the time in year 12, after escaping violence. Like her, many women experiencing family violence are often forced to leave their homes to escape the violence and face the loss of their connection to community, to their schools and to their workplaces. But the Safe at Home program aims to shift that outcome. It will provide 54 families in the Geelong–Barwon region with wraparound services. Families will be provided with access to counselling, legal advice, financial advice and security measures at their homes, and perpetrators will have intense case management to stop the violence.

We know that gendered violence does not only happen at home, it happens at work too. Women face disproportionate levels of harassment, discrimination, abuse and underpayment in their careers. That is why we have launched our \$5.5 million Safe Workplaces for Women initiative, which will change culture and attitudes. Working with our partners the Victorian Chamber of Commerce and the Victorian Trades Hall Council, this initiative will drive action to make sure people understand their rights and their legal obligations, because every woman in Victoria deserves to be safe in the home, the workplace and their community.

### Housing

**Will FOWLES** (Ringwood) (14:19): My question is to the Premier. Victoria is facing an unprecedented housing crisis. Around the world governments are recognising that housing is not just an aspiration, it is a fundamental human right. Countries like South Africa, Canada and Finland have enshrined this principle in law, with specific actions to guarantee housing for all citizens. In the UK local councils have legal duties to prevent homelessness. Tasmania has recognised housing as a human right through the Homes Tasmania Act. What is the government's position on including housing as a human right in Victoria's Charter of Human Rights and Responsibilities?

**Jacinta ALLAN** (Bendigo East – Premier) (14:20): In thanking the member for Ringwood for his question, I will say to the member for Ringwood we have no plans to amend the human rights charter.

But what we do have plans for is getting on with addressing the issue he raised right now with the actions we are taking right now to get more homes built. Just two weeks ago, with the Minister for Planning and the Minister for Housing and Building, we announced a range of new and additional initiatives on how we get on and build more homes here in Victoria, remembering of course that I know national data has been released today that shows as a nation we still do have a way to go in terms of building enough homes but that Victoria is leading the nation as the place that is building, completing and approving more homes than any other state.

But I do acknowledge that there is more to be done to get on and build more homes, and part of that work is identifying those barriers and blockers that have been in the way, in some instances for decades, which have stopped the building of more homes. That is why we will be introducing, through *Plan for Victoria*, housing targets for every local government area so we have even growth across the state, to make sure that regardless of where you are you have the opportunity, if you want to live in your local area, to find a home in your local area and to make sure it is supported by infrastructure that supports your growing community. Whether it is the rewrite of the Planning and Environment Act or whether it is the work that we are doing to put more homes in activity centres in great locations – we now have 60 activity centres. Indeed the Ringwood area was one of the first 10 activity centres that we identified where we could build more homes close to public transport, close to train stations, in exactly the right location. So it does not matter if you are in Ringwood or in any part of the state, you will be able to find a home, and particularly it might be where you grew up and you just want to live near your mum or dad or family as you start your own family. That is just some of the work we are doing. We are making it easier to build townhouses and small second dwellings – a range of activities.

We are getting on and building more homes. But I do acknowledge that there is more to do, and we will continue to work on bringing new initiatives and new actions to be able to build more homes here in Victoria.

**Will FOWLES** (Ringwood) (14:23): The Premier has outlined a whole range of activities. My supplementary question for the Premier is: given all of that activity, given that this change is relatively minor in terms of its legislative complexity, given the importance of the symbolism of it and given that it will influence government decision-making for years, if not generations, ahead, why isn't it on the government's program?

**Jacinta ALLAN** (Bendigo East – Premier) (14:23): I think I answered the supplementary question in the substantive answer – because we are getting on with what we can do right now. Rather than a change that may take some time, we are focused on actions that we are taking right now. They include, when it does come to legislative change, looking at how we can embed these principles of building more homes in our Planning and Environment Act. But knowing that we need to take action now is why Ringwood was one of the first 10 activity centres. It has already been through the process. The planning scheme process has been concluded, and we can now get on and see more homes being built around an activity centre, which, as I said before, is exactly the right location to be building more homes: close to jobs, close to services and close to great public transport.

#### **Ministers statements: bail laws**

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (14:24): We are moving fast to make sure community safety is right at the centre of our criminal justice system, where it should be. That is why next month the Allan Labor government will start its two-year trial of electronically monitored bail for young people. We want to make sure young repeat offenders aged between 14 and 17 comply with their bail conditions. Bail compliance is not optional, and if anyone commits further crime, particularly high-harm serious crime, while on bail, it is absolutely our expectation bail will be revoked. We are seeing too many young people getting bail and committing more crimes, often some of the very worst types of crime that are terrifying Victorians in their homes and on the streets. At the same time we want to make sure these young repeat offenders get the intensive bail supervision they need. The electronic bail monitoring program is an opportunity to help get young repeat offenders to

re-engage with education, training and work, because we know doing this is a proven way of helping young offenders break the cycle of offending, getting them back on track and turning their lives around. And isn't that what we all want, for them and for everyone, making our community much safer?

It takes more than tough talk to create safer communities. In this place you have to show up. It is not a part-time gig. It is certainly not smooth sailing every day. The Allan Labor government is working hard to make our community safer and to keep Victorians safe in their homes and in their neighbourhoods.

### Construction industry

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:26): My question is to the Premier. How long has the Premier been aware of the use of outlaw motorcycle gang members as hired muscle for intimidation on behalf of trade union officials on Big Build sites?

**Jacinta ALLAN** (Bendigo East – Premier) (14:26): Can I make it clear to the Leader of the Opposition that we have zero tolerance – that I have zero tolerance – for any form of criminal behaviour. Alongside that, it is my expectation, if there is anyone who holds evidence of allegations that there may be criminal behaviour, that they refer that to Victoria Police.

**Bridget Vallence**: On a point of order, Speaker, I realise it was a short time, but it was a very narrow question: how long has the Premier been aware of this criminal behaviour on government sites?

**The SPEAKER**: I cannot direct the Premier how to answer the question. The Premier was being relevant to the question.

**Jacinta ALLAN**: I make it clear that in my previous time as a minister in an infrastructure delivery role when allegations were made I referred them. I followed that practice of referring them to agencies for their follow-up. So I would encourage the Leader of the Opposition to not use parliamentary privilege as a place to throw these allegations around but rather to go and make these allegations to Victoria Police.

**Bridget Vallence**: On a point of order, Speaker, the Premier is not listening. She is debating the question. I ask you to ask her to come back to the question.

**The SPEAKER**: There is no point of order. The Premier has concluded her answer.

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:28): In 2016 the Premier said in relation to requiring more powers to investigate union links to bikies:

We obviously take seriously the views that are expressed by Victoria Police and take on board their issues.

Why are bikies still profiting from Big Build sites almost a decade later?

*Members interjecting.*

**The SPEAKER**: I remind members at the table that they are not immune from being ejected from the chamber.

**Jacinta ALLAN** (Bendigo East – Premier) (14:29): What has not changed over that 10-year period is our government's ongoing support for Victoria Police to support them with the tools, the resources and the powers they need to investigate allegations of criminal behaviour.

**Bridget Vallence**: On a point of order, Speaker, the Premier has known about this criminal behaviour for 10 years, since 2016. Again on relevance, why are bikies still profiting on government building sites?

**The SPEAKER:** First of all, a point of order is not an opportunity to make a statement to the house. Second of all, it is not an opportunity to repeat the question. I ask members to make their points of order succinctly. The Premier was being relevant to the question.

**Jacinta ALLAN:** I make it clear again: rather than coming to this place with allegations, make them to Victoria Police. If you have got something, if you have got evidence –

*Members interjecting.*

**Jacinta ALLAN:** If the Leader of the Opposition has allegations to make, as with any member of the Victorian community, he should make them to Victoria Police.

**Bridget Vallence:** On a point of order, Speaker, there are no allegations. This is factual information. The Premier is debating the question.

**The SPEAKER:** There is no point of order. The Premier has concluded her answer.

### **Ministers statements: Formula One Australian Grand Prix**

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (14:30): It gives me pleasure to rise to update the house on this year's Australian Grand Prix, the biggest ever at Albert Park. Over 465,000 people came through those turnstiles to see our very own Oscar Piastri and Jack Doohan. For our Sydney friends, that is literally like having six NRL grand finals over four days. For those opposite, that is like having 111 cruise ships – if you were travelling on the *Quantum of the Seas*, about 111.

I want to share with the house that the *Times of India* said the Formula One Australian Grand Prix is one of the biggest events on the grand prix calendar. The *New York Times* interviewed the CEO of F1 Stefano Domenicali. He said:

Melbourne is an incredible and vibrant city that is perfect ... for our sport.

Hotel occupancy was well into 90 per cent across the whole four days.

*Members interjecting.*

**The SPEAKER:** The Leader of the Nationals and the Leader of the House can leave the chamber for half an hour.

### **Member for Gippsland South and Minister for Health withdrew from chamber.**

**Steve DIMOPOULOS:** All flights to Melbourne Airport were full that week. Major hotel providers had to put on thousands and thousands of extra hours in shifts. Over 70 million people were watching this beautiful city and state and making their next travel plans.

I want to share with the house that under this Premier the major events calendar has skyrocketed. We have secured the NBA under this Premier for the first time ever in Australia. Under this Premier we have secured the NFL having regular season matches for the first time ever. We have locked in the Boxing Day test.

But there is another way. When the captain was cruising, the acting captain said, 'The grand prix cannot continue in its current form.' In other words, the Liberal Party wants to shrink the grand prix. What is next? Is it the Boxing Day test effectively becoming a backyard cricket match? That is what these people are talking about when it comes to the major events calendar.

**Emma Kealy:** On a point of order, Speaker, on relevance, a ministers statement is not a time to attack the opposition. Perhaps the Minister for Tourism, Sport and Major Events would like to explain where he was for 2½ –

**The SPEAKER:** The minister to continue.

**Steve DIMOPOULOS:** While others prefer to spend their money in Queensland, we spend our money here in Victoria.

*Constituency questions*

**South-West Coast electorate**

**Roma BRITNELL** (South-West Coast) (14:34): (1040) My constituency question is to the Minister for Regional Development, and I ask: when will the Portland Gymnastics Club receive the upgrade they were promised in 2022? The Glenelg Shire Council and local sporting clubs spent time and money scoping a multipurpose facility for Portland, so it was a surprise that before the election of 2022 the Allan Labor government promised \$1.25 million to only renovate the local gymnastics club facility, totally ignoring the previous work done by the community and the council. Labor scuppered plans for a shared multipurpose centre for other local sporting clubs. Now the council is lumbered with the gym renovation project. Because no scoping was done by the government, the council has found that the shed does not meet the building codes and needs a new fire system at a projected cost of \$250,000. The government needs to provide this extra money or the promise cannot be delivered. Two years on and the gymnastics community continue without the promised facility. Shame on the Labor government for ignoring the community.

**Box Hill electorate**

**Paul HAMER** (Box Hill) (14:35): (1041) My question is to the Minister for the Suburban Rail Loop. Earlier this month the Suburban Rail Loop Authority released the draft structure plans for the precincts around the six SRL East stations. During earlier rounds of consultation, locals in Box Hill shared with me their views on amenity, calling out the need for more open space and green connections. In particular, the potential of the privately owned Box Hill brickworks and former tip site has attracted much community discussion. I note that the structure plan has identified the brickworks as a strategic site and states that accessible public open space should be provided as part of a master plan development scheme for the site. I ask the minister: how will this vision for accessible public open space be delivered? I look forward to the minister's response.

**Murray Plains electorate**

**Peter WALSH** (Murray Plains) (14:36): (1042) My question is to the Minister for Community Sport. What advice has the minister received from her department about the concerns of Kyabram netballers and women cricketers that the government grant to upgrade the Wilf Cox Pavilion will not actually deliver them the dedicated change facilities they so desperately need and deserve? For generations, the netballers who play at Kyabram Reserve have had to change in the women's toilet or behind a screen in the function room upstairs. When the government made a million-dollar grant available for upgrading the Wilf Cox Pavilion, they thought their prayers were finally answered and they would have dedicated women's change facilities. But without being consulted, they now find the current proposal by the Campaspe shire does not deliver what they expected. The proposal spends a huge amount of money remodelling the Wilf Cox reserve to squeeze footballers and netballers into the existing footprint rather than building a standalone facility adjacent to the netball court, which is what the netballers want. The netballers and women cricketers of Kyabram deserve better.

**Sunbury electorate**

**Josh BULL** (Sunbury) (14:37): (1043) My question is to the Minister for Education. What is the latest information on design and planning for significant upgrades at Gladstone Park Secondary in my electorate? As the minister is aware, there is a more than \$10 million upgrade being designed and planned at this terrific local school, and I had the opportunity to catch up with staff, student leaders and parents and friends at the school on a couple of occasions last year. This of course builds on a significant amount of upgrades that have occurred at local schools within my electorate over our time in government. I look forward to the minister's response and thank the minister for his commitment not just to this school but to schools right across the Sunbury electorate.

**Kew electorate**

**Jess WILSON** (Kew) (14:38): (1044) My question is to the Minister for Roads and Road Safety. Has the minister or the Department of Transport and Planning reviewed pedestrian numbers crossing Earl Street at or near Willsmere Road roundabout with a view to improving pedestrian safety? Presently there is no safe place for pedestrians seeking to cross Earl Street from the north-east at the intersection of Willsmere Road to access the local shops or other amenities. This is a very busy intersection, with many cars on their way to the Eastern Freeway while pedestrians look to access the Willsmere shops, the Willsmere community gardens or the anniversary trail, which is also popular with cyclists. I ask the minister to commit to reviewing the intersection to determine the most cost-effective way to improve pedestrian safety and ensure that all pedestrians and cyclists have safe access to the shops there at Willsmere Village.

**Glen Waverley electorate**

**John MULLAHY** (Glen Waverley) (14:38): (1045) My question is directed to the Minister for the Suburban Rail Loop. How is the Allan Labor government supporting Glen Waverley businesses through the construction period of the Suburban Rail Loop? Glen Waverley is renowned for its excellent and diverse range of restaurants and dining options across the Glen, Kingsway, Railway Parade and surrounding areas. From burgers and steak to Chinese, Malaysian, Korean and Japanese, as well as various bubble tea and bar options, it truly is a magnificent place to visit for a meal. The construction of the Suburban Rail Loop means that traders are impacted, with foot traffic reduced and certain roads and parking blocked off. It is important that the state government supports the traders through this transition period. It was great to sit down with the Glen Waverley Traders Association last week to discuss all things Glen Waverley. I thank Mitchell Zadow, Craig Lane, Aret Arzadian and the team for their time. I encourage everyone to shop local and support our traders, who make Glen Waverley what it is: a vibrant and multicultural suburb.

**Narracan electorate**

**Wayne FARNHAM** (Narracan) (14:39): (1046) My question is to the Minister for Transport Infrastructure, and I ask: what action will the minister take to resolve an ongoing VicTrack and planning issue impacting the township of Drouin that is stalling a multimillion-dollar investment in our community? There is a hotel planned for this site in Drouin; it is a \$20 million to \$30 million investment, and unfortunately for the developer VicTrack are being rather obstinate in negotiations, and I need the minister to help me with this issue. This hotel construction will provide 100 construction jobs and ongoing employment of 200 people, and all the developer is asking is access to VicTrack land for his car park. So I am just asking the minister to help me with this issue and get it resolved as quickly as possible.

**Preston electorate**

**Nathan LAMBERT** (Preston) (14:40): (1047) My question is also for the Minister for Public and Active Transport, and my question is: what works are her department undertaking to ensure the integrity of the roof at Regent station? As members in the chamber might recall, we had some quite severe weather at the end of November last year, and I understand that following that weather Metro Trains Melbourne undertook works to eliminate the risk of immediate hazards, complete plumbing inspections and reporting and confirm the safety of the roof at Regent station. I do want to thank the minister and her team for their responsiveness at that time. I also want to thank the active community in the Regent area, who often raise issues with our office and with council regarding the station, the rail corridor and its public and active transport links. Some of the long-term ideas people discuss relate to the crossing at Regent Street, the pedestrian crossings at the station and the rerouting of the Northern Pipe Trail bike path between Regent and Preston. However, on the more immediate topic we would be grateful for any information the minister could share regarding further works at Regent station and their potential timeline.

**Shepparton electorate**

**Kim O'KEEFFE** (Shepparton) (14:41): (1048) My question is for the Minister for Roads and Road Safety, and the information I seek is: when will works begin on the intersection of the Goulburn Valley Highway and Graham Street in Shepparton? This is a dangerous intersection on a major road with high-volume traffic. The upgrade, which was announced in 2022, will include new traffic signals, pavement widening and reconstruction work, pavement line marking, new street lighting and improved signage and accessibility for pedestrians and cyclists. GV Health is also located on Graham Street, and this intersection is a main access road to GV Health. It is also a very busy school bus route. More than two years on from this announcement, out of the 2022–23 Victorian state budget and \$2.2 million funded from the federal government in May last year, no works have begun. I therefore ask the minister: when will works begin on upgrading this important intersection of Goulburn Valley Highway and Graham Street in Shepparton?

**Wendouree electorate**

**Juliana ADDISON** (Wendouree) (14:42): (1049) My question is for the Minister for Housing and Building. How is the Allan Labor government supporting more affordable housing projects for my constituents in Ballarat? I am so pleased that the Allan Labor government has approved 24 new one- and two-bedroom social homes in a four-storey building to be located at 119 Albert Street, Ballarat Central. Importantly, these new homes are within walking distance to essential healthcare services, shops, transport and green space. These uniquely designed purpose-built apartments will provide 24 modern and energy-efficient homes in the heart of the Ballarat CBD. These new apartments will be more than just a home, because they are situated adjacent to Uniting services in Dana Street. Vulnerable community members will have access to ongoing support as they transition into safe and secure housing. This is a \$15 million housing project which will be a great boost to our local economy and jobs. I look forward to the minister's response.

**Bills****Bail Amendment (Tough Bail) Bill 2025***Second reading***Debate resumed.**

**John LISTER** (Werribee) (14:43): Returning to the bill, I go back to looking at some of the different changes that we are introducing in this legislation. Right now, under section 3B of the Bail Act 1977, an accused youth offender can only be remanded as a last resort; we are getting rid of this. A few months ago I spoke to a bail justice who works in our community. Like most people, I had just been going about my life before this gig, and as a teacher the finer grain of state bail legislation did not really come up in the staffroom. However, when they took me through our schedule of offences for the different bail tests that they apply I could see straightaway that high-harm crimes like armed robbery, aggravated burglaries and carjackings should be elevated to the more stringent test.

These laws will be our toughest bail laws ever, uplifting many offences so that tougher bail tests will apply and bail is less likely. We will amend schedule 2 of the Bail Act so that people charged with the following high-risk offences will have a presumption against bail on their first offence unless they can show compelling reasons to justify bail. Those charges are serious firearms offences; serious arson; committing an offence involving a controlled weapon, including machete violence, a prohibited weapon or an offensive weapon, including everyday implements fashioned into or used as weapons, such as baseball bats, kitchen knives and shivs; and also offences relating to vehicle theft when co-charged with conduct endangering life, conduct endangering persons, failure to stop or possession of a prohibited or controlled weapon. We will also elevate the following offences from schedule 2 in the Bail Act to schedule 1. This means that people charged with these offences will have a presumption against bail, even on their first offence, unless they can show the very tough exceptional circumstances to justify bail. Those offences are armed robbery, aggravated burglary, home invasion and carjacking.

Bail rules should not be broken. The tough bail laws will restore respect for bail and its conditions at all levels of offending, with consequences for breaking the rules. The legislation will introduce the offences of committing an indictable offence while on bail and breaching a condition of bail without reasonable excuse.

A while ago I sat down with local police at Werribee police station, including those leading our dedicated youth crime taskforce, which was set up with funding from the Labor government at our police station, working in the Wyndham police service area. I have always said that I will work in government to make sure our local police have the resources and legislative powers they need to do their job. One officer brought out a de-identified list of offenders that their youth crime taskforce is managing. They shuffled through a considerable number of pages and landed on one case. This person was first arrested over five years ago and since then has committed dozens of offences while on bail. Many of these were extremely serious.

The number of youth offenders on remand has increased following changes in 2024 to target serious repeat offending, but more changes are needed. Despite what the Leader of the Opposition may tweet today, reoffending remains a serious problem and this bill goes to addressing this. Males in their mid to late teens, both adults and youths, make up most alleged aggravated burglary offenders by far, with 64 per cent being under the age of 20. These laws squarely target the risks of these younger serious offenders. Many of these offenders are on first-name terms with the youth crime taskforce at Werribee.

The current system is still not tough enough and does not reflect the expectations of victims or the public. This government will make sweeping changes, not to punish people who have not had their day in court but to reduce the risk of someone on bail reoffending in the community. We know, as does the opposition, that prevention is also important when tackling this offending. Since 2014 over \$6 million has been invested in community crime prevention programs in the council area that I represent, in Wyndham, many focused on youth offending. Protections for vulnerable cohorts in our community will still exist in our bail legislation.

While those opposite will bluster about this all over social media to stoke up fear, we listened and acted. My first phone call after leaving the police station that time was to the office of the Minister for Police. It was clear we had to act quickly. The people of Werribee and indeed the people of Victoria are a practical lot. They do not want politicians who just post grainy CCTV footage or photos to make them afraid or politicians that talk about not being able to go out for dinner at night. They want politicians who work with the people in charge and get the job done.

I was shocked to read in the paper about the behaviour of some members who stormed out a few moments after a briefing on this bill. They claimed they were not properly briefed, despite later offers to reschedule. Those opposite have shown that when it comes to community safety they are all bluster and no bills. When the government put these reasonable and responsive measures out to the public last week, the Leader of the Opposition was north of the 26th parallel. The Leader of the Opposition needs to get his party shipshape. Those opposite have no right to cross the West Gate –

**Danny O'Brien:** On a point of order, on the question of relevance, Speaker, I ask you to bring the speaker back to the bill.

**The SPEAKER:** I ask the member for Werribee to come back to the bill before the house.

**John LISTER:** Those opposite have no right to cross the West Gate for the first time in 18 months at the by-election, come to our community in Werribee and stoke up fear and division and then not step up to pass this legislation and fix the problem.

The people of Werribee elected me to be their voice in this place. I have heard their concerns about community safety, whether that is in an email, at their doorstep or through meeting with them at a local cafe. When we announced these changes last week, I called a lot of the people who had contacted



me and spoken to me about community safety. They were overwhelmingly in support of the changes we are proposing today.

As I mentioned at the start of my contribution, bail laws are not a set-and-forget situation. We have a responsibility to make sure our laws meet community expectations and the responsibilities of the state. On behalf of the people of Werribee, I commend this bill to the house.

**Danny O'BRIEN** (Gippsland South) (14:50): I am pleased to rise to speak a little on the bail laws being brought through by a government that has been dragged kicking and screaming on this issue, one that does not worry about 'set and forget'. It was set and forget last year, and it was set and forget the year before. They did not actually do anything to address the issues that they caused with those bail laws, despite the fact the opposition and many others in the community told them time and time again that what the government had done in weakening our bail laws would actually lead to consequences.

Consequences are something I want to talk about, because the problem that we have had in our community in the past couple of years in particular – particularly with youth and particularly with home invasions, carjackings and the like – is that there have not been consequences. We have heard the stories. We have seen the stories in the paper. Indeed, I can inform the house of a young person in my own electorate who police tell me has been charged and bailed around 50 times – and that has been reported for other individuals in the *Herald Sun*. This is happening time and time again. Not only that, we actually had one individual on social media actively bragging that he could steal a car, drive it at 200 k's an hour and cause damage and cause a threat to community safety but that he was going to get away with it because he would just get bailed even if he did get caught. That is the issue that Victorians are raising with us. They are saying the problem is there are no consequences.

No-one on this side wants us to be locking up kids. But when you have got kids, whether they are 14 or 17½, who are repeatedly causing trouble in the community and committing crimes – serious crimes like carjackings and aggravated burglary, coming into a house with a machete or a knife or a baseball bat and stealing people's vehicles, going on joy rides and the like – that has to have some consequences, and under the changes that the government has made in the past couple of years to bail those consequences have been removed. As the member for Malvern quite rightly said, we should remember bail is a privilege, not a right.

We have said in here before that we should not be locking up people for minor offences, that we should not be locking up people for a long period of time if they are charged with a crime that would not result in a long custodial sentence anyway. But we must be able to send a signal to the community, and most particularly to the crooks and the criminals and the thugs that are terrorising many of our neighbourhoods, that you cannot just keep doing this and get away with it. That is the problem.

The government removed, and is now making a big deal about reintroducing, the crime of breaching a bail condition. But it is reintroducing it as a summary offence when previously it was an indictable offence – a much higher level and one that required therefore the courts to consider a much higher threshold when it came to addressing bail. The fact that these laws in this respect do not apply to minors – what are we doing it for? As I have just said, much of the community angst and much of the worry from the community is in fact about minors. It is about the 14- to 17½-year-old kids. It is not restricted to that, by all means, but in these cases many of them are teenagers. If these new laws do not apply to minors, then that is a serious, serious concern.

The member for Malvern also outlined other failings in what is not in this legislation – that is, things like the tougher test for magistrates to consider, that they must have a high degree of confidence that an offender will not reoffend. It is not actually even in this legislation. Likewise there is the fact that although this legislation is urgent, there is a default commencement date of 29 September.

We certainly will not be opposing this legislation; an improvement is better than nothing. But we still think there are issues, and we will have more to say about that in the other place, where we have the

opportunity to look at amendments. We do need tougher bail laws. Unfortunately, we are not convinced that the government will get them right. I am going to leave my contribution there to ensure that we have more time for members on this side to have a bit of debate, given that this bill is being guillotined at 5 o'clock tonight.

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:55): I am pleased to speak to the Bail Amendment (Tough Bail) Bill 2025. Can I just outline a couple of statements that I want to make in relation to these matters. Firstly, community safety being front and centre with regard to every decision on bail is a very important principle in the Bail Act 1977. It is also about making sure that we are responding to the key priority of Victoria Police and the acting Chief Commissioner of Police, who made it clear that community safety is the key principle for consideration by bail decision makers, in the main our courts, to make sure that that principle is held at the forefront of decisions that are made with relation to bail.

I also want to touch on the fact that the tougher bail tests are for serious offences so there are consequences for people who do the wrong thing and break the rules. We have listened to the community, and we are meeting them where they are at. They are concerned with those who thumb their nose at the courts and thumb their nose at Victoria Police and the community, who feel that that there are no consequences for repeat offending or feel that they can ignore them and they can continue to commit offences against more victims in our community. Every victim is one victim too many, and as the Minister for Victims I also want to touch on the fact that these reforms go a long way to responding to the concerns of victims in our community.

This bill is putting community safety as the paramount consideration for bail decisions and removing the principle of remand as a last resort. Remand as a last resort is being used as a get-out-of-jail-free card, and we are putting an end to that potentially happening in the future. Too often our courts have taken the view that 'custody as a last resort' allows offenders to be released into the community where there has been continued reoffending. I should also touch on the fact that what we have seen is the unique offender rate here in Victoria has remained relatively stable over many years now, yet our offence rate continues to climb. What that is telling us very clearly is that our stable number of unique offenders are committing more offences. That comes back to the consequences around bail needing to be effective to hold to account those who think there are no consequences for their repeated offences and actions in the community that do put harm on people and generate more victims in our community. So we are ensuring there is a respect for the rules with these new bail offences and ensuring that the worst of crimes have a tougher bail test to make it harder for alleged offenders.

I think the key point to make there is that under the bill the following indictable offences will face a tougher bail test with no presumption of bail: serious firearms offences; serious arson; knife and other weapons and car theft related offences. Further to that, we are making sure that the following offences will now always be subject to the toughest bail tests available on the first offence: armed robbery, aggravated burglary, home invasion and carjacking. This is really critical to make sure that the toughest bail test that is available applies on the first offence on those occasions for those offences.

What is also important is co-charging car theft related offences of a motor vehicle with conduct endangering life, conduct endangering persons or failure to stop for police. This is about bringing together the crimes that we are seeing around aggravated burglary, often due to the theft of a motor vehicle or in the process of getting that commodity of the motor vehicle. If we can relate the high harm that occurs through the theft of a motor vehicle, the offences that occur and their relationship with aggravated burglary, we are wrapping up together the key crimes that we are seeing in the community that are driving harm, risk and victims of crime in the community. The car-related conduct offences here in schedule 2 that we are linking to those high-harm, toughest bail test offences in schedule 1 is a response to Victoria Police's evidence and lived experience and the data that shows that these offences are connected and they cause serious harm in the community and put the community at risk. We have seen that through that high-risk driving behaviour. This is about holding to account those who want to

commit offences in a vehicle that they have stolen. We do not make any apologies for that, and it is really critical work to make those links in the legislation before the house.

We have seen something like 70,000 arrests in the past 12 months by Victoria Police – that is a record number – and some 190,000 charges laid by police. Police are working harder than ever before. They are making more arrests than ever before. They are laying more charges than ever before. But we also need to see that that is being acknowledged on behalf of the community by bail decision makers, holding to account those who continue to thumb their nose at law enforcement and at the community more broadly.

I also want to take the opportunity to touch on a couple of other elements in the bill. It was clear on committing serious offences and committing further offences while on bail that we need to hold people to account. Victoria Police have been clear in their advice to the government that we need a circuit breaker, and that is exactly what we are delivering. There are the high-harm crimes, aggravated burglaries, and we have seen this in the work of Victoria Police. We have sought very carefully in some of the considerations that we have made to make sure that we are able to hold those offenders to account in the schedule 1 offences that we have uplifted and added here in this bill. What we also want to make sure that we are doing is cracking down on that high-harm offending immediately by subjecting it to a tougher bail test – really, the capacity for those repeat offenders particularly to not be able to get bail, subject to the determinations of our bail decision makers. That work is really important.

But there is also the high volume of low-level offending, which includes indictable offences. It has victims and it causes harm, and there need to be consequences. We are looking around the compelling reasons test at how we elevate the broad number of indictable offences and committing an indictable offence while on bail. I have listed that here in the bail bill to have consequences, and we will do some further work in the second tranche of our work to come before the Parliament on how we can also show some discretion around some of those offences, those indictable offences, so that we do not have damage around vulnerable communities but still hold people to account for the consequences of continuing to offend. It has to have consequences in the community.

Can I say also that we have invested some \$100 million to support 940 community crime prevention programs and initiatives and \$13 million in funding for our youth crime prevention program. An evaluation of that youth crime prevention program saw a 29 per cent reduction in offending and a significant reduction in the severity of offending. We are continuing to invest in our youth cautioning programs. In particular, the Aboriginal youth cautioning program has been very successful. Our landmark Youth Justice Act 2024 ensures we are providing services to young people on remand so they get the education and other services – the health services – that they need. That is work that we did in 2024. The safeguards that we put through this Parliament in 2023 for First Nations people, for vulnerable cohorts in the community, remain. The Aboriginal sentencing principles that were outlined in legislation last year in the Youth Justice Act remain. These are very important and critical elements, and we need to make sure we learn from mistakes that have been made in the past. But we also need to have a balance – a balance, that is, not a free-for-all because we fear damage in the community to those who offend. We also need to be able to assess the damage that is done to and support the victims in our community. Finding that balance is always a struggle, but it is a balance that we are committed to finding, and I do believe that the reforms in this bail bill, the ‘tough bail’ bill, will do that.

We will bring further reforms into the Parliament in the coming months – a determination from the government to meet the community where they are at, to support the community and to demonstrate to bail decision makers and the courts in particular that the will of the people, given expression in the Parliament through laws, needs to be addressed by those bail decision makers. As the Police Association Victoria said in their statement on 12 March:

We hope now that these reforms pass parliament quickly and complement the work our members do in catching offenders and taking them off the streets in the first instance.

The onus will soon be back on the courts to act in the interests and preservation of community safety, and not in defiance to it.

Also:

... these changes will make a difference, one that will swing the pendulum back in the favour of good, innocent people and families who deserve protection and the right to safety in their homes, their cars and on their streets.

It will give greater value to the work of Victoria Police members 24/7, who are making more arrests than ever before, with more charges for offences than ever before.

Can I say also, as I conclude on these matters, that there has been support here from Victoria Police and the acting chief commissioner, who said he was confident the bail overhaul would 'break the culture of hardcore youth offending'. Repeat offenders are not out of the justice system when they continue to offend and reoffend. I also note some comments from advocates and the commissioner for young people, who said that Victorians deserve to feel safe. Well, I will go much further than that: not only do Victorians deserve to feel safe, they need to be safe. These bail laws and reforms will go a very long way to making sure Victorians are safe.

**Sam GROTH** (Nepean) (15:05): I am going to give a short contribution on the government's bail changes that they have brought to the Parliament today. The Minister for Police had some tricks in his bottom drawer a couple of weeks ago; it seems like his bottom drawer got stuck halfway, because we heard the Premier say last sitting week, when she was, as the Leader of Nationals said, dragged kicking and screaming to bring this legislation in, that these would be the toughest bail laws in Australia. Well, they are not even as tough as they were 12 months ago when the Allan Labor government actually weakened these laws. I can say one thing: if you expect the people who caused the issue to be the ones to fix it, I would have very, very low expectations of the fix that is coming from this government.

We know that these bail laws do not go anywhere near far enough to tightening the legislation, the laws that the courts have to enact to give the police the powers that they need to actually keep people safe in their homes. If it had not been for community pressure or 100,000 signatures on a Fox FM petition through that radio station, would we even be here today debating this legislation? Is the Premier only doing this because she is all of a sudden under pressure in her job and the polls are starting to fall the wrong way, so she is doing things with this legislation?

We know that the Shadow Attorney-General, the member for Malvern, on multiple occasions has tried to introduce legislation into this place to tighten Victoria's bail laws after the weakening of them by this government. Not only did the Labor government here in Victoria not even look at what the Shadow Attorney-General was proposing, they would not allow him to introduce that bill to even have a look or to debate it. Three times they stifled that bill from being introduced into this place. They could in the last year have made some of these changes, and more, that would have actually meant that the 1500 offences we see every day here in Victoria at the moment would have been reduced. We would not have seen some of the home invasions and the terrible footage that we have seen on CCTV cameras from people's homes. We would not have mothers and kids fearful in their homes that someone is going to break in, as the Leader of the Nationals and the member for Malvern have said, with machetes, with baseball bats, with other weapons, coming in at night and stealing people's cars. These laws will come in in not anywhere near enough time to be able to keep Victorians safe today. For every day that these laws take to come into effect, another 1500 offences will be committed – today, tomorrow, the next day, the day after that, right through till some of this legislation comes in.

This bill does not go far enough. It does not impose a presumption against bail for repeat offenders with a history of multiple bail breaches. As I said, it reintroduces an offence for committing an indictment offence while on bail but does not mandate automatic remand for repeat offenders. We are getting back to some of the issues, some of the positions that we were in 12 months ago, but it does not go anywhere near far enough. I agree with the member for Malvern when he says that bail is a privilege and not a right, because if you commit a crime it does not mean that within hours of going

to court and seeing a magistrate you should be back on the street. There needs to be proper tests and people must be held for some of these serious crimes. What we have seen in this state over the last 12 months has been sad. It has been sad to see people's homes being broken into. I heard the Minister for Police say that people should not feel safe, they should be safe. I agree with the minister on that, but why has it taken 12 months for that to happen? This government has been in power for 10 years. You cannot trust the people that made the mess to be the ones to fix it.

I know there are a lot of people on this side and the other side who want to speak. Many people in the government want to finally speak about crime when they have been silent on it for the last 12 months. It is convenient now they want to be tough on crime and see it as an issue. For a long time members of the opposition side have spoken about crime right across the state and members on that side have said that it is not happening, that we are making it up, we are embellishing the truth – whatever they want to say. Well, all of a sudden we will see how many members on that side actually get up to say that this government is strengthening something about which there is a problem. They are going to finally admit they have done something wrong. But what this state really needs is not a change of laws that do not go far enough. It needs a change of government. It needs a government that will always be strong on crime and always puts Victorians' safety first.

**Sarah CONNOLLY** (Laverton) (15:10): That is unexpected. I thought the member for Nepean could fill out his full 10 minutes if he was that serious about it. I can assure those opposite I will be speaking for my full 10 minutes on crime; it is something on this side of the house we take extremely seriously. This bill will ensure Victoria has some of the toughest bail laws in Australia. It ensures that community safety is at the heart of every decision in respect to bail. We have listened to Victorians – we have listened to them loud and clear – and we know, as the Premier said, we need to do more to tackle serious reoffending in our communities. It is not enough for people to just be safe; they need to feel safe as well. I know for many folks in my electorate, some of whom have been victims of the kind of criminal behaviour we are seeking to target today, this issue is front and centre.

I recall before the end of last year speaking to a constituent of mine who lives in Truganina with his family; it was a really difficult phone call. He was a victim of a terrible, terrible aggravated burglary where there were two individuals who broke into his home and threatened his family with machetes to steal his car. I recall this incident ended up being reported on Channel 9, and sadly I acknowledge that this incident is not one that is isolated in my local community. Youth crime is very real, and I do not shy away from talking about it with my community. We know that it is at the highest level we have seen since 2009 for offenders between – really sadly – the ages of 14 and 17 years. As of September last year there were 133 offenders under the age of 18 years who had more than 25 alleged offender incidents recorded against them. Sixty-four per cent of aggravated burglary offenders are currently under the age of 20. Those stats are pretty awful. They are not ones that anyone in this house should feel proud to stand up and repeat. It is these criminal incidents – repeat burglaries, home invasions and carjackings – that we are targeting with these bail reforms.

I want to be very clear: we do not want to go back to a system where people are left languishing on bail for months for minor offences like shoplifting. We do not want to see a situation like what happened to Veronica Nelson, who died whilst in remand for a simple case of shoplifting. We do not want to see vulnerable communities, including CALD and Indigenous communities, reprimanded for minor offences, and we will not be drawn into warped ideas about locking up people for being poor. Non-scheduled offences will continue to have a presumption in favour of bail being granted, and the framework for magistrates to consider a person's Indigenous heritage will remain in place. I reiterate that it is our government's focus to prevent crime before it happens by diverting potential offenders away from the justice system in the first place; that is so important and is work that we will continue to do. We should not forget that a lot of these youth offenders come from vulnerable backgrounds. These are conversations I have in my community; we know they come from vulnerable backgrounds. They are usually the victims of or witnesses to family violence. Their families may experience

homelessness or housing stress. There is substance abuse. There are all kinds of factors that we know contribute to criminal behaviour at any age.

These are things that we have known for a very, very long time. That is why crime prevention programs and youth diversion programs – like the great ones run by Junubi Wyndham and Le Mana Pasifika, for example – are so important in engaging vulnerable young people from African and Islander backgrounds in my local community, because as much as we talk about these criminal incidents, for every repeat youth offender there are two or three more that have been diverted away and do not commit crimes in the first place. This is something that this place should acknowledge but those opposite continue to ignore and never, ever stand and speak about the incredible work that those people are doing in their communities and here in Victoria. It is absolutely critical that we continue to support and invest in these kinds of programs, because we know that they work.

That being said, it is clear that there is more to do and a line has to be drawn for those serious offenders whom these programs have not reached, have not worked for or are never going to work for. It is these criminal acts that we are looking at with this bill. It is breaking into homes and terrorising parents and their children. They scar families for life and they take away a sense of safety, and for some they never actually ever recover from the trauma. These laws are intended to strike hard at this behaviour. The bill will do exactly this by making the following changes. It is going to raise a number of offences from schedule 2 to schedule 1 offences under the Bail Act 1977, including armed robbery, aggravated burglary, home invasion and carjacking. This is also going to mean that these acts are considered some of the most serious criminal offences when it comes to bail, and they will have a presumption against bail being granted by a magistrate unless the accused can show very tough exceptional circumstances to justify bail being granted. The bill is also going to amend the bail test for schedule 2 offences, which includes serious firearm offences; serious arson; committing an offence with a controlled weapon, like a machete; or indeed theft of a vehicle. These changes will mean that when a person is charged with these kinds of offences they will have a presumption against bail being granted on their first offence unless they can show compelling reasons to justify bail being granted.

These changes reflect the serious nature of these offences and the community's expectation that committing these crimes is unacceptable in any circumstance. The bill will bring back the offences of committing an indictable offence while on bail and breaching a bail condition without reasonable excuse. These offences are going to have a maximum penalty of up to three months imprisonment or 30 penalty units, which means just roughly under \$6000. These are for indictable offences, many of which carry a sentence of imprisonment, so these offences will recognise, punish and, importantly, deter a person who is currently on bail from knowingly committing a further offence while awaiting trial.

Finally, these new laws will make a big change to the decision-making principles to reduce the risk of reoffending and ensure that the bail system meets the expectations of our community. This bill will enshrine community safety as the overarching principle for all bail decisions. It is meant to be a clear and an unambiguous signal that community safety comes first. When considering whether a person is granted bail, we must consider whether they are likely to continue to pose a risk to the safety of the community – in other words, are they likely to reoffend again?

In addition to this, the bill will remove the principle of remand as a last resort. Under the current legislation an accused youth offender is remanded only as a last resort. For offences like the ones we are talking about here today this will no longer be the case. How the system will work now is if a young person is accused of a schedule 1 or 2 offence, the bail magistrate – I note that we recently appointed a new magistrate precisely to deal with youth offenders – will consider not only the safety of the community in making decisions on bail but, most importantly, whether the person is likely to go ahead and reoffend again and risk that safety.

This bill is the first step forward in ensuring that Victoria has one of the toughest bail laws in the country when it comes to serious offences. Communities like mine in Melbourne's west want to see

that community safety is front and centre of our bail laws, and that is exactly what this bail bill is doing. We are cracking down on serial youth offenders who engage in serious crimes like carjackings, home invasions, aggravated burglaries and armed robberies, which leave families absolutely traumatised and scarred from these incidents. But we have drawn a line in the sand, and it is now very, very clear: if you are someone who commits these kinds of offences and thinks they can keep doing it again and again, you can think again, because more likely than not under the new system there will be a presumption of bail against you and you will likely be remanded.

While our government continues to do the great work before us to ensure that crimes are not committed in the first place and make sure that our community not only are safe in practice but feel safe in their homes and in our communities, we are getting on and putting through the legislation that will indeed not only make our communities safer but make people feel safe in their own homes in their own neighbourhoods. This is an incredibly important bill. I commend the ministers who have been involved in this power of work. This has not been an easy thing to do. I do commend the ministers, and I wholeheartedly commend the bill to the house.

**Cindy McLEISH** (Eildon) (15:20): I rise to speak on the Bail Amendment – goodness me – (Tough Bail) Bill 2025. It should be renamed the Bail Amendment (Not as Tough as It Was 12 Months Ago) Bill 2025 because the Labor government have absolutely butchered this area of bail. They have weakened it. They have tried to make it a little bit stronger, but we are still not back at where we were 12 months ago. This is not something that the Premier has been keen to progress, because they have progressively weakened the bail laws, and now they are finding that actually, ‘Gosh, things are getting a little bit out of control. We do need to take some steps here to try and strengthen them.’ The amendments before the house now are still not going to bring bail up to the same level that it was previously.

I really had to laugh when I looked at the press release that was put out by the Premier earlier this morning, which said:

MPs are ... gearing up for a long week ahead, because the Premier will not allow them to go home until the bill is passed.

On this side of the house we have 14 members who want to speak on the bill, and there are only a handful on the other side, I have noticed. If it is going to be guillotined at 5 o'clock, which is truncating debate, we do not all have an opportunity, which is why we are going to speak for a shorter amount of time to let everybody have a say.

There are a number of irregularities with the bill that has been brought today with haste and with urgency. It was sent through after 6 o'clock last night. We would have had a bill briefing yesterday. Who has a bill briefing without actually seeing the bill? Nobody. We wanted to see that. The Shadow Attorney-General was advised that it would be made available to him by 3. Gee, that was pushing it for a 3:30 bill briefing, but by 10 and 20 past 3 it had not happened. The part-time Attorney-General wanted to progress it anyway. We wanted to see what was in the bill, and I wondered why it was so secret. The government seemed very disorganised. It is a bill made on the run.

One of the things that I started with was about having ‘tough bail’ in the title of the bill, which is extraordinary because it is not referred to anywhere in the bill itself. This is putting politics in the title because the Premier is pretty desperate to re-establish herself as somebody who is listening to the community. Let me tell you, they are not listening. They have not listened, certainly, to the family of Ash Gordon, who have been desperate to get to the ear of the Premier. She is certainly not listening to them.

As I have said, we have all been truncated here because we have got so much to talk about. Community safety is exceptionally important, and it is exceptionally important for all of us because we go about doing our business as individuals within the community, as do our family and friends and all of our constituents. They want to know, people want to know, that they can go about their business without

fear, that they can walk down the street and know that they are not going to be harassed, that they can park their car in the street and know that someone's not going to try and steal it by breaking into their home to get keys. We need to have stronger bail laws because we know people have been flouting them, knowing that a slap on the wrist with wet lettuce does not help at all. People say, 'I keep doing it because I get away with it.'

Now the government has started to realise community safety is important. I did have a bit of a chuckle when the member for Werribee was talking, because community safety, he said, did not register as one of the big issues for him, but apparently it does now because when we were campaigning there we heard that consistently. People are talking about how important crime prevention is. I could not agree more. I think those opposite are really living in a world of delusions, because last year in the budget – you can check this out pretty easily by going to the budget papers – the crime prevention budget was slashed. At least \$20 million was cut. These were crime prevention programs, community-based offender supervision and youth diversionary programs. These have been slashed.

We have known that bail is a problem, and on three occasions Labor have voted our private members bills down: 12 months ago on 20 February 2024, on 1 August 2024 and again this year on 6 February 2025. We know that there are serious problems with bail. The bill does not go far enough to address them, and in fact some of the urgent measures are not even going to be introduced until September – and then we believe there is a second tranche, another bill coming on sometime in the middle of the year because the government were doing this on the run. It is not good enough. More needs to be done. This side of the house is certainly wanting to see more done.

**Jackson TAYLOR** (Bayswater) (15:25): It is a great pleasure to rise and speak in support of the Bail Amendment (Tough Bail) Bill 2025, and can I just from the very outset acknowledge the very hard work that has gone into this bill and the subsequent amendments made in it. Can I acknowledge the Attorney-General, the Minister for Police and of course the Premier, and can I acknowledge all the staff in those ministers offices and the department, who I know have worked extremely hard. I appreciate them providing me, other members of the government and obviously a lot of other stakeholders an opportunity to contribute to this very important piece of legislation for the Victorian community. Can I from the very outset thank Victoria Police, who do an incredible job day in and day out, 24 hours a day, seven days a week, 365 days a year. Thank you to the men and women on the front line who are out there are keeping Victorians safe.

I believe strongly that bail is a privilege and not a right, and that is what this government believes. I also think the role of government is to continue to listen to their community, to listen to people in their respective electorates, and that is exactly what we have done here. This legislation is a reflection of community standards and community expectations when it comes to the current settings as they relate to bail in this state.

Can I just also acknowledge the member for Werribee, who spoke previously. He ran a fantastic campaign and was out there and spoke to thousands and thousands of people. I think that from people in this place who would know what the issues are, the member for Werribee articulated his community's concerns and the needs for this reform well, so I want to acknowledge the member for Werribee.

Can I also just make a couple of corrections. There are some suggesting that breaching a bail condition used to be an indictable offence. To be an indictable offence it has to have an imprisonment term of more than two years in the state of Victoria. The bail offence has always previously been three months, certainly in previous iterations, and that is exactly what it will be again. You will also be able to be remanded on that particular offence if the case calls for it. There has been some discussion around who the bail condition is applicable to – the breach, the contravention – without a reasonable excuse. I note as well that in the other place last year when an amendment was put forward to an act of Parliament the very same exemption for children applied as it applied in previous iterations of the legislation.



It would appear that some want to talk about politics. I do not like – in fact I really do not like – politicising crime and safety et cetera. I think it is really important that nuance and context and facts are part of this debate and are part of this legislation, so it is very important that we stick to the facts. It would appear that others who want to accuse others of politicisation then go on to talk for the next 7 minutes completely, entirely and only about politics. We have heard a lot of ‘These laws don’t go far enough’ and ‘They’re not tough enough’, and I wait and I wait and I wait for them to explain. They have been given the opportunity here. They have the opportunity to explain why and how that is the case.

I used to be a police officer. I was on the front line for five years. Before I joined this place I was also a police prosecutor. I can tell you now, when the government talks about these being the toughest bail laws in the country, that is absolutely correct and it is entirely appropriate. We are making significant changes to the Bail Act 1977. We are highlighting that community safety and protecting victims of crime is a priority in all bail decisions. We are removing the bail consideration that a child should be remanded as a last resort. We will introduce two new bail offences: committing an indictable offence while on bail and contravening a conduct condition. We will expand schedule 1 and schedule 2 of the Bail Act to elevate offences into tougher bail tests, and we will streamline processes to enable police to bring an accused on bail directly to court when the accused has been arrested for breach or likely breach of bail. This is the first tranche of reforms that we will see in Victoria, where we will have the toughest bail laws in Australia, and as discussed, it will put community safety above all else in every decision on bail to toughen the bail tests for serious offences and ensure there absolutely are those consequences for breaking the rules when on bail.

We know that there will be a further bail bill, which will be introduced in the middle of the year. Importantly as well, we have seen discussed that this will target repeat offenders of the worst crimes. The government will create a new bail test that is extremely hard to pass. Under the new test, bail cannot be granted to someone who is accused of committing a serious offence if they are already on bail for a similar serious offence unless there is a high degree of probability they will not reoffend. This test will apply to offences including murder and aggravated charges of home invasion, burglary and carjacking. That similar test introduced into New South Wales recently saw the number of people granted bail more than halve. Victoria’s test in these circumstances will go further. It will apply to all ages and it will apply to more offences.

That very same bill that will also be introduced into Parliament will uplift the new offence of committing an indictable offence whilst on bail to a tougher bail test, therefore establishing that if you are going to commit two indictable offences whilst on bail, there will be a reverse onus bail test on you and you will have to demonstrate to the court or the relevant bail decision maker that compelling reasons exist in your circumstance for you to be granted bail, because again, bail is a privilege and not a right, and that will be at the very heart. By reintroducing contravening a conduct condition we are also making that a very important part of the narrative of unacceptable risk and a reason why police, our law enforcement, can revoke an individual’s bail. There will be specific consequences in terms of breaching that offence as well.

We know that the first package of reforms will deliver on that commitment to act with urgency, putting community safety at its heart as of course the top priority of this reform. We will see as well the following offences moved into schedule 1, which is the exceptional circumstances test. Of course that is the highest test currently in the Bail Act. Soon there will be the ‘high degree of probability’ test, in that further tranche in the middle of the year. There will be armed robbery, aggravated burglary, home invasion and carjacking in the exceptional circumstances test, which will sit alongside the offences of treason and murder in schedule 1 exceptional circumstances. Also, there will be the reverse onus bail test of compelling reasons, where the accused must prove those compelling reasons to be granted bail. We will move using a firearm to resist arrest into the compelling reasons test. We will also move an offence under the Crimes Act 1958 in circumstances where the offence is committed in relation to a motor vehicle, and there are a range of different acts in connection with that offending. Also, regarding

the offence of theft in circumstances where it is in regard to theft of a motor vehicle and in conjunction with Control of Weapons Act 1990 offences, there is theft of a firearm as well as a range of other offences.

This is absolutely a very tough bail bill, moving a number of offences into an extremely hard test for bail – into ‘exceptional circumstances’ – moving offences now that only exist in terms of revoking bail where the onus is on the prosecution to prove unacceptable risk. Now that will be moved into the onus being on the accused – into the onus of it being on them to prove why they should get bail. These are very, very tough bail laws, and we are putting offences in that do not currently exist to obviously change the onus of who has to prove unacceptable risk, plus uplifting those really shocking, disturbing offences into the highest bail test of exceptional circumstances.

This is very important legislation. Remand can be seen as a circuit breaker for people to get the support and help they need but also a circuit breaker when it comes to the importance of community safety. This legislation is so critically important from speaking to my colleagues, from speaking to my community, and I think the last thing the community would want to hear is a lack of detail, no nuance, no context and, instead of listening to a briefing, running out and running this boycott session so you can try and get a line into the media. The community would fully expect you to listen and to understand the changes to bail. What I would ask those opposite to do is to actually dig in, put some effort in, understand what these changes actually mean and use some facts – stick to facts. I implore them to vote for this bill. This will create the toughest bail laws in the country, and I commend the bill to the house.

**Martin CAMERON** (Morwell) (15:35): I will use facts. It has been 430 days since Dr Ash Gordon was senselessly killed down here in Melbourne. For every single one of those 430 days, Dr Ash’s family has been crying out for the government, the Allan Labor government, to toughen up these bail laws so no other family in Victoria has to go through what they go through every single day. Every day they wake up and until they go to sleep they mourn the loss of their beloved son, who was doing the right thing and whose life was senselessly taken. The Gordons were determined. His mum, dad, brothers and sisters live in my community down in the Latrobe Valley. They asked for a petition to be tabled in here and for the Labor government to take three simple actions: (1) afford police greater stop-and-search powers, including the ability to stop and search if they have reasonable suspicion; (2) reinstate section 30B of the Bail Act 1977; and (3) cancel plans to raise the age of criminal responsibility from 10 to 14, because these are the issues that contributed to the loss of their son’s life. Nearly 10,000 people signed that petition from right across Victoria. The signatures were received, and it received enormous media coverage – proof that communities want these changes because they see what happens on the streets; they see the unruly behaviour.

Last week there was a period of time when the Premier stood up in front of a press conference and said, ‘Enough is enough. We need tougher bail laws to stop what’s going on on the streets and to protect our community.’ We all thought, ‘Well, it’s about time. Here we go.’ But in her next breath she let herself down when she said that she needed to act with urgency after she had been listening to Victorians. Well, Premier, you have had 430 days to sit down and talk with the Gordon family. For 430 days we have requested numerous meetings, but you are yet to listen to them so you get these bail laws right. It is okay to listen to people that have been troubled by home invasions and had their car stolen, but sit down and talk to someone that has lost a son. That is what counts. That is what leadership is. That is what we do here in this chamber: make a difference; make us safe. I brought the Gordons in as I tabled the petition, and I sat them down here. Premier, what did you do? You turned your back on them. You did not even look them in the eye.

**Steve Dimopoulos:** On a point of order, Acting Speaker, the member impugning the Premier is completely false. She did not turn her back on anyone. That is a gross misrepresentation. In the context of the tragedy that befell that family, for the member now to be politicising it is really appalling.

**James Newbury** interjected.

**The ACTING SPEAKER (Meng Heang Tak):** Member for Brighton, can I just listen to the point of order? There is no point of order, but I ask the member to come to the bill.

**Martin CAMERON:** Listen to other members of the community. The family of Harry Wright, a 91-year-old man from Morwell who died in his home, has requested a meeting with the Premier, but as yet there has been no correspondence.

I urge and call on the Premier to please sit down and talk with these families. We need to look after them. In my electorate of Morwell we have the highest rate of criminal incidents outside Melbourne. The CBD is no longer safe to walk around, because we have people that are out on bail, on numerous bails, wandering the streets. We need to make sure that we take our streets back. Our police are crying out for tougher, stronger laws that they can invoke to protect us. I have elderly people who, if they hear a knock on the door, are now cowering in their lounge rooms thinking, 'Is that someone who is going to bust through and commit an aggravated burglary against me?' We need to make sure that these bail laws are right now, not in six months time, not in 12 months time. We need to make sure that we are doing the job now.

I sat through the bill briefing. Although we are talking about tougher bail laws, they are not going far enough. Are they going to make a difference? I think people out in the community do not know, because like us they have not seen the bail laws until they have been put into the chamber today. Yes, it will toughen them up from what they are right now, but it does not go far enough. We need responsible action because it is a big issue. We need to make sure that we are doing the right thing by the Gordon family, by the Wright family and by every citizen that walks the streets of Victoria. Premier, please sit down and talk to them. Come for a walk with me. I will not politicise it. Just come and sit down and talk to them by yourself. No-one else needs to know.

We are not opposing the bail laws that are going through today, because they will actually make them tougher than what we have now. But, my goodness, every single one of us in this chamber, from the Premier down, needs to make sure that we do more. And we need to do it now.

**Iwan WALTERS (Greenvale) (15:43):** I rise to speak on this bill because community safety is my first priority, as I have been very clear to my community. As the member for Morwell was suggesting, it is important that we listen to our constituents. I have listened to mine, and I know that the Minister for Police and the Attorney-General have listened to me and other members of this government who are representing their communities and their imperative for safer communities that they represent. I want to thank community leaders within my community as well as constituents. I speak with hundreds every week, whether that is doorknocking or at street stalls or in the context of community meetings that I regularly facilitate, and I have heard very strongly people's expectations that they will live in safe communities, that it is unacceptable for there to be a perception or a reality of a revolving door where young people, and other people generally, thumb their noses at the premise that bail, as the member for Bayswater said, is a privilege not a right, where people do not appreciate that privilege, where they perpetrate additional crimes, having already been bailed, and where they place the entirety of our community at risk.

I also want to thank the police in my community, who are working tirelessly, as are many other agencies, to keep my community safe. As the Minister for Police said in his contribution, the police are making more arrests than ever before. They have been given more resources by this government than ever before. But there has been an issue whereby magistrates and others in the court system have not implemented bail laws in the way that has been intended. It is very important, therefore, that we make these reforms to the Bail Act 1977 to ensure that community safety comes first.

It is important to have wraparound services that additionally seek to be tough on the causes of crime. I worked as a teacher, as I know a number of people in this house did, and one of the most rewarding dimensions of that work was working with young people who did not necessarily have positive adult role models in other dimensions of their life and who were at risk of being swayed, being pushed into

habits which were really destructive to them and the community around them. Working through schools and also as a coach and as a committee member of lots of community sports clubs along the way, I saw how those forums of community – schools, sporting clubs and, in my own community now in Greenvale, churches, mosques, youth groups – build social capital, they build connections, they enable young people to be exposed to positive adult role models that they may not have in other dimensions of their life and they keep them out of the systems that we do not want them to be in.

As the Leader of the Nationals said, we do not want to be locking up young people. It is not the starting proposition of this place or of a civilised society. However, ultimately those who commit crimes and inflict misery on communities as older teenagers, as adults, they do have agency. We accept that young children are not fully able to comprehend the consequences or the impact of their actions, and that is fully reflected in very ancient legal principles – *doli incapax*, which we have already talked about in recent debates in this place. At a certain point, however, individuals are responsible for their actions and the impact they have upon the communities around them. Ultimately it is residents in my community whose homes have been invaded or whose cars have been stolen, the law-abiding business owners and the retail workers who are threatened and/or whose livelihoods are taken away and the community members whose lives are threatened or even tragically taken who are the real victims of crime and who are the people who we need to be representing and advocating for today. That is why this bill, the first tranche of reforms at least which will see Victoria adopting the toughest bail laws in Australia, is so important.

I acknowledge the comments of the Shadow Attorney-General, and I have listened to the contributions of others on that side, and the substantive opposition with the bill seems to be with nomenclature rather than the policy dimensions. So I am awaiting where these additional ideas are coming from. We have had a lot of challenge and exception to the title, but where are these measures which they believe would be additional to the bill which will already bring in the toughest bail laws in the country? I look forward to hearing those, but I have not so far.

Contrary to the Shadow Attorney-General's suggestion, this bill is all about addressing repeat offenders who breach bail, who break bail. We are making it an offence to commit an offence on bail and an offence to breach a bail condition. The bill more broadly, as I have said, will better protect the community from repeat and serious offending by introducing the toughest bail laws in the country. The current system, in particular in relation to high-harm, repeat and serious offending, has not been tough enough and does not adequately protect victims, families or the community I represent or the expectations of the community that I represent and the victims who are subject to crime. We must place community safety first, and in doing so we are removing the principle of remand as a last resort to prioritise community safety.

I want to thank, as I said, the Minister for Police and the Attorney-General, but I also want to thank the Minister for Corrections and Minister for Youth Justice for his commitment to ensuring that we have the capacity and the wraparound supports that we need to rehabilitate and to support young people and others who are convicted of crime or who find themselves on remand. I do note, as the member for Laverton said in her contribution, that remand is not a punishment in itself. It is a tool that is there to keep the community safe until that person has the opportunity to go before the courts and to be tried by a jury of their peers or by the appropriate judge for the action, the crime, of which they are accused. But that principle of community safety has to be the core of the bail system and the system of remand, so it is important that we have capacity in our remand system for the increased number of people on remand that we will expect to see as a result of these changes. But as I said, I make no apology for that. Community safety must come first on all bail decisions, and remand is no longer a last resort. These laws will remove that principle of bail as a last resort, because it has been I think improperly applied in some instances, without wishing to impugn any member of the judiciary. The use of that provision has not been in keeping with community expectation, and that has I think a very corrosive effect on the trust that the public have in the legal system more broadly. That is a real concern, so it is important that we get that right.

I want to thank people like the member for Bayswater, who brings a really expert perspective to debates like this, having been a police officer serving our community and also a police prosecutor. As he mentioned in his contribution, we are amending schedule 2 of the Bail Act so that people charged with a number of very high risk offences will have a presumption against bail on their first offence, unless they can show compelling reasons to justify bail. That includes serious firearm offences; serious arson; committing an offence involving a controlled weapon, including machete violence, prohibited weapon or offensive weapon; and vehicle theft when co-charged with conduct endangering life, conduct endangering persons, failure to stop or possession of a prohibited weapon or controlled weapon. There must also be consequences for the breach of bail. As I have said, bail rules should not be broken. There must be consequences for breaking the rules, and this bill, the amendment of the Bail Act 1977, will introduce the offence of committing an indictable offence while on bail and breaching a condition of bail without reasonable excuse.

In making my contribution on this bill I am mindful of a particular case. While seeking to avoid any commentary that could possibly be construed as sub judice, there is a specific case that I am very mindful of when making my contribution. Having spoken at length and listened to the loved ones of a young man called Will Taylor, who lost his life last year, I am extremely cognisant of their pain at his tragic loss and the treatment of the young person accused of having caused his death in its aftermath. I will not talk about the specifics – I think I need to avoid any comment that is sub judice – but as I have just indicated, schedule 2 of the Bail Act will be reformed to ensure that people charged with offences in that category must satisfy a bail decision maker that a compelling reason exists to justify the granting of bail. It is unacceptable that there are offenders out on bail stealing cars and using them to endanger the public. It is unacceptable, and it will stop as a consequence of this bill. Additions to schedule 2 will also ensure that people who are charged with that theft of the motor vehicle – with the provisions that I mentioned earlier – will need to show a compelling reason to justify their release on bail.

In concluding my remarks, I believe that these changes will make Victoria and Victorians safer, including the constituents I represent, who I have listened to, who I have spoken with and whose positions, including that of my own, I have advocated to the Minister for Police and the Attorney-General. I commend this bill to the house. I hope that those opposite will enable it to have a swift passage.

**James NEWBURY** (Brighton) (15:53): I rise to speak on the Bail Amendment – so-called – (Tough Bail) Bill 2025. The test for any government is whether they keep their community safe. The core of this bill is whether or not it does anything to stop the crime crisis that is happening in our community. It is happening across the community. It started most recently three years ago in my community, where we saw youth crimes explode and home invasions go from something we had never experienced before to being a regular occurrence in every single street. What this bill will not do is fix that crime crisis. We have spoken about bail in this chamber before and the government has said, ‘We’ve got a set of new measures and we’re going to fix the problem.’ Well, we heard last week the Premier say on the most recent changes that she got it wrong and that those changes did not fix what has become the youth crime crisis in the state. The Premier has acknowledged it herself.

I think the reason why the government hid this particular bill is because this bill will not fix the crime crisis, because this bill does not deal with some of the core things that need changing. Some of the core changes to law are not dealt with in this bill. The new bail test for serious repeat offenders is not included in this bill. The uplift on the new offence of committing an indictable offence while on bail is not included in this bill. If you are not fixing the problem around the bailing of repeat offenders, how can you possibly address the youth crime crisis? That is what the community has been calling for. The Minister for Police himself only an hour ago stood up in his place and said, ‘We know that the same people are committing the offences over and over again,’ yet this bill does not do anything about them. The community is crying – screaming – for action, yet two of the core things to address the problems that we face are not being dealt with in this bill. That is why this government have hidden

the bill from the Parliament and from the community, because they thought, 'Let's hoodwink everybody and get away with it by calling it the "tough bail" bill.' Well, the proof will be that crimes will continue.

Over the last two weeks we have heard the Premier use, frankly, different words and try to strongly brand her message: 'I was wrong. We're going to do something about it. We're going to get tough. We're going to fix working families.' And I thought to myself that her entire strategy has changed. The government has always been about politics, but the strategy around how the Premier has been delivering the message has changed. Then I learned of course that Brendan Donohoe is back in her office full time, and I thought to myself, 'Oh, is that what I'm seeing in the strategy?' because I am definitely seeing a lot more of Dan in the strategy of the messaging from the Premier – and no action. The Premier sacked her chief of staff and brought in chief spin. That is what the messaging of the Premier is: spin.

**Nina Taylor:** On a point of order, Acting Speaker, I fail to see the relevance of what is being discussed now to the bill in front of us, and I suggest that the member return to the bill.

**The ACTING SPEAKER (Meng Heang Tak):** There has been a wide range of debate, but I ask the member to come back.

**James NEWBURY:** The government has been caught out not fixing the core issues needed to be fixed to fix the youth crime crisis in Victoria. Not only does it not include the two offences that at some stage supposedly the government will address, this bill does not commence for 195 days. This bill is so urgent it is not going to commence for 195 days. So I would say to Victorians: remember that this government do not want to do anything for 195 days, and they also do not want to do anything about serious repeat offenders. So do not listen to Brendan Donohoe's spin. It is spin. At the end of the day there is a crime crisis in Victoria, and this government is not fixing it.

**Nina TAYLOR (Albert Park) (15:58):** I am really pleased to speak on the Bail Amendment (Tough Bail) Bill 2025 that is being introduced today as the first tranche of reforms that will see Victorians have the toughest bail laws in Australia. I do not think it lends credibility to the opposition to be trivialising the seriousness of the reforms that are being put to debate today, and I would suggest that, instead of the wild rhetoric, we adhere to the real intention and actually what is being delivered by these reforms. The overarching premise I think is very logical and would be understood broadly by the community, and I say that without being patronising. I am just saying from a matter-of-fact point of view that the bill will put community safety above all in every decision on bail, and that is extremely important. It will toughen the bail test for serious offences – I think that is a fundamental tenet of the key pillars of this legislation – in particular repetitious and serious offending, which is of course what we are seeking to turn around with these reforms.

I should say, as a caveat, we do expect to see the number of people on remand increase as a result of these changes. However, the system has capacity, and we will ensure it is resourced. So when we are talking about what the ramifications of these reforms are, rest assured that these important elements have been factored in to the reforms. I should say the second tough bail bill will be introduced in the middle of the year, so there is absolute clarity, and we are being very up-front about the particular reforms that we are bringing before the chamber.

I will say, just as a small tangent, that these reforms are not in a vacuum. Everyone in the chamber would be well aware of the huge youth justice reforms that were brought about by our government last year with a significant focus on diverting youths from a life of crime. It brings nobody any joy to see any crime of course but to see youth offenders make choices which are certainly a net negative for them but of course a serious risk to the community.

I should say that the first package will deliver on our commitment to acting with urgency, because I am getting some confusing commentary from the opposition. On the one hand they are saying we are rushing with the reforms and on the other hand they are saying, 'You need to have brought these

through yesterday.’ So that is a bit of confusing rhetoric by the opposition. But make no mistake, we are delivering on our commitment to acting with urgency to ensure our system responds to the risks posed by repeat offending and very importantly reflects the expectations of Victorians.

So what does this mean? What are the reforms delivering? The first package of reforms includes putting community safety, as I said from the outset, as the paramount consideration in bail decisions and removing the principle of remand as a last resort – and when we are talking about the turnstile, the serious repetitious offending, this is exactly the kind of completely unacceptable behaviour that we are targeting with this legislative reform; ensuring respect for the rules with new bail offences; and elevating the worst of crimes to a tougher bail test to make it harder for alleged offenders to get bail. That is the fundamental premise of the reforms that we are delivering here. If we work from the premise that with these reforms community safety comes first on all bail decisions – under the laws community safety will become the overarching principle for bail decision making for offenders of all ages – it will be a clear and unambiguous signal: community safety comes first in all considerations. You will see that I have repeated this point, but that is fundamentally what counts, because overwhelmingly – and it has been said in this chamber – on the one hand community needs to feel safe but of course they need to be safe as well. That is certainly the focus for our government – the unequivocal focus for our government.

Remand, as I was saying before, is no longer a last resort. Right now, under section 3B of the Bail Act 1977 an accused youth offender is remanded, detained in custody, only as a last resort. The tough bail laws will remove the principle of remand as a last resort. So again, the opposition trivialising this fundamental shift I find perplexing, and I do not think it is helpful for the broader community to be smearing what is an essential element of the reforms that we are delivering. If we think about some of the serious offences that we are talking about, there are things like armed robbery, aggravated burglary, home invasion and carjacking. And I am thinking, without giving too many details, of a particular victim and her daughter who were the subject of a home invasion, and whilst they survived that experience, they still have to live with the PTSD. Every night there is just that little fear in the back of their heads, and who knows if they will ever fully recover from that. That is a completely unacceptable outcome that they do not deserve – and of course there are other stories in the community that have been shared. No-one is resiling from the seriousness of those outcomes, because there can be deep psychological scars from having been witness to any of these kinds of serious and completely unacceptable experiences.

Also, I have heard many stories shared of retail workers – I think this was mentioned earlier – being specifically targeted with aggression, with weapons et cetera. Again, this is completely unacceptable. A person going to work should be able to feel safe in their workplace and should not have to contend with that kind of serious and unacceptable behaviour.

A further point I do want to mention is that bail rules should not be broken. I did have a contrary reflection from somebody who was working in defending alleged offenders, can I say, suggesting that it was acceptable to commit offences whilst on bail. I have to proffer the exact contrary of that contention, because fundamentally part of bail is making sure that we secure a person to attend in court. But the other premise is that you respect the conditions under which that bail has been granted, bearing in mind of course you are innocent until proven guilty. But where there is the allegation of an offence, there is nothing to be gained from in any way enhancing or adding to whatever the particular charge or the purpose for arrest has been; that will do no-one any good. The fact of the matter is, when we are thinking about some of the serious offences that I have already mentioned, we know that the reasoning behind the decision to engage in an armed robbery, aggravated burglary, home invasion or carjacking, just as some examples, suggests a void of reasoning, and the probability of things going horribly wrong is – I would suggest, and I say this quite generously – extremely high. It is an uncontrolled situation and it is, I would proffer, an unacceptable risk to the community. Hence the imperative for the significant reforms that we are bringing about today.

I do want to note the tough bail laws will uplift many offences so that tougher bail tests will apply and bail is less likely. We will amend schedule 2 of the Bail Act so that people charged with the following high-risk offences will have a presumption against bail on their first offence unless they can show compelling reasons to justify bail: serious firearm offences; serious arson; committing an offence involving a controlled weapon, including machete violence, a prohibited weapon or an offensive weapon, including the use of everyday implements fashioned into or used as a weapon, such as baseball bats, kitchen knives and, it says, 'shivs' – I am afraid I am not as familiar with certain instruments that might be used in certain crimes but I will trust that that is a particular weapon; theft of vehicle; and theft when co-charged with conduct endangering life, conduct endangering persons, failure to stop or possession of a prohibited weapon or controlled weapon.

So you can see the nature of the reforms that we are bringing about, and I think that the imperative to bring about these reforms here today would be well understood and not repudiate or diminish the significance of them and the incredible work of the Attorney-General, the Minister for Police and the Minister for Corrections, who were all involved in bringing about these reforms as needed and reflecting the will of the community and the expectation of victims who have done nothing wrong and do not deserve the pain and the suffering that they have had to endure.

Finally, I do not have quite enough time, but I did want to say that there are important caveats also to ensure the enduring protections for Aboriginal or Torres Strait Islander people. That does not suffice, but I will just say that there are caveats within the legislation.

**Roma BRITNELL** (South-West Coast) (16:08): Victorians have had enough. They have been crying out for tougher bail laws. We, the Liberals, on this side have put to the government no less than three bills in the last 12 months. Three bills have been put into this Parliament to strengthen the bail laws, but the government has not listened, and they are only listening now because they are realising that their polling is crashing. They do not care about Victorians. Victorians wake up every day to news reports on the radio about home invasions, carjackings and people who have been bailed an extraordinary amount of times – up to 50, I have heard. Now, this is not just happening in the city. This is happening right across Victoria because the government has sent a very clear message to offenders that they can get away with it in Victoria.

Too often we are hearing of people bailed and back out on the street within 2 hours or the next day. We have been saying for 12 months here on this side of the chamber that enough is enough. We finally had the Premier realise that if she did not do something she was probably going to lose the government's position, and she is finally going to do something.

**A member** interjected.

**Roma BRITNELL**: And probably her job – that is exactly right. That is the only reason she has reacted.

We had a bill briefing yesterday afternoon at 3:30. No bill, however, had been produced for that bill briefing. We had said to the government, 'Will it be available?' because the whole point of a bill briefing is to find out what is in the bill and to have time to scrutinise the bill to make sure it is right and put forward solutions or better ideas – or accept it is terrific and there is nothing that needs to be done here. But there was no bill. Instead we got a lecture from the minister saying how bad it is in Victoria. Well, we have been saying that for at least 12 months; Victorians have been saying that. So then they came to us late last night with the bill, and laughably they have used a tactic to try and look good in the bill's actual title. They have called it the Bail Amendment (Tough Bail) Bill 2025. I mean, who puts that sort of thing in the title of the bill? This is a desperate government that is trying to say to Victorians, 'Hang on, we're hearing you now.' Well, I am sorry, there were three opportunities in the last 12 months for the government to say, 'Okay, you've got a bill. We'll look at that; we'll debate that. We'll adopt some of the ideas, maybe improve some of the ideas.' But they just did not even allow debate. In the meantime we have seen so many people terrified in their own homes, and it is not



just in Melbourne. There are so many people having their cars stolen. There are so many crimes involving knives. And youths, as we saw a few weeks ago, are often using their mobile phones to make fun of the government, saying, 'Look, I can even get away with it and I can post it all over social media, because you're just so pathetic in this state of Victoria.'

My own community of South-West Coast have also been complaining. Just some months ago we had a meeting, with 100 traders turning up. They are desperate because they are getting intimidated in the workplace. We cannot get young girls or boys to do after-school work in certain places like the Coles supermarket, because it is just too frightening for the parents to come and pick them up in the car park. It is too dangerous, with people just jumping into cars and intimidating people. The police are doing their absolute best and the best job they can do – and I commend them for the work they do – but it is not their fault that the court is bailing them. They have to then process them, and the next day they are picking them up again. We even had a situation where a young mum and her friend were having a coffee on the street in front of a coffee shop in Warrnambool one morning at 10:30, and a guy who had been bailed the day before came along and actually said – it was heard by many people – 'I'm going to kick that baby,' and he proceeded to walk up and kick the child in the pram. The mother was obviously very distressed. And do you know what – that guy was bailed again, only to be out four days later, causing havoc and stopping traffic in another part of town. This is what the poor police had to deal with.

I have got the traders doing whatever they can to help solve this problem. One of the girls, Simone Rodger, is sitting on a committee that the police have organised to try and improve things for the town of Warrnambool, but she is frustrated because what really needs to happen is a strengthening of the bail laws – and these laws do not go far enough. You can actually break bail under these amendments, and it will not be something that will result in you not getting bailed again. So you can go out and burgle someone's home, and that will not be deemed a reason for breaking bail. It is not strong enough. You could get bail again after that. Then you could go and burn somebody's home down the next day. Committing arson is something that you could get bail for. And then you could rob someone, and once again you could be bailed. These laws do not go far enough. A lot of this is smoke and mirrors. The government have not done what they have been promising. They are pulling the wool over Victorians' eyes, and people in the South-West Coast have had enough.

I had a woman say to me that she heard a man yelling at her, 'I'll only do two months for stabbing if I plead insanity in Victoria.' That is the intimidating language that has been used on a woman in a small country town. It is really out of control. We have got people smearing blood all over products in shops. There are thefts in shops. We are not talking about locking up people for petty theft, but when you are severely intimidating people and really destroying people's lives and the victims are the community, something has to change, and this does not go far enough. The government's supposed Bail Amendment (Tough Bail) Bill does not cut it, and the government knows it. Victorians will not see a better outcome as a result of this.

**Paul HAMER** (Box Hill) (16:14): I also rise to speak on the Bail Amendment (Tough Bail) Bill 2025. Can I first just thank the Attorney-General, the Minister for Police and the Minister for Corrections. I know they have done a power of work over the last few weeks to bring these important changes to the Parliament. I also want to thank my usual neighbour the member for Bayswater – my neighbour in this place; we are not from neighbouring seats – from whom I have learned an enormous amount about the bail laws and how they operate in practice. As is well known to this chamber, he was a police prosecutor in a former life. Speaking to him and understanding the process by which people are charged and brought through the criminal justice system at both stages – first at the arrest and bail stage and then later at that prosecution stage – has really educated me. It is an area that, coming into Parliament, I was not very familiar with. I do want to thank him for all of the advice and education that he has provided me, particularly in the lead-up to this bill, on how the changes that are being made by this bill are going to actually impact the wonderful work that Victoria Police do but also how they will impact the community and how they will impact those offenders.

It is very timely that this bill is introduced into Parliament. As all members have recognised and acknowledged, this bill has been introduced because of issues with community safety in all of our communities. I do not think that there is one of our communities that has not been touched by some violent offences in recent times. One of the ones I do want to touch on and refer to on the bill later on is the incident that happened last year very close to my electorate, which was an absolutely tragic incident involving a hit-and-run where a young doctor was killed by a vehicle that had been stolen by young offenders who were on bail at the time. Offences such as this and home invasions and aggravated burglaries do have our community worried, and it is all elements of the community. It is often those who are most vulnerable in our community who are most at risk in this situation, because they are the ones who are not necessarily going to be able to have the alarm systems, security doors and security garages that may offer some additional protection from people who are particularly looking for an easy way in. When I have heard from victims about how these incidents have occurred, it has often been because, through no fault of their own, they have a house that has slightly less protection and offenders are using that weakness to come in. It is not acceptable in our community that people should be living in fear that someone is going to break in. As the member for Albert Park mentioned before, it is not just about the actual incident itself; there also can be a long-lasting psychological impact on victims from actually seeing somebody in their home. It is that personal impact. You feel that your home should be a safe haven for you, and if you see somebody invading that space, even if they do not commit any direct violence against you, that can be a very, very scary thing indeed.

Looking at the specific provisions of the bill, the purpose of the bill is to improve community safety – as has been mentioned a number of times and by the Premier herself, community safety has really been put at the front and centre of this bill – and to strengthen consequences for alleged offenders and repeat alleged offenders accused of serious and high-harm offending, as well as certain types of alleged repeat criminal conduct driving community concern.

There are a few key changes that will be introduced as part of the amendment to the Bail Act 1977 and the Summary Offences Act 1966. One of the key changes is to introduce two bail offences, one being the committing of an indictable offence while on bail, for inclusion in the Bail Act, and the contravention of conduct condition of bail, for inclusion in the Summary Offences Act. A second stage of the bill which is planned to be introduced will incorporate offences into schedule 1 that were previously schedule 2, lifting up that bail requirement so that for the bail decision maker there now have to be exceptional circumstances that exist to justify the granting of bail, and that will include offences such as armed robbery, aggravated burglary, home invasion and carjacking. As I was referring to some of the incidents before, in particular in relation to home invasion and aggravated burglary, these are incidents that I do hear about quite frequently in my community. Touching on, again, the member for Albert Park's point about the psychological impact that that is having on local families, I think it is certainly a move in the right direction to strengthen the bail provisions for those offences.

The amendments will also incorporate additional offences into schedule 2 to ensure that people charged with these offences will need to satisfy the bail decision maker that a compelling reason exists to justify the granting of bail, again lifting up that standard to place more of an onus on the accused seeking bail. That includes serious firearm offences, serious arson, committing an offence involving controlled weapons, prohibited weapons and offensive weapons, and motor vehicle theft when charged in combination with reckless conduct endangering life or a person's failure to comply with a direction to stop or possession of a prohibited or controlled weapon in the course of the theft of a motor vehicle.

I want to again touch on motor vehicle theft when charged in combination with reckless conduct endangering life or persons and, as I reflected on earlier, the high-profile case that occurred in Burwood in mid-2024. I think there was, rightly, quite a lot of community concern that this incident could involve individuals who not only were on bail at the time but then also subsequently were granted bail

as a result of that incident. I think that changes such as these are important as they reflect the community sentiment and can be traced back to real-life cases of how this has played out in practice. Let us hope we do not see a tragic incident like that again, but if that incident were to be repeated under these laws, then at least there would be a much stronger test that the accused would have to satisfy.

Again, that is I guess the main thrust of the changes to the legislation that we are proposing. We are putting forward changes that will make our community safer and more secure, and as I was saying at the outset, I think this applies to all of the communities that we represent across Victoria, whatever their age and whatever their ethnic demographic. I commend the bill to the house.

**Jade BENHAM** (Mildura) (16:24): I say every week in this house that I feel like I speak on crime and bail laws and how they were weakened every week, and I do. I stand by that, and here we are again. What has me befuddled this week, though, is the change in attitude from the other side. For 12 months, or for longer, they have been telling us that we are delusional, we are causing fear and we are facilitating a fearmongering campaign in the media, that there is no issue with community safety and no issue with crime and that it is not real. They are deniers. Crime deniers is what they are. And now that FM radio has got involved, like I spoke about two weeks ago, all of a sudden they are making changes. It is in the mainstream now and people are talking about it because it is true. We have been yelling and screaming about this for at least 12 months – longer than that. Sitting here and listening to what is coming from the talking points, honestly I do not think there is a member on the other side that actually listens to what is coming out of their mouth. They are just regurgitating what is in the talking points. They absolutely just read what is given to them, because if they did not they would have paid attention to this months and months ago.

Again I said last sitting week that I talk about this every week in this house, and I will tell you who else I spoke to during the week. I speak to Victoria Police members every week because I am a very practical person. I wanted to know how this legislation, which we did not get until 3:30 yesterday and then struggled to get a briefing on, would affect the practical enforcement and implementation on the ground. I will tell you what, I learned so much in spending an hour on the phone with a 33-year veteran of Victoria Police. He is at the coalface of youth crime. He is actually through southern metro, so he has a fair bit of work in his patch at the minute. He said he has never seen it so bad, particularly in the last 12 months. I learned so much just speaking to him about the frustrations. I heard the Premier say today about the tools and resources that the government gives to Victoria Police. I mean, go and talk to some Victoria Police members, for heaven's sake. They are so frustrated. Their arrest rates are so high, yet offenders are getting rinsed through the justice system and bailed. Fifty-two times on bail is completely unacceptable, honestly. The Minister for Police earlier today said there has never been a better time to be a member of Victoria Police. Go and talk to some of them on the ground. They are so frustrated. The other thing I heard was 'Legislation that is pushed through this quickly is never a good outcome.' That is coming from Victoria Police members. When it gets pushed through this quickly, it is never a good outcome.

Regarding the intervention programs that the Minister for Police was talking about earlier, some of those are great, like the Pivot program, but the framework under which they are funded is flawed. They are not funded based on outcomes. Again, I talk about this all the time too. If we could just change the framework for funding and fund these things based on outcomes, we would have much better results from these things. The words that I heard during the week were 'When you lift the veil on these programs and early intervention, there is nothing there.' That is coming from Victoria Police on the ground in the city and in Mildura. When you lift the veil, there is nothing there.

Again, I could go on. I have got pages and pages of notes on this. Like the Leader of the Nationals said earlier, we are not opposed to this, because any improvement is good improvement. But, again, when something is pushed through this quickly, can we have faith that it will actually fix what needs to be fixed? It does not toughen the bail laws to where they were pre March 2023. You know what, when we say tough bail laws, we do not necessarily need the toughest bail laws in Australia, we need the best bail laws in Australia. That is what we are after. So, no, we are not opposing this. I am going

to cut this short because, with only half an hour left to debate this bill, I want to make sure that some more of our members get a chance to debate this bill. But we want the best bail laws in Australia.

**Jackson Taylor** interjected.

**Jade BENHAM:** This does not look anything like the best bail laws. It does not look anything like the toughest. It does not look anything like tough bail laws from March 2023. There are two clauses in this which may be helpful. That is it.

**Will Fowles:** On a point of order, Acting Speaker, standing order 103 provides that when more than one member rises to speak you call the one who stood up first. I stood up first.

**Belinda Wilson** interjected.

**Will Fowles:** Well, the government can do what it likes; the standing orders of the Parliament provide that in the event that two members rise, the one who rose first has the call.

**Belinda Wilson** interjected.

**Will Fowles:** That is why I am asking the Acting Speaker for an opinion. You do not sign it off.

**The ACTING SPEAKER (Kim O'Keeffe):** I did see you both stand at the same time, so my apologies for that.

**Eden FOSTER (Mulgrave) (16:30):** I am pleased to rise today in support of the Bail Amendment (Tough Bail) Bill 2025, and I thank the Attorney-General for introducing this bill. I have heard from many victims of crime, and it is unacceptable that people are living in fear and that community safety is being put in jeopardy by those who are committing the most serious crimes. Whether it is machetes, carjackings, home invasions or aggravated assaults, it is clear that we need to take immediate action.

I have spoken with the Minister for Police and the Minister for Corrections and Minister for Youth Justice about community safety concerns. Just to correct those opposite, I have also spoken to the police in my area, and recently – about two weeks ago – we had a community safety forum at Springvale City Hall that I attended, and I spoke not only to the community members there but to the local police. The member for Clarinda was there; the member for Mordialloc was there. So we have been speaking to local police, and we are hearing them and we are taking quick action. The response not only from police but also from the ministers that I have spoken to has been swift, which is why we are implementing the first tranche of reforms, which will see Victoria adopting the toughest bail laws in Australia. These measures will start immediately, and we have the capacity in our remand centres to handle them. Our priority, entrenched in law, is community safety. This will be achieved through new bail offences, ensuring that the rules are respected and that officers of the law are applying more stringent bail tests which align with community expectations. This will address repeat offenders and criminals who are escalating their criminal acts – the very criminals that Victorians are most concerned about.

Community safety needs to be first in bail-making decisions, and this bill puts community safety above all in every bail decision. This will provide an immediate jolt to the system, addressing the actions of those serious repeat offenders. In the instance of youth offending, remand as a last resort has now been removed as a consideration in the decision-making process. Under these laws, community safety is the number one overarching consideration for those handing down the rulings.

Schedules 1 and 2 offences are our most serious crimes, the ones that are driving fear throughout the community. Under these proposed amendments we are instituting a tough new bail test that makes it harder for people to be granted bail. If one is committing offences that are schedule 1 offences, such as aggravated burglary, home invasions, armed robbery and carjacking, bail will be refused unless exceptional circumstances exist to justify the granting of bail. Further, schedule 2 has been expanded. This class includes knife crime, serious firearm offences, arson and motor vehicle theft occasioning a

threat to public safety. In these circumstances remand as a last resort is no longer a get-out-of-jail-free card. We are holding those who habitually break the law and think they can get away with it to account.

What I have heard in the community is that a small group of repeat offenders are not respecting the rules, and instead of getting the sentence the community would expect they are being granted bail and continuing to break the rules. We are putting a stop to this and implementing bail offences. Breaching conditions of bail will now constitute an offence as well as committing indictable offences while on bail; this will now be punishable by up to 30 penalty units or three months imprisonment. If one does not follow the rules, breaches bail conditions and commits serious offences whilst on bail, there will be very serious consequences. The community has an expectation, and this must be met. We are not breaking the presumption of innocence and we are not punishing those who have not had their day in court, but we are ensuring that those who break the rules will be held to account, because the principles of bail must be respected.

Of great importance to me is continuing to ensure that our vulnerable groups and Indigenous peoples are appropriately considered. As part of previous bail law reforms, in 2023 additional safeguards were introduced into the Bail Act 1977 to deal with vulnerable cohorts. This means there are additional determinations that a decision-maker needs to consider, particularly when it comes to Aboriginal persons and children. These safeguards will still remain and will continue to be added to. When in the second bill there is an uplift for indictable offences, that will be the time when even more safeguards will be implemented – for example, removing some of the offences that might get caught up in the uplift of some of those indictable offences.

We expect to see the number of people on remand increase as a result of these changes. I would like to note that there is capacity across the justice system for these changes to occur immediately. Corrections Victoria have also been preparing and training additional staff, ready for these new tough bail laws. We know that when these laws take effect they will occasion an increase in those taken into custody. The community can be assured we will be ready for it.

We need to continue backing our police, and that is something this government has consistently demonstrated. Since coming into government we have invested a record \$4.5 billion into Victoria Police to fund additional police and new and upgraded stations right across the state and invested in new technology to ensure that Victoria Police continues to be a modern fit-for-purpose organisation into the future. Furthermore, since 2014 more than 3600 additional police have been funded, and the results speak for themselves, with over 72,000 arrests being made since just September of last year. This bill supports police efforts in presenting offenders to the courts and ensuring they do not reoffend, reducing the need for repeated arrests of the same individuals. I want to particularly thank the police for their hard work in Operation Trinity and Operation Alliance, focusing on aggravated burglaries and significant car theft. While there is still much work to be done, this bill will allow the police to focus more on these critical operations, because the police support these laws, and we are continuing to back them through this legislation.

For many young people diversion programs are sufficient to get them back on track. Young people are accessing mental health supports and mentorship supports at schools and in the community. For most young people these programs are sufficient in getting them the support they need. As a psychologist I have seen firsthand how young people who might be going off track do get back on the straight and narrow. Unfortunately, for some young people these supports are not always sufficient, and no matter how much support they may have there often needs to be that circuit breaker. We have heard many family members calling for such circuit breakers.

I would like to reflect on how much work this bill took to prepare and the severity it needs to be treated with. Much to the disappointment of those on the other side, holiday time is over. It is great to see the Leader of the Opposition back, and I trust that he will make a very valuable contribution to this discussion. Personally, I have been working hard representing my community, and I am disappointed they have not held themselves to the same standard, because this government has attempted multiple

times to brief the opposition on our tough bail laws that will be implemented, with our briefing attempts being entirely rejected. This is not kindergarten, so it is important that nobody in this place behaves like kindergarten children, to borrow the words of the member for Malvern, who is in the chamber, I might add. It is important that we go about governing, not going out for dinner. There is no excuse for those on the other side. Attempts have been made to reach out, so now it is time that those on the other side get on board so that we can get on with the job, because that is what it means to be in government, which is something they must have forgotten since it has been a long time.

Again, these bail laws focus on those high-harm, serious offences that are being repeated, putting a jolt in the system and breaking the pattern of repeat offending that is particularly being seen in youth offenders. This will make a difference, because we have had consultations and discussions through the work of the various departments, Victoria Police and the justice system. There will be an immediate impact with remand numbers starting to increase as the focus becomes community safety and through removing remand as a last resort for young offenders. Community safety is first and is the clear overarching principle, and we are putting community safety first. I thank the Premier for a swift response, and I commend this bill to the house.

**David SOUTHWICK** (Caulfield) (16:40): I am only going to speak for a couple of minutes because there are so many from our side that want to speak on this bill, but we have unfortunately been shut down because this government has done everything at the last minute. This bill is a last-minute bill. This briefing was only given to us last night. It is a major change to the Bail Act 1997, called the 'toughest bail ever', and it is last minute, like everything this government does. Who believes anything Premier Allan and this government have to say when it comes to tough laws? This government has had a 'come to Jesus' moment. Fair dinkum – this is a Jew saying that. It is a 'come to Jesus' moment where they are standing up and they are saying, 'You know what, this is fantastic and it needs to happen with all the crimes in our area.'

392 days ago our Shadow Attorney-General tried to bring in a change to bail laws – three times, three private members bills, all blocked by Jacinta Allan and the Labor government. This government is not tough on crime. All the crimes that have been happening are on Premier Allan and Labor's heads. They have failed. You only have to look at a story that was on Channel 9 yesterday, 'Parents of repeat offenders plead for more government help'. We had Jen, whose 15-year-old son was arrested more than 30 times in 15 months. She wrote to the Premier hundreds of times but did not receive one phone call, one email, nothing – bubkis. All of a sudden the Premier cares. All of a sudden the Premier is interested. Well, you know what: the only thing the Premier is interested in is polling and her job – not in law and order but in polling and her job. That is why we are standing here today talking about these laws.

The member for Mulgrave says we are preparing our jails. They are not prepared, not at all. How can you prepare for something when it was only introduced a week ago? Our jails are not ready for this, our courts are not ready for this and the police are not ready for this. There is no funding, no support, no detail – a complete bail fail. These should not be called 'tough bail' laws; these should be called 'bail fail' laws – that is what this is. Premier Allan has failed again to keep Victorians safe.

**Will FOWLES** (Ringwood) (16:42): I am pleased to be able to make a contribution to this debate. About the most serious thing we as legislators and governments can do, about the most serious thing they can do ever, is deprive someone of their liberty. It is one of the most serious powers that any government, any legislature can execute right across the Western world. One of the foundational documents of the Western system of parliamentary democracy is the Magna Carta. When King James signed that document in 1215, one of the fundamental tenets was that justice should not be denied, that justice should not be delayed. We have had speaker after speaker after speaker in this place today on both sides of the chamber get up and talk about offenders when they actually mean alleged offenders and get up and talk about criminals when they actually mean people who have been charged with a crime. They have even gone so far as to say that bail is a privilege and not a right. In fact, the right is that to speedy justice.

Right now we are in this confected debate about the need to modify bail laws simply because people cannot access justice quickly enough. People talk about offenders having been released on bail and that being the travesty. No, the travesty is that they have not been tried. They have not actually had their charge put in front of a jury of their peers, as not just the Magna Carta demands but the Crimes Act 1958 here in Victoria demands. These rights are the most fundamental rights. The deprivation of liberty is about the most serious thing a government can entertain. Here we are being asked on some 25 hours notice to enact a set of laws that will deprive more Victorians of their liberty. People applying for bail are not criminals, they are alleged offenders. They have been charged, not convicted. They sit in that part of the process where they are neither person on the street nor criminal. They are in between. They are subjected to a process. They are part of a process that will determine whether in fact they are guilty or not. And the operating assumption from many members on both sides of the chamber today is that these people are in fact already criminals, that they have already committed crimes. No – that determination is made and only made by the processes laid out in the Crimes Act 1958, by the processes that determine a finding of guilt or otherwise.

What we are seeing here is an appalling transgression of this debate by its getting diverted entirely into whether bail ought to be granted in particular sets of circumstances, when in fact the cure for this ill is not changes to the bail laws, it is getting people speedy justice, it is getting these alleged offenders before a magistrate for trial or before a jury of their peers for trial to have a determination made about their guilt. If they are found guilty, absolutely lock them up, make no mistake, but let us be very, very careful about changing any set of assumptions that puts people behind bars before they have been convicted of a crime.

Bail is not a privilege. Speedy justice is in fact the relevant right, and we ought to be very, very careful before impinging on this fundamental right and impinging on it in a way that is so hasty, so poorly thought through, that it does not allow everyone in this chamber to fully consider the consequences of the matters before us. I ask all members to consider that with the utmost seriousness as they cast their vote in some 13 minutes time.

**Gabrielle DE VIETRI** (Richmond) (16:47): I rise to make a contribution on this panicked Bail Amendment (Tough Bail) Bill 2025 introduced by the government, but first I want to recognise that this Parliament sits on the lands of the Wurundjeri Woi Wurrung people and pay respects to elders, whose sovereignty was never ceded, and echo their calls for truth, treaty and voice. Victoria has worked towards establishing truth-telling to work towards an Aboriginal voice on justice policy and a treaty with its First Nations people. These are significant achievements of the First Nations communities and the government, and I do not wish to denigrate or diminish them. But support for truth, treaty and voice must go beyond just supporting their establishment. They must also be practically supported and actioned by strong, progressive governments and political leaders. In that vein I note the hypocrisy of the Premier, who last year told the Yoorrook Justice Commission of her deep commitment to First Nations truth and listening but then deliberately ignored First Nations voice to make a captain's call on bail this year that we know will end up locking up more First Nations people and in particular women and children.

The Premier told Yoorrook last year:

I ... want to acknowledge that it's not enough to merely know this history. We do need to learn from it and we need to act on it too.

Yet today she says the changes to bail that were made in 2023 in response to the death of Gunditjmarra, Dja Dja Wurrung, Wiradjuri and Yorta Yorta woman Veronica Nelson were wrong and need to be reversed. Veronica Nelson was not convicted of any crime. She died in a prison cell – unsentenced, denied bail on minor charges. The *Yoorrook for Justice* report's scathing summary of the 2018 bail reforms that led to her death could be directly cut and pasted for a response to this bill when it said the Andrews government:

... ignored the concerns and advice of First Peoples about the inevitable impact of its bail reforms, making a mockery of government commitments to self-determination and reducing over-imprisonment and eroding the trust that had been generated through the justice-related forums established to listen to and consult with Aboriginal people.

When the coroner released his findings into Veronica Nelson's death in January 2023, he called the previous bail system in Victoria a 'complete and unmitigated disaster' that led to 'grossly disproportionate rates of remand' for First Nations women. That is what we are returning to today with this bill. To put it into perspective, this bail bill before us today is far more politically conceived, rushed, non-consultative, politicised, tabloid and reductively titled than the unmitigated disaster that was the 2018 knee-jerk bail reforms.

Last week, after Labor's announcement to reverse the measures to prevent deaths in custody, Veronica's mother Aunty Donna Nelson said it was a betrayal of what she was told by the former Chief Commissioner of Police and the Attorney-General after the findings into her daughter's death. Last week she said they:

... looked me in my eyes and promised to make bail conditions better, because of what Veronica and my family suffered. Where are those promises now?

The Premier has not answered that question, so I will ask again the government members in this place Aunty Donna's question: where are those promises now? Where are those promises that the institutional violence that led to the death of Veronica will not happen to more Aboriginal and Torres Strait Islander women now? The former police commissioner Shane Patton, who wrote an apology letter to Aunty Donna Nelson, said he believed it was important that he publicly acknowledge that the bail laws 'started a chain of events that resulted in your daughter being remanded'. Mr Patton also apologised on behalf of Victoria Police during his appearance at the Yoorrook Justice Commission in 2023, telling the hearing that systemic racism, racist attitudes and discriminatory actions of police that have gone undetected, unchecked, unpunished or without appropriate sanctions have caused significant harm across generations of Aboriginal families. Veronica's family, the community and legal experts have been calling for the implementation of Poccum's law, named after Aunty Donna Nelson's nickname for her daughter. It called for urgent changes for fairer bail laws, and only one year ago we changed the law in response to those calls. Although it was not adopted in full, it has already saved lives. Now this kneejerk reaction is undoing all of that.

The Premier claims that these bail laws are a necessary circuit breaker, but for what? A fabricated youth crime crisis invented by the Liberals and the Murdoch media. In 2025 youth crime accounts for just 13 per cent of offences, the same as last year. Victoria has one of the lowest youth crime rates out of all the states and territories in Australia, and when adjusted for population growth, overall rates are at lower rates than 2016. Even if there was a wave of youth crime to respond to, we know that prisons do nothing to improve community safety. Instead they reinforce systemic injustice, disproportionately targeting First Nations people and people of colour.

There are hundreds of good reasons to oppose this panicked bill that the government only circulated last night. Removing the requirement that remand for children be an option of last resort flies in the face of international human rights and makes a mockery of the evidence of what works and what does not work when it comes to crime, but the fundamental reason is that it simply will not improve community safety. When Labor came into power in 2014, 19 per cent of our prisoners were unsentenced on remand, fewer than one in five. Now that sits at 38 per cent – double. By the Premier's logic the community should be at least twice as safe as we were 20 years ago, yet at the same time the level of remand has doubled there has been no decrease in criminal offending rates or improvements in public safety. Circuit breakers already exist, but they are not being used. For example, when police have evidence that a young offender has breached bail conditions they are already able to take an application to return to court and have bail revoked, but senior police have admitted that officers simply cannot be bothered to do the paperwork.



Of course the Premier knows that higher remand rates are criminogenic and perpetuate crime. Karen Fletcher from Flat Out says the evidence is overwhelming that locking up traumatised and distressed people with high support needs increases community risk, not safety. But this bill was never about improving community safety, was it? It is about a panicking Premier scared about appalling polling and by-election swings trying to be seen to be tough on crime. It is worth quoting Russell Marks's seminal 2022 work *Black Lives, White Law* to describe exactly why we are debating this bill today:

... political leaders quickly discover that promising to be 'tough on crime' by lengthening prison sentences is infinitely more popular than promising to be tough on the *causes* of crime, which include poverty, trauma and state failure.

Consider now the Premier's confession over the weekend that she was inspired to introduce these bail laws after reading the *Herald Sun*. I think we should all be very concerned that this panicking Premier is basing her amendments to jurisprudence today not on the considered knowledge of our most expert frontline advocates, like the Victorian Aboriginal Legal Service or the 92 community services, family violence, legal sector and Aboriginal community controlled organisations that signed the VALS open letter yesterday condemning this bill. Neither is the Premier basing her amendment on the considered knowledge of our learned institutions, such as the Victorian Law Reform Commission, or the advice of our most experienced senior counsel and King's counsel. Rather than basing these amendments on advice from experts, the Premier is basing these amendments on alarmist rhetoric from a right-wing tabloid rag, a crew of shock jocks and a Trump-supporting influencer.

I will now be moving a reasoned amendment, given the lack of consultation, that this bill be withdrawn. The amendment goes as follows. I move:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government engages in meaningful and comprehensive consultations to address the concerns of expert human rights, legal and First Nations stakeholders.'

People deserve to feel safe in their communities, and there is no doubt that some recent incidents have been incredibly distressing, and no-one should endure that. I do not diminish the experience of people who have been the victims of crime. But what the Premier has announced is not going to make the community safer; it will actually have the opposite effect.

There is an old axiom that if someone feels the need to go around telling people they are tough it is self-evident they are the opposite. Victoria has been badly let down over the last 15 years by politicians from both major parties who have seen crime as either a political problem or a political opportunity and so act on what they think will make them popular rather than what actually works. But we know that early interactions with the carceral system significantly increase the likelihood of reoffending and result in a cycle of crime and incarceration for young people. That is the opposite of what we want to see. This government is failing to address fundamental things that make communities safer: proper investment in housing, health care and education, and preventative and diversion programs that significantly reduce the odds of a young person reoffending. Instead they are demolishing public housing and cutting funding to youth crime prevention programs, like YSAS in my electorate, forcing 33 workers out of a job supporting young people at risk of committing crime. In fact at the end of last year the Premier quietly erased the crime prevention portfolio and its associated department and programs.

Until we have a government that is strong enough to get tough on the root causes of crime this cycle will continue, and while the cost of this weakness will be borne by all Victorians, it will be hardest felt by the First Nations community and particularly women and children. It is the same old injustice they have felt repeatedly for over 200 years of white law that our current Premier is determined today to impose on yet another generation of First Nations Victorians in a pathetic and ultimately futile way to attempt to be more popular, and for that I condemn the Premier and this bill.

**Annabelle CLEELAND** (Euroa) (16:59): I rise today to speak on the Bail Amendment (Tough Bail) Bill 2025, but I think it has been perfectly done by the member for Caulfield as the 'failed bail'

bill, one spurred on by poor polls and an impending leadership challenge, no doubt. But I just want to make it clear: those on this side of the house stand with victims of crime. Crime across the state is spiralling out of control. People in my electorate are feeling it every day. Yet this government has handed us a bill with major gaps, rushed it through with barely 24 hours to read it and pushed the implementation out to September. How is that good enough? Let us be clear: this bill does nothing to deliver on the promises we have been hearing. It weakens our bail laws in critical areas. Making breach of bail a summary offence instead of an indictable one sends a message that reoffending is not a big deal.

**The SPEAKER:** The time set down for consideration of the Bail Amendment (Tough Bail) Bill 2025 has expired, and I am required to interrupt business. The house is considering the Bail Amendment (Tough Bail) Bill 2025. The minister has moved that the bill be now read a second time. The member for Richmond has moved a reasoned amendment to this motion. She has proposed to omit all the words after ‘That’ and replace them with the words that have been circulated. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment by the member for Richmond should vote no.

**Assembly divided on question:**

*Ayes (77):* Juliana Addison, Jacinta Allan, Brad Battin, Jade Benham, Roma Britnell, Colin Brooks, Josh Bull, Tim Bull, Martin Cameron, Anthony Carbines, Ben Carroll, Anthony Cianflone, Annabelle Cleeland, Sarah Connolly, Chris Couzens, Chris Crewther, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Wayne Farnham, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Sam Groth, Matthew Guy, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, David Hodgett, Melissa Horne, Emma Kealy, Sonya Kilkenny, Nathan Lambert, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Cindy McLeish, Paul Mercurio, John Mullahy, James Newbury, Danny O’Brien, Michael O’Brien, Kim O’Keeffe, Danny Pearson, John Pesutto, Pauline Richards, Tim Richardson, Richard Riordan, Brad Rowswell, Michaela Settle, David Southwick, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Bill Tilley, Bridget Vallence, Peter Walsh, Iwan Walters, Vicki Ward, Kim Wells, Rachel Westaway, Dylan Wight, Gabrielle Williams, Belinda Wilson, Jess Wilson

*Noes (4):* Gabrielle de Vietri, Will Fowles, Tim Read, Ellen Sandell

**Question agreed to.**

**The SPEAKER:** The question is:

That this bill be now read a second and a third time.

**Assembly divided on question:**

*Ayes (78):* Juliana Addison, Jacinta Allan, Brad Battin, Jade Benham, Roma Britnell, Colin Brooks, Josh Bull, Tim Bull, Martin Cameron, Anthony Carbines, Ben Carroll, Anthony Cianflone, Annabelle Cleeland, Sarah Connolly, Chris Couzens, Chris Crewther, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Wayne Farnham, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Sam Groth, Matthew Guy, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, David Hodgett, Melissa Horne, Emma Kealy, Sonya Kilkenny, Nathan Lambert, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Cindy McLeish, Paul Mercurio, John Mullahy, James Newbury, Danny O’Brien, Michael O’Brien, Kim O’Keeffe, Danny Pearson, John Pesutto, Pauline Richards, Tim Richardson, Richard Riordan, Brad Rowswell, Michaela Settle, David Southwick, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-

Anne Thomas, Bill Tilley, Bridget Vallence, Peter Walsh, Iwan Walters, Vicki Ward, Kim Wells, Rachel Westaway, Dylan Wight, Gabrielle Williams, Belinda Wilson, Jess Wilson

*Noes (3): Gabrielle de Vietri, Tim Read, Ellen Sandell*

**Question agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Family Violence Protection Amendment Bill 2025**

*Council's agreement*

**The SPEAKER (17:08):** I have received a message from the Legislative Council agreeing to the Family Violence Protection Amendment Bill 2025 without amendment.

**Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024**

*Second reading*

**Debate resumed on motion of Melissa Horne:**

That this bill be now read a second time.

**Danny O'BRIEN** (Gippsland South) (17:11): I am pleased to rise to speak on the legislation before us, the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024, which has been a long time coming. It has taken me a little bit by surprise that it is up right now, but I will persist because we have been waiting for this for nigh on two years, since the government first announced its position with respect to reforms to the gambling sector. Those reforms were broadly that the government would introduce mandatory carded play; that it would introduce mandatory closure periods for gaming venues; that it would introduce a load-up limit on gaming machines, dropping it from \$1000 to \$100; and that it would introduce reduced spin rates on gaming machines. This legislation both does the latter, the reduced spin rates, and provides a framework rather than introducing the mandatory carded play.

One of the issues I have with this bill is that it actually does not introduce the mandatory carded play in full; it simply sets up a framework. This is a bit of a concern from an oversight perspective. The government is basically giving itself a head of power to introduce these reforms rather than giving the Parliament the opportunity to understand exactly what it is going to do and in what timeframe it is going to do it. I acknowledge the timeframe is listed in the second-reading speech, but we are already somewhat behind that timeframe given that the bill was introduced in November. Here we are in the middle of March, and we are only just beginning now.

I would like to say at the outset that those of us on this side, the Liberals and Nationals, acknowledge that there are issues with problem gambling in our state and indeed across the nation. There are also issues particularly with respect to poker machines, so addressing the harm that comes from gambling is really important. I am conscious of what others will say on the government side, but I believe we can acknowledge that there is harm and that we need to address and minimise that harm. But it does not mean that this is the way to address that harm. I certainly have a concern that the proposal to try and address gambling harm simply by making it mandatory to have a card to play does not necessarily address the issue.

As a basic principle, if a problem gambler has to sign up to a card and provide ID to continue to gamble, they are probably going to do it. What the issue will be for the casual punter, who might go into a club or a pub on a Saturday night for a meal and then go and have a quick punt on the pokies afterwards, put \$20 or \$50 through, if they are asked to sign up to a card that their data is stored on, where their information and their ID are kept, is that then their activity is tracked by a government agency, or the monitor in this case, and that is a serious concern for many of those people. Many of them will probably simply say, at least in the short term, 'I'm not doing that – too much hassle.' That will have a big impact on our pubs and clubs, and I think that is a concern.

Another element with this is in terms of the process. I think I am right in saying this was announced on 13 July 2023. It was literally six or seven months after the state election, at which the government made no commitments about gambling reform. Not only did it not make those commitments at the election, but the government had just entered into effectively a 20-year licence arrangement with licence-holders of EGMs, electronic gaming machines – 10 years with a 10-year option. They had just set that framework, literally only in 2022, so we were about a year into it and the government changed the goalposts dramatically. I think that raises some significant sovereign risk issues for the government. It has basically said, 'We'll sign you up to a 20-year deal, you'll go out and do your finances and work out with your bank or your investors or whoever how to fund the costs for these gaming machines. By the way, 12 months later we have changed the rules.' This is not something minor; this is not just introducing a change to the green line in a venue or some additional regulations with respect to how venues must operate. This is a very, very fundamental change.

If you do not believe me, have a look at the experience at Crown Casino. We know that after this change was introduced and mandatory carded play was introduced on the gaming machines at Crown Casino there was a significant downturn, and we know that at about the same time a thousand jobs were laid off at Crown Casino. Crown Casino will be very keen to say, 'No, that can't be attributed directly to losses from the introduction of mandatory carded play; there were other factors. We've gone through a reform process, there was a downturn in foreign visitors and the like.' While some of this may be true, there is no doubt that there was an impact from the introduction of mandatory carded play at Crown Casino.

I also have no doubt that Crown Casino is pushing the government to introduce this legislation and expand the rules that have been imposed on them across their competitors in the pubs and clubs world and RSLs. The pubs and clubs respond quite rightly by saying, 'Hey, we didn't do anything wrong. We didn't have a royal commission or two royal commissions if you look at New South Wales as well. We weren't the ones undertaking egregious behaviour. We weren't the ones where there was a money-laundering problem' – there are big questions as to whether there is a money-laundering problem in pubs and clubs – 'and yet this is now to be imposed upon us.' I think that is a legitimate concern from them because that is a significant issue.

We know that we already have a voluntary card system for gaming machines in pubs and clubs in Victoria known as YourPlay, and we acknowledge that it simply does not work. As a voluntary scheme it has had very few people sign up. As I travel around the pubs and clubs right around the state they often have YourPlay days, where they specifically go and try and get people to sign up and they all report to me that it is just a failure. People just do not want to do it. I found it amusing in the second-reading speech that the minister at the time referred to voluntary requirements having been stigmatising and euphemistically described the mandatory version as 'standardising its use'. It is not standardising, former minister; it is making it compulsory. I did pick up on that euphemism. As I said earlier, it is a concern to me that we do not have the evidence that this will actually address problem gambling. I will come to that because there are varying views on that and there is certainly strong support for it from some in the academic and the gambling harm sector as well.

I will make a couple of comments too that are important. The government uses a number of government studies in justifying this position that it is putting today. The second-reading speech quotes from the *Victorian Population Gambling and Health Study 2023*. The second-reading speech says that

29 per cent of people who played poker machines experienced some form of harm. Now, that is a concern – 29 per cent of people experienced some form of harm. When you go to the actual report though, the *Victorian Population Gambling and Health Study*, that harm might include a reduction in spending money or feelings of regret. Now, that is not particularly harm. If feelings of regret are harm, then I am harmed a lot on the mistakes that I make in my life. Again, that is not to diminish the impact. Absolutely, gaming machines do have a big impact on some people, but I think it is a bit of a stretch to sort of say a third of the population experience some form of harm when that harm might be feelings of regret.

In addition, the same report highlights – and this is important I think for those who are very concerned about gaming machines – that participation in pokie play has halved from 22 per cent of the population in 2008 to 11 per cent in 2023, so there is a significant reduction in people who are playing it. That is borne out as I travel around the pubs and clubs. It is very clear from talking to them that poker machines are not the golden ticket that they once were. They are certainly not as much of a goldmine as they were, perhaps particularly in the 1990s, when they were first introduced. The other thing that I would highlight from that report, the *Victorian Population Gambling and Health Study*, is that it shows that while 8.5 per cent of the population are ‘at risk’ from problem gambling, only 0.9 per cent actually experience a problem per se.

Finally, the report also highlights that the highest rate of problem gambling actually occurs, in order, among bingo players, those who play Keno, those who play casino table games and then those who play pokies.

**Anthony Carbines:** Where is horseracing?

**Danny O’Brien:** Horseracing is not even on the list, Minister. I do find that rather curious, that the highest risk of gambling harm occurs among bingo players. Mind you, if you have ever been to a bingo game and you have seen how serious they are, you might understand it. But it is in that context that I am a little surprised at what we are trying to do here today. This is not a criticism of the government, but I think more broadly there is an attitude that pokies are the great evil and we must address them, and often it is at the exclusion of other forms of gambling. And as I just mentioned there are things like bingo, Keno, casino table games and the Minister for Police referenced horseracing or racing more broadly. The issue that is probably of most concern – and I know, having spoken previously to the then minister – is the issue of online gambling and the concern that if we make it harder in public venues like pubs and clubs and RSL clubs potentially we will just drive the gambling underground at home where it cannot be policed and where it cannot be oversighted by gaming venue operators, and that is a real concern.

I am very happy to add that, having spoken to a number of gambling experts through the preparation for this bill but also through the previous Public Accounts and Estimates Committee (PAEC) report, they suggested that if you are a poker machine player and you cannot or do not want to sign up for a card, for example, there is no evidence that you will go and bet on horse races on Sportsbet or Ladbrokes or whatever it is. There is the view broadly and the research shows that that will not occur. I must say, I am a little bit sceptical of that too. If you are a punter and you want to bet, the concern I have is that this legislation may just simply move people underground. The issue that I have here, as I said, with the mandatory carded play aspect is the government says that it will work to reduce gambling harm. What comes with this bill is precommitment. It will be mandatory for a player to set a precommitment of dollars and time: how much they are prepared to gamble and how long they are prepared to gamble for. That I think is a good thing to be welcomed, but the government is not intending to set any actual maximum limits on either of those, unlike the previous policy of the Tasmanian government, which was to set some very strict limits on what can be gambled. I do not for a minute support that the government should be doing that either. I think if you want to gamble for 10 hours and spend \$1000, that is up to you. What people do with their own money is fine.

I had a very good conversation with Associate Professor Charles Livingstone of Monash University, and his view is that the regular reminders that come with setting a limit, whether they are for how long you are playing or for how much you are prepared to gamble, will ensure those casual players are reminded of what they are doing and will be less likely to develop a problem. I accept his view on that. He also suggested to me that EGMs are designed to pull people in and that they are generally viewed as the most dangerous form of gambling. That was a view shared by the Monash Addiction Research Centre in responding to our consultation with them. However, as I said earlier, the government's own research suggests otherwise that things like bingo, Keno and casino table games are actually more harmful. There is a concern as to whether this reform will actually help.

What the government is proposing to do, as I said at the start, is to set up a framework with this legislation. There is a very large chunk – I think it is clause 11 – of the bill that simply sets up the items that can be addressed by regulation. Those regulations, as I am advised by the government, can be disallowed by either house of Parliament. I think that is a good thing. There needs to be some of that parliamentary oversight. There is a directive in there from the minister, though – which is a directive to the monitor – that would actually establish mandatory carded play. That is not reviewable, and I think that is a failing of this legislation. That directive and the things that flow from it should be reviewable by the Parliament, and that is one of the things that I would like to see the government change.

As I said, this provides the framework, and the framework, as outlined in the second-reading speech by the minister at the time, is that there will be a trial of mandatory carded play by some 40 venues around the state. Again, a problem I have with this is the government cannot tell us how this trial will work. I do not think there are going to be too many venues that are going to put their hands up and volunteer to undertake a trial, particularly when their competitors across the street or down the road will not be subject to mandatory carded play, because in that circumstance in particular I think there will be significant financial impacts on those clubs and pubs. I think it will be difficult for the government to work out how it is going to undertake this trial. That is for the government to answer, because in the bill briefing that we had and so far up until now we have not been told how the government actually intends to run this trial. The process the government outlined in the second-reading speech for that trial is that by the end of the year there would be a statewide rollout but still of casual carded play, so it would not be compulsory to provide ID and the like. Then at some time in 2026 or early 2027 it would be up to the government to implement mandatory carded play formally right across the state.

I think the government needs to be looking at other options, and it is not just me. As I said, Tasmania previously had a policy to do this and set limits. The Tasmanian government has abandoned its own policy to do that and is instead wanting to look at facial recognition technology and self-exclusion. The New South Wales Labor government also had a trial and had a look at mandatory carded play and just recently, a few weeks ago, abandoned that and established a trial, or a research project, looking at the use of facial recognition technology. The South Australian government, over a number of years now – I think since 2019 – has had a process of self-exclusion backed by compulsory facial recognition technology so that someone who is listed as excluding themselves from gaming venues will be identified. I have seen the facial recognition technology in action, and it is pretty impressive – certainly much more impressive than having a big folder with a whole lot of people who have put themselves on a list that, as it currently stands, staff have to look through every night before work and then try and remember the people they have looked at and tap them on the shoulder. The facial recognition technology, while there are some questions about privacy, is very accurate and makes the job a lot easier. I understand in South Australia too the law allows for third-party exclusions in certain circumstances, whether that be police or authorities, but also family members could actually exclude someone from a venue. I think the Victorian government should be looking at that too. I would really like to see from the government in this debate a commitment to actually doing that, potentially as an alternative to mandatory carded play, but certainly to looking at what other states are doing.

One of the reasons that I want to highlight the issues with other states is the impact of this if it goes ahead and mandatory carded play becomes compulsory right around the state, and the impact that that will have on our border clubs in particular. I travelled last year right around the state, but particularly, on a trip to the Mildura electorate with my colleague the member for Mildura, I went to the Robinvale Golf Club. Literally just across the river is the Euston club in New South Wales. If you are at the Robinvale club and you have to sign up for a card to play, you can literally drive five minutes across the bridge and play at Euston, and likewise in Cobram, Barooga, Corowa, Rutherglen, Albury–Wodonga, Mildura, Coomealla, Wentworth – all of those areas, not to mention the South Australia border as well in certain circumstances. There is an issue there that if this is introduced in Victoria but not elsewhere, it will have an impact on those clubs. And it is not just the impact on those venues per se – clubs and pubs – but of course the flow-on impact that will happen to the community groups, sporting clubs and the like that they all support. That applies across the state too of course, not just the border. I asked at a Public Accounts and Estimates Committee hearing and in the bill briefing about whether the government would consider, if this is to happen, some sort of border bubble. The government has not ruled that out, but it has not actually given any commitment to it either. I think that is something that they should do.

Another matter that I would like to mention is that the intention of this is to basically have mandatory carded play with magstripe technology. As everyone would be aware, with credit cards the technology has been around since the 1960s. We all know that is rapidly disappearing, that technology. Belatedly, but eventually, this government has introduced digital drivers licences. People are getting used to using digital technology, using their phones, putting their credit card on their phone, putting their drivers licence on their phone, and the notion that in 2026 we are going to introduce a new arrangement where people have to go back to using magstripe cards I think is very backwards, and particularly in a circumstance where this whole process will be run by the monitor, currently Intralot. The monitor licence actually comes up in 2027, so we will potentially have a situation where we would introduce this for one year and then a new monitor would come in and say they can introduce technology that will make this a far better user experience and we have to throw all of that out and start again. There are also serious questions more broadly, not just on the card technology but on the technology that is implemented that the government proposes, and there will be both technical challenges and cost challenges to do that.

I know it was a significant challenge for Crown Casino to introduce this across its machines. That is one venue. In trying to introduce it across 27,000 machines and – I cannot recall the number – some hundreds of if not over a thousand venues and have that all wired back to Intralot, there is a concern there about whether that is technically feasible in the short term but also what the costs of that will be and what costs there might be on the clubs and pubs. Those are some of our concerns, and that is why I would like to move a reasoned amendment to this legislation. I move:

That all the words after ‘That’ be omitted and replaced with the words ‘this house refuses to read this bill a second time until the government:

- (1) provides evidence that its reforms will reduce gambling harm;
- (2) evaluates and reports on the feasibility of new technology such as facial recognition technology and automated risk monitoring systems;
- (3) delivers a process to protect border clubs from financial drift to interstate clubs; and
- (4) improves parliamentary oversight of the reforms.’

I have mentioned all of those issues so far in my speech. The facial recognition technology and the automated risk monitoring systems are effectively what operate in South Australia. I have mentioned the border clubs, and with the parliamentary oversight I highlight the fact that the ministerial directive to the monitor to introduce this is not appealable or disallowable by either house of Parliament. I genuinely offer that reasoned amendment to the government not to go back to the drawing board but to make some amendments to this legislation and to have a look at the alternatives to ensure that what we are doing is actually going to address harm from gambling without having a massive impact on

Victorian hospitality venues, which we all know are already under significant pressure. What we would be doing, particularly in the border regions, would be sending money and – I might say to the Treasurer too – revenue across the border as people go elsewhere. That is our concern with this legislation.

I note that the government has undertaken various other reforms in this. As I said at the start, the Liberals and Nationals are very keen to ensure that we do minimise harm from gambling. It was in that respect that the previous coalition government established the Victorian Responsible Gambling Foundation, which has since been abolished by Labor and its functions swallowed up by various departments, where it will be much harder to understand and see what it is doing and how it is actually operating. I repeat that the government has no mandate for these reforms, having introduced them with no consultation and announced them with no consultation with anyone and certainly not at the election only six months prior.

As I said, there is no question that gaming machines can cause harm for a certain proportion of the population, and we in this place should be doing our best to ensure that we minimise that harm. I have not seen evidence from the government through this bill process, through the second-reading speech, through the briefings or through questions that we asked through the recent PAEC inquiry, which was a follow-up of an Auditor-General's inquiry, that this will work. We could say, 'Well, it's a world first. We're leading, and we're going to address this,' but I am very concerned that it is not necessarily going to do the job that it is intended to do and at the same time will have a significant impact on our hospitality venues, as I said. The other issue that I mentioned is the sovereign risk issue. This is already having an impact on venues. There are venues that are facing challenges with finance because the banks are saying, 'Hang on, we entered into an agreement with you based on these rules, and now your partner, being the government, is changing those rules.' I think that is a serious concern for the sector as well.

I appeal to the government to consider our reasoned amendment and enter into discussions with us before this bill goes to the other place. As it stands now the Liberals and Nationals cannot support the legislation as it is and will be voting against it here in this chamber, but we remain open to working with the government, the experts and the industry on what alternatives could be considered, what slight amendments could be made to give some more parliamentary oversight and particularly how we can deal with the concerns of border venues about how they will be impacted – and to talk to us about the process and the timeline as well. I think it is very important that the government understands the potential impact of this, whether it will work and, whether it does or not, what the impacts on Victorian pubs and clubs will be. I encourage members to support the reasoned amendment I have circulated and see if we can get a much better outcome for all Victorians on this matter.

**Colin BROOKS** (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (17:41): I was just thinking, as the Leader of the Nationals was finishing his contribution, about all the things I might have been accused of over the years in my role as a member of Parliament, and I do not think I could ever be accused of being anti-gambling. I love a punt. I love the fact that people in my community can go to the races, have a punt, go to the TAB, go to their club or RSL and put some money through the machines. I think it is part of our society and something that many people in my community enjoy and value as part of their way of life. I recognise the important role of clubs and pubs in providing employment opportunities for people, providing a place where people can gather together and celebrate different occasions. But I do want to highlight a concern I have to give some indication of my thinking around these gambling reforms and the broader gambling and gaming reforms that the government has embarked on and will continue to roll out.

As I mentioned, in my local community I have three hotels and two RSL clubs that have poker machines in them. The two RSL clubs, Watsonia and Greensborough RSLs, are good community clubs. They run all the sorts of services that would be run at many other RSLs –

**Brad Rowswell** interjected.



**Colin BROOKS:** No cheese wheel, but great food and great beverages, and they provide a place for people to come together. Watsonia RSL, for example, has a couple of great function rooms of different sizes. They are not just available for hire, but many seniors groups use them for exercise classes and those sorts of things. These clubs sponsor sports clubs. They support local community organisations. They are genuinely community-based clubs.

There are also a couple of hotels that are not too far from my electorate office: the Bundoora Hotel and the Plough Hotel. I just wanted to mention those hotels. I do not have any particular problem with them, but I did want to note that those two hotels, each of them, over the last six months of last year generated some \$13 million in gaming revenue, so if you extrapolate that over the four years – I am assuming around \$26 million each – they are the top two gaming revenue venues in the state according to the information on the Victorian Gaming and Casino Control Commission website. They are working class areas; they are not the wealthiest areas in the state. So to have those two venues contributing the most gaming losses of any venues in the state obviously raises an issue for me from a public policy perspective as to what the government's responsibility is to protect people from gaming harm but also – getting off this bill a little bit, Acting Speaker, with your grace – what those venues do in putting back into the local community. What is the responsibility of venues that take money out in terms of gaming to put that money back into their local community? As I said, there are a couple of RSL clubs that I mentioned that make around \$3 million or \$4 million in gaming revenue but put an extraordinary amount back into the local community. I just cite those two hotels. I am not having a crack at them in particular – they provide employment – but they are taking a lot more out in terms of gaming revenue, and I do not see the same level of investment back into my local community from those venues. So when I come into this place as someone who generally supports the option of gambling and gaming and people being able to exercise their rights in those areas and enjoy that as a legitimate pursuit, this creates a problem for me. It is a problem for me as a representative of that community. I do not see the benefits that I see from the community-based clubs when I look at those two venues, so I just want to put that on the record. That might look good in terms of a profit statement in an annual report for a large hotel organisation, but it does not do much for my local community.

The reforms that are set out in this piece of legislation today build on work that the government has done in the past, with the establishment of the Victorian Gambling and Casino Control Commission, Australia's strongest gaming regulator. We have introduced mandatory carded play for pokies at Crown Casino, and that will obviously make sure players can track and manage their gambling. I think one of the really important reforms is mandatory closure periods, so since August last year that closure period of gaming rooms between 4 am and 10 am. I think we have probably all been at venues in the early hours of the night after a family function or something where we are seeing the gaming venue going into the early hours of the morning. I think we would all agree it is good to close the doors and make sure people go home or go somewhere else and have that break so they can break the streak that they are on in terms of playing the machines. That is a good thing that this government has done.

These reforms that are set out in this bill take the next step. I think they are an important next step. It is a shame to see the opposition move a reasoned amendment. I think the Leader of the Nationals did raise it. One of the important issues he raised was around the protection of border clubs in terms of drift over the border. That is, I think, a legitimate issue, which the government should consider his views on, but it is certainly not a reason to hold up this legislation and the important reforms that have been put forward.

This bill puts in place the framework in terms of legislation and provides for the regulatory framework to support the staged or phased implementation of mandatory carded play and precommitment on gaming machines throughout the state. That is an important framework for us to roll out and trial carded play. It also ensures that all gaming machines will be required to have a spin rate at a minimum of 3 seconds – again, I think, an important reform based on research that shows that change to the spin rate also changes the outcomes for problem gaming. The bill also strengthens existing anti-money-

laundering protections and ensures responsible practices. The venue operators must verify identity before paying out credits of more than \$2000, so that is an important issue on its own.

I just wanted to make a few brief comments there in terms of my contribution to this debate on this bill. I think we all have a responsibility in terms of problem gambling, but I also think there is that overarching responsibility where we have venues that are making significant profits from gaming. Certainly I highlighted those two examples in my community to make sure that we see those venues and those organisations acting as responsible corporate citizens and ensuring that those funds are ploughed back into supporting problem gambling and also supporting those local communities. I commend the bill to the house.

**John PESUTTO** (Hawthorn) (17:48): In reflecting on this bill I have been thinking back to one of my first lecturers in economics at university. I remember at one of my first lectures this quirky professor asked all of us in the class – we were bright eyed, really excited to be studying economics at university – ‘What do you think is the most important thing in managing the economy? What’s the most important measure?’ We were all excited and putting up our hands and yelling out things like terms of trade, the rate of inflation, the rate of interest, the balance of trade and the like. After we had exhausted all of our answers, he gave us what he thought was his answer. Obviously we deferred to him as our lecturer, but I have never forgotten it. What the professor said was: ‘The most important thing is stability and certainty.’ It has stayed with me over the years, and that is the big shortcoming in this bill.

The shadow minister and Leader of the Nationals spoke eloquently about the need to mediate between the very pressing social purposes of minimising gambling harm and problem gambling with the recognition, which I think we all accept, that this industry is vital. It is worth many billions of dollars to the Victorian and national economies, it employs hundreds of thousands of Victorians and it is a vital part of our state’s prosperity and its future security and our entertainment – the ability for us to meet, gather, recreate in the company of others. We are confronted as policymakers and as legislators with two competing yet pressing objectives. The idea of minimising harm should not be seen as being so contrary to the need to support the industry that we should never take stock of the impact of measures which are well meaning, well intentioned and, it might be argued, very desirable, as we would with that recognition to protect the industry.

I think we are starting with the proposition, as the Leader of the Nationals spoke about, that this bill comes before the house and reinforces the uncertainty created by this government, as it does in many other areas, by shifting the goalposts. Having given 20-year licences – two lots of 10-year licences – but then removing the goalposts and replacing them creates enormous uncertainty. It speaks of a government, you have to wonder, that apparently does not consider what economic costs and consequences for employment and investment will flow from that. Venue operators and the investors that stand behind them invest millions of dollars, often tens of millions of dollars, sometimes hundreds of millions of dollars in these venues, and when they are planning out the future of their venues over a 20-year profile, there is an enormous amount of investment, usually backed by borrowings which underpin those long-term commitments that they make. Changing the goalposts is chief among the criticisms that we on this side of the house have about the process.

I will come to those measures in the bill – precommitment, carded play and spin rates – in a moment, but the idea of this bill seems to be predicated on the government saying, ‘Here’s a measure, but we’ll decide the outcome later.’ If you look, for instance, at the trial which the government has announced for the middle of this year for three months for apparently 40 venues, there is an assumption in that that people in the industry can plan for their own venues depending on the outcome of that trial. Who is to know how the trial will conclude? What findings will the government adopt as a result of that trial? Yet we are expected to support a measure, as well meaning as it is – and I do not doubt the government’s commitment, which is not dissimilar to ours, to minimising harm and ensuring that people who partake of electronic gaming machines do so in a way which does not lead them into all of the ills we know about, which are well documented and supported by empirical and literary research

on the impacts of problem gambling and the harms that we are trying to minimise. At the same time, how are people supposed to plan?

The government has not said that it has any modelling of the financial impacts for individual venue operators from the end of this year who will have to comply with the outcome of this trial and make the investments to support the machines and the technology to support the precommitment, the carded play and the spin rates, which will be reduced. That level of uncertainty and the modelling of this bill on the premise that the government will have a trial in the middle of this year for three months and then apparently we are supposed to know what that trial will eventuate in is not a very sound way to proceed with policy that will have far-reaching implications for the industry, as well meaning as it is, in circumstances where people need to plan. It goes back to my preliminary point about the need for certainty and to minimise dislocation in an industry that wants to do well. I am convinced that the overwhelming majority of people in this industry want to see the sector thrive and at the same time ensure that we treat the ills that come from problem gambling. Remember, if you look at all of the data, it says that those areas that suffer from the highest levels of socio-economic disadvantage see the highest volume of losses. In the 2023–24 year, if you look at areas such as Mulgrave, Broadmeadows and Thomastown, between them in that financial year the losses were just under \$300 million. There are many hundreds of EGMs in those electorates, but there were nearly \$300 million in losses. We all get the need to address and support addressing problem gambling.

When it comes to precommitment, the intention behind that is sound. It does not guarantee that people will not overextend on the time limits or the financial limits that they might adopt when they are participating in that framework, but still there is no harm in encouraging people to think more about the exposure when they are gambling. At the same time, with carded play we are looking at and are supportive of – I think all of us are – measures that will enable authorities to tackle the problem, which is persistent, of money laundering. We know that. In terms of spin rates, there is an enormous wealth of data which shows that slowing the spin rate slows down the ability of people to get caught up in and swept up in the gambling experience when they are participating in EGMs.

We do not need to be convinced of the possibility of those changes, but as the Leader of the Nationals pointed out quite eloquently, there are trials elsewhere in Australia which are likely to produce more effective outcomes by way of interventions. Why don't we look at those? Instead we have got an approach from this government to say, 'Well, look, we'll do a trial. We don't have the empirical evidence that shows that the three key changes in this bill will actually reduce the harms, will actually reduce the quantum of those losses in those areas in our state where socio-economic disadvantage is most acute.' Why doesn't the government do that? That strikes me as a far more effective way to tackle the interventions that are needed to minimise harm but also to ensure that the industry can be taken along on the journey. The industry wants to participate. The industry wants to see the social measures which this bill is intending to address achieved. I do not think we are on different pages either with the government or with the sector on that. I think the sector wants to see that.

The government's approach is really one which simply sets up the framework and leaves the decision-making by the government for later. Many of the decisions that the minister might make are disallowable in the other place; some are not. The Leader of the National spoke about Intralot and the expiry of its mandate in 2027. Still we are confronted with a sector that has no certainty about how this will proceed. I echo the Leader of the Nationals' call on the government to consider the amendments he has moved. In the interests of achieving both overriding purposes – harm minimisation and a sector that can thrive – if the government believes in those, it should consider these amendments.

**Michaela SETTLE** (Eureka) (17:58): I rise today to speak in support of the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. I have listened to the contributions so far, and I would probably differ from everyone else in this place in that I feel incredibly strongly about gambling. It is something that I have spoken about many times in this place, and as much as I share many passions with the member for Bundoora, I do not share his pleasure of gambling in this way. In the contributions we have heard so far I have heard people talk about the industry and statistics. As

many people know in this place, I and my family, my two young boys, are very much the living experience of gambling harm. I have spoken about it before and what it really has done to our family. I have been divorced now for over 10 years, and it continues to impact our family. Their father, I am sorry to say, continues to battle with gambling addiction, and that has impacted his ability to spend time with the boys and for the boys to feel confident in his ability to provide and be there for them. When we have these debates I find it really difficult to sit here and hear about the concerns for venues and their earnings, because let us face it, their earnings are in fact the money from people's pockets, from families like my own. In Victoria in 2023–24 we lost \$3.03 billion on EGMs – \$3.03 billion. That is the highest it has ever been. We need to do more to curb that. I do want to acknowledge the previous minister for gaming, the member for Williamstown, for the extraordinary work that she has already done in this space. I applaud her for all of her work in changing the hours that venues could be open and introducing carded play in the casino, and now under a new minister we see that extended.

The member for Hawthorn talked a lot about the need for stability and dislocation. All I could think of was the instability and dislocation that was rent upon my family because of gambling addiction. My position on this has always been that it is a mental health issue, and I stand by that. My ex-husband grapples with a mental health condition which drives him again and again to gambling. If there are any reforms that we can make, then I support them wholly. I do not support the reasoned amendment, because I wonder how many more families need go through what we did while the proposed reasoned amendment is worked through.

I would say also that one of the points of the reasoned amendment was that they felt that there was no evidence base for the success of mandatory carded play. I would point the opposition to Sweden and Norway. Norway introduced mandatory carded play back in 2009, and there was really a marked difference in losses on the machines and people playing, so I think the evidence is out there. There was somewhat of a contradiction when the member for Hawthorn talked about the wealth of information that existed about the spin rate but then went on to support a reasoned amendment which says there is no evidence. The member for Hawthorn told us there is a vast amount of evidence to support changing the spin rates, which is one of the things that this bill works to do. I would ask that he perhaps provides some of that evidence to the member for Gippsland South so that we can get on and get this bill passed, rather than being caught up in what is a factually incorrect reasoned amendment. The facts are in on this in Norway and Sweden, and as the member for Hawthorn said, about the work on spin rates.

Many MPs will have received an email today from the Alliance for Gambling Reform, and they strongly support this bill. I stand with them. This is an incredibly important bill. The spin rates will make a huge impact. When I look at my own community of Ballarat, the losses in 2022–23 amounted to \$64.4 million. That was the losses on those EGMs, and I think of what that money could have done being spent in the community by families for their families. When we talk about gambling losses there is of course the money that goes through the EGMs, but there are the countless impacts on families and financial hardships. I really struggled. We had to sell the family farm at the end of my marriage to pay off some of the debts. Some were farming debts, but a lot of it was gambling. I was a single mum. I think I had \$30,000 in superannuation when I left my marriage, and I had to try and find work to support myself and my children. When we talk about losses through EGMs, I just ask that people in this place consider that those losses are far-reaching. I am still paying for both of my boys' therapists and will continue to, so the impacts really are enormous.

This bill takes another step towards trying to protect people from going through what I went through. I absolutely applaud every step that we take in this regard. I was interested that those on the other side wanted to talk about face recognition. I cannot wait, if that bill ever comes, to hear their cries of privacy being impugned. I think it is pretty funny coming from those on the other side. But on the reasoned amendment the evidence is out there, and to delay these measures longer in any form means that other families will potentially go through what I went through. I know in my personal situation, in talking to my ex-husband about the experience of his addiction, there are things like being made to stop and

think. We have seen how great the closing hours are and the impact that they are having, and that is really about getting a gambler to take a break. When I talk to my ex-husband about it, it is like being in a drugged state. You are just kind of in this bubble and keep going. So anything that can just make them take a minute, for the person gambling to stop and think, is a fine thing. The carded play will give people that moment. I know my husband at one point tried to get himself self-excluded, and it was an incredibly difficult process having to go from venue to venue. Something like mandatory carded play means that at every moment the gambler will have to stop and think.

I know there was a discussion from the first speaker on the other side about the 29 per cent figure and that regret did not amount to gambling harm. I really want to call that out because regret is about having done something they did not want to do, and surely we need to support everybody who walks into a venue to be able to make a commitment and pull themselves up. Regret is gambling harm. I commend this bill strongly to the house.

**Tim BULL** (Gippsland East) (18:08): I rise to make a contribution on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. As we have heard, this bill establishes a framework for the introduction of mandatory carded play and precommitment for electronic gaming machines among other things. As the member for Eureka leaves the chamber, I acknowledge her contribution and personal experience, which she has eloquently outlined to the rest of the chamber.

It is mandatory carded play that is the element of the bill I want to talk on briefly, because other elements of this bill are certainly far more palatable. I preface my comments by saying of course we have to safeguard against problem gambling as best we can both as a Parliament and as a community. Others have spoken before me about some of the concerns that were raised, and I want to briefly touch on them and bring another element to it. The first one is that our gaming venues very recently entered into negotiations around long-term arrangements for gaming machines. Those negotiations took place in very, very good faith for 10 years with the option of another 10, so we are talking 20-year arrangements. Then within a very short timeframe we have had the goalposts changed by the government in relation to that. I am not sure how the minister can sit down and negotiate long-term contracts. Gaming venues do their sums – they work out what is viable for them – and then within a very short timeframe they have the goalposts changed. It is disrespectful to those businesses who entered into those good-faith negotiations, and it is a sign that this government perhaps had not thought ahead, because any reasonable negotiation would have included a discussion around what they were intending to propose.

Across the sector the concern is that this will remove the casual gaming element. Some might say, ‘Well, that’s okay,’ but the people who have a problem with gambling – and we need to help them as best we can – will be the first people who will sign up to the carded play. What this is going to impact is the person who goes along to a venue and while they are waiting for their parma to come out or waiting for their friends to turn up will put \$10 through the pokies – I guess to keep their interest before they engage in the primary activity that they attended the venue for. This casual gaming will not take place if they have got to sign up; they just will not bother to do it. What this means in our area is that if we put this hoop for them to jump through, it is going to end up in less revenue, less jobs in our gaming areas and, in the case of RSLs, less turnover.

We know that the RSLs – some better than others, our sub-branches, I must admit – provide an enormous amount of support to our veteran community. I am surprised that RSL Victoria perhaps has not been more vocal on this topic. I will be interested to see whether the Minister for Veterans contributes to this debate if she indeed comes into it, because with this downturn in revenue, how are they going to provide the same level of support to their veteran community as they have done in the past? I again repeat that some do it a lot more than others, but I know my local sub-branch in Bairnsdale does an incredible job supporting its veterans.

Victoria already has a voluntary card system. I note that the member for Eureka outlined her personal situation around the challenges that that has presented, but that voluntary system is in place where

people can set time limits and set spending limits for their contribution to gaming machines. But under these changes no person can play the pokies unless they have signed up. It is funny: when I was growing up we never had gaming machines in Victoria but we had them in New South Wales, so I would often go up. You would go to the RSL in Merimbula or the fishermen's club in Eden or the bowls club in Merimbula and you would play the pokies there, but you would never play them in Victoria. I still do that to this day despite having a number of gaming venues around me. I am not going to be bothered doing that if I have got to sign up to carded play. I am just not going to be bothered to do it.

Crown Casino are on the record as saying that when carded play came in there they lost a thousand jobs – a thousand workers were shed. Of course Crown want this in now to create a level playing field. They are saying, 'Oh, no, look, there were other factors involved in that.' But the reality of it is we had job losses, and this will occur again. We hear of the pilot program that is going to be run as a precursor to this. I would ask the minister to please, if you are running your pilot, stay away from Gippsland East, because we do not need another downturn. We have had the fires and then we had COVID. Other areas do not have the fires but they had COVID. We then had the timber industry removed from us. We do not need our gaming venues in our country communities in East Gippsland being faced with less turnover as part of a trial that will result in job losses. And I would say, wherever these trial venues are instigated, please underwrite them so that if that gaming venue suffers losses on what it did the previous year and the year before, it is subsidised for those losses so we do not have locals losing their jobs.

There is no doubt that gaming machines do cause harm, but I want to make some comments on whether this will actually rectify that problem. The second-reading speech quotes the *Victorian Population Gambling and Health Study 2023*, and it says that 8.5 per cent of the population is at risk from problem gambling. It also goes on to say only less than 1 per cent actually experience a problem and the highest rate is amongst bingo players, followed by keno and then casino gaming tables and then pokies. I think the lead speaker on this bill posed the question: if the majority of our gaming issues from a percentage basis are with bingo players, are we going to introduce carded gaming and ID approvals for everyone playing bingo, if that is where the major problem gambling lies per capita? It is an interesting scenario.

There is also concern that this policy will drive people underground. We saw over COVID the huge uptake in online gambling. If people are forced to do this, it is another incentive to gamble from home, where there are not those oversights in place and they can go about their ways. If it becomes problematic to attend your local pub and club, that is what they are going to do – sit on the computer at home. It is another incentive to do that.

Tasmania has dropped plans to introduce mandatory carded play. New South Wales, as we have heard from other speakers, is looking at facial recognition technology for excluded patrons. South Australia has already implemented that, which I am sure our lead speaker covered off, and there is genuine concern from border venues that patrons faced with having to register will simply go over. Now, I know that there has been some discussion from the government about maybe having a border bubble and the like, but that should be part of this bill. Why are we in here debating a bill where we have still got those elements of it up in the air? If we are going to have that border bubble, if you like, for want of a better description, have it in the bill. Have someone talk about it in the second-reading speech so we actually know what we are voting on. But again it is another bill where the detail is not sorted out.

There are better ways to help problem gamblers, and other states are looking at these areas. That is why I support the reasoned amendment as put forth by the member for Gippsland South. We need to see evidence that these reforms will indeed reduce gambling harm, not suspect they will. This is legislation being put in place that has the potential to hurt businesses and result in job losses in our towns. So we need to see the proof that this will help.

Point (2) of the reasoned amendment states:

evaluates and reports on the feasibility of new technology such as facial recognition technology ...

Other states and other jurisdictions are going through that; surely we can see how that turns out before we impose this on Victorian businesses.

The third element of the reasoned amendment calls on the delivering of ‘a process to protect border clubs from financial drift to interstate clubs’. Hopefully before this debate is finished we can have a member of the government standing up and clearly articulating and outlining to us how that is going to work if this goes ahead. It would be very good if those trial locations avoid those locations, and please keep out of Gippsland East – we have had enough kicks in the guts with job losses. We do not need another state government policy that is going to hurt employment in my area.

**Gary MAAS** (Narre Warren South) (18:18): It gives me pleasure to rise today and speak to the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. I am really happy that these are the strongest gambling harm prevention laws in Australia that we are introducing and are a really big step in the right direction on gambling harm minimisation in our state. I am very proud that these long-awaited reforms before Parliament are under our Allan Labor government. We know that gambling does cause serious harm, where there is addiction, to both the person gambling and those around them, including family, friends and loved ones. It is why we need serious reform and oversight to protect our communities, particularly our most vulnerable who are doing it tough.

I have been in this place since 2018, and I have always had a bit of a soulmate who has been a very strong advocate against gambling through electronic gaming machines, and that is the member for Eureka. She has each and every time, when given the opportunity, always been so brave at telling her own personal story in this place in advocating for the sort of strong reform that we have seen here today. Like her, I have stood proudly since my inauguration speech in advocating for and indeed hoping that we would see these kinds of laws being eventually introduced, because it is those communities – those poorer communities, communities that I and others in this place represent – that are being most harshly done by when there are not these kinds of precommitment standards and mandatory carded play introduced.

I stand very proudly in being able to help see that this bill goes through in its whole form. It establishes the legislative and regulatory framework to produce the implementation of mandatory carded play and precommitment on electronic gaming machines in Victoria. The bill will see mandatory carded play introduced whereby a patron is required to insert a player card to operate a gaming machine, and the card gives people access to information about their gambling habits and allows them to set a limit on how much they are willing to lose, known as precommitment. From 1 December 2025 mandatory carded play will commence using the state government’s existing YourPlay framework, and the amount of money people can load onto a machine at any time will be reduced to \$100, which is down from \$1000, helping reduce the amount that can be lost. The precommitment card allows players to set voluntary limits that help prevent financial harm before it occurs and help people game responsibly.

The bill also amends the spin rate – that all-important spin rate – on EGMs. That is currently at 2.14 seconds, but after 21 December 2025 the spin rate will be mandated to be a minimum of 3 seconds. Research shows that higher playing speeds mean higher bets, longer play and a greater risk of impaired control. This reform will slow games down by 40 per cent and in turn limit the amount of money that can be lost.

These are excellent measures, and they are all measures which, again, as the member for Eureka has already said, have already been supported by the Alliance for Gambling Reform. Each and every time I speak to a gambling bill around electronic gaming machines in this place I always give the Alliance for Gambling Reform a bit of a shout-out. They have recognised much sooner than everyone else that gambling addiction is like any other addiction and that it should be treated as such, as a public health issue. They have said in their release that members have received today that evidence shows that

mandatory carded play with precommitment is the gold standard for reducing gambling harm from poker machines. As a result of the royal commission it was implemented at Crown from December 2024, and this legislation supports the remaining venues in Victoria with EGMs to have the same system for patrons to play. It is actually good to see that Crown Casino have already transitioned to that mandated carded play as a part of the legislative response to the Victorian Royal Commission into the Casino Operator and Licence.

I did in fact recently visit Crown to inspect the new systems that they have implemented, and contrary to the member for Gippsland East's assertions that this carded play system will mean that people will not register to play, in fact Crown advised me in my inspection of the site that over 400,000 people since December last year have already registered to play on their EGMs, but they are doing so with that precommitment play and mandatory limits that are in place. Anyone using gaming machines at the casino is required to use that YourPlay system to set both time and money loss limits. It is my view that the rest of the industry, like Crown, must get behind this legislation to protect Victorians.

I also know, like the member for Bundoora, the losses on electronic gaming machines in the community. The average loss in my community over the last full financial year amounted to \$13 million a month. It is the first time post COVID that we have seen that kind of average monthly figure. It is really disappointing for me to think that in the seven months that have already gone in this financial year that figure has moved from \$13 million per month up to \$14 million per month, and that is with another five months of the year to go. That is an enormous amount of money to be lost, and that is in the LGA of the City of Casey. What we are really saying here is that every single adult person in the City of Casey is actually just burning through \$1000 a month on the pokies. We indeed know that we do not have every single adult person in the City of Casey who is playing the pokies. Sorry, that is \$1000 in gaming losses per annum, not per month. They are still concerning facts and they demonstrate the need for gambling harm minimisation and the insidious impact of gambling on individuals, families and the community, and this is something we must all work hard at combating together. We know that the impacts of gambling are often concurrent with other factors such as declining mental health, increased use of alcohol or drugs and higher rates of family violence, and that is why this harm minimisation requires a holistic response and why we must work together on reducing harm in casinos and pokies venues.

We must also invest in services that support people who gamble or are at risk of gambling and those around them. The further work that the state Labor government has done in reducing gambling harm includes establishing the Victorian Gambling and Casino Control Commission, Australia's strongest gambling regulator, with enhanced oversight and enforcement powers – it actually delivers some excellent data around each LGA and each venue – as well as the government's work in mandatory closure periods, which were introduced in mid-2024, meaning all hotels and clubs must close gaming areas between 4 am and 10 am to reduce extended gambling sessions.

This is excellent reform that the government is introducing. I really do commend the work of the former minister, the member for Williamstown, and the current minister in ensuring that this bill has come to this place. I commend the bill to the house.

**Jade BENHAM** (Mildura) (18:28): I am happy to rise this evening to speak on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. This is this is an issue that I have actually been speaking to venues in my vast electorate about for quite some time, given that we are on the border and New South Wales implemented a trial of a similar model. It must have been in 2022, I think; it may have even been before that. But of course some of the venues on the New South Wales side of the river – we are very, very close, we can see each other; we can even get there by bus – were really concerned that it would affect their revenue, pretty much.

ClubsNSW are a pretty strict organisation. They have some pretty clear guidelines as to what pokie venues and clubs need to adhere to in New South Wales. Part of that is they have to give away X amount of their takings to local clubs. Some of the clubs in my region – Euston Club is one, the



Coomeealla club is another one, just to name a couple – give back a huge amount of money to all sorts of community groups. The concern was that it would really affect their bottom line and make their entire organisation less viable, because if everyone had to give away their information, which some are very reluctant to do, then they would simply cross the river. That is what we are talking about here, which is why I am glad that the Leader of the Nationals moved the reasoned amendment with four different points. The third one is ‘delivers a process to protect border clubs from financial drift to interstate clubs’. That financial drift that he talks about is not that far-fetched, and it does not go that far. From the Euston Club, for example, to the Robinvale club it takes about 6 minutes to drive, and they both have courtesy buses because that is part of how you get people in the door. You go to their door, pick them up, bring them, and it works cross-border. If only everything worked as well cross-border, it would be wonderful. It is a real concern, particularly at this time of year. It is the busiest time of year in our region, with the nut harvest and grape harvest. There are a lot of itinerant workers and backpackers. The backpackers are finally back to do their 88 days. There are a lot of people that do not want to give any details at all to any organisation, much less a government organisation, so you can see how they would be reluctant to take part in this.

I am not a fan of poker machines, but I am a fan of the venues that house them. It was the Mildura Working Man’s Club, once famous for the longest continuous bar in Australia, and the Gateway hotel in Mildura that first raised these concerns. I have spoken about the very valid concerns that both CEOs from those venues had about exactly that financial drift that they would see going over the border should mandatory carded play be introduced, because it is very realistic and it is a very, very large concern. The CEO of the Gateway hotel, Gordon, raised a really good point, a really valid point. He understands the recommendations from the royal commission. He understands minimising gambling harm, as we all do. No-one is saying that we want gambling harm, but also no-one is saying that this is actually needed either. If we look at the New South Wales example, that did turn into a trial, and that trial did not really go anywhere. I think in Penrith there were 25,000 members at the Penrith club and 25 signed up, so that shows you how much want there is for this. Mind you, if problem gamblers want to gamble, they will give over details.

Gordon approached me first and foremost about this with some really valid points. He said he knows that there are venues that do not do the right thing, that do not practise the responsible service of gambling. He said that all the government has to do is start enforcing licences, so when a venue breaches the codes, suspend their licence for 10 days; second strike, 30 days; third strike, you are out. That would soon make sure that every venue adheres to the code. It is pretty simple, and it does not affect that cross-border issue, which is the one that I am really concerned about for obvious reasons, because there are many, many venues on the Victorian side. New South Wales are rubbing their hands together because they dropped it pretty much as soon as it began. They realised that no-one really wanted this; it was not really going to work, and they did not really know how to go about it. The volunteer trial that they ran had very little uptake. New South Wales would be very happy if this was to come in in Victoria because we are in a real bind, particularly on the border. So I would hope that the government – this is really reasonable; there is nothing controversial in this reasoned amendment put forward by the Leader of the Nationals – provides evidence that its reforms will reduce gambling harm, because in this legislation there are not actually any proof points that say that mandatory carded play will. In fact when New South Wales ran the trial they dropped it because they could not make it work.

The reasoned amendment asks that the government evaluates and reports on the feasibility of new technologies such as facial recognition technology and automated risk monitoring systems, things we have already got – we do not need to reinvent the wheel; these systems already exist and are pretty easy to implement – delivers a process to protect border clubs from financial drift to interstate clubs and improves parliamentary oversight of the reforms as well, which is also key so we actually know what is working and what is not.

Again, no-one is saying that we do not want to reduce gambling harm – of course we do. But the other risk we run with this is that people will stop going to clubs and will stop buying their pot of beer and having a meal, perhaps with family – the social gamblers. Like I said, I hate pokies, but if I am at a club, on the way out I might throw some money in. I may as well drive past and throw my wallet out the door because I never win a thing, but it is that social element of the odd \$10 here and \$10 there that you will completely lose, as well as the interstate, cross-border stuff. But what will also happen here is we will push people to gamble online, where they can pretty much do whatever they want, so you will end up with those that need help most losing their homes in their homes. How is that going to be beneficial? Again, this needs much more clarity than there is now, because, honestly, it is driving people to gamble online – and they will.

There is sports betting as well. The advertising of sports betting surely needs to be – and I realise that is not our jurisdiction – legislated first, really, and done away with. I agree absolutely that that is what should happen first, but if we make carded play mandatory in Victoria, we risk the ultimate demise of pokie venues, which are already struggling. They have just signed a 20-year agreement for all of these machines; let us not forget that. We are one year into a 20-year agreement, and they are faced with this. That puts them in a really dangerous spot, these community clubs and other pub venues. But driving people to gamble – and they will; they will find a way – online in their home in a completely unregulated space is surely much more dangerous, and that needs to be dealt with first.

**Steve McGHIE** (Melton) (18:38): I rise to contribute on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. Of course this bill just continues the work of the Allan Labor government in reducing gambling harm while ensuring that the community clubs and the RSLs and the hospitality venues that have been referred to do remain an important part of the Victorian community.

Firstly, I want to mention that it is a bit disappointing that the opposition are voting against this bill when it fundamentally is all about reducing the harm of gambling addiction and money laundering. I make reference to the reasoned amendment from the member for Gippsland South. One of the reasons for that reasoned amendment was about providing more evidence. As the member for Eureka raised in her contribution, there is plenty of evidence from other countries that have introduced carded play, such as Sweden and Norway, and that evidence has been gathered since I think the early 2000s – 2009 I think she referred to – so there is plenty of evidence from other countries. But also, again, the member for Eureka in her contribution attested to the gambling harm that affects not just the person who gambles but also the loved ones and the families in total. I commend the member for Eureka for her fantastic contribution. She has done that against all gambling issues that have been raised in this house and she is consistent on that, and well done to her.

The most recent study of Victorian gamblers found that 29 per cent of people who played poker machines experienced some form of harm, with a record \$3.06 billion lost on poker machines in 2023–24. So this bill will amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 to implement the use of mandatory carded play and precommitment on electronic gaming machines across the state. It means that gaming machine players will be required to use a player card, which only they will have access to, in order to use those electronic gaming machines. Of course the card will give people access to information about their gambling habits, and I know the privacy of individuals has been raised, but again the fundamental issue in regard to this bill is trying to protect people from gambling addiction. It allows those people to set limits on how much they are willing to lose, known as a precommitment. Account-based play provides more and real-time information to patrons, helping them to take control of their own decisions. Account-based play and identity requirements also help prevent criminals from using venues and machines to launder money, and that comes as a result of the Royal Commission into the Casino Operator and Licence. Carded play was implemented at Crown Casino from December last year in an Australian first to introduce a voluntary statewide carded playing precommitment scheme for gaming machines, and this bill will ensure this scheme is implemented at venues across all of the state.

It also implements a minimum 3-second spin time on pokie machines. It does not sound like a lot, does it, but of course that is a 40 per cent increase on the current minimum spin time of 2.14 seconds. I cannot quite grasp that myself; I have played pokies before, but I did not realise it was only 2.14 seconds in between spins. I know sometimes when you are standing in front of a machine you are really geeing it up to try and spin faster, especially if you think you are on a roll where you have got a few collects, and then all of a sudden it is all gone. Anyway, the increase in spin time reduces the chances of risky behaviour, slowing down the rate at which a potential criminal could launder some money. Of course these reforms are about putting the power back into the consumer's hands and supporting them to gamble within their limits, and that is really important.

Much like in all of my previous contributions to the many gambling amendments this government has made to reduce gambling harm to Victorians, I will admit that I have been a gambler and still am a gambler. As I say, I always have been, and I am sure I will continue to be a gambler into the future. I gamble on everything, even flies crawling up the wall. I do it within my limits – I think I do; my wife probably would not think that – but I use it as a bit of entertainment. For me it is a bit of a challenge. I am sure other people have said the same. I am certainly not an addict, but I do enjoy it at times. I try everything. I do not play the pokies very often. It is probably only the times when I am desperate for a drink at night and I have got nowhere else to go that I will go to a pokies venue if there is one close by, but it is only because they have got a bar, rather than for the gaming machines. So I prefer drinking to gambling, but I do not think I am addicted to it. You never know; you give it a try. I might have two addictions that I am not aware of, but I am working on it, so we will see how we go. Someone said before about the support services – maybe I will check them out too. But anyway, not to worry.

Of course gambling is very common amongst the Australian community, with 73 per cent of Australian adults partaking in some sort of gambling within the last 12 months, whether it is scratchies, race betting, pokies or any other form of gambling. We have less than 1 per cent of the world's population, yet we have 18 per cent of the world's poker machines, which are interesting stats and probably a good reason why so many people lose so much money. It is estimated about 330,000 Victorians experience harm as a result of gambling each year, costing Victoria around \$7 billion annually and leading to significant financial distress, mental health concerns and of course relationship issues. In 2023 a report from Federation University and Suicide Prevention Australia found that there were at least 184 suicides directly related to gambling and 17 suicides by those affected by someone else's gambling. These numbers do not include suicide attempts due to gambling addiction. When you look at those tragic numbers of people taking their own lives or attempting to take their own lives, it is really difficult to quantify the cost to our community of these tragedies.

In my electorate there are four main gambling dens: Mac's Hotel, the Golden Fleece Hotel, the Melton Country Club and the Melton Entertainment Park. Of course, as I said before, these are facilities that provide local jobs, support local clubs and support local community groups, but there is an element of it where unfortunately we see people that go to these facilities that have a gambling addiction. We have got to try and find the balance here. These locations are where too many members of our community suffer at times. Since the last time I updated the house on the statistics of gambling in the Melton LGA, two years ago, things have worsened. In the last two years the amount of money spent on pokies in the Melton LGA has increased by over 40 per cent to almost \$87 million per year. The Melton LGA has gone from the 13th to the 10th in terms of the highest pokies expenditure in the state, and that is despite still having the same number of pokie machines in the local government area as we did two years ago. As I said, it is a massive increase in gambling losses in the Melton local government area.

All new electronic gaming machines will be required to have a spin rate longer than 3 seconds. As I said, it does not sound like a lot, but it is a great increase on the 2.1 form, which is really just sucking

money out of people's pockets. Of course everyone would have got the email from Martin Thomas, the CEO of the Alliance for Gambling Reform, stating that:

The Alliance strongly supports and applauds Victoria's decision to support mandatory carded play with pre-commitment ...

It describes the changes in this bill as:

... sensible measures to limit the financial loss and in turn reduce the significant harms to family, employers and the impacts on the general wellbeing and health of our community.

This is an important bill, and these are important reforms. It just adds to other things that the Allan Labor government has introduced, such as the establishment of the Victorian Gambling and Casino Control Commission, Australia's strongest gambling regulator, and also the mandatory carded play for pokies at Crown Casino and mandatory closure periods. This is an important bill, and I commend it to the house.

**Kim O'KEEFFE** (Shepparton) (18:48): I rise to make a contribution on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. The bill seeks to amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 to establish the necessary legislative and regulatory framework for mandatory carded play and precommitment on electronic gaming machines in Victoria. This side of the house are committed to reducing gambling harm. In our last term of government we established the Victorian Responsible Gambling Foundation, now abolished by Labor. I was a member of the VRGF, and I saw firsthand the difference the foundation was making in addressing gambling harm, particularly in regional areas. It made no sense to shut down the VRGF. We had data and significant bodies of work that were making a significant difference.

Before I continue, I would like to acknowledge the member for Eureka's courageous contribution in sharing her own experiences and her own impacts. I have a little story to share myself a little bit more into my contribution. But it does make you stop and actually really reminds you of the significant impact that gambling harm does have, and not just on the person but on the whole family, friends and those that can be impacted.

The major concern I have with this bill is that there has been no consultation or evidence that these reforms will minimise harm. Despite government claims, there is little evidence this policy will reduce problem gambling. Whether this bill is the best way to address harm from pokie machines is very debatable. Victoria already has a voluntary carded system that allows patrons playing on gaming machines to set time and spending limits for their play on pokies. YourPlay is widely considered to be a failure as few did agree to sign up. In the second-reading speech the minister claimed that 'voluntary requirements have been stigmatising' and described the mandatory version as 'standardising its use'. It is not standardising, it is compulsory.

Under these changes, ultimately no person in Victoria will be able to play pokies without having to first sign up to a card system, requiring them to hand over and prove their ID. As you can imagine, many people have an issue with privacy. Whilst there are some changes in this bill that may reduce the amount of spending on pokies at venues, with slower spin times aiming to decrease the amount of money going into the machine over a period of time, we know there are many other ways to gamble – and won't a person wanting to gamble or with an addiction just find another way? Gambling harm is not just confined to the local pokie venues. Gambling can take place with the touch of a button on our phones and online and without any real legal oversight. This reform is patchy and misses the mark, as this is only aimed at a portion of those that are experiencing gambling harm.

I have seen firsthand how younger people are being impacted by gambling addiction on their phones. I have shared this story before in this place. One of my closest friends' 18-year-old son was severely impacted by gambling harm. He was at university and was gambling on his phone. He ended up having to leave university due to his mental ill health, associated with the consequences of this addiction. It was alarming to hear that he said, particularly, as he was recovering and taking stock of what had

happened to him, 'So many others are doing it.' It almost made it sound like it was the norm. Whilst this bill is only addressing gaming machines, the impact of gambling, as I said, is so much broader.

The bill also gives the minister the power to conduct a pilot of a carded play system. This will occur later this year and will take place for three months across 40 venues. The government has not been able to explain how it will recruit venues for this pilot. This has raised alarm bells across the industry, and there is no indication of which venues are going to be selected and the extent of the financial impact that they will bear. Once the pilot has concluded, the mandatory carded play system will take effect and be rolled out across the state on all gaming machines by the end of this year. Industry was taken by surprise, particularly given pubs and clubs have not long ago begun a 20-year licence and sale period of 10 plus 10 in 2022. There is also genuine concern from my local venues that patrons faced with having to register to play pokies in Victoria will simply go across the neighbouring border, where they do not have to register. In some cases in my electorate this is less than a 30-minute drive. This takes us back to the 1980s, before pokies hit Victoria, taking revenue directly away from local businesses. Although the bill gives the minister power to make directions on a geographic basis, there is no commitment from the government on a border bubble or similar.

As I have mentioned, one of the main amendments that the bill makes is to introduce new spin rate limits on new electronic gaming machines in a bid to slow down the rate of play and player loss. The expectation is that players will make more informed decisions about their gambling behaviour by tracking their spending and setting limits.

This bill does give the government the power to set requirements for carded play on gaming machines in hotels and clubs. Under these reforms included in the bill, players will be required to insert a player card into an electronic gaming machine in order for it to operate. In addition, the precommitment system will enable players to set limits on their spending before they even begin gambling. We know that not all people attending a venue with pokie machines have a gambling problem, and many just go to the local pub for a meal and social connection. I think we just heard that over here from the member on his feet prior to me – and I think we might need to have a bit of a discussion; it sounds like he is having lots of fun. I think it is a good point. If we can manage, obviously, our gambling behaviours, that is the point, and I think we all have had the odd little flutter.

Just recently I was on a girls weekend. We were at Crown for dinner, and we thought we would go into Crown and put in our \$20. I did not know you could not actually put cash into machines anymore. So I had my \$20 in my pocket, knowing that that was all that I would spend, and then I had to go and register. I was actually quite surprised about the questions being asked: 'How much do you want to spend?' and 'How much time do you want to take to spend that amount of money?' It was quite interesting for someone that has been there twice, probably, in 12 months. But there is social gambling, and it should be something that is considered. I think this bill does raise concerns with that, because at a lot of venues that have people coming in to socialise and just to have a night out, if people have to register, it may put them off actually going out and going to that venue or spending money. This is a big concern. Responsible gambling is something that is a reality, and we also want to see businesses succeeding and not suffering from these unexpected and unplanned changes. Many of these businesses put money back into our communities, but it is about the management and balance between responsible gambling and addiction.

We have heard from many other speakers of the impact that gambling addiction can have on people's lives and families and the broader community. We know that gambling harm is not just an individual issue but a community issue. The ripple effects are felt beyond the person that is gambling or the venue in which they are playing. It is very different in local regional venues, I must admit, where attendants who work on the gaming floor or in gaming areas are also often locals who are likely to know many of their customers. One of my sisters worked at one of the local clubs a few years ago, and to be honest she was often very surprised by who was regularly attending and gambling at the pokies and on other gambling platforms at the venue where she worked. It was interesting that she was aware that some of

those gambling heavily on pokie machines were also known to be gambling in other areas, and I think that is the point.

We have heard many stories, and I have also shared one of my personal stories before in this place of a relative who has a gambling addiction. I wanted to say ‘had a gambling addiction’, and that is our hope. The astonishing thing about this is that no-one knew – not his wife, friends, work colleagues, no-one – until it was too late. They lost their home, their life savings and everything. It was so awful when we found out. As a family, it is devastating to see someone who you love and care about and their family face the harsh reality of what has occurred. When someone close to you is so severely impacted, it does affect you, but you feel so overwhelmingly helpless. Often gambling addiction can be hidden and silent, but that impact eventually does catch up.

I recall a number of years ago now when my husband had money go missing from his business, and at the time there were a couple of full-time staff and a few casuals. Once you realise that something is going on and money is going missing, it is awful because you do not know who it is. The person who had the most access, with keys to the safe, and who was in a position of trust seemed to be the obvious person with the opportunity, and it was awful to start contemplating that scenario. He was loyal, great at his job, and guess what, it was not him. Surprisingly, it was a young casual staff member who was clever in accessing the safe keys and taking cash randomly. We set her up, and she took the bait. It was really disappointing, because this woman of 25 was lovely; everyone liked her and you would never have picked it. What we found out is that she had a broad gambling addiction. This cost our business thousands of dollars – we think it was around the \$10,000 mark. But it was also the stigma on her and her family that was really quite devastating for everybody involved.

As we move forward, looking at this bill, it is the opportunity that we need to make change. There are a lot of broad things that need to happen, and I do not think that this bill goes far enough. I think we need to do more. There is so much more that we need to do, and we need to have more detail on this bill. It is fair to say that these reforms did come out of the blue – industries were taken by surprise. This bill will not stop people who want to gamble; they will just find another way.

I do support the reasoned amendment put by the Leader of the Nationals, and it does relate to some of the things that I have pointed out. Particularly, it delivers a process to protect border clubs from financial drift to interstate clubs, evaluates and reports on the feasibility of new technology such as facial recognition technology and automated risk monitoring systems, provides evidence that its reforms will reduce gambling harm and improves parliamentary oversight of the reforms.

**Anthony CIANFLONE** (Pascoe Vale) (18:57): I too rise to speak on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. In doing so I would like to acknowledge the work of the Minister for Casino, Gaming and Liquor Regulation, his team, departmental officials and all the stakeholders that have been involved in bringing this bill to Parliament.

I would like to acknowledge our many community clubs, RSLs and hospitality venues, which all play an important economic, employment, community and social role across all of our neighbourhoods. For many, our community clubs and pubs are a place to catch up with friends and family, celebrate special occasions or just enjoy a night out. Many community clubs also make a significant contribution to local communities, employ dozens of local residents and support many grassroots sport, charity and social programs that benefit thousands of Victorians, including across my community.

That is why it is important that these reforms strike a balance in minimising gambling harm while ensuring that community venues remain safe and enjoyable parts of Victorian life, because while we recognise that gambling is a legitimate recreational activity which many Victorians partake in safely, enjoyably and sustainably – including through the Melbourne Cup, Spring Racing Carnival and other forums, and as the member for Melton pointed out earlier, in his local community too – gambling can also very much have a darker side for many people and families that are vulnerable to exploitation. That is why, whilst gambling in its various legal forms and platforms is an activity engaged in by

many, we must always continue to remain vigilant and work to ensure we continue to identify, mitigate against and address the risks associated with gambling harm across our local communities, because it is this gambling harm or gambling addiction that can have a terrible and devastating impact on people's lives in our local communities.

Each year more than 500,000 Victorians experience gambling harm, whether it be through their own or someone else's gambling. A 2017 study previously commissioned by the Victorian Responsible Gambling Foundation found that up to 30 per cent of people presented to primary care, alcohol and other drug and mental health services experienced problem gambling. According to the Alliance for Gambling Reform and Roy Morgan Research –

**The DEPUTY SPEAKER:** Order! I am required under sessional orders to interrupt business now. The member will have the call when the matter returns to the house.

**Business interrupted under sessional orders.**

### *Adjournment*

**The DEPUTY SPEAKER:** The question is:

That the house now adjourns.

### **Nepean electorate funding**

**Sam GROTH** (Nepean) (19:00): (1061) My adjournment tonight is for the Treasurer, and the action I seek is for the Treasurer to commit funding for the crucial projects Nepean needs in the upcoming budget. There are many needs that my community has, and I am going to put a few of those on the record tonight in my adjournment.

The first one is probably the number one issue down on the southern peninsula, and that is the much-needed investment in and redevelopment of Rosebud Hospital. I have spoken about Rosebud Hospital many times in this place. Before the last election the coalition on this side committed more than \$300 million to rebuilding that hospital, the much-needed redevelopment of Rosebud Hospital, before the 2022 election. We know that it is needed. It is used by the local community. We have an ageing population down on the Mornington Peninsula, and the nearest public hospital that can really service those needs is in Frankston, which is, for some residents, more than an hour away. Rosebud Hospital needs a much-needed upgrade, and I encourage the government to invest in that.

We need critical infrastructure improvements, and the number one intersection that needs those is Jetty Road. We need something done about the dangerous Jetty Road intersection, an overpass there. It is a double roundabout. There are accidents every other day on that road. We also need to make sure that Point Nepean Road, Boneo Road and Frankston-Flinders Road all get the investment they need to make sure they are safe. We also need an investment in pedestrian refuges all the way along Point Nepean Road. We know many residents cross from their homes, from holiday homes and from different areas to get across to the beach. We know how busy the traffic is. I am sure many members of this place would have endured it over summer, so we want to make sure that there is investment in some of those pedestrian refuges. I was proud and lucky enough to put a petition forward in this place with more than 500 signatures from residents on the need for a pedestrian refuge in Tootgarook recently.

We need continued investment in local schools. I have been lucky enough just in the start of the year to get out to Sorrento, Rye and Red Hill schools. The three of those need significant investment, and I encourage the government to invest in those. We need to make sure that Portsea beach gets the investment it needs. The ongoing erosion at Portsea beach is a big issue, so if the government could please look at Portsea beach. Flinders Pier and Dromana Pier are two pieces of infrastructure that are very important to those two communities for local tourism and boating; they are important for both of those. I encourage that investment.

Before I wrap up I also just want to extend my sincere thanks to the many local residents who continue to raise issues around these and many more who put in petitions in this place. They continue to be advocates for these much-needed projects. I encourage the Treasurer to dig deep into her piggy bank and see if she can find some funds for these projects.

### **Endeavour Hills ambulance station**

**Belinda WILSON** (Narre Warren North) (19:03): (1062) My adjournment matter is directed to the Minister for Ambulance Services and is regarding the ambulance station at Endeavour Hills. The action that I seek is that the minister comes to visit the station to meet the hardworking first responders there. The paramedics and staff at the station do incredible work in Endeavour Hills and the Narre Warren North area, providing essential healthcare services for those who need them most. Our government is working really hard to recruit paramedics to assist our emergency services, and since 2014 we have doubled the paramedic workforce. This is because the Allan Labor government is committing to backing ambos, because we know what they do saves lives. I am looking forward to visiting the station with the minister very soon.

### **Dental services**

**Danny O'BRIEN** (Gippsland South) (19:03): (1063) My adjournment matter this evening is for the Minister for Health, and the action I seek is for the minister to address the shortfall in funding that is seeing public dental patients lose access to dental vouchers. I have had constituents come to me about this concern, and I understand that this is widespread across the state because the dental voucher program is out of funding statewide. But particularly the issue I had recently was with respect to Sale, or Central Gippsland Health, and it is a significant concern.

If I look at the current average wait times in months for public general dental care across Victoria, the figure for Gippsland at the end of 2024, December 2024, is a 20.6-month wait. It is nearly two years that public patients have to wait for general dental care. I understand that there is a concern with respect to the ability of the public services to find dentists, but the issue in the short term is the lack of vouchers. I believe that there are hundreds of people across the state, and indeed there is even that sort of number in Gippsland and in my electorate, who are having their vouchers cancelled because there is no more funding for this program.

This may or may not be linked, but I do recall raising the cut to the public dental program in the 2023 budget, because I raised it with the then Premier and highlighted the cuts. The best he could come up with was an attack back at me on the federal coalition's dental cuts in 1996, which I guess highlighted to me at the time that I was right, because the Premier had nothing better to say than to refer to something from nearly 30 years ago.

This is a significant issue. As I said, there is a 20.6-month wait at the moment for public dental patients in Gippsland. It is significantly higher in other parts of the state. There is a 10-month wait, I think, for public denture treatment in Gippsland. I call on the government and I call on the minister to address this funding shortfall and ensure that public dental patients can get back in and get access to services.

### **Community safety**

**Iwan WALTERS** (Greenvale) (19:06): (1064) My adjournment matter this evening is for the Minister for Multicultural Affairs, and the action I seek is for the minister to join me in my community to meet with members of my strong and diverse Muslim community and update them on what the Allan Labor government is doing to confront and combat Islamophobia and all forms of religiously motivated hatred in our community. Since the start of Ramadan I have been so grateful to join so many iftar dinners across Greenvale, including just last night with the minister at the table, the Minister for Veterans, where Muslim families and community organisations have generously welcomed me and many others to share both a meal and the observance of their faith.



Sadly, however, this year Ramadan aligns with the six-year anniversary of the horrific, targeted and hateful attack on the Al Noor Mosque and the Linwood Islamic Centre in Christchurch, New Zealand. That is why as a community we came together on Saturday 15 March, last Saturday, to recognise the International Day to Combat Islamophobia and to remember those who lost their lives solely because of their faith and solely because of where they were to give expression to that faith.

I stand with my community in opposing hate speech and violent extremism, including Islamophobia, to make sure that all people in my community feel secure, welcomed and celebrated regardless of their religion. Freedom of faith and association are the foundational pillars of our democratic and diverse society, and it is important that all Victorians are respected, regardless of their faith and cultural background. I look forward to the minister joining me very soon.

### **Bulleen electorate roads**

**Matthew GUY** (Bulleen) (19:08): (1065) I have an adjournment matter tonight for the member for Williamstown, the Minister for Roads and Road Safety. In the City of Manningham, as I have raised in this chamber many times, the North East Link is causing traffic chaos. It is not just for my side of the Yarra but also for the City of Banyule and for Nillumbik, particularly from Fitzsimons Lane through Templestowe; Thompsons Road, Bulleen Road, Lower Plenty Road through Banyule and, most importantly, through what appears to be the root cause of much of this, the intersection at Bulleen Road, Templestowe Road and Manningham Road. As the North East Link is being constructed this intersection has been completely rebuilt on a temporary basis and two extra sets of traffic lights have been inserted into what is for the north-eastern suburbs the main east–west arterial. This, as you can imagine, causes immense traffic problems in the morning.

Traffic is banked up on Thompsons Road as a result, which makes bus travel to the city prohibitive because then the buses use the same route as the cars getting down to the Bulleen park-and-ride. It then causes traffic to bank up on High Street further up into the City of Manningham. Traffic coming in from Eltham tries to avert this and go through Heidelberg, which then banks up Rosanna Road. No doubt the members for Ivanhoe and even Bundoora would be aware of this. In short, the place is a complete mess. I have raised this many times with now two ministers for transport infrastructure, seeking some form of redress in repairing what is a very poorly structured temporary – and when I say ‘temporary’ I mean seven-year – intersection at the corner of Templestowe Road, Bulleen Road and Manningham Road going east–west.

My adjournment matter tonight is for the minister for roads. It is to intervene in this matter and to reconstruct this intersection to remove either one or two sets, if possible, of those traffic lights to ensure we have some semblance of free-flowing, particularly east–west, traffic, which is what we had before, when there was a single set of traffic lights at the major intersection. As I have said, there are two additional sets. My adjournment is for the minister to intervene to fix this intersection, which will hopefully allow north-eastern suburban traffic to flow at a reasonable rate.

### **Werribee electorate infrastructure projects**

**John LISTER** (Werribee) (19:10): (1066) My adjournment matter is for the Minister for Development Victoria and Precincts in the other place, and the action I seek is that the minister provides me with an update on the Growing Suburbs Fund projects in the Werribee electorate. Wyndham City Council are an important delivery partner, and I would like to ensure they are meeting the community’s expectations with these projects.

Last week I was honoured to represent the minister at the official opening of the new Galvin Park Sexton Pavilion. In addition to \$1 million from the Allan Labor government’s Local Sports Infrastructure Fund, a further \$2 million was allocated from our Growing Suburbs Fund. I would like to congratulate the committee at Werribee Centrals for their vision and hard work in delivering this project for our community north of the railway line. Centrals are a growing club with a strong junior netball and football program and a gun women’s football side, who won last year’s grand final. I look

forward to watching many more wins from the new balcony that we have constructed or from down on the sidelines with a hot meat pie.

### Housing

**Roma BRITNELL** (South-West Coast) (19:11): (1067) My adjournment matter is to the Minister for Housing and Building, and the action I seek is for the Allan Labor government to provide a house for a vulnerable family who have been languishing on the social housing waitlist for five years. The state Labor government have been in power for 10 years now. Their mismanagement of the housing sector is plain for all to see. There is a shortage of private rentals and soaring rents, which makes it difficult for many people to find accommodation. The Allan Labor government's 60 new taxes, of which half are on land and property, have caused many property investors to sell up. This further reduces rental stock. These ill-conceived taxes have forced people out of rental properties, putting more pressure on public housing. The Allan Labor government's underinvestment has resulted in not enough roofs over people's heads.

It was an indication of how bad things are when a concerned community member reached out to me last week about a 79-year-old man who cannot find a rental property and has been living in a motel for the last six months. The Allan Labor government promised women fleeing domestic violence public rental housing within 10½ months, but data from the department shows that the average wait time is two years. Last year the Allan Labor government introduced a short-stay levy which makes it more expensive for women and children fleeing domestic violence to find short-stay accommodation. The Liberals asked the government to exempt them from this levy. The government were heartless and so desperate for cash that they rejected this amendment.

The social housing system is broken. There are massive waiting lists, and vulnerable members of the community languish endlessly for somewhere to call home. It is over a year since I raised the plight of Doug, a widower, and his two children. His daughter Nova, 10, has cerebral palsy and is totally dependent and cannot walk or speak. This desperate family have lived in motels and a bus, have depended on the generosity of friends by couch surfing and currently have some charitable temporary housing. They are effectively homeless, without security of tenure. The government told Doug to look for a private rental property. This was completely unrealistic. When his wife died he had to give up work to care for the children. This meant he could no longer service his mortgage, and the bank foreclosed. It is a tragic story. When the story was publicised on *A Current Affair* on 2 March last year, the department provided a statement saying they were exploring all avenues for them to find a suitable home. That has not happened. Another year has transpired, and the family are still waiting for an update on their status for social housing. Surely this family is the epitome of why we have social housing. The housing system is a mess, and the Allan Labor government have failed vulnerable Victorians like the Bowen family.

### Metro Tunnel

**Gary MAAS** (Narre Warren South) (19:14): (1068) The adjournment matter that I wish to raise is for the Minister for Public and Active Transport and concerns the Metro Tunnel. The action that I seek is that the minister provide an update on the Metro Tunnel works, which will improve public transport services for my constituents in Narre Warren South.

Our state government is moving full steam ahead on the Metro Tunnel. This is the biggest upgrade to our rail network since the city loop opened in 1981 and will change the way that we move around Melbourne. The new continuous rail line will link my constituents on the Cranbourne and Pakenham lines all the way to Sunbury in the west while travelling through five new underground stations under the CBD. The Metro Tunnel works are on top of new high-capacity trains which are running on the Pakenham line already, providing an extra carriage for 20 per cent more passengers and improved seating, accessibility and real-time information. This is on top of the Level Crossing Removal Project, which will soon see the Pakenham line level crossing free. It is now almost one year on since the new

Narre Warren station opened after the removal of the level crossing on Webb Street, and I know the brand new station is making a big difference to our local commuters, pedestrians and drivers.

What my community is demanding, though, is a rail network that services commuters with frequent and reliable trains that get people where they need to be when they need to be there. I know that my constituents are looking forward to the seamless connection of the Cranbourne and Pakenham lines to the Metro Tunnel. I look forward to sharing the minister's response with my community.

### **Princes Highway west**

**Richard RIORDAN** (Polwarth) (19:15): (1069) My adjournment debate this evening is for the Minister for Roads and Road Safety, and the action I seek is the immediate repair and resurfacing of the Princes Highway west from Geelong to Colac. This road has not even been officially opened and the surface is completely and utterly undrivable. It is an absolute outrage and an insult to regional Victorians to think that a road that is so new, is dual and has been long fought for by the community has kilometre after kilometre down to 80 kilometres an hour. There are temporary road repair signs that may as well be permanent. They may as well change them from the yellow portable signs to the permanently fixed green advisory signs that we see on our highways, advising of the crater-sized holes, divots and deviations right throughout the road surface. It is appalling that such an important asset that brings food, that brings milk and that brings produce from western Victoria to Melbourne and to the city, along with just the sheer safety element, puts people's lives at risk with road surfacing that is so bad that people are finding that they have to drive only in the right-hand lane because the left-hand lane is so undrivable for kilometre after kilometre. This is just the result of a government and a state that no longer has the capacity to look after basic infrastructure.

I further remind the minister that they promised late last year the biggest road repair maintenance blitz in the history of the world, I think we were told. Can I remind the minister that we are nearly in April, which means there are approximately two months left of workable road repair weather, and I have not seen one piece of roadwork anywhere in the electorate of Polwarth for this summer season of alleged road repair. Can I remind the minister that if you cannot get a major highway done at this time of year that has had temporary signage up for nearly two years in many parts, then the taxpayer and the people of Polwarth can have no faith that this government is serious about maintaining high-quality, safe roads for people to drive on.

In recent weeks we have had the Port Fairy Folk Festival, and we have had the summer season along the Great Ocean Road. There have been millions of visitors down this road. It is just a disgrace that what we are dishing up in a First World country is a road that is simply not fit for purpose. It cannot stay at 80 kilometres an hour. It cannot stay with temporary signs warning of crater-sized holes from one end of it to the other. It needs to be fixed. Minister, I call on you: the action is to please fix this road surface.

### **Merri-bek multicultural communities**

**Anthony CIANFLONE** (Pascoe Vale) (19:18): (1070) My adjournment matter is for the Minister for Multicultural Affairs, and the action I seek is for the minister to provide an update on the work being undertaken across Merri-bek to build a more resilient and socially cohesive community. As the local MP for Pascoe Vale, Coburg and Brunswick West and as the son of migrant parents I will always remain committed to doing everything I can to build a more welcoming, vibrant and inclusive community for people of all cultures, faiths and backgrounds.

As one community that is proudly diverse, the Merri-bek community has a long and proud history of welcoming generations of migrants from all parts of the world, with around 25 per cent of local residents born overseas. Almost 50 per cent of locals have at least one parent born overseas, many of whom are from non-English-speaking backgrounds, with 34 per cent of locals speaking a language other than English at home. According to the 2021 census, our 171,000 resident community population's ancestry ranges from 23 per cent English to 15 per cent Italian, 10.5 per cent Irish – happy

St Pat's Day – 7.6 per cent Scottish, 6 per cent Greek, 3.8 per cent Lebanese, 3.8 per cent Chinese, 3.2 per cent Indian, 3 per cent German, 2.3 per cent Nepalese, 2.1 per cent Turkish, 1.7 per cent Pakistani and 1.7 per cent Maltese. In terms of religion, many residents also belong to one of our many vibrant local faith-based communities, with 23 per cent Roman Catholic, 10 per cent Islamic faith, 5.4 per cent Greek Orthodox faith, 3.6 per cent Hindu, 2.7 per cent Anglican, 2.1 per cent Buddhist and many others from the Uniting Church, Presbyterian, Baptist, Maronite, Catholic, Eastern Orthodox, Jewish and other faiths.

As members of Parliament we have an obligation to do everything we can to continue building a stronger, more socially cohesive society. That is why on 9 February I had the privilege of attending Merri-bek celebrations for World Interfaith Harmony Week at the Glenroy library. Founded by the hardworking Reverend Mark Dunn, the Merri-bek Interfaith Network brings together our faith leaders to foster understanding and respect amongst our religious communities. On the day we heard from many local faith leaders and community members, including Uncle Andrew Gardiner from the Wurundjeri people; mayor Cr Helen Davidson; Imam Moustapha Sarakibi, who is the chairperson; Poppy McNeal from the Baha'i community; Syed Waqar Hussain from Qadri House in Fawkner; Samoan youth choir, Jenne Perlstein from the Jewish community; messages of peace from the Hindu community; Ruth Sandy from the Uniting Church; Sikh messages of peace from Gurdeep Singh Matharoo from the Craigieburn Gurudwara; and a poem of unity from Hidayet Ceylan of the Alevi Federation of Australia.

But the highlight was Reverend Mark Dunn's insightful and reflective words of particular significance, which I want to share with the house tonight:

In a world scarred by the evils of war, racism, injustice and poverty, we offer this joint Act of Commitment as we look to a shared future.

We commit ourselves, as people of many faiths,  
to work together for the common good,  
uniting to build a better society,  
grounded in values and ideals we share:

community, personal integrity,  
a sense of right and wrong,  
learning, wisdom and love of truth,  
care and compassion, justice and peace,  
respect for one another, for the earth and its creatures.

We commit ourselves,  
in a spirit of friendship and co-operation,  
to work together alongside all who share our values and ideals,  
to help bring about a better world  
now and for generations to come.

I welcome the minister providing that update for my community so that we can build a stronger, more vibrant multicultural community.

### Responses

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business and Employment, Minister for Youth) (19:21): The member for Nepean raised a matter for the attention of the Treasurer, and the action the member seeks is a budget funding outcome in the Nepean electorate. The member for Narre Warren North raised a matter for the attention of the Minister for Ambulance Services, and the action the member seeks is for the minister to join the member for Narre Warren North at the Endeavour Hills ambulance station and meet the hardworking first responders. Ambos do so much for Narre Warren North and our state, and it is important to say thank you. I thank the member for Narre Warren North for raising this important matter.

The member for Gippsland South raised a matter for the attention of the Minister for Health, and the action the member seeks is to address the issue of funding of dental vouchers in Victoria. The member

for Greenvale raised a matter for the attention of the Minister for Multicultural Affairs, and the action the member seeks is for the minister to join the Greenvale Islamic community and provide an update on the work the minister is doing in relation to combating Islamophobia. I want to thank the member for his strong advocacy in his community. The member for Bulleen raised a matter for the attention of the Minister for Roads and Road Safety, and the action the member seeks is consideration of traffic and road changes, in particular along the North East Link and Bulleen Road intersection.

The member for Werribee raised a matter for the attention of the Minister for Development Victoria and Precincts, and the action the member seeks is an update on the projects in Werribee being delivered through the Growing Suburbs Fund and how they are benefiting the local westie community in particular. The member for South-West Coast raised a matter for the attention of the Minister for Housing and Building, and the action the member seeks is consideration for social housing for a vulnerable family in her electorate. The member for Narre Warren South raised a matter for the attention of the Minister for Public and Active Transport, and the action the member seeks is an update on Metro Tunnel works that are connecting Narre Warren South locals to more opportunity and more connection opportunities. The member for Polwarth raised a matter for the attention of the Minister for Roads and Road Safety, and the action the member seeks is repair and resurfacing of Princes Highway West.

The member for Pascoe Vale raised a matter for the attention of the Minister for Multicultural Affairs, and the action the member seeks is an update on the important work being undertaken to build social cohesion across Pascoe Vale and Merri-bek. Pascoe Vale is a very diverse community. I know I have had the pleasure of joining the member and meeting local businesses that make up the local community. I will make sure that the Minister for Multicultural Affairs responds to this important matter. I thank the member for Pascoe Vale for his strong advocacy for the multicultural community in the electorate of Pascoe Vale.

**The DEPUTY SPEAKER:** The house stands adjourned until tomorrow morning.

**House adjourned 7:25 pm.**