



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Tuesday 14 November 2023

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Christine Couzens, Jordan Crugnale, Paul Edbrooke, Wayne Farnham, Bronwyn Halfpenny, Paul Hamer, Michaela Settle, Meng Heang Tak and Jackson Taylor

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

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

David Southwick

Leader of the Nationals

Peter Walsh

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury

Members of the Legislative Assembly
60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel ²	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	South Barwon	ALP	O'Keefe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleland, 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 ³	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Fowles, Will ¹	Ringwood	Ind	Spence, Ros	Kalkallo	ALP
Fregon, Matt	Ashwood	ALP	Staikos, Nick	Bentleigh	ALP
George, Ella	Lara	ALP	Suleyman, Natalie	St Albans	ALP
Grigorovitch, Luba	Kororoit	ALP	Tak, Meng Heang	Clarinda	ALP
Groth, Sam	Nepean	Lib	Taylor, Jackson	Bayswater	ALP
Guy, Matthew	Bulleen	Lib	Taylor, Nina	Albert Park	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Theophanous, Kat	Northcote	ALP
Hall, Katie	Footscray	ALP	Thomas, Mary-Anne	Macedon	ALP
Hamer, Paul	Box Hill	ALP	Tilley, Bill	Benambra	Lib
Haylett, Martha	Ripon	ALP	Vallence, Bridget	Evelyn	Lib
Hibbins, Sam	Prahran	Greens	Vulin, Emma	Pakenham	ALP
Hilakari, Mathew	Point Cook	ALP	Walsh, Peter	Murray Plains	Nat
Hodgett, David	Croydon	Lib	Walters, Iwan	Greenvale	ALP
Home, Melissa	Williamstown	ALP	Ward, Vicki	Eltham	ALP
Hutchins, Natalie	Sydenham	ALP	Wells, Kim	Rowville	Lib
Kathage, Lauren	Yan Yean	ALP	Werner, Nicole ⁴	Warrandyte	Lib
Kealy, Emma	Lowan	Nat	Wight, Dylan	Tarneit	ALP
Kilkenny, Sonya	Carrum	ALP	Williams, Gabrielle	Dandenong	ALP
Wayne Farnham	Narracan	Lib	Wilson, Belinda	Narre Warren North	ALP
			Wilson, Jess	Kew	Lib

¹ ALP until 5 August 2023

² Resigned 27 September 2023

³ Resigned 7 July 2023

⁴ Elected 3 October 2023

PARTY ABBREVIATIONS

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

CONTENTS

BILLS	
Justice Legislation Amendment (Police and Other Matters) Bill 2023	4331
Introduction and first reading	4331
Land (Revocation of Reservations) Bill 2023	4331
Introduction and first reading	4331
BUSINESS OF THE HOUSE	
Notices of motion	4332
BILLS	
Corrections Amendment (Parole Reform) Bill 2023	4332
Override statement	4332
PETITIONS	
Sydney Road tram stops	4332
COMMITTEES	
Scrutiny of Acts and Regulations Committee	4332
Alert Digest No. 14	4332
DOCUMENTS	
Documents	4333
BILLS	
Special Investigator Repeal Bill 2023	4334
Council's agreement	4334
Gambling Legislation Amendment Bill 2023	4334
Special Investigator Repeal Bill 2023	4334
Triple Zero Victoria Bill 2023	4334
Royal assent	4334
Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023	4334
Appropriation	4334
BUSINESS OF THE HOUSE	
Standing and sessional orders	4334
MOTIONS	
Community safety	4334
Child protection	4334
Remembrance Day	4335
COMMITTEES	
Environment and Planning Committee	4336
Reference	4336
BUSINESS OF THE HOUSE	
Program	4336
MEMBERS STATEMENTS	
Pink Ribbon Breakfast	4341
Berwick electorate office	4341
Casey City Council	4342
Deepavali	4342
Dederang battery project	4342
Roadside vegetation	4342
Australian Music Month	4343
Polwarth electorate supported accommodation	4343
Diwali	4343
Financial Counselling Victoria	4344
Remembrance Day	4344
Lara RSL Kokoda Memorial Challenge	4344
Remembrance Day	4345
Port Melbourne Primary School	4345
Diwali	4345
Southside Justice	4345
Country Fire Authority	4345
Food Next Door Co-op	4346
Keysborough Primary School	4346
Hannah Brough	4346
Emergency services workers	4346
Maryborough train station	4347

Learmonth Football Netball Club	4347
Remembrance Drive–Madden Road–Weighbridge Road, Cardigan Village	4347
Melbourne Mavericks	4347
Tarneit and Truganina small business forum.....	4348
Daylesford road accident	4348
Remembrance Day.....	4348
Filipino community celebrations	4349
Chai and chat.....	4349
Diwali	4349
BILLS	
Crimes Amendment (Non-fatal Strangulation) Bill 2023	4349
Second reading.....	4349
ANNOUNCEMENTS	
Distinguished visitors.....	4356
Member and visitor conduct.....	4356
MEMBERS	
Treasurer.....	4356
Absence	4356
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Community safety	4356
Ministers statements: community safety	4357
Middle East conflict	4357
Ministers statements: education system	4358
Economy.....	4358
Ministers statements: community safety	4360
Suburban Rail Loop	4360
Ministers statements: Jobs Victoria mentor program.....	4362
Western Highway duplication.....	4362
Ministers statements: young Victorians	4363
CONSTITUENCY QUESTIONS	
Caulfield electorate.....	4363
Northcote electorate	4364
Shepparton electorate.....	4364
Pascoe Vale electorate.....	4364
Croydon electorate.....	4364
Preston electorate.....	4365
Melbourne electorate.....	4365
Monbulk electorate.....	4365
Narracan electorate.....	4365
Narre Warren South electorate.....	4366
BILLS	
Crimes Amendment (Non-fatal Strangulation) Bill 2023	4366
Second reading.....	4366
ADJOURNMENT	
Community safety	4409
East Werribee employment precinct.....	4410
Lakes Entrance police	4410
Bellarine electorate community safety	4411
Australian Securities and Investments Commission.....	4411
Braybrook regeneration project.....	4412
Anti-vilification legislation	4412
Glenroy RSL	4412
Heidelberg-Kinglake Road.....	4413
Wendouree electorate schools.....	4414
Responses	4414

Tuesday 14 November 2023

The SPEAKER (Maree Edwards) took the chair at 12:05 pm, read the prayer and made an acknowledgement of country.

Bills**Justice Legislation Amendment (Police and Other Matters) Bill 2023***Introduction and first reading*

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:06): I move:

That I introduce a bill for an act to amend the Child Employment Act 2003, the Fire Rescue Victoria Act 1958, the Firearms Act 1996, the Road Safety Act 1986, the Terrorism (Community Protection) Act 2003, the Victoria Police Act 2013, the Victorian Civil and Administrative Tribunal Act 1998 and the Worker Screening Act 2020 and for other purposes.

Motion agreed to.

Brad BATTIN (Berwick) (12:06): I ask for a brief explanation of the bill.

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:06): The bill will introduce a range of reforms aimed at strengthening the integrity of the Victoria Police discipline system and ensuring Victoria Police personnel operate in a way that is consistent with community expectations. The bill also includes reforms to maintain community safety by increasing Victoria Police's capacity to regulate firearms, make administrative enhancements to the operation of the Countering Violent Extremism Multi-agency Panel and expand the circumstances in which police officers are authorised to use vehicle-immobilising devices. The bill will also enhance the privacy of participants in the Restorative Engagement and Redress Scheme for Victoria Police and make minor technical amendments to other Victorian legislation.

Read first time.

Ordered to be read second time tomorrow.

Land (Revocation of Reservations) Bill 2023*Introduction and first reading*

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:07): I move:

That I introduce a bill for an act to provide for the revocation of certain permanent reservations of Crown land at Shepparton, Toolangi, Seaspray, Haunted Stream, Narracan South, Darlimurla, Mirboo, Wombelano, Geelong, Clunes, Melbourne and Walhalla, to revoke related Crown grants and to re-reserve certain land and for other purposes.

Motion agreed to.

James NEWBURY (Brighton) (12:08): I seek a brief explanation of the bill.

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:08): The bill revokes permanent reservations over 13 areas of Crown land and revokes six restricted Crown grants to trustees to facilitate new management arrangements for future use and development of the relevant land. The bill also repeals a redundant part of the Land (Reservations and Other Matters) Act.

Read first time.

Ordered to be read second time tomorrow.

Business of the house**Notices of motion**

The SPEAKER (12:09): Notices of motion 11 to 13 will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 5 pm today.

Notice given.

Bills**Corrections Amendment (Parole Reform) Bill 2023*****Override statement***

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:11): I give notice that I intend to make a statement under section 31 of the Charter of Human Rights and Responsibilities Act 2006 explaining the exceptional circumstances that justify the inclusion of the override declaration in clauses 7, 8 and 9 of the Corrections Amendment (Parole Reform) Bill 2023.

Petitions**Sydney Road tram stops**

Tim READ (Brunswick) presented a petition bearing 1748 signatures:

This petition of residents in Victoria draws to the attention of the Legislative Assembly there are no accessible tram stops on Sydney Road between Brunswick Road and Bakers Road, Coburg North – a 5.5km stretch. Once the Upfield train line is closed to remove the Brunswick level crossings and build Skyrail, there will be NO accessible public transport along the Upfield corridor for the duration of the project. Under federal legislation, public transport in all states and territories was required to be fully accessible by the end of 2022. The petitioners therefore request that the Legislative Assembly install fully accessible tram stops on Sydney Road before the Upfield train line is closed for the level crossing removals.

Ordered that petition be considered tomorrow.

Committees**Scrutiny of Acts and Regulations Committee*****Alert Digest No. 14***

Gary MAAS (Narre Warren South) (12:12): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 14 of 2023, on the following bills:

Biosecurity Legislation Amendment (Incident Response) Bill 2023

Charter of Human Rights and Responsibilities Amendment (Protection from Torture and Slavery) Bill 2023

Corrections Amendment (Parole Reform) Bill 2023

Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023

Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023

together with appendices and an extract from the proceedings.

Ordered to be published.

*Documents***Documents****Incorporated list as follows:****DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

Crown Land (Reserves) Act 1978 – Order under s 17D granting a lease over part of Albert Park

Duties Act 2000 – Report 2022–23 of corporate reconstruction, and consolidated concessions and exemptions under s 250B

Financial Management Act 1994:

2023–24 Quarterly Financial Report No 1 – released on 10 November 2023

Report from the Minister for Climate Action that she had not received the Report 2022–23 of the Mine Land Rehabilitation Authority, together with an explanation for the delay

Report from the Minister for Education that he had not received the Report 2022–23 of the Victorian Curriculum and Assessment Authority (VCAA), together with an explanation for the delay

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

Ballarat – GC221

Banyule – GC223

Bass Coast – C162

Boroondara – GC223

Cardinia – GC221

Corangamite – C59

French Island and Sandstone Island – C12

Glen Eira – GC221

Greater Geelong – C454, GC221

Horsham – C82

Hume – GC221

Manningham – GC223

Melton – C239

Mitchell – C166

Mornington Peninsula – GC221

Moyne – C70

Nillumbik – GC223

Surf Coast – C144

Warrnambool – C215

Whitehorse – GC223

Whittlesea – GC223

Yarra – GC223

Portable Long Service Benefits Authority – Report 2022–23

Statutory Rule 112 under the *Electricity Safety Act 1998*

Subordinate Legislation Act 1994:

Documents under s 15 in relation to statutory rules 110, 111, 112

Documents under s 16B in relation to:

Victorian Energy Efficiency Target Act 2007 – Notice to fix fees

Water Act 1989 – Order to Declare Water System Zones in Victoria

Victorian Inspectorate – Report 1 July to 31 December 2022 under s 30Q of the *Surveillance Devices Act 1999*

Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 – Birrarung Council Review.

Bills

Special Investigator Repeal Bill 2023

Council's agreement

The SPEAKER (12:14): I have received a message from the Legislative Council agreeing to the Special Investigator Repeal Bill 2023 without amendment.

Gambling Legislation Amendment Bill 2023

Special Investigator Repeal Bill 2023

Triple Zero Victoria Bill 2023

Royal assent

The SPEAKER (12:14): I inform the house that the Governor has given royal assent to the Gambling Legislation Amendment Bill 2023, the Special Investigator Repeal Bill 2023 and the Triple Zero Victoria Bill 2023.

Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023

Appropriation

The SPEAKER (12:14): I have received a message from the Governor recommending an appropriation for the purposes of the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023.

Business of the house

Standing and sessional orders

Ellen SANDELL (Melbourne) (12:15): I desire to move, by leave:

That so much of standing and sessional orders be suspended to allow general business, notice of motion 15 relating to the reintroduction of non-government business time, to be moved immediately.

Leave refused.

Motions

Community safety

Michael O'BRIEN (Malvern) (12:15): I desire to move, by leave:

That this house:

- (a) reaffirms that no Victorian should face harassment on account of their faith;
- (b) condemns the intimidatory protest held in close proximity to a Caulfield synagogue on 10 November 2023; and
- (c) demands the reinstatement of Victoria Police's full range of move-on and arrest powers.

Leave refused.

Child protection

Roma BRITNELL (South-West Coast) (12:15): I desire to move, by leave:

That:

- (1) this house acknowledges residential care under this Labor government is a dangerous and unsafe place for children and young people, and

- (2) notes that children and young people in residential care can continue to be targeted by predators and sexually exploited and abused.

Leave refused.

Roma BRITNELL (South-West Coast) (12:16): I desire to move, by leave:

That this house notes the Commission for Children and Young People's data shows that from July 2021 to March 2023, 423 sexual exploitation cases in residential care were reported involving 165 children. Of these, 241 incidents involved sexual exploitation and abuse of children under 16 and 11 incidents involved nine children under 12.

Leave refused.

Roma BRITNELL (South-West Coast) (12:16): I desire to move, by leave:

That this house notes children in residential care continue to go missing in high numbers because they feel unsafe.

Leave refused.

Roma BRITNELL (South-West Coast) (12:17): I desire to move, by leave:

That this house notes Victoria Legal Aid data between 2019 and 2022 shows every second young person in residential care is being criminalised and two-thirds of children aged 10 to 14 in residential care will have subsequent contact with the justice system.

Leave refused.

Roma BRITNELL (South-West Coast) (12:17): I desire to move, by leave:

That this house acknowledges this government's failure to implement all the recommendations of the Commission for Children and Young People in the commission's June 2021 report *Out of Sight: Systemic Inquiry into Children who are Absent or Missing from Residential Care* to address the safety of young people in residential care.

Leave refused.

Roma BRITNELL (South-West Coast) (12:18): I desire to move, by leave:

That this house notes the Commissioner for Children and Young People's comments prior to the 2023 state budget that 'It's clear that without stronger action, children in residential care remain at extreme risk of harm due to criminal activity'.

Leave refused.

Roma BRITNELL (South-West Coast) (12:18): I desire to move, by leave:

That this house:

- (1) notes the over-representation of Indigenous children in state care, and
- (2) notes comments by a social work expert that 'The contemporary child protection system in Victoria continues to be plagued by systemic racism'.

Leave refused.

Roma BRITNELL (South-West Coast) (12:18): I desire to move, by leave:

That this house acknowledges this government and its six child protection ministers have failed in their duty to protect vulnerable children in Victoria.

Leave refused.

Remembrance Day

Bridget VALLENCE (Evelyn) (12:19): I desire to move, by leave:

That this house notes Remembrance Day is sacred, commemorating 103,000 Australians who lost their lives protecting our country and freedoms, condemns the desecration of Montrose War Memorial with despicable

political graffiti on Remembrance Day and praises the Montrose community for uniting in the face of this vandalism.

Leave refused.

Committees

Environment and Planning Committee

Reference

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

That this house refers an inquiry into securing the Victorian food supply in the context of urban sprawl and the impact of population growth on the farming industry and arable land to the Environment and Planning Standing Committee for consideration and report no later than 31 December 2024.

Motion agreed to.

Business of the house

Program

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (12:20): I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5 pm on 16 November 2023:

Corrections Amendment (Parole Reform) Bill 2023

Crimes Amendment (Non-fatal Strangulation) Bill 2023

Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023.

I note the conversations I have had with the Manager of Opposition Business in relation to the workplace injury bill and this government's commitment to take that into consideration in detail at a time which we will continue to discuss.

Obviously this is a very big week in this house, with some very serious legislation. It is legislation that really reflects our government's priorities, our government's values and our government's determination to do the things that matter for Victorians. I look forward to those on the other side of the house making contributions to each and every one of these bills, as I know members on this side will. Indeed as is quite normal, we have many more speakers, people that want to rise, to get on their feet, to talk about our legislative program and how it impacts members in our community. I hope that those on the other side will also take up the ample opportunities that do exist to speak about the very important bills that are before us this week.

Now, in my time in this place I have had many opportunities to talk on the scourge that is family violence in our community, and I will be taking that opportunity again this week. Family violence remains the number one law and order issue in our state. It is still the reason for the majority of police call-outs at any given time, and when you look at the data it is horrifying. It is absolutely horrifying the number of women who are still being killed, murdered, in this state by a current or former intimate partner. I will not go into it now, but I look forward to taking the opportunity to talk about some very brave community members in my own electorate whose beloved sister and daughter was taken way too early by the man that claimed to love her – but I will leave that for the debate.

The non-fatal strangulation bill is a really, really important one. We know that attempts at strangulation are a precursor to murder. That is why we will be debating a bill this week that seeks to make non-fatal strangulation a crime in and of itself. This bill is a really, really important one, and I know many people want to speak on it. It is what we need to do as part of our government's ongoing commitment to end family violence. That is not going to happen easily or overnight. It is going to take a generation, because

it demands that people – men – respect women, and we have got so much more to do when it comes to reaching gender equality in this state and ensuring that women are respected for themselves, for who they are – not in relation to anyone else, just for being themselves. Unfortunately too often this is still not the case in too many incidents as we see disrespect of women and girls being a common occurrence.

We will also be talking about the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill, and I know those on the other side are really looking forward to this, as are members on our side of the chamber. It is very important work to ensure that we fix our workers compensation scheme here in Victoria.

We will also be talking about the Corrections Amendment (Parole Reform) Bill 2023 – once again another very serious bill that delivers on our government's public commitment and our commitment to the families of Paul Denyer's victims to ensuring that we introduce legislative reforms that will enable the Adult Parole Board of Victoria to provide greater certainty to victims of serious offending. There is very serious legislation to be debated in the house this week, and it is a very full government business program, one which I commend to the house.

James NEWBURY (Brighton) (12:26): The coalition will be supporting the government business program this week. As the Leader of the House said, there are a number of bills and a number of broader issues that the house will be speaking about this week that are such important issues – community safety, which the Leader of the House spoke to. May I say more broadly I am sure that most members will in their contributions refer to recent incidents around community safety both in relation to the bills and also events, including the horrible events that occurred in Caulfield on Friday. We are at a difficult time, and this house will be speaking about very important issues this week. So I think it is important to note right from the outset the coalition's deep distress at the events that occurred in Caulfield on Friday, and I am sure that members across both sides of the house share in those concerns and will be speaking about those matters throughout their contributions.

As the Leader of the House did say, a number of important matters will be discussed. I will start by referring to the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023. I think for the third time in the time of this government, the government has agreed to take that bill into consideration in detail. What that means for those listening is the house has an opportunity to look at each clause of the bill and talk through the substance of each clause. The minister will be at the table to take questions in relation to the specifics of the clause. I am advised that the consideration-in-detail process will take place on Thursday. I have been given assurance by the government that there will be a reasonable opportunity to do that – so not a tokenistic one, a reasonable opportunity. I am sure the minister responsible for the bill would not mind me sharing that when requesting that the bill be taken into consideration in detail normally I would just request that of the Leader of the House, but in this instance I also copied in the minister, because I felt the minister would be the fiercest advocate for that process on this bill. I look forward to a reasonable time for the house to consider that bill, because it is an important bill and there are a lot of important aspects to that bill, so consideration in detail is reasonable in relation to that bill. I thank the government and note again that the coalition will not be opposing the government business program this week.

There are a number of other bills that the Leader of the House referred to. The Corrections Amendment (Parole Reform) Bill 2023 and the Crimes Amendment (Non-fatal Strangulation) Bill 2023 are both in relation to important issues of community safety. One is about ensuring that we keep the community safe in relation to parole, and this is a very important bill. I know that there are so many members on both sides of the chamber that are looking for an opportunity to speak on behalf of their communities in relation to those measures. But there is also the non-fatal strangulation bill. I know just on the briefing that took place on the bill how many members joined that briefing to understand and share their concerns about the importance of making sure that the community is protected around these important matters. The Leader of the House spoke to those matters and talked about domestic violence and the safety of women and that this bill will be an opportunity to make changes on matters that I am sure as a house we all want to see dealt with better and ensure that the community is safer.

Those are very important bills to be dealt with, which is why we will not oppose the government business program. We do hope there is an opportunity this week to speak to the move-on motion which was recently put forward by the Shadow Attorney-General. There is no doubt that there are questions regarding community safety and move-on powers that did once exist but now do not exist in that form, so an opportunity this week to discuss that would be appropriate. I will finish on this point by saying the coalition looks forward to speaking on these bills and will not be opposing the program.

Darren CHEESEMAN (South Barwon) (12:31): It is with some pleasure that I rise this afternoon to make a very short contribution on the government business program. I must say more often than not when I rise to speak on the government business program on any one particular sitting week it is through the prism of contest where the government has proposed a very sensible program and the opposition, as is their routine practice, are opposing it. However, today that is not the case, and I am very pleased and grateful that this government business program on the second-last sitting week of the year is not being opposed by the opposition.

From my perspective there are three very serious bills that are before the Parliament on this particular occasion. One is to deal with a wicked individual who committed a horrendous crime, and I know many people wish to make a contribution to the debate this week on those particular circumstances. We of course have a bill that advances the Allan Labor government determination to respond in a very, very strong way to family violence with the introduction of a crime to deal with non-fatal strangulation, and as has been raised by previous speakers, non-fatal strangulation is a hallmark more often than not of more extreme violence following that, which can lead to the death of an individual.

The third bill, the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023, is an important bill. It builds on profound work that has been undertaken by Labor in government. The very original bill setting up these arrangements goes all the way back to the Cain government, all the way back to 1985. As we are aware, those that have been following it, the workplace injury arrangements that we have in this state at the moment are not sustainable in their current context and they do need amending to bring them into a set of financial arrangements that see that scheme providing for workers that get injured in the workplace for many decades to come.

As I say, these three very substantial bills are all very, very important, and I am pleased to see that on this particular occasion the opposition will be joining with the government in supporting this business program through the course of this week. We have got one further sitting week this year, and I look forward to them supporting the government business program for the last sitting week of the year in a fortnight's time.

Jade BENHAM (Mildura) (12:35): It is my pleasure to rise this week in support of the government business program, and as the member for South Barwon pointed out, oftentimes it is a fact that we do oppose the government business program, largely because – and I speak about this often – we do not often get the chance to go through bills in consideration in detail. I had all these notes prepared today –

Danny O'Brien: How many times have you done it?

Jade BENHAM: I have never done it. This will be my first time, which is very exciting. I did have some notes prepared, but the government's willingness to go to consideration-in-detail stage on the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023 is a positive thing. I have had many discussions. Usually as the Nationals Whip it is my job to put together the program, and I do so off my own bat and I do not often get argued with, but actually this week I had the member for Euroa, I had the members for Shepparton and Morwell and I had all the Nationals members wishing to speak on all the bills on the program, particularly WorkCover, because it is something that has affected many, many businesses in particular in all of our communities. So the fact that we are getting to consider this bill in detail is a good thing. I look forward to the contributions

from both sides of the house, and I look forward to actually going into consideration-in-detail stage for the first time, for those of us that are in our first term, which is fantastic.

The Corrections Amendment (Parole Reform) Bill 2023 is one on which I am very much looking forward to hearing the contribution from the member for Berwick, who of course proposed this bill months ago and has been working with the families of Denyer's victims for quite some time. We acknowledge the work that he and the member for Mornington have done with the victims' families and also that the member for Lowan has done with families that now live in her electorate. Again, that is a bill that we have managed to more than fill the business program with this week with members' willingness to get up and make their contribution, because we know and we understand how important this is. Mind you, when the member for Berwick proposed this months ago, it should have been dealt with then so that the families do not have to relive their trauma again now.

The Crimes Amendment (Non-fatal Strangulation) Bill 2023: I was one of the members that attended the bill briefing with the member for Malvern. Family violence in my electorate is sky-high. It is something that I and other members of my close friendship group have firsthand knowledge of, and there will be some very interesting contributions. I know that the member for Malvern is referring to this bill as 'Joy's law', and I do want to acknowledge the advocacy of the family of Joy Rowley, the very courageous advocacy that means that non-fatal strangulation will now be a crime in this state. It is a very courageous thing to do, to advocate for family violence and tell your story, and I also want to acknowledge the work of Conor Pall, a young man that the member for Malvern and I met with last week who has just launched a book. He has been advocating, even though he is only –

The SPEAKER: Order! I ask the member to come back to the government business program. You are going into detail on the bill.

Jade BENHAM: Referring back to the family violence bill, Conor has been advocating for coercive control to become a crime, so hopefully that is something that will be worked on closely. Of course there are many of our members, again, that wish to make contributions on this bill, and I look forward to hearing contributions from both sides. I am looking forward to a very productive week in fact. It should be very, very interesting.

Kat THEOPHANOUS (Northcote) (12:40): It gives me great pleasure to rise and speak in support of the government business program. Once again we have some very serious and substantive pieces of legislation coming before the house for debate, which speak to our Labor government's commitment to making Victoria safer and fairer. These are values which are at the core of the Labor Party and run a continuous thread through many aspects of our legislation in general – a safer place for Victorians to live and thrive, a fairer place for Victorians to reach their potential. One of the particular elements of these values which I have had the fortune to work on in depth is gender equality and making our state safer for women, and later today we are going to be debating the Crimes Amendment (Non-fatal Strangulation) Bill 2023, which will introduce a standalone offence of non-fatal strangulation. It builds on our work across the last nine years to address the scourge of family violence and embed gender equality.

Before entering politics as an MP I had the honour of working alongside Victoria's first Minister for the Prevention of Family Violence Fiona Richardson, who was also the previous member for Northcote. Fiona used the final years of her life to drive and embed an extraordinary amount of reform to make women and children safer in their homes and in our communities. She was ferocious in those efforts, and as her adviser I was proud to be working at the coalface of an issue that had been left in the dark for far, far too long. Too many Victorian women and children still face family violence in our state, but through unprecedented investment and reform we are seeing more prevention efforts and more avenues for people to be supported. It is absolutely in keeping with our government's program of work that this bill is brought forward – to add to those efforts and to recognise that linkage between serious behaviour and other patterns of family violence.

Labor's track record here is undeniable. Whether it has been through the Royal Commission into Family Violence, our Gender Equality Act 2020, Respectful Relationships education in schools, establishing Respect Victoria or strengthening our laws around consent, we have been ambitious and we have been determined. This is an important aspect of our government business program today.

Later in the week we will be debating several other incredibly important pieces of legislation. In fact all three of the bills being debated this week are deeply impactful and relevant to the people of Victoria. The Corrections Amendment (Parole Reform) Bill 2023 is one which we wish were not required to be put forward, given the shocking crimes which led to its development, but it is one which Victorians rightly expect their government to bring forward and take action with. We expect the contributions on the bill to be respectful of the emotional toll that such debate inevitably has on families and communities that have suffered and continued to suffer because of those things. It is always important, I think, as we consider these heavy matters in the Parliament to be thinking about their reverberating impact for Victorians. While the content of what will be spoken about during that debate is difficult, including for my colleague the member for Frankston whose community was directly impacted, it is also incredibly necessary that we as a government do not shy away from complex and difficult issues, and confronting some of the darkest aspects of human nature and of history and working towards giving recognition and making legislative change to prevent such events from happening again is exactly what we have a record of doing in Victoria – on issues like conversion therapy, on issues like justice for Aboriginal Victorians and on issues like forced adoption practices. We do not shy away from those things.

The third piece of legislation coming before us this week is the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023, which will be an opportunity for members to make contributions about the future of this very important scheme. Members will have an opportunity to consider this bill in detail and talk thoroughly to the substance of the bill. This is appropriate, given how important it is to have a sustainable WorkCover scheme for Victorians. I think this is a very serious and significant government business program. It is good to see the opposition are not opposing it.

Wayne FARNHAM (Narracan) (12:45): I am pleased to rise today to talk about the government business program, and this side of the house does not oppose the program. In reference to previous contributions, the bills before us this week are important, and I will look forward to the debate or conversation at a later date. When we look at these bills that are before us – Corrections Amendment (Parole Reform) Bill 2023, Crimes Amendment (Non-fatal Strangulation) Bill 2023 and Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023 – it is incumbent on government, when things are broken, to bring bills in that fix the problems.

I look forward to Thursday and the consideration in detail of the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023, because WorkCover at the moment is broken and small businesses around the state are really, really suffering with the uplift in their premiums. It is going to be very good to sit down with the relevant minister and have that consideration in detail in this house. I hope the minister listens and takes on board the contributions and the questions that will come to him, because I think Victoria is at a state now where we need to work together to fix the problem, because it is a massive problem and it is hurting small business. There is no doubt about that. We do not want to see any more uplift in premiums for small business.

The Corrections Amendment (Parole Reform) Bill is interesting. I am glad the government has brought this forward. I am disappointed that we have had to bring this forward again after the member for Berwick had this in this house some months ago. I think at times we are so hell-bent on being on opposite sides, but sometimes we need to actually look across the room and say that has merit, even if it comes from this side of the chamber, as it did with the member for Berwick. It came from this side of the chamber, and what he put forward had merit. It would have been nice at that point in time if those on that side of the chamber had actually thought 'We should pass this. We should agree with this bill and let it go through'. But here we are today with this bill. The debate will happen later on,

but there are parts of this bill that should not be debated today – they should have got passed months ago when they were put forward – because we all know that this is going to cause great distress to the families concerned.

The last one is the Crimes Amendment (Non-fatal Strangulation) Bill 2023. Again, I think it is always incumbent on government to look after the most vulnerable in our community, and non-fatal strangulation, as we know, is a precursor to domestic violence. Absolutely no-one can dispute that fact. I have told this house many times about the units that were developed in Narracan. A lot of that starts at this point, where especially women need to escape and need to escape quickly because they are in a situation that is not going to be tenable for them anymore. So I am glad the government has brought this in. I am looking forward to debating these bills. As you will see on the speaking spots, I have put my name down for every bill this week. I think the contributions from everyone in this chamber on these three bills this week will be significant. We do not oppose the business program, and I do look forward to the conversations later on in the week.

Motion agreed to.

Members statements

Pink Ribbon Breakfast

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:49): I recently hosted our annual Pink Ribbon Breakfast with the member for Ashwood and the member for Glen Waverley. Every year members from our local community come together to spread love, hope and support. This event is really important for raising awareness and funds for breast cancer research. I want to thank our very inspirational guest speaker Melissa Hamilton, who shared her story about successfully battling breast cancer and the importance of yearly check-ups. Thank you to Vanilla Lounge and their wonderful team, who always put the most delicious breakfast on and go above and beyond to help support this worthy cause.

I also want to thank everyone who attended, including Glen Eira Football Club, Oakleigh Amateur Football Club, Carnegie South Cricket Club, Murrumbeena Park Bowls Club, Waverley Bridge Club, Oakleigh District Football Netball Club, Waverley Netball Centre, Glen Eira City Council, Carnegie traders association, the Polish Community Care Services, Karyatides women's club, History Monash, Waverley Day VIEW Club, Mount Waverley Heights Primary School, St Anthony's primary school, Salesian College Chadstone, Clayton North Primary, Sacred Heart Girls College, Sacred Heart Catholic Primary School Oakleigh, Emmaus College Melbourne, Camelot Rise Primary School, Glen Education, St James Primary School and every other local community member who attends this extraordinary event every year. I took it over from the former member, the great Ann Barker, and in my office Caroline and the team organise it every year. It inspires us every single year when we have these extraordinary guest speakers and the community turn out and raise money for breast cancer research.

Berwick electorate office

Brad BATTIN (Berwick) (12:51): It is nearly 12 months since the election when the seat of Berwick was formed, and I want to put on record again today that it has been nearly 12 months without an office for the member for Berwick in Berwick itself. This has been ongoing, and issues have been raised in relation to leases, but now it has actually gotten to the stage where it is getting beyond a joke – and I have raised this with the department. We cannot even go out to tender because the architect is away. There are issues with what is happening in trying to get designs done, and I will bet my bottom dollar that they are now saying it will be in February – that I will not be in an office and the area will be unrepresented in April next year. I am going to put it on the table: it will be at least April. It is getting to a stage that is ridiculous – that a lower house member of this Parliament cannot get an office in their electorate to represent those that they are supposed to represent, a place for the local community to go. Every member in this place knows people will walk into their office to discuss issues. They

knock on the door, they come through and have a chat to you about things that are going on. We are not getting that benefit in Berwick, and it is simply unfair on the Berwick electorate.

Casey City Council

Brad BATTIN (Berwick) (12:52): On another issue, the council wards are looking at changing in Casey. They are looking at changing one of the wards from Edrington to Grassmere. A few people have contacted us in relation to Edrington to say can we please keep that name. This was the home of Lord Richard Casey. It has been there since 1934 until their deaths, and the Edrington name in High Street in Berwick is important in my local community. I implore people to keep the name of Edrington ward.

Deepavali

Sonya KILKENNY (Carrum – Minister for Planning, Minister for the Suburbs) (12:52): On Sunday night we celebrated Deepavali at the Shri Shiva Vishnu Temple in Carrum Downs. Also known as Diwali, this festival of lights is widely celebrated by Hindus, but of course it is celebrated all over the world, including by Sikhs, Buddhists and Muslims. Amidst the diversity of Diwali stories there is a unifying common theme. This is a celebration, a festival of light over darkness, good over evil and knowledge over ignorance, and this is timely particularly given the truly terrible conflict that is unfolding in the Middle East right now and the pain, anguish and grief this is causing for so many people across our communities in Victoria. All of us now more than ever must work together to make sure that what is good here in Victoria prevails, and that is goodness, that light – it is our diversity, in all its beauty and richness.

I wish to extend my heartfelt appreciation and gratitude to the Hindu Society of Victoria for their beautiful festival this past week and for their invaluable work going back 40 years in promoting community and cultural harmony, contributing so much to a strong, rich and successful multicultural Victoria. I want to make sure that the Hindu society feels supported so it can continue to serve and support its devotees and the wider Hindu community and continue to contribute to cultural harmony in Victoria. Thank you to HSV president Sabaratnam Kathirkhanthan, vice-presidents Thavarajah Sriharan and Sivakumar Gurusamy, secretary Ratnam Kandasamy and all of the HSV committee members and volunteers at the Shri Shiva Vishnu Temple in Carrum Downs.

Dederang battery project

Tim McCURDY (Ovens Valley) (12:54): For the second time this year our communities are being preyed upon by major energy giants. This time Dederang has become the focus of Mint Renewables, who are seeking to create a 100-lithium battery operation in the heart of Victoria's finest agricultural land. Locals have been notified that a deal has been struck for two properties, which will see other local land become the backwash for this massive energy project. I have invited Mint Renewables to a community gathering to discuss the pros and cons of this battery hub. Surprisingly the stakeholder engagement office says they are not ready for community engagement until January 2024. This surely must be the most clumsy way to consult a community. Option 1 is address the community concern early in the process to alleviate anxiety and concerns. Option 2 is wait until locals are so wound up like a grandfather clock before they get the full details of what lies ahead in this beautiful, picturesque and hidden valley. I hope Mint Renewables makes the right choice. I will be hosting this community forum this coming Thursday night at Dederang reserve, and all are welcome to have their say and hear what others have to say. We cannot continue to have international companies slide into our smaller pristine regional communities and make decisions. With two property owners, it affects a further 500 properties. If there is nothing to hide, I am sure Mint Renewables will be onsite this Thursday to ease local fears.

Roadside vegetation

Tim McCURDY (Ovens Valley) (12:55): Having met with 30 people from Oxley, Milawa, Moyhu and Whitfield last week to discuss the dangerous overhanging trees, my worst fears were

realised on Saturday afternoon on Snow Road when a massive limb fell on the road, which would have spelled tragedy if a car was going past at the time. Snow Road carries tens of thousands of vehicles, and it was sheer luck that nobody was killed this time.

Australian Music Month

Matt FREGON (Ashwood) (12:55): It is Australian Music Month again, so here we go, here we go for one more turn. It was only one summer ago that the beautiful people of Victoria told us to stay. There is nothing sweet about me, but I had a few saying ‘Trust me, mate, it’ll be all right’ and ‘Here we go again’. A quick shout-out to the class of 2022 – it is not double vision, there is so much young blood and not one passenger. They have come in with leaps and bounds and some very well-placed confidence. I, like most people I know, was a little shocked to see our former Premier call time. But have no fear, do not dream it is over, we have a new sensation of a Premier, and the Allan Labor government is on solid rock. Something so strong will shine like it does, and there is nothing wrong with that.

There are many reasons why we are not standing on the outside looking in. Last time around I was thunderstruck with our commitment to buses and trains and the Suburban Rail Loop, and this time, well, it shook me all night long when we made our high-voltage pledge to back the SEC. I know everyone on this side of the aisle thanks the Premier and the ministers for the power and the passion. I should also thank my colleagues in this house. I find myself now spending time in the booster seat as the days go by, listening – I should be so lucky.

There is a lot to get done, so there is no point reminiscing in the summertime. I want absolutely everybody – all Victorians, from your working-class man to your women in uniform to all my people in the Ashwood district – to know that we will not waste this opportunity. Heading to a fourth term might seem like a run to paradise, but we will keep marching as one on the road to the Holy Grail.

Polwarth electorate supported accommodation

Richard RIORDAN (Polwarth) (12:57): Well done, the great pretender.

I have a serious matter to raise today, and that is the parlous state of supported accommodation for those with drug and alcohol issues in regional Victoria. My community in Polwarth, and particularly the community of Colac at the moment, has some very confronting issues within the community with certain people in great need of such support. Sadly, people unable to advocate for themselves, people unable to deal with their drug and alcohol addictions, are left to fend for themselves, and we have the terrible situation where people are literally living on our streets and homeless in a country town in a First World country in a society that prides itself on being advanced and caring for the most vulnerable. Sadly, today I have learned that there is absolutely nothing we can do. Barwon Health’s mental health and drug and alcohol support services are unable to find homes and allocate resources and support for the people most in need. It is a parlous situation. I understand that Victoria has some 200 fewer beds than other states such as New South Wales when it comes to supporting people who need immediate and intensive care and support. I put it on the record that this is simply not good enough, and we need to do more as a civilised community.

Diwali

Gary MAAS (Narre Warren South) (12:58): I rise today to acknowledge and to celebrate the joyous festival of Diwali, which brings our vibrant multicultural state together each year. Diwali, the festival of lights, is a cherished celebration that transcends cultural and religious boundaries. It is a time for families and communities to come together, marking the triumph of light over darkness and good over evil. Diwali symbolises the victory of unity and love, values that resonate with all Victorians. This year’s festival serves as a reminder that the light within each of us, regardless of our cultural background, should be celebrated and shared. It is a time when we reflect on the importance of community, embracing diversity and overcoming division.

Last Friday I attended the Premier's Diwali state reception, which is a highlight of the year, serving as an opportunity for members of Parliament to meet members of the Indian, South Asian, Hindu, Sikh and Jain communities. This year's event included Indian cuisine, cultural performances, music and the traditional lighting of oil lamps. It really was a terrific event and a great catch-up with our local Indian community leaders and support groups, especially those ones that serve my electorate of Narre Warren South. For all of us who did attend there was the opportunity to take one or two group photographs – I think there might have been just one or two in there. In these times of global uncertainty Diwali is fantastic. It helps celebrate the coming together of cultures and religions in that respect.

Financial Counselling Victoria

Tim READ (Brunswick) (13:00): Victorians are paying more for groceries, rent, energy bills and mortgage repayments, and it has all been getting worse this year, putting many in severe financial stress. Calls to the National Debt Helpline increased by 47 per cent in the first six months of this year. While more can and should be done to limit these increases in the cost of living, right now too many Victorians are struggling. Financial counsellors provide an important service to support those facing debts and mounting bills. They know a lot of tricks, like what hardship schemes are available, when debts can be waived and what assistance is available, and more Victorians should know about financial counsellors and should see one before rather than after they go under. But right now, during a cost-of-living crisis, with spiralling supermarket prices, rent and energy bills, there is a shortage of financial counsellors, and there are other workforce problems for financial counsellors, including a lack of internship and student placements. Financial Counselling Victoria is just asking for a very modest \$2 million for an additional 10 financial counsellors and then \$3.6 million over three years to extend the employment of 10 financial counsellors and address those workforce issues, and I encourage the government to urgently fund this.

Remembrance Day

Ella GEORGE (Lara) (13:01): On Saturday I attended an incredibly moving Remembrance Day at the Lara RSL. We gathered together to remember all those who have served and all those who have made the ultimate sacrifice. We heard from the 2024 Lara Secondary College leaders Max Lamba and Jackson Francese-Fulton, who represented the school and spoke so respectfully. It was also special to hear the reflections that were shared about what it was like to be a young serviceman in World War I, being so far away from home. Lest we forget.

Lara RSL Kokoda Memorial Challenge

Ella GEORGE (Lara) (13:02): The Lara RSL has been working hard to raise funds for Soldier On with their Kokoda Memorial Challenge, a 24-hour, 96-kilometre walk around Lara and Geelong. Ninety-six kilometres replicates the length of the Kokoda Track, and the walk was established to raise funds and awareness about veterans' mental health. The event has raised over \$40,000 to support Soldier On, who do tremendous work in supporting current and former Australian Defence Force personnel and their families. Congratulations to Lara RSL president Marcus McEwen and his team, who did a power of work in creating and running this event and getting so many people involved and behind this important cause.

A special thanks also to our Minister for Veterans the Honourable Natalie Suleyman and Deputy Prime Minister and member for Corio Richard Marles for their support of this event and presenting medals to participants. And thanks must also go to the entire Lara community, who got behind this fundraiser and showed their support by participating and donating. There was a great show of support for our local RSL and for veterans right across Australia. I had a great time completing the first leg of the walk with Cr Eddy Kontelj, and I am looking forward to being part of the walk next time.

The DEPUTY SPEAKER: Order! I remind members to only use correct titles.

Remembrance Day

Bridget VALLENCE (Evelyn) (13:03): I thank and praise the Montrose community for showing tremendous spirit, respect and unity. On Remembrance Day locals awoke to find the Montrose cenotaph and war memorial desecrated with political vandalism. The desecration of the Montrose war memorial was despicable and shameful. Remembrance Day is sacred for veterans and our community to gather to commemorate the 103,000 Australians who have made the ultimate sacrifice – lost their lives protecting our community and freedoms in wars and peacekeeping missions. The vandalism of Montrose cenotaph on Remembrance Day was an insult not only to our community but to our many surviving veterans. There is no place in our community for those who seek to spread hatred and division, and we cannot allow the conflict in the Middle East to bring this kind of hatred and toxicity into our local communities. It will do nothing to address the humanitarian situation in that region.

Thanks to the exceptionally swift response of Yarra Ranges council to remove the hateful graffiti before 11 am, the service was able to proceed. I praise the Montrose community, who conducted a wonderful service attended by around 140 local residents, in particular Max Lamb and the volunteers of the Montrose Township Group. I also want to thank Anthony McAleer, Matt Crymble and Bill Dobson of Mount Evelyn and Lilydale RSLs, who passionately advocate for their members and who I will continue to work with to stamp out increasing vandalism of war memorials across the Yarra Ranges.

Port Melbourne Primary School

Nina TAYLOR (Albert Park) (13:04): I am very happy to speak about quite a few events, but first of all, I attended Port Melbourne Primary School just about a week ago and the civics class had a Q and A to me, and what was really great about this was the depth and the extent of the questions that Anika, Romy, Tyler, Amira, Khan, Alexander and Louan posed, showing a real passion for understanding their democracy better. Kudos to them. Also on Saturday, the Port Melbourne Primary School held their fete. Oh, my goodness – kilos and kilos of sausages – that sausage sizzle was running all day. There were some lonely little veggie burgers – I hope that they got used at some point – but they were there, and they were available. They had all sorts of things: they had live performances, lob a chocolate, jumping castles and even locally produced olive oil from the City of Port Phillip. Isn't that incredible? So that was outstanding.

Diwali

Nina TAYLOR (Albert Park) (13:05): I also went to the Hare Krishna temple on Sunday. They were celebrating Diwali, the festival of lights – good triumphing over evil. These are wonderful principles to be able to permeate the community. There were ceremonies, there were feasts. I should say that at the Hare Krishna temple they do produce hundreds and hundreds of free meals for those in need throughout the community.

Southside Justice

Nina TAYLOR (Albert Park) (13:06): Also, last night I went to Southside Justice's 50th anniversary event. For 50 years, Southside has been advocating for people to achieve fair and just outcomes.

Country Fire Authority

Jade BENHAM (Mildura) (13:06): I want to remind the house of the incredible job our firefighters and the CFA do, not only for regional Victoria but for the whole of Australia. Today, CFA district 18 has several members returning to the Sunraysia region after they joined district 20 in strike team 9901, fighting the fires in Far North Queensland. On behalf of our community, I would like to recognise and thank Katrina, Dave, Austin, Maddie, Tony and Wayne for not only being CFA members but putting their hands up for strike force deployment. To all firefighters, thank you for your service. The CFA is the backbone of rural communities, especially coming into fire season and now that harvest is starting, and I sincerely want to say thank you.

Food Next Door Co-op

Jade BENHAM (Mildura) (13:07): Last week I had the pleasure of attending a book launch for the Food Next Door Co-op at Arts Mildura. *We Are Home* is a beautiful representation of so many things – food in its purest form, community and finding a home in a world away from the home you know – and it is beautifully told in English, Swahili and Kirundi, with magnificent colourful illustrations. The project is supported by VicHealth’s future healthy food hub, and it was terrific to have some of the team there. Food Next Door do amazing things by matching under-utilised farmland with farmers to relieve some of the distress that might be suffered by newly arrived migrants and refugee groups, and they are doing exceptional work. I want to thank the executive officer Shingi for the tour of the farm early this year and the invite to the book launch.

Keysborough Primary School

Meng Heang TAK (Clarinda) (13:08): Congratulations and thank you to the team at Keysborough Primary School for hosting this year’s interschool maths competition. It was a great pleasure to join staff and students to see some of the action between the local schools in our region. It is important that we give stars of all kinds in our schools the platform to shine. I was very proud to see such valuable and impressive skills on display. It was such a great day, and well done to all students and staff members from all of our schools who participated.

Also, well done to all of Keysborough Primary School’s Academic Award and Virtues Award achievers, particularly those from term 4, week 2. Virtues Award recipients demonstrated tact and assertiveness, both very important virtues. Particular congratulations to Principal’s Award recipients Simarleen, Shunem, Tim and Haniya. I am sure your very wonderful principal Leanne Armao is very proud of you, as are we all.

Lastly, congratulations and well done to the Keysborough Primary School participants in the athletic regional finals: Max, Gabrielle, Jessica, Ivy, Florida and Cortez. A tremendous effort from you all – well done.

Hannah Brough

Chris CREWETHER (Mornington) (13:09): I have 17-year-old Hannah Brough in for work experience, here in the chamber. She has just finished year 12 at Flinders Christian Community College. Hannah wrote me a letter when she was 13, after I lost as a federal MP, which really encouraged me to keep going. She has written her passionate opinion on our schooling system:

Having just finished year 12 at Flinders Christian College I’ve reflected on the journey and experiences through schooling years. I’ve learnt a lot, however on finishing I’ve realised the inequality of our system.

Throughout a person’s schooling they’re encouraged to pursue their passions and dreams, but after completing a year 12 subject last year and finding that the subject’s study score gets scaled down by 6 points I’ve realised that this system doesn’t support this idea of dreaming big. 6 points is significant and could mean the difference between someone making it into their dream university course or not.

Regarding the effect of scaling, the sensationalised use of the study score system is unnecessary. There should be somewhat of a scaling system but not to this extent.

This disadvantages some students who are just as smart, but have a passion in fields that are scaled down.

Also, my view is that English should not be a compulsory Year 12 subject, and it shouldn’t compulsorily be one of the four subjects where full marks count. This disadvantages students who may be exceptional in certain areas, but not as much in English.

Thank you, Hannah, for your views, and all the best for your future.

Emergency services workers

Paul EDBROOKE (Frankston) (13:10): I too welcome Hannah. You should come by for a coffee sometime and meet my friend the member for Dunkley Peta Murphy. She is a gem.

On 20 October I had the unfortunate experience of riding a plane into the ground. It is not something I recommend for anyone, but I just wanted to get up today to thank the emergency services on scene. It was quite the thing for 17 people to walk out of a smashed-up plane, which lost power after take-off, let alone having I think the best of the best there, with CFA, FRV, Victoria Police, ambos and SES. They even brought out some tools I do not reckon I saw in my career. But they were amazing, they were professional and they had quite a bit to deal with on scene.

But it did not stop there. A couple of days later I ended up at an incident where, again, our ambos and police turned up. I would like to acknowledge the security at Karingal shopping centre – they were amazing – but also our fantastic ambos, who just arrived so quickly. The police came and helped out too. The professionalism displayed by these people cannot go unnoticed. I know we talk about a lot of things in this house sometimes, but when you have a personal connection in an incident you certainly want to make sure that people who helped you out at the time are acknowledged. Thank you. And I thank them from everybody at Skydive Australia from the bottom of my heart.

Maryborough train station

Martha HAYLETT (Ripon) (13:12): It has been a busy fortnight of getting things done in the Ripon electorate. Last week I had the pleasure of officially opening the \$2 million redevelopment of the iconic Maryborough railway station. The transformed 1890s building now includes an expanded visitor centre and cafe, co-working spaces, artist studios, a sculpture garden, parking for caravans and accessible paths, and it is all thanks to the Allan Labor government. I want to thank the CEO of Djaara Rodney Carter, Central Goldfields Shire Council and the amazing team at Barpa, who got this project done. It is spectacular, and it has breathed new life into the train station.

Learmonth Football Netball Club

Martha HAYLETT (Ripon) (13:12): I also had the pleasure of officially opening the brand new competition-grade netball courts, lighting and shelter at the Learmonth Football Netball Club last week. The new courts will be enjoyed by more than 100 local netballers as well as Stephen and Allison Griffin, as an unstoppable president and netball coordinator duo. The Learmonth Lakies rightfully won best club this year, and they now have some of the best courts going around.

Remembrance Drive–Madden Road–Weighbridge Road, Cardigan Village

Martha HAYLETT (Ripon) (13:13): Last but definitely not least, we celebrated the completion of the brand new roundabout on Remembrance Drive yesterday. This notorious intersection is the gateway to Cardigan Village in Ballarat's growing west, and it has seen far too many crashes in the past – but not anymore, with a safe roundabout now complete for the 1000 motorists that drive this stretch every day. It is all happening in Ripon, and I could not be prouder to be a part of it.

Melbourne Mavericks

John MULLAHY (Glen Waverley) (13:13): I am thrilled to rise to share some exciting news with the house. The Melbourne Mavericks, our nation's newest Suncorp Super Netball team, are now officially based at Jells Park in the Glen Waverley district, with their home amongst the gum trees. In an absolute coup for the community, the mighty Mavericks now call the terrific Waverley Netball Centre home, where thousands of local young people already train and play. It means the Mavericks will be part of our local community, with plenty of opportunities for interface with the local clubs and netballers, who might just be able to get a glimpse of the stars of Australian netball at open training events and potential show matches down the track. Recently I had the pleasure of welcoming the Minister for Community Sport to the Glen Waverley electorate to celebrate this great news alongside officials from Netball Victoria, Monash council and the Waverley Netball Centre. The new base of the Melbourne Mavericks is great news for sport, especially women's sport, and builds on the exciting progress we are making at Vermont Reserve. That is at the other end of my electorate, where works are underway as we speak to boost capacity for women's footy too. I am proud to be part of the Allan Labor government that is getting on and backing local sport and backing the mighty Mavericks. I have

signed up as a Mavericks member, and I encourage my entire community to support them too. I look forward to seeing the Mavericks flourish and go from strength to strength as my community's very own SSN squad.

Tarneit and Truganina small business forum

Sarah CONNOLLY (Laverton) (13:15): I may no longer be the member for Tarneit in this place, but it was great to be back in my old electorate last week with so many small businesses across Truganina and Tarneit. The member for Tarneit and I were joined by the Minister for Small Business at the Little Growling Cafe in Tarneit, where we jointly hosted a business forum. Over two dozen different businesses from right across the two electorates showed up to participate in this forum. It was a great opportunity for them to hear directly from the minister about what opportunities and supports are available to them in order for their businesses to grow and thrive. It was also a chance to hear directly from them about the issues and the challenges that they are facing and how our government can better support them.

One of the key things we did take away from this event is how important it is for small businesses to work together and advocate for their local needs. Until just a few years ago, the main business associations and communities were centred around Werribee and Point Cook. In the last two years alone it has been great to see suburbs like the ones we represent get together and start forming their own business associations, both of which were strongly represented and paid a key role in organising this forum. I certainly look forward to hearing from these associations in the future, and this forum will almost certainly not be the last.

Daylesford road accident

Mathew HILAKARI (Point Cook) (13:16): On Sunday 5 November many of us in south-west Melbourne were celebrating Diwali together. At the same time a tragedy was unfolding in Daylesford for the community that I represent and our neighbouring communities. Pratibha Sharma and her partner Jatin Chugh, both from Point Cook, were killed in the tragic incident. Pratibha's nine-year-old daughter Anvi was rushed to hospital and later died. Alongside them were the family friends who were there on holiday with them together. Vivek Bhatia and his 11-year-old son Vihaan were killed in the tragedy. Vivek Bhatia's wife Ruchi and other son Abeer, aged six, were injured, and both remain in a serious but stable condition in hospital. Further, a 43-year-old Kyneton woman, a 38-year-old Cockatoo man and an 11-month-old baby boy were taken to hospital as a result of the accident.

I sat with the parents of Pratibha and grandparents of Anvi on Tuesday in their home. Pratibha's brother Vikas had gone to Daylesford on behalf the family. There was not much that could be said. We sat mostly in silence. What could be said after such a tragedy? Lives full of promise cut short – each had so much more to give. Our community is worse for each of their deaths. I thank the friends of the families for giving comfort to the family and for their ongoing support. I thank Wyndham council for providing the vigil in Point Cook and the minister for immigration for supporting the visas, and I acknowledge the Daylesford community as well. Thank you to the emergency services and the hospital for the ongoing support. I mourn with our community.

Remembrance Day

Pauline RICHARDS (Cranbourne) (13:18): I am pleased to have the opportunity to update so many of our Victorians about the terrific work that goes on in all of our communities, but last week like most people here I attended a service for Remembrance Day, and I want to take the opportunity to thank Barry and Stuart for the way that they approached a very solemn ceremony. I would also like to acknowledge Thelma Stratov, who was there from the senior citizens and was presenting a wreath but also is the longest serving Labor Party member in the state. Thelma has been a great contributor. She is a former nurse and was a very active Australian Nursing and Midwifery Federation member in her time. I am very grateful.

Filipino community celebrations

Pauline RICHARDS (Cranbourne) (13:18): We also had the opportunity recently to dance like the most enthusiastic people you could imagine in Cranbourne West with the Filipino community. I would like to thank Alfie and Tina. I was there with the member for Bass and the federal member for Holt, and we had a terrific time.

Chai and chat

Pauline RICHARDS (Cranbourne) (13:19): I would like to finish by thanking the Premier, who came for a chai and chat. We had some extraordinary community members, some women of our area. I would like to thank Kuljeet Kaur, Khyati Trivedi, Jahnvi Parekh, Deepali Patel, Shahika Shafan, Rabia Safa, Maria Monserrate, Lindi Ndebele, Patience Nyathi, Madhu Gupta and Elizabeth Yoa for sharing some great Cranbourne hospitality and talking about the things that matter so much.

Diwali

Kat THEOPHANOUS (Northcote) (13:19): I rise to wish a happy Diwali to all those celebrating in my community of Northcote. This is a very significant cultural festival that celebrates the victory of good over evil, light over darkness and knowledge over ignorance. In the troubled times we find ourselves in, no message could be more important. Happy Diwali.

Bills

Crimes Amendment (Non-fatal Strangulation) Bill 2023

Second reading

Debate resumed on motion of Anthony Carbines:

That this bill be now read a second time.

Michael O'BRIEN (Malvern) (13:20): It is a pleasure to rise to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. This bill has been a long time coming – in fact too long in coming. At the outset of my contribution today I would like to particularly pay tribute to the family of Joy Rowley. Joy died at the hands of a former boarder of hers who became a partner in 2011. She was murdered, and her murderer is currently spending a long time in jail, as is rightly the case. Joy's children Renee Woolridge, Aaron Woolridge and Nadine Power, nee Woolridge, have not been ones to sit back and accept that grave injustice. They did not just want to see justice for their mum, they wanted to see the system changed, they wanted to see the system better for every woman. We do know that domestic violence, family violence, is a scourge in this state, in this country and around the world, and we need to do much more to tackle it. I should also add that Renee, Aaron and Nadine's father Les has been very important in their advocacy in this campaign to change the law to improve the lives of women in this state.

From the time of the death of Joy, Renee, Aaron, Nadine and Les campaigned first of all for an inquest because it was almost as though women dying at the hands of partners is now so prevalent and something we shrug off that it was initially felt there was no need for a full inquest into this death. It was through the efforts, through the continual campaigning and advocacy – and hiring expensive lawyers, by the way – of the Woolridges that eventually a full coronial inquest was ordered. It was then State Coroner, Judge Sara Hinchey, who took on this inquest. The hearings were held from 21 to 23 May 2018 – so some years after Joy's death – and the findings were delivered on 31 July 2018. During that inquest Victoria Police, quite rightly, apologised to Joy's family for the mistakes that were made. How often have we heard this, where women in particular are threatened and are scared of partners or former partners, they seek the intervention of the law, they seek a family violence protection order and they get a family violence protection order, but the piece of paper does not necessarily save them? Tragically, that was the case for Joy Rowley. Victoria Police rightly apologised for the many missteps that had occurred in the case that led up to Joy's death.

Of particular interest in the coroner's findings – I will quote them, because they bring us to the bill before us today – is paragraph 161, where Her Honour said:

... researchers suggest that many perpetrators who use strangulation in a family violence context do not intend to injure their victims, but rather use strangulation to gain power and control over the victim. In this context, the available laws that require intent to cause bodily harm are unsuitable for application to this type of offending.

Her Honour went on to say, at paragraph 163:

The introduction of a stand-alone offence for strangulation, suffocation or choking in Victoria may significantly help to ensure strangulation is treated commensurate with the risk it poses to victims, and remove the need to prove particular bodily harm or intent to cause injury. Such an offence will more effectively hold perpetrators to account for serious offending. Further, the new offence may build further awareness of the dangers and potential lethality of strangulation among police members, courts and community services practitioners.

There we are in July 2018 with a clear recommendation coming from the State Coroner for there to be a standalone offence of non-fatal strangulation introduced in the state of Victoria. Following that the government in fact agreed to do so on I believe it was 1 July 2019, and I will find the quote so that I cannot be accused of misquoting. This is an article from the *Age* newspaper, 1 July 2019, quoting the then Minister for Police and Emergency Services the Honourable Lisa Neville:

“Strangulation is a common and devastating factor in violent offending – including family violence incidents – and we’ve recognised the need for a standalone offence that accurately reflects the trauma caused to victims,” Ms Neville said on Monday.

“These new laws will punish perpetrators appropriately and will be a step in recognising and intervening in escalating family violence situations.”

That was 1 July 2019, and here we are in mid-November 2023, which makes me ask: what has the government been doing? How many women have died in that time? Why has it taken the government so long to act? The coroner's recommendation was made in July 2018, the government committed to implementing these changes on 1 July 2019 and here we are in mid-November 2023 debating them for the first time. It is just not good enough. The government owe an explanation to Joy Rowley's family, and they owe an explanation to Victorian women, who have not had the benefit of the protection of the laws the government promised over four years ago. As I said, Joy's family did not give up. On 17 November 2021, so almost exactly two years ago, in another article in the *Age* newspaper:

The family of a murdered Victorian mother says the state government has failed to introduce strangulation laws that could reduce the risk of homicide to women, despite promising two years ago to bring the legislation in.

As I say, this has been a long, long journey, and it has been too long a journey. I do not doubt that this government, as I think all members in this place do, places a premium on tackling family violence. I am sure we will hear from members opposite about the Royal Commission into Family Violence and the responses to the royal commission, and I welcome that. But here is an example where in 2018 the State Coroner recommended standalone offences be brought in, and the government did not act. In 2019 the government committed to it, and the government did not act. In 2021 the family of Joy Rowley reminded the government they had not acted, and nothing happened. Here we are in November 2023, so you will excuse me if I do not give the government too big a pat on the back for taking five years to do something which, frankly, was urgent five years ago.

This bill is called the Crimes Amendment (Non-fatal Strangulation) Bill 2023, but I will refer to it as Joy's law, because I think that is an appropriate and fitting tribute to Joy Rowley and to her family, who advocated, campaigned and worked hard at great emotional pain. Every time this subject comes up the family are reminded of the trauma that they have suffered, but they have kept going because they care. They want something good to come out of something horrible, and what they want is to make sure that women in this state are better protected.

So the question is: is the government bill going to achieve that outcome? One thing that I think we need to be very clear about is that this cannot be set and forget. Simply passing a law is not necessarily going

to change behaviour. It will not necessarily change the behaviour of people who are otherwise prone to family violence. It will not necessarily change the responses of victims of family violence. It will not necessarily change the behaviour of police or prosecutors or the courts. It is but one piece of a cultural change and a practical change that we need to see if we are to better protect women in this state.

What I would ask the government is: what else is being done around this change? Changing the law is one thing, but how is this going to work in practice? How will police be educated that this new law is available as an option? How will prosecutors and the courts understand about what this bill will do and the intention of it? How will domestic violence support services be informed about this? Will there be a public education campaign around the fact that the law is changing? Because the coroner was talking about this law as sending a message. She said:

Further, the new offence may build further awareness of the dangers and potential lethality of strangulation ...

Well, it will only build that awareness if the government puts in place measures around it to make sure that the people who need to know about it know about it. That is what I would ask the government to consider, and that is what I would ask the government to do. This cannot be set and forget. The government must make sure that legal changes are accompanied by broader changes in the justice system, in family violence support services and, yes, in communicating to the broader public about why these changes have been made and what they do.

This bill provides for two new non-fatal strangulation offences. One relates to non-fatal strangulation intentionally causing injury, which is section 34AD in the new bill. That will occur where person A intentionally and without lawful excuse chokes, strangles or suffocates another person – person B; person A intends the choking, strangulation or suffocation to cause an injury to person B; and the choking, strangulation or suffocation causes an injury to person B. This requires intent to cause an injury, and there is no consent defence available to a charge under section 34AD.

To some extent this goes back to old legal principles that one cannot consent to particular types of injuries. There are particular types of injuries you can consent to. If you go on the football field, you know you are probably going to get bumped and tackled. If it happened in Chapel Street, it would be an assault; if it happens on a football field, it is a tackle. That is not the sort of consent we are talking about. We are talking about consent to intentionally injure somebody in the context of non-fatal strangulation, and that has a maximum penalty of 10 years imprisonment.

Section 34AE is a lesser offence in terms of maximum penalty – a maximum of five years imprisonment. That applies where person A commits an offence if they intentionally and without lawful excuse choke, strangle or suffocate another person – person B – and person A is a family member of person B. No intent to injure is required for the section 34AE offence.

Consent is available as a defence in section 34AE, and that is dealt with in two different ways. Where the action which constitutes the offence is part of a sexual activity, then the only way in which consent can be a defence is where it complies with, effectively, the revised definitions of consent that this Parliament has put into law in relation to sexual activity, often known as the affirmative consent model. This is something that we are supportive of. We are concerned that if these sorts of matters devolve into ‘he said, she said’, too often it will be the victim – and too often the woman – who is either not believed or the police find it very hard to prove the case.

When it comes to sexual activity, we have an affirmative consent model where there is a positive obligation on the person claiming consent to demonstrate, for example, that they said or did something to check that there was consent there. There are a whole range of matters which I do not have the time to go into great detail on, but we support the fact that where a defence of consent is raised in the context of sexual activity, it is the affirmative consent model that applies. Where consent is raised outside the context of sexual activity, then the normal statutory or common law defences of consent are available. It is not necessarily clear, but we understand why the government has drafted the laws in the way that it has.

Something which is I think very different in terms of how Victoria has approached this type of law to other states is in relation to the definition of ‘chokes, strangles or suffocates’ because obviously that is a key element of both offences. It includes any of the following things:

- (a) applying pressure to the front or sides of a person's neck;
- (b) obstructing any part of, or interfering with the operation of, a person's respiratory system or 15 accessory systems of respiration;
- (c) impeding a person's respiration ...

So something as simple as applying your fingers to the side or front of a person's neck technically meets the definition of ‘chokes, strangles or suffocates’ under this bill. What the government has done is drawn a very wide definition of what constitutes ‘chokes, strangles or suffocates’. That is something which we have certainly asked questions about. If you ask the average person on the street what ‘chokes, strangles or suffocates’ means, I guarantee you they would not say simply touching somebody on the side of the neck or on the front of the throat. I do not think that that meets the pub test, if I could use that term, for what the average person in the street would regard as ‘chokes, strangles or suffocates’. The government says it has used this very broad definition because there have been concerns in other jurisdictions that proving the physical aspect of the offence has been difficult. It remains to be seen whether the government's approach, which is to have a very broad definition of ‘chokes, strangles or suffocates’, will be effective, because we all want this change to be effective. We all want it to better protect victims and vulnerable people, particularly women. We all want it because that is what Joy and Joy's family deserve – a change that makes a difference and that better protects women in family violence situations.

This is novel, the way in which the government has approached this through its definitions, and I do not know if it is going to work. We want it to, but it remains to be seen whether this will work. We do not want to see, for example, that broad definition being abused or being weaponised in any way. Clearly we need to protect people who are vulnerable, but we do not want to see a broad definition being misused by anybody in any circumstance. So it is very much in front of the government to explain how it will be confident that that broad definition is appropriate and will protect those who need protection but equally will not be misused by anybody, because that is the last thing we need. We cannot afford to undermine legal protections for victims of family violence – we just cannot. Because we know that simply passing a law does not necessarily change behaviour and sometimes the way in which we as legislators pass laws is not interpreted or applied the way that we had in mind by the police or by prosecutors or by the courts, I do think that we need to build in a review of this change.

As I said, this cannot be set and forget. We want to see not just how the change we implement through this bill has effect legislatively but how police are responding to it, how family violence support groups are responding to it, how hospitals are responding to it, how courts are responding to it and how the broader Victorian community is responding to it. So I do think there is a strong case to be made for a review to be built into this bill. The Parliament did this recently with the bail changes, and again there was bipartisan support, at least to some degree, for the notion that bail was worthy of reform. But there is also uncertainty. I mean, how many times has this Parliament reformed bail laws only to come back to them a year or two years or three years or four years later because they did not have the effect that the Parliament intended? With that in mind, under standing orders I wish to advise the house of amendments to the bill and request that they be circulated.

Amendments circulated under standing orders.

Michael O'BRIEN: The amendments that I now circulate will provide for a review of the changes implemented by this bill after two years of their operation. That review is to be commissioned by the Attorney-General, and that review is to then be concluded within six months of the two-year anniversary of these changes and to be tabled in both houses of Parliament. From speaking to Renee, Aaron, Nadine and Les, I know that they are very, very supportive of this, and I would hope that the government would be agreeable to this amendment. This bill is drafted, no doubt, with the best of intentions. We need to

have accountability to make sure that it has the changes we expect it to have, and if it does not, we need to understand why and we need to fix it. We could argue over whether 12 months or two years or three years is the right period of time to let these laws operate before we have a review, but given the Parliament did agree across the chamber to have a review after two years in relation to the bail changes, I believe that two years is also an appropriate period of time to consider how these changes in this bill have been implemented and to review their effectiveness. I would urge the government to support these amendments. As I say, they are something which the family of Joy Rowley have asked for, and they are amendments that I am very supportive of. The opposition puts them forward in the spirit of goodwill, and we hope that they are taken up by the government in that same spirit.

The definition of ‘family member’ in this bill is important, because obviously these new non-fatal strangulation offences only apply in the case of one family member to another. That does raise another question: if the same bad act occurs, shouldn’t it be treated the same under the law? The example that was put forward in the bill briefing – and I am grateful to the Attorney’s office; they have always been very helpful in arranging bill briefings on these sorts of matters – was if a man in a nightclub grabs his girlfriend around the neck aggressively and says ‘Right, we’re going home’, that would be an offence under this bill because, being intimate partners, they are family members. If a man at a nightclub had his advances rebuffed by a woman and he then grabbed her by the neck aggressively, that would not be an offence under this bill. It would be an offence under some other bill – it could be common assault, but that has got a much lower penalty than do these non-fatal strangulation standalone offences. So the question that I put to the government is: shouldn’t the same bad act be punished equivalently under the law?

I understand the government says that family violence is a scourge, and I agree. I understand that the government – in fact this bill itself – refers to the fact that somebody in a family violence situation who is the subject of non-fatal strangulation is statistically much more likely to be subsequently murdered by that partner, and I agree with that. There is no argument from me about that at all. My argument is the same bad act generally should be punished equally under the law. I am all for punishing non-fatal strangulation in the family violence context, but why are we limiting it to family violence contexts? Why shouldn’t non-fatal strangulation be punished as a bad thing in itself across the board?

I look forward to the debate as it progresses, and perhaps government members can enlighten me and the opposition and the community more broadly as to why the same bad act can have very different consequences in law depending on whether it is being committed on a family member as defined or not a family member as defined. Again, this is not arguing any less protection for family members, it is simply saying that somebody who is willing to do that sort of thing to a stranger should be equally culpable as somebody who is prepared to do it at home. The way in which the bill defines ‘family member’ is the same definition as in section 8 of the Family Violence Protection Act 2008. It is relatively broad. It includes current or former spouses; domestic partners; intimate personal relationships, which do not have to be sexual in nature; children and parents, including stepchildren and step-parents and other relatives in some circumstances; and any other person reasonably regarded as being like a family member. My understanding is that that can also include housemates that share household expenses. So there is a relatively broad definition of ‘family member’, and I think that is appropriate.

I did ask the Attorney’s office for advice on how this may work in practice in certain circumstances. We are coming up to the holiday season, which can be a time of great joy for some families and can be a time of great tension for others, and we do know that instances of family violence do escalate around the festive season, which is terribly sad in itself. You could potentially see circumstances where two family members are fighting and one family member steps in to break it up and separate them. If that family member touches the throat or touches the neck of one or both people in separating them, have they committed an offence as proposed under the bill? I did ask the Attorney’s office whether there would be a defence in that circumstance, and I was advised that it may meet the statutory definition of necessity or extreme circumstances. I am not sure that it would, and as I say, what we all

want to see is that this law has the impact we want it to have – that is, to protect vulnerable people, especially women. We do not want to see it being weaponised inappropriately in disputes. This is why the government does need to explain why the very broad definition is given and how that will work in practice, because we know what we want to achieve but there can be a gap between the collective minds of the legislators in this place and how the words appear on paper and then how they are interpreted by police in the first instance, by the Director of Public Prosecutions in the second instance and by the courts in the third instance. A lot can happen along those stages.

This is an important bill. This is a bill that has been too long coming, Joy's law, and again I pay tribute to Renee, to Aaron, to Nadine and to Les. I also mention Les's wife Annalisa and stepson Michael. This has been a very long journey for them. They have worked so hard and given so much of their time and of their emotion so that something good and something positive could come out of something so horrible as the death of Joy Rowley. But I do hope that Joy's law will prove to be a fitting tribute to Joy and to the work of their family and that it may protect many, many women in this state going forward.

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (13:50): I rise to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. I am so proud to be able to stand here and speak on this bill off the back of the amazing work that has been done by both the Andrews and Allan Labor governments in the time that we have been in power to reform and tackle the really, really serious issues of family violence, unlike those opposite when they were in power. I asked the question at the time of their minister for police about the rise in figures of family violence in the western suburbs. His response at that time was that family violence was an issue for women, not an issue for police. How disgraceful! That is how far we have come in this state – from having a police minister that thought family violence was an issue just for women rather than an issue for the government. I am really proud that I am part of a government that has implemented the 227 recommendations of the Royal Commission into Family Violence that has changed the face of how women are recognised in this state. We are leading the nation on the national platform when it comes to change in this area, and we have invested \$3.7 billion to tackle this issue. That is not to say that we have resolved all of the issues, but I am very confident that there are women out there whose lives have been saved and who have reported for the first time in their lives that may not have reported previously.

I note that there is a social media campaign run by a group of women called Destroy the Joint who keep a national tally of the number of women and children who are murdered due to family violence in this country. Unfortunately that tally sits at 47 today. That is one woman or child per week that has been murdered due to family violence. We want to ensure that all Victorians live in a safe, fair and equal state. That is why I was really proud to launch *Our Equal State: Victoria's Gender Equality Strategy and Action Plan 2023–2027*, just a few months ago – 110 strategies to make women more equal, to make this state more equal. It takes a life approach – tackling issues that affect women from childhood, youth and adulthood into old age – because we know that gender inequality impacts women and girls at different stages of their lives.

I was really proud to be able to stand with our regional members just recently, both in Geelong with the members for Geelong, Lara and Bellarine and in Warrnambool with a member for Western Victoria, to launch some regional perspectives on this gender equality strategy, because we know women in the regions face even greater challenges. We made a commitment in our new gender equality strategy to explore options for introducing a standalone non-fatal strangulation offence to address this serious and insidious form of offending that occurs particularly in family violence and particularly behind closed doors. Non-fatal strangulation is highly dangerous and potentially life-threatening. We know that non-fatal strangulation is rarely an isolated incident. It often indicates an escalation of violence and coercion and more controlling behaviour in a family violence context. Women who survive a non-fatal strangulation are seven times more likely to be seriously injured or murdered by their partners. The absence of a standalone offence in Victoria has represented barriers to identifying, reporting and prosecuting this offence.

Addressing the unique risk profile of non-fatal strangulation as an act of family violence has been a key driver for this reform. Can I thank the family of Joy Rowley, who have advocated for this law, and acknowledge their great work. I also want to share the story of a wonderful woman, a warrior in my own electorate, Bianca Ascher. Bianca first contacted me back in 2019. She had created a petition asking for change to the current laws to hold perpetrators to account for all aspects of their family violence crimes, including non-fatal strangulation. She successfully got 3000 signatures on that petition. She herself was a victim over four years of many assaults from her former partner, and some of these assaults included non-fatal strangulation.

In her victim impact statement to court she talked about chronic pain, speech problems, ongoing stress, anxiety, migraines, headaches, back pain and vision impairment caused by the assaults; hypertension; hyperventilation; and scars across her body, hands and internally up her nose due to all of the punches she received. She had facial trauma. She was also almost strangled. She has ongoing depression and anxiety, something that she believes she will have to live with for the rest of her life – post-traumatic stress disorder. Despite this ongoing nightmare of her recovery, she has been an absolute beacon for so many women in the western suburbs to stand up and fight for a change like this one. She put this on my agenda, she put it on the agenda of the federal government and she has not given up. She has done a fantastic job, and I thank her for her courage and for her commitment to standing up for women's rights.

The Allan Labor government is proud to be delivering on these commitments and this bill and progressing our strong community safety and family violence agenda. The bill will introduce two new offences of intentionally non-fatal strangulation of a family member into the Crimes Act 1958. This is a huge change, because it means offenders can be charged. In the past this was not something that was successfully prosecuted. Whilst those opposite claim that these changes have taken too long, I say that these changes are so significant that we needed to take time in order to make sure that they were right. We now will have a five-year offence under new section 34AE that provides for an offence of non-fatal strangulation committed against a family member, with a maximum penalty of five years imprisonment. A 10-year offence, section 34AD, provides for an offence of non-fatal strangulation committed against a family member which intentionally causes injury and has a maximum penalty rate of 10 years imprisonment.

These reforms will improve the Victorian criminal justice system's response to the unique risk profile posed by family violence offenders who use non-fatal strangulation as a means of terror and control. When committed as an act of family violence, non-fatal strangulation is an indicator of significant future harm – serious harm and often death. These reforms raise awareness of the dangers and potential lethal outcomes of strangulation. The bill will make amendments to the Family Violence Protection Act 2008 to ensure that non-fatal strangulation is recognised as an act of family violence for the purpose of family violence intervention orders – again, another game changer. Consideration of bail applications and protection of witnesses providing evidence will also be accounted for. It also means the offences will enhance protections for victim-survivors and accountability of offenders by providing a clear indicator to both police and the family violence sector of risks. Laws like this create mechanisms that can become deterrents to criminals and harmful behaviours.

I have said many times in this place that equity and equality are not negotiable. To create a safe and fair state for all Victorians is to create an equal state. I am proud as Minister for Women to stand here today and support another lever to prevent gendered violence and to keep our community safe. We want the girls of today to be empowered to be the women of tomorrow, but they cannot do that if they are not provided with every chance to flourish, thrive and take every opportunity they can. They cannot do this if they are continually living in fear or see some of their family members living in fear. We need to drive out the factors that enable gendered violence and harm to come to those in our community – particularly the most vulnerable, particularly those women and children behind closed doors. I absolutely commend the bill to the house.

Business interrupted under sessional orders.

*Announcements***Distinguished visitors**

The SPEAKER (14:01): Can I acknowledge in the gallery the honourable Abby Finkenauer, US Special Envoy for Global Youth, today.

Member and visitor conduct

The SPEAKER (14:01): Before calling for questions today I would just like to remind members and guests that interjections from the gallery are not allowed, as are references to people in the gallery by members. I also remind everyone that photography is not allowed in the chamber.

*Members***Treasurer***Absence*

Jacinta ALLAN (Bendigo East – Premier) (14:01): I rise to inform the house that for the purposes of question time today and for the remainder of the week the Assistant Treasurer will answer questions for the portfolios of Treasurer, industrial relations and economic growth.

*Questions without notice and ministers statements***Community safety**

John PESUTTO (Hawthorn – Leader of the Opposition) (14:01): My question is to the Premier. The government committed \$3 million to Victorian Jewish groups to help them fight antisemitism. Despite an almost 1000 per cent spike in antisemitic incidents, not a single dollar of this amount has been provided by the government. Will the Premier make this money available this week?

Jacinta ALLAN (Bendigo East – Premier) (14:02): I thank the Leader of the Opposition for his question. The context in which this question is being asked sits against a backdrop of deep international instability as a result of the conflict that we are seeing in Israel and Gaza, and it is in that context that I would hope that we endeavour in this place and in all places across Victoria to continue to engage in our public discourse in a respectful way and in a way that provides support for members of our Victorian and Melburnian communities who are both grieving what is happening overseas and also grieving quite personally because of their own personal family and friendship connections. I say that in that context because we have been working with both the Jewish and Islamic communities on a range of commitments that we made during last November's state election.

I also want to indicate that those commitments came against a backdrop where – and I know the member for Caulfield knows this – something like \$6 million had already been provided before this point in time to provide safety and security support, particularly for the Jewish community who from time to time face the really difficult challenges of antisemitism even in the best of times, and we are far from the best of times at the moment internationally. We are working respectfully and carefully with the Jewish community on how we can best build on that existing support and deliver the funding that we committed. I will not, Leader of the Opposition, agree to your time line. I will instead work through the Minister for Multicultural Affairs respectfully and carefully with the Jewish community and, can I say as well, the Islamic community so we continue to provide them with the best possible support at this difficult time.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:04): The government separately committed \$900,000 to the Jewish Community Security Group to help fund community safety. Despite Victoria Police recording 78 antisemitic incidents across our state since 9 October, not a single dollar of this amount has been provided by the government. Will the Premier also make this money available this week?

Jacinta ALLAN (Bendigo East – Premier) (14:05): My answer to the supplementary question in terms of the funding that is referred to is in the same terms as I answered the substantive question around the funding that we committed for the \$3 million in support. We have for some time now supported strongly the work of the Community Security Group that works out of Caulfield. Indeed the Deputy Premier, the member for Caulfield, the federal member for Macnamara and the federal member for Goldstein and I were all at the Community Security Group’s office on Saturday. We were sitting and meeting with the Community Security Group. We were meeting with Victoria Police. We were meeting with the local community, working together, and I would hope the Leader of the Opposition would perhaps work with his deputy, because his deputy has been working with us in a constructive way, and I would hope that that would extend to all members of Parliament.

Ministers statements: community safety

Jacinta ALLAN (Bendigo East – Premier) (14:06): Victoria’s diversity is what makes us great, and we have seen for decades now that people from every corner of the world have chosen Melbourne, have chosen Victoria, as their home because they know that here people can practise their faith and they can celebrate their culture in a community that welcomes and respects this diversity. As we have seen, the current events in the Middle East are distressing. They are especially distressing for people in our local communities and for families who have those strong personal connections to the region.

However, we cannot let violence in the Middle East lead to violence here on the streets in Melbourne. There is no place for violence, hatred or inciteful behaviour in Victoria, and it is absolutely unacceptable that faith communities feel unsafe in their own places of worship and in their own neighbourhoods. We also know that all communities have the right to come together to grieve and to provide support to one another. Everyone has the right to protest peacefully, but it is not at the expense of the safety of others. We are proud to be known for this. We are proud, but we must work incredibly hard to make sure this remains the case. What we saw last Friday in Caulfield – we witnessed incidents of unacceptable behaviour towards Melbourne’s Jewish community, and this must stop. There is no place for racism or intolerance here in Victoria. There is most certainly no place for antisemitism and there is no place for Islamophobia here in Victoria. We must continue to support every member of our multifaith communities, and safety and harmony must be our priority. We must not add to the existing hurt, pain and grief that are being experienced by many, and we will do everything that we can to support communities. We will also support police in protecting communities and protecting community safety.

Middle East conflict

Jess WILSON (Kew) (14:08): My question is to the Minister for Education. With tensions high in the community, is student attendance at the school strike for Palestine on 23 November appropriate?

Ben CARROLL (Niddrie – Minister for Education, Minister for Medical Research) (14:08): Can I say at the outset that many in our school communities are very much affected by what is occurring overseas. I think that is some context to the answer that I want to provide the shadow minister, because on this side of the Parliament we are the ones that have invested in our multicultures and our multifaiths. Indeed we have invested in Holocaust education, I remind the opposition leader, with the support of the member for Caulfield – we have been dealing a bit with each other, the member for Caulfield and I, lately.

But the integrity to the answer is that, as I said to the media this morning, the best investment any young person can make – and it includes on 23 November – is to attend school. That is the best investment they can make in their future. If you want to change the world, you attend school – get educated. That is why we have done things like embed Holocaust education in our curriculum for years 9 and 10, because we know that makes a real difference. It is why we are providing a range of language classes right across different faiths. It is why at the election we took a \$30 million commitment to our Islamic schools, and at the moment we are sitting down with our Islamic schools. Some 19,000 kids go to Islamic schools right across Melbourne. So it is a range of investments we are making. The federal minister has also said in the past 24 hours that it is his expectation that students attend school. It is my

expectation that students attend school, but I also take the idea and know that schools are governed by principals and school councils. They have a lot more policies than the Liberal Party, most schools, I have realised, and they get on with doing the job that is needed.

Jess WILSON (Kew) (14:10): This morning the minister said in relation to school attendance at the school strike for Palestine ‘the expectation is that normal attendance will be required’. What action will the minister take to ensure that schools comply with this expectation regarding school attendance?

Ben CARROLL (Niddrie – Minister for Education, Minister for Medical Research) (14:11): Action has been taken, I will inform the shadow minister. Indeed, the words I used today were also the words already sent to all schools by the education department, that it is our expectation that normal attendance requirements are adhered to on 23 November. So action has been taken; indeed action has been communicated to the schools.

Ministers statements: education system

Ben CARROLL (Niddrie – Minister for Education, Minister for Medical Research) (14:11): As I was saying, the Allan Labor government is committed to providing a safe and inclusive learning environment for all Victorian school students. We know, as Nelson Mandela once said:

Education is the most powerful weapon which you can use to change the world.

He said in his book *Long Walk to Freedom*:

No one is born hating another person because of the colour of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.

Yesterday the Premier and I convened the first meeting of our cabinet subcommittee on social cohesion. This is about strengthening in Victoria our social fabric and making sure we continue to foster a harmonious, diverse and multicultural society.

We know education does play a critical role in understanding and confronting our violent past right across the world, but at the same time education does have a role in developing those programs and that curriculum to inform future generations of crimes past. That is why I am very proud that our school environments do provide a welcoming and inclusive environment from the classroom to the playground. It is important that we continue to provide culturally safe programs and a culturally safe curriculum. I am very pleased about the Holocaust education that we have embedded in our school curriculum so young students learn about the history and the atrocities of World War II through their history and realise at years 9 and 10 that nothing like that is ever to be repeated and nothing like that should ever occur again and they know what occurred during those very, very awful times. It is why, as I said before, we are investing \$30 million in our Islamic schools right across Victoria to make sure that people of all faiths get the background and education they deserve. I am very proud of what the Allan Labor government is doing. No matter where you live, no matter what your background, our schools and our kindergartens indeed will be places for every Victorian student, and we will continue to get on and build the Education State.

Economy

John PESUTTO (Hawthorn – Leader of the Opposition) (14:13): My question is to the Premier. On Friday it was revealed that Victoria’s debt skyrocketed by a staggering \$24 billion, or 25 per cent, in just one year. In what financial year will Victoria’s debt actually stop increasing?

Jacinta ALLAN (Bendigo East – Premier) (14:13): I thank the Leader of the Opposition for his question, and I note that the Leader of the Opposition has clearly read some of the report that was released last Friday. Perhaps he did not get to the section of the report that cautioned against interpreting and projecting the potential annual outcome for the full year from the quarterly reports since there are a number of other measures that need to come to book. But that is okay, I am pleased to be able to provide that additional support for the Leader of the Opposition’s research team. We are

working very hard, as was outlined at budget time by the Treasurer, that we are the only state or territory to have a COVID repayment plan. We have that plan in place because during the one-in-100-year pandemic we used the strength of the government's balance sheet to support businesses.

Members interjecting.

The SPEAKER: Order! I will not tolerate interjections. Members will be removed without warning.

Interjections from gallery.

Persons escorted from gallery.

Sitting suspended 2:16 pm until 2:24 pm.

Jacinta ALLAN: Just before I resume, can I thank, on our collective behalf, the parliamentary staff who support us to have a safe and secure workplace: we appreciate their assistance for having our question time resume. I am delighted to resume question time. Before we were interrupted I recall that I was referring to the work that we have been doing, and that we outlined in the May state budget, on our COVID debt repayment plan. Of course that COVID debt repayment plan has come about as a consequence of the one-in-100-year pandemic during which we strongly supported the community – the health of the community and the wellbeing of the community, but also businesses and jobs in our community. That is the COVID debt repayment plan that we are continuing to deliver. Delivering a repayment plan –

James Newbury: On a point of order, Speaker, on relevance, the question was: when will Victoria's debt actually stop increasing? I would ask you to bring the Premier back to that question.

The SPEAKER: The Premier was being relevant to the question that was asked.

Jacinta ALLAN: The COVID debt repayment plan is part of a fiscal strategy that was released by the Treasurer at budget time. Of course another key element of our fiscal strategy is to grow the economy and support jobs. 500,000 new jobs have been created since September 2020, during a period of time when those opposite would have preferred to let it rip, from memory – that was their approach to the pandemic. We took a more responsible approach.

Peter Walsh: On a point of order, Speaker, I think the Premier has stopped being relevant to the question, and I would ask you to bring her back to actually answering the question as to when Victoria's debt is going to stop increasing.

The SPEAKER: A point of order is not an opportunity to repeat the question. I do ask the Premier to come back to the question.

Jacinta ALLAN: I will remind the Leader of the National Party, as I was saying earlier, that the fiscal strategy was laid out in the budget at budget time, and we are continuing to implement that strategy. I also note for completeness that the recent CommSec *State of the States* report on the economy had Victoria as the strongest performing economy for this reporting period.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:27): Because the government cannot manage money and cannot manage major projects, Victoria's debt is out of control and Victorians pay the highest taxes in Australia – \$5074 per person. Will the Premier categorically rule out any more new or increased taxes?

Jacinta ALLAN (Bendigo East – Premier) (14:27): On the opposition's research team assistance program that I appear to be running for question time today, I am delighted to tell the Leader of the Opposition that using the latest ABS data on overall tax, Victoria remains the second-lowest revenue state in the nation. So perhaps the leader of the opposition's research needs to be improved somewhat. We have cut or abolished taxes and charges 63 times since coming to office, including substantial reductions to – you think that is funny? Supporting the economy is funny? That is all right. The Leader of the Opposition asked about major projects. Well, we know what the opposition's approach to major

projects is – to cut the forward pipeline of major projects and cut the jobs that rely on having a strong pipeline of projects. In transport, in health, in education and in housing of course, we are supporting jobs across our community.

Ministers statements: community safety

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (14:28): I rise to update the house on the role Victoria Police play every day to keep our communities safe. Every Victorian has the right to be safe and to feel safe. This house has been very clear that we condemn hate and prejudice in all its forms. We know that for many in both the Jewish and Islamic communities, the ongoing conflict in the Middle East has heightened concerns around community safety in our neighbourhoods. Everyone has the right to come together and support one another, and everyone has a right to peacefully protest but not at the expense of the safety and wellbeing of others.

Victoria Police is actively engaging with Jewish and Islamic community leaders and rally organisers to ensure that police can plan an appropriate response to uphold community safety and commit necessary resources. Today there have been a total of 89 community rallies involving police presence and engagement in recent weeks alone. Victoria Police also established Operation Park to coordinate the ongoing statewide police response and stood up the state police operations centre. Operation Park includes the allocation of police resources for rallies, ongoing community reassurance patrols and the flow of intelligence that can determine assessments for the investigation of alleged offences that may have occurred in community. On Sunday 250 members of Victoria Police were present in the CBD at one of eight community rallies that occurred across the weekend, and we thank them for their work.

Victoria Police records show there have been over 1200 taskings of police units to increase the number of community reassurance patrols at schools and places of cultural significance for the Islamic and Jewish communities. There will be an additional 29 police units rostered to continue this work over the next two weeks, particularly in the Glen Eira, Kingston and Bayside police service areas. I thank every member of this house for the work they are doing to ensure their local communities have the continued confidence to practise their faith and celebrate their culture without fear. The priority and safer communities division of Victoria Police are also leading this work. Let us continue to advance and protect all that we value in multicultural Victoria in these testing times.

Suburban Rail Loop

John PESUTTO (Hawthorn – Leader of the Opposition) (14:30): My question is to the Premier. Is any part of the Victorian government investigating or considering pausing or cancelling the Suburban Rail Loop?

Jacinta ALLAN (Bendigo East – Premier) (14:31): Just as recently as this morning I was with the planning minister and a member for Northern Metropolitan Region in another place in Brunswick, where I reaffirmed our government’s very strong commitment to a project that Victorians have voted twice for, and we are determined to deliver this project for a number of reasons.

Members interjecting.

The SPEAKER: The member for Eildon can leave the chamber for half an hour.

Member for Eildon withdrew from chamber.

Jacinta ALLAN: I am delighted to share those reasons with the Leader of the Opposition, because this is a project that Victoria simply cannot not build. The reason for this is, as our city over the decades ahead continues to grow, we know that we need to invest in the transport infrastructure our city and state need. We know at every turn over the past nine years we have been blocked and stopped – tried to be blocked and stopped – by the Liberal Party. They tried to take us to the Supreme Court on level

crossings, on the Metro Tunnel. We know time and again they have opposed each and every one of our major transport infrastructure –

James Newbury: On a point of order, Speaker, question time is not an opportunity to attack the opposition. I would ask you to bring the Premier back to the question.

The SPEAKER: I ask the Premier to come back to the question.

Jacinta ALLAN: The reason why I was referring to those previous projects is of course the Liberal Party is continuing that tradition of the Liberal Party and opposing the Suburban Rail Loop.

Members interjecting.

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

Member for Frankston withdrew from chamber.

John Pesutto: On a point of order, Speaker, just on relevance, I cannot quite understand why the Premier just cannot say no to this question. It is quite a simple –

The SPEAKER: Order! There is no point of order.

Jacinta ALLAN: The reason why is I want to make sure every single one of the 3 minutes I have available is spent on reminding the Leader of the Opposition why this project is so important for the state of Victoria, and I would be delighted if the Leader of the Opposition moved for an extension of time so I can continue beyond the 3 minutes to provide information to him on why this project is important. This project is important for a number of reasons, and I will not have time to go through them all. But let us consider this. Monash University is the country's largest tertiary institution. It is also surrounded by a significant research and health and medical and manufacturing precinct. It is currently not connected to our heavy rail network. With the Suburban Rail Loop it will be. What that means for the tens of thousands of people who move in and out of that area every single day – whether for work, whether for research or whether to be able to further the career of their dreams by starting at university – is they will be able to get there more easily, thanks to the –

James Newbury: On a point of order, Speaker, on relevance, this question asks whether any part of the government was investigating or considering pausing or cancelling the Suburban Rail Loop – any part of government.

The SPEAKER: The Manager of Opposition Business knows that a point of order is not an opportunity to repeat the question. I do not know how many times I have to repeat that. The Premier will continue. There was no point of order.

Jacinta ALLAN: Of course the work is going on right now on the Suburban Rail Loop East Cheltenham to Box Hill section, a 26-kilometre journey that in the future will take 22 minutes on the train – again, opening up opportunities for jobs, for services and for access to schools and hospitals.

This is one of many reasons why we are getting on with delivering the Suburban Rail Loop, because this is a project that we need to get on and deliver for the hundreds of jobs that are being supported now, the thousands that will be supported in the future with construction and, most importantly, to help more Victorians get to where they need to go by public transport.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:35): Has the Premier, any minister or any ministerial office been involved in discussions or received any advice or briefing about the possibility of pausing or cancelling the Suburban Rail Loop?

Jacinta ALLAN (Bendigo East – Premier) (14:36): Well, if the Leader of the Opposition was in any doubt after my answer to his substantive question, I am delighted to expand on it in answering the supplementary question. We are getting on and delivering the Suburban Rail Loop. The Leader of the

Opposition might be relying on information from Professor Plum in the library with a candlestick, but we are getting on and delivering the Suburban Rail Loop.

James Newbury: On a point of order, Speaker, on relevance, this was a very clear question. I would ask you to bring the Premier back to that question.

The SPEAKER: The Premier has concluded her answer.

Ministers statements: Jobs Victoria mentor program

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (14:37): I rise to update the house on the success of the Allan Labor government's \$35 million Jobs Victoria mentor program, creating opportunities for the next generation of experienced mentors and eager mentees. Eleven organisations are delivering 15 mentor services across Hume, Brimbank and Greater Dandenong, as well as in Latrobe, supporting the communities of Gippsland South and Morwell, and in Greater Shepparton, providing important benefits to local communities, including Euroa and Murray Plains.

Mentors support mentees with résumés, interview preparation, enrolments for training and qualifications and support for workers throughout the first six months of their new job. This includes services tailored to support migrants and people from multicultural backgrounds. More than 46,000 culturally diverse Victorian jobseekers have been supported by the Jobs Victoria mentor program, with 19,000 people securing employment so far. Mentors such as TaskForce have partnered with local organisations like Afri-Aus Care in the member for Clarinda's community, ensuring that services are delivered with partners who have strong links to their local communities – something this government does best, working with community for community. Afri-Aus Care has placed over 330 culturally diverse jobseekers into employment, such as the woman in her early 60s who was helped to grow her confidence, develop new skills, engage in community life and secure employment. She was supported into a new job with Cleanaway and has received post-placement support.

Jobs Victoria mentors is just one way the Allan Labor government is committed to creating new job opportunities and more opportunities for all Victorians of all backgrounds, and if the Leader of the Opposition needs a mentor in the future, I am happy to help him out.

Western Highway duplication

Emma KEALY (Lowan) (14:39): My question is to the Minister for Transport Infrastructure. The government has failed to manage the Western Highway duplication to Stawell, with the project being delayed, deferred and stalled for nearly a decade. Will the government commit to finishing the project now that the funding from the Commonwealth has been reduced to a 50–50 split?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:39): I thank the member for her question. As a government we have invested more than \$7 billion into roads that Melburnians and Victorians depend upon, including \$1.8 billion into regional Victoria. The member referred to – or was alluding to – comments made by the federal minister today in relation to potential changes to those funding splits. That is for prospective projects going forward, not current projects going forward. Certainly I think our experience on this side of the house, our lived experience, has been that Canberra has not tended to fund our projects on a 50–50 basis. If you look at the West Gate Tunnel, not a dollar from Canberra. If you look at the Metro Tunnel, not a dollar from Canberra. If you look at the level crossing removal program, not a dollar from Canberra. We would dearly love Canberra to fund our projects 50–50, like the fantastic Suburban Rail Loop and like the North East Link.

Danny O'Brien interjected.

The SPEAKER: The member for Gippsland South can leave the chamber for half an hour.

Member for Gippsland South withdrew from chamber.

Emma KEALY (Lowan) (14:40): The government's own Big Build website states that the Western Highway upgrade is vital for the safety of the community. There have been more than 163 collisions, 18 tragic fatalities and 90 serious injuries in the past decade. How many more Victorians will die before the Allan government finally finishes this project?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:41): Our commitment to regional Victoria remains. We continue to invest in regional Victoria in terms of roads and rail, and we continue to support regional Victorians every step of the way.

Ministers statements: young Victorians

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (14:41): I rise today to update the house on how the Allan Labor government is investing in young Victorians. We know when we listen to young people from multicultural backgrounds, we get the best results and our state is better for it. Our young people are diverse, multifaith and multicultural and are proud Victorians. We are supporting young Victorians and their families, including our Centre for Multicultural Youth Seat at the Table program – and a big shout-out to Carmel Guerra, who leads this work – providing young multicultural women with the opportunity to build skills, capacity and confidence.

We know when given the opportunity, young people shine. Whether it is a seat at the table of a Victorian government board or contributing their voice in shaping policies for Victoria, our government is doing more, including investing in community support programs, providing services for youth across Melbourne's west and south-east from diverse communities and, most importantly, giving young people the opportunity to lead and drive solutions to their local issues. Victoria's young people are compassionate, engaged and responsible. They take care of one another and have a strong sense of who they are. As sons and daughters of migrant parents who made the journey for a better life in this country and state, I am so inspired to see young people reaching their full potential, standing on the foundations laid by their parents and their families. Our state's future leaders, that is what they are, and the Allan Labor government is backing them every step of the way.

James Newbury: On a point of order, Speaker, one of the members in this place has just posted a selfie on X, formerly known as Twitter, of the protest recently. I am sure that I share the views of all members in this place that they are concerned about that photo being posted and that a member has both taken it and then effectively advertised that protest.

The SPEAKER: Order! The matter will be looked into. We have a Privileges Committee to look into these matters.

Constituency questions

Caulfield electorate

David SOUTHWICK (Caulfield) (14:44): (410) My question is to the Minister for Transport Infrastructure. Considering the impacts of the level crossing removal down at Glen Huntly, we have had traders that have been really struggling financially. Does the government have funding available to support traders and pay for Christmas decorations along the Glen Huntly shopping strip? This is time to bring back some of that Christmas cheer. We know that, as I say, many of those Glen Huntly traders have really suffered. We see a number of shops that are shut, and COVID as well was a double whammy for many of these shops. Two years they have been both shut by the Level Crossing Removal Project (LXRP) and have seen zero traffic through their front doors. As one local business said, the traders have had no compensation for closure, and no-one has been listening to their pleas for help. They ultimately are begging for anything that can be done. An update on what traders can do in terms of getting some funding from the LXRP would be beneficial.

Northcote electorate

Kat THEOPHANOUS (Northcote) (14:45): (411) My question is for the Minister for Community Sport, and I ask: what are the opportunities for local sports clubs in my community to benefit from the Allan Labor government's Local Sports Infrastructure Fund? Local sport is incredibly valued in the inner north, and every year thousands of children and adults get involved in codes like netball, football, Aussie rules, tennis, baseball, basketball and even roller derby. In conversations with clubs a recurring concern that echoes loudly is the persistent lack of investment and maintenance of community sporting facilities by local governments. The Local Sports Infrastructure Fund represents a fantastic chance for councils to collaborate with clubs and seek funding for things like better grounds, lighting and clubrooms. From the Alphington Bowls Club to the clubrooms at Mayer, Merri or Pitcher parks to lighting at John Cain park or bathrooms at the Northcote tennis courts, there are many opportunities to explore. I will be writing to the councils in my area and seeking the minister's insights into this funding opportunity as we work to enhance local sports facilities in Northcote.

Shepparton electorate

Kim O'KEEFFE (Shepparton) (14:46): (412) My question is to the Minister for Public and Active Transport, and the information I seek is: when will the minister undertake an extensive bus service review for Shepparton? It has been 14 years since a review was last carried out, and it is well overdue. The current services do not meet the growth in public transport need for our region. I recently met with Greg Fitzsimmons and Roy Dyson from the Dyson bus group, a family owned and operated bus company operating since 1952. They expressed their frustration that this review has not yet happened. The region has grown significantly in the past 14 years since the last review, with increased population and new housing estates, including Kialla Central, Congupna and Shepparton East, yet they are not yet connected to bus routes. With the rising cost of living and people struggling to pay for fuel, parking and car registration, public transport should be a viable option. When the bus plan was released in 2021 the then minister said that this would include the regions and also stated that the Labor government was committed to a bus network that better meets public transport needs and demand.

Pascoe Vale electorate

Anthony CIANFLONE (Pascoe Vale) (14:47): (413) My constituency question is for the Minister for Community Sport. What funding programs are available to help support the Pascoe Vale Football Club? The first known Pascoe Vale soccer club was formed by British migrants in 1927 and later re-formed in 1966 by Armenian migrants from Macedonia. For almost 60 years the Pascoe Vale Rams have continued to grow and become one of the most dynamic and culturally diverse football clubs in the northern suburbs. Home to almost 40 teams, over 520 players and six women and girls teams made up of 90-plus players playing home games out of Hosken Reserve and Richards Reserve in Coburg North and CB Smith Reserve in Fawkner, the club continues to provide a welcoming and inclusive environment for boys and girls of all ages and all abilities. As a long-time local footballer and goalkeeper I have had the pleasure of playing against and visiting the Rams on many occasions, including at their recent presentation night on 7 October. I pay tribute to the club's entire volunteer community, including long-time president Lou Tona, secretary Athena Babo and all the committee members, coaches, team managers, families and players – and the goalkeepers – and they are looking for more funding opportunities for growth in women and girls playing.

Croydon electorate

David HODGETT (Croydon) (14:48): (414) My question is for the Minister for Housing. Minister, when will you return my constituent Mr Curson's back fence, which was removed unexpectedly and without explanation from his Department of Families, Fairness and Housing home in Kilsyth? Mr Curson's back door opens out directly onto his neighbour's driveway, and he now has no privacy, safety or security, which the back fence once offered.

Preston electorate

Nathan LAMBERT (Preston) (14:49): (415) My constituency question is for the Minister for Education, and my question is: can his department provide a list of major school capital projects funded by this government in the Darebin LGA since 2014? Speaker, as you know, this Labor government has invested over \$14.9 billion in our schools, including many in the Preston and Reservoir area. On the weekend I was down at Newlands Primary at their Fete de la Primavera. They are a wonderful Spanish bilingual school, and I would like to congratulate school council president Adam Palmer and principal Ross Dudgeon on a great event and also on their input and advocacy for their school upgrade over a long period of time. I would also like to thank some other principals with whom we have had recent discussions about their facilities, including Katie Watmough at Reservoir High, Sean Butler at Preston High, Helen Miller at Reservoir Primary, Raffaella Galati-Brown at Northern College of the Arts and Technology, Guy Cassarchis at East Preston Islamic College, Caroline and Derryn at Holy Name Primary, Maria Barnes at St Joseph the Worker and Gemma, Laura and Jarryd at St Gabriel's and St Stephen's. We look forward to working with all of them on a better education for our kids.

Melbourne electorate

Ellen SANDELL (Melbourne) (14:50): (416) My question is to the Minister for Housing. Ahmad is a constituent of mine who recently moved into a public housing tower in Carlton. Before that he was homeless for five years. My office worked with Ahmad, his wife and his daughter for more than 12 months before he was able to finally get into public housing, so imagine Ahmad's shock when Labor announced it plans to demolish the building now, along with every other public housing tower in Melbourne. Residents do not know when they will be moved or where to. There is no guarantee that the homes they will be moved to will actually be public housing. Residents are being relocated away from families, jobs, schools and medical care to make way for the estates to be rebuilt, with the majority private expensive apartments. My question to the minister is: does Labor plan for any of the housing rebuilt on these estates to actually be public housing? Because right now to people like Ahmad and his community it feels like just another way for developers to make money and for Labor to abandon their responsibility to provide and manage public housing here in Victoria.

Monbulk electorate

Daniela DE MARTINO (Monbulk) (14:51): (417) My constituency question is for the Minister for Roads and Road Safety. Minister, how will the 10-year road maintenance strategy be implemented to improve roads across the state, with a particular focus on my electorate of Monbulk? The district of Monbulk encompasses the vast majority of the Dandenong Ranges, which is a unique part of our state. The roads are fairly narrow and cannot be widened further in most places owing to the topography of the area. The rainfall is much higher than in many other parts of Victoria. Indeed, Ferny Creek was the wettest part of Greater Melbourne last year, with annual rainfall of 1606.4 millimetres. Monbulk itself was not far behind, with 1523.6 millimetres – and compare that to Melbourne, which only received 699.4 last year. Although the alpine areas of the state receive far more rain, they do not have a similar population living and travelling along their road network, so the roads in my electorate are subject to wear and tear from thousands of cars and trucks – *(Time expired)*

Narracan electorate

Wayne FARNHAM (Narracan) (14:52): (418) My constituency question is to the Minister for Education. The Department of Education has written to the Neerim district community in my electorate asking for their views on the proposed closure of Neerim District Rural Primary School. This has come as a shock to many, with just a few days to provide feedback. The letter states that since 2020 there has not been sufficient interest to meet the capacity requirements for the school to upgrade. However, that appears to be at odds with the comments in my community. Can the minister confirm: is it the policy of the Allan Labor government to close down small rural and timber town schools by

stealth through firstly removing the teachers and then later pretending to consult with the communities, as is occurring here?

Narre Warren South electorate

Gary MAAS (Narre Warren South) (14:53): (419) My constituency question is for the Minister for Environment and concerns the Allan Labor government's container deposit scheme. Minister, how will the launch of the container deposit scheme benefit my constituents in my electorate of Narre Warren South? There is a whole lot of excitement about the CDS program, and despite the naysayers and misinformation campaigns, people have voted with their feet for the CD scheme. Over 18 million items have already been deposited, with that money going back into people's pockets. With more collection points coming and my constituents already visiting our local reverse vending machines in huge numbers, we are on track to reduce litter and landfill as we move towards a circular economy. I look forward to sharing the minister's response with my community.

Bills

Crimes Amendment (Non-fatal Strangulation) Bill 2023

Second reading

Debate resumed.

Danny O'BRIEN (Gippsland South) (14:54): I am not pleased to rise to speak on this legislation. I do not think any of us are ever happy to be introducing new laws to deal with the scourge of our society in family violence. I put that very clumsily, but we all wish that we did not have to be passing this sort of legislation. It is something that is, as I said, a scourge on our society and something that I grapple with – that we cannot deal with it better, not because of government, state or federal, or programs that are put in place; the issue basically stems back to the community, particularly to men in the main. And all the goodwill, education, training and legislation in the world will not stop this unless men actually stop committing violence against women.

I am a very, very proud Gippslander. I am proud to live where I do. I am proud of what we produce. I am proud of what our people do. But I am absolutely aghast to learn from the most recent statistics that Latrobe City and the East Gippsland and Wellington shires were all in the top four for family violence in Victoria. That is something I am not proud of when it comes to being a Gippslander. Of course, whatever the statistics, someone has always got to be on the top, but that is not something that we want. I commend the work of Gippsland Women's Health for what they do and many other agencies throughout the region. But Gippsland Women's Health in particular are running the Let's Chat Gippsland campaign, a period of 16 days of activism starting on 25 November, and it is something that we all need to do better on. I think the statistics are still one woman killed every week due to family violence in Australia and police attending a family violence incident once every 6 minutes in Victoria, and that is just abominable. As I say, I do not think the solution is government. Sure, government and Parliament play a role, but our community has to do much better on this issue.

But it is important of course that government does its part and provides the legislation, the legal framework, that not only addresses family violence and not only provides punishment for perpetrators of family violence but also sends a message, and in many respects that is what this legislation, the Crimes Amendment (Non-fatal Strangulation) Bill 2023 does. It is about sending a message that the community will not tolerate this sort of violent behaviour towards predominantly women – it is not only women – and that there needs to be a message sent to the community and to perpetrators but also to police, the courts and others that this scourge needs to be tackled in as many different ways as possible. We have this legislation that has largely been driven by the case, sadly, of Joy Rowley. As the member for Malvern indicated, this really should be known as Joy's law in many respects, because it was the tragic death of Joy in 2011 that has effectively precipitated this legislation, and it came after a long campaign by her family, her children in particular. There was a coronial finding by Judge Sara Hinchey in 2018 that recommended the introduction of this law. Judge Hinchey said at the time:

Such an offence will more effectively hold perpetrators to account for serious offending. Further, the new offence may build further awareness of the dangers and potential lethality of strangulation among police members, courts and community services practitioners.

As I indicated a moment ago, it is partly about sending that message. If you read the story of Joy, you will find a series of failures that the police ultimately acknowledged in not picking up some of the issues, in particular where her former partner did grab her around the throat and literally caused her to become unconscious and then subsequently at a later time actually murdered her. I guess the dividend, if there is any such positive to come out of that tragic event, is that the Parliament is acting. I pay credit to the family for continuing to act on this, and we will now see effectively Joy's law introduced through this legislation, because the opposition is certainly not opposing this bill.

There are a number of aspects to it. I will not go into the level of detail that the member for Malvern has already done in highlighting the various aspects of the bill, but it does contain some curious clauses, I guess, in the sense that the non-fatal strangulation in the legislation will only apply to a family member as defined in the Family Violence Protection Act 2008. That definition is current or former spouses; domestic partners; intimate personal relationships, which do not have to be sexual in nature; children and parents, including stepchildren and step-parents; other relatives in some circumstances; and any other person reasonably regarded as being like a family member. The member for Malvern highlighted the example that has been given whereby in a nightclub situation a person who strangles their partner on the dance floor could be charged under these offences, but a person who is merely attempting to woo another person and then is knocked back and also strangles them would not be charged. That is not to say they could not be charged with other offences, but it does lead to something of an anomaly in that respect – that it does only relate to families. Sexual Assault Services Victoria indeed has said that excluding people who experience strangulation outside a family relationship from the avenue of protection afforded by non-fatal strangulation laws essentially creates a second class of people and sends a mixed message to the community about strangulation. It will mean that people – overwhelmingly women – will receive a different response depending on whether they are assaulted by a family member or by someone else.

That is certainly true of this bill. In part, again as the member for Malvern has indicated, that is due to the very broad nature of the definition of strangulation that is contemplated by the legislation. Because of that, we could potentially see, if we did not have the family restriction in respect of this bill, much wider interpretation and application of it to many, many circumstances where it may not indeed be appropriate. Whether the government has got that balance right and whether it will work in practice is I guess yet to be seen, so we will see what happens in that respect.

That brings me to the amendment moved by the member for Malvern. He has quite rightly suggested that given that this is novel legislation here in Victoria, that it is the first time something such as this has been introduced with respect to strangulation, there actually should be a review period. He has suggested that the bill be amended to include a two-year statutory review, so a review two years after the bill comes into operation, and for that to occur within six months of that two-year period passing and then to be tabled in Parliament for all to see. I do not think that is something that the government should be rejecting. Obviously, we will deal with the in the other place, but it is not something that any government really should be afraid of, having a review of legislation. We see in both the family violence space but also justice generally that we are tweaking legislation repeatedly, whether it is bail laws or whether it is youth justice. Many of the other bills that we have debated this year indeed are often dealt with again only a year or two afterwards. So I would encourage the government to support that amendment. It is a simple thing, and I hope that all members in the other place will also agree to it.

This is hopefully a step in the right direction. It is another step in the government, the Parliament and the community's attempts to end the scourge of family violence, and I wish it speedy passage through the chambers.

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (15:04): I also rise in support of this bill. Strangulation can cause unconsciousness within seconds, and

it can cause death within minutes. What can start as a threat can quickly become a fatal form of violence. Non-fatal strangulation can cause blood clots, it can cause stroke and it can cause brain damage. It is an especially insidious and dangerous form of family violence experienced by up to 68 per cent of victim-survivors. It is terrifying. I cannot imagine the fear that you would have when someone's hands are around your throat trying to cut off your airways while you try and work out how to survive. It is a form of abuse that is rarely an isolated incident, and it is often used by perpetrators as part of an ongoing and escalating pattern of coercion and control. 'Do what I say or I will do this to you again, and you don't know how far I will go' – that is the hideous threat that is implied within non-fatal strangulation.

This year, as we have heard from previous speakers, 47 women have been murdered by a perpetrator of family violence. That is more than one a week. The terrible thing is that the year is not over yet, so we are really saying so far, 47 women have been murdered – so far. It is terrible. It is absolutely terrible that this is still occurring in our communities across our country. We have had seven women murdered in the last month. Actually, I will rephrase that – someone has murdered seven women in the last month – because we do need to reframe part of the language and the way that we frame the way that we talk about family violence. We talk a lot about the victim-survivors, and we need to, but we really need to talk about the perpetrators. We need to talk about the people who are using violence and their actions, what they do, because they are the ones that create this, not the victim-survivors.

One in four women have experienced intimate partner violence since the age of 15. If we look around at the women in this place, you will know that there are women who are sitting here who have experienced family violence. That is around 2.5 million women across our nation. Let us try to pack that into Melbourne, for example. If we were to condense that national figure into Melbourne, that would be that every female in the city of Melbourne, Greater Melbourne, has experienced family violence. It is 2.5 million across the nation, but imagine that every woman you see in Melbourne has experienced family violence. That is what our national statistic is.

Around 800,000 people present each year nationally to our hospitals with injuries caused from family violence. That is just those who actually let the hospital know that family violence is the cause of their injury, so we know that that number is far greater. That is a lot of people presenting to hospital every day, and as we heard from the member for Gippsland South, phone calls are going out to Victoria Police around every 6 minutes. Over 92,000 calls were made to police last year, and in every single one of those calls the cause for those calls, the perpetrator, was a male. Now, we know that men are not the sole actors in family violence, and we know that women are not the only victims. We know that it happens in rainbow families. We know it happens in intergenerational families. But we do know that overwhelmingly family violence is perpetrated by men, it is gender-based and it is directed at women.

I would encourage everybody in this place to come along to the Walk against Family Violence on 24 November. I would encourage everybody in this place to sign the banner that was here with Respect Victoria a fortnight ago, which has been signed by a number of people in this chamber, but there are quite a few people in this chamber who have still not signed it.

Women are predominantly those targeted because of their gender, but we know that family violence will continue to happen until we have equality. We are not there yet, but I can tell you that this government has worked incredibly hard to get us to a point where we can say that there is no more family violence. We must bring about change. Imagine what our society could do, what we could achieve, without family violence. The introduction of standalone non-fatal strangulation legislation is an important step in protecting victim-survivors by introducing penalties that recognise the seriousness of this conduct and hold perpetrators to account, because they need to be held to account. They need to understand what they are doing is wrong, it is illegal and the government, the law and the state of Victoria will not stand for it. This bill delivers on the Allan Labor government's commitments included in 2023–27 gender equality strategy and action plan. I commend the Minister for Women along with her office and her department for this work and the amount of energy and time and consideration that has been put into it.

This is the product of complex work, this legislation that we are debating today. Time has been taken to ensure that the targets of the sort of high-risk family violence offending intended to be captured are captured in a simple and effective way. It is also important that the legislation works effectively with other key reforms such as the adoption of the affirmative consent model. We want to ensure that the responsibility for offending is placed onto perpetrators rather than victim-survivors. It builds on the work of our royal commission – we have implemented all 227 recommendations. We have opened up 18 Orange Doors and we have created opportunities for victim-survivors to be heard and to influence policy, because we do need to understand their experience. We need to understand what it is like to go through the system, what it is like to present yourself, what it is like to not get the support that you need and even what it is like to get the support that you need and how it can transform your life – the life you now have to rebuild because of the violence of somebody else.

The offences introduced by this bill will hold offenders to account. It will provide clearer indications to the police and community service practitioners of escalating violence and control in family violence situations. It opens up a new conversation. It helps people across the sector understand the seriousness of this violence. I cannot emphasise enough that it is not an end point. Once a perpetrator starts engaging with non-fatal strangulation, that is not the end; it does not stop there, it continues to escalate. There is a core cohort of offenders who commit family violence who will escalate their behaviour. They need to know that they will be stopped, and they need to be stopped as soon as they engage in this activity, as soon as they start using violence. This bill also aims to improve understanding of the dangers and potential lethality of non-fatal strangulation among police, courts and community service practitioners and help drive more effective medical, legal and law enforcement responses.

This bill at its core is about ensuring that there are more opportunities to prevent and de-escalate family violence situations, such as where non-fatal strangulation is being used to control, threaten, scare or intimidate, because that is what it is – it is about intimidation, it is about control, it is about power. This is why for the more serious of these two offences, where injury has occurred, consent will not be available as a defence. Currently, non-fatal strangulation is recognised under the multi-agency risk assessment management – MARAM – framework as a serious family violence risk factor associated with an increased likelihood of serious injury or death for victim-survivors. As I said, it is an indication of escalation. It is a behaviour that we cannot tolerate. It is a violence that we cannot tolerate. It is a violence that we have to stamp out.

The 10-year offence that this legislation introduces is designed to capture instances where the offender intentionally injures their victim with an act of non-fatal strangulation. The element of intentional injury means that there is a higher level of culpability attached to this offence. We know you meant to hurt, we know you meant to inflict pain, and you will receive punishment for this. There will be repercussions. You will be held accountable. You will be held responsible. Existing common law and statutory defences such as self-defence, duress or sudden and extraordinary circumstances will be available for both the five-year and the 10-year offences. The risks of non-fatal strangulation have not always been widely understood by those who encounter victim-survivors and offenders, contributing to low detection and prosecution rates. This is the reason why this legislation is so important and why I support it.

Brad BATTIN (Berwick) (15:14): I will take up from where the member for Eltham was – those who are perpetrators of domestic violence should be bloody punished. It is as simple as that.

Here we are speaking about the Crimes Amendment (Non-fatal Strangulation) Bill 2023, which we have referred to as ‘Joy’s law’. Before I go into the details of this legislation in front of us, I want to put on record my thanks for trusting me to Les and Renee, who I met with to discuss what happened to Joy Rowley back in 2011. They went through hell and back in 2011 when Renee lost her mother – and there were two other children, Aaron and Nadine. In those conversations, as you would understand, it is quite emotional, because they are not speaking about legislation the same way we do in here, they are speaking about it in real life, in real terms – how and who does it impact? I want to thank them from the bottom of my heart for giving me that trust when we started having discussions

many months ago. I do not often do so in here, but I would also like to thank Ashley in my office who has been working very closely with the family in a very sensitive manner. When things were coming out in the media and when discussions were happening anywhere in here, we were trying to let them know as soon as possible, because it could have been – and was at times – a trigger for the family. We wanted to make sure that they were heard along the way.

The purpose of this bill is to make non-fatal strangulation committed against a family member a standalone offence. As we have said, it is very sad that we have to be here discussing this today. A few members have spoken about domestic violence and the amount of deaths we have had. I was just looking it up before: 49 people have died at the hands of their partner in Australia this year – that is one every five days. Sometimes there are things in life that you cannot understand and kind of just make you sick. Recently we lost an actor from the *Friends* show, and I have never, ever had so much come through on my social media to remind me of a comedian that was on TV for a period of time. At the same time, for this entire year I have not had one bit of social media come through to talk about the 49 people who have lost their lives at the hands of their partner. That is the conversation that we should be having.

Domestic violence is not new. It has been around for a long period of time. It has been around, I would probably have to say without knowing the records, forever. My family is one of those who have been victims of domestic violence. On domestic violence – I am going to say in words and not so much the actual crimes – the attitude of the community has changed, and it is these pieces of legislation that start conversations to make that change. My grandfather was very violent. This has had an impact that still goes through our family today. This was back in the day when an assault would happen to my grandmother and the police would turn up, but they would not defend her. They would tell her to get back inside, because that was the responsible thing to do, to be inside. Over time attitudes have changed in the community and they have changed in Victoria Police – and to a positive degree. It does not mean they get it perfect. It is from circumstances like this where in 2011 Joy went to the police and said there were domestic violence issues at home – she had been strangled to a stage of being unconscious, and she had made complaints to Victoria Police – and it took an inquest for the police to come out and apologise for what had happened in 2011.

We cannot change what happened in 2011. I have spoken about that with the family. But what we can change is what happens in the future and the attitude to how this changes. Someone mentioned females in this place. I say to every male in this house and every male in my local community: it is our responsibility to call it out. It is our responsibility to make sure that we do not stand aside whilst someone is insulted, assaulted or taken advantage of. That becomes our responsibility. I have always said that the standard you walk past is the one you accept. This is never more important than when we are talking about homicide in the home.

Considerable input for the introduction of this bill came from, as I said, the death in 2011 of Rye mother Joy Rowley. Joy was smothered to death in her home by a former partner. He was sentenced to 19 years in jail in 2012. The family came forward at that time and said there had to be an investigation of the circumstances that happened around that death – not just the criminal aspect of it – to find out why there were failures in the system along the way. This family then fought against all odds to continue to push, until a review came through that captured what was happening, particularly around some of those reports. It eventually got to the stage that Victoria Police admitted that there were errors, after the inquest. Judge Sara Hinchley, on 2 August 2018, handed down her findings into the murder of 60-year-old Joy Rowley, who was killed in 2011. In that inquest it was found there were many mistakes. During that it was moved that in February the attacker was choking and threatening and in October he strangled her until such time as she had passed away. Assistant commissioner Dean McWhirter apologised to the family, accepting there had been failures. Judge Hinchey, while commending the police efforts to improve their systems, said the lack of a review was a lost opportunity, and we still say that today – it was a lost opportunity to ensure that from then it could have changed what was happening.

One of the recommendations from that report was to bring out legislation so that we could protect against this, and that is what this legislation is today. Timing is of the essence, and yes, we support the concept of the bill. I know that the member for Malvern, who I appreciate has worked with the family and has kept in contact with me as well so we can ensure that we have had our views put forward on this, has made an amendment to ensure that in two years time there is a report back to this place to see that this legislation is working. I support that amendment, but I also do support the concept of this bill. I think it is so important so we can get that change that we need moving forward.

The family of Joy have continued to call out what needs to be changed. They started this process with the government back in 2018 and 2019. I note that the government is saying certain things take time. There have been a couple of attorneys-general during this time that effectively failed to act to get this into place. It could have been well and truly done during the last term of Parliament. I am not sure why and I will not question the motives at the time, but there is no reason in my mind why this was delayed to such a degree and it has been brought forward now.

I will say when I was working with the family – and the government was aware I was working with the family – we went through the stage of putting together a private members bill to introduce in here because we knew, and we still know, it is just too important to continue delaying and pushing down the road. The family was, at that stage, having trouble getting contact with the government. When we started talking about that private members bill with the family, we were not hiding it. We were not trying to make it a secret. We worked with them closely. That would have obviously been mentioned back to the government, and that was when the government acted. Can I say to the government: it should not take that. It should not take the opposition starting to do the work on this for actions like this to happen. They are just far too important. We say in circumstances like this: this place should be above politics when it comes to domestic violence. This is not the first time. We have got another bill coming before the house during this week in similar circumstances, where the government sat idle until such time as the opposition did something. We say to the government: approach us. We are happy to sit down and talk about this.

Members interjecting.

Brad BATTIN: I note laughing on the other side. When I met with the family, they could not get a response from the government until such time as we acted. I say if the Attorney-General at any stage would have liked to come to us and have this discussion, we were open to discussion, exactly as we have been with the legislation coming through later this week. This is all about ensuring, at the end, the best outcome, and if the government had come to us and taken out any of the politics in it, we could have worked together a lot sooner, probably in the last term of Parliament, to ensure this legislation could have gone through. It is too important to ensure –

Michaela Settle interjected.

Brad BATTIN: Were you even listening to the start of the speech about when I met with the family? Do not sit there –

The ACTING SPEAKER (Paul Hamer): Through the Chair. The member for Eureka will let the member –

Brad BATTIN: What a disgrace to sit there and say you are calling out for the family whilst you failed to bring in this legislation. Therefore more people are at risk. It is important that people are –

Michaela Settle: On a point of order, Acting Speaker, using the word ‘you’ is an insult to the Chair.

Brad BATTIN: On the point of order, Acting Speaker, I cannot believe a government member would want to stand up in the middle of this particular debate around domestic violence, with a mother who has died, when I have sat there and spoken with that family –

Members interjecting.

The ACTING SPEAKER (Paul Hamer): The member for Berwick will sit down.

Brad BATTIN: I am still on the point of order.

The ACTING SPEAKER (Paul Hamer): Yes, and I will be ruling on that point of order. Your time has expired anyway. I had already flagged that you needed to speak towards, to and through the Chair.

Members interjecting.

The ACTING SPEAKER (Paul Hamer): Order! The member's time has expired.

Ella GEORGE (Lara) (15:25): I rise today to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. This bill will establish two new offences for non-fatal strangulation where it occurs within the context of family violence. Family violence is a scourge on our society. Family violence is deeply gendered, it is rooted in control and it is designed to cause fear. It is one family member exerting coercive, threatening, dominating or abusive behaviour over another family member or a former partner. It can take many forms and manifest in both physical and non-physical violence, and sometimes it can be physical violence where a victim-survivor does not display any visible injuries. In many cases it happens behind closed doors, hidden away from bystanders who could otherwise intervene. Family violence is prevalent in our community. At least one-quarter of Australian women have experienced family violence, and sadly, we know that family violence kills. Women are dying at the hands of their partners and former partners. On average in Australia one woman is killed by her intimate partner every single week, and in 2023 we have seen this increase to every five days. This is why this reform is needed.

No other government has done more to prevent family violence than this Labor government. It was this government that drove the Royal Commission into Family Violence, delivering all 227 of its recommendations. In fact one of the reasons why I wanted to become a Labor member of Parliament is because of this commitment to preventing and ending family violence. Having worked in the family violence sector, I saw this reform take place before my eyes. I saw up close what change you can create, what impact you can have when you have a government committed to such significant reform. For the first time in this state's history there has been real action on family violence – not just words but real funding and a real commitment. I must acknowledge previous ministers for their hard work in driving family violence reform in Victoria. In particular I want to acknowledge Australia's first Minister for the Prevention of Family Violence Fiona Richardson for her nation-leading work and deep commitment to keeping women and children safe from harm. I acknowledge the Attorney-General for her commitment to reforming the justice response to family violence in Victoria. I also want to take this opportunity to acknowledge the family of Joy Rowley for their advocacy, and I thank all the brave victim-survivors, their friends and families for their ongoing advocacy to prevent family violence against women and children.

This bill will introduce two new offences of non-fatal strangulation against a family member into the Crimes Act 1958. It will ensure that an offence of non-fatal strangulation will have a five-year maximum penalty and an offence of non-fatal strangulation intentionally causing injury will have a 10-year maximum penalty. In addition, this bill will make consequential amendments to the Family Violence Protection Act 2008 so that non-fatal strangulation is also recognised as an act of family violence. This will assist with intervention orders, consideration of bail applications and protections for witnesses giving evidence. The offences will enhance the protection of victim-survivors, particularly victim-survivors of family violence; more effectively hold offenders to account; provide clearer indication to police and community service practitioners of escalating violence and control in family violence contexts; further raise awareness of the dangers and potential lethality of non-fatal strangulation among police, courts and community service practitioners; and drive more effective medical, legal and law enforcement responses. These new offences will build on the work that our

government has been doing to protect and support victim-survivors of family violence, hold perpetrators to account and help change community attitudes towards family violence.

This bill is an important step in our family violence reform, as we know that non-fatal strangulation is frequent within family violence circumstances, and we know that unfortunately non-fatal strangulation is rarely a once-off. In fact research from all over the world tells us that non-fatal strangulation is a risk factor when it comes to escalating family violence. Research undertaken by the government of South Australia found that women who survive a non-fatal strangulation are more than seven times as likely to be killed by their partner in the future. Research undertaken by the Melbourne Law School found that up to three-quarters of women escaping domestic and family violence and residing in shelters report experiences of non-fatal strangulation from their previous partner. This is devastating. What this and other research make clear is that there is a strong link between non-fatal strangulation and escalating family violence risk that can lead to death.

Monash University's Gender and Family Violence Prevention Centre completed a research brief titled *Strangulation, Risk and Intimate Partner Violence*. It states that:

Strangulation is also a leading cause of death among women killed by a current or former male intimate partner.

In Australia over the last 10 years an act of strangulation or suffocation has been cited as the cause of death of 14 to 16 per cent of male-perpetrated intimate partner homicides. Across the nation other states have implemented similar legislation. In May 2016 Queensland introduced an offence for non-fatal strangulation. Analysis by the Queensland Sentencing Advisory Council shows that from June 2016 to June 2018 there were more than 400 cases sentenced for the non-fatal strangulation offence. In almost half of these cases, the offence was also a breach of a domestic violence protection order, again demonstrating that link between non-fatal strangulation and escalating family violence.

This bill will have a broad definition to avoid any issues seen in other states, where a narrow implementation has meant that a very high evidentiary burden has been placed on the prosecution. In Victoria both offences will prohibit choking, strangling or suffocating, which will be defined non-exhaustively as applying pressure to the front or sides of the neck, obstructing or interfering with a person's respiratory system or impeding respiration. In both offences there is a requirement of intent to engage in the conduct of choking that I just outlined. This requirement will ensure that the legislation is not applied to accidents and that there are safeguards in place for legitimate behaviours, and this will ensure that it is in line with other states who have introduced similar legislation.

Our government has a very strong commitment to addressing the insidious effects of family violence within our community. This bill's underlying principle is to improve the Victorian criminal justice system's response to family violence. This bill will ensure that the penalties can be tailored to specifically respond to the heightened risk that family violence offenders bring and therefore enhance protections to victim-survivors. This bill will use the same broad and flexible definition of 'family member' that is used in section 8 of the Family Violence Protection Act 2008.

Non-fatal strangulation often reveals an ongoing and escalating pattern of coercive and controlling behaviour, especially when it occurs in family violence circumstances. This bill along with our government's establishment of the royal commission and implementation of the entire 227 recommendations are an acknowledgement of the seriousness with which the Victorian community has come to regard family violence and its consequences for individuals and families. Victoria completed Australia's first Royal Commission into Family Violence in 2015. The commission made 227 recommendations to reduce the impact of family violence in our community and to keep victim-survivors safe. On 28 January 2023 the Victorian government announced the implementation of the final recommendation, marking the completion of our commitment to introduce every single one of the recommendations. That is because we are a government serious about taking on this challenging issue that our community is facing. We know that family violence does not just impact the victim-survivor, it impacts their children, their pets and their wider families. It also has a

huge impact on communities. The Victorian Labor governments led by Premier Allan and Premier Andrews have been a world leader in this space, investing over \$3.7 billion in preventing and responding to family violence. This commitment includes opening services such as the Orange Door and Specialist Family Violence Courts.

On a personal note I had the privilege of working on the Specialist Family Violence Court project, and I am so pleased to see this up and running right across our state. We know that these courts, the Orange Door services and all the other family violence services across the state have provided support to so many victim-survivors of family violence. Family violence is not an issue that discriminates. People from all walks of life can be affected by family violence. As I have shared with the house before, when I speak to women and explain my background working in the family violence court system, so many brave women have spoken up and shared their own horrendous experiences of family violence. Unfortunately, I hear many of these stories when speaking to the local community that I represent. According to the Crime Statistics Agency, the Greater Geelong area has reported the second-highest number of family violence incidents across the state in the last financial year, and that is why bills like this one today are just so important, because we all collectively must do everything we can to combat family violence.

As the Minister for Women mentioned earlier in this debate, the absence of a standalone offence in Victoria has created a barrier to identifying, reporting and prosecuting non-fatal strangulation. This bill corrects that, addressing the unique risk profile of non-fatal strangulation as an act of family violence, which has been a key driver of these reforms. That is why I commend this bill to the house, and I wish it a speedy passage.

Cindy McLEISH (Eildon) (15:35): There is certainly a lot of work that needs to be done in Victoria and indeed Australia to get on top of family violence. Having a bill before the Parliament like we have now is one of those ways, and this is something that should have been done certainly in the last Parliament. The bill before us, the Crimes Amendment (Non-fatal Strangulation) Bill 2023, has come to us eventually. What it does is amends the Crimes Act 1958 to provide for two non-fatal strangulation offences, and consequential to that it amends the Family Violence Protection Act 2008. I want to remind the house of the vision of Respect Victoria, and that is:

... a Victorian community where all people are safe, equal and respected, and live free from family violence and violence against women.

Too many women lose their lives through family violence, and this is what happened to Joy Rowley in 2011 – and I will talk a little bit more about her circumstances later. One woman is killed nearly every week in Australia. That is an appalling statistic. So far this year we have had 49 deaths, and that is one every five days. There is still a long way for us to go. At the end of October, a couple of weeks ago, we had a horrific period when five women lost their lives allegedly to family violence, and that also included incidents here in Victoria. That is staggering and appalling. These are some statistics from the Crime Statistics Agency:

A child or children were present at 29.8 per cent or 26,284 family violence incidents occurring in Victoria between 1 July 2019 and 30 June 2020. A ‘family incident’ is an incident attended by Victoria Police where a Risk Assessment and Risk Management Report ... was completed.

Some members may be familiar with the L17 form that gets completed. Also from that same year, Victoria Police attended 88,214 family violence incidents. An incident is defined as where a risk assessment, the L17 form, is completed. These are staggering statistics; these are large numbers.

In May this year I joined with former Minister for Prevention of Family Violence Minister Spence at a candlelit vigil in the memorial gardens just down here at the lovely statues at St Andrews Place. At that time Renee Woolridge was one of the speakers, and I met with Renee. Renee is the daughter of Joy Rowley, and Renee and her family members have been pursuing this sort of legislation for a considerable time. Her sister Nadine Power, her brother Aaron Woolridge and Renee have been pushing to have this sort of attack legislated before the Victorian Parliament.

When we had the coronial inquest into Joy's death, eventually the findings were handed down in July 2018. This is for an incident that happened a considerable period before. The findings included the following, and I want to read this out:

The introduction of a stand-alone offence for strangulation, suffocation or choking in Victoria may significantly help to ensure strangulation is treated commensurate with the risk it poses to victims, and remove the need to prove particular bodily harm or intent to cause injury. Such an offence will more effectively hold perpetrators to account for serious offending. Further, the new offence may build further awareness of the dangers and potential lethality of strangulation among police members, courts and community services practitioners.

What happened with Joy, who eventually lost her life, was she was smothered to death in her home by her former partner James Mulhall, who was sentenced to 19 years for murder in 2012. However, eight months prior to the murder Joy had been choked unconscious, which is staggering in itself, and as the perpetrator had a violent past and he had strangled her to the point of unconsciousness, he was likely to do that again. He did that again and suffocated her, and he was a dangerous person.

I think where you have got those who demonstrate such behaviours as near-fatal strangulation – and she did not die, she pulled through – that has led now to what we see before us with these non-fatal strangulation offences. James Mulhall had a violent and abusive past and, according to his second wife and daughter, was a dangerous man. He moved into Joy's home, and although he believed they were partners, she thought they were friends. In February he attacked her, choking her and threatening to kill her with a knife before leaving in a taxi. In October he strangled her with his hands and a necktie before smothering her with a pillow. This is horrendous, and this story needs to be told and needs to remind us that it is not just the final point of murder that we should be prosecuting but the non-fatal strangulation.

I note that this bill is brought in in the context only of family violence, and if something happens outside of that – for example, at a nightclub or a pub where two people have got together and things get out of hand and one does that strangulation – it is not covered here. I think there is room to improve that, because I do not think that is acceptable either.

The Shadow Attorney-General has circulated amendments because we want to make sure that some of the feedback that has been provided is picked up. The Shadow Attorney-General wants to implement a legislative review after two years of operation, with a report tabled in Parliament, so that we can be sure that the legislation is operating with the correct intent and correctly, and to see whether or not it should be widened to, as I have just mentioned, that other situation.

Some of the feedback that has been received from Sexual Assault Services Victoria and provided to us noted that excluding people who experienced strangulation outside a family relationship from the avenue of protection afforded by non-fatal strangulation laws essentially creates a second class of people and sends a mixed message to the community about strangulation. It will mean that people, overwhelmingly women, will receive a different response depending on whether they are assaulted by a family member or somebody else, and that is exactly that situation that I have outlined. People in a different situation, people who are not partners and who have a short relationship or who are attacked at random – and we have seen some random attacks within the community – will be treated differently. Whilst it is important that in the context of family violence Joy's law can be prosecuted, we still have this other situation, and I think it is important that it gets looked at. The review proposed by the amendments from the Shadow Attorney-General really needs to be considered by the chamber and looked at as a whole, not as the opposition just creating something for the means of creating something. Also, the definitions around 'chokes, strangles or suffocates' are broadly defined, and so there is room to improve this further. I will leave my comments there. Family violence is still out of control. There is a lot more that can be done. Community standards and men and women, men particularly, need to be standing up against attacks on women, violence within the home and violence randomly against women. It is certainly not on, and I think that the government can do a little bit more to expand the powers here.

Dylan WIGHT (Tarnet) (15:44): I rise this afternoon to speak to the Crimes Amendment (Non-fatal Strangulation) Bill 2023, a bill that builds on the Allan Labor government's commitment to standing with survivors of domestic abuse, to doing absolutely everything we can to stop the scourge or lessen the scourge of domestic violence within our community and to creating a legislative framework that both makes it easier to stop people that are inflicting violence on others in our community but also makes it easier to prosecute them when they do. Even though we are talking about amendments and different things like that, I think every single person in this place will agree that somebody that inflicts violence on their family or on their partner deserves to be in prison and has no right to be walking around our community.

Non-fatal strangulation is a highly dangerous and potentially life-threatening act, and it is particularly threatening in the realm of family violence. It is not just an act of aggression, it is a foreboding sign of escalating violence and an alarming predictor of future severe harm or even death. I think I heard somebody earlier refer to it as the reddest of red flags. In family violence situations non-fatal strangulation is far from an isolated incident. It signifies a disturbing increase in coercive and controlling behaviour, and research shows it often leads to more abuse and in certain times can even lead to future fatalities. That is something that everybody in this place wants to do absolutely everything that it is in their power to stop. The stark reality is that women that endure non-fatal strangulation by a partner are seven times more likely to later face serious injury or death at the hands of that same partner, and we have heard some harrowing stories of exactly that during members' contributions today.

We have heard different stats from different parts of Victoria in respect of family and domestic violence throughout this debate. We have heard, tragically, that 47 women have died at the hands of their partner in Victoria just this year, an alarming stat. Forty-seven is 47 too many, and part of this legislation, part of what we are doing today, is in response to that scourge of family and domestic violence, hopefully trying to catch some behaviours that often lead to fatal outcomes before that happens and making it easier to prosecute people that are heading down a road that may add to that statistic of 47. Also, we have heard that police are estimated to attend a family violence incident every 6 minutes in Victoria.

We heard the contribution from the member for Gippsland South, who spoke about some statistics in his local government area, and it pains me to say that my local area of Wyndham also contributes disproportionately to those stats. We saw 899 cases of breaches of family violence orders and 769 cases of family violence common assault in the year ending June 2023, so the last financial year. That is contributing disproportionately to the stats that we speak about here and contributing disproportionately to the exact reasons why we need this bill. But in Wyndham we have some fantastic organisations that work with women that either are experiencing domestic and family violence or have experienced domestic and family violence in the past – organisations such as Orange Door. I know that they are not specific to the western suburbs of Melbourne – they work across the breadth of Victoria – but they do absolutely fantastic work in Wyndham and out in the west, as do GenWest. They are so incredibly important to our region. As I said, the stats out there do not look fantastic, but I know that the workers at these two organisations in particular, as well as many others, do absolutely everything they can, day and night, to support victims of family and domestic violence in my LGA of Wyndham. It is incredibly important that organisations and programs like this are funded so that people have access to family violence resources such as these.

It is also important that the law reflects the circumstances of family violence, which I have touched on previously, and that perpetrators of family violence are identified and brought to justice early and at that initial point of violence. As I said, non-fatal strangulation is the reddest of red flags, and all too often it continues to go down a line where the consequences are either serious injury or indeed fatal. We need a legislative framework that allows police and courts to deal with that at its very early stages, not when a child or a woman has been killed at the hands of somebody else in their family. In Victoria the absence of a specific offence for non-fatal strangulation has hindered our ability to effectively

identify, report and prosecute such cases, obscuring our understanding of its impact and impeding risk assessment. It is this gap that our reforms seek to address, recognising the distinct and severe risks associated with non-fatal strangulation, as I have already gone into.

The bill concerning non-fatal strangulation is a significant legislative proposal that aims to strengthen the response of the criminal justice system to this incredibly serious issue, particularly in the context of family violence. The bill aims to realise the Allan Labor government's commitments outlined in the *Community Safety Statement 2019–20* and the gender equality strategy and action plan, which runs between 2023 and 2027. This is achieved by introducing two new indictable offences of intentional non-fatal strangulation against a family member in the Crimes Act 1958. The proposed reforms are set to enhance the criminal justice system's handling of non-fatal strangulation cases by introducing specific offences that address the distinct characteristics of such incidents. Additionally, these reforms will bolster the government's efforts to combat family violence by offering a clear and distinct categorisation of non-fatal strangulation. This clarity will aid police and family violence service providers, as I spoke about earlier, in identifying these cases more effectively, a feature that is currently lacking in the broader, more generic offences.

As I said, I understand there is an amendment on the table, but I think everybody in this place, irrespective of which party they come from, will agree and absolutely understand that legislation like this is so incredibly important. As we know, the stats say that non-fatal strangulation is something that is initially perpetrated and so often leads to much more dire consequences. This is an incredibly important piece of legislation, and I commend it to the house.

Annabelle CLEELAND (Euroa) (15:54): I rise today to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. The purpose of this legislation is to make non-fatal strangulation committed against a family member a standalone offence. As it stands, Victoria is currently the only state that does not have specific non-fatal strangulation laws. The ACT introduced legislation in 2015 and New South Wales in 2014, and they also brought forward reforms in 2018. The Northern Territory introduced laws in 2020, Queensland in 2016, South Australia in 2020 and Tasmania in 2022, and Western Australia brought laws into effect in 2020. The introduction of the offence in these states has significantly improved knowledge among frontline workers about the risks and harms of strangulation, so I hope that here in Victoria a greater understanding of its risk and harms should lead to more appropriate referrals and enhanced safety. I am pleased to see Victoria join the rest of the country in recognising the significance of this crime. In Victoria strangulation is commonly charged as an assault, which absolutely does not reflect the seriousness of the offence.

Under this proposed legislation the offence of non-fatal strangulation will be categorised in two forms. The most serious form will require the prosecution to prove the offender intended to cause injury and will attract a maximum 10-year prison sentence. A second form will not require proof of injury, and it could attract a five-year maximum penalty. In such cases it will be possible for the accused to demonstrate there was affirmative consent and avoid conviction. Non-fatal strangulation that falls outside of the scope of this bill will continue to be dealt with by existing offences, such as assault.

Much of the momentum behind this bill being introduced comes from the Joy Rowley case and the courageous advocacy shown by her family following her tragic murder. I want to thank her family for their continued activism and for never tiring in their push for this legislation. Strangulation is sadly a common and gendered form of violence reported by up to 60 per cent of family violence survivors. It is recognised as a form of coercive control and often forms part of a pattern of controlling and manipulative behaviours within a relationship. Through strangulation, abusers can show they literally hold the survivor's life in their hands. One thing that is incredibly alarming is that if someone has been strangled by their abusive partner, they are up to seven times more likely than other survivors of family violence to face severe harm and even death in the weeks and months afterwards.

Devastatingly, 15 per cent of deaths attributed to family violence are caused by strangulation. These deaths can occur in around a minute, with minimal pressure. Sometimes death can occur weeks or

months after strangulation because of blood clots, stroke and brain damage. Even when it is not fatal, injuries can be long lasting. This includes a loss of consciousness, brain injuries resulting in memory loss and pregnancy miscarriage. Short-term injuries are common too and may include bruising and sickness. However, in about 50 per cent of cases, victims have no visible injuries even when they lose consciousness. This piece of legislation is addressing a significant area of family violence and will hopefully bring our legislation up to the levels of our neighbouring states.

In regional areas, including my electorate of Euroa, breaches of family violence orders is one of the primary offences committed. It is the number one recorded offence in the Benalla, Strathbogie, Mitchell, Campaspe, Greater Shepparton and Greater Bendigo LGAs, which cover the Euroa electorate. In 2022 Benalla was said to have the highest rate of family violence per capita in the entire north-east of Victoria, and numbers have only gotten worse. In Benalla family violence incidents are up 17 per cent from last year, and the numbers are alarmingly more than double the state average. There were a total of 423 family incidents in Benalla this past year and 289 breaches of family violence orders for an area with just 10,000 people. To put that into perspective, the next highest offence recorded was criminal damage, with 108 incidents for the same period. The numbers continue to rise each year for family violence, and more needs to be done to address this issue.

These statistics paint an alarming picture, but Benalla is not alone. The Mitchell shire has seen an 11 per cent rise to nearly 1100 total family incidents and 736 breaches of family violence orders. Many of these incidents occurred in Seymour, one of the largest towns in my electorate. In 2021 a news article declared:

If Seymour were an LGA, it would have the highest family violence incident rate in the state.

Despite these heartbreaking statistics, Seymour remains without a physical point of contact for those experiencing family violence. I recently spoke about family violence in the region with former police prosecutor Peter Comte, who spent 20 years on the job in Seymour. During this discussion several areas of concern about family violence were raised, including its frequency, how it is policed and adjudicated and also how support is offered to those who have survived it. When Peter first started his role, there were a few family violence incidents mixed in with the general case load, and now the courts require an entire day every single week just to handle these cases due to the alarming frequency of them. When it comes to strangulation, he points out that there have been difficulties and shortcomings in the investigation stage. With police trained to look for evidence, the frequent lack of visible injuries from strangulation have meant that too many cases have been ignored or charged with a low-level unlawful assault. This stresses the need for education amongst our police services and our courts. I know of local women who have decided not to come forward because of a lack of support after the incident as well as in the courts. They have decided to live in danger because coming forward without support was even more dangerous. The court decisions, Peter said, had been watered down. Despite high maximum penalties, the adjudications were often settled at the minimum or not punished at all. Survivors often felt like the ones on trial. It was their testimonies picked apart while the perpetrator rarely had to give evidence at all.

Sadly, there are not enough support services in many of our regional areas. In Seymour and Benalla, the Salvation Army has protected our women and children by providing temporary short-term accommodation at motels for survivors. Thankfully, we are starting to see more support groups emerge in regional communities, with groups like the Orange Door and the Centre Against Violence. While outreach services exist, both operate outside Seymour and Benalla, and I know of incidents where the barrier of transportation has prevented women from seeking help. While community awareness of violence against women and their children is growing and the quality and availability of support services are increasing, we are still seeing the amount of crimes grow at a very concerning rate.

While this bill is set to introduce important legislation to address this crime, I have my concerns about how this will actually be policed, particularly in regional areas. The Labor government's neglect of Victoria Police is putting the safety of our local communities at risk. With rising crime rates and

declining police numbers, stations are operating at reduced hours and our single-officer stations are at risk. How are police going to be supported to help enforce this new legislation? There has been an alarming increase in crime across regional Victoria, particularly in youth crime, family violence and farm crime. Criminal incidents rising by over 10 per cent in a year across multiple regional communities needs to be taken seriously. We know it is becoming increasingly difficult to prevent crime with fewer officers on duty. Labor promised to recruit up to 2000 new officers, but the latest Victoria Police annual report confirmed there are 319 less police officers compared to last year. We have heard the Minister for Police say there were no staffing problems across Victoria Police, but these numbers do not lie. There are 800 general Victoria Police vacancies, with an annual exodus of 500 officers from the force and more than 800 police officers off duty on WorkCover. It has come to light that one out of every five police officers are expected to leave in the upcoming year. The consequence of this is a loss of 3500 dedicated officers from active duty.

A study by Swinburne University has revealed a staggering 67 per cent of officers feel burnt out, workload pressure is skyrocketing and stress levels have reached unprecedented heights. Police whistleblowers have raised the alarm, stating that major crimes, including sexual assault, are taking three years to be investigated. Intervention orders are not being served on time, police vehicles remain idle and stations are closing without notice. Police shortages are now affecting vital frontline services. Keeping our community safe is crucial and I am pleased to see this legislation addressing that, but it is essential for the government to also focus on improving staffing at our local police stations to make sure that laws like this one are actually effective and not just created without impact.

Nina TAYLOR (Albert Park) (16:04): Certainly very important amendments are being brought about today through the Crimes Amendment (Non-fatal Strangulation) Bill 2023. There is no question that non-fatal strangulation is a highly dangerous and potentially life-threatening form of offending, and it is mortifying to think of one human being inflicting this kind of violence on another human being. When you stop and reflect, it is very difficult to understand how a relationship could get to this point. Nevertheless, it has to be acknowledged that the sheer prevalence of family violence attests to that fact.

Whilst this conduct is already captured, and I just note that, by criminal offences such as common assault, intentionally or recklessly causing injury or assault with intent to commit a sexual offence, non-fatal strangulation is particularly prevalent and concerning when it occurs in the context of family violence, and here I am coming to the core purpose of these reforms. When committed as an act of family violence, it is an indicator of significant future risk of serious harm. Sadly, we know that non-fatal strangulation is rarely an isolated event and often indicates an escalation of violence and coercive and controlling behaviours in a family violence context and that women who survive a non-fatal strangulation are seven times more likely to be seriously injured or murdered by that partner, which is absolutely staggering. We know the barriers that the absence of a standalone offence in Victoria have represented when we are looking at these particular reforms in terms of identifying, reporting and prosecuting this offending and therefore making it harder to monitor its impact and assess risk. So coming to the core purpose here of these reforms, addressing the unique risk profile of non-fatal strangulation as an act of family violence really is the fundamental driver for these reforms.

Before I proceed I do want to acknowledge the incredible advocacy for the creation of a standalone non-fatal strangulation offence by the family of the late Joy Maree Rowley. We know that Joy was tragically murdered by strangulation and suffocation in 2011 after being non-fatally strangled by her killer on at least one occasion prior to her death. Joy's children Aaron, Nadine and Renee and their father Les have campaigned tirelessly for the creation of an offence which better responds to and better identifies the risks of non-fatal strangulation, so I do want to specifically acknowledge their incredible patience and persistence, and I thank them for their commitment to driving these very important reforms. Certainly their advocacy has been heard.

I do want to tackle some of the key issues that were raised by the opposition, and we welcome the raising of those matters in the chamber so that they can be properly assessed and debated. When it

comes to the alleged broadness of the definition of ‘chokes, strangles or suffocates’, it is deliberately broad. Why – to overcome difficulties in prosecuting non-fatal strangulation that jurisdictions that do not define the term or define the term more narrowly have experienced in practice. Therefore we do have the benefit of having documentation that is able to assert the challenges that have presented to date, and this is why the particular strategy has been implemented in terms of the way ‘chokes, strangles or suffocates’ is defined in this particular bill. A very similar definition, I note, is now used in the ACT and the Northern Territory to address these difficulties. In the Northern Territory ‘chokes, strangles or suffocates’ includes applying pressure to any extent to the person’s neck. Similarly in the ACT ‘chokes’ means applying pressure to any extent to the person’s neck. I hope that clarifies the purpose behind having a relatively broad definition with regard to those very important elements of the offences in this bill.

A further question was with regard to these behaviours when outside the context of family violence. Non-fatal strangulation has always been – let us be clear – and will continue to be a criminal act regardless of whether the parties are family members. Currently, non-fatal strangulation is charged under other criminal offences such as common assault, intentionally or recklessly causing injury or assault with intent to commit a sexual offence. Where the prohibited conduct occurs outside a family relationship, these charging options will continue to be available, so no-one is resiling from the seriousness of that activity. The standalone offences are specifically designed to address the unique risk profile posed by family violence offenders using non-fatal strangulation. If we bring the underlying purpose of these reforms to the fore, then we can see why the legislation has been drafted in this manner, because we will have to concede the extraordinary challenge that continues to present in terms of stamping out family violence, whether prevention from the outset or actually addressing the acts once committed and making sure that the perpetrators are duly held to account for behaviour that as a community we deem unacceptable. I hope that clarifies the positioning of the particular reforms within this bill, noting that they are not resiling from the seriousness of such behaviour were it to be undertaken outside the context of family violence. I hope that clarifies that particular context.

When we were talking about addressing the scourge of family violence I know the comment was made: ‘I hope that passing this legislation doesn’t therefore mean “set and forget”’. I think that you can clearly see by the massive reforms in terms of gender equality – the 227 recommendations that followed the Royal Commission into Family Violence and the many other elements that have been established – that there is a continuum in this space. There has to be, that is fully acknowledged, but it is not lip service because you can see – and I know, in my capacity as Parliamentary Secretary for Justice as I go around and visit community legal centres and other members of the community and professionals who are undertaking important work to support those at their time of need – that there are significant elements that have been implemented to date and are continuing, because we will keep going; that is absolutely unequivocal. I hope I am not overstating it, but that is certainly a commitment on the part of our government.

Of course it spans so many aspects of the structure of government per se to the broader community, whether it is representation of women on boards, whether it is representation of women in Parliament, whether it is educating particularly younger generations about what affirmative consent means or whether it is the establishment of the Orange Door and thereby facilitating a more, for want of a better word, streamlined process for those in acute situations to be able to address serious and unacceptable behaviour – and I am specifically talking about family violence in our community. Rest assured, this is an incredibly important tool that is being implemented here and now through the processes of Parliament, but it is one key tool as part of a holistic approach to addressing the scourge of family violence. And it does not stop today; we keep going until this scourge has been definitively stamped out from our community.

Sam GROTH (Nepean) (16:14): I rise to speak on the Crimes Amendment (Non-fatal strangulation) Bill 2023. This is and will forever be, after the next few days, I imagine, ‘Joy’s law’. Joy Rowley was a mother in my local community in Rye. In 2011 she was smothered to death in her

home by her partner, who was later sentenced to 19 years in jail for murder. That was back in 2012. Eight months prior to the murder the perpetrator had choked Joy unconscious and committed other breaches of family violence protection orders, which at the time were not properly dealt with. Joy's family – and I know they were here and have been pushing strongly for this for a long time – Nadine, Renee and Aaron ever since that time and right through to when it finally happened pushed strongly for a coronial inquest into their mother's death, which eventually took place before the State Coroner Judge Sara Hinchey and those findings were handed down in July 2018. The findings included:

The introduction of a stand-alone offence for strangulation, suffocation or choking in Victoria may significantly help to ensure strangulation is treated commensurate with the risk it poses to victims, and remove the need to prove particular bodily harm or intent to cause injury. Such an offence will more effectively hold perpetrators to account for serious offending. Further, the new offence may build further awareness of the dangers and potential lethality of strangulation among police members, courts and community services practitioners.

Victoria Police had previously indicated its support for a standalone offence. In July 2019 the Labor government confirmed it would introduce the legislation, and here we are today debating it. But for the past four years the family of Joy have continued to press for the introduction of this legislation that was promised. We know research has shown that strangulation often does not leave visible injury, and while assault charges could apply previously, a standalone charge may significantly help, as we said. We need to make sure that perpetrators of family violence are held to account, and I note the member for Berwick said earlier that it is the job of the men in this chamber as well to stand up and call these things out when they happen and to stand strong and make sure that these sorts of offences are brought to light and they do not continue to happen. While we stand with victim-survivors always, it is also the job of the men in this chamber to call these things out and make sure they do not continue to happen, because it is quite often the men who are the perpetrators in these situations, and we can always do better when we call these things out.

I do also note the member for Malvern in his contribution did circulate amendments, and that was just addressed by the member for Albert Park. But we want to make sure legislation like this, when it is brought in, is having the intended effect, so I support the member for Malvern's amendments. Of course we want to see this bill go through. I think that we all want to see it be the most appropriate bill and to serve the purpose that it should, and I note that he moved an amendment that recommends a review no later than two years after the commencement of the act, completed no later than six months and 14 days after receiving it, to each house of Parliament. I support the member for Malvern in his amendment there.

I also note that Sexual Assault Services Victoria said excluding people who experienced regulation outside of a family relationship from the avenue of protection afforded by non-fatal strangulation laws essentially creates a second class of people and sends a mixed message to the community about strangulation. It will mean that people, overwhelmingly women, will receive a different response depending on whether they are assaulted by a family member or someone else, and we want to make sure that any sort of violence in this case, towards women or towards anyone else, is dealt with in the appropriate ways.

I will also note that the family of Joy Rowley are very, very supportive of seeing this legislation go through. But it is not just about passing legislation in this place. I know I said it is our job to call it out as well, but I think it is also to make sure that the government, with the support of the opposition in this house in general, has a public education campaign around these things and making sure that the public is fully aware. Quite often we stand in this place and we debate and we talk about things, but the majority of the population is not always listening to everything that we say in here, so we have got to make sure that we are out in public and there are public campaigns to make sure that this is understood as well and that we are doing everything we can – and also people like Victoria Police and the Office of Public Prosecutions are – for everybody to have an understanding of what they are doing.

This is legislation that is needed. I am not here to argue, but it has been a long time coming – it needed to be done sooner. ‘Positive’ is not the right word, but we are here now and it is the right thing to be moving this forward. We will not be opposing this legislation. But as I said, it is about not just what we do in this place when we stand here and speak about a bill like this but what we do when we go out in public. The information that we share, the actions that we call out and the behaviours that we practise ourselves are the important things when it comes to this.

I am glad to see this legislation coming through. I know my community, who were so deeply affected by this tragedy with the murder of Joy Rowley more than 12 years ago, is glad to be finally seeing this legislation come through this place. Some of the numbers that we have heard mentioned throughout the contributions of members on both sides – 49 is too many, one is too many people dying at the hands of family violence and perpetrators. I am glad to see this legislation going through. I support the amendment from the member for Malvern, and it is time for us to start to move forward.

Katie HALL (Footscray) (16:21): I am very pleased to be able to make a contribution on behalf of my community to the Crimes Amendment (Non-fatal Strangulation) Bill 2023. I would like to acknowledge the member for Nepean’s contribution, noting that perhaps from now on this will be referred to as ‘Joy’s law’, and the impact that her murder has had on his community and of course her family, whose tireless advocacy has helped bring it to this place.

I would like to start my contribution by acknowledging what underpins family violence – and gender inequality is what drives violence against women. We have a massive cultural problem in this country. Behind every statistic of course are many layers of human impact. On average one woman a week dies at the hands of her current or former partner – 47 women this year. Violence in intimate relationships adds more to the disease burden for women aged 18 to 44 years than any other risk factor – that is more than smoking or alcohol use. Sixty per cent of Victorian women – 60 per cent – have experienced some type of gendered violence and have felt at risk at work. Aboriginal women are 32 times more likely to be hospitalised due to family violence. Aboriginal women are 11 times more likely to die from assault. We have police attending family violence matters every 6 minutes. So when we talk about a cultural problem, it is really important that we acknowledge that what sits underneath it is gender inequality and that this is gendered violence that we are speaking about.

Non-fatal strangulation in the family violence context is a terrible precursor and warning of things to come. Victims of non-fatal strangulation are seven times more likely to face serious injury or death from the same partner. We have had a royal commission in Victoria and 227 recommendations, which have been acted on by this government, and that is such an important foundation for us as we move forward to try and change the cultural problem that we have in this state and in this country. I would like to acknowledge that in the western suburbs we have an absolute scourge of family violence issues.

We are well supported by organisations such as GenWest and McAuley Community Services for Women. I would like to speak a little bit about the work of GenWest. They were formerly called Women’s Health West, and they are based in my electorate of Footscray. Whilst they support victims of family violence and their children, they also work tirelessly to collect data, to develop research and to advocate for change when it comes to gendered violence. They are working every single day on changing gendered perceptions of women and cultural perceptions and to support the women and their children as they recover from family violence.

McAuley Community Services is an extraordinary organisation in my electorate. There is a safe house in Footscray, funded by the Andrews Labor government, which provides long-term accommodation for women who are leaving violent relationships. The work they do is so complex. It goes from support to making sure that a woman’s financial situation and legal situation, whether that be through bills or the legal support they need through Westjustice, is provided. They work with Jobs Victoria to provide economic independence to women who have been trapped in the most awful situations. They have helped hundreds of women in recent years to start new lives. But that takes time, so often the women

staying with McAuley community services stay for longer than six months. It is really a remarkable organisation.

I would like to reflect a little bit on the layers of impact and the impact on children. This is how Michelle, a children's worker employed by McAuley, describes the paradox that mothers and children can find themselves living with where they may be each other's primal source of love but they cannot express it because when mum is being abused at home she is constantly in a state of alertness. Her body is drained because she is so focused on fighting this violence or staying quiet so as to not trigger the perpetrator. She is disengaged, and that takes away from her the relationship with her child. Research by Australia's National Research Organisation for Women's Safety concludes that children in families with parental conflict have worse health, social and educational outcomes than children in families without it. Social and health outcomes are worse for children where there is persistent family violence. There is greater probability of impaired parenting in homes with family violence, and children are more likely to experience physical and verbal parental conflict after their parents have separated. According to one of the world's largest and most impactful studies on childhood trauma, the risk of children who have experienced it having poor outcomes as adults is extremely high.

In 2021, 42 per cent of all clients of homelessness services presented because of family violence. McAuley Community Services for Women advocate for a shift in the culture where women experiencing family violence leave the family home. They are advocates for that to be shifted. They advocate for Safe at Home, which involves maximising safety through a combination of legal and judicial policy and home security to exclude the perpetrator rather than the victim and to protect the victim. This is something that Jocelyn, the tireless CEO of McAuley social services, has been working on for some time. It is extraordinary work. It is very important.

There have been a lot of contributions today that have been really powerful, talking about experiences from electorates across Victoria, and I think we are at a point in time in this country and in Victoria where we are acknowledging the role of men and that men have to help shift the culture to make sure that bills like this are not needed into the future. How extraordinarily sad that non-fatal strangulation is something that in 2023 is still such a dominant issue in family violence and that this scourge of family violence – the woman who is dying every week at the hands of a current or former partner – is not some sort of national crisis that we are talking about every single day and is not on the front page of the newspapers.

Chris CREWTHER (Mornington) (16:31): I rise today to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. This is a significant piece of legislation that in its essence inserts two new offences of non-fatal strangulation into the Crimes Act 1958 – first, an offence of non-fatal strangulation, with a five-year maximum imprisonment penalty, and second, an offence of non-fatal strangulation intentionally causing injury, with a 10-year maximum imprisonment penalty. The bill also amends the Family Violence Protection Act 2008 to insert:

choking, strangling or suffocating ... a family member or threatening to do so ...

into the list of behaviours constituting family violence.

The bill comes after a spate of legislation enacted by various state and territory governments over the past eight years, with Victoria the only state or territory with no current specific non-fatal strangulation offence. The bill also comes more than 12 years after the murder of Victorian mother Joy Rowley, who was strangled to death in her Rye home on the Mornington Peninsula by her intimate partner James Mulhall. It was not the first time he had strangled her. In the nine months leading to her death Rowley had reported multiple incidents of family violence by Mulhall to Victoria Police, including one in which he threatened to kill her and choked her to the point of unconsciousness. At the time of her death Mulhall was also facing outstanding criminal charges for a previous assault on Rowley and was in violation of a current family violence intervention order.

During the coronial inquest that followed Rowley's tragic death, Victoria Police assistant commissioner Dean McWhirter recommended to the state government the introduction of a standalone offence of strangulation. The coroner's findings concluded:

The introduction of a stand-alone offence for strangulation, suffocation or choking in Victoria may significantly help to ensure strangulation is treated commensurate with the risk it poses to victims, and remove the need to prove particular bodily harm or intent to cause injury. Such an offence will more effectively hold perpetrators to account for serious offending. Further, the new offence may build further awareness of the dangers and potential lethality of strangulation among police members, courts and community services practitioners.

Rowley's family and others have, ever since October 2011, tirelessly campaigned for the introduction of a standalone strangulation offence. Strangulation is the obstruction or compression of blood vessels and/or airways by external pressure to the neck, impeding normal breathing or circulation of the blood. It is a leading cause of death among women killed by a current or former male intimate partner. Indeed strangulation/suffocation has been cited as the cause of death of 14 to 16 per cent of male-perpetrated intimate partner homicides, and those women who survive non-fatal strangulation on one occasion are six or seven times more likely than other victim-survivors of family violence to experience death or very serious harm in the weeks or months that follow.

Up to three-quarters of women escaping domestic and family violence and residing in shelters report experiences of non-fatal strangulation from their previous partner. Of course, while not in the majority, victims also include male family members. Strangulation is frequently motivated by coercive control, a pattern of controlling and manipulative behaviour within a relationship. Through strangulation, domestic violence perpetrators can show that they literally hold the victim-survivor's life in their hands.

There have been some concerns raised, however, that introducing new standalone strangulation offences might divert attention away from more systemic failures to properly utilise existing laws, particularly from police failures at times to comply with operational policies and procedures related to family violence. Marianne Jago from the Women's Legal Service Victoria argued that Victorian law:

... contains provisions for strangulation to be criminalised. Unfortunately, we regularly see cases where police have not followed existing good practices and policy.

Such a statement is of course particularly salient in the context of the inquiry into Joy Rowley's death. McWhirter delivered an apology to the Rowley family, admitting that prior to her death there were failures of compliance with policy within Victoria Police. The coroner further stated:

Ms Rowley's case demonstrates a failure by frontline Victoria Police officers to implement policies relevant to family violence which were in existence at the time of the family violence incidents involving Ms Rowley, and at the time of her death.

The coroner recommended that Victoria Police engage in a widespread review of family violence related homicides to ensure police policies are as effective as possible in preventing and dealing with family violence.

Family members of Joy Rowley are supportive of the bill. However, they have expressed concern that this legislation might not be accompanied by a public education campaign, and they are unsure how it will operate in practice in terms of whether VicPol and the DPP will use the new offences effectively. The family of Joy Rowley, which have been pivotal in the campaign for this legislation, are keen to keep its focus on family violence. As the Shadow Attorney-General the member for Malvern outlined in his earlier contribution, the drafting option taken by the government, being a broad definition in the act but with a narrow application through the family member nexus, is open to criticism. The reality of how it will work in practice will be the test of whether it has been or will be effective. For this reason it is recommended to amend the bill to require a statutory review of its implementation after two years of operation, with this review to occur within six months and to be tabled in both houses of Parliament. I note that Joy's family are very supportive of the Victorian opposition's proposed amendment to the bill to incorporate a statutory review after two years of operation.

I would also like to take a moment to discuss a motion put forward in the upper house to investigate adding an animal cruelty offence to the Family Violence Protection Act 2008, with the motion further exploring ‘the link between violence towards animals and humans’. It will be very interesting to see the results of this investigation, especially given the wealth of statistical information and research that exists in relation to animal cruelty and family violence. In one Victorian study 53 per cent of family violence survivors said that their partner had hurt or killed one of their pets. Further, in its submission to the Victorian government’s Royal Commission into Family Violence the RSPCA said that:

It is well documented that perpetrators of family violence use overt threats and actual harm to animals as a mechanism to attain and maintain control of their family ...

In many cases animals were abused as a method of controlling partners while in the home, or they might be starved, abused or neglected when the victim fled. According to the animal welfare agency, one in three women delay leaving situations of family violence due to concerns about leaving their pets behind. This is further exacerbated by the fact that most refuge or crisis accommodation options will not house animals.

In closing my contribution on the Crimes Amendment (Non-fatal Strangulation) Bill 2023, I would like to commend the family of Joy Rowley, who have campaigned tirelessly since Joy’s murder for changes to the law. Thank you to Joy’s children, who have never given up and have been campaigning for many years for law reform in the area of non-fatal strangulation. To Renee and Aaron Woolridge and Nadine Power, nee Woolridge, as member for Mornington and as Shadow Parliamentary Secretary for Justice and Corrections and also joining with other members in this place, we are all very, very grateful and proud of your efforts along with those of other family members to raise awareness of this important issue. Your fight for justice has been pivotal in the campaign for this legislation. The member for Malvern refers to this as ‘Joy’s law’, which is a fitting tribute to Joy and raises awareness of family violence. I commend this bill.

Bronwyn HALFPENNY (Thomastown) (16:40): I also rise to speak in support of the Crimes Amendment (Non-fatal Strangulation) Bill 2023. As previous speakers have said, this is a piece of legislation to amend the Crimes Act 1958 to include two new offences, with new penalties for those offences. Those are, as the title says, offences of standalone non-fatal strangulation of a family member, and there are various definitions of what that means and of course what ‘family member’ means as well. There are two offences. One has a maximum penalty of five years jail and the second of 10 years. There is also a consequential amendment that is required in the Family Violence Protection Act 2008 to recognise non-fatal strangulation for the purposes of intervention orders and also for bail considerations. These amendments have been a longstanding commitment of the Allan Labor Victorian government. This was first referred to in the *Community Safety Statement 2019–20*, some time ago, and of course it arose from a number of terrible tragedies. I have to at this point just commend Joy Rowley’s family for their advocacy, their courage and their persistence in this matter and also express how sad the circumstances were around Ms Joy Rowley’s passing.

This legislation is about ensuring that we have proper penalties and proper recognition and also I guess awareness of certain acts that can lead to other acts. The non-fatal strangulation of in most cases a woman has a significant risk factor to it that indicates that further escalation of violence, and in fact murder, can result from that. It is a bit similar I think to the Betrayal of Trust inquiry. I was on that committee that looked at child physical and sexual abuse in non-government organisations, and one of the issues that arose was around grooming and that there were not actually sufficient penalties to prevent grooming. It was a thing that would happen that would indicate a risk that certain actions or activities of somebody in order to groom a child or to induce a child would not have an adequate penalty, and the police were really powerless to then prevent further things happening to that child. This is a similar case in that we need to have offences that have been documented. There is a lot of evidence to prove that in the case of a non-fatal strangulation act, this does lead to escalated violence and in many cases could lead to the death of a woman in an incident of family violence committed by her partner.

It is important that we have this sort of legislation to make sure that we are trying to prevent further things happening. As other speakers have said, family violence is just a scourge on our society and our community. It is gendered violence against women – in most cases it is women that are attacked and killed – so we need to really make sure that we continue our march to try to prevent and eradicate this terrible scourge on our society. The Labor government of course started with the Royal Commission into Family Violence, to get everyday people, victim-survivors and those working in the area to come together to talk about what it is that we should be doing to ensure that women are reporting acts of violence against them and also how we are going to deal with perpetrators and support women through this process.

For example, in the Thomastown electorate there is a housing complex of supported living for homeless women. If you talk around the table having a cup of tea, every woman that you talk to in that housing complex has a story of family violence behind their homelessness and other terrible things that have happened to them through the course of their lives for them to end up where they are. In saying that, though, of course this accommodation really is very supportive. It is finally, as the women tell me, having a home again – a roof over their heads – and then they can get back on with their lives and get themselves into having interests and an interest in what they are doing.

Whittlesea Community Connections is also an organisation in the City of Whittlesea in the Thomastown electorate that does a lot of work providing legal services and other support for women, because the municipality of Whittlesea has sadly some of the highest reporting of family violence incidents in the state. It really is something that we are all looking at. We all have a job and a role to play in making sure that we make Victoria – and in fact Australia – safer, in particular safer for women, particularly in their own homes. As I mentioned, the Labor government has really put a focus on family violence. We know the statistics are terrible. We know that it is a long-term issue not just of penalties and support but also a very long program of ensuring that women are equal, that they are respected in society and that those people living in society are behaving in a respectful way.

I look at some of the programs in the schools, particularly in some of the primary schools, around respect. I know for example Harvest Home Primary School has an incredible program there that has been used as a model in the area for ensuring that young children are taught how to deal with their anger and how to work with and care and support others. When you look at that school and what the students are doing – it is with great pride I see such a school with the students there doing that sort of work.

Family violence is something that we all need to work to eradicate. This is one further step after many pieces of legislation that the Allan Labor government has introduced in order to continue the fight against family violence and to ensure that perpetrators are properly dealt with. I think another speaker mentioned the coroner. It is not just about having the laws and stronger penalties and interventions early. It is also about raising awareness, whether it is amongst the general community, whether it is within the police force or whether it is in other government services and agencies. We all have a part to play in this. I think this legislation is another further step towards ensuring that family violence is well and truly under the spotlight and that we continue to work to reduce such crimes with of course the ultimate aim to eradicate it.

Jade BENHAM (Mildura) (16:49): I am grateful today to rise to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. I will try and keep it brief, but often when I say that it is seldom the case, as you well know. But I am not entirely sure how my body will react to this bill, so bear with me. It is actually something I consciously have in the past avoided talking about. But I heard the member for Lara earlier – she had been speaking about some courageous women who had spoken about family and domestic violence, and that made me think of Kim O'Reilly, who has become an advocate. And doing a podcast with Kim got me to speak about my experiences 20 years on that I had never spoken about out loud before. I am grateful now that this is before the house and becoming a standalone law in Victoria. The member for Malvern – Joy's law, he refers to this bill as – referenced that this bill is perhaps five years too late. I would suggest that it is 20, 30 years too late, but at least there is a name for it.

When I went through some experiences that I have heard referenced throughout the debate today it was like reading from a textbook – yes, the control, leading to escalating violence, the reddest of red flags, as I heard the member for Tarneit and a few others say today. It is like flipping through a memory book, which is not great, but now that there is a name for it and that there is legislation before the house, I am grateful, even though it is 20 years too late for me.

The member for Malvern has also submitted an amendment. During discussions post bill briefing – I have been working with the member for Malvern on this quite closely, and I thank him for his time; he has been very, very generous with his time on this and very gentle too, I might add, which has been great – and working through some of the technicalities which we have heard a lot about today, there were suggestions that maybe they needed to be reviewed, just because of some technical issues that may or may not arise over the implementation of this legislation. So I hope the government will support the Shadow Attorney-General's amendments on this bill, because I think it will be useful to have a review after two years.

Now that these incidents do have a name and victim-survivors, survivors and those that did not survive have a voice and a language to put to them, it does give us a voice, and I think it is important. I had toyed for so long with speaking in this place, in a very public place, about this and my experiences, in here. Some would say 'Don't', some would say 'If you can, you should' and others would say 'Why would you do it to yourself?' But I think it is really important that lived experiences from me and other members allow things like this. I say it fuels my hate fire, but it fuels a passion to work with survivors and to keep saying the names of those that did not survive, like my school friend Sam Fraser, who the media have covered extensively – and she is back in the news today – and who did not survive. We will keep saying her name, just like we will keep saying Joy's name – and I thank the Shadow Attorney-General for referring to this as Joy's law. It is very important.

But it does make me so much more passionate to advocate for people that are brave enough to speak about this in public, like Conor Pall, who was here with Respect and the victim-survivor advocacy group last week and who has just launched a book called *The Shadow That Follows*. He was another one that actually inspired me and gave me language that I feel like I had not had before, given it has been 20 years since this incident or this relationship happened to me. There was no language back then. It was some 23 years ago. There was no language; there were no words; there was no standalone legislation. In fact I was told that I needed to go and find somewhere to stay by the police in the flat that we shared, but after being controlled for six years you have nowhere to go. So Conor Pall came to me, seeking out my support to make coercive control also a standalone offence, and he just happened to be in the building during the last sitting week. It was a great opportunity to sit down with the Shadow Attorney-General and discuss how we might move that forward because legislation such as this and coercive control go hand in hand. Although it may be too late for some of us, it is better late than never. I hope that is something that we can push forward, and I do hope the government supports the amendments that have been submitted by the member for Malvern.

I did mention Conor Pall's book which this extraordinary young man has written and had illustrated called *The Shadow That Follows*. It gives language to the feelings that he felt as a young man being in a family affected by coercive control – family violence. He did not have the words for it, but this book gives language to that. He is such a powerful advocate against family violence and coercive control and is so brave to speak about his experiences publicly, so I figure if Conor can do it at 19 years old, there is no reason why I cannot do it now after 20-something years and at 43 years of age – yes, I am 43; I know, I hold it well – and there is no reason that I cannot speak about it as well and help the advocacy efforts of Joy's family, of Conor and of Kim O'Reilly and many others that I have spoken to along the way.

Thankfully, I got out, and I did marry perhaps the greatest human that the good Lord has ever put breath into, although he would argue with me saying 'the good Lord'; he would say, 'No, science' – whatever – which is probably why he is a great human. Like I said, there are many who do not or who cannot get out. I mentioned Samantha Fraser earlier, and I will keep saying her name because it is

important that we do keep saying her name. After extensive coverage in the media, and again, like I said, it has been back in the media today post a court case involving her perpetrator, it is clear that we are a long way from eradicating family and domestic violence – a long way. But any step such as this one is a positive one. Like I said, it is better late than never. I certainly hope the government will support the amendments, and I thank the house for the opportunity to speak about this incredibly important issue. I said I would keep it brief; I did not.

Alison MARCHANT (Bellarine) (16:58): I rise to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023, and I just acknowledge the member for Mildura for her contribution and bravely sharing that today. I will say from the outset that violence in any form is never acceptable. This bill appropriately strengthens our laws, and it sends a clear message that violence such as non-fatal strangulation will not be tolerated. It will not be tolerated here in Victoria and indeed should not be tolerated in this country or anywhere else.

Domestic violence does take many forms. Many of them can be non-physical in nature – for example, financial, verbal, emotional or social abuse. However, strangulation I think is one of the most lethal forms of domestic violence. Unconsciousness can happen in seconds, and death within minutes. This bill delivers on the Victorian government's commitment, including in the 2023–27 gender equality strategy and action plan, to introducing a standalone offence of non-fatal strangulation. The offences introduced with this bill will more effectively hold offenders to account and also provide clear indications to police and community service practitioners of escalating violence and control in the family context. This bill aims to improve the understanding of the dangers and potential deadliness of non-fatal strangulation among police, courts and community service practitioners, and it will help drive more effective law and health enforcement and responses.

This bill is going to introduce two offences of non-fatal strangulation to the Crimes Act 1958: an offence of non-fatal strangulation, with a five-year maximum penalty, and an offence of non-fatal strangulation intentionally causing injury, with a 10-year maximum penalty. Both offences will capture a broad range of conduct. The offences will prohibit choking, strangling and suffocating, which will be defined, non-exhaustive, as applying pressure to the front and side of the neck, obstructing and interfering with a person's respiratory system or impeding respiration.

Some of these Australian jurisdictions have standalone offences. The narrow interpretation has really imposed some inappropriately high evidentiary burdens on prosecutions, and it does add to that form of traumatisation of victim-survivors. The broad definition in this bill is to avoid that issue. The bill does also make reference to family members. These reforms to improve our criminal justice system are really to address the risk posed by family violence offenders who do use non-fatal strangulation as a means of terror and control. Providing offences that only apply to family members does allow the penalties to be tailored specifically to respond to this heightened risk and to better hold family violence offenders to account.

This bill also amends the family violence legislation. The bill amends the Family Violence Protection Act 2008 to include choking, strangling and suffocating of a family member – or threatening to do so – in the list of behaviours constituting family violence. This amendment ensures that non-fatal strangulation is recognised and if the risk can be mitigated when bail decision-makers are considering cases. The Allan Labor government, and the Andrews Labor government before it, is proudly delivering on the commitments from the Royal Commission into Family Violence in this bill, progressing our strong community safety and prevention of family violence reforms.

The royal commission did reveal – and it has been talked about today – the devastating prevalence and impact of family violence in this country, and it does set out a whole-system reform to end family violence in Victoria. We have acknowledged today there is still a long way to go. I will take this opportunity to thank those who have shared their lived experience, and considering lived experience is a way that we can continue to improve the prevention of and response to family violence. I would

like to acknowledge the family of Joy Rowley for their advocacy. They are at the forefront of the government's reform, policy and service delivery.

Non-fatal strangulation is rarely an isolated event. It does often indicate an escalation of violence, coercion and controlling behaviours in a family violence context. Women who survive non-fatal strangulation are seven times more likely to be seriously injured or murdered by that partner. In the absence of a standalone event in Victoria there has been a barrier to identifying, reporting and prosecuting this offending, and it has made it harder to monitor the impacts and assess the risks. Addressing the unique risk profile of non-fatal strangulation as an act of family violence has been a key part of driving these reforms. As I have noted, non-fatal strangulation has been recognised in multiple research studies across the world as an important risk for homicide of women, and researchers found that someone who survives a non-fatal strangulation by a current or former partner is seven times more likely to be seriously injured or murdered. It is important that we acknowledge that whilst women and children are most significantly impacted by domestic violence, it can happen to anyone, anytime. We need to remember that it does happen to husbands, children, brothers and sisters, and we need to look out for all instances of family violence in our communities. Non-fatal strangulation is a weapon; it is there to instil fear and increase control over a victim. In an abusive relationship, non-fatal strangulations are huge red flags, as has been mentioned today. It is a red flag that you are with a violent and dangerous abuser.

Victims explain that non-fatal strangulation is highly personal, up-close abusive behaviour. This is unimaginable for someone who has never experienced any abuse, but it is quite confronting to speak on this bill. For a recent 2022 report called *The Voices of Women Impacted by Non-Fatal Strangulation*, which was published by the Queensland Centre for Domestic and Family Violence Research, women were interviewed about their experiences. We have talked about lived experience being important in helping legislation. That report talked about how all women would talk about control – the word 'control' was used in every instance. The report stated that regardless of the number of times women were subjected to non-fatal strangulation, all of their accounts spoke about the strangulation being the ultimate act of exerting power and control. Marisa, which is not her real name, summed it up, saying:

... they are basically saying to you I can take your life.

Now, as confronting as this is, it is important I think today that I address it and express the seriousness and the horror of this type of abuse. Around Victoria there are homes where domestic abuse hangs as a frightening and deadly ticking time bomb. It affects people for life, and as legislators we have a responsibility to act.

Since the Royal Commission into Family Violence in 2016 I am proud that this government has worked tirelessly to implement all recommendations of the royal commission. Of course that does not mean we are done and dusted. We still have plenty of work to do, but from rolling out Orange Door, which I am proud to say is now in the Bellarine electorate, and establishing our first dedicated prevention agency Respect Victoria to delivering Respectful Relationships in schools, this government is leading the nation and trying to do whatever it can with the levers it has in addressing family violence and its reform. As I said, there is so much work still to be done.

We are passing this bill in the hope that it saves a life, and maybe saves many lives. The bill highlights that this form of violence is serious and is not tolerated by society. Violence in any form, like I said at the beginning, is not acceptable, and this bill appropriately strengthens our laws. It sends a clear, strong message that this violence will not be tolerated. I commend the bill to the house.

Wayne FARNHAM (Narracan) (17:07): I normally say it is a pleasure to talk on a bill, but after listening to the member for Mildura it gives me no pleasure at all. The member for Mildura is a close friend of mine, and it was very hard to sit here and listen, but I am going to continue on. I rise today to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. The purpose of the bill is to make non-fatal strangulation committed against a family member a standalone offence. Non-fatal

strangulation that falls outside the scope of this bill will continue to be dealt with by existing offences, such as assault.

I have not been in this chamber very long – I have not been here 12 months yet; I am a couple of months behind everyone – but I am sure everyone will agree with me that the expectation of the community is that we in this chamber at certain times have to be brave enough to support other people's ideas or other people's bills. I am extremely frustrated at the fact that this was recommended on 1 July 2019, and we are now in November 2023. It has taken four years to get to this point through the advocacy of Joy Rowley's family. I think the people of Victoria expect us to do better than that, because over those four years how many other women have been affected by this? It is legislation that we should have been introducing four years ago. This is the frustration I feel, and I would say a lot of Victorians would feel the same way. Why couldn't important legislation like this have been done three years ago, four years ago? The people expect bipartisan support on bills like this. This bill was obviously brought forward and advocated for from what happened to Joy. The member for Mulgrave – no, not Mulgrave, sorry, Malvern. That was a big FUBAR, that one.

Members interjecting.

Wayne FARNHAM: Member for Malvern – I am glad I could get a giggle in there today. The member for Malvern referred to it as Joy's law, and I think that is so apt. And as the member for Mildura said, when these things happen, we should not forget the victims that they happen to. We have to discuss another bill later on this week, which is probably going to bring up more emotion for people, but I will stick to this.

The member for Berwick said this earlier: when he was talking to this family years and years ago, why didn't the government reach out? Why didn't we work together as a chamber? There is no-one in this chamber that supports domestic violence. If you have not lived through domestic violence, you will know someone that has experienced it. Everyone in this chamber will know that. I can tell you that even close to me I have seen people being choked. I have had to witness that; I have had to live through it. This is why these laws are so important.

Do you know one thing that frustrates me? I am getting sick and tired of seeing YouTube videos of people filming stuff. I hate it. I think 'Who's the gutless person that won't step in and help?' That really annoys me. It annoys me so much. To every man in this chamber and every woman in this chamber, when you see violence against women or violence against children, do not take a photo. Step in, help them out.

Paul Edbrooke interjected.

Wayne FARNHAM: Thanks. I got emotional because it is obviously very personal. I have seen it happen too many times without intervention. That really pisses me off. That is unparliamentary, sorry.

When it comes to education, we have so much education on so many things in this state. Those who are old enough will remember 'Slip! Slop! Slap!' about skin cancer. We have drink-driving education. We have drug education. The point of this bill – and I really want this bill to work – is education. Education and intervention are really important to make sure this bill works. That is why the member for Malvern has put forward the amendments, and I support those amendments. I think it will be very important in two years time to make sure this works. We want it to work. We do not want to see violence against any woman in this state – ever. I encourage the government: please look at the amendments. They are not there out of malice; they are there to give us a chance in two years to review the legislation to make sure it has worked for those it has intended to protect. It is so important to do that.

I am not going to go for much longer, because I kind of lost it a little while back. I am grateful that this bill has come forward. I am critical that it took four years. Paralysis by analysis is not a good thing; it is not productive. I would encourage the government: if there is another bill similar to this, do not wait four years. How many people have been hurt in that period? We saw the case of a lady up in Kangaroo

Flat, a Filipina lady, just last month. That was another death from domestic violence. That is the end. The last thing I will say is let us not hesitate anymore. Let us get the bills in here that protect the most vulnerable as quickly as we can.

Anthony CIANFLONE (Pascoe Vale) (17:15): I am honoured to follow in the footsteps of the member for Narracan's very heartfelt contribution, which I commend him for. I rise to support the Crimes Amendment (Non-fatal Strangulation) Bill 2023. In doing so I would like to begin by acknowledging that we are currently in the midst of commemorating the global 16 Days of Activism against Gender-Based Violence. I commend the work of the Minister for Prevention of Family Violence and of Respect Victoria and all the other organisations, but particularly Respect Victoria, who were in Parliament last sitting week, and I will touch on that a bit shortly.

Everyone should have the right to feel safe in our communities and in our homes. Sadly, however, this is not the case for many Victorians, particularly women and children. This is because despite the best efforts of federal, state and local government and non-government organisations, gender-based violence and family violence remain among the most common law and order issues across the country and the state. Sadly, according to Our Watch, on average one woman a week is murdered by a current or former partner. On average, 15 women a day are hospitalised due to domestic violence. Just think about that.

According to the Australian Bureau of Statistics Personal Safety, Australia report, which was released in March this year, across Australia an estimated 8 million Australians, or 41 per cent, have experienced violence or physical or sexual abuse since the age of 15, including two in five women who have experienced violence – that is 39 per cent, or 3.9 million women. One in five women have experienced sexual violence – that is 22 per cent of women in Australia. One in three women have experienced physical violence – 31 per cent. One in five women have experienced stalking – 20 per cent. That is over 2 million women.

Across Australia the prevalence of intimate partner and family member violence experienced since the age of 15 remains alarmingly high. One in four women have experienced violence by an intimate partner or family member – 27 per cent of the female population. One in 12 women have experienced violence by a family member. One in four women have experienced violence by an intimate partner – that is 2.3 million women. One in 11 women have experienced violence by a boyfriend, a girlfriend or a date – 9.3 per cent, or 920,000 women. One in six women have experienced violence by a cohabiting partner – around 17 per cent. One in four women have experienced cohabiting partner emotional abuse – 23 per cent of women. One in six women have experienced cohabiting partner economic abuse – around 16 per cent. And almost 13 per cent of women have experienced some form of sexual harassment.

When it comes to children, according to the ABS an estimated 2.7 million Australians aged 18 years and over – 14 per cent – have experienced some form of physical or sexual abuse by an adult before the age of 15. Of women, 18 per cent, or 1.1 million women, have reported experiencing sexual abuse during childhood. And 10 per cent, or 988,000 women, have reported experiencing physical abuse during their childhood. In my municipality of Merri-bek, for the year ending 2022 we recorded 1996 family violence incidents. Thus far in 2023 we have recorded 1987 incidents. These statistics all combined are truly stark, and behind each statistic is a mother, a sister, a son or a daughter.

As parliamentarians in this place we all have a role and responsibility to do everything we can to end gender-based and family violence, especially the male parliamentarians, and to send the message that it is not acceptable, that it is not on. That is why the Victorian Labor government established the landmark Royal Commission into Family Violence in 2016, the first of its kind in the nation, which went on to reveal many failures and areas of reform across our system that needed improving. The royal commission, on page 18, found, sadly, the following main trends emerged, and they are consistent with much of that data that I just referenced:

- Family violence disproportionately affects women and children, and the majority of perpetrators are men.
- Female victims are more likely to be a current or former partner of the perpetrator ...
- Some groups are at greater risk of family violence or experience it at increased rates. This includes Aboriginal and Torres Strait Islander peoples and women with disabilities.
- These and other groups face particular barriers in seeking and obtaining help; they include people from culturally and linguistically diverse backgrounds and people living in rural, regional or remote areas.

Although it is not clear whether the prevalence of family violence (that is, the proportion of the population who have experienced such violence at least once) is increasing, we do know that there has been greater reporting of family violence, leading to an increase in incidents being recognised. In Victoria this has been evident in the increased number of reports to police and the number of family violence intervention orders being issued.

The Victorian Labor government announced the implementation of the final recommendations of the royal commission on 28 January of this year, meeting our commitment to implementing all 227 recommendations put forward by the commission. The commission included 25 days of extensive public hearings, community conversations with over 800 Victorians and nearly 1000 written submissions being received, with the commission's 227 recommendations very much continuing to be the foundations of our work in this space. The commission's recommendations collectively sought to find ways to better align and coordinate government community services to address and prevent family violence, improve support for victims and hold perpetrators to account. In this respect I draw the house's attention to page 32 of the family violence royal commission report, which helped inform the necessity of this bill and which stated and found that:

Family violence-related deaths are the ultimate tragedy of family violence. They are not uncommon, and intimate partner homicide is the most common form ...

sadly. The royal commission identified the Victorian Systemic Review of Family Violence Deaths as a valuable way of reducing the risk of further deaths, which they suggested be statutorily established, with funding provided that is sustained and adequate to ensure that the Coroners Court can continue to expand the review if required. Building on the work of the commission, the Labor government's gender equality strategy and action plan 2023–27, which was recently released, seeks to help us continue building the foundations for a more equal and safe state for all Victorians. Action 80 in this strategy commits the government to:

Explore options to introduce a standalone non-fatal strangulation offence, to address this serious and insidious form of offending that occurs particularly in the context of family violence.

This bill seeks to progress this recommendation through the introduction of two new indictable offences of intentional non-fatal strangulation against a family member to the Crimes Act 1958. Standalone offences are needed to support the identification and prosecution of non-fatal strangulation, which often occurs within the context of family violence and is a predictive risk factor for future harm or even death. The bill will introduce two new offences of non-fatal strangulation in the Crimes Act: an offence of intentional non-fatal strangulation against a family member as defined in the Family Violence Protection Act 2008, with a maximum penalty of five years imprisonment, and an offence also of intentional non-fatal strangulation against a family member which intentionally causes injury, which has a maximum penalty of 10 years imprisonment.

The bill will also make a consequential amendment to the family violence act to ensure that non-fatal strangulation is recognised as an act of family violence for the purposes of family violence intervention orders, consideration of bail applications and protections for witnesses giving evidence. The offences will prohibit choking, strangling or suffocating, which will be defined non-exhaustively as applying pressure to the front or sides of the neck, obstructing or interfering with a person's respiratory system and impeding respiration. Some Australian jurisdictions, including Queensland, South Australia and the ACT, have standalone offences and have seen courts narrowly interpret the term 'choke, strangle or suffocate' where this term is not clearly defined. These narrow interpretations have imposed inappropriately high evidentiary burdens on the prosecution and may have served to further traumatise

victim-survivors. The broad definition used in this bill aims to avoid this issue. The offences in this bill therefore will enhance the protection of victim-survivors, particularly victim-survivors of family violence; more effectively hold offenders to account; provide clearer indication to police and community service practitioners of escalating family violence situations; further raise awareness of the dangers and potential lethality of non-fatal strangulation among police, courts and community service practitioners; and drive more effective medical, legal and law enforcement responses. Non-fatal strangulation is a highly dangerous and potentially life-threatening offence that should have no place in our community. This conduct is already captured by criminal offences such as common assault, intentionally or recklessly causing injury and assault with intent to commit a sexual offence.

With the time I have remaining I would like to draw the house's attention to some of our local organisations who do work in this important space. Firstly, I would like to acknowledge and commend the work of Victoria Police locally, who are based out of Brunswick and Fawkner police stations and deal with these issues every single day. I thank them and all emergency services personnel for their services. I would like to also just acknowledge all of the social workers who work across our health, wellbeing and community sectors. They do an amazing job, and they deal really with the fallout of a lot of these issues on a daily basis – members of the ASU, the Health and Community Services Union and so many other unions. Our social workers – my wife used to be one for many years actually in this space – do a tremendous job, and we really owe them a massive debt of gratitude just like we do our nurses and doctors in the health sector.

I have so many organisations I would like to talk about that I will just quickly run through: Merri Health; VincentCare has a hub in Glenroy in Wheatsheaf Road; Youth Projects as well in Glenroy; Youth Activating Youth in Brunswick; the Oxygen youth hub in Gaffney Street, Coburg; the Ethnic Communities' Council of Victoria; Women's Health in the North; Respectful Relationships and our schools programs that we run; and of course the Orange Door services. One organisation I would particularly like to highlight, though, is VICSEG New Futures, which was first established in 1981 and is particularly focused on supporting migrant communities and migrant families. I recently had the pleasure of visiting them to announce \$88,000 to support their family violence prevention initiatives and to meet with the workers and the educators. They have been doing landmark work and really leading the way for so many years in this space amongst CALD, culturally and linguistically diverse, communities. I commend the bill to the house.

Nicole WERNER (Warrandyte) (17:25): I rise to speak in support of the Crimes Amendment (Non-fatal Strangulation) Bill 2023. This landmark legislation introduced by those opposite represents a crucial step forward in the ongoing battle against family violence and the protection of victim-survivors. I begin by thanking the member for Mildura for her powerful and brave contribution earlier. I thank her for sharing her lived experience and the memory of her precious friend. Also I thank my mate the member for Narracan for his deeply personal contribution earlier. I acknowledge how deeply domestic violence affects and impacts people across our state and speak with sensitivity to that fact.

Family violence, with its insidious grasp on countless lives, often manifests itself in silent acts of non-fatal strangulation. Statistics and research have unequivocally shown that individuals who survive such incidents at the hands of a current or former partner face a chilling seven-fold increase in the likelihood of severe injury or tragically even murder. Non-fatal strangulation is not just an isolated act but a terrifying indicator of an escalating pattern of violence and coercive control within familial relationships. This bill acknowledges the urgency of addressing this silent epidemic and takes tangible steps to protect those who are most vulnerable. By creating standalone offences specifically for non-fatal strangulation, the bill provides law enforcement, early intervention services and justice agencies with clearer tools to identify, monitor and respond to instances of this heinous act within the context of family violence. The predictive elements associated with non-fatal strangulation, often obscured when offenders are charged with generic offences, necessitate a targeted response. This legislation enables early interventions, reducing the occurrence of family violence and offering a lifeline to those on the brink of a devastating potential fatality.

The impetus behind the Crimes Amendment (Non-fatal Strangulation) Bill 2023 can be traced back to the tragic case of Joy Rowley, a mother from Rye whose life was cut short in 2011 by former partner James Mulhall. Mulhall, who was sentenced to 19 years in jail for Joy's murder in 2012, had a history of violence, including an incident eight months prior to the fatal attack where he choked Joy unconscious and committed other breaches of family violence protection orders. Unfortunately these early offences were not adequately addressed by Victoria Police. Joy's family, undeterred by the heartbreaking loss, advocated vigorously for a coronial inquest into her death. In 2018 State Coroner Judge Sara Hinchey delivered findings that underscored the critical need for a standalone offence for strangulation, suffocation or choking in Victoria. The report highlighted that such legislation would ensure that strangulation is treated with the severity it deserves, eliminating the need to prove specific bodily harm or intent to cause injury. This approach would hold perpetrators more effectively accountable for their actions and raise awareness among law enforcement, courts and community services about the dangers and potential lethality of strangulation. This law is truly, as the member for Malvern referred to, Joy's law, and I commend her family for their consistent advocacy that has brought us to today.

To ensure that this legislation works as intended, I would also like to speak in support of the amendment to the bill to provide for a statutory review of the changes after two years. There are legitimate arguments and concerns that 'chokes, strangles or suffocates' has been so broadly defined that it could result in offences not being adequately addressed. As this is Joy's law, it is important to recognise that Joy's family has been resoundingly supportive of a statutory review of the legislation, as is the opposition.

I would like to take the opportunity while we are discussing family violence and violence against women to commend Women's Health East on the border of my electorate, an organisation that does great work in the space of women's health and wellbeing. Women's Health East tackles the multifaceted challenges faced by women, addressing the intricate interplay of social, cultural, economic, political and environmental factors impacting the health, safety and overall wellbeing in the region. With a commitment to building capacity, Women's Health East collaborates with state and local governments, health and community organisations and various stakeholders invested in improving health outcomes for women.

Their emphasis on providing leadership, expertise and support to initiatives addressing key priorities is not only commendable but instrumental in driving positive change. As we speak to the Crimes Amendment (Non-fatal Strangulation) Bill 2023 I must extend my gratitude to them for their unwavering commitment to the betterment of women's lives in our community. Their tireless efforts in influencing public policy and discourse, delivering education programs and building organisational excellence underscore their role in the pursuit of a safer and healthier future for all women. I pay my thanks to their CEO Elly Taylor and all the staff at Women's Health East.

Crucially, this bill recognises that the impact of non-fatal strangulation is not always visible. Victims may bear no outward signs of injury, making it challenging to prosecute perpetrators under existing laws. The creation of specific offences acknowledges the gravity of the act itself even when the external evidence may be lacking, ensuring that justice can be served for those who carry the invisible wounds of such trauma.

The extended delay in introducing the Crimes Amendment (Non-fatal Strangulation) Bill 2023 is undoubtedly disheartening, as highlighted by the fact that the promise to implement this crucial legislation was made on 1 July 2019. The nearly five-year gap between that commitment and the actual introduction of the bill underscores the urgency of addressing the issue of non-fatal strangulation within the legal framework. Such a prolonged break raises questions about the government's responsiveness to the pressing needs of the community, particularly in cases where lives are at risk due to family violence. It is sad that Victoria is the last and only state in Australia without specific laws to prevent non-fatal strangulation. For a government that so often claims how proud they are to

be the first state to introduce one law or another, Victoria is the last and only state in Australia that does not have specific laws to prevent non-fatal strangulation.

In conclusion, the Crimes Amendment (Non-fatal Strangulation) Bill 2023 is a beacon of hope for those who have long suffered in silence. It stands as a testament to our commitment to eradicating family violence and creating a society where every individual can live free from fear. Let us unite in support of this bill, recognising its potential to save lives, protect the vulnerable and bring about a society where the rights and safety of all citizens are paramount.

Steve McGHIE (Melton) (17:32): Today I rise to contribute to the Crimes Amendment (Non-fatal Strangulation) Bill 2023. Firstly, I just want to acknowledge all the previous contributions that have been made in this chamber and also the passion that has come with that and the emotion that has come with that. I do acknowledge those members.

This law adds two new serious charges for deliberately choking a family member to the Crimes Act 1958, and these charges are separate and distinct so as to identify cases, to help catch and prosecute cases of choking that happen in families, especially in situations of domestic violence. Choking someone on purpose, even if it does not cause death, is a strong sign that more harm could happen in the future, and this law aims to address and prevent such situations. We have stood on this floor many times and reiterated our commitment to women and families and in particular children within families.

It was around four years ago I had a constituent that came into my electorate office to tell me about her experiences where her partner had strangled her, and at the time she was rendered unconscious for a short period of time. She requested that our government introduce legislation about this particular issue. Unfortunately, she was not believed by the police when they attended this situation because the choking fell outside of common assault and because of her relationship with the perpetrator. Again, as I said, she was not believed in any case, which was very unfortunate. But it was clear to me that the legislation needed to be changed, and it is something that has sat with me and something I have talked to colleagues about over the last few years, including the former Attorney-General the Honourable Jill Hennessy – about introducing legislation such as this. I did text my constituent last night that we were going to be talking about this legislation today, and I am just hopeful that the introduction of this legislation will ease my constituent's mind and put her at peace in regard to domestic violence and family violence and the experiences that she has suffered.

This bill will ensure that intentional non-fatal strangulation against a family member has a maximum of five years imprisonment, and intentionally causing injury carries 10 years. It is amending the Family Violence Protection Act 2008 to recognise strangulation as family violence, which is important in terms of family violence intervention orders, consideration of bail applications and protections for witnesses giving evidence. Some consider that the offences are too narrow and too difficult to prosecute, but others consider there to be risks with the application being too broad. Requiring the intentional causation of injury serves as a crucial safeguard to prevent wrongly labelling acceptable behaviours as criminal, and the intentionally broad range of actions covered and the absence of a defence based on consent mean that if the offence included reckless actions it could unintentionally encompass various legitimate behaviours not intended to be addressed by the reforms.

The design of the offence aims to target the most severe instances of this wrongdoing, justifying the significant maximum penalty. This approach is in line with the existing offences that carry comparable penalties, and allowing for an offence of non-fatal strangulation recklessly causing injury would warrant a maximum penalty of five years imprisonment. Choking someone, even if it does not lead to death, is very dangerous and can seriously threaten someone's life, and that has been spoken about in some of the other contributions. It stands that we have laws against things like common assault or intentionally hurting someone, which cover choking incidents, but when it happens in a family, in a family violence situation, it is a big warning sign that there is a high risk of more serious harm in the future. And of course in a world where women are more likely to die at the hands of their intimate partner, choking is a serious warning sign.

In 2023 we have seen that every five days a woman has been killed by her partner or ex-partner in Australia, and as a male I am absolutely sickened and disgusted that men continue to display behaviours that assault, that cause harm, that strangle or can even murder their partners, and the culture that encourages, allows, permits or whatever you want to describe it as to continue – I just do not understand why males in this country do these sorts of things. Sometimes it is celebrated by males, and again it just disgusts me that these things go on.

Melton has some incredible services available to people that are victims of these terrible acts, and I do encourage people to contact my office if there are issues that they need support with. We see that the Western Health website has a lot of information, and of course we have the Orange Door services out there and they do a fantastic job. We also have Djirra family violence service for Indigenous families and Indigenous women, and I want to send a shout-out to Antoinette Braybrook and her team out at Djirra. They do an amazing job with the Indigenous community, and I thank them very much for what they do. We also have Sahara Victoria Association, which is another family violence agency specific for the Indian community. Gurpreet Dhillon, who runs it out in the Melton area, deals with a lot of young Indian women that are suffering through family violence situations. I extend my thanks to them. They are only some of the agencies out west; there are many more, and I know that the member for Footscray spoke about McAuley house and other agencies. They do a magnificent job in the western suburbs, and I cannot thank them enough.

Non-fatal strangulation will not happen just once. Choking often means that the violence will get and is getting worse, and some of the injuries sustained are not just asphyxiation, not rendering someone unconscious, but the more serious things of serious and major bruising, in some cases neck fractures – and we do not even talk about that – they could be life-lasting injuries, and in others serious damage to the throat and also serious damage to the larynx and possible larynx fractures. Again, those are life-lasting injuries. I do not know if anyone has ever experienced dealing with someone with a neck fracture. You just imagine putting your hands around someone's neck and squeezing it so hard that all of a sudden you hear the neck bones go pop, and at whatever level they do pop, potentially you could render someone paralysed from the neck down if you damage the nerves through those neck fractures, so that is how dangerous this situation is. We know it is life-threatening, but also in some cases it has been life-ending. And the perpetrators in some cases have enjoyed it, and that is just terrible.

Recently, I am sad to say, there was a woman that was murdered by her partner in Melton, and again it just adds to the statistics that we have already rattled off – one woman every five days in this country is being murdered. It is just terrible. It happened in Melton just recently. We know there was a recent one that happened in Bendigo, and many others, and it is tragic. It is not just about the victim. It flows further down from that. It is about the families, it is about the friends, it is about the kids, and in a lot of cases the kids have witnessed these terrible crimes that have been committed by these despicable and I would say gutless men in most cases, absolutely gutless. But that is what is happening, and it is something that we have to stop. And that is what this legislation will certainly do by introducing the penalties that will apply.

We live in a modern, wealthy nation, but we harbour sexist attitudes, and with them persists a culture where women do more unpaid domestic work, earn less over their lifetime than men and retire with far less superannuation than men. These are all contributors to the way women are treated. These are all contributors to domestic violence, and these are things that we have to desperately change in this country. We have to make women equal in this country, and I know our government has introduced many pieces of legislation to do so and provided many support services to do so. It is a big education agenda that we need to educate males and teach them a decent lesson: that women are protected from harm, and we do not need to resort to it. I think good men do not resort to trying to harm women. This is a really important bill. I am pleased that the opposition are supportive of it, and I commend the bill to the house.

Martin CAMERON (Morwell) (17:42): I rise, too, to talk on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. As everyone has been saying, we do not oppose this bill and support this bill.

I would like to thank the member for Malvern for his bill brief, which explained the more technical terms to us in the coalition. It was great to be able to sit down and read it and actually take it in. As people have spoken about throughout the course of the day, speaking on this bill, it does beggar belief that there is one death every week from family violence, and as I stand here today in my 10 minutes there is one police call-out every 6 minutes. So as I stand here and speak there will be a phone call made to the police for a domestic dispute that they will have to go and attend. When you break it down to facts and figures like that, it does certainly hit home a little bit. I am happy this is going to be called 'Joy's law'. As we heard from the member for Mildura, having a name that they can associate with this law does bring a little bit of ease to people that have actually gone through violence, especially the ones that are in situations where this particular law does hit home.

The purpose of the bill is to amend the Crimes Act 1958 to provide for two non-fatal strangulation offences and to make consequential amendment to the Family Violence Protection Act 2008. The purpose of the bill is to make non-fatal strangulation committed against a family member a standalone offence, and there are a lot of people who have stood in the chamber and spoken about this. The bill is doing its job to push forward and make this happen.

It will continue to be dealt with as a standalone offence. Non-fatal strangulation that falls outside the scope of this bill will continue to be dealt with by existing offences such as assault. Victoria is currently the only state that does not have specific non-fatal strangulation laws. A considerable impetus for the introduction of this bill came from the circumstances of the death in 2011 of Rye mother Joy Rowley. Joy was smothered to death in her home by her former partner, and he was sentenced to 19 years jail for murder in 2012. Eight months prior to the murder, her partner had choked Joy unconscious and committed other breaches of family violence protection orders, which were not properly dealt with by Victoria Police, which was unfortunate at the time. Joy's family pushed strongly for a coronial inquest into her death. It did eventually take place before State Coroner Judge Sara Hinchey, and findings were handed down on 31 July 2018.

As we read through a couple of the findings, I am conscious that we do get up to speak on these amendments and bills going forward, but it is continual for her family, for her children and for her sister to actually sit through and listen to this again. It just continually brings up the thoughts of them losing their mother. I bring that point up as a couple of weeks ago I was contacted by Joy's sister who lives in Traralgon. She knew that this day was coming up when the bill was going to be spoken on in the house. She just sent me a message – I have known her for quite some time, going back many, many years – and alerted me to the fact that this bill was actually about her sister Joy. So I reached out and had a bit of a chat to her, and it still traumatises her to this day. I do not think you would ever get over something like that, but she kindly put me in touch with Joy's daughter Renee. If you ever wonder why they did not go away and why they virtually forced there to be an inquest, you only have to sit down and talk to Renee. You get the perspective from her about the passion for her mother and also the passion for the family to fight for these laws to be changed. It was educational for me to be able to sit down and talk with Renee on the phone. She was very frank and very open about everything. Although they were looking forward to the bill coming through the house and actually giving them maybe some closure – I am not sure if it will or it will not – she was also adamant that maybe it needs to go a little bit further.

With the amendment that the member for Malvern has put forward – I do hope the government takes into account this amendment – there would be a review in two years time. Will we get it right straightaway here? Who knows. It is going to be time that will tell, but with respect for the family and the way that this bill moves forward, it may not cover all bases that it needs to cover. So hopefully the government will take on board that fact and put in place a review that can happen in a couple of years time to make sure that things are travelling along well with it. I do thank Renee for her time, and with the bill reaching our house for everyone here to discuss it today, you can see how passionate people are. Somewhere along the line family violence touches you in some way. For the bill to move through

here – Joy’s law – as it moves through the houses and comes back and becomes law, I hope that does give them some comfort, and I hope it does protect other people moving forward.

We know that it is a brave person that will front up and talk about these issues. Whether they go to hospital or they try and reach out to legal services or they go to the police (1) they need to be believed and (2) hopefully these laws that we are sitting in here to amend make will make it easier for people to get the help that they need. I noticed before there were other people in the chamber talking about family violence – you think that if you are home in your own house, you should be safe and that should be your sanctuary, but that is far from the truth sometimes. It is incredible, as other members have said today, that males treat females like that, and even in front of their children. It is weak, and it does need to be called out. I hope moving forward that this is just the start of being able to protect family members and people that do suffer family violence, and it gives them the hope that we are listening and we are taking on board what happens.

Renee and her family lost their mother in the most tragic circumstances, but they fought on, because they were not going to take that lying down or be told no, this cannot happen. They have forged forward in honour of their mother, and hopefully this bill that the member for Malvern has called ‘Joy’s law’ can move through and protect other people into the future. I am very pleased that I could say my few words here today. I hope it gives the family some closure and they can rest for a little bit. As we have said, we are all in agreeance in this chamber with this law.

Chris COUZENS (Geelong) (17:52): I am pleased to rise to contribute to the Crimes Amendment (Non-fatal Strangulation) Bill 2023. I want to start by acknowledging the great work of our ministers who have worked since 2014 on these family violence reforms. I do want to also acknowledge the powerful contributions in this place, particularly from the member for Mildura, who we heard from earlier telling her own personal story, and also the member for Melton.

The work of this government on addressing family violence has been unprecedented, and the Royal Commission into Family Violence recommendations have been the catalyst for this significant reform in Victoria. As mentioned by the Minister for Women in her contribution earlier today, we are also proud of our ongoing commitment to gender equality. The recently launched *Our Equal State: Victoria’s Gender Equality Strategy and Action Plan 2023–2027* includes five important focus areas: cultural change, health and wellbeing, safety and respect, economic equity and the public sector as a leader. What women need to know is that they are respected and supported by this government. I think having a gender equality strategy sends that message, not only to women experiencing family violence now but to those younger women up-and-coming, who we in lots of ways will rely on to continue that cultural change that we need in this state and that we need in this country.

Cultural change is really the only way to address family violence. We can do lots of things like introduce laws, as we are today, but it is much deeper than that and much further than that. I think cultural change comes about through having those things like gender equality strategies. The work of the Royal Commission into Family Violence and the recommendations that we have delivered on – every single recommendation, I will add – have contributed enormously to addressing the issues of family violence. But this is the long haul; it is not going to happen quickly. It is that cultural change that is the key to all of that. We have heard a number of times in this place today that in 2023 nationally a woman is murdered every five days. That is just shameful. It is shameful that that is still going on. Again I reiterate what I have said – that cultural change is absolutely critical. We have to continue our work on addressing family violence. It is not a change that is going to come quickly, and we do recognise that.

This bill supports this work. It is about addressing family violence risk, and I have spoken to many constituents in my electorate, as has probably every other member in this place. We hear horrific stories of family violence, and we provide support to those constituents that need it. There are many, many different experiences that women and young girls have had and have reported to people like me,

which I suppose drive me to continue the work that we are doing. I am very proud of the work that we do here in Victoria.

Non-fatal strangulation is a highly dangerous and potentially life-threatening form of offending. This conduct is already captured by criminal offences, such as common assault, intentionally or recklessly causing injury or assault with intent to commit a sexual offence. However, non-fatal strangulation is particularly prevalent and concerning when it occurs in the context of family violence. When committed as an act of family violence, it is an indicator of significant future risk of serious harm. Non-fatal strangulation is rarely an isolated event. It often indicates an escalation of violence and coerciveness and controlling behaviours in a family violence context. Women who survive a non-fatal strangulation are seven times more likely to be seriously injured or murdered by that partner. The absence of a standalone offence in Victoria has represented a barrier to identifying, reporting and prosecuting this offending, making it harder to monitor its impact and assess risk.

Addressing the unique risk profile of non-fatal strangulation as an act of family violence has been a key driver for these reforms. We do acknowledge the tireless and powerful advocacy for the creation of a standalone non-fatal strangulation offence by the family of the late Joy Maree Rowley. Joy was tragically murdered by strangulation and suffocation in 2011 after being non-fatally strangled by her killer on at least one occasion prior to her death. Joy's children Aaron, Nadine and Renee and their father Les have campaigned tirelessly for the creation of an offence which better responds to and better identifies the risks of non-fatal strangulation. We have heard their advocacy and we have heard the advocacy of many other stakeholders, and I want to thank them for their courage and bravery in getting up and really pushing and advocating for this.

I do want to also acknowledge the many services that work and provide support in the family violence sector and give them a big shout-out for the work that they do right across our state. In Geelong we have the Orange Door, one of 17 across the state, which was a key recommendation of the Royal Commission into Family Violence. The Orange Door, the Sexual Assault and Family Violence Centre and the police provide help and support to people experiencing family violence, connecting people directly to services, and provide a coordinated response. They supported 6000 family violence cases throughout 2022, and we know that these numbers, unfortunately, are growing.

The Wathaurong Aboriginal service is providing a community-led approach to preventing and responding to family violence, based on an approach of Aboriginal ways of knowing, thinking, being and doing. They are a fantastic team, using Aboriginal knowledge and practice. We know that that is really important in terms of delivering services for Aboriginal communities. It must be community led, and they are leading the way in how they deal with family violence in their communities, which is really, really important. And of course Respect Victoria – we know the vital work that they do. Again it comes back to the point I made about cultural change and how important that is, and that is the work of Respect Victoria.

We know that coming up will be the 16 days of action, which is really important right across our communities because it is an opportunity to highlight to people the issues around family violence and how we can address those issues and, importantly, provide people with I suppose the support and confidence to deal with their own issues of family violence. I know in my electorate of Geelong there will be a walk or a march on Friday 24 November which is being organised by local women's organisations. We know that there is a big walk here in Melbourne. Right across the state these activities will be going on as a means of addressing family violence issues and making sure our constituents are aware of the services that are available to them. We know how important that is.

We know how important it is to educate young women as well about the issues around family violence. You know, I speak to many young women, and it is surprising how many young women are so strong in their views around family violence and how wrong it is. But then you come across young women for whom that has been their only experience – growing up with family violence has been the only experience that they have had, and it becomes really challenging for them to move away from going

into relationships with males and experiencing that family violence as well. Having worked in a youth refuge for many, many years before coming into this place, I was often pretty shocked at the stories of young women who talked about the fact that they were living in violent situations and saw that as being quite normal and in some cases went back to those situations. So it is really important that we get the message out there that we support women and we provide laws to help protect them. But again, it comes down to ensuring that we are on that journey to cultural change, which I believe we well and truly are thanks to the Labor government that we have had since 2014, and I commend the bill to the house.

Sarah CONNOLLY (Laverton) (18:02): I too rise to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. We know after the various contributions here in this place – quite incredible contributions here in this place this afternoon – that this bill seeks to, importantly, create a new standalone offence for strangling someone in a way that is not fatal but does cause serious harm.

Let us be really clear from the outset: strangulation is an extremely violent thing to do to someone. We know that it can be fatal; it can lead to asphyxiation and death from a lack of oxygen. Whilst it is not always fatal, there are significant health risks associated. These include blood clots; they include having a stroke and causing brain damage, sometimes resulting in a long-term physical or mental disability. What is really sad is by stating those facts we know they are facts because they have happened to people and it has been reported. There are people amongst our community who have passed away because their partner has strangled them or who are living amongst us with this kind of mental and physical disability as a result of a partner engaging in strangulation.

As we have talked about here as well this afternoon, it is also a very common and very serious form of family violence. The impetus for this bill was brought on by the advocacy of the family of Joy Rowley. Now, Joy, as we have talked about this afternoon, was tragically strangled to death more than a decade ago at the hands of her partner. It was known then that Joy had been strangled more than once prior to her death. The act of strangling a partner, even if not fatally, often represents a serious escalation in the violence that is perpetrated especially against women but also very unfortunately and very tragically against children in some instances. More unfortunately what we know is that it is never likely to be a one-off event. A person who survives non-fatal strangulation at the hands of their partner is seven times more likely to be grievously injured or killed by their partner.

Fortunately what we do know is that this is being recognised more and more every single day, and even depictions of it are rightly criticised as extremely uncomfortable to watch. When I think about those depictions and how we see them on TV shows like *Euphoria* or *House of the Dragon*, which I watched recently, they show characters being strangled or being choked by their partners – something that is framed as abusive, and rightly so, by viewers. In addition, I see it was recently reported in the news that going forward future episodes of *The Simpsons*, which is something that I guess my generation and beyond grew up with and watched, will no longer feature the running gag of Homer, I think it was, strangling Bart. It was in fact retired a few seasons ago, because quite frankly times have changed. When there are children in the household, like mine – and sometimes I walk in and they are watching shows like *The Simpsons* – you can certainly see times have changed. I am indeed pleased to hear that they have removed that running gag of Homer strangling Bart.

This bill is in recognition also of the fact that since the death of Joy we have had a major realignment in how we respond to family violence. We have had the Royal Commission into Family Violence, of which every recommendation has been accepted by our government. In January this year we implemented the final outstanding recommendations. Of course there is always so much more that we can do – that we must do – to combat the scourge of family violence, and we are making it clear that this does not stop with the royal commission. That is exactly why our government's new gender equality strategy and action plan has recommended that we introduce this standalone offence of non-fatal strangulation, not only so that our laws can better target and deter this kind of behaviour but to keep survivors of family violence, especially women, safe.

Under the current legislation this kind of behaviour falls under other offences, and the most common of these would be a statutory offence of assault. The issue here, though, it is important to state, is that that does not reflect the even more serious nature of this offence, because we know what it leads to. That is why this bill has created two offences. The first is the offence of non-fatal strangulation, and that is going to carry a maximum of five years imprisonment. The second offence is of non-fatal strangulation intentionally causing injury, and this is going to carry a maximum of 10 years imprisonment. These offences will bring us into line with New South Wales, who already have these offences on their books.

The bill provides a definition of choking, strangling or suffocating that is sufficiently broad and non-exhaustive enough to encompass all kinds of behaviour that may constitute these things. This can include applying pressure to the front or the sides of the neck, obstructing or interfering with a person's respiratory system and, certainly, impeding breathing. We know that in other jurisdictions these standalone offences have been narrowly interpreted, which then leads to higher evidentiary burdens for the prosecution. By having a broad definition that can encompass all these kinds of what can only be described as abhorrent violent behaviour that may constitute choking or strangling we can avoid placing further procedural trauma on victim-survivors of this kind of violence, and that is a really important thing that we are doing as part of this bill.

In addition to this, these new offences will require an intention to engage in that broadly defined capture of choking, strangling or suffocating. This is really importantly going to ensure that we appropriately safeguard against accidentally criminalising behaviours that are not within the intentions of this bill. We do not want to see offences targeted at a scenario, for example, where someone is giving someone a neck massage that accidentally causes bruising. We want to eradicate that; that is not the intention of this bill. Without the intention, this would be considered applying pressure to the sides of the neck, obviously, and would satisfy the physical component of the offence. But obviously in this scenario there would be no intended harm to the person, so the offence would not be made out in this instance.

I just want to talk briefly about some of the defences in this bill. Like any other criminal offence, the bill applies a number of defences that will apply to non-fatal strangulation. Like other offences, the existing statutory defences, including duress, self-defence and sudden and extraordinary emergency, will also apply to the two offences in this bill. In addition to statutory defences the offences will also be able to rely on common law defences such as justified conduct during the due execution of the law, physical conduct which is generally acceptable in the context of daily life and of course consent. I do note that in addition to common law consent the bill also creates a tailored statutory defence to apply for conduct that occurs in a sexual context. I am always surprised that I am saying that, and I know I certainly was when I was reading it, but what we do know is that some people are into different things, and this bill applies our affirmative consent model, so importantly, which we introduced last year. It should be mentioned that consent is not applicable for the 10-year offence. So remember that is the one where you intentionally want to cause harm, as this reflects that even consensual acts, most importantly – and this is something very important to teach our children – should not go as far to the point that serious injury is caused, whether you consent or not.

Finally, in the last couple of seconds that I have to make this contribution to this bill I want to pay my respects to Joy and Joy's family, who have had to live with the tragic death of their mother for a decade now. It is a very good thing that this bill has come before the house, and we are talking about what is a really difficult topic. Many of us have had different experiences here in this place, and some of them have been put to light this afternoon. It is for these reasons that I commend the bill to the house.

Gary MAAS (Narre Warren South) (18:12): I too rise in this place to make a contribution to the Crimes Amendment (Non-fatal Strangulation) Bill 2023, and in doing so I acknowledge all the contributions that have been made in the house. Non-fatal strangulation poses a significant and potentially life-threatening risk. While some existing criminal offences encompass this behaviour, its prevalence throughout our community and indeed its severity, as has been pointed out to us, have

become particularly alarming within the realm of family violence. In cases where non-fatal strangulation is perpetrated as an act of family violence, it serves as a very strong indicator of a heightened risk of serious harm in the future. Non-fatal strangulation seldom occurs in isolation; rather, it frequently signals an escalation of violence and the presence of coercive and controlling behaviours in the context of family violence. Disturbingly, women who survive such incidents are seven times more likely to face severe injuries or even homicide at the hands of their partner.

The absence of a dedicated offence in Victoria has posed a significant obstacle to identifying, reporting and prosecuting instances of non-fatal strangulation. This absence has not only hindered the monitoring of its impact but also complicated the assessment of risk. Recognising and addressing the risk associated with non-fatal strangulation as a form of family violence has been a central motivation for the reforms that this government has brought to the house. The bill introduces two new indictable offences of intentional non-fatal strangulation against a family member to the Crimes Act 1958, and the Victorian government initially pledged to establish a distinct criminal charge for non-fatal strangulation in the *Community Safety Statement 2019–20*. The commitment has been reaffirmed on multiple occasions, notably in parliamentary discussions and most recently in the gender equality strategy and action plan for 2023–27. The Allan Labor government stands very proudly in being able to deliver on its key commitments in this bill and to progress its strong community safety and family violence agenda as well.

The bill, as I said, introduces two new offences of non-fatal strangulation – an offence of intentional non-fatal strangulation against a family member as defined in the Family Violence Protection Act 2008, which has a maximum penalty of five years imprisonment. That is known as the five-year offence. Secondly, there is an offence of intentional non-fatal strangulation against a family member which intentionally causes injury, which has a maximum penalty of 10 years imprisonment, known as the 10-year offence. The proposed legislation will introduce a consequential amendment to the Family Violence Protection Act, ensuring that non-fatal strangulation is officially recognised as an act of family violence. This recognition extends to its consideration in family violence intervention orders, bail applications and the protection of witnesses providing evidence.

The outcomes of these amendments include the strengthening of the protection of victim-survivors, with a specific focus on those affected by family violence. The amendments will hold offenders more effectively accountable for their actions, and the amendments will offer clearer signals to law enforcement and community service practitioners regarding escalating violence and control within the context of family violence, which is a critical preventive step. The amendments will also enhance awareness among police, courts and community service practitioners about dangers and potential lethality of non-fatal strangulation. This in turn aims to provide or to drive more effective responses within medicine, law and law enforcement.

The element of intention applies to each offence to establish the requirement and prevent the application of the offence to genuine accidents, and this is an essential safeguard to prevent the criminalisation of legitimate conduct that falls outside the scope. The courts will use a broader definition of non-fatal strangulation, which generally is defined as conduct including choking, strangling and suffocating by applying pressure to the neck. That definition is intentionally broad and is important because it means that certain conduct outside of that intended scope may also be captured. So ‘chokes, strangles and suffocates’ is very broad, and it means that it also addresses the common law defences which will be available.

The common law defences also ensure that ordinary and legitimate conduct between family members, such as contact sports and massage, are not captured by that definition. Both offences will require that the conduct be committed without lawful excuse, and this means that existing statutory and common law defences will apply, except for consent in the 10-year offence. That reflects the seriousness and the risks – that non-fatal strangulation that intentionally causes injury of any kind is unsafe and cannot be consented to. However, the bill is not intended to criminalise legitimate medical procedures or body modification and includes an exception to reflect this. Statutory defences of self-defence, duress and

sudden or extraordinary emergency will apply to both offences. The statutory defences of duress and self-defence provide additional protections for victim-survivors in a domestic violence setting.

These are important safeguards against misidentification of victim-survivors of family violence who act in self-defence. Further, the statutory defence of sudden or extraordinary emergency can be relied on if a person reasonably believes that a sudden or extraordinary emergency exists and their conduct is the only way to respond. The central purpose behind these reforms, though, is to enhance the Victorian criminal justice system and to enhance the handling of the distinct risk posed by family violence perpetrators who employ non-fatal strangulation as a method of intimidation and control.

In concluding my contribution today I would just like to commend the work of an organisation in my community, an organisation known as Wellsprings for Women. Wellsprings for Women are a women's only service in Melbourne's south-east, and they really do terrific work. They are dedicated to empowering women, but empowering women particularly from migrant and refugee backgrounds. I know that as a part of Respect Victoria's campaign next week – a part of that 16 days of activism against gender-based violence – Wellsprings for Women have their own Meta campaign that is going to be within those 16 days. As a part of their campaign, Wellsprings for Women have identified that it is migrant men who actually are part of the solution in that they too need to be engaged and need to be involved in any prevention efforts. To that end and as a proud person of Sri Lankan heritage I am really chuffed that they have asked me to be a part of that campaign out in the south-east over those 16 days. I commend them for their work, and I look forward to that campaign launch that they will be having on 22 November. This is a terrific bill. I am really happy that it has come to this place, and on that note I commend it to the house.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (18:22): It is important to rise today to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. Family violence remains the number one law and order issue in this state. It has been said before many times in this house, but it is important to remind ourselves of the horrifying data when it comes to family violence. We know that on average one woman a week in Australia is killed by her current or former intimate partner. We saw a horrific acceleration of this earlier in November when six women were killed across Australia in 10 days. So far this year the death toll stands at 47 according to the Counting Dead Women website and with data collected by Destroy the Joint. These are heartbreaking numbers, and they are completely unacceptable in a community such as ours.

Our government has been at the forefront of working to tackle family violence in a multifaceted way. We know that the reform that is needed is multigenerational, because we also understand that violence comes from a place where men do not respect women. It all starts with respect. We know that, and Respect Victoria is a part of delivering that attitudinal change which is the only way that we will ever be able to keep women and children safe in this community. Our government has invested approximately \$2.7 billion to address family violence since 2014. We have got better at the work that we do over that time, and we will continue to learn and improve. But we all have a role to play when it comes to calling out the behaviours and the attitudes that lead to disrespect for women, which in turn, as we know, leads to violence towards women.

So just a few more facts really to set the scene: around 39 per cent of women in Victoria have experienced physical or sexual violence since the age of 15. Around 26 per cent of women in Victoria have experienced partner violence – that is from a partner that they live with – including emotional, physical, sexual and economic abuse. I know I do not have to tell the house all of these things; I know you all know – we all know – that this issue is real. But we have got to stay united in our commitment to addressing the drivers of family violence, which are disrespect and lack of gender equality.

As I mentioned earlier today in my speech on the government business program, I want to speak on this bill and, as I do, hold the memory of my meetings with Boyd and Bianca Unwin close to my heart. Boyd was the father and Bianca the sister of Katie Haley. Katie Haley was murdered in 2018 by her

partner. She was murdered at her home in Diggers Rest while her 11-month-old baby lay asleep. Despite the unimaginable pain that Boyd as Katie's dad and Bianca as Katie's sister have experienced, they have continued to honour Katie through their own advocacy and continued to call out the drivers of family violence and to campaign against family violence.

Recently, Boyd appeared in *See What You Made Me Do*, which is on SBS and based on Jess Hill's book, which looks in particular at power, control and how patriarchy establishes an environment that leads men to commit murder. In Jess's book and in her series she has a particular focus on holding perpetrators to account. Boyd, as the father of a young woman who was murdered, sees and believes that more men need to participate in this debate. More men need to take responsibility and accountability for calling one another out and for holding one another to account. I would say in this place too: without wanting to disrespect anyone, I call on all of the male members of Parliament here to continue to lead in your communities. You have real power, you have real strength and you can model the behaviours that we need to see. You can call out sexism and you can call out disrespect when you see it, because we do – the women do – and it can get really hard. It is really tough. I have been in environments – and I have spoken about them earlier in this place – where I was the only woman in the room. Why should I have to call out this poor behaviour? Anyway, enough of that. Do it for Boyd and Bianca, and most especially for Katie.

We know that one insidious and often undermonitored or reported form of family violence, non-fatal strangulation, is part of these disturbing statistics we talked about earlier, and we also know that somebody who survives non-fatal strangulation is seven times more likely to be seriously injured or murdered by that partner. So it is vital that we do something about it, and that is exactly what this bill does. Others have spoken in some detail about the bill and all that it contains, so I do want to take this opportunity to thank the Attorney-General for her leadership on this and to acknowledge the family of Joy Rowley, who herself was the victim of family violence and whose family have advocated for this change.

As a consequence of that advocacy our government made a commitment back in the *Community Safety Statement 2019–20* to implement standalone non-fatal strangulation offences, and we reinforced this commitment in the 2023–27 gender equality strategy. It is good to see that this bill is now in the house. I do want to acknowledge that it has been a complex bill to develop. There were many nuances that were important to get right, and I know that our Attorney-General in the other place always has a focus on ensuring that she is getting such important legislation right. This is a good bill, it is an important bill, and for so many of us today I think this is why we do what we do. We come into this place to debate legislation but also to ensure that we are making laws that will make the world in which we live and our state a safer place – a safer place for those that are most vulnerable and those that are at risk of violence or indeed murder.

As I said at the beginning, we know the attitudes that enable family violence run deep in our community. We have all got a part to play in changing those attitudes, but in the meantime, we have to deal with the world in which we live and the reality that confronts us and the fact that there are men that will kill their partners, that there are men that exercise coercive control. When we ask 'Why didn't she leave?' we need to unpack and understand the many factors at play that mean that it is often impossible for a woman to leave. We have to do everything that is in our power to keep women and children safe in their homes and to keep them safe at home. This bill is just one of the many commitments our government has made to ensuring that we create a state that in the future is free of gendered violence. We have got a long way to go, but this bill is yet another sign of our government's real commitment to that place where women and children can live free of family violence. I commend this bill to the house.

Michaela SETTLE (Eureka) (18:32): I too rise to speak on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. It is a difficult bill to speak on. It brings up a lot for many of us. There have been some extraordinary contributions in the house today. I acknowledge the previous speaker, our fabulous Leader of the House, who of course pointed out that it is still our one really important law

and order issue and the fact that a woman is killed every week. The bill speaks very loudly to that. The debate today has been very moving. I have been touched by quite a few of those contributions. I would like to acknowledge the member for Geelong, who in her contribution talked about the fact that we can make this legislation, but this is a long row we have got to hoe in really making some strong cultural change, and that is really where it has to begin. Again, I would commend the Leader of the House for her comments about the fact that we need to call out gendered violence at all times and that we need men to do the same.

Whilst there have been some really, really strong contributions today, there have been a couple of pretty ordinary ones as well. I will in this instance call out the member for Berwick. For some reason he felt the need to use a bill like this as some sort of political pointscore and suggest that perhaps this bill would have been better and speedier if the government had consulted with him and his side of the house. I did interject, but that ended in the member for Berwick screaming loudly at me that I was a disgrace. I guess what I would like to say to the member for Berwick is that his contribution towards dealing with gendered violence might actually begin at home. Perhaps I could recommend that he does not yell loudly and aggressively at women, and that might be a move forward for all of us.

Roma Britnell: On a point of order, Acting Speaker, this is not the time to cast aspersions on the other side of the house. This is a bill about Joy's law and I think the member should be brought back to the point of the bill. It is inappropriate.

Michaela SETTLE: On the point of order, Acting Speaker, there was no point of order.

The ACTING SPEAKER (Juliana Addison): I would ask the member for Eureka to come back to the bill and continue her speech.

Michaela SETTLE: Indeed I will, but if I can reflect on the point of order I would suggest that in fact it was the member for Berwick who brought to his debate – and it stands in *Hansard* that he was playing political games in his debate. If you would like to look at *Hansard* –

Roma Britnell: On a point of order, Acting Speaker, it appears the member is defying your ruling. I ask you to ask her to come back to the bill.

The ACTING SPEAKER (Juliana Addison): I ask the member to avoid reflecting on a member's character and get back to the bill, please.

Michaela SETTLE: Rather than reflecting on anyone's character, I was reflecting on contributions that were suggesting that this government should listen to people on the other side. What I would say is that no government has –

Roma Britnell: On a point of order, Acting Speaker, it appears that the member is defying your ruling and reflecting on your very good work this evening. I ask your opinion on whether that is the situation, and could you ask her to respect your ruling.

The ACTING SPEAKER (Juliana Addison): I do not think there is a point of order, but I will encourage the member for Eureka to talk about the substance of the bill.

Michaela SETTLE: Okay. The substance of the bill for me really is around protecting women and making real, fundamental change in the space of domestic and family violence. Of course no government has ever achieved quite as much as this government has in that space. We are absolutely leading the nation in our commitment to addressing family violence, and no clearer was that than in the \$3.86 billion Royal Commission into Family Violence. That was a world first, and I would like at this moment as well to pay my respects to the first Minister for the Prevention of Family Violence Fiona Richardson and all the work that she did in this space. She really began that work with the royal commission. Since then we have launched the 10-year *Free from Violence* strategy to deliver and scale primary prevention activities across Victoria, and all 227 recommendations of the Royal Commission into Family Violence have been implemented.

Respect Victoria is Victoria's first dedicated primary prevention agency and is helping change community attitudes towards women through public campaigns. Sadly, I was not in Parliament to enjoy the celebrations for their fifth anniversary, though I did ask one of my colleagues to make sure that my name was added to the banner because I think it is in those actions that we show our support. I would like to think that every member of this house had put their name to that banner, though I am led to understand that, sadly, that was not the case. Indeed some people felt able to ignore that request.

This government has invested in research to really build the understanding of what causes family violence and how to prevent it. I think an important thing that we all have to remember is the temptation to think of it as the other in these situations, but really it can happen in any household. In my own household when I was very young, we did experience that. My mother is a highly educated woman and was a working woman even then in the 1960s, but nonetheless she experienced family violence at the hands of my father. What I would say is that it is important we remember that the factors that create family violence are broad, and any work towards understanding the motivations or the reasons perhaps that this occurs.

But I believe one of the very, very strong things that this government has done in this area is to establish the Orange Door network. There are 18 safety hubs across the state, and I know, Acting Speaker Addison, that you and I have visited what is a fantastic organisation in Ballarat and seen the extraordinary work that they do. No matter where you live in this state, you should have access to an Orange Door network. Again I would just like to take a moment to acknowledge the work of the first Minister for Prevention of Family Violence Fiona Richardson because much of this work began there, and this bill continues this government's work in this space. Many before me have talked about the bill introducing two new indictable offences of intentional non-fatal strangulation. As everyone has pointed out, of course strangulation is a dangerous and potentially fatal form of violence, but I think for me what is really key to the need for this bill is that often in the family violence space non-fatal strangulation is so rarely an isolated incident. Really what is important to understand is that any moment of this action of strangulation is a harbinger in fact that there may be more to come, so it is incredibly important that we act to make sure that that will not continue.

Someone who survives non-fatal strangulation by a current or former intimate partner is seven times more likely to be seriously injured or murdered by that partner. Because of this, non-fatal strangulation is recognised in Victoria's family violence multi-agency risk assessment and management framework as a serious risk factor. So I think we have acknowledged that it is a risk factor, and this bill takes it the step further and gives us the powers to charge someone and hopefully therefore prevent that happening in the future.

It is an incredibly important bill. This government's work towards protecting women and families has been extraordinary, and I know that we will continue to work for women and families to protect them. As the Leader of the House said, we need to protect women and families within their own homes, and this bill is another step towards protecting women and families.

Pauline RICHARDS (Cranbourne) (18:42): Forty-seven – 47 women. It is 14 November, and 47 women have died this year. We know that that is unacceptable. It is outrageous and it is a crime. It is 47 people from across Victoria, some wealthy and some not very wealthy, and women who are living in every corner and every type of house – large beautiful homes with elaborate gardens, some who live in more modest homes and some who do not live in homes at all. This is outrageous, and it is not something that we can continue to accept. So I am very proud to make a contribution on the Crimes Amendment (Non-fatal Strangulation) Bill 2023. I do that knowing that this bill will introduce two new offences of non-fatal strangulation into the Crimes Act 1958, an offence of intentional non-fatal strangulation against a family member as defined in the Family Violence Protection Act 2008, which has a maximum penalty of five years imprisonment, and an offence of intentional non-fatal strangulation against a family member which intentionally causes injury.

This is something we are doing to honour those 47 women already this year, but also to pay credit to the family of Joy Rowley – her children Aaron, Nadine and Renee – and for the pain that has been endured by so many people across this great state of ours who are family or friends or neighbours. I particularly want to acknowledge the work of our first responders and the impact that these horrendous crimes have. We know, and it has already been identified by several people, that this is the greatest law and order challenge that we face, and it is something that we cannot just watch and observe. I remember being at the Labor Party state conference when Daniel Andrews announced his intention to hold a royal commission into family violence, and I pay credit to the work that led to that decision. In fact I think about some of my colleagues including, here in the chamber now, the member for Northcote and the work that was done on those 227 recommendations, which are being worked on and have been accepted in full, what it meant to have a laser-like focus on this law and order challenge and what it meant for our government to have women and men as allies. I was pleased to have the opportunity to hear my good friend and neighbouring colleague the member for Narre Warren South talking about the role that he is playing alongside Wellsprings and other great workers across Victoria. In particular I suppose I identify the work of so many in the south-east, but I do want to pay credit to the member for Northcote. We were working as advisers at the time, and the member for Northcote was working with the late Fiona Richardson on something that was a driving force for so many people in our Parliament. These are people who have left an extraordinary legacy that we can never forget.

My mother was a family violence worker. I have spoken fairly often – she is 91 now – about what it was like for me to grow up having an evolved understanding of what violence against women means and the gendered nature of that violence. When I was fortunate enough to be elected and then to give my inaugural speech, I identified family violence as a priority for me, one of the absolute priorities in the context of Cranbourne unfortunately being recognised as a place where the burden of family violence is weighing very heavily on our community. In the lead-up to that election in November 2018 there were a couple of women who were murdered in Cranbourne, only weeks and months before the election. I just want to reflect a little bit on a day I was doorknocking in a court. It was a really unusual street: people were not answering their doors, and I ended up having a conversation with a firefighter. He had been a first responder to an awful murder of a woman and he had attempted to save the victim. The impact on him was extraordinary, and the impact on the whole community was extraordinary. I know the member for Bass was similarly affected at around the same time with what we knew to be the impact on our communities.

I commend the Attorney-General for the extraordinary work that went into this legislation. It is important for us to acknowledge, as has already been well canvassed as part of the contributions, that we know that non-fatal strangulation is a terrible marker for the likelihood of a person being a victim and being murdered, and to know that and to have that research and to not observe a problem but actually use the levers of government to take action is something that is fundamental and foundational to the role of government.

I am here listening to contributions from across the chamber and am incredibly touched to hear the members for Mildura and Narracan and so many on our side give personal accounts of the pain and be incredibly generous with the explanation of the pain that they have experienced. I am proud that we are doing this. I am really proud that we are taking these steps, which are so important to pull back on what we know is an awful epidemic that is really impacting so many in our state.

The work of the police has evolved, and we have now a really sophisticated workforce who are doing amazing work. We have our ambulances, our firefighters but in particular as well the people who work at the Peninsula Community Legal Centre, the Cranbourne Information & Support Service, Relationships Australia, Wellsprings – great people doing important work – and there is Andrew Guy at the Orange Door. I am incredibly honoured to spend time with so many people working hard to do the work that is necessary, and I am really proud that we are doing our bit as well. I commend the bill to the house.

Kat THEOPHANOUS (Northcote) (18:51): It pains me to speak on this incredibly serious bill, which will make non-fatal strangulation a standalone offence in Victoria, pained because violence against women still haunts us. It still permeates across our communities. It follows us into our homes, where we should be safest. I say ‘it’, but violence against women is not perpetrated by a nondescript ‘it’. Violence against women, the murder of women, is perpetrated by a ‘who’, and it is important that we are self-aware in our language, attributing the deliberate action to the perpetrator who commits it, in most cases a man known to the victim.

In a two-week period this past month Australia has reeled under the shock of six more women’s deaths allegedly at the hands of intimate partners or acquaintances. Already this year 47 women have been murdered in our country, the vast majority through a choice made by a man that they knew. The harrowing reality is that one in six women in Australia endure physical or sexual violence in their lifetime, while one in four suffer emotional abuse from a partner. Worse still, First Nations and migrant women face even higher risks, often exacerbated by language barriers and visa constraints. Alarming, nearly 30 per cent of young adults aged 18 to 19 have experienced intimate partner violence in the past year, a frightening thing to consider for such a young cohort. These grim statistics are not just numbers, they are a clarion call reminding us that family violence remains a deep-rooted national crisis demanding our immediate attention.

In Victoria we have been taking action consistently and with determination and purpose since Labor came into government in 2014. In one of our first acts we appointed a Minister for the Prevention of Family Violence and commenced Victoria’s Royal Commission into Family Violence, both national firsts. The commission was tasked with identifying effective strategies to prevent family violence, enhance support for victim-survivors and hold perpetrators accountable. When it handed down an enormous 227 recommendations, we knew the full extent of the challenge before us to keep women and children safe in our state. In response the Victorian Labor government has committed more than \$3.8 billion to implement every recommendation, and in January this year we implemented the final ones. In politics and with the churn of the media it is easy for the caravan to move on, but I am proud to be part of a government that has not allowed that to happen. We refuse to stop working on making women safer in our state. That means not just working to deliver the generational change we need but putting it front and centre of our work. Yet the work is by no means over, and this bill is another step to both shining a light on the scourge of family violence and also strengthening our legislation in relation to it.

Non-fatal strangulation is an incredibly disturbing, highly dangerous and life-threatening form of offending. This form of violence, involving the compression of the neck to impede breathing or blood flow, is not just physically brutal, it is also a potent symbol of control, a dark demonstration that the abuser literally has the victim’s life in their hands. It is designed to instil fear and compliance, and I can scarcely imagine anything more terrifying. While non-fatal strangulation is already captured by criminal offences such as assault, intentionally or recklessly causing injury, or assault with intent to commit a sexual offence, these offences do not wholly capture the seriousness of this act, nor do they fully convey the power dynamics at play in many cases nor the risk profile arising from the established link between non-fatal strangulation and murder. Non-fatal strangulation is rarely isolated and often indicates an escalation of violence and coercive and controlling behaviours in a family violence context.

Women who survive a non-fatal strangulation are seven times more likely to be seriously injured or murdered by that partner – seven times more likely. Indeed 15 per cent of all family violence-related deaths are attributed to strangulation. Fatal outcomes are possible in as little as a minute. For survivors the impacts can be immediate or delayed, including the risk of death from blood clots, stroke or brain damage weeks or months after. Non-fatal cases often lead to severe injuries like memory loss or nerve damage or miscarriage, with short-term effects like bruising and nausea, but notably 50 per cent of victim-survivors show no visible injuries, even when they have lost consciousness. These are horrible things to think about, let alone endure, but are worth elucidating to convey the gravity of this crime,

yet the absence of a standalone offence in Victoria has represented a barrier to identifying, reporting and prosecuting this offending.

The bill before us proposes two distinct offences: a five-year maximum penalty for non-fatal strangulation against a family member and a 10-year maximum penalty if the strangulation intentionally causes injury. These changes aim to enhance victim-survivor protection, hold offenders accountable, signal escalating family violence and increase awareness amongst law enforcement and community service practitioners. There are several nuances to the bill – which other speakers have elucidated, and for brevity I will not go into them – which prevent the application of the offence to genuine accidents.

I do need to acknowledge the tireless and powerful advocacy for the creation of a standalone non-fatal strangulation offence by the family of the late Joy Maree Rowley. Joy was tragically murdered by strangulation and suffocation in 2011 after being non-fatally strangled by her killer on at least one occasion prior to her death. Since then her family have campaigned for the creation of an offence which specifically identifies this horrible act and the risk profile it carries as the reddest of red flags for what could follow.

In my community of the inner north the Fitzroy Legal Service has long been assisting women to navigate an often overwhelming and convoluted legal system when they are at some of the most vulnerable times of their lives. In preparing my comments today I reached out to Kristine Olaris, the CEO of the Fitzroy Legal Service, knowing the direct relevance of this legislation to their work. Kristine identified non-fatal strangulation as a form of coercive control, which they often see in family violence intervention order narratives, but significantly she also highlighted the importance of not just the robust justice response but strong wraparound supports and services for victim-survivors and broader awareness raising about gender inequality and the role of non-fatal strangulation within family violence.

We have known for a long time that violence against women begins with poor attitudes towards women. It begins with gender inequality. A cultural change that needs to happen, and that is why our government has invested so heavily in initiatives like Respectful Relationships and in supporting the work of our mighty women's health services. Yet we sadly still have such a long way to go to eradicate family violence. In Darebin there were 1261 incidents of family violence reported by women in 2022. In 365 cases of reported family violence there was a child present. That is heartbreaking. As others on both sides of the house have rightly noted, this is lifelong trauma that is being inflicted by cowardly perpetrators. There is no power in these acts, only weakness. In closing I will just say this: women experience disadvantage in almost every aspect of our lives. We experience violence far too often. It all comes back to one thing: gender inequality. I commend the bill to the house.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Community safety

David SOUTHWICK (Caulfield) (19:00): (431) It is not necessarily a pleasure, unfortunately, that I have to raise this adjournment matter for the Premier. The action that I seek is that the government immediately release the funding it committed to one year ago to fight antisemitism and to protect the Jewish community. On 13 November last year – and I actually looked on my Facebook page – there was a post from a former candidate for Caulfield Lior Harel, which announced \$3 million worth of funding to fight antisemitism, \$1 million of funding for the Jewish community through the infrastructure program and \$900,000 in funding for the Community Security Group (CSG). This was welcomed by the Jewish community. We had Jewish community leaders, representatives from the Jewish Community Council of Victoria, Zionism Victoria and rabbis all there welcoming this. That

was at a time – 12 months ago – when antisemitism was on the rise but nowhere near where it is today. Twelve months on that funding is still missing in action. I plead with the government today to the make that funding available.

The Jewish community are absolutely up in arms in terms of the situation at the moment with the fallout from what has happened since 7 October and the ramifications of that on our streets in Caulfield. We saw that only on Friday night, not in our backyards but in our front yards in Caulfield, when we had protesters, vigilante groups, blaming the terrible burning down of a burger store – even after the police had said that it was not racially motivated – on the Jewish community and then coming down to take action for that. We had rocks and bottles thrown, we had a whole range of things.

The Minister for Police is here in the chamber today, and we have been working with him and with Victoria Police to do what we can in terms of increasing police presence, which we now have, but we need the funding to be able to support this. I want to acknowledge Josh Burns, the member for Macnamara, who has been working with me on some of the programs to combat antisemitism. The time is now to get the funding. We have got fringe party groups like the Greens, with the member for Richmond, stoking the fire in terms of what they are doing – on Remembrance Day actually going out there and using that for political attacks against Israel and the Jewish community. People like the Greens only fuel activity that we see on our streets, resulting in an increase in antisemitism. We cannot have that. We have got to come together. We need education programs and we need support in terms of security, and the best way to do that is with money. There was \$3 million promised in terms of antisemitism funding and to CSG in terms of security funding. We need it now – not next week, not tomorrow, not next year but right now, as was promised over a year ago.

East Werribee employment precinct

Mathew HILAKARI (Point Cook) (19:03): (432) My adjournment matter is for the Minister for Development Victoria, Minister for Precincts and Minister for Creative Industries, and the action that I seek is for the minister to join me in a visit to the East Werribee precinct. East Werribee is of course a large area of largely government owned land, and it includes the new Wyndham law courts. They are set to be the largest law courts outside of the CBD. This stands as a landmark development in this government's commitment to invest in one of the largest growth areas in Victoria. The construction of the purpose-built law courts is in addition to and south of Hoppers Crossing station. The property includes the University of Melbourne, Victoria University and Gordon TAFE, as well as Suzanne Cory High School, Wyndham Tech School and the police complex, which was recently opened. This is a great opportunity in Melbourne's west to build a thriving city. I look forward to the minister joining me in East Werribee and talking more about how we can improve this state. We have already put \$2.8 million towards the planning process for this community, and I look forward to it.

Lakes Entrance police

Tim BULL (Gippsland East) (19:04): (433) My adjournment tonight is to the Minister for Police, who I am very pleased is here at the table. The action I seek is for him to ensure that we have adequate policing in Lakes Entrance over the upcoming Christmas holiday period. As I have advocated for on a number of occasions over recent years, we need the police presence to be increased dramatically in a town like Lakes Entrance, which swells from a normal population of 5000 to 25,000 over the holiday period. The situation in the past has been that we have had additional police allocated for the New Year's Eve period, but by 2 or 3 January they are gone. When we have got the crowds pouring in, they leave – after the New Year's Eve period.

To make matters worse – and this is absolutely astounding – we recently read that Lakes Entrance police station is one of those stations that is having its opening hours reduced at the end of this month. Eight hours per day in a town that is going to swell from a population of 5000 to 25,000 over January – I mean, Minister, are you seriously kidding about this? Eight hours per day is not adequate in a town that is going to quadruple in population. Having a divvy van driving around the town or someone on call at holiday time is not adequate for a town the size of Lakes Entrance. Minister, we do not want to

hear that you are not responsible for police allocation. We do not want to hear that Lakes Entrance will have an all-hours response. You are the police minister, and you need to fix this.

The DEPUTY SPEAKER: Through the Chair, please.

Tim BULL: You cannot defend an indefensible decision. I ask you to please ensure we have adequate policing over the full January Christmas holiday period in Lakes Entrance this Christmas.

The DEPUTY SPEAKER: I remind members to debate through the Chair.

Bellarine electorate community safety

Alison MARCHANT (Bellarine) (19:06): (434) My adjournment is for the Minister for Police, and I note and welcome that the minister is in the chamber as well. The action I seek is an update on what measures are being taken in my electorate of the Bellarine to ensure the safety of local residents and tourists over our busy summer period. The Bellarine, as we know, is a beautiful, magic part of the world where people come to visit over that holiday period as the weather warms up, the roads get busier and more people are heading to our beaches for a swim. I am sure it will be a great relief for the Bellarine community to hear what measures are being taken to ensure safety over this summer period, both at our beaches and on our roads.

Australian Securities and Investments Commission

Matthew GUY (Bulleen) (19:07): (435) My adjournment matter tonight is for the Assistant Treasurer in the absence of a minister for finance. It concerns an issue whereby I asked the minister to contact the federal Assistant Treasurer and federal Minister for Financial Services the Honourable Stephen Jones, and I request he follows up on that – and I will be specific at the conclusion of the adjournment. I have been contacted by a number of constituents and further by a number of groups of people about the actions of Mr Anton and Mrs Melinda Wilson. I understand Mr Wilson has been the subject of a previous ASIC investigation, which ASIC advises me has currently concluded. I make no judgement on their findings or on the allegations except to place them on record and then to seek further investigation. I understand these individuals are accused of owing more than \$45 million to many, many people, and I have personally spoken to some of these people, who have lost millions. Indeed I saw in a recent media article in News Limited in the last week or two that there is apparently an unpaid tax bill of more than \$20 million. While conducting investigations I have been informed that ASIC looked at these matters but has, bizarrely, concluded them, with no serious attempt to seek financial redress or assist those who are seeking to obtain justice or the Victorians who have lost money. I note media reports of the daughter of these individuals, who is currently overseas competing in the Miss Universe contest and is the director of a number of companies linked to major unpaid debts which also link to her parents, which she says she has no knowledge of, yet she is the listed director of an active construction group of her own family, despite that same family owing millions of dollars.

While these matters are complex, and I will not comment on people personally, I do note that there is a lot of money in this issue that is owed and has been at play, and many Victorians have been financially hurt and seek rightful redress. It has gone on for too long. It is not right that a number of companies linked to these individuals continue to operate while tens of millions of dollars in unpaid debts remains outstanding. How can it be that our federal regulatory authorities cannot commence or reopen investigations into people who owe so much money to so many, including as reported in the media, to the Australian taxpayer via the taxation office? How can it be the federal government is owed so much money yet cannot open and sustain a simple investigation or reply to basic correspondence to people like me seeking redress for constituents that have been badly financially and emotionally hurt? I am not sure what AFSA, the Australian Financial Security Authority, actually does, but I will save my issues for them for another time.

Tonight my issue is simple: I ask the Assistant Treasurer to please write to the federal Assistant Treasurer, who has ministerial responsibility for ASIC, and request they immediately reopen an

investigation into these two individuals I have named, and for the Victorian minister to tell the feds to do it promptly for the sake of the Victorians involved who have been financially hurt.

Braybrook regeneration project

Sarah CONNOLLY (Laverton) (19:10): (436) My adjournment is for the Minister for Planning, and the action I seek is that the minister update me on the works being done in Braybrook as part of the Braybrook regeneration project. As the minister knows, this project is a joint working effort by the Victorian Planning Authority, Homes Victoria and Maribyrnong City Council. As more people are choosing to call Melbourne's west home, inner suburbs like Braybrook are a very popular choice for people looking to move further west. The suburb itself is well serviced, being connected to two major suburban hubs in Sunshine and in Footscray, so the goal of this project is to develop a plan to accommodate this growth and, importantly, to support higher density living within the suburb. We know from our government's housing statement that we are looking at ways to ensure that priority precincts and major employment hubs can accommodate more housing nearby so that people can live closer to where jobs and services are. A suburb like Braybrook is an ideal location for some of this greater density, which means more affordable housing, new and improved open spaces and more vibrant activity centres for shopping, work and play. Of course having said that, it is really important that we do this in a way that is sustainable, which is why the project working towards a Braybrook urban design framework is all about that. That is why I would greatly appreciate an update on the work that is currently being done with this project.

Anti-vilification legislation

Gabrielle DE VIETRI (Richmond) (19:11): (437) My adjournment is for the Attorney-General, and the action I seek is for the Labor government to produce a time line for the urgent introduction of expanded anti-vilification laws to protect trans and gender-diverse people. Monday is the Trans Day of Remembrance. It is a day to honour the memory of transgender people whose lives have been lost in acts of anti-trans violence and due to the disproportionate discrimination that they face. The day started in 1999 in the memory of Rita Hester, who was murdered in the US. That was 24 years ago, and still anti-trans violence continues. The *Fuelling Hate* report that was produced by the Victorian Pride Lobby and the Trans Justice Project shows that anti-trans abuse, harassment and violence in Australia is widespread and escalating rapidly.

Four years ago Labor MPs stood up in this Parliament during a debate and said that we needed to do more to stop this violence, and yet they voted down a bill that would have done just that. Two years ago a parliamentary committee inquiry recommended that we expand anti-vilification laws to protect LGBTIQ+ people from vilification and hate, and in May this year I stood in this chamber to introduce a bill to implement those recommendations. The point is we have been officially mourning trans lives for 24 years now, but we are failing to implement the basic recommendations that could have prevented this violence in the first place. At the time I introduced this bill the Attorney-General stated on the record here in Parliament that she would have further announcements to make later in the year and that legislation would be coming within 18 months. Time is ticking. We have one sitting week left. Trans people are still unsafe in the street, in their homes, in their workplaces, and still nothing has happened.

The trans community and the parliamentary inquiry are clear on the changes that need to happen to prevent anti-trans violence. While the recommendations sit on the Attorney-General's desk, trans people in Victoria continue to live in fear. This week, during Trans Awareness Week, I urge the government to stop dragging its feet and to commit to a firm time line to expand our anti-vilification laws to protect trans and gender-diverse Victorians.

Glenroy RSL

Kathleen MATTHEWS-WARD (Broadmeadows) (19:14): (438) My adjournment matter is for the Minister for Veterans, and the action I seek is for the minister to join me in a visit to the Glenroy RSL to hear about their important work in supporting veterans. On Saturday I attended a moving

Remembrance Day service at the Glenroy RSL. The hardworking and dedicated president Ken White shared the story of a local World War I hero Major General Harold Elliott – ‘Pompey’ was his nickname – who trained at Maygar Barracks. There is a portrait of him hanging in the function room. Although Pompey grew up in poverty on a farm in West Charlton, he was able to go to university in Ballarat after his father struck it rich in the Western Australian goldfields.

He rose through the ranks of the army and became a decorated war hero, known for his forthrightness, his generosity and above all his refusal to waste lives. He was beloved by his men and would never ask them to do anything he was not prepared to do himself. A brilliant tactician, a fierce fighter and immensely brave, he always led from the front, and although at times he could be reckless himself, he did not take risks with his soldiers. Major General Harold Elliott – Pompey – landed on Gallipoli on 25 April 1915 and was later involved in the Battle of Lone Pine and in the Battle of Fromelles, which represented the worst 24 hours of Australia’s military history. With two battalions nearly wiped out and the loss of 1800 men from his own brigade, Pompey knew the full horror of war and suffered PTSD on his return, which was then called shell shock. Although he contributed much to the RSL movement and worked very hard to ensure returned servicemen were looked after, he himself was unfortunately crippled with depression and tragically committed suicide in 1931.

War takes so much from so many and takes a heartbreaking toll on our service men and women, who give so much of themselves to protect the freedom and democracy that is so precious to us here in Australia. The RSLs have been steadfast advocates for veterans’ rights and welfare for over a century, and I commend their tireless efforts to support those who have served our country. I thank the Glenroy RSL and RSLs across the state for the important role they play in our community and the critical work they do to support our returned service men and women. I also commend the tireless dedication and hours given by the volunteer committees that run them. I am grateful for the Allan Labor government’s support of veterans, including our veterans grants programs that honour and provide practical support for our veterans.

Heidelberg-Kinglake Road

Cindy McLEISH (Eildon) (19:16): (439) Again I have a matter for the Minister for Roads and Road Safety. The Heidelberg-Kinglake Road from St Andrews to Kinglake continues to cause problems for road users in my area. The action I seek is for the minister to implement the range of required safety measures to make this road safe. If the minister took the time to drive that road, the problems would be self-evident, and she would have a very clear understanding of the challenges of this steep and windy road. Very quickly the minister would see that you need to have your wits about you and the obvious measures that could be put in place to make the road safer. Despite the challenges of driving this, it is used regularly. It is used daily, particularly by those in Kinglake travelling south either to the Hurstbridge station or to schools in the area. It is the shortest route to Melbourne and to the suburbs for all Kinglake residents. It is also very popular on the weekend for tourists, motorbikes and cyclists, and there have been too many accidents, including fatalities. The local police, CFA, SES and first responder units can attest to this.

I want to outline a number of hazards and dangers. The road twists and turns as it makes its very steep descent or ascent, becoming very narrow in places, and has limited vision. The lane width is below the standard 2.4 metres in many places. Cars cutting corners and wide trucks are a hazard for oncoming traffic. There are many tight corners, and it is a sheer drop over the side of the road on one side. If you get out and actually look over the side of the embankment, which I have done, in many places it is quite shocking to see the debris from past accidents, because once there is an accident and it goes over the side, you cannot retrieve the vehicle that is there. The embankments are so steep that it is near impossible to recover anything, and you see the old cars, tyres, parts and other rubbish that is in place. It is very tricky on weekends because it is popular for cyclists. I have driven this road many times recently, including on the weekend, and I can see that in the top section, nearer Kinglake, there are a number of potholes that also need to be addressed. Kinglake is renowned for its ordinary weather, and fog can settle; this is also very difficult.

What needs to happen is safety barriers need to be added to prevent people from dropping off the cliff. The road repairs need to be done. If it is possible to widen the road in some spots or if a little bit can be taken off some corners, that would help give greater vision and make the road a little safer. Last year I presented a petition to the house calling for trucks larger than 4.5 tonnes to be banned from using this road, along with the installation of flashing safety lights. It is simply not safe for vehicles of this size. Action needs to be taken. We cannot just have signs saying 'Stay off it if you're too big'. We need to have a range of safety treatments, and I urge the minister to get on with this promptly.

Wendouree electorate schools

Juliana ADDISON (Wendouree) (19:19): (440) My adjournment matter is for the Minister for Education. Will the Minister for Education come to my electorate of Wendouree to see how our record investment in education is transforming our schools and supporting our teachers and students? Across my electorate of Wendouree we have so many amazing government primary and secondary schools, as well as Catholic and independent schools. I am very proud of our government secondary schools in my electorate. In Alfredton we have Ballarat High School, in Wendouree we have Mount Rowan Secondary College and in Sebastopol we have Phoenix college. Proudly our Labor government has invested tens of millions of dollars into these excellent government schools to deliver transformative upgrades and give our teachers and students the facilities and learning spaces they deserve.

I wish to acknowledge all of the principals across my electorate for their leadership at their schools as well as in our community. I want to thank them, as well as the teaching and support staff, for the excellent work they do supporting students in and out of the classroom. I particularly wish to recognise the contribution of retiring Ballarat High School principal Gary Palmer. I acknowledge his service of more than 14 years in the role of principal and wish him all the best for the future. Thank you for your tireless work and dedication to achieving strong outcomes for Ballarat High. I would also like to congratulate Stephan Fields, who has been appointed the next principal of Ballarat High School.

The Allan Labor government is also supporting our teachers in Ballarat and the region with the establishment of the Victorian Academy of Teaching and Leadership in Camp Street, Ballarat. The academy is delivering advanced professional learning for high-performing teachers across government, Catholic and independent schools in the centre of Ballarat. As a former teacher I am so pleased that the academy is providing opportunities for teachers locally to develop their skills and become recognised as statewide leaders in teaching excellence while still teaching in classrooms across my electorate and the region.

I am also very proud of our government's strong support for the Ballarat Specialist School with an investment of \$10 million to upgrade and modernise the school. I am pleased to report that the new building on the Gillies Street campus is almost complete and looks fantastic. We are also supporting St Patrick's College by investing \$2 million under the Non-government Schools Capital Fund for the construction of the new \$13.2 million multipurpose centre. I look forward to welcoming the minister to Wendouree and having the opportunity to show him how we are delivering the Education State across Ballarat.

Responses

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (19:22): The member for Caulfield raised a matter for the Premier seeking action to release funding the government have committed to the Community Security Group and also to combat antisemitism. That was funding that was announced at the last election by the Labor government, and the Premier went to some of those matters in question time today. I will also ensure that there is a fulsome response from the Premier on those matters. I would like to just note that I have had the opportunity as Minister for Police to meet with the Community Security Group with the member for Caulfield and also with the Chief Commissioner of Victoria Police. There has only ever been a very high regard for the work of the Community Security Group, for Justin Kagan and the team there and their advice, leadership and engagement across the community generally but particularly across the

member's electorate. The engagement of Victoria Police has been very welcome and plays a vital role in the significant community confidence, wellbeing and safety that people feel and need to feel, in particular the Caulfield community and surrounds at this time. I certainly welcome their work and their engagement and certainly understand through my own engagement on these matters that there is some significant funding that the government needs to make some commitments to and announcements about. I will ask the Premier to respond again on those matters to the member.

The member for Point Cook raised a matter for the Minister for Development Victoria, Minister for Precincts and Minister for Creative Industries to join him in a visit to the East Werribee precinct, including the Wyndham law courts. As the member would know, we visited the Werribee police complex, a very significant facility out there in the west. I would be more than happy to pass on those matters for the Minister for Precincts and Minister for Development Victoria to set foot on that turf with the member for Point Cook.

The honourable member for Gippsland East raised a matter for my good self in relation to ensuring that there is adequate policing at the Lakes Entrance station during the upcoming holiday period, when naturally, like in many popular centres and tourism destinations across Victoria, populations really do grow very significantly. There are also particular demands for additional police in relation to those matters. As the member will be aware, under section 10 of the Victoria Police Act 2013 I cannot direct where police resources are allocated, but I do understand the importance and know through many of the other operations that Victoria Police run, like the Summersafe operation in many communities, particularly across our waterways and coastal communities, that there will be a need to ensure that appropriate levels of police service and police personnel are available in communities like Lakes Entrance, where there is an explosion in the population over the Christmas–New Year period, not just the public holiday times but also right across the school holiday period. That is great for businesses and it is great for the Lakes Entrance community, but at the same time there needs to be adequate and appropriate coverage of police to support that community not just in waterways but right across the community at that time.

The member also did speak to some of the counter-suspension matters that Victoria Police have made determinations about. I do remind all members of this place that Victoria Police provide a 24-hour police response, seven days a week, to all Victorians. Police will always be where people need them most when they are needed most, and that will not change. We ask a lot of our police and our PSOs and expect the highest levels of service. We thank them for the amazing work they do to keep our community safe, but we also know that in the current period – no surprise – there are workforce constraints across many public sector organisations. While the police academy is full and since March we have had double squads of 48 recruits every fortnight in the academy, which shows that people want to join Victoria Police – they want to put their hand up and serve their communities, and we are thankful for that – we also know that police have to make some determinations at this time about how they are going to meet their resourcing capabilities to the community to keep communities safe. We have of course, as many people would know, our police assistance line. Online reporting is also available to people for non-urgent matters. But whenever you need police for urgent matters, 000 is who you call, and police will always respond – always. And they always have.

I would also make the point that our government has invested some \$4.5 billion in Victoria Police since we came to office. We have funded 3600 additional police members, and 3100 of those are currently on the beat and serving in communities. We have also made sure through our continued investment in the Made for More campaign that our public advertising campaign to recruit more police officers is very successful, because the police academy is full, as I said, with double squads of 48 recruits a fortnight in the academy since March.

Again, the determination of the allocation of police resources is a matter for the chief commissioner, but I can assure everyone in the house and certainly the honourable member for Gippsland East that police will continue to provide a 24-hour response to his community. Understandably there will be determinations made from Victoria Police as to the need to provide additional resources in

communities that will have growing activity centres through the summer period, and I am more than happy to make sure that the member for Gippsland East has briefings made available to him by his local police service area and leadership down there to make sure that he can have confidence that the police resources that are available to him and his community not only meet the needs and expectations of the community but provide him with the confidence that he can give his community that police will always be there when people in his community need them. So I will offer that briefing to the member in writing and any other further information that helps to satisfy his community's concerns at this time.

The member for Bellarine raised a matter for me seeking an update on some measures that are being taken across her electorate, and I want to thank her for raising that matter. As the member knows well, we are heading into the summer period. As we just touched on, Victorians like to head to the beach, and that can often lead to a temporary surge in populations and an increased focus on the safety and wellbeing of locals and holiday-makers alike. Let me assure the member and her constituents that the planning for summer safety is in full swing. Just last month, the member and I met with local police at the Portarlington and Bellarine police stations, where they updated us on their latest achievements and key areas of focus for the upcoming summer period. We also caught up with the bSafe community reference group. Police will provide a highly visible presence across the Bellarine Peninsula, including extra community reassurance patrols across tourist precincts from Leopold to Portarlington. We know that water safety is more important than ever during the summer, and Victoria Police will be participating in multi-agency operations focusing on recreational boat users and people fishing on the bay. A lot of that has come from input from the member's local community organisations, which has helped focus attention on where community concerns can be in those busy periods.

We have also seen, sadly, a tragic spike in trauma on our roads this year, and we know that the summer months are a high-risk time on our roads, particularly our country roads. Road safety is everyone's responsibility, and I urge all Victorians this summer to slow down, to not drink and drive, to not be distracted on phones and other devices when you are in the car and to arrive at your destination safely. For those that do the wrong thing, be warned that police will be out in force, running dedicated road policing operations to target speeding and drink-driving. The message is clear: if you do the wrong thing, you will be caught and you will be held accountable. The Geelong police service area Eyewatch is a great resource for Bellarine community members, and it continues to deliver proactive messaging with current crime and crime prevention topics at a local level.

We know that Victoria Police cannot run those dedicated operations or provide highly visible patrols unless they are adequately resourced, and that is exactly what the Allan Labor government has provided. I touched earlier on that \$4.5 billion investment and the 3100 additional Victoria Police officers funded and on the beat in our communities. That is very different to the \$100 million that was cut by those opposite when they were last in office and the fact that they did not fund one additional police officer during their time in government. There were a few new recruits, because the previous Labor government had funded them, but they did not fund one additional police officer in their time in office. That work will continue. There are some announcements that the member would be aware of in relation to some additional police resources and police recruits moving to Geelong and across the Bellarine, not just for the summer but ongoing. We will have more to say about that as we get closer to that summer period, but I am pleased that we have been able to provide some briefing material to the member during our discussions with her local community, and that work will continue.

The honourable member for Bulleen raised a matter for the Assistant Treasurer, and the action that he sought was that contact in writing be made with the federal Assistant Treasurer, the Honourable Stephen Jones, who is also the Minister for Financial Services. The action that he sought was in relation to a person who is the subject of an ASIC investigation. The honourable member for Bulleen went into detail about those matters, and I will ensure they are actioned by the Assistant Treasurer.

The member for Laverton raised a matter for the Minister for Planning seeking updates on the works in the Braybrook rejuvenation project, and I will ensure that they are passed on to the Minister for Planning.

The member for Richmond raised a matter for the Attorney-General in the other place, and the action that she sought was that there be production of some time lines for the expansion of the anti-vilification laws that the government has committed to bringing to the Parliament in due course. Particularly she spoke to anti-trans violence and those elements in relation to anti-vilification laws. Can I say also that I, as the Minister for Police, and many of my colleagues – the Minister for Multicultural Affairs, the Minister for Equality and other ministers – are engaged in this work being led by the Attorney. Those anti-vilification laws are being refreshed to, I suppose, meet more community expectations and to provide the capacity for police around enforcement and for courts around accountability, and for communities to feel that the Parliament through its laws is better affirming our expectations and our values around anti-vilification and how we stamp that out. Our restorative justice processes and the like can hold people to account – not just to be punished but to understand what more they need to do to better understand the harmony in the community that we need to build and the destructive commentary and actions that some can make and do. I know that some of those consultation processes are complex. We have seen other examples, such as in the current conflict in the Middle East and how that plays out in an anti-vilification sense for people in the community. That has also added further complexity and expectation around how we continue our consultation to get those laws right. They will be very complex, and I think it is important that on all the different matters where anti-vilification laws need to meet community expectation and community values and be affirmed in this Parliament, the Attorney is leading that work – we can be sure of that. But I will make sure that the Attorney provides some further detail on the time lines of that work.

The member for Broadmeadows raised a matter for the Minister for Veterans, and the action that she sought was the attendance of the minister at the Glenroy RSL to understand the work and actions of the committee and the members there. In particular she talked about the work of Major General Pompey Elliott, which was referred to in relation to the Glenroy RSL and the conversations they had highlighting his contribution to our country during Remembrance Day services. Sadly, Pompey Elliott did take his own life. I can certainly recommend to the house Ross McMullin's biography on his very substantial life and legacy – a short life but a great contribution made to our country and to so many servicemen that he led in terrible times across the world.

The member for Eildon raised a matter for the Minister for Roads and Road Safety about Heidelberg-Kinglake Road. When I think Heidelberg, I think my electorate, but Heidelberg-Kinglake Road is very much in the electorate of the member for Eildon. She did talk about action that is needed to implement road safety priorities, including safety barriers and the like, to make that road safe. I have travelled that road many times myself, more to visit other tourist and industry places in the member's electorate.

Cindy McLeish: The Kinglake Pub.

Anthony CARBINES: Not only the Kinglake Pub, but there are some nice wineries up through the member's electorate, and the best way to get there is often on Heidelberg-Kinglake Road. But they are very serious matters, and it is a road that over time has more and more traffic and commuter traffic as well, as we see an expansion of population to these great communities where people want to live. We will refer those matters to the Minister for Roads and Road Safety.

The member for Wendouree raised a matter for the Minister for Education. The action she sought was that she visit the electorate to see how record funding support for upgrades and capital investments, particularly through the hard work and advocacy of the member for Wendouree, is reshaping and investing in the futures of young people right across the Wendouree electorate, and I will be sure to ask the Minister for Education to follow up on those matters for the member for Wendouree.

The DEPUTY SPEAKER: The house stands adjourned until tomorrow morning.

House adjourned 7:37 pm.