Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Thursday 18 June 2026

By authority of the Victorian Government Printer

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Martin Cameron, Jordan Crugnale, Daniela De Martino, Wayne Farnham, Lauren Kathage, Nathan Lambert, Paul Mercurio, Kim O'Keeffe, Meng Heang Tak and Iwan Walters

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan (from 27 September 2023)

Daniel Andrews (to 27 September 2023)

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll (from 28 September 2023)

Jacinta Allan (to 27 September 2023)

Leader of the Parliamentary Liberal Party and Leader of the Opposition

Jess Wilson (from 18 November 2025)

Brad Battin (from 27 December 2024 to 18 November 2025)

John Pesutto (to 27 December 2024)

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

David Southwick (from 28 January 2026)

Sam Groth (from 27 December 2024 to 28 January 2026)

David Southwick (to 27 December 2024)

Leader of the Nationals

Danny O'Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Anthony Carbines (from 15 April 2026)

Mary-Anne Thomas (to 15 April 2026)

Manager of Opposition Business

James Newbury (from 13 October 2025)

Bridget Vallence (from 7 January 2025 to 13 October 2025)

James Newbury (to 7 January 2025)

Members of the Legislative Assembly

60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lister, John[8]	Werribee	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel[1]	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	Marsh, Anthony[9]	Nepean	Lib
Bull, Josh	Sunbury	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Tim	Gippsland East	Nat	Mercurio, Paul	Hastings	ALP
Cameron, Martin	Morwell	Nat	Mullahy, John	Glen Waverley	ALP
Carbines, Anthony	Ivanhoe	ALP	Newbury, James	Brighton	Lib
Carroll, Ben	Niddrie	ALP	O'Brien, Danny	Gippsland South	Nat
Cheeseman, Darren[2]	South Barwon	Ind	O'Brien, Michael	Malvern	Lib
Cianflone, Anthony	Pascoe Vale	ALP	O'Keeffe, Kim	Shepparton	Nat
Cleeland, Annabelle	Euroa	Nat	Pallas, Tim[10]	Werribee	ALP
Connolly, Sarah	Laverton	ALP	Pearson, Danny	Essendon	ALP
Couzens, Christine	Geelong	ALP	Pesutto, John	Hawthorn	Lib
Crewther, Chris	Mornington	Lib	Read, Tim	Brunswick	Greens
Crugnale, Jordan	Bass	ALP	Richards, Pauline	Cranbourne	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Richardson, Tim	Mordialloc	ALP
De Martino, Daniela	Monbulk	ALP	Riordan, Richard	Polwarth	Lib
de Vietri, Gabrielle	Richmond	Greens	Rowswell, Brad	Sandringham	Lib
Dimopoulos, Steve	Oakleigh	ALP	Sandell, Ellen	Melbourne	Greens
Edbrooke, Paul	Frankston	ALP	Settle, Michaela	Eureka	ALP
Edwards, Maree	Bendigo West	ALP	Smith, Ryan[11]	Warrandyte	Lib
Farnham, Wayne	Narracan	Lib	Southwick, David	Caulfield	Lib
Foster, Eden[3]	Mulgrave	ALP	Spence, Ros	Kalkallo	ALP
Fowles, Will[4]	Ringwood	Ind	Staikos, Nick	Bentleigh	ALP
Fregon, Matt	Ashwood	ALP	Suleyman, Natalie	St Albans	ALP
George, Ella	Lara	ALP	Tak, Meng Heang	Clarinda	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Jackson	Bayswater	ALP
Groth, Sam[5]	Nepean	Lib	Taylor, Nina	Albert Park	ALP
Guy, Matthew	Bulleen	Lib	Theophanous, Kat	Northcote	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Thomas, Mary-Anne	Macedon	ALP
Hall, Katie	Footscray	ALP	Tilley, Bill	Benambra	Lib
Hamer, Paul	Box Hill	ALP	Vallence, Bridget	Evelyn	Lib
Haylett, Martha	Ripon	ALP	Vulin, Emma	Pakenham	ALP
Hibbins, Sam[6, 7]	Prahran	Ind	Walsh, Peter	Murray Plains	Nat
Hilakari, Mathew	Point Cook	ALP	Walters, Iwan	Greenvale	ALP
Hodgett, David	Croydon	Lib	Ward, Vicki	Eltham	ALP
Horne, Melissa	Williamstown	ALP	Wells, Kim	Rowville	Lib
Hutchins, Natalie	Sydenham	ALP	Werner, Nicole[12]	Warrandyte	Lib
Kathage, Lauren	Yan Yean	ALP	Westaway, Rachel[13]	Prahran	Lib
Kealy, Emma	Lowan	Nat	Wight, Dylan	Tarneit	ALP
Kilkenny, Sonya	Carrum	ALP	Williams, Gabrielle	Dandenong	ALP
Lambert, Nathan	Preston	ALP	Wilson, Belinda	Narre Warren North	ALP
			Wilson, Jess	Kew	Lib

[1] Resigned 27 September 2023
[2] ALP until 29 April 2024
[3] Sworn in 6 February 2024
[4] ALP until 5 August 2023
[5] Resigned 13 February 2026
[6] Greens until 1 November 2024
[7] Resigned 23 November 2024
[8] Sworn in 4 March 2025
[9] Sworn in 2 June 2026
[10] Resigned 6 January 2025
[11] Resigned 7 July 2023
[12] Sworn in 3 October 2023
[13] Sworn in 4 March 2025

Party abbreviations

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

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Thursday 18 June 2026

The SPEAKER (Maree Edwards) took the chair at 9:33 am, read the prayer and made an Acknowledgement of Country.

Business of the house

Notices of motion and orders of the day

Notice given.

Members interjecting.

The SPEAKER: Order! Member for Caulfield, I ask you to cease banging your hand on the table. Members will come to order. I am on my feet.

Roma Britnell interjected.

The SPEAKER: The member for South-West Coast can leave the chamber for half an hour.

Member for South-West Coast withdrew from chamber.

The SPEAKER (09:35): General business, notices of motion 7, 8, 42 to 45 and 72 to 74 and order of the day 6, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 2 pm today.

Documents

Department of Education and Training

Victorian Government Response to the Community Visitors Annual Report 2024–25

Ben CARROLL (Niddrie – Minister for Education, Minister for WorkSafe and the TAC, Minister for Medical Research) (09:36): I table, by leave, the Victorian government's response to the community visitors program report 2024–25.

Department of Premier and Cabinet

Victorian Government Aboriginal Affairs Report 2025

Ros SPENCE (Kalkallo – Minister for First Peoples, Minister for Roads and Road Safety, Minister for Community Sport) (09:36): I table, by leave, the *Victorian Government Aboriginal Affairs Report 2025*, domain 1 to 6 data tables and Victorian 2025 Closing the Gap tables.

Documents

Incorporated list as follows:

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Gambling Regulation Act 2003:

Amendment to Public Lottery License issued to Tattersall's Sweeps Pty Ltd under s 5.3.19(4)(b)(ii) (two documents)

Monitoring Licence issued to Intralot Gaming Services Pty Ltd under ss 3.4.53(1)(b)(ii) and 3.4.53(1)(c)(ii) (two documents)

Report of Independent Review Panel: Public Lotteries Licensing Project

Multicultural Victoria Act 2011 – Victorian Government report on multicultural affairs 2024–25

Subordinate Legislation Act 1994 – Documents under s 15 in relation to Statutory Rules 69, 71, 72, 77.

Business of the house

Standing and sessional orders

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (09:37): I move, by leave:

That so much of standing and sessional orders be suspended on Thursday 30 July 2026 to allow:

(1) the sitting of the house to be suspended at 11:15 am;

(2) the Speaker to take the chair at 11:30 am, interrupt business, and the house to proceed in accordance with paragraphs (3) to (9);

(3) Legislative Council members to be admitted onto the floor of the house and to remain until the question for the endorsement of the apology to victims of historical child sexual abuse in Victorian government schools is put;

(4) the Premier to table a statement of apology to victims of historical child sexual abuse in Victorian government schools;

(5) the Premier to move a motion that the house endorses the apology, and the Premier, the Leader of the Opposition, the Minister for Education and the member for Sandringham to speak on the motion for a maximum of 10 minutes each;

(6) the Speaker to put the question on the motion at the conclusion of the contributions referred to in paragraph (5);

(7) at the conclusion of the motion, the house to suspend until 2 pm;

(8) question time and constituency questions to take precedence at the end of the suspension in (7); and

(9) any business under discussion at the 11:15 am suspension to be resumed at the conclusion of question time and constituency questions.

I think that what we have outlined is rather self-explanatory and I look forward to the contributions of members, with the agreement of the house, when the house resumes in July.

Brad ROWSWELL (Sandringham) (09:39): Just very briefly, I acknowledge that the government has worked with members of my community and the broader victim-survivor community to bring this motion to this place. I am looking forward to making a contribution at a point in the future. Although the contributions will be time-limited to 10 minutes, I think every contributor to that debate will do their very best to articulate on behalf of those victim-survivors the experiences that they have felt and the importance of the acknowledgement that the government has taken leadership on.

Motion agreed to.

Motions

Motions by leave

Jess WILSON (Kew – Leader of the Opposition) (09:39): I move, by leave:

That this house condemns the Premier for enabling $15 billion of corruption on the Big Build and presiding over corruption, record crime, unemployment above the national average and almost $200 billion of net debt and further notes that Victorians have no confidence in her leadership.

Leave refused.

Business of the house

Invitation to Legislative Council members

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (09:40): I move, by leave:

That:

(1) the Legislative Assembly invites members of the Legislative Council to attend a sitting of the Assembly in the Legislative Assembly chamber on Thursday 30 July 2026 at 11:30 am for the consideration of the

motion endorsing the statement of apology to victims of historical child sexual abuse in Victorian government schools;

(2) the lower public gallery on the non-government side of the house be deemed part of the Legislative Assembly chamber and the Assembly standing orders be applied for the time that Council members are invited onto the floor of the house;

(3) a message be sent to the Legislative Council informing them accordingly.

Motion agreed to.

Motions

Motions by leave

Danny O'BRIEN (Gippsland South) (09:41): I move, by leave:

That this house condemns the member for Niddrie for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion in debt.

Leave refused.

Steve McGHIE (Melton) (09:41): I move, by leave:

That this house notes that whenever Victorians hear the words 'Liberal savings' they instinctively check whether their local school, hospital or TAFE is about to lose its funding.

Leave refused.

David SOUTHWICK (Caulfield) (09:42): I move, by leave:

That this house condemns the member for Ivanhoe for having confidence in a Premier who has enabled $15 billion of corruption on the Big Build and presided over crime, corruption, unemployment above the national average and almost $200 billion in net debt.

Leave refused.

Kathleen MATTHEWS-WARD (Broadmeadows) (09:42): I move, by leave:

That this house notes that the opposition's plan would cut one in seven public sector jobs, including health workers, disability workers and child protection officers, and asks those opposite to explain to the families in their electorates who rely on these workers exactly why.

Leave refused.

Emma KEALY (Lowan) (09:42): I move, by leave:

That this house condemns the member for Dandenong for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion worth of net debt.

Leave refused.

Eden FOSTER (Mulgrave) (09:43): I move, by leave:

That this house notes Labor is building new schools across Victoria while the Liberals are still struggling to build a case for themselves.

Leave refused.

Tim READ (Brunswick) (09:43): I move, by leave:

That this house notes that far-right extremists are registering the Save the Environment Party and the Free Palestine party to funnel preferences to the far right and that this remains legal under Victoria's group voting system; that almost 20,000 people have signed GetUp!'s petition to scrap the undemocratic group voting system; and that very little time remains in which this house can reverse that situation.

Leave refused.

Meng Heang TAK (Clarinda) (09:43): I move, by leave:

That this house notes Labor's focus on getting students eyes up and screens down while the Liberals remain focused on keeping their eyes firmly on One Nation's polling.

Leave refused.

Brad BATTIN (Berwick) (09:44): I move, by leave:

That this house condemns the member for Werribee for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

Leave refused.

Nina TAYLOR (Albert Park) (09:44): I move, by leave:

That this house notes that when the Liberal Party was last in government it closed hospital beds, cut nurses and stripped funding from the health system Victorians rely on and notes that a Leader of the Opposition who refuses to rule out $40 billion in cuts has no credible answer for which wards will close and which health workers will lose their jobs.

Leave refused.

Gabrielle DE VIETRI (Richmond) (09:44): I move, by leave:

That this house notes that on Monday Israeli strikes and gunfire killed at least four Palestinians in Gaza – a medic and his son, a woman in the town of Zawayda and a person in the nearby Nuseirat refuge camp – and since the October so-called ceasefire Israeli strikes have killed more than 990 people in Gaza, and calls on the Victorian government to ensure that no weapons, parts or ammunition from Victoria fuel this genocide.

Leave refused.

Danny PEARSON (Essendon) (09:45): I move, by leave:

That this house notes the Liberal Party's policy development process now appears to involve asking, 'What would Pauline do?'

Leave refused.

Annabelle CLEELAND (Euroa) (09:45): I move, by leave:

That this house condemns the member for Macedon for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

Leave refused.

Lauren KATHAGE (Yan Yean) (09:46): I move, by leave:

That this house notes Labor is delivering free TAFE to Victorians seeking skills while the Liberals' history of cutting TAFE is a risk to all Victorians.

Leave refused.

Member for Narre Warren North

Rachel WESTAWAY (Prahran) (09:46): I move, by leave:

That this house condemns the member for Narre Warren North for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

I am absolutely astounded that we have this Premier still in Victoria when the people of Prahran are hurting and are telling me constantly that they are sick and tired of the crime, the corruption, the difficulty in setting up businesses and the cost of doing business in this state. We see corruption on the Big Build, we see crime with the CFMEU and we see strippers on worksites. Absolutely everybody

is over it, and yet the Labor Party sit there and are absolutely happy to ensure that they have a leader that represents that. That is what I find absolutely extraordinary.

Crime is absolutely out of control in my seat. There are issues that we see on Chapel Street in regard to firebombings, and there has been very, very little that has been done on it. These are the issues that we are facing time and time again. More recently we have just seen something in South Melbourne, a gym that was firebombed two days in a row. Are you serious? Where are the resources being put into place that actually support the people of Victoria? They are not there. In regard to Chapel Street, the issue that I see is businesses are absolutely falling to their knees. They can barely keep a new business open for 12 months. These are the statistics that we are seeing, so these are the concerns that I have when it comes to the Premier and no confidence. When I talk to local businesses, their trades are going down. They are not seeing the foot traffic on the streets in Chapel Street and on Toorak Road. We are finding that they simply cannot make enough money to make ends meet, they cannot employ people, and it is the small businesses in this state that keep our kids employed. It is the people that are in retail. Look at just retail crime. Retail crime is up significantly.

A member interjected.

Rachel WESTAWAY: Yes, how do they get away with it? We have got a government that supports corruption. We have got a Premier that will not call it out and will not do a royal commission into the corruption of the CFMEU. These are the issues that I am exceptionally concerned about.

I am also concerned about the state of our schools. I look at St Kilda Primary School, a little school near the corner of Nepean Highway and Chapel Street that has been there –

A member interjected.

Rachel WESTAWAY: Absolutely fantastic teachers and a great sense of community – without a community hall. Are you serious? They tore the community hall down and then they said they would rebuild one, and they never did. It took a local member such as me, with a strong voice, to actually come out and advocate for the local community. It is yet another example of this government that just does not listen. But when finally they are faced with somebody that has a voice, what happens? They flip it around. After we made a $12 million commitment they finally came up and said, 'Oh, okay, we'll actually build that community hall' – finally. It takes us to lead the way, and that is why I have no confidence in this Premier. I find it absolutely extraordinary that her colleagues are sitting there and prepared to support her. In addition to that is the Big Build, the waste –

Members interjecting.

Rachel WESTAWAY: You want to laugh across the chamber? This is what I am absolutely astounded by.

Anthony Carbines: On a point of order, Speaker, on relevance, it is not clear to the house that the member for Prahran is being relevant to her motion.

The SPEAKER: I do not uphold the point or order.

Rachel WESTAWAY: $200,000 on pot plants – really? Victorians find it an absolute joke, and what I find highly extraordinary is I look across the chamber and there are smirks on the faces of my colleagues across the chamber. It is not a joke. Victorians are falling to their knees. $15 billion in corruption and no royal commission, not prepared to call it out – wow. $1 million in interest per hour is what Victorians are facing. Just think about what that could do. After 12 hours, the community hall at my local primary school would be built and funded.

A member interjected.

Rachel WESTAWAY: Yes, potholes. What have we seen? It has turned into a joke. You just need to read the social media and the comments on it, when Victorians –

Members interjecting.

Rachel WESTAWAY: Thank you for laughing. Is this not how Labor treat Victoria when they –

Members interjecting.

The SPEAKER: Order! The member for Rowville can leave the chamber for half an hour. The member for Polwarth can leave the chamber for half an hour. When I am on my feet you are not to speak. Members will come to order. The member for Cranbourne is warned.

Members for Rowville and Polwarth withdrew from chamber.

Rachel WESTAWAY: We look at the lotto deal. That just blows me away. A gambling deal – this is how Labor fund the debt that we are currently facing. No open tender process, just a secret deal behind closed doors. Victorians did not hear about it, but this is how they fund their debt and try and hide it. IBAC powers, yet again, are another point to discuss. They are not prepared to increase the powers of IBAC. In essence it is a toothless tiger. They do not want to follow the money.

Lauren Kathage: On a point of order, Speaker, members are required to be factual, and as we know follow-the-money laws are being promoted by this government – compared to those opposite, who do not want to expand the definition of 'corruption'.

James Newbury: Further to the point of order, Speaker, the member has just let the cat out of the bag. It is all about promotion. It is not about fact or doing anything.

The SPEAKER: Members are required to be factual when they are on their feet.

Rachel WESTAWAY: Let us just touch on that point, which clearly Labor are touchy on – IBAC powers, follow the money. What is the problem? Why don't you want to have honesty and transparency in the system so we can have transparency in where the money is and where it has been spent? This is what we are absolutely wanting. Victorians are crying out for it. And the Premier is not even here today. Where is she, by the way? She is clearly not interested in hearing the views of the representatives around this chamber that have no confidence in her. Is that something she is afraid of?

Mathew Hilakari: Only 21 minutes to go.

Rachel WESTAWAY: That is fine. I can talk all about my seat. I have no issues with that. I hope that you are sitting here to listen to it. When I look at the issues in my seat and the increase in crime – the increase in crime across the state – a 26 per cent increase is absolutely extraordinary. And, you know what, if we did not have –

Sarah Connolly: On a point of order, Deputy Speaker, I am not sure what the member on her feet is talking about, but I would bring her back to the motion she has raised. The point of order goes –

The DEPUTY SPEAKER: Order! Member for Laverton, the point of order succinctly, please.

Sarah Connolly: Relevance.

James Newbury: On the point of order, Deputy Speaker, to assist you, as you have just come to the chair, from a member who was just laughing about crime the member's point of order is entirely vexatious.

The DEPUTY SPEAKER: I do not uphold the point of order. The member for Prahran to continue, without assistance.

Rachel WESTAWAY: The money is rolling out the door with no fiscal responsibility from this government and from this Premier. When I look at the largest cricket club in Victoria, Toorak Prahran Cricket Club – my kids have played there for years – it is shared with the rugby club, and it has no girls change rooms and no disability access. We need a new clubhouse in that area when girls sport is on the increase, when we all would acknowledge that community sport is really, really important. But

there is no money for my local cricket club. When I come out and I start advocating on this, what does Labor do? They bring their ward councillor out – who does not even belong to that ward, who is the Labor candidate for Prahran – to wave around a few hundred thousand dollars and say, 'Put a kitchenette in there.' Are you serious, a kitchenette? It has no girls change rooms. It needs more than a kitchenette.

Let us look at the priorities of this government, constantly trying to play catch-up.

Tim Richardson interjected.

Rachel WESTAWAY: Precisely, if it was, at the end of the day, $15 billion. Thank you for that prompt. That is $15 billion, and yet all we need is a few million dollars for a new clubhouse. My local community are crying out for it, and it does not just affect my seat.

Donation laws are yet another horrendous issue that this government has supported, where basically the government has put forward donation laws where all other parties are put in a precarious position. It is absolutely disgraceful.

Members interjecting.

The DEPUTY SPEAKER: Members for Brighton and Point Cook, you are both warned.

Rachel WESTAWAY: Now let us just look at Chapel Street and tobacco stores, because, you know what, I could talk for at least half an hour on that – so sit in your seats. Every 10th shop is a tobacco store – unlawful tobacco, 10 to 15 bucks for a packet of Chinese smokes or a vape. What is this government doing about it? Nothing, absolutely nothing, when they are prepared to do a dodgy deal without any transparency on lotto to try and get money. You know what would be quite reasonable? To actually start regulating tobacco stores. Regulate or shut them down. But at the end of the day, where is the enforcement? And actually, if you tax to a certain degree, bring down the taxes on the regular smokes and tax all of them, you can monitor what is going on. You can put it back into the community. You can put it back into health care. I absolutely do not understand why they turn a blind eye to that. That is what I find extraordinary.

Young people – my seat is one of the youngest seats in Victoria. The average age is 35, but we have got a lot of young kids in high school that are walking down Chapel Street, and what do they see? Tobacco stores, one after the other after the other. And in front of them there are American candy and soft drinks, all to lure young people – absolutely shocking – into them. And they say they care. They have done nothing – no regulation whatsoever. I speak to people on the street, and in fact I was actually speaking to a journo recently in the local area who said that they had gone into one and they thought they would just buy a vape to see what happens – easily purchased. They reported it – this is a journo – and the following week went back: no raid, no nothing. So why is this government turning a blind eye? There is no regulation, no police, no sufficient resources and no sufficient support.

At the Prahran police station the men's urinal was not operating for a whole two weeks. I had a lady on the street who had –

A member interjected.

Rachel WESTAWAY: Yes, they probably were promised a kitchenette; it would not surprise me. These are the issues that we are facing yet again with a Premier who does not care, a Premier who is turning a blind eye to corruption, turning a blind eye to transparency and turning a blind eye to fiscal responsibility. I have no confidence in this Premier. My colleagues have no confidence in this Premier. With $15 billion, how many more homes could actually be built? I will keep going.

Let us talk about homes. I have got the most densely populated area in Victoria, 11 square kilometres, and people are so keen to live in our city. We have got a gorgeous seat. From one end of Chapel Street, where we have basically got the botanical gardens, to the other end, it is absolutely stunning. But it is predominantly high rises. And yet I walk around and I see waste. I see opportunities where we could

build, and instead what has this government done? They have gone a blanket minimum six-storey height across the electorate, an electorate that is made up of villages, that is made up of historic homes. This government is more than happy to take the powers away from local government and have the minister support a minimum of six storeys high across the seat. This will totally ruin the heritage nature of our seat and the village feel of our seat.

But Stonnington council have a plan – a plan to build more homes than the current government's budget or target. What have they done? This government has totally ignored that. But the Stonnington council's plan is one that is reasonable, and I would absolutely support it, because it would actually give us an opportunity to do it in a measured way and to think about what parts of the electorate we would have housing in. But no, this government has totally overridden that and just gone blanket on a minimum of six storeys high across the electorate.

And then activity centres – 60 activity centres – and in my own –

Members interjecting.

Rachel WESTAWAY: Absolutely. When I talk to developers in my local area, they laugh at it and say that this is the Labor government promising but underdelivering, saying that they will actually build houses, but the developers are telling me it is not affordable. I have got a housing site on High Street where my constituents have come to me and said that it is about six storeys high and they have got so many apartments in there, but five parking spots. This is the type of planning that Labor are putting in. If I raise these issues, the comeback is, 'People don't need cars. They can walk. You live in a small electorate' or 'Give them a bike' or 'Catch public transport.' I thought Labor were for people that want choice, people that may not necessarily be able to drive or ride a bike. I mean, why aren't we thinking about this? There needs to be flexibility. There need to be options. Five car spots for a seven-storey or six-storey housing estate is quite extraordinary.

I look at public housing in my local area. Public housing residents have been told that their homes are being knocked down, but they have been given no timeframe in which they are to operate. These are some of the most vulnerable people in Victoria. This government, who claims to represent them, has not even given them the courtesy of a definitive timeframe in which they are to move out or where they are to go, and instead has left them in squalid conditions and in housing estates where they are supposed to be –

Members interjecting.

Rachel WESTAWAY: Thirty-six homes in 10 years you have built. That is quite extraordinary. But let me get back to my public housing. I have got public housing that is set aside for older people, and yet I have written to the Minister for Housing and Building and raised it in Parliament on numerous occasions and asked why it is that we are allowing younger people into these places. Why is it that you are turning a blind eye to drug dens in public housing? Why is it that there are drug deals going on out the front? Why is it that hoarders are allowed to fill the corridors in public housing with all of the things they collect – a fire hazard? I raise these issues constantly. I have got a lot of public housing in my area, and I am absolutely stunned that I have had very minimal responses in my local area. This is a seat that is a marginal seat. It is often considered a three-cornered contest. You would think that Labor would actually want to demonstrate what they can do for some of the most vulnerable people in the community, and they have done absolutely zero.

A member interjected.

Rachel WESTAWAY: Yes, they are arrogant. Let me come back to the point.

Members interjecting.

Rachel WESTAWAY: Not listening, backs turned. Want me to speak on this? I am so happy to draw it out and explain why we have no confidence in the Premier, because no-one listens, no-one is

doing anything, no-one is fighting for vulnerable people. This is in a city where people are considered affluent. That is what I find absolutely extraordinary when we have a housing crisis, when young people deserve a choice and when they deserve to live in a city if that is what they choose. But this government says 'Oh, yes, we'll build houses' but actually does not have the ability to do them in a cost-effective way, so therefore they do not happen. They are all promises.

David Southwick interjected.

Rachel WESTAWAY: Yes. I just look at the Alfred hospital, an absolutely extraordinary hospital that is underfunded. Research in the medical industry is an area which I talk to some of the leaders at the Baker heart institute about and find that their funding is dropping, not increasing. Australia used to be considered at the forefront of medical research and technology, but this government, with all of its crime and corruption, has had an inability to actually put money into the right places. They are cutting them. They sit there and they talk about cuts, cuts, cuts by the Liberal Party – what a joke. We all know that they are the party that are in power, and what have they done? They have allowed corruption, corruption, corruption. That is what we are currently facing.

Let us talk about the Commonwealth Games. I forgot about that one. The Commonwealth Games – extraordinary. $589 million for the Commonwealth Games, the games that we actually are not hosting. We never had them. And where is she? Where is the Premier? Did I ask that question before? Where is the Premier today? I have got no idea. Spot the Premier. I think there is an opportunity for a 'Where is the Premier?' type of board game.

When we look at housing, the former housing minister said, 'Yes, I am a social justice warrior and an advocate for public housing because I absolutely believe that my local area needs it.' But with a 20-month wait for women trying to escape domestic violence and they cannot get housing, where do they go? They sleep in their cars or they stay in an abusive relationship. This is extraordinary.

You did not think I could speak this long? I can keep going. These are the issues that I am absolutely concerned about. What have I addressed? I have addressed young people. I have addressed community housing. I have addressed the most vulnerable in the community – all the issues – and health and research. Potholes, let me bring up potholes. I just need to drive down Toorak Road, Dandenong Road, Princes Freeway or up Punt Road – major arterials. We are $200 million in debt. We cannot fill the potholes. We have our own leader out there trying to fix the potholes because this government cannot do its job properly. Basic infrastructure and basic repairs, yet we have seen so much waste. We simply cannot fathom what is going on with this government.

Bring on November, because Victorians are telling me every week when I doorknock. Every Friday I am out there doing a listening post and I am doorknocking, and they are saying it is time for a fresh start. They are using those lines exactly. That is why we have brought this no-confidence motion for the Premier, because they are so angry with the Premier. That is what I hear constantly.

I am excited for November, but I am absolutely stunned that we are coming up with the ideas – 200 more PSOs on the street. You are seeing crime on the increase. In the latest crime stats, crime is on the increase at stations, yet you are taking PSOs away. We are putting it forward. We are putting forward more police in Victoria, 3000 more police on the streets, because this government has wasted so much money in this state – so much money from the mums and the dads, the single people, the university students and the retail workers. They are all hurting. Small businesses – it goes from one end of the spectrum to the other. For the people that this party, the Labor Party, claim to represent, they have done nothing. They have absolutely turned their back.

That is why, yet again, every Friday when I am out in my electorate doorknocking or every Friday when I am standing on a listening post, whether it be at Prahran Market or whether it be out the front of Coles on Chapel Street or at Vogue Plaza, what do I hear? I hear the same story time and time again. People cannot afford food. They cannot afford petrol. They cannot afford public transport. They cannot afford their bills. They simply cannot afford to live because of this, and they talk about corruption.

As I was growing up, I never thought I would see so many people actively engaged in politics, talking about corruption, talking about a royal commission this far out from an election, and that is what we are hearing. They cannot wait to get rid of this government, and do you know what I am excited about? I am excited about being back in government after November and actually delivering for every sector of our community. They like to talk about the Liberals, the upper echelons – absolutely rubbish. The people of Prahran will tell you that I work day and night to ensure that they are well represented, that every section of my community is represented, that we have police on the streets, that we actually have somebody who advocates for a local state primary school that is falling apart and that will actually advocate for a local sporting centre. These are the things that I am so proud to represent, and it is why I represent the people of Prahran and our community and Victorians – to ensure that somebody speaks out and says, 'We have no confidence in the dodgy people across the other side of the room – this Premier, who is absolutely not supported.' Come on board, because I know you want to get rid of your Premier. I know you are over it, because we are all over it. I am having Labor voters in my area and Greens tell me that they are absolutely sick of it. Feel free to come with it. At the end of the day, I call it out. Actually think about your conscience and think about what your communities want. You want to hold your seats just as much as we want to hold ours. Actually stand by – *(Time expired)*

Brad Rowswell: By leave, I move:

That there be a time extension for the member for Prahran.

Leave refused.

Tim RICHARDSON (Mordialloc) (10:18): I am privileged and honoured to follow the member for Prahran. I tell you what, it was spine tingling from the member for Prahran. For a motion that had a crack at the member for Narre Warren North, who I will get to as one of the most significant people in this Parliament and one of the most amazing leaders in her community, there was not much about Narre Warren North. Having grown up in Berwick with the member for Berwick, I am going to offer the member for Prahran a tour around Narre Warren North. I am going to put that out. We will go down and we will get a cheeky Maccas drive-through at Fountain Gate, and then I will take you on a tour. I will pick you up, I will come from Chelsea and we will go through.

Because this motion apparently condemns the member for Narre Warren North, I want to tell you a little bit about the member for Narre Warren North. The member for Narre Warren North has delivered two station upgrades at Hallam and Narre Warren. The member for Narre Warren North has removed level crossings in her community, and I am reliably informed that Hallam Secondary College and James Cook Primary are just some of the things that the member for Narre Warren North has fought for, has delivered and has been a huge contributor on since coming into this Parliament. To bring a condemnation of the member for Narre Warren North without talking at all about Narre Warren North, I just say to the opposition tactics team over there at Spring Street in the little second or third floor, who were doing tactics this morning and were running notes in – the member for Warrandyte had a great score assist.

A member interjected.

Tim RICHARDSON: It was the first floor, was it? I went up the shelf a bit. The score assist – we are in World Cup football territory here – from the member for Warrandyte. The member for Warrandyte clearly wanted that spot. The member for Warrandyte was like, 'I could talk for 30 minutes like that,' but the score assist was to run notes in and say, 'At least talk about their corruption. At least talk about the $15 billion.' There was no mention of it.

When you get into the heart and soul of it, we know this is a nonsense motion, so much so that their heart was not even in it. They did not believe the nonsense that they were saying and putting forward together today. Members of Parliament here serve their communities, and the member for Narre Warren North, in her first term, has made a lightning start, engaging like never before in the south-east. That team – the member for Narre Warren North, the member for Narre Warren South and the

member for Cranbourne – is an incredible team, the likes of which we have not seen before. They support each other, they are a wonderful representation of the City of Casey out there and things get done. They put aside partisan politics and work on behalf of their community regardless, because that is what Labor MPs do and that is what people do. I want to just say to the member for Narre Warren North and her team: you are an outstanding outfit and a wonderful representation of the labour movement. The member for Narre Warren North is genuinely one of the best people I have ever met, so I just say this condemnation is just a bunch of nonsense that we see time and time again.

Let us go to some of the substance of this. Let us get past this 'no confidence in the Premier'. Remember, they put that out today. I do not know if you have been playing along and you have read the clips. The member for Kew, the opposition leader, has put out an 'Oh, I've got no confidence in the Premier' motion. Guess what, those opposite had no confidence in six of their leaders.

The member for Berwick was on an absolute tear and dominating at that time. Remember that? That is when the Liberals had – I will look up because it was high-flying – a 41 primary. Remember that on Resolve? The member for Berwick was doing the dunking machine, he had the guns out and the Geelong jersey was there. I was getting goosebumps. Berwick has never seen such talent come out. I just thought, 'Let's go!' I had goosebumps. I was getting a bit revved up about this. I thought, 'Goodness me, I've got the feels. This could be the next state.' And what happens? Another leadership challenge.

Those opposite can talk and hope for leadership challenges on the Labor side. You see a united, inclusive and supportive team. You see the Premier, the Deputy Premier and the Treasurer in absolute domination. You see those opposite and it is ticketed, the ejector seat over there. We have had former Premier Napthine, we have had the member for Bulleen sit there twice. The former member for Kew had a go there. Remember that time? The former member for Kew was meant to be the grand saviour of the Liberal Party going forward.

Nicole Werner: On a point of order, Deputy Speaker: relevance.

Tim RICHARDSON: On the point of order, Deputy Speaker, what I said talks directly about confidence in the Premier and the discussion around leadership.

The DEPUTY SPEAKER: The member was being relevant to the motion at hand.

Tim RICHARDSON: It is hard hearing when you think you have had that lined up. It happened with the member for Malvern. The member for Malvern, remember, was tracking in the 40 territory during COVID, during the second term. Remember that? It was thunderous.

James Newbury interjected.

Tim RICHARDSON: Member for Brighton, why then did the member for Brighton and others roll the member for Berwick? I know it is a bit awkward here at the front table. The Leader of the Liberal Party so lacks confidence in the member for Sandringham and the member for Brighton that she could not work out who to give the Treasury portfolio to. The member for Kew was so conflicted in who to give the Treasury portfolio to that the member for Kew said, 'You know what, I will just do it myself.'

If the member for Kew had gone to Canberra, which we thought was the original plan, those opposite would be in absolute ruin. They would have had six or seven leaders. They probably would have gone back to another. Now the member for Malvern has taken off. The member for Kew has taken the primary down to 24 to 26, and One Nation is on a tear. The member for Berwick had him at bay. I will say this, and I will not fanboy too much on the member for Berwick, but when you see the DemosAU poll in the electorate he knows quite well, Berwick and La Trobe, you see a 46–54 One Nation 2PP. They are on a tear in the outer suburbs, and they are coming after Liberal-held areas. When you see that, the member for Berwick had them at bay. The member for Berwick had them at 41. Where do

we see the primary right now? We see it at 24 to 26 and we see Pauline Hanson on a tear. There is just a correlation.

I know you are very astute, Deputy Speaker. I know you follow empirical evidence. Correlation is not always causation, but I see here the member for Berwick, 41 primary; the member for Kew, 24 to 26 primary. I just see a correlation here that maybe there is a bit of buyer's remorse now, maybe they regret again rolling another leader. The member for Hawthorn looks glum. The member for Bulleen looks brave sometimes, sometimes glum. The member for Berwick is up and about. The member for Berwick is playing the team game. He is ready to go. If it does not come off and they come up short, he will be back. He might have said, 'C'est la vie,' but I have heard there are three dots on that – 'C'est la vie …' – and maybe a bit of 'To be continued'. There is a sequel here. As Scott Morrison said to Malcolm Turnbull, 'I'm optimistic for you,' Brad Battin. I am optimistic for the member for Berwick. I am optimistic for him because I think there is another story arc to that. The member for Berwick is not done.

When we see this nonsense put forward, the person who said the $15 billion number has walked that back all the way back to New South Wales, and I would have my own reflections on those comments and the gallivanting and that. But let us just think about what Nick McKenzie said the day after on Jacqui Felgate's program: 'Well, it's not that. It could be millions.' What did the Premier say? Any dollar that is misappropriated in Victoria is a terrible outcome, so we have fronted up to that. What have we done? The Labour Hire Authority has knocked out 151 labour hire firms. We have had 88 charges laid. Right? That is where we are at. That is the state of play. There might be more out of Taskforce Hawk; it is ongoing. That is an important reference from the action that you take, fronting up to the accountability, fronting up to press conferences and then walking out. When we say we are expanding IBAC's powers and lowering the threshold of criminal conduct, the member for Kew goes, 'Hang on, that's a step too far for us. We don't support that.' Well, that is where we are. We are open, transparent and lowering the threshold to make sure that corrupt conduct has a lower threshold and can be investigated. That is taking the action and putting through those outcomes going forward. We have got the most far-reaching retrospective follow-the-money powers coming. That is taking the action. That is saying retrospectively, 'We'll have a look at that and we'll see what's happened here.' That is opening up the books and saying, 'We do not want to see one bit of corrupt conduct.'

You know what, this side is for workers and on the side of the labour movement and supporting working people. Any bit of corruption in the labour movement we know impacts on the people that we care about, love and appreciate in those unions, in the construction industry – the more than 125,000 people who are CFMEU members. It impacts on all working people, because, you know what, when conservatives get in they will use any tactic they can to rip away the working conditions and wages of people that we love and cherish in the working movement. It does not take much. They tried to do that with a royal commission federally and tried to get all of the Labor people in the docks and the stands and go after them. What did that show? It just showed that they were trying to erode workers' conditions and entitlements, like all the time before, except that is on hyperdrive now with the One Nation–Liberal coalition coming through.

It is a really concerning point in the confidence of this Parliament and in this place that rank populists come through and then just absolutely go on a tear. Those opposite have enabled that. I will not name some of the members on that side who have done that. I put out a plea to the member for Sandringham yesterday. I said, 'Just show some ticker, please. Let's stand up to these people.' Do what John Howard is doing now: stop them at the door. There is an opportunity right now. Angus Taylor has taken the Liberal primary to 17. You know when the Tasmanian tiger went extinct? You might remember that, Deputy Speaker – no, you are of a younger vintage. You might remember that back then when the Tasmanian tiger was going extinct they wanted to photograph it. They wanted to catalogue it just to make sure it was in the archives. The Nationals at the moment are being photographed. They are just saying they are not going to exist anymore. This is the warning to the Liberal Party: the Nats are almost as good as gone. I think we all have some admiration for the member for Morwell, but I feel like going

and handing out for him, because there is all sorts of trauma coming there – 18 out of the 21 booths are the worst, One Nation is on a tear. Hopefully they can find him a parachute somewhere else – just get in the Libs or go One Nation. You do you, member for Morwell, but we are concerned. He is a charming fella; he is a good leader. He is in all sorts. Maybe Morwell and Berwick could do a bit of a combo and just see them off. John Howard is the only one that has stood up and said, 'We have to stop them at the gate,' on Karl Stefanovic's podcast. Maybe the member for Warrandyte or the member for Berwick can go on the Karl Stefanovic podcast and have a chat and a wander around with some softball questions: 'What's the day today? What's happened?' – all this sort of stuff. But then what are they going to do about this? They are going to have to sign a preference deal; otherwise they cannot exist going forward in this.

When we think about this motion, it goes to the heart of their policy intent. When they call out the $200 billion in debt, that is a window into what they would do if they ever got near government, and part of that is not choice. The member for Kew already has put on the table a $40 billion cut agenda – one in seven public servants sacked. This is a real, significant moment in our state when the member for Kew, in her own words, says that business creates jobs, governments do not create jobs. That means that anyone that is supported in government jobs is at risk. It means teachers do not know whether they will have a job at the end of the day under the member for Kew. We do not know whether allied health workers, our nurses or our paramedics will have a job at the end of the day, because when those opposite say that government does not create jobs, that means they cut back. But what does that look like? When you take a cash surplus, when you do that and take it to its nth degree, it means you cannot fund any infrastructure into the next decade. Those opposite will not deny that, because those literally are the figures they put forward. When the member for Prahran was talking about updating female change facilities, which is a really important thing – and I am sure that her advocacy around that is really important – the reality is there will not be a moment to invest in that because the cash surplus will tear through like nothing before. If you do it by gross state product and you grow the economy and shrink the proportion of debt to the state's economy, that is a sensible and smart way; that is the five-step fiscal management plan that the former Treasurer and the former Premier put forward to step us through. It is what other states and territories will do as well; they have followed that metric through.

The Liberals, in their policy, are far more egregious and far more austerity focused. Those opposite will have the blowtorch put on them as they come close to the election. They cannot walk around the fact that the cash surplus means there will be no movement, no investment, no funding in capital infrastructure and a significant reduction in the public service. Those opposite need to explain: if it is not that $40 billion number, what is it? We have done the numbers on what that would take over the forward estimates, including the $11.1 billion, in taking back revenue. Here is a thought – this is Liberal economics right here: 'We're going to drop the revenue base by $11.1 billion. We're then going to make tens of billions of dollars in cuts through there.' But then they say that they are going to grow the economy and increase infrastructure. It just does not stack up. You saw this from the former opposition leader Peter Dutton when he rolled over his costings and everyone went, 'Goodness me, there's tens of billions of dollars of a hole in that.' You think, 'Well, how can this stack up?'

When the Leader of the Opposition is the Shadow Treasurer, the accountability falls right at the member for Kew. At least then when the member for Berwick or the member for Brighton go on their leadership gallivant at the end of November or early December – and I am happy for the member for Brighton and the member for Berwick, because they will not have all that muck and all that baggage of being in control of a massive cuts agenda, the likes of which we have never seen. There are the complications and the huge implications of One Nation and a One Nation–Liberal alliance, which is coming. Some of them on that side are actually advocating for that; they are advocating for a One Nation–Liberal alliance going forward. Cut the Nationals out, because as I said, they will be extinct. So the next phase will be the One Nation–Liberal coalition, whether that is in opposition or whatever that looks like, because the reality on current numbers is One Nation will win more seats than the Liberal Party; that is the reality here. The member for Brighton will be fine. I think he has to walk around a bit to find One Nation types in his area. There may be a few – more teals. I have heard on the

grapevine that he is a little worried about some of the teals out there. The member for Brighton has got to thread the needle here. He is very leadership-aspirant, I am just going to say that. He has got a bit of talent. He could have gone fed; he could have gone club fed. He might have a journey out at club fed. He wanted to go club fed, but he has got some aspirations, and he holds his own in here. The member for Brighton does not want to see the rise of One Nation, because what happens then with the teals all the way through the Sandringham train line? They will go on an absolute tear. Those gen Zs and millennials in his seat will look at that and go, 'Well, that is not anything like a modern Victoria that we stand up for and we want to participate in.' So he has got to thread the needle.

But then you have got the likes of the member for Narracan and member for Polwarth. Wow, we have heard rumours. I do not think you are a Backroom Baz reader, Deputy Speaker; I am not sure. You are astute in following the papers. The member for Berwick gets a few nods and a few doffs of the cap. But we have heard that there is a bit of flirting with One Nation. Like if the primary was a certain way, we might suddenly fall in love with the colour orange. It looks good on a particular day and a particular suit. I have seen the member for Narracan. I mean, I am colourblind, but I do not think it is a red tie. I have seen a little bit of orange – just trying it on for size. One Nation do not even have a candidate in any of these seats yet and they are polling off the charts. We are seeing numbers that have never been seen in those areas before.

When we see that kind of impact, we see the impact that this will have, we know that they are captured. They have no other option than to form up with One Nation and be the minority partner. We do not even know who that might be. It could be anyone that they put forward or pick. They do not even have a candidate at the moment, but the Liberal Party will be the junior partner in that arrangement because One Nation will win more seats than the Liberals, and the Nationals will be as good as the Tasmanian tiger – they will be extinct. To those in Nationals' offices: this is the time to join One Nation and photograph all your archives, because at the moment you are looking like a history project.

They have let the populists in. They have never stood up to them, and for a decade they have pandered to them. Sky News after dark was the Liberals' plaything for a little while, and then Paul Murray and others and Steve Price went, 'Well, you know what, we actually think they're a little bit too moderate. Let's run and charge in.' The member for Kew can come out today and say, 'We won't do a preference deal' – do it right today – and that they are going to put One Nation last, like John Howard did. Who would have thought that John Howard would be the most courageous voice out there again, in his 80s, getting on the Karl Stefanovic podcast and going 'Don't do it'? You have got Angus Taylor up there. It gets worse, member for Brighton. Angus Taylor has driven the Liberal primary into 17 territory; it does get a lot worse. The Liberals under Morrison and Turnbull, where were they? They had a four. Remember when Scomo was at –

Nicole Werner: Why are you talking about polls?

Tim RICHARDSON: It is important, member for Warrandyte, because I am worried for your future if One Nation comes through. I think the member for Warrandyte has got a bright future going forward. Does the member for Warrandyte support a preference deal? We will see. In the next speech, if the member for Warrandyte is going through, we want to know: will the member for Warrandyte push back on One Nation? Tony Abbott has said they will do a preference deal. Jeff Kennett is pleading with them to side with One Nation. I can just see the blood boiling in the member for Brighton and the member for Sandringham, who then go, 'This is absolute carnage.' The member for Prahran would not survive in that kind of circumstance if the member for Kew, with a preference deal with One Nation, let the teals run through Hawthorn and through Kew.

There are decisions to make now, not just in political expedience but in the good of our community and the good of our future. Will those opposite do the right thing for our institutions and our democracy and push back on populists? The Tories have not done it with Reform, so we have seen examples of that. We have seen examples of the Republican movement in the United States and how that has torn through the Tea Party – that is right, member for Glen Waverley – and now we see it has greased the

wheel for rank populism. But there are elements in the Liberal Party that we see are addicted to that and emboldening that.

I have said this to those opposite in private conversations. The two-party structure we have here and the Nationals and the Greens as stable forces in our democracy – centre left, centre right – are decent for our institutions and structures. That is genuinely the truth. That has stood us the test of time in federal and state circumstances for decades. Right now it is *The Hunger Games*, because One Nation are not as extreme as some want them to go. Where does the decision-making on what is the right thing to do and the important thing to do come into the psyche of political discourse? Unfortunately federally that has been vacated.

When we think of the toll and the consequence, the Liberals will have no option but to go more extreme to outflank One Nation. Pauline Hanson said yesterday at the National Press Club that she would tear up government departments, a slew of government departments. How many government departments do we have? We have 11 – a slew of government departments and talk of tearing them to pieces. The Department of Education, the Department of Health, where are we going here? The Department of Jobs, Skills, Industry and Regions? Where do we go here if we are tearing up these institutions and tearing jobs to pieces and shrinking government? It is austerity, it is a lack of confidence and it is a lack of aspiration and hope in Victoria. Show me where a jurisdiction has gone hard on austerity and it has led to a better outcome for the people – and I have said this time and time again: where is it? Where is the example where hacking and slashing and burning the place has given hope and aspiration to working people and families in our communities – where? Because that is the toll right here.

The member for Warrandyte is going to go next, and it will be, you know, Ferraris, it will be this, it will be that and it will be $15 billion. There will not be any account for the substantial cuts that are going to be made. The member for Warrandyte has never talked about the cash surplus and what that will mean for no infrastructure funding. An entree to being the Shadow Treasurer, if you are up for it, is to say, 'Well, how would you factor in the cash surplus that means tens of billions of dollars need to be ripped out of Victoria?' How would that happen? How would that happen over a decade? We have done the numbers, and it does not stack up. The best way is to grow the economy, shrink debt as a proportion of the economy – and Victoria has been an engine room of the nation's economy for the last decade – create jobs and increase the prosperity. Because what will happen to Victorians who see austerity as the measure? Well, we will see cuts to health and education, and jobs will go backwards.

What is happening now? We are the engine room of the nation's economy. We have got business growth that is outstripping the nation – that is what is happening. If you read past page 4 of the *Herald Sun* and do a little bit more, you will see the economic stats of where Victoria stands up. Those opposite want to talk down the place, but there is absolutely no hope and aspiration that they offer to Victorians. It is always, over that side, about naming a problem, never a solution, until they read the *Herald Sun* at 7 am or they see the clips from One Nation and what they might do.

One Nation will go further. We saw that they would tear into early childhood educators. Did you see what they said about early childhood educators yesterday? This is what Pauline Hanson said: 'You don't need a qualification to look after children.' The whole early childhood sector had just been absolutely pulverised. If they do not value the people that educate, care and support and nurture our kids in the 1000 days of their development, then what values do any of them hold? So we would see early childhood education torn into. We would see cuts to infrastructure. We would see jobs go backwards. We would see projects paused, and we would see the likes and impact of what we saw in the Abbott and Hockey days and then some of the entree to Baillieu and Napthine. So that is the cuts agenda.

A member interjected.

Tim RICHARDSON: That is right – out the back with the cigars and putting it forward as well. And then on income – this is going to be my last sort of segue in. We have got the member for Bulleen

that has just walked in here. Remember the transition to government shadow? That has gone. They have given up that. Remember that one? You might have seen when the portfolio shuffle happened, the member for Berwick was sizing up the curtains and he thought, 'I can see it here.' I will just take you back over there, opposition team. You had 41 as a primary, and you have taken it down to the low 20s. And Angus Taylor is not the floor up there at 17 – it keeps going, it keeps going further. But the member for Berwick was sizing things up, and he went to the member for Bulleen, who had had a crack at trying to transition to government twice – and I thought there was a bit of a twisted, nasty irony to that – and said, 'Member for Bulleen, can you do transition to government for us, because you know so much about that – you know, two times?' The former member for Kew was so aspirational, and he got him all revved up and all excited. The former member for Kew Tim Smith did all the legwork and then got necked. How brutal was that? Remember he was down on the peninsula and the member for Bulleen would not take the call. That was a really quick transition in confidence in your leader, wasn't it? 'I'm looking after him. I won't take his call. Off he goes'. That was brutal.

But on the transition to government, they gave up on that portfolio very quickly, didn't they? The member for Bulleen was getting out there and trying to get on to department secretaries – no-one was taking the call. Remember that pub aspiration he had with Neil Mitchell? Do you remember that interview? That was a classic: 'I want to go and start a pub in New South Wales,' 'Oh, okay.' Well, when is it going to happen? The member for Bulleen is still here. I think in this story arc – I am aspirational for the member for Berwick – the member for Bulleen is Lazarus with a triple bypass. Remember when John Howard had the third rise through? He came through. I think the member for Bulleen is actually just sitting there, waiting in the wings. I think they have confidence still. He is good on the grabs. He is still there. The member for Bulleen is still the best performer, by a mile. When he gets on the tear, look out. I do see the member for Nepean in here, and I wonder what the member for Nepean makes of all this. He has come in, six different leaders, primaries going down, had to fight off One Nation, got a bit of a taste for that. Lucky Nepean is a bit more stable down there with some of the Liberal aspirations, but it must be a journey. You have come into one of the most exciting times, member for Nepean. It was a nice speech, member for Nepean, yesterday. I thought you and Prahran could be frontbench straight up. I thought, 'Goodness me.'

The DEPUTY SPEAKER: Through the Chair, Mordialloc.

Tim RICHARDSON: You were tuning in last night, Deputy Speaker. I think you were listening to that speech. I thought, 'An engineer, so not a factional hack, has come through.' There have been staff that have run through. It is a nice little segue through there. He was aspirational for the member for Hastings, gave him a well wish and said he was backing him in. The rumour goes, from those that were backgrounding on him and trying to keep him out of preselection, that he was a bit favourable to the colour red. Bit favourable over here, member for Nepean said on the speech –

Anthony Marsh: On a point of order, Deputy Speaker, the member needs to be factual.

The DEPUTY SPEAKER: All members are understood to be factual. That is why they are honourable.

Tim RICHARDSON: It was not me in the *Sentinel-Times* saying that the member for Nepean liked the Labor Party. It was not me backgrounding out there. I think it was some branches down that way. But we see here today a motion put forward without thought – a motion that talks about a number that has been pulverised by the journo that wrote it. The next day Nick McKenzie, on Jacqui Felgate's program, absolutely rubbished that number by saying it could be millions. The member for Warrandyte will not say that – will take it as gospel, that number – but in a post-truth era it does not matter, does it? It does not matter anymore what you say or do. I caution those opposite that the absolute populism that is running rampant is why people are running out of their branches towards One Nation. This is happening right now, and it impacts on the Labor Party as well. Anthony Albanese, the Prime Minister, and the Premier have talked about this, but it harms in its most critical phase so

much more the Liberal and National parties. It is a moment in time, whether they reflect on that and stand up or not.

Then we see the numbers put forward here around the austerity measures that they would take. The cash surplus will rip the heart out of confidence in Victoria. It will harm Victorians. It will mean it will be harder to front up to hospitals because there will be less funding. It will be harder under the Liberals because there will be less teachers, and confidence in this state will deteriorate to levels that we have not seen. That is what happens when austerity is the number.

My final shout-out is that the member for Prahran had nothing to say about how the member for Narre Warren North has acted. The member for Narre Warren North is an outstanding member of Parliament, delivering in her community. She will be re-elected, and she will dominate for many years to come.

Brad BATTIN (Berwick) (10:48): It is fantastic to follow my friend the member for Mordialloc, who destroyed my reputation with his praise of me just a minute ago. There is one thing I will highlight in relation to a point of order from our good member, the member for Nepean. The one thing he did get factually correct was that he won, and that is why he is here, because he went out and represented his community. But I do have one slight issue. I know the government will question the $15 billion, but we know that is out there. That is well and truly in the community.

I know it is our motion, but the only part I question is the bit about this house condemning the member for Narre Warren North for having confidence in the Premier. I thought the member for Narre Warren North had a very good, close relationship with the Deputy Premier. I do not think she quite has the confidence in the Premier here in this place, and I think that could be a really big concern, because we know on that side at the moment they are not united at all. They are all over the shop.

I will say to the member for Mordialloc, because we did say we went down to Narre Warren North and he said he would love to give a tour to the member for Prahran. I would be happy to do it as well. I will join you down there, member for Mordialloc. I will come out. I will wear my tank top. I will get the guns out so you can keep looking at them again, because you spoke about them more than most other things whilst you were doing your presentation. I have to say I am pretty proud of them, so I am all right with that. We will get down there to Narre Warren North. You said you wanted to go through Maccas. We want to go through Maccas. I will talk about McDonald's down there in Narre Warren at Fountain Gate. The McDonald's there is a great McDonald's. It is where I started my working career. It is where I met my wife, so I have got a good relationship down at McDonald's. I remember the days back in the Narre Warren North electorate when I used to leave McDonald's at 10:30 at night and not feel unsafe walking to my car, because that was what Narre Warren North used to be before this Labor government, when we used to be safe in those communities, when we had police resources that could respond to crimes.

Let me tell you what has happened with our crime statistics out in Casey. If you want to sit there and talk about what is happening, we have got record crime. You would be surprised to hear of a 9.1 per cent increase in crime in Casey and a 25 per cent increase in theft from motor vehicle. But under this Premier that, let us be honest, no-one could have confidence in, theft from motor vehicle has gone up 138 per cent out in the growth corridor, out in Casey, and there has been a 21 per cent increase in theft of motor vehicles. One of the biggest issues we have out there is we just do not have the police resources. I speak to the coppers out there each and every day, and they are frustrated. They hear the absolute rhetoric from this government that we have got the biggest police force in Australia and we have got more police officers than anywhere else. You have also got record crime. What is worse is –

A member interjected.

Brad BATTIN: 'Crime is down' – it is up 9.1 per cent in Casey, and it is up 26 per cent under this Premier. Only this government could pat themselves on the back for a slight decrease in record crime here in this state. We have got more people who are victims of aggravated burglaries than at any time

in history, and members of the Labor Party want to pat themselves on the back. Fifty-eight per cent of crimes out in Casey still remain unresolved, because they do not have the resources. Again, we have got a government here and a Premier that comes out and says, 'We'll give Victoria Police all the resources they need. Sorry, except we won't give them the resources to do the fingerprinting or DNA tests on stolen vehicles. We'll stop that because we haven't got the resources for that. We can't do DNA testing or fingerprinting on stolen cars anymore unless the car was involved in an aggravated burglary, so we've stopped investigating that at all.'

Drink driving and drug driving – the government now will not give the right resources to Victoria Police to do roadside drug tests, and we are seeing example after example and copper after copper coming out and talking about it. They are pulling people over, and they are told that if they go to the cupboard to get one of the tests before 1 July, they are in trouble because they do not have the budget to replace them. So rather than using them, they are going to leave them locked away in the cupboard so they can use them all closer to an election – because we all know how the spin works. The spin machine is starting to build up. It is starting to get there for the election. All of a sudden, double squads are going through the academy; they were not for the last 12 months, but all of a sudden they are starting to go through every fortnight so they can pat themselves on the back and say, 'Look at us, we've got so many Victoria Police resources coming in.' Yet Wayne Gatt is running a campaign that 1507 vacancies remain on police rosters across this state.

What does that mean, Deputy Speaker? It means even in your electorate, where I was out recently, the stations are closed or have reduced hours. It means up in Kilmore, where I was, there was a 24-hour station – it is open one day a week. It means in Clyde North we have got a wonderful new station, we just have no Victoria Police members in it. In Clyde alone we are starting to see crime reach record levels; we have had an 83 per cent increase in crime since this Premier was appointed by the Labor Party. The reward they got – they have had about 35 media releases, 24 front pages, photos of every Casey member from the Labor Party going out there celebrating this wonderful new station, but not one of them goes out and visits the victims of aggravated burglaries. Not one of the members of the Labor Party have come out to Casey and visited those that have had a group of kids run through with machetes and threaten their families. Not one of them has gone out and visited a household, such as I have been to, where the youngest person in the house was 75 years old and the oldest was 92 and a group of kids came through that house with knives and threatened them and stole their car. That is what these crime statistics are: they are people. And the kids know; they laugh at it. The kids think this is the funniest thing in the world because they know that they can drive into someone's home in a stolen car, run through the house and drive out with their new stolen car on the way out. It is kind of like a little car lot for them – off they go, cruise down, get into a pursuit. They can go all the way along a freeway. They can pull a gun on someone; it does not really matter. They can then go and do a firebombing – 80 Proof is a prime example out there in Keysborough – blow up a whole factory, go into court and say to the court, 'Oh, sorry. I know the Labor laws. They'll let me off, won't they?' And I think to myself, 'No, no, no,' and the judges then go, 'Yeah, the laws say you can keep going.' Twelve months without conviction for burning down a $4.6 million factory – this is what is happening out in Casey. These are the crimes that are happening out in my community.

These kids are the ones that are actually going to pay the price. These offenders who continuously get out will continuously commit crime until they end up in the adult system. And, guess what, it is over; it is finished. They will have no opportunities. They will have no second chances from then. They will never be able to get out and go out into the community; they will not have the opportunity. There are things that we do not even think about in this place. They might not be able to get a job, because if you go in and apply for a job, you have got to fill in your stat dec and say that you have never had a criminal conviction. They cannot do that because they are going to have criminal convictions coming out their ears by the time they are that age. The worst thing is when you go and ask them, 'What do you want to do when you get older?' and most of them say, 'I'd love to go overseas' – gone. You cannot go overseas. You are a convicted criminal. Most countries will not accept you. The ones that do – I am probably happy you will go there. But any that genuinely want to go to America cannot. We are giving

up on those kids. That is why we need to ensure that we have a Premier of this state that we can have confidence will not only be tough on crime, will not only have the stick, but will ensure we have the carrot to keep these kids away from crime. That can only happen with a change of government.

When we are out in Narre Warren North and going through the areas and the shopping centres down there, I think there is one stat that will stand out. I am sure, again, the member for Mordialloc would have loved to come through Fountain Gate when it used to feel safe, because offences in shopping centres in Casey have gone up 43 per cent – a 43 per cent increase in crimes at shopping centres. I remember as a kid walking through Fountain Gate shopping centre, and every so often we had a small gang here and there that caused a few issues back in the days when the coppers could deal with them properly and effectively and get rid of them. Now if the coppers do anything wrong against these kids, the coppers are the ones that get in trouble. It is about time we reversed that. We want to make sure that we can get rid of the gangs that are down there now, because people genuinely feel unsafe at Fountain Gate. Parents now who are my age – the oldies in their 50s – who have got kids who are 15 to 16 years old will not even let them go to the movies by themselves at Fountain Gate. That is how dangerous Fountain Gate is.

I am not sure how we can stand in here and say that the member for Narre Warren North is doing a good job, because your primary responsibility as a member of Parliament should be to keep your community safe, and in Narre Warren North they are no longer safe. All across Casey they are no longer safe. It is no longer just stats and it is no longer them over there trying to say it is us trying to scare the community. It is reality. The only thing that scares me more than crime out in Casey is spin from the Labor government, who continuously try and put messaging out to my community that nothing is going wrong. Give permission then for the coppers to come out and speak to the media and I guarantee you that every single one of them will come out and tell you the truth of what is happening with crime out in Casey. They will tell you the number of victims that we have got building up each and every day and that people are unsafe walking down their street, unsafe going to the shopping centre and – sad but true – unsafe going to their local McDonald's.

Mary-Anne THOMAS (Macedon) (10:58): I am really pleased to speak on this motion because, a little bit like the member for Mordialloc, it gives me an opportunity to reflect on the fantastic work that the member for Narre Warren North is doing in her community. She is just one of the very many hardworking Labor MPs in this chamber that come to work every day focused on what matters most to Victorians, and right now that includes the cost-of-living pressures that families are experiencing as well as of course ensuring that our government continues to invest in the health and education infrastructure that Victorians need and rely on. I want to congratulate the member for Narre Warren North. It certainly was my pleasure, formerly as Minister for Health, to be able to visit with her in her electorate and see some of the incredible investments that our government is making to service the needs of her community, including a massive expansion of the emergency department at Casey Hospital – an expansion that will enable that health service to see 52,000 additional patients every year in the emergency department.

I note also that this motion before the house talks about a $15 billion figure. We know, because Geoffrey Watson himself has said it, that this figure has been misquoted and misused. As we know, it was the former administrator Mark Irving of the CFMEU who said that this was an untested and unfounded figure. But I will tell you what is not an untested and unfounded figure, and that is the $15 billion pipeline of health infrastructure that is being delivered by this Labor government. That is where we are spending $15 billion worth of funds. And I will say this too, because it is true: Victorians can expect that, should the Liberals be elected, under a Liberal government they will see cuts, closures and privatisations of our health services, because the best predictor of what any political party will do in the future is what they have done in the past, and their history is one of cuts, closures and privatisation. We know this is true for the Latrobe Regional Hospital and the Mildura hospital, and indeed they were preparing the Austin Hospital for sale. $15 billion of investment in health infrastructure in this state means that we have delivered world-class health facilities. The new

Footscray Hospital, the absolute best in class, is a health service that stands proudly at the gateway to Melbourne's western suburbs to serve the people of Melbourne's west and meet the needs of this growing community, and a world-class hospital will only continue to attract world-class talent, to ensure that the people of Melbourne's west can get the very best health care that they need and deserve.

One thing that we know for sure is that those on the opposite benches have always neglected the people of Melbourne's west. They have rarely visited the place. Only Labor will ensure that we continue to deliver infrastructure so that people in Melbourne's west, and indeed people in Melbourne's north and south-east – these growing communities, where working families live and aspire to own a home – can give their kids a good education and ensure that they can get a good, secure job into the future. We will always, on this side of the house, proudly stand up for those people. A secure job is something that we on this side of the house understand the importance of. It is why we continue to invest so much money into infrastructure – productive infrastructure that will help grow our economy, but also infrastructure that will create good jobs along the way. We will never shy away from the need to ensure that workers have safe working conditions and that people are well paid for the work that they deliver.

I want to take people in this chamber back to 2014, when we were running to get rid of a hopeless one-term Liberal–National government. It had never been done before. But, you know what, we were successful, and I will tell you why: because we went to the people of Victoria with a jobs plan, a commitment to create an additional 100,000 jobs. We have done that so many times over since we have been in government. In fact this motion talks about unemployment. Let me remind the house that when we came to power in 2014 unemployment was at 6.7 per cent. We had the highest unemployment on the mainland here in Victoria, and that was under a Liberal–National government. What we do on this side of the house is make no apologies for investing in the productive infrastructure that will create good, secure jobs but also set our economy up for success into the future.

Of course we have borrowed money to invest in this life-changing infrastructure, be it the Footscray Hospital, be it the Frankston Hospital, be it Melbourne Metro or indeed be it the Suburban Rail Loop. You cannot stand still when it comes to delivering the infrastructure that our state needs to meet the needs of our growing population. Of course as a proud regional Victorian I am also very, very pleased with the investments that our government has continued to make in rural and regional Victoria. That means significant investments.

Members interjecting.

Mary-Anne THOMAS: Here she is, the member for Narre Warren North. The absolute star of the show has walked into the chamber, ladies and gentlemen. It has been such a pleasure, member for Narre Warren North, to be able to sing your praises in this place, because I know that, like me, you understand the importance of investing in productive infrastructure. But I was just talking, if I may, about the importance of ensuring that we make those investments in rural and regional Victoria. Again, as Minister for Health – or former health minister, sorry; let us be clear – I am very proud of the more than $790 million that was invested in the Regional Health Infrastructure Fund. The hospital infrastructure that we have delivered in Bendigo, in Ballarat, in Warrnambool and in Traralgon and the investments that we are making in Albury Wodonga Health, indeed Wangaratta – none of this would be possible if it were not for a Labor government that believes in building for the future.

My time in this place is nearly up, but I do need to make a couple of observations. What we have seen from those on the other side of the chamber today is yet another cheap political stunt which is designed to take attention away from the fact that their vote, as the member for Mordialloc has already succinctly outlined, has absolutely collapsed and they are hard on the ground chasing the One Nation vote. Anything that comes out of Pauline Hanson's mouth, you can be assured, will be Liberal policy, because they are so desperate to win at whatever cost.

I note the member for Nepean is in the chamber. He made his inaugural speech last night. He neglected to mention that One Nation secured 40 per cent of the vote in Rosebud. If I were the member for

Nepean, I would be spending less time in the Macedon electorate – which is what he did only a couple of weekends ago – and more time in my own electorate, understanding that he has to win again in November of this year. Some of what we have heard come out of the mouth of Pauline Hanson is deeply offensive, but you can be assured that those on the other side will be out on the hustings and they will be seeking to implement a Pauline Hanson agenda here.

Pauline Hanson has been quite clear: apparently, according to One Nation, workers have too many rights. Can we just be clear about that: workers have too many rights. The neoliberal economic rationalists on the other side have never said the quiet bit out loud before; they have kind of kept it a little bit to themselves. But this is central to their political beliefs: workers have too many rights, we are spending too much money on infrastructure, we are spending too much money on services like public health and public education. As I said, the best predictor of what any political party will do once they get power is what they did previously – cuts, closures, privatisation. This is what we can expect from a Liberal–National–One Nation coalition.

James NEWBURY (Brighton) (11:08): I am delighted, if not shocked, to rise to speak on this motion. Just for those who do not understand what is happening this morning, the Leader of the Opposition, on behalf of the opposition, gave notice of a no-confidence motion in the Premier and her government. What did the Leader of the House do? He allowed a debate – this is a Labor Leader of the House – on whether this house has confidence in the Premier. I understand he is from the right, and I will tell you what, I reckon he has been behind some of the shenanigans. Anyway, I will leave that on the side. He allowed a debate in this house on whether this house has confidence in the Premier. We have got two free debates on whether we have confidence in the Premier. We do not, and neither do Victorians. I say thank you to the Leader of the House, because what he has done is he has allowed Victorians' views to be expressed through the opposition in this house today.

Let me talk about some home truths, because a number of speakers on that side of the house have been talking about what has been happening in Victoria. I will start with where the Premier is at, because that is what a lot of this motion goes to. The Premier is about to be wiped out of her seat. She is currently polling third – third, as Premier – as the member for Bendigo East. She is polling third. Can you imagine being a leader of the state and polling third in your own seat? She is polling 60–40, by the way, for anyone who is tracking, 60–40 in Bendigo. She is being wiped out. She can walk up and down knocking on doors – and when she is knocking on doors, she is not getting much chop, you can see that. I would say to the Premier: stop doorknocking, because I do not think the knocking on doors is doing her any favours. I think when she is turning up they are saying no. When you are on 60–40, I do not think any pork-barrelling in your seat is going to save you. My God, is she pork-barrelling. She is pork-barrelling as hard as anyone has ever done before, and it is not doing her any good. The Labor polling – I do not know if anyone knows this yet – is showing them down to 25 seats. Legitimate Labor polling is showing them down to 25 seats. That is 30 seats down. All these cocky backbenchers, I would not even know their names. I do not mean to be rude, but I would not even know who they are. But neither do their electorates. They would not even know who they are. Who are these people?

Natalie Hutchins: On a point of order, Acting Speaker, could you direct the opposition to the fact that there are microphones in here and we do not need that level of yelling.

The ACTING SPEAKER (Juliana Addison): There is no point of order.

James NEWBURY: As I was saying, I understand why the member – I do not know her name – is touchy about what is happening with Labor polling. I get it. When you see the briefing that came out from their own head office, it shows that 22 of them are triple zeros. What does that mean? Triple zeros – no doors knocked, no calls, no conversations. I do not understand how a member of Parliament can leave their house and not talk to someone. I have never left my house and not talked to someone in my community. Whether you are buying a coffee and you are waiting in the line and you have talked to 20 people or whether you go to the shops, people –

David Southwick interjected.

James NEWBURY: As the member for Caulfield just said to me, it is not possible for you to leave your house and not talk to someone unless your community does not know you. How can you not have a conversation when you are out in the community? There are only two answers to this. They either are not leaving their houses – that is possible – or no-one knows who they are, which I think is also true.

It is astonishing what is happening under this government, the chaos that has allowed a debate of no confidence in the Premier. Victorians have no confidence in this Premier, and we cannot wait to vote. We cannot wait to vote in November. Every Victorian cannot wait to vote, and Labor can get as cocky as they want. They can laugh about it. The Premier can continue to put out weird videos. Last night's video was captain weird. Last night's video was so weird. In my mind, I start to think to myself, 'Could the Premier do anything more weird?' Do you know what it showed? Terror, terror – absolute terror. Well, the only thing I can tell you about politics after watching it for decades is when leaders become desperate and full of terror, the result gets worse, because voters smell terror.

The reason why Victorians are going to vote hard against Labor and they are going to come out with their baseball bats, as the political expression goes, and they are going to come out in a way we have not seen before, is because corruption is now core business in this state. The Premier, of all the things she has done wrong – and she has done a lot of things wrong – she has allowed, enabled and covered it up. It is a disgrace. So not only are they going to vote against this government, but they are going to vote in, hopefully, a government that cleans it up, because we are going to have a royal commission.

I make a commitment: we are going to make sure we not only chase down every dollar but we chase down every crook. We are going to go after these criminals. We are going to go after them. This will not stand. Victoria and Australia will have confidence in the integrity of this state again.

When the youth crime crisis started in Brighton, as Victoria Police have confirmed, people on that side of the chamber laughed. Many senior ministers said it was not happening. They just talked against crime existing. It was an absolute disgrace, to the point that we now see open danger in our streets. There are few streets that have not had a burglary or an aggravated home invasion. In my community every street has. Car theft is the norm. You do not feel safe in the city, you do not feel safe in your suburb.

What is this government's solution to that? Closing police stations, reducing police numbers and taking PSOs off train stations, partly because this government is broke but also because this government believes in putting criminals before victims. You look at what happened yesterday with the Anzac memorial and the two offenders in that. What an absolute disgrace. Two scumbags have been able to protect their names because they are embarrassed. What happened straight after those scumbags got that protection? They held up the same vile sentences immediately after that magistrate made that decision. It is wrong. There is something wrong in the courts and a system that allows that decision to be made. Those scumbags should have no safe harbour. They should have no capacity to cover up. I am deeply, with my portfolio hat on now, concerned about a system that allows that to happen.

This government is in chaos. We have no confidence in this Premier and we have no confidence in this government, but neither do Victorians. They are going to tell every single Labor member about that in November, and I cannot wait to join them so that we can clean up this state again. We want a Jess Wilson government. We want a clean state. We want a safe state. We want a safe place for our children. We want a safe place for our community. That is what you will get after a change of government in November.

Paul EDBROOKE (Frankston – Minister for Consumer Affairs, Minister for Cost of Living, Minister for Renters, Minister for Men and Boys) (11:18): It is obvious that common sense is not a flower that blooms in every garden. It might be amazing for the member for Brighton's mum to sit

back at home and tune in and watch that. I think I counted six times the member for Brighton's voice broke. He is theatrical, and I must admit it is very entertaining at times. But I find myself a little bit sensitive sitting at this table; I do not know how ministers sit here at times and listen. It is almost the volume that I think gets to people. We are here at the moment talking about a motion that is born of –

A member interjected.

Paul EDBROOKE: Sorry, I will take that interjection. We are here talking about a motion born not of Liberal principles but of desperation. It is the kind of motion that you bring up when you have no plan, and I am absolutely happy to speak on it. The Liberal Party today have been talking about discipline. They have been talking about money and who can be trusted. I will remind them – some of their members might not remember this, or it might be that they have just decided not to remember this – that this is the party that was robbed blind by its own state director, and they did not even bloody realise it for four years. Your party was robbed by your hand-picked state director Damien Mantach, who from memory took about $1.55 million of party and campaign money – fake invoices, shell companies – and you could not even figure it out for four years. He went to jail, he did. It took four years to notice. It ran undetected for four years. Here we are taking lectures from you lot with the economic credentials of a bloody toaster. You have the economic credentials of a toaster, honestly. You are so consumed by your own internal civil war that you take each other to court. This is –

The ACTING SPEAKER (Juliana Addison): Excuse me, Minister for Cost of Living. When you say 'you', you are reflecting on the Chair. You need to stop reflecting on me, with all respect, Minister for Cost of Living.

Paul EDBROOKE: Thank you, Acting Speaker – those members opposite. I remember in 2017, I think it was, they dragged the Cormack Foundation, their largest single donor, into the Federal Court over trying to get some money. That donor understandably froze its donations to the Liberal Party and I think donated to some other parties at the same time. You sued the hand that fed you. You left one of your own members, the leader at the time, who I hand on heart actually sympathise with. The court found he defamed one of his own MPs, and it left him faced with a $2.3 million debt and a real prospect of bankruptcy. What are you doing to each other? What are the members on that side of the house doing to each other? If they have that kind of respect for each other, what kind of respect do they have for Victorians? I guess that is what we are talking about today. They do not have an alternative government for Victorians. They live in an alternative reality.

We hear about six leaders in seven years; we have heard that a little bit. But let us just give the rundown on that too. They could not keep a leader for the full term, and I am sure they will be asking Victorians for a new one pretty soon. I was actually surprised when the Leader of the Opposition put her hand up. We had the member for Hawthorn, who won the job by a single vote and then was summarily knifed. We had the member for Berwick, who rolled him and then was rolled himself.

Tim Richardson interjected.

Paul EDBROOKE: Yes, I was aspirational for the member for Berwick too, member for Mordialloc. I like him a lot.

Lily D'Ambrosio interjected.

Paul EDBROOKE: I would burn for him, yes. I am aspirational for that leader. I certainly did. I think he is a good bloke. He is well connected to his community. He talks to people at their level. I like him. I think he is a good bloke. But then he was rolled for the member for Kew, number 3. And I believe, from what I am hearing, that the knives are already out – spill after spill; leaked messages; state councils calling their own people the most toxic in memory; MPs expelled, readmitted, defamed by their own leader. It is amazing.

A member interjected.

Paul EDBROOKE: Well, is it random or is it the Liberal Party? It is the modern-day Victorian Liberal Party. It is quite something to be standing here and hearing those opposite talk about responsibility, talk about economy and talk about policies. It might have been missed by some people, but in a One Nation–Liberal coalition we are going to see a nuclear power plant on the east coast of Australia.

Members interjecting.

Paul EDBROOKE: You might laugh, but that was Liberal policy. What was it, seven nuclear reactors? The member for Nepean will be very concerned about this, as I am. During that coalition, when that coalition is formed – when Pauline Hanson is leading them – where are they going to put that one massive nuclear reactor? I have not heard anyone talk about that, anyone say that is not going to happen or anyone say that they do not support that. We have here an opposition that is an absolute rabble.

Emma Kealy interjected.

Paul EDBROOKE: No, I am not making stuff up. You have said – sorry, I did not say 'you', did I? Those opposite have said continually that they will provide a cash surplus, without cuts and with reducing taxes. It does not take much to go across the forward estimates and see that is $40 billion in cuts and one in seven – or 7000 – public servants who will lose their job. And when we hear from those opposite that that does not include frontline services, I do not think they themselves understand how frontline services work. I think I do, as a firefighter for 14 years. I saw when frontline services were not cut but the background services were. For about two years there all our training courses were cut, as firefighters. A war with ambos, a war with nurses – it is coming, because when you talk about 7000 jobs, or one in seven people losing their jobs in the public sector, it means that those frontline services do not have the people behind them who do all the rostering and all the bureaucratic jobs that do not include jumping on a fire truck, jumping in a police car or responding to emergencies. Those are the people that we rely on in consumer affairs to make sure renters are protected, to make sure people are not underquoting and to make sure people are not being ripped off. They are people that serve our community, and they deserve our respect.

We will not be lectured by those opposite about community safety either. I do remember a time when they were in government and they slashed $130 million from the Victoria Police budget. They even slashed the police band. Does anyone remember Code One? Great band, electric guitarist, beautiful vocals, saxophone – they slashed the police band, and they are all sitting there now, going, 'It wasn't us.' I, for one, miss Code One.

As I have said, those opposite do not have an alternative government, they have an alternative reality. To the Liberal Party every service is a spending problem waiting to be cut. As I mentioned, we will hear more about the nuclear plants soon. When Pauline Hanson and One Nation are at the table with the Liberal coalition, sorting out how they are going to run their election campaigns together – we have seen it – we will hear more about that. I cannot wait to hear the new member for Nepean and what he is going to say about that one. I digress, but the old member of Nepean, Grothy, I would say we are friends. I actually feel really sorry for him. He is a guy that could not stand the way he was treated by those opposite to the point where he had to walk out, and he did not even get the chance to do his valedictory. He was that dissatisfied.

A member interjected.

Paul EDBROOKE: No, no lies there. This is a rabble that that will go through their next leader soon; they will appoint their next leader. They cannot run themselves, they cannot run the state, they could not unite behind a single leader, and now they want Victorians to unite behind them. Well, I do not think they will. As far as an alternative government goes, I do not think anyone sees them as an alternative government at all. The issue here for them is to stop fighting each other. Will they stop

fighting each other? Can they pull enough knives out of their own backs to concentrate on the community? From what I have heard today, they are no closer to that than they have ever been.

David SOUTHWICK (Caulfield) (11:28): Today is a come-to-Jesus moment for every single member of the government to go out to their constituents and ask them what they think about the confidence they have in the Premier. This government need to spend the next five weeks going out and doorknocking and making the phone calls and asking each of their constituents if they have the confidence in Premier Allan to continue to lead the state. We know the answer to that: the answer is a big no. That is why we have brought a motion of no confidence and intend to debate that in this chamber. In five weeks time we will have the motion of no confidence, and this will be the opportunity for every single member of this government to cross the floor to vote in a motion of no confidence against this Premier. Let me say, today we have 163 days left before we go to the election. In 163 days $4 billion will be paid just to service the interest on our debt. Four billion dollars equates to the police budget. That is why we cannot wait 163 days. That is why we need to get rid of this Premier and this government immediately.

That is why the Leader of the Opposition has brought on the motion of no confidence. The Leader of the Opposition has done that in the interests of Victoria and Victorians, because Victorians are telling us that they have had a gutful of this Premier. Victorians are telling us they have had a gutful of this government. Victorians are telling us that they have had a gutful of the debt, of the corruption. There is $15 billion of corruption, and who is the captain of the corruption? The Premier is the captain of the corruption. This Premier has allowed the corruption, the $15 billion, to happen under her watch. Who was the minister responsible for the Big Build before they became the Premier? That was Jacinta Allan. Who was the minister responsible for the Big Build – the dirty, rotten Big Build, as we have heard reported by many that have done those investigations? And again, what has the Premier said about this? The Premier was questioned on the ABC yesterday, and what did the Premier say? She could not talk about the $15 billion. Everyone else is talking about the $15 billion.

We know there are a number of those opposite that have not knocked on a door – zero doors, zero calls – and have not spoken to any of their constituents. If those opposite did talk to their constituents, do you know what they would say? They would say that they want their $15 billion back. That is what they would say. They want their money back because we have got a cost-of-living crisis. Victorians are struggling to put food on the table, yet this government says, 'We're happy for the $15 billion to be wasted by our CFMEU mates.' We know the pattern here. We know the pattern, because we did an all-nighter debating the donation laws. And why did we debate the donation laws? Because it left the door open for union donations to come back to the government. That is rivers of gold to come back to the government, as those very CFMEU mates continue to give their affiliation fees and donations to the government. That is why this government needs to be replaced, because every day of delay is taxpayers money literally being thrown up against the wall.

We know about the corruption. We know about the waste. We know about police. We know about the crime stats today. And this particular motion deals with Narre Warren North, the very heart of crime that is happening under the member for Narre Warren North's own watch, and that is why we need to tackle that. We know that in Fountain Gate, a particular area that is at the heart of crime, you see lots of voters, lots of constituents, saying, 'Please keep us safe.' We know that Endeavour Hills police station is on reduced hours. One of the highest crime stats areas in the state is Narre Warren North, yet we have a police station on reduced hours in Narre Warren North. I know the member for Narre Warren North claims to be a big advocate for her electorate, but the member also needs to ensure that that police station is open and not on reduced hours. And do you know why? That is because we have about 2000 police short in this state. Why do we have 2000 police short in this state? Because the government have run out of money and they do not prioritise crime as a key element for Victorians in terms of keeping them safe. We have over 40 police stations operating on reduced hours, 2000 police that have not been replaced or are on extended sick leave, and that is why we will fix that by having 3000 additional police.

In the crime stats today we see one of the highest crime rates, with about a 40 per cent increase at our train stations. And what does this government do? This government chops PSOs from train stations – what a joke. They are the very thing keeping people safe, but this government is chopping PSOs off train stations.

Belinda Wilson: On a point of order, Acting Speaker: relevance.

The ACTING SPEAKER (Juliana Addison): It is a very broad-ranging debate, and I ask the speaker to continue.

David SOUTHWICK: It is clear that the member for Narre Warren North has a glass jaw. But let me come back on specific relevance, because the member for Narre Warren North in her own electorate has Marcos IGA. Marcos IGA has been hit by crime so many times, and the member for Narre Warren North claims that they are one of her very, very good friends. Well, let me talk about Marcos in Narre Warren North. They are no longer selling cigarettes in Narre Warren North because of the amount of times that they have been threatened, raided, had machete attacks. They now cannot sell legal tobacco, and they have succumbed to having illegal tobacco down the road, because the government has failed to keep them safe. So the member for Narre Warren North cannot just be friends with people; the member for Narre Warren North needs to ensure they have got police to keep these stores safe. And that is what this government is not doing – keeping people safe. And in the heart of an area like Narre Warren North, and that is what this motion specifically is about, this government has failed and the member has failed to keep them safe.

I will say this about the member for Narre Warren North: the member for Narre Warren North is very, very good friends with the Deputy Premier, and I think that is very fair to say. We know also the Leader of the House is a very good friend of the Deputy Premier – the Leader of the House that allowed this debate today.

The ACTING SPEAKER (Juliana Addison): Excuse me, member for Caulfield, it is a very broad-ranging debate, but reflecting upon friendships of the member for Narre Warren North is probably a little bit of a stretch.

David SOUTHWICK: On the point of order, Acting Speaker, in terms of relevance, what I am raising here is that the reason why the member for Narre Warren North needs to get on board with this motion is because it allows the member for Narre Warren North's best friend, the Deputy Premier, to become the Premier. We expect the member for Narre Warren North to cross the floor and vote with us so that the Deputy Premier, her very good friend, could become the Premier.

The ACTING SPEAKER (Juliana Addison): Could you please get to the point of order so I can rule on your point of order so we can get back to your contribution.

David SOUTHWICK: On relevance, because it is very important, the point that I was making about the Deputy Premier needing the votes to become the Premier, and the member for Narre Warren North could give those votes.

The ACTING SPEAKER (Juliana Addison): It has been a very broad-ranging debate, but could we continue to talk about matters of the house and the motion rather than people's personal friendships.

David SOUTHWICK: As I began in this very important motion, it is crucial because it deals with the heart of what Victorians are saying each and every day: they have had a gutful of this Premier, they have had a gutful of this government, they have had a gutful of corruption, they have had a gutful of waste, they have had a gutful of crime and they have had a gutful of debt. They want to see this state back to where it once was – back to the top. They want confidence. They want to ensure they can walk the streets without having somebody coming after them with a machete. They want to ensure they have a government doing their job and talking to them rather than not making any phone calls and not caring about their constituents. That has been clear in the last week. It has been clear that this government is a lazy government that is not standing up for Victorians, and that is why we need the

change. We cannot wait 163 days – we need it now. The way to do it is to vote on the motion of no confidence. In the five weeks between now and when we vote on the motion of no confidence, I would ask each and every member of the Labor government to cross the floor – to come with us – to ensure we get this vote across. This will help Victorians, this will help Victoria and this will get Victoria back to where it once was. If this government and the members opposite – every single one of them – do what is right, Victoria will finally be able to be back to where it once was. This is absolutely a come-to-Jesus moment. It is absolutely – from a Jew – a come-to-Jesus moment. I will say that because I believe it. I believe we need change. We need it now. The government needs to get on board.

Mathew HILAKARI (Point Cook) (11:38): I am always lucky to follow in this place the geographically challenged member for Caulfield. When we were last in this house he gave a challenge to me to talk about –

David Southwick: On a point of order, Acting Speaker, I take offence to that and ask the member to withdraw.

The ACTING SPEAKER (Juliana Addison): Will the member for Point Cook withdraw?

Mathew HILAKARI: I withdraw. Well, glass jaws, hey – that is a moment in time. He talked about the geography –

James Newbury: On a point of order, Acting Speaker, a withdrawal is not immediately followed by someone repeating what they withdrew.

Mathew HILAKARI: On the point of order, Acting Speaker, I did not repeat my first original comment, which I withdrew.

David Southwick: On the point of order, Acting Speaker, it is clear that the member was absolutely not serious about that withdrawal, and I again ask him to withdraw the comment.

The ACTING SPEAKER (Juliana Addison): I ask the member for Point Cook to withdraw.

Mathew HILAKARI: I withdraw. Wow, that glass jaw over on the other side – extraordinary.

David Southwick: On a point of order, Acting Speaker, I think the member is defying your ruling. Can I once again ask for a sincere withdrawal, not for the member to withdraw and then come back and repeat the comment that he just made.

The ACTING SPEAKER (Juliana Addison): Member for Caulfield, I will rule on the point of order. A comment was made regarding you being geographically challenged. That was then asked to be withdrawn. That withdrawal was made. The member for South-West Coast believed that it was repeated again. The member for Point Cook said that he did not say 'geographically challenged' but he said 'glass jaw'. Then I said it was defying the order, so he has withdrawn. The member for Narre Warren North was told that she had a glass jaw by the member for Caulfield, so can we just be clear that you would now like a withdrawal for a glass jaw comment when you said the member for Narre Warren North had a glass jaw?

James Newbury: On the point of order, Acting Speaker, the standing orders specifically say a withdrawal is without qualification. When you make fun of your withdrawal immediately after giving it, that is by definition qualification – by definition a breach of the standing orders. It is a breach, and I would respectfully suggest seeking advice from the clerks, because I am right.

Members interjecting.

The SPEAKER: Order! I ask members to come to order. Member for Brighton, you are welcome to come and speak to me in my office.

Roma Britnell: On the point of order, Speaker, there still has not been a withdrawal for the third insult, which was the glass jaw, which was asked for.

The SPEAKER: I am going to take a step back from this. The original point of order requested a withdrawal. Member for Point Cook, have you withdrawn?

Mathew HILAKARI: I have withdrawn twice, and I withdraw a third time.

The SPEAKER: Thank you. Further issues?

Belinda Wilson: On a further point of order, Speaker, I request that the member for Caulfield withdraw his comment about me having a glass jaw.

The SPEAKER: Member for Caulfield, I seek a withdrawal.

David Southwick: I withdraw.

Mathew HILAKARI: I was getting to my point around Narre Warren North and in particular the debate in this chamber last sitting week, during which the member for Caulfield indicated, when he was talking about the western suburbs, all the sorts of places in Melbourne's west. I might quote so he is quite clear on it. He said:

> The member for Tarneit, the member for Werribee, the member for Narre Warren –

when talking about Melbourne's west –

> let us keep going – the members for Footscray, Laverton, Niddrie, Williamstown, St Albans, Sunbury, Sydenham …

and Tarneit again. That is why I might say that the member has trouble with maps. That is why I am always pleased to follow him. That is why I am pleased when he can sometimes find the electorate that I represent, when he is across the road, when he is in another suburb or another part of the state. I have sent you the map before. I have personally sent you the map. I have sent the member for Caulfield a map of Point Cook so he can find this place, but I do not want to digress too far from the motion.

The member for Narre Warren North has delivered in an extraordinary way. I want to get to the substance of this motion. Two level crossings, and she was so proud to deliver those works at Hallam Secondary College, James Cook Primary, Hallam North Road and Narre Warren North Road and new stations at Narre Warren and also at Hallam – an extraordinary record of delivery. What I can say about every colleague on this side of the chamber is we have an extraordinary record of delivery, because each of us is working hard every single day to deliver for our communities.

I did feel incredibly sorry for the member for Prahran, because I think it is probably an opportunity that the member for Nepean might pay heed to. I welcomed his inaugural speech last night, and it was great that so many of us could be here to hear it. But when the tactics team comes to members, to the member for Nepean in particular, the member should think very carefully whether he says yes when they put the piece of paper in front of him, knowing that he has got half an hour to make the points. The poor old member for Prahran covered off all sorts of things, none of them particularly related to the member for Narre Warren North. She did not even attempt to have a crack at that. She talked about kids sporting clubs, she talked about men's urinals – it was pretty dismal, some of the stuff. The member for Narre Warren North has delivered six toilets in her community, and I just say that in passing.

The member for Prahran said she could talk for half an hour on Chapel Street, and then that sort of melted away. There was a bit of a melting away of her ambitions as well, I felt. I felt her opportunities to be a shadow minister just melted away alongside her. She talked about Chinese tobacco products. She had various gripes and disputes with local councillors. She talked about her opposition to housing locally, about better housing and no housing, and she liked some of the old houses. She has had a lot of conversations with her developer mates. I would have liked to hear a little bit more of that actually over the half an hour that she had. She had a lot of worries about people learning to ride their bikes, not knowing how to do it, and concerns around fire hazards. I hope she has dealt with that and done something about it.

Then she talked about her wonderful listening post each Friday. Get out there, people – you will see the member for Prahran, but not for long, because at this election I think she will be joining many of those opposite in finding new careers. I think the Greens will be picking up the seat in Prahran. That could be a little bit of trouble. It is unfortunate that the member for Caulfield has left, because I do not think his ambitions to be Deputy Premier are ever going to be met. I think those on the front bench are looking at themselves, and there is something they have not quite clued in about One Nation: if One Nation have the honour of getting into this chamber and representing their communities, they will be here in greater numbers than you and the spoils of opposition are not going to fall your way. The spoils of opposition will not fall the way of those opposite. They will say, 'We'll have it for ourselves, just the crossbenchers.' And if you were ever given the opportunity, the privilege, the honour –

The SPEAKER: Through the Chair, member for Point Cook.

Mathew HILAKARI: If One Nation was ever given the honour of forming government, I do not think there will be a Deputy Premier from the Liberal Party. They will be there for supply only. That is the only purpose they will serve – again, out of their communities, unable to represent them, unable to deliver for them. Well, the member for Narre Warren North has been delivering all these years, and she will keep doing so under a re-elected Labor government, because that is what we are doing every day in our communities. We are delivering the hospitals, the roads, the schools and the level crossing removals. This is a government of ambition for our future, with hopes for this state. I reject this terrible motion.

Nicole WERNER (Warrandyte) (11:48): I welcome this opportunity to speak to this motion. At the outset I think it was a poor choice by the minister at the table, who decided to underestimate my colleagues and me today, particularly underestimating the member for Prahran, who did an excellent job, despite the member for Point Cook spending the better part of his contribution attacking the member for Prahran, who is only here to serve and to fight for her community and who spoke exactly to the motion at hand. This is what I rise to support. I rise to support this motion, which says:

> That this house condemns the member for Narre Warren North for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

For the purposes of the member for Narre Warren North, I want her to know that it was not just directed at her, but in context there is actually a long list of members about whom we have motions by leave that we are speaking to today. It was not just her alone. That is why we have given notice today. We have got the member for Niddrie, the member for Ivanhoe, the member for Dandenong – a long list of members that we have raised here in this place. We question their confidence in the Premier, who indeed did enable $15 billion of corruption. That is why today we have given notice that we will move this vote of no confidence against the most corrupt Premier in history, and certainly the most disliked, if the polls are anything to be believed – by negative 39 –

Lauren Kathage: On a point of order, Speaker, I believe the member is not debating the motion that we are actually here to debate, which is regarding the member for Narre Warren North and not other motions that those opposite may have put.

The SPEAKER: I think there has been some wideranging debate with this motion. I do not uphold the point of order, but I do remind members that this motion is a very specific one.

Nicole WERNER: This is the motion at hand that we speak to. The motion at hand is about confidence in the Premier that we are questioning the member for Narre Warren North for having. How can that side of the house have any confidence in this Premier? Victorians certainly do not. The polling is reflecting it. Victorians are reflecting it. Every day we are in our communities and every day that those opposite are in their communities, we know – because they say, and I have said so publicly – that Victorians are asking day in, day out, 'Where is our $15 billion? Where is it? Why has it gone into

the hands of criminals? Why has it gone into the hands of people who spend it on strippers on worksites? Why has it gone into employing criminals and domestic violence abusers?'

That is the motion at hand: how can the member for Narre Warren North and all of those opposite have any confidence in this Premier when we know that their team has spent the better part of months briefing out that they do not – briefing out, Labor MPs themselves, talking about the end-of-days government that they are in. It is the end of days, and time is up. Time is up for the Premier. Time is up for the Allan Labor government – this complicit, corrupt Allan Labor government.

In this motion at hand, we are talking about this $15 billion of corruption on the Big Build – where it has been spent. When the Premier was asked about it on national TV, on *7.30* on Tuesday night, she talked in circles, she went to water and she was publicly shamed on national TV for never answering a question – not once, not twice, not three but four times over she could give an answer. She cannot be accountable for and she cannot be transparent about $15 billion of corruption – the worst corruption scandal in Australia's history. This is where it is, and this is what it speaks to. She then voted no to a royal commission. She also voted no to strengthening the powers of IBAC to investigate. This speaks to the corruption in this government – and not just the corruption but the record crime, the unemployment and the $200 billion of debt. This is the issue here: the $200 billion of debt in this motion that we speak to. When it comes to be that amount by the year 2029–30, it will be $32 million in interest that they spend on repayments every single day.

Already now, before we have come to that $200 billion figure, it is $1 million an hour that is spent just on paying the interest on this debt. In fact just this year alone the interest bill is $8.9 billion. That is a huge number to even compute for Victorians. So what does that look like on paper? On paper the line item for that debt of $8.9 billion is more than this government has spent on police, it is more than this government has spent on ambulance services and it is more than this government has spent on kindergarten services, combined – with $1 billion to spare. That is how much $8.9 billion is, just on paying the interest bill for the debt that is explosive in this state under the Allan Labor government – instead of paying for essential services, instead of paying for infrastructure, instead of looking to actually fix the crime crisis that has surged under Labor, where 26 per cent is how much crime has gone up under the Allan Labor government since Labor came to government. Instead of spending on essential things like this, essential things that Victorians care about – essential services that Victorians write into our offices and talk about – they have spent it on fake freebies, they have spent it on pet projects and they have spent it on jobs for mates. Instead, they have spent $15 billion worth of money on corruption – unbelievable.

In this cost-of-living crisis where we are looking at the level of debt that the government is responsible for, this is what the waste, the corruption and the financial recklessness from this government looks like. It looks like $200,000 spent on pot plants for offices. It looks like $70,000 spent on plaques – to install and uninstall and reinstall plaques because they do not say 'the Honourable' correctly enough for the Premier. That is what it looks like. That is what waste looks like under this government. It looks like $600 million, nearly, spent on cancelling the Commonwealth Games, an election commitment that they took to try and win votes in the regions that they then spent $600 million worth of taxpayers money on to cancel and run somewhere else. That is absurd. What about the $10 billion slush fund?

Lily D'Ambrosio: On a point of order, Speaker, no-one is a shrinking violet in this place, and I am not expecting anyone to be a shrinking violet, but honestly, this is an assault on my aural senses. I am sorry. I just ask people to tone it down a little bit. I am not being smart about it.

The SPEAKER: That is not a point of order. I remind members that we have microphones for a reason.

Nicole WERNER: I apologise for getting enthusiastic and passionate fighting for Victorians. I really do offer an apology for being passionate about Victorians and fighting for Victorians in this

place. I will try to use my inside voice from now on. Thanks so much, Speaker and Minister for Climate Action.

When we are talking about this cost-of-living crisis and the waste that we see juxtaposed by the spending of this government, when we are talking about this $200 billion of debt, let alone the $15 billion of corruption money, we have seen the $10 billion slush fund from the Treasurer, who just gets to swipe and wipe and spend money on whatever she wants to for pet projects and boosts here and pork barrelling there. This is how this government spends taxpayers money. Enough is enough under this government. We have seen it. Again, going back to that interest bill, that $8.9 billion, let me tell you what else it could be spent on. In context, the entire police budget for a year is about $4.7 billion. So instead of spending it on policing, nearly double that policing budget is actually spent on debt – debt and mismanagement. That money could also pay for 42 years of worth of policing. It could pay for 2.1 million nurses or 1.7 million teachers. That is why I commend this motion to the house. This government, their time has run out. The question at hand is how they could possibly have any confidence in the Premier who has enabled this corruption, who has enabled this complicity and who has enabled this reckless spend again and again of taxpayers money like it is her money to spend. That is why I commend this motion to the house.

Anthony CIANFLONE (Pascoe Vale) (11:58): I am pleased to rise and oppose this motion. In doing so I am also pleased to change the radio station away from the hyperventilating and the hysteria of 3AW to the dulcet tones, I think, of Smooth FM. Let us just change the tone.

A member interjected.

Anthony CIANFLONE: Or Gold FM it could be as well, because I will be bringing back some of the greatest hits as part of this as well, which I am sure you can appreciate. I want to begin by just acknowledging the incredible hard work and advocacy of the member for Narre Warren North. Let us not forget that this absolutely absurd motion by the member for Prahran is about condemning the member for Narre Warren North. You would not be able to find a harder working member than the member for Narre Warren North, dare I say, in this place. I mean, we are all hardworking of course, but she has been working very, very, very hard for her community. I just point to all the various achievements that others have pointed to that she has secured for her community in that regard as well.

But it is also a motion that is supposedly about leadership, confidence and integrity. I just think the hide of this Liberal–National–One Nation coalition – whatever they are called these days – to come in here and to want to talk about leadership, integrity and confidence in the party room is absolutely astounding. This is the same Liberal Party that has had no less than six leaders in seven years. Let us not forget that as well. We started off with the member for Malvern, who, as the member for Mordialloc earlier pointed out correctly, while he was the opposition leader and Liberal leader had their primary vote polling in the low 40s per cent. What did they do? They did not get behind him; they knifed him. Then we had the member for Bulleen over two separate occasions, notwithstanding his failed election attempts of 2018 and 2022, when he ran on a narrative to divide our community and Victorians saw otherwise. But he was also, do not forget, at one stage or other the Shadow Minister for Transition to Government, as I think they called the portfolio. The whole point of transitioning to government, I would have thought, is the job of the actual opposition leader, but nonetheless the new opposition leader came in and abolished that portfolio as well.

Then we had the poor old member for Hawthorn, who was actually one of the hardest working, I think, opposition leaders from the other side. He worked very hard, particularly given his multicultural, multifaith Italian heritage, which I should say I share with him. They decided to go and shaft one of the very few multicultural Liberal members and leaders in this place and almost sent him bankrupt, which was absolutely shameful and disgraceful, by taking him to court. Then we had the member for Berwick, who we heard from earlier on as well. We know all the things about the member for Berwick and his failed leadership time, but we just saw the op-ed in the *Herald Sun* over the weekend by Steve Price. It was basically saying this is the guy that should go and join One Nation and lead the charge in

Victoria, so who knows where his head is at at the moment. Now we got the member for Kew, who by the way trusts no-one to be the Shadow Treasurer other than herself, and the member for Brighton we know is still mortally wounded over that, because that was his dream job that he was chasing – the Frank Underwood of the Liberal Party, conniving and always seeking to get that shadow Treasury position. He finally got it, and what did the new opposition leader do? She turfed him out of it.

When the Liberals want to talk about integrity, confidence and leadership, they have got to go and look in the mirror. They should not be looking too far away, because if you cannot run your party room, you cannot run the state. You cannot govern Victorians if you cannot govern yourselves as well. Do not just take my word for it. This is what the Liberal members themselves are saying about their own party room. I acknowledge the new member for Nepean, and I commend him on his first speech, which was acknowledged warmly last night. But for his predecessor Sam Groth we had a by-election because of integrity and misconduct in the Liberal party room. The former member Sam Groth said this perfectly. He said the behaviour in the Liberal party room had, in his words, fallen below the standard he came into public life to accept. So poor were the standards of the Liberal Party room that the former deputy leader, no less, decided to resign, leave the party room and cause a by-election. Of course let us not forget the National Party in all this too, who are the ones that are directly under threat, very much so, and will be wiped out like the Tasmanian devil, as the member for Mordialloc continues to point out.

Cindy McLeish: On a point of order, Acting Speaker, I think the member for Pascoe Vale is a long way off the motion.

The ACTING SPEAKER (Wayne Farnham): This has been a fairly wideranging debate, but I will remind the member about the motion and to come back to the substance of the motion.

Anthony CIANFLONE: I believe, as best I can, in talking to the very substance of the motion, which goes to literally condemning one of the members on our side and highlighting the issues around confidence, integrity and supposed corruption, that I am seeking to contrast here what is happening with those seeking to move this motion. In that respect the National Party should not get off scot-free. The National Party have proven to be one of the most corrupt political parties in the history of this country. Look no further than what happened with Joh Bjelke-Petersen up in Queensland and the Fitzgerald royal commission. Half the cabinet ended up in jail.

Martin Cameron: Acting Speaker, I draw your attention to the state of the house.

Quorum formed.

Anthony CIANFLONE: I obviously struck a nerve there in bringing up Joh Bjelke-Petersen, the National Party and the Fitzgerald inquiry. It is obviously still very close to home – it is still too soon to talk about that inquiry. Then you have got the member for Caulfield, the deputy leader again, no less – the new deputy leader who replaced the old deputy leader, who resigned because of mistreatment and caused a by-election. Again, do not just take my word for it. This is not me making these things up; these things are on the public record and on the court record in fact. We have the member for Caulfield, who was wearing a wire and recording his colleagues. I mean, imagine going into a party room where you have got to pat down everyone to see, 'Is this guy wearing a wire? Is he snitching to the cops?' It is just unbelievable. And he also, do not forget, claimed to be an adjunct professor no less and waved that CV around, which of course he is not.

The fact is that we as the Victorian Labor government have continued to focus on the things that matter to all Victorians, in very stark contrast to this motion. Jobs, education, transport, health, environment, social justice, community safety and cost of living – we are continuing to deliver and invest in the things that matter. In stark contrast to all these things that we are delivering – new schools, hospitals, transport – what would the Liberals and Nationals have done? They have opposed every single one of these investments, every step of the way, that we have sought to put up. Again, you do not need to

take my word for it, because it is all in, and not in, the document that the Liberal–Nationals coalition released recently, which is their 10-year plan to secure Victoria's economic future.

I have gone through this document comprehensively, *A Fresh Start* for Victoria, and it mentions nothing about free kinder, free public transport for young people, free dental and glasses in schools and nothing about 20 per cent rego rebates. It is a plan for cuts. There is absolutely nothing there. But we have seen this all before of course. It is not new; we have seen it before. I will take us all back. Remember this one here: *Fightback!* That was 1991, John Hewson. The time capsule –

The ACTING SPEAKER (Wayne Farnham): Member for Pascoe Vale, there will be no props in the chamber.

Anthony CIANFLONE: Thank you, Acting Speaker. Just like *Fightback!* this is a plan for cuts. It is suspicion of public investment. It is asking Victorians to do more with less. Whether it is fresh vision today or *Fightback!* from yesterday, Victorians will be left on their own and with less support from the government if the Liberal–One Nation–Nationals get in.

Members interjecting.

Bridget VALLENCE (Evelyn) (12:08): I love to hear that I am getting 'Hear, hear' from government members. I absolutely support this motion moved by the member for Prahran. I have to say that it goes to the heart of what we are seeing with the Allan Labor government at the moment. Across Victoria, in every electorate you go to, every person you have a conversation with has no confidence, and increasingly so, in Premier Jacinta Allan and the Allan Labor government – no confidence whatsoever – and we are listening.

We are listening to Victorians, and that is why we are raising these matters in the Parliament today. That is why the Leader of the Opposition Jess Wilson gave notice of a motion of no confidence in Premier Jacinta Allan and the Labor government today, because quite frankly Victorians are sick of this Labor government. I note that this motion is about the member for Narre Warren North having confidence in the Premier. Ten speakers in, and yet the member for Narre Warren North has been too gutless to be able to speak to this motion, and I think it is probably because she does not support it. She actually has no confidence in the Premier either, and that –

Belinda Wilson: On a point of order, Acting Speaker, while I understand the member for Evelyn likes hearing the sound of her own voice, I ask her to withdraw the comment about me being gutless.

The ACTING SPEAKER (Wayne Farnham): I ask the member for Evelyn to withdraw.

Bridget VALLENCE: Withdrawn.

Belinda Wilson: On a further point of order, Acting Speaker, I do not believe that she meant her apology, and I ask her to say it with more sincerity, as the member for Caulfield said earlier.

The ACTING SPEAKER (Wayne Farnham): Under standing orders, if a member is asked to withdraw, and they withdraw, we can continue on from that. The sincerity is not up to me to judge. The member has withdrawn, and now the member for Evelyn will continue.

Bridget VALLENCE: So, given we are 10 speakers in, the member for Narre Warren North has so far failed to stand up and speak to this motion, which only speaks to the fact that perhaps she actually has no confidence in the Premier, because if she did have confidence in the Premier she would have stood up straightaway to talk to that, but she has not, because the motion quite clearly says that she has confidence in the Premier but she has failed to get up and talk to that. The motion also goes on to talk about the fact that we have no confidence in this Premier who has seen and enabled $15 billion of corruption on the Big Build. She has presided over corruption, record crime, unemployment above the national average and almost $200 billion of state debt. I think that the Leader of the House standing up and allowing this motion to go through was quite sneaky. I would be interested to know if, quite secretly, he would love to have a secret ballot, because wouldn't it be interesting if we had a secret

ballot in this place? We have the Leader of the House, who is the numbers man for the Deputy Premier who is really waiting in the wings to try and take over the premiership from Premier Jacinta Allan, allowing this motion to go through, because they all know on that side that Victorians are tiring of this Labor government, that they have no confidence in this Labor government. As I said, if we had a secret ballot in this place, the vote would be something different, that is for sure.

Let us go to the heart of this motion. It is about corruption. It is about corruption in the CFMEU-run Big Build, the Labor government's Big Build, which is absolutely embroiled in corruption on the watch of the Premier. The Premier, before being the Premier, was the minister for infrastructure and has seen this for years, has known about this for a decade and has known about it but publicly turned a blind eye, because she knows there is corruption. She has enabled it, because of her mates, the big bosses in the CFMEU – unlawful conduct, abuse, intimidation, thuggery, sexual exploitation on Labor government Big Build sites. It is shameful. They should be absolutely ashamed. This is precisely why there is no confidence in this Labor government. After 12 years of Labor, a gangster culture of bullying, standover tactics and corruption on Labor's Big Build projects has been allowed to flourish, and the Premier has enabled it every step of the way.

For over a decade this Premier has known about it. Infrastructure projects have been absolutely dominated by that thuggery, dominated by criminal links, and she has known about it since 2015, when there was a federal royal commission. Even in 2016, when the Premier was the then employment minister, she actually commented on corruption and taxpayer funds going to organised crime and bikie gangs, outlaw motorcycle bikie gangs, on Victorian state Labor government projects. Back in 2016 she was the employment minister, and back then she commented on it. She has known about it for well over a decade, and only just this week there was an interview that she was on, and she is so desperate to cling on to power that she absolutely refused to talk to how much of Victorians' hard-earned taxpayer money is going to corruption, criminal links and bikie gangs on her major infrastructure projects. We know it is at least $15 billion, but it is probably a vast sight higher than that, with the kickbacks, the misuse of public money and criminal associations, with only CFMEU-approved suppliers winning contracts on Labor's Big Build. She is so desperate to cling to power. The North East Link, Melbourne Metro and West Gate Tunnel projects have all been disrupted. They have been delayed and they have been held to ransom by the corrupt CFMEU officials, drastically forcing up the cost –

Dylan Wight interjected.

The ACTING SPEAKER (Wayne Farnham): Member for Tarneit, you have just walked into the chamber. I would suggest you sit down and be quiet so I can hear the member for Evelyn.

Bridget VALLENCE: The North East Link, Melbourne Metro and West Gate Tunnel projects have all been disrupted. They have all been delayed and held to ransom by the corrupt CFMEU officials, drastically forcing up the cost of these projects. We know that these major construction projects under Labor are at least $50 billion over budget. And who pays for that? The Victorian people, and we are seeing it in the state of the finances.

Under the Labor government, debt is soaring to near $200 billion. That debt, $200 billion, is a record, and it is a bad legacy of this Labor government. And what do we see with $200 billion of debt – what comes with that? An interest bill on debt. That interest bill is going to reach $1.35 million an hour, $32 million a day – just think what that could fund. But that cannot get us more police. That cannot pay for more nurses. It cannot pay for more teachers. It cannot fix the desperately crumbling roads across our state. It is fiscally reckless of this government. Debt equates to around $71,000 per household, and the interest on that debt means that we cannot afford the essential services that Victorians need and rely on.

Essential services under this Labor government are at risk – the promised hospitals they have not funded. Maroondah Hospital, the hospital that people in my electorate rely on, was promised, eight

years ago, a new emergency department for children. They promised four years ago to rebuild the Maroondah Hospital in Ringwood. There is still not a single cent of capital funding for that project, and that is what happens when you cannot manage the state's finances. On nurse graduates, 2000 nurse graduates could not find a job because the Labor government could not afford to employ them. We have the lowest funded schools in the country. TAFEs are financially distressed. Crime is at a record high – a crime is committed every 50 seconds. Over 40 police stations are closed or have reduced hours, including Mooroolbark police station in my community. And on the cost of living, under this Labor government, there have been 67 new or increased taxes. Victorians on average are paying nearly $7000 each in tax. It is $50 billion that they want to tax from Victorians. This is why we have no confidence in the Premier. This is why we have no confidence in the Labor government. This is why Victorians have no confidence in this Labor government. They should go in November, and they will.

Martin CAMERON (Morwell) (12:19): I rise in support of the motion raised by the member for Prahran. I am happy that the Leader of the House actually enabled us to talk about the discontent with the Premier and the lack of confidence of Victorians in the way the Premier is running the state, and I think it goes to the heart of this motion that the member for Prahran has put forward that it is nearly every single Victorian. Unfortunately, there are not enough members on this side to actually bring this motion, by the look of it, to fruition. But we need to make sure we do listen to our constituents right around Victoria on the discontent with the Allan Labor government, whether it be through crime, whether it be through jobs or whether it be through the cost of living and the stress that is putting on families in the Narre Warren North area but also pushing out into the regional areas and in my area down in the Latrobe Valley.

The crime rate right across Victoria has had a devastating effect on families. Families, especially in my area, have gone through and paid the ultimate sacrifice, with family members, unfortunately, losing their lives because of the spiralling, out-of-control crime which has happened in Victoria over the journey of not only the Allan Labor government but the Andrews Labor government as well. We have a government that enables criminals to go about their daily routines with no consequences. I feel that the no-confidence motion that has been put forward here is front and centre to how the majority of Victorians are feeling at the moment, including about crime, as I said. The Gordon family in my area down in Latrobe Valley in Morwell lost their son Dr Ash Gordon, who was tragically killed on the streets in Box Hill. This is the reason why people right across Victoria do not have confidence at all in and do not trust the Premier or the Allan Labor government.

Also regional Victorians and especially workers in the Latrobe Valley have lost their jobs, including through the closing of the timber industry right through Gippsland and regional Victoria and the impact that has had on not only owners of businesses and workers but also the actual townships that were supported by the timber industry. We need to make sure that their voices are heard, and what we are hearing is they have no confidence at all in this Allan Labor government.

We get to have a vote in about five months time, on 28 November, and we hear from the other side of the chamber about what the impact is going to be on the coalition. Mark my words, the impact is going to be laid front and centre by the people of Victoria, and it is going to come down to the number of seats that Labor are going to lose in this chamber. People are sick and tired of the cover-ups, the actual mistruths that are spoken. We have a Premier that will look down the lens of a camera and not answer a question. We have got ministers that will do the same, that are complicit, standing behind where we have proven corruption in Victoria, and the government is telling us there is nothing to see here. Down in the Latrobe Valley the government are also putting their hands up to close the energy sector, with no pathway forward for the workers. We have a plan that the government keeps telling us about, but we do not see the jobs on the ground coming to fruition. This is why they have no confidence in and no support for the government.

We also had the Commonwealth Games that were scheduled to be held, and we had one of the athletes villages in Morwell and we had sporting fraternities putting their hands up with glee because they thought, 'Here comes this Commonwealth Games that is going to be here in the Latrobe Valley.' Yet

again, a waste of money. The government said, 'No, we're not going to do the Commonwealth Games now. Furthermore, to that point, we're also going to pay and allow for an overseas country to continue on with the Commonwealth Games.'

Regional Victorians are paying the price with this Allan Labor government. Our roads are an absolute disgrace, costing lives with the potholes that continually appear and are not fixed. But it is about the misuse of money and the money that is misused. The government stand up there and talk and actually believe that it is their money, but it is not their money; it is the hard-earned money of local, regional and metropolitan mums and dads, tradies and people that just want to go to work and go about their daily activities. The government has its hand in its hip pocket, ripping money out of them to actually prop up the books.

Enough is enough. People in my area down in the Latrobe Valley talk about how hard it is at the moment to have any confidence in this Allan Labor government at all because they can see their money disappearing and going to criminal entities that have been on the Big Build. We had ghost shifts that were down there where the Big Build allegedly had these contractors in doing night works and they just did not show up. If the government is enabling criminal activity throughout Victoria, how are we meant to have confidence at all in the government? It is a tired government. It is a government that has actually been called out not only by the media but also by everyday Victorians for not telling the truth to Victorians. They are not telling the truth. They would rather try and tell us that there is something else going on over here so that we do not need to worry about what is actually taking place in Victoria. To my point, when the Commonwealth Games did get disbanded and they said that we are not having it, the very next day the government came out and said, 'We do not like gas anymore. We will actually shut down the gas industry.' Here are the smoke and mirrors. They are closing one thing with the Commonwealth Games, but they say, 'We do not want to talk about that, so let's actually put up over here that we're going to close gas.' It is diversionary tactics.

Dylan Wight interjected.

Martin CAMERON: Member for Tarneit, it was the Minister for the State Electricity Commission that stood and said gas was bad a few days after the Commonwealth Games was shut. It is always the way. There is something going on that is not quite right with this government. The people of Victoria finally are getting their heads around the fact that everything that is coming out of the head office of the Labor Party, out of the government which is meant to work, support and most of all protect them in their homes, in their cars, on the streets – we need to make sure that this government is held to account. I think the people of Victoria have had enough, and they are standing united at the moment. The silent majority of people, who are the ones that will show up to vote at the ballot box on 28 November, have had enough. They have had enough of the mistruths being spoken to them, because it is their lives that they are impacting. It is their lives that are being made harder and harder in Victoria under this Allan Labor government, and they are going to draw a line in the sand.

I take great comfort in the fact that finally they have woken up. It is not one question anymore that is being asked of the Premier, it is continual questions, because we just do not believe what is coming out of the Premier's mouth when she stands in front of the camera in Victoria and tries to tell Victorians that everything is okay and there is nothing to see here. There is nothing further from the truth than that. The member for Prahran, with her motion that condemns the member for Narre Warren North for having confidence in the Premier, I think that is where it lies at the moment. There are no Victorians or hardly any Victorians that have confidence in the Premier, and it is time for this government to go.

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (12:29): I move:

That the question be now put.

Assembly divided on Anthony Carbines's motion:

Ayes (52): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Will Fowles, Matt Fregon, Ella George, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Noes (28): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Matthew Guy, David Hodgett, Emma Kealy, Anthony Marsh, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Rachel Westaway, Jess Wilson

Motion agreed to.

Assembly divided on Rachel Westaway's motion:

Ayes (28): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Matthew Guy, David Hodgett, Emma Kealy, Anthony Marsh, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Rachel Westaway, Jess Wilson

Noes (52): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Will Fowles, Matt Fregon, Ella George, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Motion defeated.

Motions by leave

Nicole WERNER (Warrandyte) (12:37): I move, by leave:

> That this house condemns the member for Glen Waverley for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

Leave refused.

Matthew GUY (Bulleen) (12:38): I move, by leave:

> That this house condemns the member for Essendon for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

Leave refused.

Cindy McLEISH (Eildon) (12:38): I move, by leave:

That this house condemns the member for Yan Yean for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

Leave refused.

Jade BENHAM (Mildura) (12:39): I move, by leave:

That this house condemns the member for Ripon for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

Leave refused.

Martin CAMERON (Morwell) (12:39): I move, by leave:

That the house condemns the member for Bayswater for having confidence in a Premier that enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

Leave refused.

Kim O'KEEFFE (Shepparton) (12:40): I move, by leave:

That this house condemns the member for Frankston for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion of net debt.

Leave refused.

Brad ROWSWELL (Sandringham) (12:40): I move, by leave:

That this house notes the irony of the member for Werribee, a former teacher, seeking to lecture Victorians on the virtues of Labor's Education State while demonstrating an embarrassing inability to spell and calls on them to undertake remedial literacy classes before subjecting students to another underfunded Labor education experiment.

Leave refused.

James NEWBURY (Brighton) (12:41): I move, by leave:

That this house notes the irony of the member for Tarneit seeking to lecture Victorians on the virtues of Labor's Education State while demonstrating an embarrassing inability to spell and calls on him to undertake remedial literacy classes before subjecting students to another underfunded Labor education experiment.

Leave refused.

Bridget VALLENCE (Evelyn) (12:41): I move, by leave:

That this house notes the irony of the member for Laverton seeking to lecture Victorians on the virtue of Labor's Education State while demonstrating an embarrassing inability to spell and calls on them to undertake remedial literacy classes before subjecting students to another underfunded Labor education experiment.

Leave refused.

Anthony MARSH (Nepean) (12:42): I move, by leave:

That this house condemns the member for Point Cook for having confidence in a Premier who enabled $15 billion of corruption on the Big Build and presides over corruption, record crime, unemployment above the national average and almost $200 billion in debt.

Leave refused.

Committees

Parliamentary committees

Membership

The SPEAKER (12:42): I have received the resignation of Pauline Richards from the House Committee and Standing Orders Committee effective from today.

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (12:42): I move, by leave:

That:

(1) Anthony Carbines be a member of the Standing Orders Committee;

(2) John Mullahy be a member of the House Committee and the Standing Orders Committee; and

(3) Meng Heang Tak be a member of the Legal and Social Issues Standing Committee.

Motion agreed to.

Members statements

Heritage College

David SOUTHWICK (Caulfield) (12:43): Earlier this week I made my contribution to the Royal Commission on Antisemitism and Social Cohesion, and in that contribution I spoke about the issue of leadership and the failure of leadership at both state and federal levels. I also spoke about education, and I want to particularly give a shout-out to Heritage College. Along with a member in the other place Renee Heath, I had the opportunity of visiting Heritage College, and I want to give a big shout-out to principal Sonny Aiono and the Gandel Holocaust centre and the great work that they have done. Those kids at that school did a Holocaust education service, but in it they spoke about the terror attack at Bondi and combating hate and antisemitism. That is where we will change things – when we have kids like those kids from Pakenham talking about the hate that the Jewish community are experiencing, those Christian kids standing up for what is right. I want to say thank you to those kids and everybody in Victoria that has stood up against hate. There is no place for hate in this state, and we need good people to stand up against it.

World Camping Day

David SOUTHWICK (Caulfield) (12:44): Later this month, in fact on 29 June, we will have World Camping Day. Half of all regional holidays are spent in tourist parks, contributing $2.6 billion annually and supporting 17,000 jobs. Get out and about. Join and support our caravan industry and the fantastic caravan and camping parks that we have throughout Victoria.

Niddrie electorate bus services

Ben CARROLL (Niddrie – Minister for Education, Minister for WorkSafe and the TAC, Minister for Medical Research) (12:45): Buses are a lifeline for so many people in my local community. They get local kids to school, students to university, workers to their jobs and seniors to appointments, and most importantly too they are not just a convenience in my community but essential. That is why our Labor government is investing through this year's budget to strengthen the services of our growing communities that rely on bus services in Niddrie and surrounds. This budget investment in better bus services across Victoria in Melbourne's north-west will see real improvements that make a difference to everyday members of my community. I am most pleased that the route 476 in Niddrie will receive a major boost, with an additional 150 services every week. For local residents that means buses arriving more often, shorter wait times at the stops and greater confidence the public transport system will be there when they need it. Whether you are heading to work, getting the kids to school, travelling to university or making it to an important appointment, these improvements will help make the journey easier. We are also seeing longer operating hours of our bus connections. I have spoken to many

residents in Airport West, Keilor East, Niddrie, Keilor Park and surrounding suburbs, and one message comes through clearly: people want practical improvements that make everyday life easier. More frequent buses are that, and I am proud of our Labor government to be delivering that today.

Swan Hill train services

Peter WALSH (Murray Plains) (12:46): I am here to express the growing frustration and anger of communities across north-west Victoria regarding the appalling state of the Melbourne–Swan Hill rail service. The Swan Hill line is one of the longest regional rail journeys in Victoria. It connects communities from north-west Victoria to essential services, employment, education and family, yet it has become synonymous with unreliability, delays, cancellations and poor service standards. My constituents are rightly asking why they continue to receive what appears to be the worst rail service in Victoria. Time and again, passengers are left stranded, forced onto replacement coaches or subjected to significant delays. For regional Victorians these are not mere inconveniences; they disrupt medical appointments, business commitments and family responsibilities. What compounds this frustration is an increasingly frequent failure to provide a buffet car on the service. On a journey which can run for 5 hours passengers should reasonably expect access to food and refreshments. Instead they are regularly boarding trains only to discover no buffet service is available. This is simply unacceptable. No-one travelling on such a long-haul train service should be expected to undertake such a journey without access to basic amenities. They deserve reliable trains, properly maintained rolling stock and certainty that a fundamental passenger service will be available. I call on the Minister for Public and Active Transport and V/Line to urgently address the chronic reliability issues on the Swan Hill line and ensure that the buffet car service is restored and consistently provided. The people of the north-west deserve better than a second-rate service.

Motor neurone disease

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (12:48): I congratulate the Mill Park Football Club, a great example of a sporting club contributing to the wellbeing of local families and the broader community. The club recently held a Big Freeze fundraiser supporting FightMND, which brought together more than 500 locals and raised more than $14,500. I was absolutely chilled when the ice-cold water was poured over me by Mill Park Football Club president Nathan Allison and Rivergum Cricket Club president Con Spaliaras. It was great to be part of the fundraising event at Redleap Reserve helping to fight the beast, with many other volunteers at the barbecues cooking the free sausages provided by the club to keep everyone well fed. The club has been exceptional, and the family-friendly and welcoming atmosphere has resulted in significant player number growth, a testament to the mountain of work undertaken by Nathan, his committee and all of the other volunteers. That is why our government acknowledges and supports such sporting communities. One of the highlights of our recent budget was the allocation of $150,000 to refurbish the pavilion at Kelynack Reserve, the second home of the Mill Park Football Club. I will keep working with the club to help with the future upgrades to the Redleap facility. I also want to pay tribute to the member for Pakenham, a true champion for MND. The member for Pakenham in her relatively short time here has done more work to raise awareness for MND than anyone else I have known on this planet.

Bayspeak

James NEWBURY (Brighton) (12:49): Bayspeak is a youth public speaking competition for secondary school students around Bayside run by our Rotary clubs. This year is the sixth year of the Bayside event. Our recent regional finals saw 14 students from the original group of 50 compete for the junior and senior awards. Congratulations to all of the students, the Rotary team, and especially Arthur Hubbard for his leadership.

Hampton Primary School

James NEWBURY (Brighton) (12:50): Parents of young children at Hampton Primary School are concerned about the health impacts of road resurfacing works on Ludstone Street, only 5 metres from classrooms. Parents have reported children complaining of headaches, dizziness, stomach aches, dry and irritated throats, coughing, sore heads and discomfort consistent with exposure to airborne chemical fumes. Our community needs urgent action.

Bayside Young Persons with Disabilities Roundtable

James NEWBURY (Brighton) (12:50): Fourteen thousand Bayside residents identify as living with a disability, of which 4700 require daily assistance. Community leader Emily Higgins has led the creation of Bayside Young Persons with Disabilities Roundtable, which involves disability support providers, traders, pathway employers, mayor Debbie Taylor-Haynes, federal member Tim Wilson and me. From little things, big things grow. Thank you, Emily.

Israel Independence Day

James NEWBURY (Brighton) (12:51): At the Israel Independence Day celebration last night the Premier said:

> I do believe that young Australians are in danger of permanently judging the nation of Israel and the people of Israel by the actions of its government.

Israel is the Jewish homeland. The Premier's statement was ignorant, reflected on Jews and was borderline antisemitic.

Jenny Mackay OAM

Gabrielle WILLIAMS (Dandenong – Minister for Transport Infrastructure, Minister for Public and Active Transport, Minister for Women and Girls) (12:51): I return to some common sense with my contribution. I rise to recognise an extraordinary local educator, Jenny Mackay, whose dedication to students, families and the broader Dandenong community has changed countless lives. Jenny was recently awarded a Medal of the Order of Australia in recognition of her outstanding contribution to education, and it is a fitting recognition for someone who has spent more than four decades ensuring that every child, regardless of their background or their circumstances, has the opportunity to succeed. Over her almost 50-year teaching career, including 36 years at Dandenong North Primary School, Jenny helped develop innovative programs to support newly arrived migrant and refugee students to learn English, engage with the curriculum and build confidence in their new home. Jenny has always understood that educational success cannot be separated from wellbeing, and she has always placed belonging and community connection at the forefront of student life and student learning. Although Jenny has now retired from her position at Dandenong North Primary School, the impact of her work can be seen across our community in the many, many former students who have gone on to build successful lives, careers and families of their own. Even in retirement she continues to give back, now supporting students at Dandenong High School. We congratulate Jenny and know well her contribution and what it means to my community.

Rowville electorate police resources

Kim WELLS (Rowville) (12:53): I rise today to condemn the corrupt and financially reckless Allan Labor government for completely abandoning the safety of the Rowville electorate residents in the recent 2026–27 state budget. Despite a continuing out-of-control crime wave escalating right across Victoria, this Labor government has failed to provide the required additional funding to address the chronic statewide shortage of over 2000 frontline police officers. My deeply concerned constituents have dealt with a Rowville police station that is currently effectively shut to the public five days a week. With public counter hours restricted to Tuesdays and Thursdays from 10 am to 6 pm, our community has been stripped of a vital safe haven and visible deterrent to local crime. Fortunately there is light at the end of the tunnel. The coalition's comprehensive *Safer Communities Plan* will

deliver where Labor has failed. The centrepiece of our commitment is the recruitment of 3000 additional police officers to fill these vacancies, reverse the resourcing crisis and permanently bolster the front line. Crucially, we will put boots back on the ground with our 'adult crime, adult time' policy. Our hardworking police members are completely exhausted by Labor's revolving door justice system, where serious violent offenders receive bail instead of jail. It is time to turn the lights back on at our station and restore safety to our community.

Member for Pakenham

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Violence Reduction, Minister for Finance) (12:54): I would like to use my member's statement to acknowledge the extraordinary valedictory speech of our member for Pakenham Emma Vulin. Emma's contribution to this Parliament has always been marked by intelligence, by compassion and by an unwavering commitment to the people she serves. But listening to her speech gave us something even more profound. Living with motor neurone disease, Emma spoke with remarkable courage, honesty and grace. In doing so she reminded us of what truly matters: not titles or politics but love, dignity, service and the impact we can have on others. Emma has faced challenges that most of us cannot even begin to imagine, yet she has continued to serve her community and this Parliament with strength and determination. Her resilience is inspiring, but it is her generosity of spirit that leaves the deepest impression. It is why she is admired and respected equally across all sides of this place. There are some people whose presence lifts those around them; Emma is one of those people. You simply feel like a better person for having spent time with her. The courage Emma has shown has also been matched by the extraordinary support of those closest to her, Matt and her children. I want to thank Emma for her service, her friendship and the remarkable example she has set for all of us.

Dale Wright OAM

Kim O'KEEFFE (Shepparton) (12:56): I rise today to congratulate Shepparton's own and a very special friend Dale Wright on being awarded a Medal of the Order of Australia in the 2026 King's Birthday honours. Dale has dedicated decades of service to our community, particularly through his tireless work for men's mental health and wellbeing. As the founder of the Talking Straight program, Dale has created a safe and supportive environment where men can connect, share their experiences and seek support during the most difficult times. For more than 30 years Dale has volunteered his time to the Talking Straight program, which has helped over 250 men navigate life's challenges, strengthen relationships and improve their wellbeing. I have attended the group and have seen firsthand the difference Dale makes to these men's lives. It is hard to put into words. What he does not only is life changing but saves lives. The award also recognises Dale's outstanding service to the broader community through a range of organisations and acknowledges the significant impact he has had on the lives of so many people. I congratulate Dale Wright OAM on this well-deserved honour and thank him for his extraordinary contribution to our community.

Yvonne Jobling

Kim O'KEEFFE (Shepparton) (12:57): I also wish to acknowledge Yvonne Jobling, who turned 100 on 10 June. I met Yvonne when I was supporting her during COVID, and we have remained friends ever since. Yvonne lives independently and is truly amazing for her age. Yvonne is always so positive and upbeat and such a joy. Happy 100th birthday, Yvonne.

Margaret and Gordon Ferguson

Colin BROOKS (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Defence Industry, Minister for Skills and TAFE) (12:57): I rise today to recognise two remarkable members of our community, Margaret Ferguson and her late husband Gordon Ferguson, whose lifetime of service has left a lasting and meaningful legacy.

Margaret Ferguson has dedicated her entire adult life to caring for others. Beginning as a mothercraft nurse at the Salvation Army's haven in the late 1960s, she supported young mothers and vulnerable

children while also fostering Indigenous children with her husband Gordon. Her decades of service at the Salvation Army Preston corps include over 25 years as home league secretary, leading and supporting women in faith and fellowship. Margaret's compassion extended into aged care. She served as a chaplain and pastoral carer, offering comfort and companionship to the elderly. She also founded Booth's Buffet, providing weekly meals to those experiencing disadvantage, and has been recognised through Inner Wheel and Rotary, with Paul Harris Fellow and sapphire honours.

We also honour the life of Gordon Ferguson, who, sadly, passed away last year. Gordon was a devoted member of the Salvation Army for over 50 years, serving as a bandsman, youth leader and Sunday school teacher. Later in life he worked as a personal care assistant, supporting vulnerable men experiencing homelessness with empathy and friendship. Gordon was known for going above and beyond, playing music, fixing radios and bringing warmth to those in his care. His service to Rotary, including as president, was recognised with the Paul Harris Fellow and sapphire honours. Margaret and Gordon's legacy will endure within our community. I thank Margaret, and I honour Gordon's memory.

South-West Coast electorate roads

Roma BRITNELL (South-West Coast) (12:59): In South-West Coast we are furious. The condition of our roads has deteriorated to the point where they are no longer safe to drive on at night or in heavy rain. For years I have been warning the Allan Labor government that road maintenance was grossly inadequate. For years the response has been, 'There's no problem.' Now we are ropeable, and now we are witnessing exactly what we said would happen. Rain is not the cause of this crisis; rain falls every winter. What has changed is the road conditions have gone too far. The Allan Labor government is delusional. Police tell us to drive to conditions, but heavy rain and darkness are simply too dangerous and too deadly now. After last night's heavy rain multiple vehicles were left stranded again. A young woman struck a pothole on the Princes Highway at Panmure in darkness and pouring rain with a semitrailer behind her. The road damaged her car, and she struggled to maintain control – what a terrifying ordeal. With just one year of driving experience, it is a miracle she was not killed. She waited for 3 hours on the roadside in the dark and rain for assistance and a tow truck. At what point does the responsibility shift to the government? Does it take a tragedy to get attention? It is too late for proper fixes. Winter is here, and the opportunity for meaningful maintenance has been missed. I am sick and tired of saying this: please fix the roads properly come spring.

Sitting suspended 1:00 pm until 2:02 pm.

Business interrupted under standing orders.

Questions without notice and ministers statements

Construction industry

Jess WILSON (Kew – Leader of the Opposition) (14:02): My question is to the Premier.

Members interjecting.

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

Member for Greenvale withdrew from chamber.

Members interjecting.

The SPEAKER: Order! Members will be removed without warning. When I am on my feet, the house is to be silent. The Leader of the Opposition, without assistance.

Jess WILSON: My question is to the Premier.

Sarah Connolly interjected.

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

Member for Laverton withdrew from chamber.

Jess WILSON: My question is to the Premier. When a teacher at Staughton College was accused of being drunk at school, the Victorian Institute of Teaching, under the Deputy Premier's leadership, did not wait for a completed investigation; it suspended him immediately. Section 39 of the Labour Hire Licensing Act 2018 gives the Labour Hire Authority the power to immediately suspend a licence.

Members interjecting.

The SPEAKER: Order! The member for Essendon will leave the chamber for an hour.

Member for Essendon withdrew from chamber.

Jess WILSON: Yet Women in Construction still holds an active licence. Why is the Deputy Premier more effective in doing his job than a Premier who allows companies run by serial domestic violence –

Members interjecting.

The SPEAKER: Repeat the question.

Jess WILSON: Why is the Deputy Premier more effective in doing his job than a Premier who allows companies run by serial domestic violence abusers to rort taxpayers on the Big Build?

Jacinta ALLAN (Bendigo East – Premier) (14:04): Women in every workplace deserve a safe workplace. They deserve respect, they deserve support and they most certainly deserve the strongest regulatory and legislative framework by which their rights at work are protected. That is why, whether it is through the work of regulatory bodies like the Victorian Institute of Teaching or the work of the Labour Hire Authority, which our Labor government established – and our Labor government has strengthened the powers of the Labour Hire Authority – and was opposed by those opposite, we are further protecting women in the workforce.

Danny O'Brien: On a point of order, Speaker, the Premier is debating the question. If the Labour Hire Authority has the powers, why isn't it doing its job?

The SPEAKER: The Premier.

Jacinta ALLAN: As I stated yesterday, through the strengthened powers we have given the Labour Hire Authority they have issued a show cause notice. There is an investigation underway, and I will not prejudice the investigation of an independent authority. The question asked by the Leader of the Opposition undermines her claims about being focused on women in the workforce. She is more about petty politics than backing women.

James Newbury: On a point of order, Speaker, the Premier is debating the question.

The SPEAKER: The Premier has concluded her answer.

Members interjecting.

The SPEAKER: I am only going to say this once. I understand it is the last day before you all have a break, but it is not necessary to behave like this. I ask everyone to show some respect to each other across the chamber, particularly to members who are on their feet, either asking a question, responding to a question or making a ministers statement. Members will be removed. Member for Tarneit, I know that is your plan, but it is not going to happen for you today. Members will be removed from the chamber, which means when we come back from the break you will not be present in question time.

Jess WILSON (Kew – Leader of the Opposition) (14:07): Premier, isn't the real reason Women in Construction has not been immediately suspended is because the Premier is more interested in

protecting a CFMEU-linked company than protecting taxpayers from the $15 billion siphoned off the Big Build through CFMEU corruption?

Jacinta ALLAN (Bendigo East – Premier) (14:08): The answer is no. The claims made by the Leader of the Opposition in her question I addressed again yesterday. The person who made that figure, Geoffrey Watson, now says he was misquoted in making that figure. The Leader of the Opposition may choose to continue to misrepresent and deceive the Victorian community, but I say this: if the Leader of the Opposition were committed to seeing women supported in the workplace, she would condemn One Nation's position on not supporting women getting paid a fair wage.

James Newbury: On a point of order, Speaker, on relevance, the Premier is continuing to be evasive. The company is still active, and I make that licence available for the house.

The SPEAKER: That is not a point of order.

Ministers statements: crime

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:09): Every Victorian has the right to be safe and to feel safe. Crime is down in Victoria – a drop of nearly 3 per cent in the criminal incident rate and 6 per cent for youth offending. Those opposite do not want to hear the news that aggravated burglary is down 22 per cent here in Victoria. Robbery is down 15 per cent in Victoria. Sexual offences, family violence, theft and property offences are all down. Our government has delivered the toughest bail laws in the country, and they are working. Bail revocations – we have seen them up nearly 50 per cent, and we have seen bail refusals up more than 63 per cent. That means more people going to jail and less getting bail than ever before. We have also seen adult time for violent crime increasing the likelihood of jail for those who do harm in the community. The largest police service in this country is Victoria Police – 76,000 arrests. We thank them for the work they do every day – an amazing job. As Deputy Commissioner Hill said today:

> … we are … committed to ensuring our highly trained officers are where they are needed most – in the community, patrolling the streets, deterring criminal behaviour and preventing crime.

On this side of the house we back the Chief Commissioner of Police's plan to get more frontline police driving vans and not driving desks to keep people safe. There is $62 million for police reservists to bring experienced officers back to the front line to support our frontline police and $44 million for 50 additional PSOs. We are also seeing our violence reduction unit turn lives around while bringing significant consequences for those who do the wrong thing in the community. Operation Pulse in our shopping centres has also been a game changer, with 1000 arrests and 2000 charges. Can I say that those opposite, when they were last in government, cut the police budget by $100 million. When you get into bed with One Nation, you wake up with a nightmare on Spring Street.

Members interjecting.

The SPEAKER: The member for Macedon is warned.

Construction industry

James NEWBURY (Brighton) (14:11): My question is to the Premier. Can the Premier guarantee that she has disclosed every meeting she has had in accordance with the ministerial code of conduct?

Jacinta ALLAN (Bendigo East – Premier) (14:11): Yes.

James NEWBURY (Brighton) (14:12): Can the Premier guarantee that she has disclosed every meeting she has had with the Electrical Trades Union in accordance with the ministerial code of conduct?

Jacinta ALLAN (Bendigo East – Premier) (14:12): Not only is the answer yes, but to provide some further information to the house I am proud to be the daughter of a life member of the Electrical

Trades Union. I am proud myself to be a member of the Electrical Trades Union, because we on this side of the house stand with workers. We stand with working people, and that is why I was so proud to be with my colleagues recently with the mighty ETU announcing Australia's first publicly owned apprenticeship academy. Why are we doing this? We are doing this so 2000 young Victorians can get an apprenticeship, can become a sparky and work on projects like renewable energy projects that the One Nation and Liberal parties oppose.

Ministers statements: public transport

Gabrielle WILLIAMS (Dandenong – Minister for Transport Infrastructure, Minister for Public and Active Transport, Minister for Women and Girls) (14:13): On this side of the house we build for the future, and that means building the public transport system that Victorians need not just for today but for generations to come. It was Labor that saved the Metro Tunnel project when infighting among the Liberals threatened to kill it. When we got on with delivering this important project, the Liberals tried to block it and even called it a hoax, and they opposed the extra services that it unlocked as well. Then when Labor got on with building the West Gate Tunnel, the Liberals tried to block that as well, with a little help from the Greens that time. While the Liberals have a history of regional rail cuts and closures, Labor reopened passenger services to regional centres like Bairnsdale, Ararat and Maryborough. Labor cleaned up Liberal cuts. While Labor has invested in locally built rolling stock, including of course the G-class and the VLocity and the brand new X'trapolis 2.0, the Liberals sat on their hands and brought Victoria's rolling stock industry to a standstill. The order books dried up because they forgot to order a single tram for four years.

Members interjecting.

Gabrielle WILLIAMS: That is right. They took more than two years to order a single V/Line carriage. The Liberals cut local jobs, and they are at it again, promising cuts to trains on the Melton and Wyndham Vale lines at the very moment that Labor is adding services and capacity. It is very simple: Labor gets you where you need to go; the Liberals get you nowhere.

Members interjecting.

The SPEAKER: Member for Tarneit, I ask you to stand and apologise.

Dylan Wight: Sorry.

Construction industry

James NEWBURY (Brighton) (14:15): My question is to the Premier. Given the Premier's previous answers, can she rule out meeting the Electrical Trades Union, who were acting as an intermediary for the CFMEU, on a regular basis?

Members interjecting.

The SPEAKER: The member for Werribee and the member for Lara will leave the chamber for an hour.

Members for Werribee and Lara withdrew from chamber.

Jacinta ALLAN (Bendigo East – Premier) (14:16): I refer the member for Brighton to my previous answer, where I answered yes. I have declared all of my meetings in accordance with the rules, which, I remind the member for Brighton, I introduced as Premier.

James Newbury: On a point of order, Speaker, on relevance, the Premier is being evasive. The question was whether she met the ETU as an intermediary of the CFMEU.

The SPEAKER: I do not uphold the point of order.

Jacinta ALLAN: The answer is, as I said earlier, that all of my meetings are appropriately held and appropriately declared. I say this: another thing about the ETU is that they are pretty big and strong enough to speak for themselves, member for Brighton.

James Newbury: On a further point of order, Speaker, again on relevance, the Premier is refusing to answer the question.

The SPEAKER: I cannot direct the Premier how to answer the question. The Premier has concluded her answer.

James NEWBURY (Brighton) (14:17): Can the Premier guarantee that she has had no meeting with the Electrical Trades Union where they were acting as an intermediary for John Setka and the CFMEU regarding the Big Build?

Anthony Carbines: On a point of order, Speaker, that was very much the same question. I would rule it out of order as a repetitive question.

The SPEAKER: It is marginally different, Leader of the House.

Jacinta ALLAN (Bendigo East – Premier) (14:18): The answer is yes, and I will say this about what I discuss with the ETU when I meet them, as appropriately declared in my diary declarations: we talk about how we need to get more young sparkies into a new career. We talk about how we can do that because our government believes in renewable energy. We do not want to scrap renewable energy, like the One Nation–Liberal partnership would do. We all know that they want to cut the pipeline of renewable energy projects. Do you know what that means? It will drive up energy prices, drive down investment, drive down jobs and deny young kids an opportunity to get a great career. That is what we talk about when I meet with the ETU, about how we make sure that we change the system through our first publicly owned apprenticeship academy so young kids today get the chance my dad had all those years ago before Jeff Kennett sacked them as part of privatising the SEC.

Ministers statements: cost of living

Ben CARROLL (Niddrie – Minister for Education, Minister for WorkSafe and the TAC, Minister for Medical Research) (14:19): We know there is only one party in this place that will deliver real cost-of-living relief for families. There is one party that will deliver free eye tests for kids that need glasses; free uniforms, shirts, socks and shoes for kids that need the dignity of a uniform when they go to school; and free breakfasts for kids that go to school hungry. I had the great pleasure recently to be in Altona with the member for Kororoit to open up the brand new food bank, which we have done and supported for so many years, delivering a record 65 million breakfasts. And guess who else was there. The cameras were there and the ribbon was there, but the only thing they will cut is the 65 million breakfasts that we have delivered. We know that under Labor the Glasses for Kids program, the free breakfast program –

Members interjecting.

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

Member for Bulleen withdrew from chamber.

Ben CARROLL: We will always deliver cost-of-living relief because we know this changes the trajectory of young kids. This changes the trajectory of young lives. It is good to go from Kew either over the West Gate or through the West Gate Tunnel. These are great investments by a Labor government in Melbourne's west, and we will make sure that every child, no matter where they come from, does not go to school hungry. If they cannot see the whiteboard, they get the glasses support that they need. If they need the dignity of a uniform, they get the brand new shoes and the brand new socks. We know these are things that matter in the Education State. We will not cut funding to regional school infrastructure. We will not cut – the deepest cut of all – disability inclusion and offer $500 vouchers for kids that are vulnerable.

On-demand workforce

Darren CHEESEMAN (South Barwon) (14:21): My question is to the Premier. Victorian gig economy workers are often hyperconcentrated in growth corridors around the state and are increasingly getting angry as they fall further behind this exploitative employment contract. Premier, will you bring forward legislation to establish new employment standards such as sick leave, long service leave and annual leave to give some employment justice to these gig economy workers?

Jacinta ALLAN (Bendigo East – Premier) (14:22): I thank the member for South Barwon for his question. He has identified a group of workers in our economy who are in insecure work as a result of a range of factors, some of them global, some of them domestic. That is why we are always, on our side of politics, the Labor Party and the labour movement together, looking at ways that we can strengthen worker protections, looking at ways that can support workers rights at work and looking at ways that we can protect them with secure work. I refer to the earlier answers I was giving regarding Australia's first publicly owned apprenticeship academy as an example of how we have recognised that we have needed to change systems to be able to provide support for, in this instance, young kids who were not having the opportunity, as previous generations have had, to be able to get the training they needed to go on and work in a great industry.

Another really good example – and I know I should not offend the rules of the house by anticipating debate – is to point to our existing announcements around working from home and protecting workers rights to work from home. If you look at the record of industrial relations advancements in this country, it has always been Labor parties and labour movements that have looked at how we need to change the law, how we need to campaign for better rights for workers. And I say this: now more than ever this work is even more important, at a time when, as a result of global forces, workers are feeling less secure in their work. They know that wages are not keeping up with the inflationary pressures. Again, whether they are caused by conflict in the Middle East or successive interest rate rises, that is having a real impact on household budgets when wages do not keep up with those inflationary pressures. That is why our Labor government has delivered real cost-of-living relief in a range of measures, but more recently with 20 per cent off car registration.

In answer to the member for South Barwon's question about what more we will do, we will be continuing to look at ways that we can strengthen and protect workers rights, but particularly those in insecure work, who need a Labor government on their side more than ever before. And if you need evidence of that, you need to look no further than comments that were made just yesterday. One Nation do not believe that workers should be protected. They believe that bosses should have the right to make it easier to sack their workers. They do not believe that women should have equal pay. We know that the One Nation–Liberal partnership would cut workers' services, cut workers' wages and cut into the Victorian community.

Darren CHEESEMAN (South Barwon) (14:25): The Long Service Leave Act, Premier, is a state-based act. Will you bring forward legislation this term to provide long service leave for these gig economy workers?

Jacinta ALLAN (Bendigo East – Premier) (14:25): I thank again the member for South Barwon for his supplementary question. We have no announcements to make today about further ways that we are looking at protecting workers at a time when, as a result of those global pressures, they need protection from a Labor government, and they need protecting from a One Nation–Liberal right-wing partnership that have made it very clear that they would go after their rights at work. We will continue to do that work. The legislation I am focused on right now, of course, is our working-from-home legislation that is going to save families time and save families money. An example of why we need to legislate is because we know bosses and Liberals want to take away workers' opportunity to work from home.

Ministers statements: food relief

Luba GRIGOROVITCH (Kororoit – Minister for Youth, Minister for Carers and Volunteers) (14:26): When families are under pressure, governments have a choice. You can look away, you can cut or you can step in and you can help. We know what Labor will do. Labor will always step in and help because no-one should go hungry in this state and no family should be left on their own when times are tough. That is why applications are now open for $8.5 million in food relief funding. Local organisations can apply for grants of up to $100,000 to help keep food on the table. Since 2020 our government has invested more than $85 million in food relief. That has funded around 250 projects, backing organisations like OzHarvest and SecondBite. Last week I brought the food relief sector together to get food to families faster. In Coburg I joined my good friend the member for Pascoe Vale at Our Daily Bread at the Greek Orthodox Parish of the Presentation of Our Lord. I thank Father Leo Ioannou, Sophie and the volunteers who work tirelessly feeding those in need, because that is what backing families looks like.

While Labor invests, we know what the Liberals will do. They will cut. Currently they are hunting for $40 billion in cuts. But you cannot cut $40 billion without cutting hospitals, without cutting schools and without cutting what people need. They have done it before. When the Liberals last went looking for savings, what did they cut? They cut Fresh Fruit Friday, a program that helped children learn with something healthy in their stomachs. That is what happens when the Liberals go looking for cuts. They take it from those who need it most. Now they want to do it again, all while they chase One Nation and fight with each other. Well, they can keep fighting with each other. We will keep looking after working families.

Construction industry

Danny O'BRIEN (Gippsland South) (14:28): My question is to the Premier. Public reporting shows senior figures in the CFMEU and ETU view a royal commission into the Big Build as a greater existential threat than Labor's polling. Is it the case that the Premier refuses to call a royal commission because it would damage her friends in the CFMEU and ETU?

Jacinta ALLAN (Bendigo East – Premier) (14:29): The answer is no, and I will explain to the Leader of the National Party again why the answer to his question is no. It is because we have taken immediate action. As a result of that immediate action and strengthening police powers and strengthening the Labour Hire Authority's powers, we are seeing, through the work of Taskforce Hawk, that police have laid more than 88 charges. The work of the Labour Hire Authority has cancelled over 150 construction industry licences and is cleaning up what I acknowledge is a culture that needs to be cleaned up. We have zero tolerance for these allegations of criminal behaviour, which is why immediate action was needed and demanded, and that is what we have taken.

On the calls for a royal commission by the leaders of the National Party and the Liberal Party, I remind them too that we have already had a royal commission in this country on these matters. It took years, there were tens of millions of dollars expended and what we saw from that was that the only one charge was a good behaviour bond. What we are focused on is taking immediate action to clean up a culture that needs to be cleaned up. I have got zero tolerance for these allegations of criminal behaviour, and that is why we are focused on taking this action and, importantly too, recognising that workers on these worksites deserve safe and secure worksites and not being gone after, like the Liberal–National parties want to do. They want to go after workers and go after their wages. We are going after the criminal elements who want to undermine the work of workers, and that is why we have taken the action we have taken.

Danny O'BRIEN (Gippsland South) (14:31): Can the Premier guarantee that neither she nor her office have given the CFMEU, the ETU or their representatives any assurance that her government will oppose a royal commission into corruption on the Big Build in exchange for their support?

Jacinta ALLAN (Bendigo East – Premier) (14:31): There are countless occasions where I have made clear our position on a royal commission. That is why we have made it absolutely clear, which is why I can answer that to the Leader –

James Newbury: On a point of order, Speaker, the Premier is debating a straightforward question.

The SPEAKER: I cannot tell the Premier how to answer the question.

Jacinta ALLAN: The Leader of the National Party's question is wrong, and what I was going through is that I have made my position and my government's position clear on the public record on a number of occasions.

Danny O'Brien: On a point of order, Speaker, the Premier is debating the question. It is a very clear yes or no, Premier.

The SPEAKER: I believe the Premier has answered the question.

Jacinta ALLAN: I am going on to make the point clear that we on this side of the house will always back workers with safer workplaces, which is why we have taken immediate action strengthening Victoria Police's powers and strengthening the Labour Hire Authority, and we are seeing that that action is working, through charges, through licences being cancelled and, most importantly too, what we are hearing from workers themselves about how the culture in workplaces is changing. That is the immediate action that workers need and deserve, and that is where our focus will remain.

Ministers statements: economic policy

Jacinta ALLAN (Bendigo East – Premier) (14:33): Every decision our government makes comes back to this question: does it help families and does it back workers? Does it make life easier for people who are doing it tough? That is why we are protecting working from home. We are protecting it because it means less time in traffic, less money on petrol and parking but also, importantly for families, more time with kids, more money for groceries and more money for those bills like school costs. It is also why our 20 per cent off car registration rebate is putting real money back into people's pockets.

Tim Richardson interjected.

Jacinta ALLAN: I can give the house an update on the number of applications – thank you, member for Mordialloc. As of this morning there have been 2,652,718 applications. What is also important – the other number here that is also important – is that $348 million has already been paid directly into people's accounts. Do you know where that money is going? It is going on those grocery bills. It is going on those rent and mortgage repayments. It is going on those things that keep families up at night worrying how they will make ends meet. And we are going to keep going. It is why we have got free kinder, free TAFE, free urgent care and of course half-price public transport all the way through to the end of the year, because we back families and we back workers.

We acknowledge that there is a different way, a One Nation way, where we would see women being paid less, workers being sacked and, of all things, the SBS being turned off in the middle of the World Cup. We are going to back workers and back families, not like the Liberal Party, who are in a right-wing partnership with One Nation. We are going to stand up and fight for workers in Victoria every single day.

Constituency questions

Lowan electorate

Emma KEALY (Lowan) (14:36): (1698) My question is to the Minister for Education. The government has begun phasing out the P–12 complexity allowance, a funding stream that recognises the additional administrative and operational challenges faced by combined primary and secondary schools in rural Victoria. In my electorate of Lowan, schools including Balmoral, Edenhope, Goroke,

Kaniva, Murtoa, Nhill and Rainbow will be impacted. I spoke to the Goroke P–12 College just a couple of weeks ago, and for their school it is a $200,000 funding cut. This is something that cannot be made up in other areas, and it is an issue where the educators there and the principal feel like they are unable to deliver the education support and the administrative support that they are supposed to. It is something that is having a critical impact on our rural communities. I therefore ask the minister: how much funding will each of these schools lose over the forward estimates as a result of the phase-out of the P–12 complexity allowance, and what assessment has the government made of the impact on rural and regional communities?

Ashwood electorate

Matt FREGON (Ashwood) (14:37): (1699) My constituency question is for the Minister for Health in the other place. What I want to know is: how many Smile Squad visits have been made in the Ashwood district since its inception? The reason I want to know this is I was visiting the wonderful Syndal South Primary and Katelyn Joyce, the new principal there – a shout-out to all the good people down there – and as I was there to talk about some things going forward the Smile Squad was in the car park, and it just got me thinking. There are classes going through every six months to these vans to help kids and to help families; I think it is up to $400 a year that families can potentially save having a Smile squad visit instead of having to find their own dentist. It is just another program that I would say is at risk if others potentially get in and start getting rid of all the back-end people who organise all this work. I really want to know how much is at stake.

Mornington electorate

Chris CREWTHER (Mornington) (14:38): (1700) My constituency question is for the Minister for Roads and Road Safety. When will the minister update my constituents as to when the Uralla Road and Nepean Highway intersection upgrade will finally commence? Residents in Mornington and Mount Martha, such as Vince, continue to raise serious concerns about the long-delayed upgrade of this intersection. This intersection is well known locally as dangerous and congested, particularly during events at The Briars. The project was fully funded by the former Liberal government at the federal level. As it is a state government-owned road, though, it needs to be built by them, yet despite repeated representations to the state government by both the federal MP Zoe McKenzie and me there is still no clear public timeline for when the intersection upgrade will finally begin. All we have had is continued silence from this Labor government. The local community has waited long enough. Labor must act now before there is another serious accident and deliver this long-awaited road safety upgrade.

Tarneit electorate

Dylan WIGHT (Tarneit) (14:39): (1701) My question is to the Minister for Public and Active Transport. Minister, when can constituents in my electorate of Tarneit expect to see longer nine-car trains on the Wyndham Vale line? In this year's budget we promised to introduce additional capacity on the busy Wyndham Vale line. That capacity is thanks to $14.8 million, which will put longer nine-car trains on the line during peak times. If you have ever tried to catch a train in Tarneit during peak periods, you will know just how invaluable these upgrades will be. With 50 per cent additional capacity on each of these services, it will be easier than ever to catch the train. I have said in this place before that Tarneit is one of the fastest growing suburbs anywhere in Victoria. That is why we are building and upgrading the vital infrastructure to keep our suburbs running. It is fantastic to be part of a government which is focused on investing in our western suburbs, not cutting funding from them. I look forward to being able to share this news with my community, who are incredibly eager to hear about when they will see these improvements on the line.

Polwarth electorate

Richard RIORDAN (Polwarth) (14:40): (1702) My question this afternoon is for the Minister for Emergency Services. The question I ask is: when will she fund and relocate the Darlington CFA shed?

For two years now, Minister, the community of Darlington and the local CFA have been requesting the relocation of their shed. The shed has been provided free of charge for the last 50 years by a local landowner, who has given plenty of time for this government to fund its relocation from his land to some community land some 100 metres down the road. It is simply not good enough. The goodness and the kind-heartedness of the local landowner have been taken advantage of. The community, the Darlington CFA, the landowner and others in the region really, really, really want your answer immediately on when that shed will be moved, because without a Darlington CFA our western Victorian plains are at risk, the Darlington Mid-Western Speedway is at risk and the community itself will be at risk.

Laverton electorate

Sarah CONNOLLY (Laverton) (14:41): (1703) My question is to the Minister for Roads and Road Safety. It has been just over two weeks, but Victorians have overwhelmingly backed our government's 20 per cent off rego rebate. For the average motorist, applying for this rebate puts $186 per vehicle back into their pocket. For the average family with two vehicles, that is 370 bucks they get back. It is real cost-of-living support right now and money that you would not have had otherwise put back into your pockets. I have to say, I have never seen a cost-of-living support more popular than this one. Not even our amazing power saving bonuses that we have previously run have gathered this much interest. Over the past two weeks I have been out talking to folks in my electorate about this rebate, and my staff have told me that the phones have not stopped ringing. Victorians know and appreciate that we are offering this support. My question to the minister is: how is the 20 per cent off registration program helping people in my electorate of Laverton with the cost-of-living pressures?

Ringwood electorate

Will FOWLES (Ringwood) (14:42): (1704) My question is to the Premier. When will the full redevelopment of Maroondah Hospital in Ringwood East be delivered? In response to a recent question on notice the Minister for Health Infrastructure advised that the government has completed a range of planning activities for the full redevelopment of Maroondah Hospital, including assessments of structural integrity, planning services, clinical planning, property and planning reviews and traffic impacts associated with future growth. The minister also stated that the government remains committed to a complete redevelopment of Maroondah Hospital. This is one of the most important health infrastructure projects for Melbourne's east. Communities have been promised a full redevelopment and deserve to know what this extensive planning work – allegedly undertaken – has in fact found. After years of promises my community deserves more than assurances. They deserve transparency about the work that has been done and what it means for the future of Maroondah Hospital. I look forward to the Premier's commitment to a concrete timeframe for this redevelopment.

Ripon electorate

Martha HAYLETT (Ripon) (14:43): (1705) My question is to the Minister for Natural Disaster Recovery. Minister, when will temporary modular homes be delivered to bushfire-affected communities across Victoria, including families in Carranballac, Streatham and Skipton in my electorate. On 14 May the announcement of nearly $33 million from the state and federal governments for more than 100 temporary modular homes was welcomed, particularly for those left without adequate insurance after the January fires. But for many families the announcement has not yet translated into a permanent roof over their heads. As we move deeper into winter the urgency is growing. There are still many locals without permanent homes from the Streatham fire, and they deserve timely, practical support to rebuild their lives. I look forward to sharing the minister's response with them.

Nepean electorate

Anthony MARSH (Nepean) (14:43): (1706) My question is to the Minister for Ports and Freight. During the Nepean by-election I committed to ensuring the heritage-listed Flinders Pier would be fully

restored, but under this government contractors have been instructed to cease works and pull up stumps because the project has nearly exhausted its funds and must be rescoped. This is despite the pier's condition having been documented before and tendered and the government promising work to include new poles, beams, crossbeams, capping beams and decking. Flinders Pier is a heritage icon, and my local community is rightly calling for funding to complete the much-needed full restoration. Minister, has Labor's financial mismanagement left the government so broke that it cannot complete the project required and the restoration of this irreplaceable community asset?

Werribee electorate

John LISTER (Werribee) (14:44): (1707) My question is to the Minister for Health. How is accessibility design being improved for those with physical, mental or other disabilities in Werribee Mercy Hospital? The hospital in general was made to house and care for people of all walks of life, including disabled, impaired et cetera folk, who may already need more health assistance. But if they are not given adequate tools or environments, it makes the hospital ordeals harder not just for them but for those accompanying or treating them. Werribee is a very large, very populated and very multicultural suburb full of people who need extra support. Residents with a disability, alongside other residents, deserve an equal amount of attention and care when necessary. I note there are great new facilities in our new ED, which is opening up in October. I have said this on a number of occasions, but I am determined to be the voice for local young people in my community, and this question was written by Annabelle Pearson, who is in year 12 at Werribee Secondary College. I thank them and their class for visiting only just this morning and helping to prepare this question.

The SPEAKER: Member for Lowan, I invite you to nominate one question. You had two in your constituency question.

Emma Kealy: Thank you very much, Speaker. I would like to clarify that my question is: on the back of the phase-out of the P–12 complexity allowance, what assessment has the government made of the impact on rural and regional communities?

Members statements

Rosanna Tennis Club

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:46): I would like to congratulate Rosanna Tennis Club. I was there on the weekend to open the revamped and upgraded court 1, thanks to a $75,000 grant from the North East Community Fund. I want to thank Rosanna Tennis Club for applying for that grant. Those community grants through the North East Community Fund are because we are building the North East Link largely through big parts of my electorate and that of my colleague the member for Bundoora. We are also linking up to both the ring-road and the Eastern Freeway. It is a significant project that will take 15,000 trucks off our local roads, like Rosanna Road and Greensborough Road.

Alongside that, the community grants program is providing great support in my community. Many local organisations are being supported. With 250 members at Rosanna Tennis Club, it was great to join them for a snag on the barbie and to open that new court. The juniors were playing finals, so we wish them well. I particularly want to acknowledge the leadership of Rosalind Marshall, the president, who for decades has been involved in the committee and the work and the leadership down there. I bumped into so many people that I know, including coach Peter Collins, who taught our daughter the basics of tennis. It is a great social game if you do not want to play competition. The Rosanna Tennis Club has got great respect in the community. They are delivering great results for families and are training our next generation of young tennis champions.

VicHealth

Tim READ (Brunswick) (14:47): The Victorian Labor government plans to abolish the state's health promotion foundation, VicHealth. The Department of Health will 'absorb it' they say, like some giant amoeba. This will only save the state budget a few million at best – small change for the Treasurer – and over time it will cost us so much more. The new health minister offers bureaucratic justifications for the absorption, including that the health system has changed and we have the Public Health and Wellbeing Act 2008 and local public health units. Maybe I could accept this if the government were cracking down on alcohol advertising and rapid alcohol delivery services, if they were trying to cut our intake of ultra-processed food, if their police were raiding and closing the tobacconists selling illegal vapes and bootleg tobacco in plain sight, if they were encouraging more Victorians to leave the car at home and walk or pedal to work and if they were funding research into how to make health promotion more effective, but they are not. They are not doing any of this. On the list of Labor's really dumb decisions, this might not be the biggest – certainly not in dollar terms – but it has to be one of the stupidest and most anti-science decisions that Labor can make. I can only hope that the next Parliament will rethink this decision and show some respect for some of the most important health workers: those involved in prevention.

King's Birthday honours

Melissa HORNE (Williamstown – Minister for Ports and Freight, Minister for Health Infrastructure, Minister for Prevention of Family Violence) (14:49): I want to congratulate locals from my community who were honoured on the King's Birthday for their contributions and their service. Altona North resident Jason Heffernan was awarded the Australian Fire Service Medal; Williamstown's own Elizabeth Sampson was awarded the Public Service Medal for historic land management reforms that established protections for the Yarra River and environments along our Great Ocean Road; and Michael Crosbie, an Altona resident, received a Medal of the Order of Australia. Michael has held significant roles with the Sunshine and District Hospitals Society and the St Vincent de Paul Society.

Geoffrey Dougall

Melissa HORNE (Williamstown – Minister for Ports and Freight, Minister for Health Infrastructure, Minister for Prevention of Family Violence) (14:49): On a sadder note, I would like to acknowledge the passing of a true champion of Williamstown's maritime heritage, Geoffrey Dougall, who sadly passed away last week. Geoff dedicated decades of service to our community. He was an author, a publisher, a local councillor, founder of the Williamstown Maritime Association, a former site manager at Seaworks and a tireless advocate for preserving Williamstown's rich maritime history. He was also the secretary of the Royal Victorian Motor Yacht Club and a member of the Royal Yacht Club of Victoria. He certainly made an extraordinary contribution to the life of our community in Williamstown. I will really miss my conversations with him, and I will not forget the absolute joy on Geoff's face the day that we reopened Workshops Pier.

Crime

Brad ROWSWELL (Sandringham) (14:50): The first job of any government should be the safety and security of its citizens. Since Premier Allan was elevated to the high office of Premier, crime in this state has increased by 23 per cent, family violence related serious assaults are up 58 per cent and motor vehicle theft is up 65 per cent. Only a Liberal–National government will recruit 3000 police. We will reopen the more than 40 closed police stations. We will hire 200 additional PSOs. Victorians need a fresh start. They need to not only feel safe but be safe in their community.

Jon Tarrant

Brad ROWSWELL (Sandringham) (14:51): I would like to congratulate Jon Tarrant on an extraordinary milestone – 30 years of continuous service at Woolworths in Mentone. Jon is a much-loved and valued member of the team, and many locals will know him from their everyday interactions

in the store. Jon, who has Down syndrome, has made a wonderful contribution to our community. On behalf of our community I congratulate him for his 30 years of service.

Education funding

Brad ROWSWELL (Sandringham) (14:51): Finally, every child deserves the best possible start in life. That is why we have unveiled our nation-leading successful school starters program. We are investing more into education, much to the disgust of the Allan Labor government. Under our plan, every prep student across every Victorian school will from term 1 2028 be screened, with occupational therapists and speech pathologists embedded alongside school nurses. We want to support every teacher, every family and every student to have the best start in life.

Hume Anglican Grammar

Ros SPENCE (Kalkallo – Minister for First Peoples, Minister for Roads and Road Safety, Minister for Community Sport) (14:52): Today I would like to acknowledge the outstanding students of Hume Anglican Grammar's Kalkallo campus for their recent public speaking and storytelling competition. This year's event brought together 168 students from years 5 and 6, with a focus on authentic storytelling, encouraging creativity, imagination and confidence. Congratulations to the four finalists: Charlotte Toma, Shiara Jude, Sehaj Kandra and Nihal Dhindsa. I particularly congratulate Shiara Jude, whose winning piece was a beautiful original Dr Seuss–style poetic story about a plastic bag, which captured the judges and audience alike with its authenticity and creativity. Well done, Shiara. Each finalist delivered a unique and engaging story, from the humour of Sehaj's love of kebabs to Nihal's relatable struggle with early mornings and Charlotte's memorable tale, *The Day I Buried the Wrong Fish*.

I also commend all students across the school who participated in the public speaking exercise, including younger year level representatives. Each year level had representatives who spoke in front of the assembly. Edwina from prep spoke about community helpers, Diyara from year 1 spoke of their zoo excursion, Jasnoor from year 2 spoke about convincing someone to visit their landmark, Veraaj from year 3 spoke about Komodo dragons and Chaitra M from year 4 spoke about a beautiful dream. This public speaking program reflects the school's strong commitment to student voice, communication and creativity. I congratulate the staff and students on a fantastic event.

St Albans electorate teachers

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small and Family Business, Minister for Employment, Minister for Tourism) (14:53): I rise to congratulate and acknowledge the service of seven exceptional teachers in my community who have been recently recognised at the Recognition of Service awards. Recognised for 45 years of service was Frank Brancatisano from St Albans Meadows Primary School. Recognised for 40 years of service were Beverly Baka and Maria Fletcher from Victoria University Secondary College; Michael Bowden, Joseph De-Gabriele and Craig Jennings from St Albans Secondary College; and Emilia Rio from St Albans Meadows Primary School. Congratulations to you all, and thank you for your dedication and service to our students over many, many decades in the St Albans community. We value the work you do each and every day and the commitment you provide not only for our students but also for the families of St Albans. You mean so much to us and on most days go beyond the call of your service. We are absolutely grateful for your work and, as I said, dedication to our students, from the early to the later years of their journey, and also for your support of our families, school councils and the school community in St Albans. Congratulations to you all, and thank you very much on behalf of the St Albans electorate.

Motor neurone disease

Vicki WARD (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:55): I have an amazing community, including our awesome footy clubs in Diamond Creek. Recently the Diamond Creek All-Stars played the Northern Footy Show All-Stars in an incredible evening for a cause important to many of us in this place: raising money for MND

research. This is a massive annual event held in my community, for which Diamond Creek Junior Football Club are to be congratulated. Their extraordinary efforts have meant they have raised over $95,000, with donations still coming in. Congratulations to DCJFC president Mark Shields and all club volunteers and committee members who contributed to this event, particularly Cairenn O'Donoghue and Rachael O'Connor-Horan, for their hard work and excellent coordination. It was a great night enjoyed by all, including Matt Tilley, CEO of FightMND, and guest coaches Terry Daniher and 'Dipper' DiPierdomenico, as well as Darin Compt from *The Northern Footy Show*.

King's Birthday honours

Vicki WARD (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:56): I recognise those in my electorate of Eltham who received King's Birthday honours last weekend. Congratulations and deep thanks for their service to Professor Grahame Coleman AM for significant service to animal welfare, science and the discipline of human psychology; Emeritus Professor Kaye Stacey AM for her contributions to tertiary and secondary education and to mathematics; Emeritus Professor Richard Dowell AO for significant service to audiology, to the development of the cochlear implant and to tertiary education; Ms Fiona Macken AFSM for her dedication and service within the Diamond Creek fire brigade and her ongoing support for CFA; and the late Ray Wilton OAM for his service to the community of Melbourne through various volunteer roles and as a primary school educator.

Trevor Eddy OAM

Paul HAMER (Box Hill – Minister for Local Government, Minister for Youth Justice, Minister for Corrections) (14:56): I would like to congratulate a local legend of the Box Hill North community, Trevor Eddy, on being awarded a Medal of the Order of Australia at the King's Birthday honours. Trevor's commitments to the Box Hill community are too numerous to mention. I want to mention just a few that he has had locally, including being treasurer of the Doncaster Community Gardeners since 2011 and president since 2019; volunteer coordinator of the Greenlink nursery in Box Hill since 2016 and treasurer since 2012; on the committee of management of the Clota Cottage Neighbourhood House since 2014 and president since 2021; a member of Burke and Beyond, a local registered disability service provider, since 2006 and president since 2009; volunteer at the Whitehorse City Council spring festival since 2011; and a team volunteer at the Box Hill Community Bakehouse food rescue at the Box Hill Baptist Church since 2021. Trevor has previously also received the Citizen of the Year award from the Whitehorse City Council, the Chisholm Volunteer of the Year award in 2017 and the Menzies Australia Day award in 2022. I could not think of a more worthy recipient.

Dragon Boat Festival

Paul HAMER (Box Hill – Minister for Local Government, Minister for Youth Justice, Minister for Corrections) (14:58): Friday 19 June is the Dragon Boat Festival. Can I wish everybody who is celebrating this important festival a very healthy and safe Dragon Boat Festival. Thank you to the Hunan business association.

Tiny Towns Fund

Martha HAYLETT (Ripon) (14:58): Last week the Minister for Regional Development visited Ripon to announce the latest recipients of the state Labor government's Tiny Towns Fund. Across our region 18 of our smallest communities will share in more than $631,000 to make them even better, including projects in Skipton, Lexton, Warrak, Dean, Banyena, Campbells Forest, Newbridge, Laanecoorie, Rheola, Arnold, Moliagul, Landsborough, Snake Valley, Carranballac, Mount Rowan, Korong Vale, Eddington and Kingower. These investments will deliver new playgrounds, upgrades to community halls, expanded community gardens, preservation of local history and so much more.

I want to extend my sincere thanks to the dedicated local volunteers who have made these projects possible, including Daniel Maher, Ashley Scott, Sally and Daniel Buckingham, Esther Yeoman, Don McAllister, Greg Fisher, Hugh Briody, Graeme Sandlant, Ann-Maree Davis, Igor Grattan, Megan

Read, Leonie Baker, Geoff Curnow, Dr Helen Waite, Don Goldsworthy, Michelle Mizzi, Rhonda McTaggart, Kayleen Graham, Simon Morrison, Dorothy Gale and Melissa Turner.

Business of the house

Adjournment

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:59): I sense an air of anticipation. I move:

That the house, at its rising, adjourns until 28 July 2026.

Motion agreed to.

Bills

Corrections Amendment Bill 2026

Statement of charter compatibility

Paul HAMER (Box Hill – Minister for Local Government, Minister for Youth Justice, Minister for Corrections) (15:01): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the Charter), I make this Statement of Compatibility with respect to the Corrections Amendment Bill 2026 (Bill).

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

Overview

Section 47(1)(a) of the *Corrections Act 1986* (Corrections Act) provides that every person in prison who is not ordinarily engaged in outdoor work has the right to spend at least one hour each day in the open air, weather permitting.

The Bill will amend the Corrections Act to provide that, in addition to any weather considerations, the right to be in open air may be limited where it is not reasonably practicable to provide the entitlement, having regard to operational considerations, including:

- the management, good order, or security of the prison;
- the rights, safe custody, or welfare of the prisoner;
- the rights, safe custody, or welfare of any other prisoner in the prison.

The Bill also provides that no amounts are payable by the State (as damages or other monetary compensation) for any limitations of the right under section 47(1)(a) that accrued before its commencement. This provision:

- applies to any proceedings that are on foot and have not been finally determined before the Bill commences, and
- does not apply to any proceedings that have been finally determined before the Bill commenced.

The amendments in the Bill respond to the Supreme Court's judgement in *Marrogi v Secretary, Department of Justice and Community Safety & Ors (No 1)* [2026] VSC 4 (Marrogi case). In this case, the Court found that rear courtyards attached to certain cells in specific high security and management units of the Metropolitan Remand Centre and Barwon Prison did not constitute being 'in the open air' for the purposes of the Corrections Act. Whilst the State has appealed that decision, this Statement of Compatibility is prepared on the basis of the Court's judgment.

The Bill addresses both legal and operational risks arising from the Marrogi case, to ensure that:

- Corrections Victoria (CV) can manage access to open air safely and lawfully, alongside operational considerations critical to the secure, effective functioning of prisons in Victoria, and
- the State's financial exposure arising from the Marrogi case is limited.

Human Rights Issues

The following Charter rights are relevant to, and in some cases may be limited by, the Bill:

- protection from cruel, inhuman or degrading treatment (section 10(b));
- the right to humane treatment when deprived of liberty (section 22(1));
- the right not to be deprived of property other than in accordance with law (section 20);
- right to freedom of movement and right to liberty (sections 12 and 21);
- right to fair hearing (section 24(1)); and
- right not to be tried or punished more than once (section 26).

Limitation on the right to be in open air in prison

The Bill amends the right to be in open air under section 47(1)(a) of the Corrections Act, to enable limitation of the right where it is not reasonably practicable to provide the full entitlement in light of operational considerations, including:

- the management, good order, or security of the prison;
- the rights, safe custody, or welfare of the prisoner;
- the rights, safe custody, or welfare of any other prisoner in the prison.

The provision is relevant to, but does not limit, the human rights in the Charter to freedom of movement and right to liberty (sections 12 and 21).

This provision is relevant to and may limit the following human rights in the Charter:

- protection from cruel, inhuman or degrading treatment (section 10(b)).
- the right to humane treatment when deprived of liberty (section 22(1)).

No amounts payable by the State for past limitations of the right to be in open air

The Bill introduces new section 111AA into the Corrections Act, that provides that no amounts are payable by the State for any limitations of a person's right to be in open air that accrued before the Bill commenced.

This provision is relevant to, but does not limit, the right not to be tried or punished more than once under section 26 of the Charter.

This provision is relevant to and may limit the following human rights in the Charter:

- the right to humane treatment when deprived of liberty (section 22(1));
- the right not to be deprived of property other than in accordance with law (section 20); and
- the right to fair hearing (section 24(1)).

Human rights relevant but not limited by the Bill

Right to freedom of movement and right to liberty (sections 12 and 21)

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria and to enter and leave it, and has the freedom to choose where to live. Section 21(1) of the Charter provides that every person has the right to liberty and security. Section 21(2) provides that a person must not be subjected to arbitrary detention. Here 'arbitrary' means interferences which, on the facts of an individual case, are 'capricious, unpredictable or unjust', or those that are unreasonable as they are not proportionate to a legitimate aim sought. Section 21(3) provides that a person must not be deprived of their liberty except on grounds, and in accordance with procedures, established by law.

The Bill's limitation on people in prisons' right to be in open air for operational reasons may appear to constitute a deprivation of freedom of movement and the right to liberty, as it may reduce a person's ability to be in and move around in the open air.

However, I do not consider the right to freedom of movement or the right to liberty under sections 12 and 21 of the Charter are limited by these provisions of the Bill given:

- this limitation does not itself deprive any persons of their liberty or right to move freely within Victoria. That deprivation occurred when the sentencing court imposed the sentence of imprisonment. The right to liberty is reasonably and justifiably limited where the person is deprived of their liberty under sentence of imprisonment after conviction for a criminal offence by an independent court;
- the Bill does not affect the head sentence of imprisonment imposed by the sentencing court nor does it increase the limitation caused by the court's sentence. The Bill only enables the conditions of imprisonment to be altered in certain circumstances. As such, the limitation on the right to be in open air

in the Bill cannot properly be construed as creating any new or increased deprivation of a prisoner's liberty; and

- the Bill sets out parameters for when a person's right to be in open air may be limited, rather than this being arbitrary. The Bill makes clear that the limiting of a person's right to be in open air may only occur in light of the weather, or operational considerations, including those listed in new section 47AAA(1).

Accordingly, I am of the view that the human rights in sections 21 and 12 are not limited by the reforms.

Right not to be tried or punished more than once (section 26)

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which that person has already been finally convicted or acquitted in accordance with the law.

This right enshrines the fundamental common law principle of 'double jeopardy' and promotes fairness for persons acquitted or convicted of an offence by ensuring they are not subjected to multiple prosecutions. Section 26 of the Charter therefore guarantees a person finality and certainty in the criminal justice system, by protecting them from being the subject of further prosecutions. It could be argued the provisions in the Bill which allow for limits on people's right to be in open air and which provide that no amount is payable for past limitations of the right to be in open air could impose a level of detriment or punishment, resulting in the right under section 26 being relevant.

However, I do not consider the Bill limits the right not to be tried or punished more than once under section 26 of the Charter.

These provisions are not introduced for the purpose of imposing a punishment.

In relation to the limitation of the right to open air, the Bill sets out conditions by which the right might be limited due to operational reasons including the safety of the prisoner.

In relation to the provisions in the Bill providing no amounts are payable by the State, the objective of this provision is to limit the State's financial exposure to claims that may be brought following the Marrogi case. Given the number of people who may have been held in conditions similar to Mr. Marrogi since the commencement of the Corrections Act, it is possible that further claims alleging limitations of the right to be in open air could be brought and result in the State needing to pay compensation. The relevant provisions will assist in limiting costs to the State of these potential claims. The Bill will ensure funds can instead be directed towards resources that benefit all Victorians, including facilitating an effective criminal justice system.

Further, while these clauses may result in some detriment to affected persons, not all detriment, hardship or distress inflicted by legislation will constitute a penalty or punishment. In this Bill, the detriment will not be inflicted as a result of a person being convicted or acquitted of a crime. Rather, the detriment will be incurred based on the timing of when their claim accrued and whether the proceedings were finalised prior to the commencement of the Bill.

The nature of the detriment is also not one ordinarily associated with criminal sanction or punishment, as there is no imposition of any personal liability on a person. The Bill does not impose a penalty or sanction for breach of provisions which prescribe a rule of conduct. It also does not seek to extinguish a person's civil rights and liabilities, or cause of action. Rather, it limits the remedies available to a person who has brought a civil claim. Further, the provision does not have a purpose of retribution, stigmatisation or penalisation – rather, the purpose of the provision is to limit the State's potential financial exposure for past breaches of section 47(1)(a).

Therefore, I do not consider the Bill to be engaging nor limiting the right not to be tried or punished more than once under section 26 of the Charter.

<u>Human rights relevant and limited by the Bill</u>

Protection from cruel, inhuman, degrading treatment (section 10(b)) and inhumane treatment (section 22(1))

Section 10(b) of the Charter provides that a person must not be treated or punished in a cruel, inhuman or degrading way. Similarly, section 22(1) provides that all persons deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person.

For the purposes of section 10(b), ill-treatment must reach a minimum standard, or threshold, of severity or intensity before it can amount to cruel, inhuman or degrading treatment.[1] The assessment of the minimum threshold is relative and depends on all the circumstances of the case, including the duration of the treatment, its physical or mental effects, and the sex, age and state of health of the alleged victim.[2]

There is also a 'severity threshold' that must be met to establish a breach of section 22(1), which is assessed by reference to (among other things) the nature, severity, duration and frequency of the impugned conduct; the nature and extent of the impact on the prisoner; any particular vulnerability or condition of the prisoner; the purpose of the treatment, and the prisoner's own conduct.[3] The starting point under section 22(1) is that

people in prison should not be subjected to hardship or constraint, other than the hardship or constraint that necessarily results from the deprivation of liberty as a result of their sentence. In determining whether some hardship or constraint falls into that category, it is necessary to consider not merely what is 'theoretically possible', but also what is 'practicable', 'reasonable in the context of a prison environment', and 'consistent with the very purpose of imprisonment itself'.[4]

(i) Limitation on the right to be in open air

I accept that amended section 47(1)(a)(i) and new section 47AAA inserted by the Bill may in certain circumstances limit a person's rights under sections 10(b) and 22(1) of the Charter. While the operation of these clauses may not always meet the requisite threshold for limiting sections 10(b) and 22(1) rights, it is possible that this threshold could be met in some cases. For instance, section 10(b) and 22(1) rights could be limited if the person whose right to be in open air was limited had particular mental health concerns that were exacerbated by lack of access to open air.

As such, it is necessary to consider whether the limitations on sections 10(b) and 22(1) are reasonable and demonstrably justifiable under section 7(2) of the Charter.

The purpose of provisions limiting the right to be in open air is to mitigate the operational risks arising from the Marrogi case and ensure CV can continue to manage access to open air safely. Enabling a limitation on the right to be in open air for operational reasons, ensures the entitlement can be managed alongside other critical concerns, such as the security and safety of all people in prison. This is particularly important in the highly complex operating environment of prisons, which require careful management of multiple interests and people with varying needs.

The provisions are intended to enable the right to be in open air to be limited on an ongoing basis and/or for extended periods of time based on operational reasons, as well as in one-off, unexpected or non-routine circumstances. For example, it may be necessary for higher risk prisoners in long term management to only have access to a rear yard, and therefore not receive their daily open air entitlement, over an extended period of time. Providing access to open air in these circumstances can create significant safety risks and/or result in open air rights becoming unavailable to other prisoners. In such a case, it is intended that new section 47(1)(a)(i) would permit the right to be in open air to be limited for the duration that those operational constraints prevail. In this way the reforms are intended to address the exact scenario that arose in Mr Marrogi's case, and similar cases involving higher risk prisoners in high security and management units.

The decision of the Supreme Court in the Marrogi case found that private rear courtyards attached to a person in prison's cell, which have been historically used to provide open air, are not sufficient to meet legislative requirements. At the time of consideration of this Bill, that decision is subject to an appeal by the State.

While all efforts are made to ensure people are afforded this right, the operational reality of the system is that it is not reasonably practicable to provide each person in prison who currently has access to a private rear courtyard with daily access to alternative yards.

This is exacerbated by the complex security and safety risks posed by people in high security or management units, which would require them to be in communal yards alone and escorted by staff. Providing this cohort with access to open air could therefore be to the detriment of other prisoners, and create risks to staff safety.

Possible infrastructure changes would still not provide a solution to the operational challenge of providing daily access to open air to every person in prison. Given the security risks posed by the cohort of people held in high security and management units, there may not be any suitable infrastructure solutions available that allow access to open air while also maintaining safety and security in the prison system.

The limitation on the right to be in open air is confined to circumstances where it is not reasonably practicable to provide the entitlement in light of operational considerations. The Bill does not enable the right to be limited at large.

While this confines the circumstances in which the right to be in open air may be limited, it does not completely mitigate the risk of arbitrary limits being imposed on section 10(b) and 22(1) rights. This may particularly be the case where limitations on the right to be in open air continue over a longer period, due to certain operational conditions persisting and government being aware of these.

For these reasons, I conclude on balance that the limitation on the rights in sections 10(b) and 22(1) of the Charter are unable to be justified in accordance with section 7(2) of the Charter. Accordingly, I conclude that amended section 47(1)(a)(i) and new section 47AAA inserted by the Bill are incompatible with human rights.

For this reason, new section 47AAA contains override declarations expressly providing that the Charter does not apply to amended section 47(1)(a)(i) and new section 47AAA. It also contains a sub-section providing that the override provisions do not need to be re-enacted every 5 years. Consequently, the Charter will have no application to these new sections in perpetuity. In this exceptional case, the Charter is being overridden

and its application excluded to ensure access to open air in prison can continue to be managed safely, alongside other critical considerations.

I also propose to make a statement explaining the exceptional circumstances justifying the inclusion of those override declarations.

(ii) No amounts payable by the State for past limitations of the right to be in open air

New section 111AA inserted by the Bill may also be relevant to and limit rights under sections 10(b) and 22(1), given this provision removes the ability to obtain damages to mitigate the consequences of limitations on the right to be in open air in the context of a restrictive prison environment.

Section 10(b) of the Charter provides that a person must not be 'treated or punished in a cruel, inhuman or degrading way'. The law recognises that the protection from cruel, inhuman or degrading treatment or punishment is not confined to physical pain, but also protects against acts that cause mental suffering. This extends to treatment or punishment that humiliates or debases a person, or is capable of breaking moral or physical resistance. The pain and suffering caused by such treatment must, however, meet a minimum threshold of severity before this right will be relevant.

While there has been limited judicial consideration of section 10(b), this right has predominantly been found to apply in situations where severe suffering has been deliberately inflicted, or where a victim has been intentionally harmed, humiliated or debased. The majority of cases have focused on conditions of custody and/or physical harm inflicted on a person, rather than amendments to civil rights or remedies.

I acknowledge that new section 111AA inserted by the Bill may be relevant to this right by causing distress to a person, through removing their ability to be awarded monetary amounts following a successful claim about an unlawful limitation of their right to be in open air. However, I do not consider that the minimum threshold of severity is met in order to constitute a limitation on the section 10(b) right. While the Bill may raise concerns of unfairness or detriment being incurred, it is not directed at intentionally causing any acute or intense harm to an individual. Additionally, while the Bill removes the ability for persons to recover amounts payable by the State in certain circumstances, it does not remove the ability of a person to bring a claim for alleged limitation of their right to be in open air or for them to be awarded other forms of relief for past limitations (for example, declaratory relief).

As such, it may be more appropriate to consider these provisions in the Bill as constituting a limitation of the right under section 22(1) that all persons deprived of liberty must be treated with humanity and respect for the inherent dignity of the human person. Section 22(1) captures 'conduct which lacks humanity, but falls short of being cruel; which demeans the person, but not to an extent which is degrading; or which is clearly excessive in the circumstances, but not grossly so.'[5] Removing the ability of certain people to recover amounts payable for past limitations of their right to be in open air may compound suffering experienced as a result of their right being limited. This may be exacerbated by the fact that the person experienced this suffering while being incarcerated and therefore may place them in a particularly vulnerable position.

Nevertheless, I consider this potential limitation of section 22(1) to be reasonably and demonstrably justifiable under section 7(2), and therefore compatible with the Charter. As noted above, new section 111AA has been inserted for the legitimate purpose of limiting the State's financial exposure to further claims which may arise following the Marrogi case. Given the number of people who may have been held in conditions similar to Mr. Marrogi since the commencement of the Corrections Act, it is possible that further claims alleging limitations of the right to be in open air could be brought and result in the State needing to pay compensation. The relevant provisions will assist in limiting costs to the State of these potential claims. The Bill will ensure funds can instead be directed towards resources that benefit all Victorians, including facilitating an effective criminal justice system.

Additionally, the relevant clauses are appropriately confined to achieving this purpose, given they:

- do not seek to extinguish all causes of action and do not prevent individuals from bringing claims for past limitations on the right to be in open air as well as not prohibiting other forms of non-monetary relief from being sought and awarded;
- do not interfere with any amounts already determined as payable in proceedings finalised before the Bill commences, and
- do not limit amounts payable for limitations of the right to be in open air that occur after the Bill commences – the limitation on amounts payable is restricted to claims brought for any limitations of the right to be in open air in section 47(1)(a) that accrued before the Bill commences and were not determined before this date.

Right not to be deprived of property other than in accordance with law (section 20)

Section 20 of the Charter provides that a person must not be deprived of that person's property other than in accordance with law.

In considering whether this right has been limited a court will consider whether (a) the relevant law 'deprives' a person of 'property', and (b) that deprivation is not 'in accordance with law'. The right under section 20 requires that powers authorising the deprivation of property are conferred by legislation or common law; are confined and structured rather than unclear; and are accessible to the public.[6] Laws that permit or require a deprivation of property must also not operate arbitrarily.[7]

There is no Victorian authority considering whether an entitlement to amounts payable for an accrued cause of action against the State, constitutes 'property' under the Charter. Whilst 'property' is not defined in the Charter, in *PJB v Melbourne Health* (2011) 39 VR 373 the Supreme Court of Victoria indicated that it should be 'interpreted liberally and beneficially to encompass economic interests.' Given this, it is possible that an entitlement to amounts payable arising from an unlawful limitation of the right to be in open air could be conceived of as 'property'.

The Bill may 'deprive' a person of such property, by preventing a person from obtaining amounts that may otherwise have been payable by the State in certain cases.

The potential deprivation of property by the Bill may still be considered lawful, if it occurs in accordance with law. For deprivation of property to be in accordance with law, the Bill must not operate arbitrarily.[8]

In *WMB v Chief Commissioner of Police* (2012) 43 VR 446, the Court of Appeal stated that a law is arbitrary where it is capricious, unjust, unpredictable or unreasonable in the sense of not being proportionate to a legitimate purpose. While new section 111AA inserted by the Bill provides a clear, confined and publicly available legislative basis for depriving a person of property, they could still be characterised as arbitrary, in the sense of being capricious, unpredictable or unjust. This is because this provision applies to causes of action that have already accrued and in doing so, removes the ability of a cohort of people to recover amounts to which they might otherwise have been entitled to as a result of the State's wrongful conduct. This sense of capriciousness or unjustness could be particularly acute where these provisions affect people in prison, who are especially vulnerable by reason of being subject to the control of prison authorities.

However, a law will not be considered arbitrary where it is considered proportionate to achieving a legitimate purpose. As outlined above, new section 111AA inserted by the Bill is intended to achieve the legitimate purpose of reducing the State's financial exposure for any past limitations of the right to open air. Being proportionate to that aim, new section 111AA may therefore not be considered to operate in an arbitrary manner and may not result in a limitation of the property under section 20.

In any case, even if these clauses were deemed to limit section 20 rights, I consider any limitation would be reasonably and demonstrably justifiable under section 7(2).

Once more, new section 111AA has been introduced for the legitimate purpose of reducing the State's financial exposure for any past limitations of the right to open air. Given the number of people who may have been held in conditions similar to Mr. Marrogi since the commencement of the Corrections Act, it is possible claims could be brought and result in the State needing to pay compensation. The Bill will limit the State's financial exposure for responding to such claims, ensuring funds can be directed to benefit all Victorians, including facilitating an effective criminal justice system.

Additionally, the relevant provisions are appropriately confined given they:

- still enable claims for past limitations on the right to be in open air to be brought and do not prohibit other forms of non-monetary relief from being granted to successful claimants (such as declaratory relief);
- do not interfere with any amounts already awarded by courts in proceedings finalised before the Bill commences; and
- do not limit amounts payable for limitations of the right to be in open air that occur after the Bill commences – the limitation on amounts payable is restricted to claims brought for any limitations of the right to be in open air in section 47(1)(a) that accrued before the Bill commences and were not determined before this date.

I therefore consider that any limitation the Bill places on the right to property under section 20 of the Charter can be reasonably justified pursuant to the factors in section 7(2).

Right to fair hearing (section 24(1))

Section 24(1) of the Charter provides the right to fair hearing. This right requires judicial determination of what civil rights and liabilities exist as a matter of substantive law. However, it does not prevent the State from altering the content of those civil rights in the substantive law.[9]

The distinction between what may be regarded as a procedural bar to bringing a civil claim, which would generally engage rights under section 24, and what may alter the substantive law, which would generally not engage these rights, may be difficult to determine in some circumstances.[10] While this issue has not been judicially considered in Victoria, the European Court of Human Rights has suggested that a court should not be unduly influenced by particular legislative techniques used or labels put on the relevant restriction.[11]

It may be argued that provisions limiting amounts payable for past limitations of the right to be in open air do not impede judicial determination of such claims or act as a procedural bar to bringing such a claim, as they do not prevent claims from being brought or affect how they are determined. Rather, these clauses simply limit the kind of relief that may be awarded following a successful claim being made out.

However, the provisions may limit rights under section 24(1), given they could be considered as operating retrospectively through their application to causes of action that have already accrued before the Bill commences, but for which proceedings are not finalised until after the Bill commences. This in turn could be seen as interfering with the judicial process.

Once more, I nevertheless consider the limitations on rights under section 24 to be reasonably and demonstrably justifiable under section 7(2) of the Charter, given they are intended to limit the State's financial exposure following the Marrogi case and are appropriately confined. As noted above, without these clauses in place, there is a risk that further claims could be brought by people who have previously been held in similar conditions to Mr. Marrogi and result in the State needing to pay compensation. The Bill will ensure funds can instead be directed towards resources that benefit all Victorians, including facilitating an effective criminal justice system.

Additionally, the provisions are appropriately confined by:

- still enabling claims for past limitations on the right to be in open air to be brought and do not prohibit other forms of non-monetary relief from being granted to successful claimants;
- not interfering with any amounts already determined as payable by a court in proceedings finalised before the Bill commences; and
- not limiting amounts payable for limitations of the right to be in open air that occur after the Bill commences – the limitation on amounts payable is restricted to claims brought for any limitations of the right to be in open air that accrued before the Bill commences and were not determined before this date.

Conclusion

By enabling the limitation on the right to be in open air in certain circumstances, the Bill ensures open air access can be appropriately managed alongside operational considerations critical to the safe, effective functioning of prisons in Victoria. The importance of achieving this objective warrants the exceptional inclusion of a Charter override in relation to these provisions.

While Charter rights may be limited by provisions in the Bill providing that no amounts are payable by the State for past limitations of the right to be in open air that have not been finalised before the commencement of the Bill, these limitations are reasonably and demonstrably justifiable given their important and legitimate purpose of limiting the State's financial exposure following the Marrogi case. Additionally, they are appropriately confined to ensure the Bill strikes the right balance between ensuring claims can continue to be brought for past limitations of the right to be in open air and certain non-monetary relief granted, while also providing for effective management of the State's resources.

The Hon. Paul Hamer MP
Minister for Local Government
Minister for Youth Justice
Minister for Corrections

[1] *Brown v State of Victoria (No 3)* [2025] VSC 765, [497] quoting *Certain Children v Minister for Families and Children* (No 2) (2017) 52 VR 441 (***Certain Children (No 2)***), [250].

[2] Ibid.

[3] *Taylor v Attorney-General* [2022] NZHC 3170, [36], [38].

[4] *Castles v Secretary to the Department of Justice* (2010) 28 VR 141, [112], [137].

[5] *Certain Children (No 2)*, [245], quoting *Taunoa v Attorney-General* (2007) 9 HRNZ 104, [177].

[6] *PJB v Melbourne Health* (2011) 39 VR 373*, Patrick's Case*, [91].

[7] Ibid.

[8] Ibid.

[9] See *Roche v United Kingdom* (European Court of Human Rights, Application No 32555/96, 19 October 2005) (**Roche**).

[10] E.g. see discussion in Roche, [90]–[94]; [116]–[121].

[11] *Roche*, [121]; E.g. see also *Al-Adsani v United Kingdom* (European Court of Human Rights, Application no 35763/97, 21 November 2001), [46]–[49]. where this distinction was a relevant factor in finding that state immunity from suit was found to be a procedural bar on the national courts' power to determine the relevant right.

Statement of treaty compatibility

Paul HAMER (Box Hill – Minister for Local Government, Minister for Youth Justice, Minister for Corrections) (15:01): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

In my opinion, the Bill, as introduced to the Legislative Assembly is, in part, compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The Bill modifies the right to be in open air under section 47(1)(a) of the *Corrections Act 1986* (the Corrections Act).

Section 47(1)(a) provides that every person in prison has, if not ordinarily engaged in outdoor work, 'the right to be in the open air for at least an hour each day, if the weather permits'.

The Bill will amend the Corrections Act to provide that the right to be in open air may be limited where it is not reasonably practicable to provide the full entitlement, having regard to operational considerations, including:

- the management, good order or security of the prison;
- the rights, safe custody or welfare of the prisoner;
- the rights, safe custody or welfare of any other prisoner in the prison.

These provisions are intended to enable the right to be in open air to be limited in one-off, unexpected or non-routine circumstances, and on an ongoing basis and/or for extended periods of time, based on operational reasons.

The Bill will also provide that no amount is payable by the State (as damages or other monetary compensation) to any person for any limitations of the right under section 47(1)(a) that occurred before its commencement. This provision:

- applies to any proceedings that are on foot and have not been finally determined before the Bill commences, and
- does not apply to any proceedings that have been finally determined before the Bill commenced.

These amendments respond to the Supreme Court's judgement in *Marrogi v Secretary, Department of Justice and Community Safety & Ors (No 1)* [2026] VSC 4 (Marrogi case), which found that rear courtyards attached to certain high security and management units of the Metropolitan Remand Centre and Barwon Prison did not constitute being 'in the open air' for the purposes of the Corrections Act.

The Bill addresses legal and operational risks arising from the Marrogi case, to ensure that:

- Corrections Victoria (CV) can manage access to open air safely and lawfully, alongside operational considerations critical to the secure, effective functioning of prisons in Victoria, and
- the State's financial exposure arising from the Marrogi case is limited.

Consultation with the First Peoples' Assembly of Gellung Warl

Due to the recent establishment of the First Peoples' Assembly of Gellung Warl, it was not possible to give the First Peoples' Assembly the opportunity to advise on the Bill or for them to otherwise make representations about the effect of the Bill on First Peoples.

Compatibility of the Bill with each object in section 66(3)(d) of the Statewide Treaty Act

I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the *Statewide Treaty Act 2025*:

(i) advancing the inherent rights and self-determination of First Peoples; and

(ii) addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and

(iii) ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

It is noted that the Bill does not in its terms include any provisions which apply specifically to First Peoples—it amends a statutory entitlement that applies to all people in prison. However, the practical effect of the Bill may be to undermine inherent rights, unacceptable disadvantage inflicted, human rights and fundamental freedoms of First Peoples, given Aboriginal people are significantly overrepresented in the prison population. Aboriginal people are also marginally overrepresented in the number of people in prison who are separated, where the provisions in the Bill are more likely to be relied upon, given the operational challenges of providing these individuals with access to open air.

As a result, Aboriginal people may be disproportionately affected by the Bill, particularly those who have been separated in prison.

Advancing the inherent rights and self-determination of First Peoples

It is acknowledged that the exercise of the right to self-determination will necessarily be limited when an Aboriginal person is in prison, given the loss of liberty inherent in conditions of custody. However, particular consideration has been given to whether, within the context of the residual liberty enjoyed by a prisoner, the right to self-determination is further affected by the Bill.

While CV seeks to enable self-determination rights in prisons where possible, for example by giving Aboriginal people the ability to shape how they engage with programs and culture in prison, settings such as security classifications, and where a person is accommodated within the prison system, are inherent features of a custodial environment that cannot be self-determined. As the Bill contains only amendments to the right to be in open air within these operational settings, these amendments do not further limit self-determination.

The inherent rights of First Peoples, as outlined in the Universal Declaration on the Rights of Indigenous Peoples (UNDRIP), derive from First People's political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies.

An inherent right of First Peoples that may be impacted by this Bill includes the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights (article 40).

This is because of clauses in the Bill which provide that no amounts are payable by the State for limitations of the right to be in open air that occurred before the Bill commenced, which could limit the effective remedies available to First Peoples who may otherwise have brought claims for such past limitations of the right to be in open air.

In my opinion, the Bill is nevertheless compatible with the object of advancing the inherent rights of First Peoples. My assessment of compatibility is informed by consideration of proportionality, guided by the test in section 7(2) of the *Charter of Human Rights and Responsibilities Act 2006* (Charter).

In my opinion, the limitations on this object are proportionate to the legitimate policy purpose of these clauses in the Bill. Provisions providing no amounts are payable by the State for past breaches of the right to be in open air assist in reducing the State's financial exposure to other legal claims that may be instigated following the Marrogi case.

These provisions are appropriately confined to achieving this purpose, given they:

- do not seek to extinguish all causes of action and still enable individuals to bring claims for past limitations on the right to be in open air, as well as not prohibiting other forms of non-monetary relief from being sought and awarded;
- do not interfere with any amounts already determined as payable in proceedings finalised before the Bill commences; and
- do not limit amounts payable for limitations of the right to be in open air that occur after the Bill commences—the limitation on amounts payable is restricted to claims brought for any limitations of the right to be in open air in section 47(1)(a) that accrued before the Bill commences and that were not determined before this date.

In my opinion, the Bill is therefore compatible with the objects specified in section 66(3)(d)(i) of the *Statewide Treaty Act 2025*.

Addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation

The Bill does not expressly address the unacceptable disadvantage inflicted on First Peoples by colonisation. As outlined above, the provisions in the Bill apply to all people in prison and there are no specific provisions which are directed to or may mitigate its impact on Aboriginal people in custody.

In its practical effect, this could compound the unacceptable disadvantage experienced by Aboriginal people in prison, noting that, despite efforts under the Closing the Gap National Agreement and related efforts under the Aboriginal Justice Agreement, Aboriginal people remain significantly overrepresented in prison.

Additionally, as noted above, Aboriginal people are overrepresented in prison numbers and also marginally overrepresented in the number of people who have been separated in prison.

The Yoorrook Justice Commission found that '[t]he prison system does not exist separately from the ongoing processes of colonisation'. I note that incarceration can have profound impacts on a person's physical and mental health and family and cultural connections, which may be compounded by limitations on the right to open air enabled by this Bill.

In my opinion, the provisions in the Bill which provide that no amounts are payable for past limitations of the right to be in open air are nevertheless compatible with this object. As outlined above, these provisions are a proportionate means of achieving a legitimate policy purpose, and the provisions are appropriately confined to achieving that purpose.

However, I accept that the provisions in the Bill that enable the right to be in open air to be limited in operational circumstances may compound the unacceptable disadvantage experienced by Aboriginal people.

In my opinion, the Bill is therefore, in part incompatible with the objects specified in section 66(3)(d)(ii) of the *Statewide Treaty Act 2025*.

Ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

As noted above, the Bill does not, on its face, make distinctions based on First Peoples —it applies equally to all people in prison and does not include any specific provisions addressing Aboriginal people in prison. However, as Aboriginal people are significantly overrepresented in the prison system and marginally overrepresented in instances of separations, they could be disproportionately affected by the rights and freedoms limited through this Bill. As such, I consider that the Bill has a differential practical effect on First Peoples.

In terms of whether this differential practical effect results in the unequal enjoyment of human rights or fundamental freedoms enjoyed by First Peoples compared to others, it is necessary to consider the human rights and fundamental freedoms relevant to the Bill.

The following rights under the Charter are relevant and may be limited by the provisions enabling the limitation of the right to open air:

- protection from cruel, inhuman or degrading treatment (section 10(b)) and the right to humane treatment when deprived of liberty (section 22(1)) – these provisions may limit these rights under the Charter in certain circumstances where the denial of open air reaches the requisite threshold, for example where limiting access to open air has potentially exacerbated a person's mental health concerns.

The following rights are relevant and may be limited by the provisions providing that no amounts are payable for past limitations of the right to be in open air that accrued before the Bill commenced:

- Right to humane treatment when deprived of liberty (section 22(1)) – removing the ability of certain people to obtain any amounts for past limitations of their right to open air may compound the suffering experienced as a result of their right being limited. While section 10(b) may be relevant, the minimum threshold of severity required to constitute cruel, inhuman or degrading treatment is not considered to be met. This is because, unlike the limitation on open air access itself, the no amounts payable clauses do not directly affect a prisoner's physical conditions of detention. Removing the ability to seek monetary compensation for past limitations does not, of itself, constitute cruel, inhumane or degrading treatment. The Bill is not directed at intentionally causing acute harm and does not remove the ability to bring a claim. Further, it does not prohibit the granting of other forms of non-monetary relief (like declaratory relief).
- Right not to be deprived of property other than in accordance with the law (section 20) – while the 'no amounts payable' clauses in the Bill provide a clear, confined and publicly-available legislative basis for depriving a person of property, they could still be characterised as arbitrary or unpredictable. These

clauses apply to causes of action that have already accrued and in doing so, remove the ability of individuals to obtain damages for limitations on their right to be in open air – that is, to enforce a right that was available to them under the existing statutory scheme. This could be seen as particularly unjust where these provisions affect people in prison, who are especially vulnerable by reason of being subject to the control of prison authorities.

- Right to fair hearing (section 24(1)) – the provisions which provide no amount is payable for past limitations of the right to be in open air could be seen as limiting the right to a fair hearing due to their potential application to causes of action that have already accrued and proceedings that may already be on foot at the time the Bill commences. This could be seen as impeding access to courts and therefore limiting the right to a fair hearing.

Pursuant to article 24(2) of UNDRIP, the Bill may also be relevant to and limit the right of First Peoples' enjoyment of the highest attainable standard of physical and mental health. Access to open air is important to the physical and mental well-being of all people in custody and limiting the right to open air may disproportionately affect Aboriginal people in prison, given their significant overrepresentation in the prison population generally and marginal overrepresentation within people who have been separated.

As noted above, the Bill may also engage and limit the right to fair procedures for the resolution of conflicts and disputes, under UNDRIP article 40

The provisions limiting amounts payable by the State engage the right to just and fair procedures for the resolution of disputes, given they could limit the effective remedies available to First Peoples who may otherwise have brought claims for such limitations of the right to be in open air.

Further, in accordance with article 7(1) of the UNDRIP, the right to life, physical and mental integrity, liberty and security of person held by First Peoples is also relevant and may be limited by the Bill. While all people in prison may experience a limitation of their rights in sections 10(b) and 22(1) of the Charter, the limitation of the right to open air may have an additional, disproportionate impact on the rights of Aboriginal people in prison under article 7(1).

In considering whether the differential effects of the Bill on Aboriginal people results in 'unequal enjoyment' of these human rights, I have considered the degree to which the difference in enjoyment of these rights is inconsistent with First Peoples being afforded equal dignity and respect.

For **clauses providing no amounts are payable by the State for past limitations of the right to be in open air**, I consider that the Bill has a differential practical effect on First Peoples. This is on the basis that while the no amounts payable clauses apply universally to all people in prison, Aboriginal people are disproportionately represented in the prison population and within the separated cohort most likely to have experienced limitations on open air access.

As such, Aboriginal people are likely to form a disproportionately high proportion of prospective claimants affected by the removal of the monetary remedy.

I consider that the differential effect results in a difference in enjoyment of such rights and freedoms that it may result in First Peoples not being afforded equal dignity and respect. However, in my opinion this impact on the rights of First Peoples is still compatible with the equal enjoyment of human rights and fundamental freedoms by First Peoples. This is informed by a consideration of proportionality using section 7(2) of the Charter, regarding the limitations on rights under sections 20, 22(1), or 24 of the Charter and articles 7 and 40 of UNDRIP.

I form this view that the limitations on these rights are proportionate on the basis that:

- The reforms have been implemented for the legitimate purposes of limiting the State's financial exposure to claims following the Marrogi case. As outlined above, people could bring claims following the Marrogi case, which could result in the State needing to pay compensation. The relevant provisions will assist in limiting costs to the State of these potential claims and instead ensure funds can be directed towards benefiting all Victorians.
- These provisions are appropriately confined to achieving this purpose, given they:
    - do not seek to extinguish all causes of action and still enable individuals to bring claims for past limitations on the right to be in open air, as well as not prohibiting other forms of non-monetary relief from being sought and awarded;
    - do not interfere with any amounts already determined as payable in proceedings finalised before the Bill commences; and
    - do not limit amounts payable for limitations of the right to be in open air that occur after the Bill commences—the limitation on amounts payable is restricted to claims brought for any limitations

of the right to be in open air in section 47(1)(a) that accrued before the Bill commences and were not determined before this date.

For the **clauses limiting the right to open air**, I acknowledge that these clauses may result in the unequal enjoyment of human rights and fundamental freedoms of First Peoples, including rights under sections 10(b) and 22(1) of the Charter and under article 7 of UNDRIP.

There are a number of factors that assist in mitigating the impact of these limitations. These provisions have been enacted for the legitimate policy purpose of enabling the right to be in open air to be limited for operational considerations. This ensures that the entitlement can be managed in a safe way, alongside other critical concerns, including the security and safety of all people in prison. This is particularly important in the highly complex operating environment of prisons.

The provisions are intended to enable the right to be in open air to be limited on an ongoing basis and/or for extended periods of time based on operational reasons, as well as in one-off, unexpected or non-routine circumstances. For example, it may be necessary for higher risk prisoners in long term management to only have access to a rear yard, and therefore not receive their daily open air entitlement, over an extended period of time. Providing access to open air in these circumstances can create significant safety risks and/or result in open air rights becoming unavailable to other prisoners. In such a case, it is intended that new section 47(1)(a)(i) would permit the right to be in open air to be limited for the duration that those physical and operational constraints prevail. In this way the reforms are intended to address the exact scenario that arose in Mr Marrogi's case, and similar cases involving higher risk prisoners in high security and management units.

These provisions are also appropriately confined given, they only enable the right to be in open air to be limited based on operational considerations—they do not enable the right to be limited at large. In addition, the Bill expressly provides, that the 'safe custody, welfare and rights' of the person in prison and any other people in prison, may be considered (in addition to other relevant operation considerations). This provides scope for the safe custody, welfare and rights of Aboriginal people in prison to be taken into account in all decisions around access to open air.

However, I acknowledge that these factors do not completely mitigate the risk of undue limits being imposed on rights under sections 10(b) and 22(1) of the Charter and impacts under article 7 of UNDRIP, and may not always be proportionate to achieving their purpose. This may be particularly the case where limitations of the right to be in open air continue over a longer period, due to certain operational conditions persisting.

For this reason, the Bill contains override declarations expressly providing that the Charter does not apply to provisions which limit the right to be in open air. They also contain a sub-section providing that the override provisions do not need to be re-enacted every 5 years, meaning the override applies in perpetuity. In this exceptional case, the Charter is being overridden and its application excluded to ensure access to open air in prison can continue to be managed safely, alongside other critical considerations.

I acknowledge that the effect of the provisions, including the Charter override, may result in a difference in enjoyment of human rights and fundamental freedoms held by First Peoples that it is inconsistent with First Peoples being afforded equal dignity and respect, particularly given the overrepresentation of Aboriginal people in custody and people who have been separated.

I further note that both the Yoorrook Justice Commission and the independent *Cultural Review of the Adult Custodial Corrections System* found that racism persists in the Victorian justice system, including the corrections system, and drives overrepresentation and poor treatment of Aboriginal people in prisons. Implementation of the provisions in this context will require careful consideration of the cultural rights of Aboriginal people. More broadly, the Government continues to support reform of the custodial correctional system and acknowledges long-term change and future investment will be required.

The confined nature of the Bill, in conjunction with existing operational CV policies around managing Aboriginal people in prison, will assist in mitigating this impact.

In my opinion the Bill is, therefore, in part incompatible with the objects specified in section 66(3)(d)(iii) of the *Statewide Treaty Act 2025*.

Conclusion

For the reasons set out above, in my opinion, the Bill is, in part, compatible with the objectives set out at section 66(3)(d)(i)–(iii) of the *Statewide Treaty Act 2025*.

Second reading

Paul HAMER (Box Hill – Minister for Local Government, Minister for Youth Justice, Minister for Corrections) (15:02): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The Bill will amend the right of people in prison to be in open air under the *Corrections Act 1986*. Section 47(1)(a) of that Act provides that every person in prison who is not ordinarily engaged in outdoor work has the right to spend at least one hour each day in the open air, weather permitting.

The Bill provides that, in addition to any weather considerations, the right to be in open air may be limited where it is not reasonably practicable to provide the entitlement, having regard to operational considerations. The Bill also provides that no amounts are payable by the State for any limitations of the right to open air that accrued before its commencement.

The amendments in the Bill respond to the Supreme Court's judgement in *Marrogi v Secretary, Department of Justice and Community Safety & Ors* (No 1) [2026] VSC 4 (Marrogi case). At the time of consideration of this Bill in the Parliament, that decision is subject to an appeal brought on behalf of the State.

The Bill addresses legal, financial and operational risks arising from the Marrogi case. It ensures that Corrections Victoria (CV) can continue to manage access to open air safely, alongside operational considerations critical to the safe, secure, and effective functioning of prisons. It also limits the State's financial exposure to other legal claims that could follow the Marrogi case.

The right to open air

The Bill amends section 47(1)(a) of the Corrections Act to provide that, in addition to weather considerations, the right to be in open air may be limited where it is not reasonably practicable to provide the full entitlement, having regard to operational considerations. Operational considerations is a broad term that is not defined, but the Bill specifies that it includes:

- the management, good order, or security of the prison;
- the rights, safe custody, or welfare of the prisoner;
- the rights, safe custody, or welfare of any other prisoner in the prison.

These amendments enable access to open air to be managed alongside operational considerations, including to ensure the management, good order and security of the system and the safety of people in prison and prison staff.

The provisions are intended to enable the right to be in open air to be limited on an ongoing basis and/or for extended periods of time, as well as in one-off, unexpected or non-routine circumstances.

In relation to one-off, unexpected or non-routine circumstances, these may arise for a range of reasons, and result in it not being reasonably practicable for a prisoner to be provided open air on a given day or for a period of time. For example, this might arise where a person is separated for a duration after an incident, to protect their or another person's safety.

In relation to ongoing and extended limitations of open air, it may be necessary for example for higher risk prisoners in long term management to only have access to a rear yard over an extended period of time. This reflects longstanding practice across the prison system.

Conversely, providing higher risk prisoners in long term management access to open air in other areas of the prison such as external exercise yards can create significant operational impacts. These may include safety risks to staff and other people in prison, and could result in open air rights becoming unavailable to other prisoners. In such a case, it is intended that new section 47(1)(a)(i) would permit the right to open air to be limited for the duration that those operational constraints prevail, to support the safe management of the prison system.

In this way the reforms are intended to address the exact scenario that arose in Mr Marrogi's case, and similar cases involving higher risk prisoners in high security and management units. The operational reality of the system is that it is not reasonably practicable to provide each person in prison who currently has access to a private rear courtyard with their daily right to be in open air in alternative yards.

For example, there are complex security and safety risks posed by people in high security or management units, which would require them to be escorted by staff to exercise yards and in communal spaces, either alone

or under very limited circumstances with one or two other approved prisoners. Providing this cohort with access to open air could therefore be to the detriment of other people in prison, and create risks to staff safety.

Plausible infrastructure changes would still not provide a solution to the operational challenge of providing daily access to open air to every person in prison. In particular, given the security risks posed by the cohort of people held in high security and management units, there may not be any suitable infrastructure solutions available which allow access to open air while also maintaining safety and security in the prison system.

The limitation on the right to be in open air is also appropriately confined, further ensuring it provides for safe, holistic management of access to open air. Limitation of the right is only available due to operational considerations.

Nevertheless, the Government accepts that sections limiting the right to be in open air may be incompatible with some Charter rights. New section 47AAA therefore includes subsections providing that the Charter does not apply to this provision, and that those override declarations do not need to be re-enacted every 5 years (as is ordinarily required under section 31(7) of the Charter).

The Government does not take this step lightly. In this exceptional case, the Charter is being overridden and its application excluded to ensure access to open air in prison can continue to be managed safely, alongside operational considerations. This is particularly important in the highly complex operating environment of prisons, which require careful management of multiple interests and people with varying needs.

Limiting liability for past breaches

The Bill further provides that no amount is payable to any person, for any loss or damage arising from or in connection to a limitation of the right to be in open air that occurred before the Bill commenced. These provisions:

- will apply to any proceedings that are on foot and have not been finally determined before the Bill commences, and
- will not apply to any proceedings that were finally determined before the Bill commenced.

The amendments will help limit the State's financial exposure to legal claims that may follow the Marrogi case.

Importantly, these measures in the Bill are appropriately confined to ensure they strike the right balance between limiting unnecessary financial compensation and providing fairness in legal proceedings. The amendments will not disturb any proceedings finalised before the Bill's commencement, including any amounts determined by a court to be payable. The Bill also still enables claims to be brought for past limitations of the right to open air, only limiting the relief available to successful claimants. Finally, the Bill will not limit amounts payable for any limitations of the right to open air that accrue after the Bill commences, under the new amended sections.

Conclusion

Access to open air remains an important part of humane prison conditions, and the system will continue to provide the right wherever safe and reasonably practicable, consistent with current practice.

These reforms help strike the balance between ensuring people in prison obtain the benefits of being in open air where practicable, while also enabling the continued safe and secure operation of the system. The Bill also minimises the State's financial exposure to past limitations of the right to open air. This ensures resources are reserved for the broader community's benefit, including to preserve an effective criminal justice system for all.

I commend the Bill to the house.

James NEWBURY (Brighton) (15:02): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 2 July.

Local Government Legislation Amendment (Stronger Communities) Bill 2026

Statement of charter compatibility

Paul HAMER (Box Hill – Minister for Local Government, Minister for Youth Justice, Minister for Corrections) (15:03): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Local Government Legislation Amendment (Stronger Communities) Bill 2026 (Bill).

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

Overview

The main purposes of the Bill are to amend the *Local Government Act 2020* (LGA 2020) to:

- enhance the integrity and governance standards of Councils
- introduce a mandatory Fair Jobs Code (Code) for local government to minimise all forms of insecure work in the local government sector
- and to make other miscellaneous amendments to improve the operation of the LGA 2020.

Amendments to the LGA 2020 carried by the Bill include amendments to:

- permit councils to declare the office of a mayor or deputy mayor vacant where they have been elected for a one-year term
- provide for councillors to take candidate leave of absence when nominating for election as a member of the Victorian Parliament
- require councils to establish a Chief Executive Officer Employment Matters Committee to provide independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy
- strengthen requirements for managing and reporting conflicts of interest
- clarify the application of the stand down provisions to councillors under the LGA 2020
- enable the Minister for Local Government to request that a council attempt to resolve an internal dispute or issue in the first instance.
- enable the prescription of a Fair Jobs Code in regulations
- provide for the appointment of a Local Government Fair Jobs Code Regulator (Regulator)
- to make any related and consequential amendments to enable monitoring, assessment and review of a CEO's compliance with the Code by the Regulator.

The Bill will also amend the *City of Melbourne Act 2001* to increase the permitted ratio between the lowest and highest differential rates if the Melbourne City Council uses the net annual value system of valuation.

Human Rights Issues

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

- The right to privacy and reputation (section 13)
- The right to freedom of expression (section 15)
- The right to take part in public life (section 18)
- Property rights (section 20).
- The right not to be tried or punished more than once (section 26).

Right to privacy and reputation (section 13)

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

Clause 13 inserts new section 38A into the LGA 2020 that provides that when a councillor has nominated for election as a member of the Victorian Parliament, the councillor is taken to have been given a candidate leave of absence until the election result is publicly declared. This ensures that there is no conflict between a

councillor's role under the LGA 2020 and their campaigning activities when running for another office. New section 38A(4) provides that a councillor on a candidate leave of absence cannot perform the duties of a councillor under the LGA 2020 and are not entitled to receive their allowance.

New section 38B, to be inserted by Clause 13, also imposes a requirement for councillors to notify the CEO as soon as possible after being selected by a political party to be a candidate as a member of the Victorian Parliament or after they publicly announce an intention to be a candidate for election as a member of the Parliament. A councillor who becomes a candidate for election is prevented from being elected or appointed to the office of mayor, deputy mayor or acting mayor during the initial candidacy period. Additionally, if a relevant councillor holds the office of mayor, deputy mayor or acting mayor, they are taken to be incapable of performing the duties of that office during the initial candidacy period. Mayors, deputy mayors and acting mayors can continue to serve as councillors until such time as they lodge their nomination. New section 38B requires a councillor to provide written notice to the CEO of the councillor's nomination for election, of them being selected by a political party to be a candidate for election or of them publicly announcing an intention to be a candidate for election.

Section 38B requires a councillor to divulge information that might otherwise be private in nature, thus engaging the right to privacy. However, any impacts on the right to privacy and reputation are not arbitrary or unlawful and seek to promote transparency and compliance with the candidate leave of absence provisions of the Bill. The requirement to notify the CEO of these matters also ensures that councils are given adequate notice to put in place any arrangements needed to accommodate a candidate leave of absence, such as arrangements for appointing an acting Mayor. As such, to the extent that disclosure of such information will interfere with privacy, any such interference will be lawful and not arbitrary, and will therefore be compatible with the right to privacy.

Clause 28 amends section 45 of the LGA 2020 to require the council to establish an independently chaired Chief Executive Officer Employment Matters Committee the purpose of which is to provide independent professional advice in relation to the CEO's employment and remuneration, including recruiting and appointing a new CEO, performance monitoring and annual performance reviews. Clause 28 may engage the right to privacy to the extent that the amendments may result in the committee having access to, and giving advice on, personal information pertaining to a CEO's contractual arrangements, remuneration and performance. However, any impacts on the right to privacy and reputation are not arbitrary or unlawful.

One of the most important decisions a council can make relates to the employment and performance management of their CEO. The aim of the Chief Executive Officer Employment Matters Committee is to ensure that the council is provided with independent professional advice to guide their decision making relating to the employment and performance management of the CEO. Additionally, members of the committee would be required to comply with any council processes regarding the management of confidential information.

Strengthened requirements for managing and reporting conflict of interests.

Clause 32 introduces a new prohibition on councillors and members of delegated committees who have a conflict of interest in a matter from directing, influencing or attempting to influence or discuss the matter with another relevant person who is participating in, or is expected to participate in, the decision-making process in relation to that matter. Clause 32 also introduces a new requirement for CEOs to notify the Chief Municipal Inspector as soon as they become aware that a councillor has failed to disclose a conflict of interest and exclude themselves from the decision-making process in relation to the matter before council. Information provided to the Chief Municipal Inspector under new section 130(5A) may be used to determine whether an investigation is warranted under the LGA 2020 but will not itself trigger an investigation or the taking of further action by the Chief Municipal Inspector.

While mandatory reporting may be said to limit the right to privacy and reputation (s 13), it is necessary to ensure that the Chief Municipal Inspector is notified of breaches of the LGA 2020. Failures to appropriately declare and manage conflicts of interest, as required under the LGA 2020 and the council's Governance Rules, are potential signs of integrity issues at a council which erodes the public trust in councils and their ability to act in the communities' best interests. There is a public interest in ensuring that councillors make decisions impartiality and are not driven by self-interest. I therefore consider that any limitation imposed by clause 32 on the right to privacy and reputation is demonstrably justified under the Charter.

Clause 41 of the Bill engages the right to privacy and reputation because it inserts –

- new section 54H which gives the Regulator power to request that a CEO provide information or documents to the Regulator

- new section 54I that gives the Regulator the power to issue a CEO with a Fair Jobs Code (FJC) notice which must:
    - specify the details of an alleged failure to comply with the Code and how compliance may be addressed, and
    - state that the CEO may respond by a specified date in writing to the Regulator to provide reasons for the alleged failure to comply with the Code or provide information to demonstrate compliance with the Code.

To the extent that clause 41 of the Bill engages the right to privacy and reputation by giving the Regulator the abovementioned function and powers to investigate a Council CEO, I consider that any interference with the right to privacy and reputation will neither be unlawful nor arbitrary.

The power to request that a CEO provide information or documents to demonstrate compliance with the Code is at the discretion of the Regulator and is not a coercive power. The documents or information provided by a CEO to the Regulator may be used by the Regulator in investigating their compliance with the Code, in tandem with the FJC notice process.

Where the Regulator has reasonable grounds to believe that the CEO is not complying with the Code they must issue the CEO with a FJC notice. The FJC notice must contain specific information including the details of the alleged non-compliance so that the CEO has an opportunity to respond to any non-compliance alleged by the Regulator and ensures procedural fairness is afforded to the CEO.

To the extent that documents specify personal information that have been provided by a CEO to the Regulator in response to a request for information or FJC notice, the Bill may limit the right to privacy however any such limitation is lawful, reasonable and proportionate in the circumstances. These powers are clearly set out in the Bill, are not coercive and serve the legitimate purpose of promoting effective oversight, accountability and integrity in public administration. The use of such information and documents by the Regulator is limited to determining compliance with the Code.

Regulator power to refer matters

Clause 41 of the Bill further engages the right to privacy because it inserts new section 54J that gives the Regulator a discretion to refer suspected breaches of the Act by a CEO that extend beyond the obligations and requirements of the Code to the Chief Municipal Inspector and Council.

To the extent that proposed section 54J engages the right to privacy by giving the Regulator the discretion to refer matters, I consider that any interference with the right to privacy and reputation is reasonably justified. While personal information may be included in such referrals, this is reasonably necessary to ensure that they can be properly investigated.

Regulator powers to publish findings

Clause 41 of the Bill also engages the right to privacy, in respect of a person's reputation, by inserting new section 54M that gives the Regulator the power to publish reports on the compliance with the Code by a CEO on a website maintained by the Secretary of the Department of Government Services (DGS).

To the extent that proposed section 54M engages the right to privacy and reputation by giving the Regulator the abovementioned powers to publish findings related to a CEO's compliance with the Code, I consider that any interference with a CEO's reputation will be limited to the extent to which a CEO has complied with the Code. The power to publish findings related to a CEO's compliance with the Code is intended to promote CEO compliance with the Code across the local government sector.

The Bill also only permits details of previous non-compliance from the past 5 years to be published and requires that the Regulator redact any 'confidential information', as defined under section 3 of the Act, from any reports published by the Regulator.

The Bill does not limit a CEO's right to pursue any legal action in response to the Regulator publishing any findings related to their compliance with the Code, including the right to seek an administrative review of the Code Regulator's decision or any other proceedings in a court of competent jurisdiction. In this regard, the Bill also provides that the Regulator can recall a notice of decision issued to a CEO following an investigation into whether the CEO has complied with the Code if there are legal proceedings are on foot that relate to an issue that is dealt with in a notice of decision.

For these reasons, I am of the opinion that these provisions are compatible with the right to privacy and reputation in section 13 of the Charter.

Right to freedom of expression (section 15)

Section 15(2) of the Charter provides that every person has the right to freedom of expression. Section 15(3) of the Charter provides that special duties and responsibilities are attached to the right to freedom of

expression and that the right may be subject to lawful restrictions reasonably necessary to respect the rights of other persons and for the protection of national security, public order, public health or public morality.

Strengthened requirements for managing and reporting conflict of interests

Clause 32 of the Bill may impact the right to freedom of expression by providing that councillors and members of a delegated committee cannot discuss a matter for which they have a conflict of interest, with another relevant person who is participating in, or is expected to participate in, the decision making process in relation to that matter. This provision is reasonable and proportionate as it is consistent with those persons' existing obligations to remove themselves from the decision-making process and is limited and directed at preventing the exercise of influence over other decision-makers in relation to matters in which that person has a conflict of interest.

Right to take part in public life (section 18)

Section 18(1) of the Charter provides that every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives. Section 18(2)(b) further provides that every eligible person has the right, and is to have the opportunity, without discrimination, to have access, on general terms of equality, to the Victorian public service and public office.

Declaration of office of Mayor or Deputy Mayor to be vacant

Section 23 of the LGA 2020 currently provides a process for councils to bring a notice of motion to declare the office of Mayor or Deputy Mayor vacant in respect of Mayors or Deputy Mayors that are elected for a two-year term.

Clause 8 of the Bill amends section 23 of the LGA 2020 to enable a council to bring a notice of motion to declare the office of Mayor or Deputy Mayor vacant for Mayors or Deputy Mayors elected for a one-year term.

It also amends this provision to provide additional procedural requirements to be followed where a notice of motion to declare the office of Mayor or Deputy Mayor is proposed. This includes that a notice of motion to declare the office of Mayor or Deputy Mayor vacant must specify the reasons for the proposed motion, be signed by an absolute majority of the councillors and be lodged with the CEO of the council at least 14 days prior to the consideration of the motion at a council meeting. Additionally, the Mayor or Deputy Mayor in respect of whom the proposed motion relates may provide a written response to the motion which must be provided to each councillor.

Clause 8 may engage the right to take part in public life as it broadens the application of the process for a council to declare the office of Mayor or Deputy Mayor vacant to Mayors or Deputy Mayors elected for a one-year term.

In my view, any limitation to the right to participate in public life is reasonable and justified.

The Mayor and Deputy Mayor hold leadership positions that rely on the confidence of the councillors who elected them to perform their roles effectively and to support the council in carrying out its functions in accordance with the LGA 2020. Where an absolute majority of councillors no longer have confidence in the Mayor or Deputy Mayor, this provision enables the council to move a motion to declare the office vacant and by a three quarters majority vote declare the office vacant to ensure effective leadership.

Importantly, this clause includes additional procedural fairness requirements, including an opportunity for the Mayor or Deputy Mayor who is the subject of a notice of motion to be provided with the reasons for the proposed motion and to respond before any decision by the council is made. Additionally, if the office is declared vacant, the person remains an elected councillor and continues to serve on the council.

Candidate leave of absence

The proposed candidate leave of absence provisions may limit the right to take part in public life insofar as they temporarily prevent a councillor from performing their role as a councillor once they nominate for election as a member of the Parliament.

The proposed candidate leave of absence provisions may also limit the right to take part in public life insofar as they prevent a councillor from performing the role of Mayor, Deputy Mayor or Acting Mayor where they have been nominated by a political party to run in an election or have publicly announced their intention to run in an election.

Currently councillors are encouraged through council policies or guidance to consider taking a leave of absence from their role as a councillor if they have nominated as a candidate for another election. Mayors and Deputy Mayors are also encouraged to consider stepping aside from their role and putting in place acting arrangements after stating their intention to stand as a candidate.

Once a councillor becomes a candidate in a Parliamentary election, there is an increased risk of actual or perceived conflicts between their responsibilities as a councillor and their participation in campaign activities. This also creates confusion for community members who do not know if a candidate is speaking on behalf of the council or in their capacity as a candidate, particularly when the candidate is the Mayor and therefore the spokesperson for the council.

These amendments therefore pursue the legitimate objective of providing a clear and consistent framework for councillors to keep campaigning activities separate from the performance of their role as councillor and to manage potential conflicts of interest during election periods.

Further, I consider that any limitation of the right is reasonable and proportionate. In the case of a councillor nominating for election, it applies only for a defined period being from the day after nominating for an election until their nomination is withdrawn or the election results are declared. Similarly, to the extent that it prevents a councillor from performing the role of Mayor, Deputy Mayor or Acting Mayor, it applies only from the period that they provide notice that they have been preselected or publicly announce their intention to contest the election, to the period they nominate for election. The councillor is not removed from office in either case and is able to resume their duties of that office if not elected to Parliament.

Councillors are democratically elected to carry out public duties and responsibilities. This is both a privilege and a burden. The standing down of a councillor in these circumstances promotes community understanding and clarity around when a councillor is no longer performing the role of councillor and is instead acting as a candidate. This further justifies the limitation.

For these reasons, I am of the opinion that these provisions are compatible with the right to take part in public life as set out in section 18 of the Charter.

Property rights (section 20)

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. While the Charter does not define 'property', case law indicates that the term should be interpreted 'liberally and beneficially to encompass economic interests'.

This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

Declaration of office of Mayor or Deputy Mayor to be vacant

Declaring the office of Mayor or Deputy Mayor to be vacant could be said to authorise the deprivation of the Mayor or Deputy Mayor's property (i.e. their Mayoral or Deputy Mayoral allowance) and therefore engages the right to property.

That being so, the deprivation of property will be 'in accordance with the law' where the law providing for the legal authorisation for the deprivation is publicly accessible, clear and certain. A notice to declare the office of Mayor or Deputy Mayor vacant must go to a council meeting, ensuring that the council and Mayor or Deputy Mayor the subject of the proposed notice is notified of the proposed motion and the reasons it is being proposed. Procedural fairness is also provided for, as the Mayor or Deputy Mayor has an opportunity to respond in writing to the motion to ensure that these decisions are not made arbitrarily.

To the extent that any limitations result, I consider any limits to be justified, on the basis that if a Mayor or Deputy Mayor no longer has the confidence of the councillors in their ability to perform their role, it is in the public interest that the office is vacated and the Mayor or Deputy Mayor no longer receive the higher allowance provided to perform the duties.

Candidate leave of absence

Clause 13 could be said to authorise the deprivation of the councillor's property and engages the right to property by providing that a councillor, Mayor or Deputy Mayor who has nominated for election is on a councillor leave of absence and not eligible to receive their allowance during the period after they have nominated for an election until the election results are publicly declared.

The provision is drafted in clear and precise terms, making it clear that the allowance is not payable in specified circumstances and for specified time periods.

I consider any limits to be justified, on the basis that it is not in the public interest for a person to continue receiving an allowance while carrying out campaign activities and no longer performing the duties of councillor. Further, the deprivation of property is only temporary, in that their entitlement to an allowance resumes if the councillor, Mayor or Deputy Mayor is not elected and returns to their duties. If a councillor is elected to the State Parliament, section 34(2) of the LGA 2020 provides that they can no longer continue to be a councillor and would therefore have no continuing entitlement to receive an allowance.

I therefore am of the view that these clauses are compatible with the rights set out in the Charter.

The right to be presumed innocent (s25(1))

Section 25 of the Charter sets out rights in criminal proceedings. Section 25(1) provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

Standing down of a councillor

Clauses 9, 10, 11, 12, 19 and 24 of the Bill make various amendments to the LGA 2020 to clarify the operation and effect of a councillor being stood down under section 228 and 229 of the LGA 2020.

Clause 11, for example, amends section 35(5) of the LGA 2020 to clarify that a councillor is not taken to be absent from a meeting while the councillor is stood down for the purposes of section 35(1)(e). Clause 24 provides that the automatic standing down of a councillor under section 229 of the LGA 2020 only applies if proceedings for an offence are commenced by or on behalf of a law enforcement agency within the meaning of the LGA 2020. While councillors are already prohibited from performing the role of a councillor while stood down, clause 12 inserts new offence provisions to make this obligation enforceable.

These clauses promote the right to take part in public life (s 18) and the right to property (s 20) by ensuring that the LGA 2020 provides greater clarity to councillors about their obligations when stood down.

Limiting the automatic stand down provisions under section 229 of the LGA 2020 to criminal proceedings commenced by or on behalf of law enforcement agencies will also provide an important safeguard to ensure this provision only operates where serious criminal charges have been brought by agencies exercising established prosecutorial discretion.

I therefore am of the view that these clauses are compatible with the rights set out in the Charter.

Dispute resolution procedures

Clause 33 requires councils to implement and adopt any prescribed procedures for dealing with alleged breaches of the Model Councillor Code of Conduct, alleged serious misconduct or disputes between two or more councillors.

Clause 34 empowers the Minister to require a council to deal with a dispute involving two or more councillors in accordance with any prescribed procedure or advice obtained by the council on sufficient and appropriate steps to resolve the dispute.

While these clauses relate to obligations imposed on councils, they create new processes for councillors engaging with the councillor conduct processes in the LGA 2020. Applications by a councillor, councillors or a council for an arbiter or Councillor Conduct Panel to be appointed to hear an application that alleges misconduct or serious misconduct must include the steps that council has taken to resolve the matter or a justification of why steps have not been taken. Clause 33 enables regulations to be made to support councils to attempt to resolve conduct issues through mediation in the first instance.

The rights under the Charter relating to criminal or civil hearings are not engaged by clauses 33 and 34 as they provide for an efficient and less litigious councillor conduct resolution process and do not limit existing procedural requirements or review rights. I therefore am of the view that these clauses are compatible with the rights set out in the Charter.

The Hon. Paul Hamer MP
Minister for Local Government
Minister for Youth Justice
Minister for Corrections

Statement of treaty compatibility

Paul HAMER (Box Hill – Minister for Local Government, Minister for Youth Justice, Minister for Corrections) (15:04): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

1. In accordance with section 66 of the *Statewide Treaty Act 2025*, I table a statement of Treaty compatibility for the Local Government Legislation Amendment (Stronger Communities) Bill 2026.
2. In my opinion, the Bill is compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

3. The main purposes of the Bill are to amend the Local Government Act 2020 (LGA 2020):
    a. to enhance the integrity and governance standards of Councils

b. to acquit the Victorian Government's commitment to introduce a Local Government Fair Jobs Code (LGFJC) and establish a Local Government Fair Jobs Code Regulator (Regulator) to oversee compliance with the LGFJC, and

c. to make other miscellaneous amendments to improve the operation of the LGA 2020.

4. The Bill also amends the *City of Melbourne Act 2001* to increase the permitted ratio between the lowest and highest differential rates if the Melbourne City Council uses the net annual value system of valuation.

5. The amendments to the LGA 2020 in the Bill include amendments to:

a. strengthen requirements for managing conflicts of interest;

b. provide for Councillors to take candidate leave of absence when nominating for election as a member of the Parliament;

c. permit Councils to declare the office of the Mayor or Deputy Mayor vacant who have been elected for a one-year term;

d. require Councils to establish a Chief Executive Officer (CEO) Employment Matters Committee to provide independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy;

e. enable the prescription of model governance rules to be adopted or incorporated as part of a Council's Governance Rules;

f. enable the prescription of a standard form of contract of employment between a Council and its CEO;

g. require Councils to implement and adopt an expanded council internal resolution procedure that can deal with a wider range of internal disputes, and to enable the Minister to request a council to attempt to resolve an internal dispute or issue in the first instance, before deciding whether Ministerial intervention is warranted;

h. provide for the LGFJC to be prescribed in regulations, which the Chief Executive Officer (CEO) of a council must comply with;

i. provide for the appointment of a Regulator to monitor compliance with the LGFJC;

j. set out the functions and powers of the Regulator to monitor compliance by investigating and making findings in relation to non-compliance with the LGFJC, publishing reports of non-compliance, providing guidance and education to a CEO and preparing and publishing annual reports on CEO compliance with the LGFJC;

k. require a CEO of a council to demonstrate compliance with the LGFJC by undertaking an annual compliance assessment and providing this to the Regulator; and

l. set out the process for investigating CEO compliance with the LGFJC via own motion or complaint driven investigations by requesting information, issuing show cause notices and notice of decision including findings and reasons for decisions.

6. The Bill does not in its terms deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, have a differential impact on First Peoples. It therefore does not affect the objects in the *Statewide Treaty Act 2025*.

Consultation with the First Peoples' Assembly of Gellung Warl

7. Due to the recent establishment of the First Peoples' Assembly of Gellung Warl, it was not possible to give the First Peoples' Assembly the opportunity to advise on the Bill or for them to otherwise make representations about the effect of the Bill on First Peoples.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

8. I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the *Statewide Treaty Act 2025* of:

a. advancing the inherent rights and self determination of First Peoples; and

b. addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and

c. ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

9. The proposed amendments implement recommendations made by independent bodies, including by the Independent Broad-based Anti-Corruption Commission, to improve local government governance and

integrity, provide a regulatory mechanism to prescribe and oversee compliance with the LGFJC, and enable the City of Melbourne to levy differential rates up to 4 times the lowest rate using Net Annual Value as their valuation base for rates.

Advancing the inherent rights and self determination of First Peoples

10. In my opinion the Bill does not affect the objects specified in section 66(3)(d)(i) of the *Statewide Treaty Act 2025* and is therefore compatible with this object.

Addressing unacceptable disadvantage inflicted on First Peoples

11. In my opinion the Bill does not affect the objects specified in section 66(3)(d)(ii) of the *Statewide Treaty Act 2025* and is therefore compatible with this object.

Ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

12. In my opinion the Bill does not affect the objects specified in section 66(3)(d)(iii) of the *Statewide Treaty Act 2025* and is therefore compatible with this object.

The Hon. Paul Hamer MP
Minister for Local Government
Minister for Youth Justice
Minister for Corrections

Second reading

Paul HAMER (Box Hill – Minister for Local Government, Minister for Youth Justice, Minister for Corrections) (15:04): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

It is an honour to rise today and speak in support of a Bill which will enhance the integrity and governance standards of councils across Victoria, improve the operation of the *Local Government Act 2020* (Local Government Act), enable the establishment of the Local Government Fair Jobs Code and a regulatory framework for monitoring and enforcing compliance with the Code by council Chief Executive Officers (CEO), and amend the *City of Melbourne Act 2001* to increase the ratio between the lowest and highest differential rates for Melbourne City Council.

This Bill will deliver a range of reforms to prevent corruption, improve councillor conduct and accountability, strengthen the integrity of councils and improve job security, fairness and accountability for the thousands of Victorians working in the local government sector.

Victorians deserve a local government sector that is delivering for the public benefit. Governance failures and corruption in local government hurts the community and erodes public trust in the sector.

Strengthening council governance and integrity

The Independent Broad-based Anti-corruption Commission's (IBAC) *Operation Sandon Special Report* and the *Commission of Inquiry into the Whittlesea City Council* uncovered a range of deficiencies in council processes. It is essential that the lessons from these independent inquiries are adopted to prevent similar failures from occurring again.

Operation Sandon made eighteen recommendations to improve council governance and reduce corruption risks under the Local Government Act, many of which have already been implemented. This Bill addresses the remaining recommendations and translates the lessons learned, and the work already underway with the sector, into enduring legislative reform.

The Bill will require all councils to adopt the prescribed model governance rules. This will standardise meeting procedures across all councils and strengthen the conduct of meetings to ensure good governance. Councils will retain a discretion to adopt supplementary meeting procedures, provided they are not inconsistent with or contradict the mandatory rules, preserving the flexibility for councils to reflect local circumstances while ensuring a consistent baseline of conduct across the State. This reform will acquit recommendation 19 of the Operation Sandon Special Report.

Another four recommendations will be acquitted through the delivery of the model governance rules, which are currently being developed by a sector-led technical working group and will be released for public consultation prior to finalising.

One of the most important decisions a council makes is the employment and performance management of their CEO. Councils must approach this responsibility with rigour and ensure that appropriate independent oversight mechanisms are in place to support sound decision making. The Bill will require councils to establish an independently chaired CEO Employment Matters Committee that will be responsible for providing independent professional advice on a CEO's employment and remuneration, including on recruitment and appointment, performance monitoring and annual performance reviews. The Bill also requires that CEO appointments must be made in accordance with any prescribed contract of employment.

These reforms are essential for the promotion of consistency and enabling greater oversight of the employment of council CEOs. Councillors must have the tools at their disposal to ensure that their CEO is delivering the best outcomes for the community they serve. These reforms address recommendation 34 of the Operation Sandon Special Report and will ensure that all councils are following best practice when it comes to the employment of their CEO.

The Bill further strengthens conflict of interest provisions in the Local Government Act to ensure that councillors are making decisions impartially and are not driven by self-interest. First, the Bill introduces reforms to prevent councillors with a conflict of interest from attempting to influence other councillors, where a failure to comply will be an offence that carries a maximum penalty of 120 penalty units. Secondly, it introduces a new mandatory reporting requirement for CEOs to notify the Chief Municipal Inspector if they become aware that a councillor has failed to disclose a conflict of interest and exclude themselves from a council decision making process. These reforms will give effect to recommendations 29 and 33 from the Operation Sandon Special Report and are a significant step forward in preventing corruption in local government.

The Bill will give effect to recommendation 32 from the Operation Sandon Special Report by requiring the Principal Councillor Conduct Registrar to report annually on the number of internal arbitration processes and councillor conduct panels, strengthening the transparency of the conduct system.

Strengthening council leadership, accountability and internal governance

The Bill also introduces a series of reforms to give effect to the 2025 findings of the Commission of Inquiry into the Whittlesea City Council, which highlighted the vital role of the mayor in guiding council decision-making, representing the interests of the council and the community, and promoting a culture of good councillor conduct. Where a mayor fails to perform that role, councils must have the capacity to respond swiftly and effectively.

The Commission recommended amendments to the Local Government Act to enable councils to act when a mayor fails to perform appropriately in that role and to enable internal dispute resolution to improve council cohesion. In response, the Bill makes amendments to the Local Government Act to provide all councils with the ability to pass a vote of no confidence to remove a mayor or deputy mayor from office, regardless of whether they have been elected for a one- or two-year term. Appropriate safeguards will apply to ensure this power is exercised fairly, including that reasons for a proposed vote of no confidence must be provided, and the mayor or deputy mayor must be given an opportunity to respond before any vote is taken.

The Bill also addresses issues arising when a councillor stands for election to the Victorian Parliament, particularly where the candidate is a mayor who holds the function of being the principal spokesperson for the council. It is essential that councils continue to operate effectively during a State election and that the community knows who is representing the interests of the council and who is campaigning as a parliamentary candidate. To achieve this, the Bill introduces a requirement for councillors to take a leave of absence when nominating for a Victorian State election, codifying what has long been considered best practice for managing conflicting duties and ensuring there is a clear separation between the role of councillor and candidate. The reforms will also require mayors and deputy mayors to stand aside from performing their roles during the candidacy period, ensuring that council decision making and public representation are not compromised.

In addition, the Bill includes reforms addressing how council meetings are to be chaired if a question before the meeting relates to the personal conduct of a councillor. The Commission found that in these circumstances a councillor should have a right to defend themselves and that where the conduct in question relates to the mayor, the mayor should step aside from acting as the chair of the meeting where there is a question about their individual conduct. The Bill mandates the Commission's recommendations by requiring a council meeting to be chaired by another councillor when the question before the council relates to the conduct of the chairperson.

The Bill also responds to the Commission's finding that councils should do more to resolve conduct and behavioural issues internally before matters are escalated. The Bill will empower the Minister to request that a council take steps to resolve internal disputes in the first instance, including through its internal resolution procedures, before external intervention, such as the appointment of a municipal monitor or Commission of Inquiry, is considered.

To further strengthen internal dispute resolution by councils, the Bill requires councils to implement and adopt an expanded council internal resolution procedure to be set out in regulations that can deal with a wider range of internal disputes. Under this framework, Ministerial intervention can be appropriately reserved for those situations where a council has taken reasonable steps to resolve issues internally, but external support is needed to alleviate risks to a council's ability to deliver good governance.

The Bill also makes miscellaneous amendments to improve clarity and consistency throughout the Local Government Act, including by clarifying that a councillor is only automatically stood down in relation to proceedings for an offence brought by or on behalf of a law enforcement agency, and that when a councillor is stood down, they are expressly prohibited from performing the role of a councillor.

The Bill will make several administrative improvements to the councillor conduct framework to provide procedural clarity and ensure the framework operates effectively and as intended.

Delivering a Fair Jobs Code for local government

This Bill will establish the framework to deliver the Government's commitment to introduce a Fair Jobs Code for local government. It provides for a fair, practical and enforceable code to be prescribed to ensure that the essential public services delivered by local government are underpinned by safe, secure and fair work practices.

We know the critical role local government plays in ensuring our communities function, grow and thrive. Councils are on the frontline of service delivery, providing essential services that Victorians rely on every day – from waste management and the maintenance of local roads and footpaths, to planning and building approvals, and the management of valued community spaces such as parks, libraries and swimming pools. Councils also support community health services, manage pet registration and animal control, and bring communities together through local events.

It is therefore no surprise that local government is one of Victoria's largest employers, with a diverse workforce delivering these essential services across a wide range of occupations. And given the vital role these workers play, it is only right that they are supported by fair, secure and stable employment.

But increasingly, these Victorians are experiencing insecure and unstable employment conditions. The Australian Services Union has reported that more than half of local government workers have observed a rise in insecure forms of employment at their council over the past five years. Insecure employment comes with real consequences – fewer rights and protections, limited opportunities for progression, and the uncertainty of not knowing whether the next shift will be available.

That is why, in 2022, this government committed to making sure that those Victorians were given the dignity of secure and stable employment for the important work they do in our communities. We committed to creating a tailored Fair Jobs Code for local government to minimise all forms of insecure work in the sector, and prioritising wages, conditions and secure jobs for workers.

The Local Government Fair Jobs Code (the Code) will complement other initiatives to promote local, secure jobs and support ethically and socially responsible businesses, including Local Jobs First, Victorian Fair Jobs Code, Community Sector Fair Jobs Code and the Victorian Sick Pay Guarantee, just to name a few.

The Bill provides for the Fair Jobs Code to be prescribed in regulations, ensuring there is ample opportunity for consultation and meaningful stakeholder engagement. This will allow any impacts on councils, businesses and communities to be properly identified, addressed and managed.

The Bill also provides for a legislative review every five years, ensuring the framework remains responsive and fit for purpose over time. This will enable the Government to continue to respond to stakeholder feedback and, where necessary, strengthen the Code to support its objectives – including reducing insecure work and promoting fairer and safer employment practices.

The Bill makes clear that CEOs of councils will be responsible for compliance with the Code, consistent with their functions under the LGA 2020. As the statutory officers responsible for all staffing matters within a council – including the appointment, direction, management and, where necessary, dismissal of staff – Chief Executive Officers are appropriately placed to ensure the Code is effectively implemented and upheld.

The Bill also establishes a regulatory framework to support the administration of the Code, including provision for the appointment of a Local Government Fair Jobs Code Regulator by the Secretary to the Department of Government Services (Secretary). The role of the Regulator is clear – to monitor, investigate and promote compliance with the Code, supported by robust public reporting requirements that will drive transparency and accountability across the sector.

The Regulator must publish reports about CEO compliance with the Code annually or at any time the Regulator considers necessary. This will be published on a government website maintained by the Secretary.

Importantly, the Regulator also has a key role in guiding and educating CEOs and councils on their obligations under the Code and can refer matters to relevant integrity and oversight bodies where necessary.

The Bill establishes a clear and proportionate compliance framework. Under this framework, CEOs will be required to submit an annual compliance assessment report to the Regulator, using an approved form, by 31 October each year.

The Regulator will also have the power to investigate suspected non-compliance with the Code. This may arise, for example, through complaints, referrals from municipal monitors, or other evidence coming to the Regulator's attention – including issues identified through a council's own self-assessment.

Where concerns arise, the Regulator may issue an 'FJC notice' to the CEO, setting out the alleged non-compliance and providing an opportunity to respond.

Following an investigation, the Regulator must determine whether there has been compliance with the Code and issue a notice of decision. Where non-compliance is found, that decision will be made public, supporting transparency and accountability across the sector. The Regulator may also request information and documents from councils at any time to assess potential non-compliance.

Importantly, the framework is not solely enforcement focused. The Regulator will also play an educative role, working with councils and CEOs to support compliance and continuous improvement. Where appropriate, matters may also be referred to other relevant regulators.

Local government will be closely consulted in the development of the Local Government Fair Jobs Code. Following the making of the regulations, councils – and in particular CEOs – will be provided with adequate time to prepare for, and comply with, the requirements of the Code before it comes into effect. Councils will also be supported the provision of detailed guidance material and supplementary resources to assist with compliance.

The Local Government Fair Jobs Code is about ensuring that every local government worker – no matter which of Victoria's 79 councils they serve – has a fair go. It is about providing greater security and stability in employment and supporting a workforce that delivers essential services to communities across this state.

Amendments to the City of Melbourne Act 2001 to provide for higher differential rates

The Bill also amends the City of Melbourne Act 2001 to provide Melbourne City Council greater flexibility in its differential rating provisions.

Currently, the highest differential rate Melbourne City Council can set is no more than twice the lowest rate. The Bill will enable Melbourne City Council to declare a higher differential rate that is no more than four times the lowest differential rate while retaining the use of Net Annual Value as the valuation base for rates.

This reform responds to concerns raised by the Melbourne City Council about the number of vacant or derelict properties within the city due to their unsightly appearance and which become a target for vandalism and vagrancy. The number of properties considered by Melbourne City Council to be of specific concern as of 2026 is approximately 20 to 30 in number. The proposed differential rate settings are intended to address this issue by incentivising these property owners to develop or take other action to improve the property.

The Bill will deliver stronger communities through better governance, more secure local government jobs, and a capital city that is vibrant, liveable and safer for all Victorians

This Bill responds to a clear and demonstrated need for reform. The findings of independent bodies revealed real harm done to communities by governance failures and corruption in local government, and it is incumbent on the Government to act on those findings.

More broadly, this Bill reflects the Government's commitment to supporting those who support our communities – those who deliver essential local services across Victoria's 79 councils.

It also establishes a fair, practical and enforceable Local Government Fair Jobs Code, to be developed in partnership with councils, unions and workers, to promote secure, safe and fair employment practices across the sector.

Together, these reforms build on and strengthen the governance and conduct framework in the Local Government Act, ensuring that robust systems are in place to support integrity, prevent corruption and ensure councillors are representing the interests of their community.

The reforms reinforce the Government's broader commitment to ensuring local government workplaces are safe, secure and fair, where compliance with employment, industrial relations and workplace health and safety obligations is standard, and best practice is always part of the culture.

Victorians deserve councils they can trust. This Bill strengthens that trust by putting in place the legislative framework to enhance transparency, integrity and fairness in local government.

I commend the Bill to the House.

James NEWBURY (Brighton) (15:04): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 2 July.

Crimes Amendment (Recruitment of Children for Criminal Activity) Bill 2026

Statement of charter compatibility

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Violence Reduction, Minister for Finance) (15:06): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Crimes Amendment (Recruitment of Children for Criminal Activity) Bill 2026 (the Bill).

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

Overview of Bill

The Bill seeks to protect and promote community safety, by introducing a new offence into the *Crimes Act 1958* to prohibit adults from recruiting children to engage in criminal activity, that is conduct that constitutes an offence punishable by a maximum penalty of 15 years to life imprisonment. The adult must know or be reckless as to whether the subject of the recruitment is a child. The new offence carries a maximum penalty of life imprisonment.

The Bill also amends the existing offence consistent with the new offence to capture where an adult is reckless as to whether the subject of the recruitment is a child (in addition to the current knowledge element). The existing offence will apply to criminal activity that is conduct that constitutes an offence punishable by a maximum penalty of 5 to less than 15 years imprisonment.

Human Rights Issues

Under the Charter, rights can be subject to limits that are reasonable and justifiable in a free and democratic society based on human dignity, equality and freedom. Generally, the Bill promotes a number of fundamental human rights. Where there are any limitations on human rights, I am of the view that they are justified and reasonable, as discussed below.

The Charter rights that are relevant to the Bill are:

- the right to life (section 9);
- right to privacy (section 13);
- the right to the protection of families and children (section 17);
- the right to property (section 20);
- the right to liberty and security of the person (section 21);
- the right not to be tried and punished more than once (section 26);
- the protection against retrospective criminal laws (section 27).

For completeness, in addition to these primary rights affected by the Bill, it is acknowledged that the new offence may lead to more custodial sentences, which involves the limitation of other rights, including freedom of movement (section 12), the right to privacy (section 13(a)), the rights to practice religion and enjoy cultural rights (sections 14(1)(b) and 19), freedom of expression (section 15(2)), right to peaceful assembly and freedom of association (section 16), the protection of families and children (section 17) and the right to property (section 20). This is the result of the deprivation of liberty and the powers held by officers in charge of custodial facilities that are necessary to maintain good order and security of the facilities and the welfare of detained persons. The family unit will also be affected when a family member is made subject to an imprisonment order. As all these limitations are a lawful and necessary consequence of a sentence of imprisonment, I do not propose to discuss these secondary impacts in detail, beyond acknowledging the wide range of human rights that are limited by a sentence of imprisonment.

Promotion of various human rights

Every person has the right to life and has the right not to be arbitrarily deprived of life (section 9). The Bill promotes this right by targeting adults who recruit children to commit serious crimes that can result in significant harm and even death, such as murder and serious drug offences. It similarly promotes community and victim rights to liberty and security (section 21).

A person must not be deprived of their property other than in accordance with law (section 20). Similarly, the right to privacy (section 13) protects the home and family from unlawful or arbitrary interference. These rights are promoted to the extent that the new offence applies to target adults who recruit children to commit offences that may infringe upon a person's home and property (e.g. recruiting a child to commit a home invasion or arson).

The Charter recognises the family as the fundamental group unit of society and entitles it to protection by society and the State (section 17(1)). It also recognises that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child (section 17(2)). The Bill recognises that children are particularly vulnerable and can be more easily influenced by those who try to take advantage of them. It is in their best interests to protect them from such conduct. The Bill also recognises that recruiting children into crime has significant and lasting impacts on their families and the community more broadly. The Bill promotes this right by providing that adults who deliberately recruit children to engage in serious crime will face significant consequences.

In addition to promoting the above rights, the Bill engages certain rights protected under the Charter. As discussed below, in my view, to the extent that any of these rights are limited, this is justified and reasonable under the Charter.

The right to liberty and security of the person (section 21)

Section 21 of the Charter provides that every person has the right to liberty and security and that a person must not be subjected to arbitrary arrest or detention. As outlined in *Victorian Toll v Taha* (2013) 49 VR 1 (at [197]), the right to liberty is engaged where a person is at risk of imprisonment. A person's liberty may legitimately be constrained only in circumstances where the relevant arrest or detention is lawful, in the sense that it is specifically authorised and sufficiently circumscribed by law, and not arbitrary, in that it must not be disproportionate or unjust.

I acknowledge that the new offence carries a significant maximum penalty of life imprisonment. This is comparable to the maximum penalty for incitement to commit other level one offences (such as murder or serious drug offences) but is greater than the available sentences for incitement to commit offences that carry a maximum penalty between 15 years but under life imprisonment.

The Bill also introduces a recklessness fault element for both the new recruitment offence and the existing recruitment offence. It is sufficient that the adult is reckless as to whether the subject of the recruitment is a child.

However, this distinction in maximum penalty is appropriate given the significantly greater culpability that attaches to recruiting a child to commit these offences. The maximum penalty clearly denounces the recruitment of a child by an adult, particularly those involved in organised crime or criminal gangs, to commit very serious crimes that cause significant community concern. Further, I consider that the introduction of a recklessness fault element is appropriate to acknowledge the seriousness of the conduct, even where an adult does not know, but is reckless as to whether the subject of the recruitment is a child.

These serious and sometimes violent acts can have a profound impact on victims, the community, the child and their family. In this regard, it is necessary to consider the effect of the conduct addressed by the offence on the rights of the community to liberty and security (section 21), life (section 9), property (section 20) and privacy of the home (section 13).

The Bill does not limit the courts' ability to sentence adults to a period of imprisonment that is proportionate to the gravity of their offending, facilitating community safety from further unlawful and dangerous behaviour. As the scope of the Bill may capture a broad range of conduct, the courts will also retain the discretion to sentence offenders, including young adults, according to their relevant culpability including imposing non-custodial sentences, if appropriate.

Whilst the right to liberty is engaged, I consider that any detention under the Bill is sufficiently circumscribed by law and not arbitrary, and any limitation on this right is reasonable and justified in accordance with section 7(2) of the Charter. The maximum penalty and recklessness fault element are appropriate given the legitimate purpose of the Bill to promote community safety and address growing community concern with the prevalence of organised crime and the recruitment of children to engage in criminal activity in Victoria.

The right not to be tried and punished more than once (section 26)

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which that person has already been finally convicted or acquitted in accordance with law.

It is possible that conduct that constitutes the new offence could also support a conviction for incitement or the existing recruitment offence. Further, given the broad scope of the Bill, it could also include recruitment to engage in criminal activity that constitutes related offences (e.g. recruitment for carjacking and aggravated carjacking would both be captured by the new offence).

However, I consider that the new offence will not limit the right not to be tried and punished more than once. Clause 7 of the Bill amends existing section 321LD of the Crimes Act, which provides that an adult is not liable to be convicted in respect of the same conduct for these offences. Section 51(1) of the *Interpretation of Legislation Act 1984* also provides that a person is not liable to be punished more than once for the same act or omission. Further, the Bill does not abrogate the common law rule against double jeopardy nor the rule against duplicity, which protect an accused from being the subject of multiple prosecutions or convictions arising out of the same set of facts.

Protection from retrospective criminal application

Section 27(1) of the Charter provides that a person must not be found guilty of a criminal offence because of conduct that was not a criminal offence when it was engaged in. This reflects the principle, long recognised in criminal law, that there can be no crime and no punishment other than as established by the law.

The Bill protects this right by ensuring that the new offence has prospective application only and includes an express transitional provision to ensure that where offending conduct occurs between two dates, one before and after the commencement of the Bill, the existing recruitment offence will apply.

The Hon. Sonya Kilkenny MP
Attorney-General

Statement of treaty compatibility

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Violence Reduction, Minister for Finance) (15:06): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

1. In my opinion, the Crimes Amendment (Recruitment of Children for Criminal Activity) Bill 2026 (Bill) is compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

2. The purpose of the Bill is to create a new offence to capture an adult recruiting a child to engage in serious criminal activity. The *Crimes Act 1958* currently provides that it is an offence for an adult to recruit a child to engage in criminal activity punishable by 5 years imprisonment or more, knowing that the other person is a child. The maximum penalty for the current offence is 15-years imprisonment.

3. Modelled on the existing offence, the proposed new offence in the Bill would apply when an adult recruits a child to engage in serious criminal activity, which itself is conduct that constitutes an offence punishable by 15 years to life imprisonment. The adult must know or be reckless as to whether the subject of the recruitment is a child. The Bill provides that the new offence carries a maximum penalty of life imprisonment.

4. The existing offence will continue to apply when an adult recruits a child to engage in criminal activity that is conduct that constitutes an offence punishable by 5 to less than 15 years imprisonment. However, the Bill amends the existing offence consistent with the new offence to capture where an adult is reckless as to whether the subject of the recruitment is a child (in addition to the current knowledge element).

5. The purpose of the Bill is to promote community safety and target adults who recruit children to commit serious offences, which can have a significant impact on victims, the community, the recruited child and their family.

Consultation with the First Peoples' Assembly of Gellung Warl

6. Due to the recent establishment of the First Peoples' Assembly of Gellung Warl, it was not possible to give the First Peoples' Assembly the opportunity to advise on the Bill or for them to otherwise make representations about the effect of the Bill on First Peoples.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

7. I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the *Statewide Treaty Act 2025* (Treaty Act):

   (i) advancing the inherent rights and self-determination of First Peoples; and

   (ii) addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and

   (iii) ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

8. I note that the Bill does not include any provisions which apply specifically to First Peoples, as it creates an offence that applies equally to any adult.

9. However, the Bill may, in its practical effects, engage with the objects at section 66(3)(d) of the Treaty Act in light of the overrepresentation of First Peoples in the criminal justice system. For example, I note that First Peoples represent less than 2 per cent of the Victorian population but in 2025 made up 14 per cent of alleged offenders proceeded against by police via arrest or summons as a result of alleged offender incidents.

10. The new recruitment offence for serious criminal activity introduced by this Bill carries a maximum penalty of life imprisonment, while the existing recruitment offence carries a maximum penalty of 15 years. The Bill also introduces a recklessness fault element for the new and existing recruitment offence. It is therefore expected that these amendments may lead to more prosecutions and increased custodial sentences for adult offenders which has a risk of further increasing First Peoples overrepresentation in custody.

11. This may include young adult offenders. As the new offence applies to any adult aged 18 years and above (consistent with the existing offence), it may capture conduct where a young person recruits a friend or family member who is a child to commit a serious offence (e.g., an 18-year-old may encourage a 17-year-old friend to commit a carjacking with them, which would involve recruitment conduct). There is therefore a risk that the new offence may have an impact on young Aboriginal offenders, who are similar in age to children they have recruited, by leading to increased custodial sentences for this group.

Advancing the inherent rights and self-determination of First Peoples

12. I acknowledge that the exercise of the right to self-determination will necessarily be limited by the criminal justice system, given the loss of liberty inherent in aspects of policing, court processes and the conditions of custody. However, particular consideration has been given to whether, within the context of the residual liberty afforded to individuals in the criminal justice system, the Bill further affects the right to self-determination.

13. While the government seeks to enable self-determination rights in the justice system where possible, for example through the operation of Koori courts and by supporting Aboriginal programs and access to culture in prisons, settings such as the nature of criminal offences, when individuals are charged and prosecuted and broader policing, judicial and custodial systems are not self-determined. As the Bill introduces an additional offence within these broader system settings, these amendments do not further limit self-determination.

14. To the extent that the new offence introduced by this Bill may lead to increased overrepresentation of First Peoples in the criminal justice system and in custody, this may impact some inherent rights of First Peoples as outlined in the United Nations Declaration into the Rights of Indigenous Peoples (UNDRIP).

15. The Bill may, in practice, limit the right to culture (article 11) noting the significant disruption that imprisonment presents to access to Country (see also articles 25 and 26) and places of spiritual significance, cultural practices and cultural connections, including kinship networks. A term of imprisonment may also limit the right to improvement of economic and social conditions (article 5) and the right to the enjoyment of the highest attainable standard of physical and mental health (article 24).

16. However, with regard to the above considerations, in my opinion the Bill is nevertheless compatible with the object of advancing the inherent rights of First Peoples due to the importance of preventing this offending conduct and the nature of the limitations, as detailed in the proportionality assessment below.

Addressing unacceptable disadvantage inflicted on First Peoples

17. To the extent that the new offence introduced by this Bill may lead to increased contact with the justice system and incarceration of First Peoples, it may compound the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation.

18. The *Yoorrook for Justice* report considered the significant impact of First Peoples over-representation in the justice system, including the disruptions to family and the community when people are imprisoned. The report notes that "[r]emoving them from their community can have devastating effects on their personal and social wellbeing, with many families experiencing ongoing trauma and grief as a result."

19. While courts will continue to have the full range of options for sentencing offenders, including non-custodial options, the scope of the new recruitment offence in the Bill captures a wide range of serious criminal offences and the proposed maximum penalty of life imprisonment may lead to more custodial sentences.

20. However, with regard to the above considerations, in my opinion the Bill is nevertheless compatible with the object of addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation due to the importance of preventing this offending conduct and the nature of the limitations, as detailed in the proportionality assessment below.

Ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

21. While the Bill applies neutrally to any adult who recruits a child to commit a serious offence, I acknowledge that the Bill may indirectly limit the equal enjoyment of human rights and fundamental freedoms of First Peoples, due to their overrepresentation in the prison population. I consider that the Bill may indirectly engage human rights, including the rights to liberty (section 21, Charter), freedom of movement (section 12), right to privacy (section 13(a)), the rights to practice religion and enjoy cultural rights (sections 14(1)(b) and 19), freedom of expression (section 15(2)), right to peaceful assembly and freedom of association (section 16) the protection of families and children (section 17) and the right to property (section 20). As noted above, the Bill may also engage First Peoples' inherent rights, particularly the rights to culture and country.

22. These rights may be limited as a result of a possible sentence of imprisonment, which requires the deprivation of liberty and the exercise of powers held by officers in charge of custodial facilities necessary to maintain good order and security of the facilities and the welfare of detained persons. The family unit will also be affected when a family member is imprisoned. As I have raised above, the new recruitment offence may lead to more custodial sentences. In circumstances where First Peoples are subject to disproportionate detention, this may limit the equal enjoyment of human rights and fundamental freedoms by First Peoples.

23. However, with regard to the above considerations, in my opinion the Bill is nevertheless compatible with the object of ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples due to the importance of preventing this offending conduct and the nature of the limitations, as detailed in the proportionality assessment below.

Proportionality assessment

24. While the Bill may limit the achievement of the objects in section 66(3)(d)(i)–(iii) as outlined above, in my opinion the limitations are proportionate and therefore compatible with them having regard to the importance of preventing the harm caused by this offending conduct and purpose of the Bill and the nature of the limitations, noting:

    24.1 the Bill universally applies to any adult that recruits a child to engage in serious criminal activity, not specifically or only to First Peoples;

    24.2 the Bill acknowledges that marginalised and vulnerable children, including far too many Aboriginal children, are at greater risk of entering the criminal justice system. The Bill recognises that children are particularly vulnerable and can be more easily targeted and influenced by adults who wish to take advantage of them. The new offence will further criminalise behaviour by adults who deliberately recruit children to engage in serious crime. It aims to denounce this conduct to deter children from getting involved in or carrying out serious criminal activity and reduce the contact these children have with the criminal justice system;

    24.3 the new offence targets serious conduct that may have a significant impact on victims, the community, the child and their family. Whilst it may lead to more custodial sentences, the maximum penalty of life imprisonment is appropriate given the significant culpability of an adult who knowingly or recklessly targets and recruits a child to commit these serious offences;

    24.4 the scope of the new offence is limited to the extent that it only applies to adults, who must know that the child subject of the recruitment is likely to carry out the criminal activity. Further, to the extent that the new offence may apply to a range of conduct, the courts will retain discretion to sentence adult offenders, including young adult offenders, according to their relevant culpability, including imposing non-custodial sentences if appropriate.

24.5 the Department of Justice and Community Safety will work with First Peoples communities on the implementation of the new offence to monitor impact on communities including any disproportionate impact.

25. For the reasons set out above, in my opinion the Bill is compatible with the objects specified in section 66(3)(d)(i) to (iii) of the *Statewide Treaty Act 2025*.

The Hon. Sonya Kilkenny MP
Attorney-General

Second reading

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Violence Reduction, Minister for Finance) (15:06): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

There is growing community concern that organised crime groups are recruiting children to carry out serious crimes. Introducing children to crime has a significant impact on community safety, increases the likelihood of escalating a child's criminal behaviour and risks their lifelong participation in criminal activities. The Bill delivers on the government's commitment to strengthen laws surrounding the recruitment of children by organised crime networks to commit serious offences, specifically, the commitment to introduce a new offence with a maximum penalty of life imprisonment for recruiting children to engage in serious and violent offending.

The Bill introduces a new offence into the *Crimes Act 1958* for recruiting a child to engage in serious criminal activity that constitutes an offence with a maximum penalty of 15 years or more (including life imprisonment). The new offence is modelled on the existing offence of recruiting a child to engage in criminal activity contained in section 321LB of the *Crimes Act 1958*. The new offence will apply when an adult recruits a child to engage in this serious criminal activity, knowing or being reckless as to whether that person is a child. The Bill also amends the existing offence to apply when an accused is reckless as to whether the subject of recruitment is a child. This will improve the application of the offences, in particular to organised crime and criminal gang recruitment.

The offences captured by the Bill are some of the most serious offences of community concern in Victoria and have significant impacts for victims, the recruited child and the community. This includes recruitment to commit offences including murder, home invasion and carjacking (and their aggravated forms), armed robbery, kidnapping, arson and extortion with a threat to kill or inflict injury. As is the case with the existing recruitment offence, the adult must know that it is likely the recruited child will engage in the criminal activity, however, it is not necessary that the child carries out the activity.

The existing recruitment offence, which carries a 15-year maximum penalty, will continue to apply to conduct that constitutes an offence with a maximum penalty between 5 years and less than 15 years imprisonment.

The Bill provides that the new offence will carry a maximum penalty of life imprisonment. This sends a clear message that those who recruit children to engage in serious criminal activity should receive sentences that reflect their high criminal culpability.

This reform is part of *Victoria's Serious Consequences – Early Interventions* plan to reduce violent youth crime and builds on previous community safety reforms passed by Parliament late last year including increasing maximum penalties for specific violent offences that cause a high level of fear or harm to victims, introducing a new knife offence, and ensuring children aged 14 and above who commit specified violent crimes face the prospect of adult sentences in adult courts.

The introduction of this new offence also follows the Australian Crime Intelligence Commission's (ACIC) findings in its *Opening the books* report on the impact of serious and organised crime in Australia. The report highlights that youth gangs and vulnerable people are being targeted online to carry out violent acts in public. Organised crime groups are deliberately recruiting vulnerable young people to carry out violent acts as they are cheaper to hire, more easily influenced, impressionable and easily accessible online.

As is evident from recent reporting, organised crime networks are recruiting children to commit serious offences such as arson, highlighting the need for further deterrence and greater penalties for the adults profiting from these crimes. The Bill aims to clearly denounce and criminalise this conduct. This will help protect and strengthen victim and community safety and ensure perpetrator accountability.

Together with the existing recruitment offence, the introduction of the new offence is another step towards addressing this alarming trend of organised crime networks recruiting vulnerable children to carry out their criminal agenda. However, as noted in ACIC's report, the recruitment of children by organised crime groups and criminal gangs also needs collective solutions. Finding and charging people for this offence is complex, with many hiding online or offshore.

Victoria will continue to work with stakeholders and other jurisdictions to tackle and disrupt child recruitment by organised crime and gangs, and to develop collective solutions to support the investigation and prosecution of this conduct.

I commend the Bill to the house.

James NEWBURY (Brighton) (15:07): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 2 July.

Energy and Resources Legislation Amendment (VEET Strategic Review and Other Matters) Bill 2026

Statement of charter compatibility

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (15:08): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Energy and Resources Legislation Amendment (VEET Strategic Review and Other Matters) Bill 2026 (the **Bill**).

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

Overview of the Bill

The Bill amends the *Victorian Energy Efficiency Target Act 2007* (VEET Act), the *Electricity Industry Act 2000* (EI Act), *Gas Industry Act 2001* (GI Act) and *Mineral Resources (Sustainable Development) Act 1990* (MRSD Act).

The VEET Act provides the legislative framework for the Victorian Energy Efficiency Target Scheme, known as the Victorian Energy Upgrades (VEU) program, which supports energy efficiency in Victorian households and businesses and contributes to reducing greenhouse gas emissions. The VEU program is intended to play a key role in achieving net zero and renewable energy targets that have been legislated under the *Climate Action Act 2017 and Renewable Energy (Jobs and Investment) Act 2017*. The amendments to the VEET Act:

- Expand the VEET Act's purpose and objects beyond greenhouse gas emissions reduction, insert principles, and update terminology to align with the VEU program's future role in emissions reduction measures;
- Introduce an adjustment factor mechanism to allow certificates to be created for the delivery of benefits in addition to greenhouse gas emissions reductions;
- Introduce an activities Order mechanism for adding energy upgrade (VEU scheme) activities to the VEU program and setting eligibility requirements for certificate creation;
- Expand and clarify the role of the Essential Services Commission (ESC) and statutory functions as VEU program regulator and administrator;
- Clarify the responsibilities of accredited persons when creating certificates, particularly where activities are undertaken by others;
- Extend accreditation periods to reduce administrative burden for participants and the ESC;
- Enable limits on which participants may undertake highly specialised or complex VEU scheme activities through the introduction of a nominated activities mechanism;
- Enable the Minister to appoint an External Dispute Resolution Scheme provider and require accredited persons to be a member of an approved dispute resolution scheme as a condition of their accreditation;

- Allow the Minister to adjust the VEU scheme target by a target adjustment instrument in certain circumstances to maintain the stability of the certificate market;
- Allow energy retailers ('relevant entities') to carry forward a portion of their certificate surrender liability into the following year; and
- Make other minor and technical amendments to the VEET Act.

The amendments to the EI Act and GI Act clarify that pricing Orders under those Acts are not limited to standing offers, and can include regulating any tariff for the sale of electricity and gas to prescribed customers or a prescribed class of customers; introduce a power for the Governor in Council to prohibit electricity and gas retailers from charging specified groups of customers specified types of administrative fees; align the GI Act with the EI Act requiring persons who are exempt under an Order, to be listed on the ESC's register of exempt persons and correct a typographical error.

The amendments to the MRSD Act provide for a time-limited statutory continuation of the Hazelwood mining licence for rehabilitation purposes. Other amendments to the MRSD Act expand the power to increase a rehabilitation bond and require rehabilitation liability assessment, so that this can apply to former licensees as well as current licensees.

Analysis of human rights issues

VEET Act amendments

Introduction of nominated activities and activities Orders

Clause 20 introduces new sections 14FB and 14FC into the VEET Act. These provisions interact with clause 22, which inserts new sections 15AA, 15AAB and 15AAC into the VEET Act.

New section 15AA empowers the Minister to make activities Orders for the VEU scheme activities in the VEU program which specify the requirements applying to each activity. Activities Orders will be legislative instruments within the meaning of the *Subordinate Legislation Act 1994*, to which the publications of that Act will apply. To ensure transparency and for ease of reference, new section 15AB requires the Minister to ensure that a copy of each activities Order as amended from time to time is published on the ESC's website as soon as practicable after being made or amended and also made available for inspection. New section 15AAC provides that the Minister may declare an activity to be a nominated activity to which specified training and competency requirements apply.

New section 14FB prohibits a scheme participant from undertaking a nominated activity unless they first comply with any training and competency requirements specified in an activities Order and provide evidence of that compliance to an accredited person. New section 14FC provides that the Minister may publish and maintain a list of nominated activity participants (a term which is defined in clause 10 of the Bill) on the ESC's website.

Right to freedom from forced work (section 11 of the Charter)

New section 14FB(1)(b) provides that an accredited person, if required to do so by an activities Order, must determine that a scheme participant has complied with any training and competency requirements in that Order and make a declaration to the ESC that the scheme participant meets those requirements. This provision engages the right to freedom from forced work.

This right is set out in section 11(2) of the Charter, which provides that a person must not be made to perform forced or compulsory labour. Section 11(3) of the Charter provides that forced or compulsory labour does not include work or service that forms part of normal civil obligations.

New section 14FB(1)(b) may be seen to engage the right insofar as an accredited person may be required to take action to determine that a scheme participant has complied with relevant training and competency requirements. This could be viewed as requiring a person to perform forced or compulsory labour. However, in my view the right to freedom from forced work is not limited, as any labour required under this provision would fall within the scope of the exception to the prohibition in s 11(3) of the Charter, namely work or service that forms part of normal civil obligations, as accredited persons are engaging in a regulated activity and have voluntarily assumed associated responsibilities and obligations under the VEET Act. Additionally, the declaration serves the purpose of promoting the integrity of the VEU program by providing for nominated activities to be undertaken by scheme participants with the appropriate training and competency to undertake nominated activities.

Right to privacy (section 13(a) of the Charter)

New section 14FB provides for the provision of information by a scheme participant to an accredited person in relation to their compliance with the training and competency requirements applying to a VEU scheme activity. To the extent that the information provided by a scheme participant to an accredited person contains

personal information, this provision engages the right to privacy set out in section 13(a) of the Charter. Furthermore, new section 14FC engages the right to privacy insofar as it provides for the publication of the personal information of nominated activity participants on the ESC's website.

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

In my opinion, new sections 14FB and 14FC engage but do not limit the right to privacy. The purpose of new section 14FC is to require scheme participants to undertake specific training and be competent to undertake VEU scheme activities in circumstances where the Minister has determined that additional training and competency requirements are appropriate. This may include where there are safety risks associated with undertaking the VEU scheme activity. The provision of evidence to an accredited person is necessary to ensure that scheme participants have the training and competency to undertake nominated activities in a manner that is suitable and safe. New section 14FC is intended to ensure that energy consumers have ready access to a list of scheme participants who have the training and competency to undertake nominated activities. Any interference with the right to privacy from new sections 14FB and 14FC will not be unlawful because it is authorised by an accessible and precise law. Nor is it arbitrary – these provisions have a legitimate purpose of ensuring scheme participants are suitably trained to participate in the VEU program and to maintain the safety and integrity of the program. Notably, scheme participants also engage in the VEU program on a voluntary basis and in a professional capacity.

Right to a fair hearing (section 24 of the Charter)

New section 14FC(2) provides that a list of nominated activity participants must not include a nominated activity participant to whom a prohibition notice applies. Subsection (2)(c) requires the ESC to remove a nominated activity participant to whom a prohibition notice applies from the list as soon as practicable after issuing the prohibition notice. Section 40AC empowers the ESC to issue a prohibition notice if it has reasonable grounds to believe that a scheme participant has breached the requirements applying to the VEU scheme activity or has engaged in, or proposes to engage in, conduct that has caused or is likely to cause harm to human health or safety or damage to property. Insofar as this provision does not provide for scheme participants who are nominated activity participants to have advanced notice of their removal from the list, new section 14FC(2)(c) may engage the right to a fair hearing.

New section 15AAC(1)(a) and (b) provide that in making an activities Order under section 15AA, the Minister may specify a person or class of persons that are eligible to be accredited to undertake a nominated activity or who may undertake the activity for the purpose of the VEU scheme (as scheme participants). To the extent that the exercise of this power would serve to exclude potential accredited persons and scheme participants from undertaking nominated activities, these provisions also engage the right to a fair hearing.

The right to a fair hearing is set out in section 24(1) of the Charter, which provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision makers and may encompass the decision-making procedures of many types of tribunals, boards, and other administrative decision-makers with the power to determine private rights and interests. The right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided.

The intention underpinning new section 15AAC(1)(a) and (b) is to ensure that only competent and capable accredited persons and scheme participants undertake nominated activities. Furthermore, new section 14FC(2)(c) is intended to ensure that the list of nominated activity participants published and maintained on the ESC's website does not include scheme participants to whom a prohibition notice applies. The amendments seek to promote the integrity of the VEU program by ensuring that energy consumers have access to a list of nominated activity participants who are not subject to a prohibition notice. New section 14FC(2)(d) requires the ESC to include a nominated activity participant on the list as soon as practicable after a prohibition notice is revoked or ceases to apply. In addition, these provisions do not limit any judicial review rights that may otherwise be available to persons who may be affected by relevant decisions under the VEET Act. On balance, I am satisfied that any limitation to the right to a fair hearing is not unlawful as it has a legitimate purpose of ensuring safety and integrity of nominated activities.

Right to the presumption of innocence (section 25(1) of the Charter)

Clause 20 inserts new section 14FB(2) into the VEET Act. This provision makes it an offence for a scheme participant to provide information to an accredited person that purports to be evidence of their compliance

with the training or competency requirements that apply to a nominated activity if the scheme participant knows the information to be false or misleading.

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

New section 14FB(2) engages the right to be presumed innocent in that in it imposes an evidential burden on an accused to adduce evidence to establish that they did not know the information they provided to an accredited person was false or misleading. New section 14FB(2) does not shift the legal burden of proof onto the accused and the prosecution continues to bear the evidential burden in relation to the other elements of the offence. I do not consider that an evidential onus of this kind limits the right to be presumed innocent.

Clause 25 of the Bill amends the offence in section 20(7) of the VEET Act to extend it to an accredited person who creates a certificate in circumstances where the person reasonably ought to know the certificate contained incorrect information or did not comply with applicable requirements. While changes to the fault element of the offence may make it easier for the prosecution to prove an offence, the amendments do not shift the legal or evidentiary burden of proof. The prosecution is still required to prove all elements of the offence. Therefore, the amendments do not limit the Charter right to presumption of innocence.

Introduction of a target adjustment mechanism

Clause 35 introduces a mechanism to adjust VEU scheme targets (which are prescribed by regulation following a regulatory impact statement process), known as the target adjustment Order. The clause inserts new section 30A into the VEET Act, which empowers the Minister to publish an Order in the Government Gazette amending the VEU scheme target for a particular year. Orders will be legislative instruments within the meaning of the *Subordinate Legislation Act 1994*, to which the publications of that Act will apply. To ensure transparency and for ease of reference, new section 30A requires the Minister to ensure that an Order is published on the ESC's website as soon as practicable after being made.

In broad terms, the VEET Act requires energy retailers (known as relevant entities) to offset the greenhouse gas emissions associated with their sale of energy to consumers by acquiring certificates generated under the VEU program when energy efficiency activities are undertaken and surrendering these to the ESC. The VEU scheme target affects the number of certificates that relevant entities will need to acquire and surrender each year. The target adjustment amendment is relevant to the right to a fair hearing and the right to property.

Right to property (section 20 of the Charter)

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

New section 30A engages the right to property insofar as certificates are property. The power to make a target adjustment Order may engage this right in circumstances where the target is increased. The Minister may only make an Order if it is necessary to prevent high volatility in the price of certificates or to protect the stability of the market for transfer of certificates. An Order made under new section 30A ceases to exist on the later of either 31 December of the year in which the Order is made or the date by which the relevant entity is required to lodge an energy acquisition statement for the year in respect of which the Order is made. Any interference with the right will not be unlawful because it is authorised by an accessible and precise legislative framework, nor arbitrary, because it has a legitimate purpose of ensuring the market does not collapse and to maintain the safety and integrity of the VEU scheme. I am therefore satisfied that the target adjustment amendment does not limit the right to property.

Right to a fair hearing (section 24 of the Charter)

In interpreting the right to a fair hearing broadly, the new target adjustment Order may engage this right in circumstances where the target for the relevant year is increased. However, new section 30A(6) requires the ESC to notify all relevant entities that the VEU scheme target has been adjusted, and any adjustment will be done to preserve market stability and prevent high volatility of the price of certificates. Therefore, the right to a fair hearing is not limited.

ESC Information sharing powers

Clauses 47 and 48 of the Bill make amendments to sections 65 and 66 of the VEET Act, which deal with the ESC's powers to disclose information under the VEET Act. These amendments have been developed having

regard to the Guidance on Adopting Model Legislative Provisions and are intended to ensure that the ESC's powers to disclose information under the VEET Act are fit for purpose. To the extent that the amendments permit the ESC to disclose personal information, they engage the Charter right to privacy.

Right to privacy (section 13(a) of the Charter)

These amendments clarify that the ESC or a person authorised by the ESC may disclose personal information obtained or held by the ESC under the VEET Act for the purpose of performing a function or exercising a power under or in connection with the VEET Act. The amendments also expand the circumstances in which the ESC may disclose information obtained or held by the ESC under the VEET Act with public sector bodies, Councils (within the meaning of section 3(1) of the *Local Government Act 2020*) and government bodies in other States and Territories and the Commonwealth, confers an express power to disclose information to law enforcement agencies, such as Victoria police, for a law enforcement purpose, and enables regulations to be made to prescribe other persons, purposes and circumstances in which information may be disclosed. These amendments are consistent with the information privacy principles set out in the *Privacy and Data Protection Act 2014*, which enable (among other things) use or disclosure that is required or authorised by or under law, and will equip the ESC to overcome existing information sharing limitations. I am satisfied that any impacts on the right to privacy will not be unlawful or arbitrary as the disclosure of any personal information by the ESC would be authorised by an accessible and precise law. Any privacy implications of regulations that prescribe other persons, purposes and circumstances in which information may be disclosed, will be assessed when those regulations are made, in accordance with requirements under the *Subordinate Legislation Act 1994* to consider impacts on Charter rights.

Removal of the privilege against self-incrimination for bodies corporate

Sections 14AE, 14E and 55P were inserted into the VEET Act by the *Victorian Energy Efficiency Target Amendment Act 2022* and provide that individuals and bodies corporate may refuse or fail to provide information or disclose an adverse matter to the ESC or an auditor on the basis that doing so would tend to incriminate them. The purpose of these provisions was to protect the privilege against self-incrimination, which derives from the common law and is also reflected in section 25(2)(k) of the Charter.

Privilege against self-incrimination (section 25(2) of the Charter)

Section 25(2)(k) provides that a person charged with a criminal offence is entitled without discrimination to not be compelled to testify against themselves or to confess guilt. Clauses 50, 51 and 52 remove the privilege against self-incrimination for bodies corporate from sections 14AE, 14E and 55P of the VEET Act and as such engage section 25(2)(k) of the Charter. The purpose of these amendments is to bring sections 14AE, 14E and 55P into alignment with sections 52 and 62 of the VEET Act, which also protect the privilege against self-incrimination, but only for natural persons. These amendments also address operational challenges that have arisen in practice for the ESC in regulating corporate entities participating in the VEU program.

While clauses 50, 51 and 52 engage the Charter privilege against self-incrimination, the amendments do not limit the right, which only applies to individuals and not bodies corporate by virtue of section 6(1) of the Charter, which provides that only natural persons have human rights.

Clause 52 also removes a reference to section 55N from section 55P of the VEET Act. Section 55N makes it an offence for a person to, without reasonable excuse, give information to an auditor that they know or believe to be false or misleading in a material particular. During the course of drafting the Bill, it was determined that applying the privilege against self-incrimination (which protects a person's right to not provide information) to an offence which involves the actual provision of false or misleading information by a person is not in keeping with how the privilege against self-incrimination is designed to work in practice. The right protects a person's right to without information, it should not apply so as to permit a person to provide information that they know or believe to be false or misleading.

Expansion of authorised officer powers

Division 12 of Part 2 of the Bill contains a number of amendments which expand the powers of authorised officers under the VEET Act. These provisions will commence the day after the Bill receives Royal Assent, ahead of amendments that revise the terminology used within the legislation and the new activities Order provisions. To support this commencement timing, Division 13 of Part 2 provides for consequential amendments to the provisions amended by Division 12 which will take effect by proclamation on or before the default commencement date.

These expand the powers of authorised officers that are already contained within the VEET Act and provide for exercise the powers in accordance with the VEU scheme activity requirements specified in regulations and activities Orders.

Clauses 55 and 60 amend section 43 of the VEET Act to expand an authorised officer's powers under Part 7 of the VEET Act to also include monitoring compliance with the requirements of the regulations and the

requirements specified in an activities Order. Clauses 56 and 61 amend section 48 of the VEET Act to expand the monitoring powers of authorised officers to include the power to search premises under section 44 to search for any thing on a premises that relate to the undertaking of VEU scheme activities, the trading of certificates and monitoring compliance with the requirements of the Act, regulations and the requirements specified in an activities Order. Clauses 57, 58, 62 and 63 complement the amendments to section 48 and expand authorised officer powers to ask for information in line with their expanded monitoring powers. Clauses 59 and 64 complement the amendments to section 43 and provide that a magistrate may also issue a monitoring warrant if satisfied that it is reasonably necessary for authorised officers to have access to premises in order to monitoring compliance with the requirements of the regulations and the requirements specified in an activities Order. These provisions engage the Charter right to privacy.

Right to privacy (section 13(a) of the Charter)

These provisions engage two different aspects of the right to privacy.

Firstly, the amendments expand the reasons for which authorised officers may enter premises to monitor compliance. The Bill was developed after a Strategic Review was undertaken in relation the VEU program which made a number of recommendations to amend the legal framework to reflect the increasingly complex nature of VEU scheme activities, including activities that involve safety risks for VEU program participants and energy consumers. An example of one such activity is the installation of ceiling insulation, which was recently reintroduced into the VEU program. The activity is currently restricted to ceiling insulation installations in public and community housing. From 1 October 2026, this activity will be expanded to include installations in homes across Victoria.

In developing regulatory amendments to reintroduce this activity safely into the VEU program, the need to also amend Part 7 of the VEET Act to expand authorised officer powers to enter premises to monitor compliance was identified. In the case of ceiling insulation, these amendments will empower authorised officers to monitor compliance with the pre-installation safety requirements set out in the *Victorian Energy Efficiency Target Regulations 2018* (VEET Regulations), which include electrical and pre-installation safety checks. The extension of monitoring power to regulations will also provide for authorised officers to monitor compliance with the Code of Conduct for accredited providers and scheme participants set out in Schedule 6 to the VEET Regulations. As the Bill provides for the introduction of activities Orders to set VEU scheme activity requirements, the amendments provide for authorised officer powers to monitor compliance with the Act, regulations and activities Orders.

The expansion of authorised officer powers engages but does not limit the right to privacy. Any interference with a person's privacy would be lawful and not arbitrary because the VEET Act requires that either consent be obtained from the occupier of the premises or the authorised officer must have a monitoring warrant that is given by court order before entering premises. Participation in the VEU program is voluntary and the purpose of the amendments is to ensure that the safeguards set out in the legal framework are met. Authorised officers must exercise powers of search and seizure reasonably and must only enter premises at a 'reasonable' time of the day, must cause as little inconvenience as possible and must not remain on the premises any longer than is reasonably necessary. I am of the view that the amendments do not limit the right to privacy.

Secondly, to the extent that an authorised officer may ask or require information to be provided that may contain personal information, the right to privacy may also be engaged. Any interference with this right will not be unlawful or arbitrary and would be authorised by an accessible and precise law in relation to VEU program participants and energy consumers voluntarily engaging in the VEU program.

Publication of audit results

Clauses 53 and 54 set out amendments to the ESC's powers to publish audit result information in the VEET Act.

Section 55R of the VEET Act empowers the ESC to publish audit result information on its website. Clause 53 removes subsection (2), which currently restricts the ESC to only publishing audit information in circumstances where the auditor did not identify any significant issues. This amendment has the effect of broadening the ESC's power to publish audit information to include information where significant issues were identified by an auditor.

Clause 54 inserts new section 55S into the VEET Act. This provision sets out the procedural requirements that the ESC must comply with in order to publish audit result information which includes an adverse finding about an accredited person. These amendments engage the right to privacy and reputation and the right to a fair hearing.

Right to privacy and reputation (section 13(a) and (b) of the Charter)

To the extent that the amendments empower the ESC to publish the personal information of accredited persons, the right to privacy is engaged. I am of the view that the right is not limited, as the publication of personal information would be lawful and not arbitrary.

These amendments also engage section 13(b) of the Charter, which sets out the right to reputation. Section 13(b) of the Charter relevantly provides that a person has the right not to have their reputation unlawfully attacked. An 'attack' on reputation will be lawful if it is permitted by a precise and appropriately circumscribed law.

The purpose of the amendments is to promote the integrity of the VEU program by providing the ESC with the discretion to publish adverse audit information in circumstances where the procedural requirements have been complied with. These amendments are designed to provide energy consumers with more information about the accredited providers participating in the VEU program (all of whom do so voluntarily) and to equip them with more information about VEU program participants who have adverse audit findings. I am satisfied that the publication of adverse audit findings would only be permitted in accordance with the law and that the publication would not be done arbitrarily.

Right to a fair hearing (section 24 of the Charter)

These amendments engage the right to a fair hearing and have been developed so as to provide accredited providers with procedural fairness in relation to the publication of adverse audit findings. Clause 54 provides that before publishing adverse audit findings, the ESC must notify the accredited person and invite them to make a written submission as to why the information should not be published, which the Commission must then consider. On balance, I am satisfied that the right to a fair hearing is not limited as new section 55S accords procedural fairness to accredited persons ahead of the publication of any adverse audit results.

EI Act and GI Act amendments

Prohibition on specified administration fees

Parts 4 and 5 of the Bill set out minor amendments to the EI Act and GI Act, which introduce powers into both Acts for the Governor in Council to make Orders published in the Government Gazette regulating or prohibiting the imposition of specified fees or charges on energy consumers. Energy licensees (retailers) are required to comply with an Order, which expressly voids contractual terms and conditions between retailers and consumers to the extent that these are inconsistent with an Order.

These amendments engage the Charter right to property.

Right to property (section 20 of the Charter)

Section 20 of the Charter provides that a person must not be deprived of that person's property other than in accordance with the law. As a contractual right could be considered a property right, the EI Act and GI Act amendments engage this right. The voiding of contractual terms and conditions which are inconsistent with an Order may deprive persons of their property rights in relation to those energy supply contracts. However, the deprivation of property is confined to the circumstances set out in the amendments. Any deprivation is for the legitimate purpose of ensuring energy consumers are not charged administration fees, such as charges for providing a paper bill. I am satisfied that any deprivation of property would be in accordance with the law and not limit property rights under the Charter.

MRSD Act amendments

Clause 145 provides for a time-limited statutory continuation of the Hazelwood mining licence from 10 September 2026 until the declared mine rehabilitation plan for the Hazelwood mine site is approved by the Secretary to the Department of Energy, Environment and Climate Action. I note that the licence holder is a body corporate to which Charter rights do not apply (by virtue of section 6(1) of the Charter which provides that only natural persons have human rights).

The Hazelwood coal mine in the Latrobe Valley ceased mining in 2017 and is now undergoing long term rehabilitation regulated under the MRSD Act. Hazelwood is a declared mine, recognised as a complex, high-risk site that requires ongoing rehabilitation to address significant residual risks including spontaneous combustion, geotechnical instability and water management issues. The mining licence contains requirements to implement active risk controls for fire, slope stability and water systems, and to comply with regulatory directions. The mining licence is being extended so that these regulatory controls can continue until a Declared Mine Rehabilitation Plan is approved and registered.

The Bill does not authorise mining at Hazelwood but ensures continuation of the licence for rehabilitation purposes only. Other amendments to the MRSD Act expand the power to increase a rehabilitation bond and require rehabilitation liability assessment, so that this can apply to former licensees as well as current licensees.

The Charter rights that are relevant to the MRSD Act amendments are cultural rights, the right to a fair hearing and right to freedom from forced work.

Cultural rights (section 19 of the Charter)

Section 19(2) of the Charter recognises that Aboriginal persons hold distinct cultural rights and must not be denied the right to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs. Further, Aboriginal cultural rights co-exist with, and may extend beyond, rights in other legislative schemes, including the *Aboriginal Heritage Act 2006*, *Traditional Owner Settlement Act 2010*, *Native Title Act 1993* (Cth) and the recently enacted *Statewide Treaty Act 2025*.

The amendments to continue the Hazelwood mining licence engage section 19(2) cultural rights to the extent that the licence covers some public land and land within a recognised Traditional Owner area (Gunaikurnai land). As the amendments are continuing current arrangements, any cultural rights that may be exercised now, can continue to be exercised after the amendments take effect. Activities such as issuing a mining licence or varying a mining licence to expand the mine's footprint would trigger procedural rights under the *Traditional Owner Settlement Act 2010* and *Native Title Act 1993* (Cth). In this circumstance, these procedural rights would not be triggered given the mining licence is being extended and doing so does not create a right to mine. It is also noted that there are requirements for consultation with Traditional Owners on Declared Mine Rehabilitation Plans under the MRSD Act and *Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019*, which are not impacted by the proposed amendments. In my view these amendments do not limit section 19(2) cultural rights.

Right to a fair hearing (section 24)

In interpreting the right to a fair hearing broadly, as explained above, the right may be engaged due to the extension of the Hazelwood mine licence by clause 145 of the Bill that would otherwise expire and, as a result, natural persons continue to carry out mine rehabilitation activities. However, the right is not limited as it is necessary in the interest of rehabilitating the land so that the site is safe, stable and sustainable and ongoing risks are minimised following the long-term mining activity that was previously undertaken at the site.

Freedom from forced work (section 11)

In addition, in my view the right to freedom from forced work is not limited by clause 145 of the Bill, as any labour required by natural persons to undertake mine rehabilitation activities under the extended licence would fall within the scope of the exception to the prohibition in section 11(3) of the Charter, namely work or service that forms part of normal civil obligations, as explained above.

Conclusion

In conclusion, while the Bill engages certain relevant Charter rights, I am of the view that the Bill does not limit any of these rights and is therefore compatible with the Charter.

The Hon. Lily D'Ambrosio MP
Minister for Energy and Resources

Statement of treaty compatibility

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (15:08): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

1. In accordance with section 66 of the *Statewide Treaty Act 2025*, I table a statement of Treaty compatibility for the Energy and Resources Legislation Amendment (VEET Strategic Review and Other Matters) Bill 2026 ('the **Bill**').

2. In my opinion, the Bill is compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

3. This Bill amends the *Victorian Energy Efficiency Target Act 2007* (**VEET Act**), *Mineral Resources (Sustainable Development) Act 1990* (**MRSD Act**), *Electricity Industry Act 2000* (**EI Act**) and *Gas Industry Act 2001* (**GI Act**).

4. The VEET Act provides the legislative framework for the Victorian Energy Efficiency Target Scheme, known as the Victorian Energy Upgrades (VEU) program, which supports energy efficiency in Victorian households and businesses and contributes to reducing greenhouse gas emissions. The VEU program is intended to play a key role in achieving net zero and renewable energy targets that have been legislated under the *Climate Action Act 2017* and *Renewable Energy (Jobs and Investment) Act 2017*.

The amendments to the VEET Act broaden the purpose and objects of the Act to align with the program's future role in emission reduction measures, introduces new mechanisms to create a more flexible legal framework and expands and clarifies the Essential Services Commission's (ESC) role and statutory functions as program regulator and administrator.

5. The amendments to the MRSD Act provide for a time-limited statutory continuation of the Hazelwood mining licence for rehabilitation purposes only. The Hazelwood coal mine in the Latrobe Valley ceased mining in 2017 and is now undergoing long term rehabilitation regulated under the MRSD Act. Hazelwood is a declared mine, recognised as a complex, high-risk site that requires ongoing rehabilitation to address significant residual risks including spontaneous combustion, geotechnical instability and water management issues. The mining licence, which is due to expire on 10 September 2026, contains requirements to implement active risk controls for fire, slope stability and water systems, and to comply with regulatory directions. The mining licence is being extended so that these regulatory controls can continue until a Declared Mine Rehabilitation Plan is approved and registered. The Bill does not authorise mining at Hazelwood but ensures continuation of the licence for rehabilitation purposes only. Other amendments to the MRSD Act expand the power to increase a rehabilitation bond and require rehabilitation liability assessment, so that this can apply to former licensees as well as current licensees. This is consistent with other provisions in the MRSD Act related to rehabilitation that apply to both current and former licensees, for example the process for varying a rehabilitation plan, and will improve the ability to regulate rehabilitation that continues after licence expiry.

6. The amendments to the EI Act and GI Act clarify that pricing Orders under those Acts are not limited to standing offers, and can include regulating any tariff for the sale of electricity and gas to prescribed customers or a prescribed class of customers; introduce a power for the Governor in Council to prohibit electricity and gas retailers from charging specified groups of customers specified types of administrative fees; align the GI Act with the EI Act requiring persons who are exempt under an Order, to be listed on the Essential Services Commission's register of exempt persons; and correct a typographical error.

Consultation with the First Peoples' Assembly of Gellung Warl

7. Due to the recent establishment of the First Peoples' Assembly of Gellung Warl, it was not possible to give the First Peoples' Assembly the opportunity to advise on the Bill or otherwise make representations about the effect of the Bill on First Peoples.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

8. I have considered whether the Bill is compatible with the following objects set out at section 66(3)(d) of the *Statewide Treaty Act 2025*:

   8.1 advancing the inherent rights and self-determination of First Peoples; and

   8.2 addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and

   8.3 ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

9. The amendments to the VEET Act do not in their terms deal with First Peoples and their practical operation is not expected to have any differential effect on First Peoples. As explained in the overview, the amendments are directed to broadening and creating more flexibility in the legislative framework supporting energy efficiency measures under the VEU program. Following amendments made by the Bill, the impacts of specific activities under the VEU program will be separately considered before an activities order under the VEET Act is made to approve them.

10. The Hazelwood mining licence that is continued for rehabilitation purposes by the amendments to the MRSD Act covers some public land and land within a recognised Traditional Owner area (Gunaikurnai land). Activities such as issuing a mining licence or varying a mining licence to expand the mine's footprint would trigger procedural rights under the *Traditional Owner Settlement Act 2010 (Vic) and Native Title Act 1993 (Cth)*. In this circumstance, these procedural rights would not be triggered given the mining licences is being extended and doing so does not create a right to mine. It is also noted that there are requirements for consultation with Traditional Owners on Declared Mine Rehabilitation Plans under the MRSD Act and Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019, which are not impacted by the proposed amendments. The other amendments to the MRSD Act (described at paragraph 5 above) do not in their terms deal with First Peoples. Therefore, the amendments to the MRSD Act do not affect any of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*.

11. The amendments to the EI Act and GI Act do not in their terms deal with First Peoples. As explained in the overview, they clarify pricing orders made under those Acts and enable orders to be made under

those Acts relating to fees and charges to protect energy consumers and enable a register of gas exempt persons. The scope and application of any order made under those Acts specifying groups of consumers will be considered separately at the time of making those orders.

Conclusion

12. I consider the Bill does not affect any of the objects specified in section 66(3)(d) of the *Statewide Treaty Act 2025* and is therefore compatible with each of those objects.

Lily D'Ambrosio MP
Minister for Energy and Resources

Second reading

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (15:08): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The *Victorian Energy Efficiency Target Act 2007* (VEET Act) establishes the Victorian Energy Upgrades (VEU) program, the Victorian Government's flagship energy savings and emissions reduction program. It is the largest energy efficiency program in Australia. The VEU program helps Victorians to reduce their energy bills and greenhouse gas emissions by providing access to discounted energy efficient products and services. The VEU program is a major contributor to the achievement of Victoria's emission reduction targets established under the *Climate Change Act 2017*.

Since 2009, the VEU program has helped nearly 2.6 million Victorian homes and businesses access energy-saving technologies and upgrades, equivalent to abating more than 93 million tonnes of greenhouse gas emissions. The VEU program is one of the largest contributors to emissions reduction in the Victorian economy, driving investment, employment and innovation in industries that supply energy efficient products and services.

The VEU program has provided over $600 million in discounts for households and businesses to access more efficient and electric appliances. Between 2021 and 2025, the VEU program was estimated to avoid $3.8 billion1 in energy system costs, so even after accessing appliance discounts and getting real bill savings, every single Victorian is also avoiding extra energy costs they would have had to pay if the VEU did not exist to help drive down electricity demand.

While the program's success is evident, it is important to recognise that its operating environment has significantly changed since launching in 2009. Major developments in the energy sector have occurred. When the VEET Act was introduced in 2007, only 3% of Victoria's electricity came from renewables, and most was generated by brown coal. The VEU program now operates in a significantly different energy landscape. When the VEET Act was introduced, Victoria did not have renewable energy or emissions reduction targets. Victoria is now generating about 44% from renewables with 29% of homes generating their own solar energy, driven significantly by government's incentives through the Solar Homes program, delivering over 9% of Victoria's electricity generation in 2023–24.

Energy efficiency still has great value in the future of the VEU program as reduced electricity consumption from energy efficient installations continue to provide significant benefits for Victorian energy consumers, such as lower bills, increased generation capacity, and reduced infrastructure transmission and distribution costs.

After more than 16 years of the program's existence and in recognition of the changing energy landscape, in May 2024, the Victorian Government announced a Strategic Review of the VEU program. The review established a strong evidence base and robust governance arrangements to guide and inform its recommendations. Extensive stakeholder consultation was undertaken to ensure that its findings reflected diverse perspectives, as well as industry and consumer needs.

The review confirmed that the VEU program has been, and will remain, a central part of Victoria's energy transition, not just in supporting electrification through energy efficiency, but also in transitioning Victorian households and businesses away from gas or increasing gas efficiency when fuel switching is not possible.

With the VEU program's extension to 2045, this Bill will modernise the VEU program to ensure households and businesses can continue to cut their energy costs and reduce their emissions. This Bill will expand the

VEU program, embed flexibility in its legal framework to enhance program integrity, strengthening its responsiveness for the future of the energy transition.

Reforms enabling expansion of the VEU program

The Bill proposes to expand and strengthen the VEU program so that it can better support activities delivering system-wide benefits beyond emissions reduction and ensure that the VEU program can reach more Victorians.

Currently, the VEU program only includes activities that directly reduce emissions. Activities and technologies that indirectly reduce emissions by supporting complementary Government policy initiatives, such as electrification-enabling and flexible demand technologies, are ineligible to generate certificates in the program.

The current legal framework also does not allow for the use of targeted activity measures, such as offering greater incentives for the adoption of certain technologies, or to assist certain cohorts to engage with the VEU program. Victorian cohorts experiencing vulnerability, including low-income households and renters, may not be able to access the benefits of electrification or energy savings through the VEU program as easily as others.

These gaps limit the VEU program's potential to contribute to achieving Victorian energy policy and affordability objectives. The Strategic Review Bill will change this. The Bill will modernise the legal framework so that it recognises a range of environmental, economic and social benefits beyond direct emissions reduction, to meet Victoria's clean economy goals.

The *Victorian Energy Efficiency Target Act* will be renamed the *Victorian Energy* **Upgrades** *Target Act.* The Act's purpose and objects will be updated to establish and reflect VEU program's broader role in Victoria's energy transition: not just energy efficiency, but the efficient and effective use of energy.

Reforms enhancing the VEU program's flexibility and responsiveness

The Bill will strengthen flexibility and responsiveness in the legal framework to ensure that the VEU program can adapt as energy systems and market conditions change, delivering energy bill savings for all Victorians.

The Bill will simplify this process for the bringing in of new activities by enabling activities to be declared through Activities Orders, instead of the Act's Regulations, which is an overly burdensome and time heavy process.

VEU targets are based on modelling and assumptions about anticipated activity uptake, typically in 5 yearly cycles. When actual activity diverges from assumptions made in VEU target-setting, this significantly increases the risk of volatile certificate prices affecting compliance costs for obligated parties, installation costs for industry and ultimately the discounts available to customers.

The Bill addresses the risks associated with an exceptional divergence from the set targets by enabling the Government to adjust the VEU program targets by Order when needed, under certain circumstances, to safeguard the integrity and stability of the market.

Further, the Bill will allow relevant entities to carry forward 10% of their certificate liability into the next year. Requiring payment the following year preserves the integrity of the annual target by ensuring that liabilities will still be met. This practical flexibility in supporting obligated parties to achieve compliance, helps ensure on-the-ground delivery of activities and certificates, contributing to the scheme's intended outcomes.

Reforms enhancing the VEU program's integrity

Customers are at the heart of the VEU program. It is a key priority to enhance program integrity and reduce the risk of consumer harm.

The Bill enhances the regulator's monitoring and enforcement capability, clarifies responsibilities, improves transparency around rebates and certificate transfer prices, and supports stronger complaints and dispute resolution pathways to safeguard VEU customers.

The Bill also creates the ability to set training and competency requirements for highly complex, specialised or sensitive upgrades or services. This gives assurance that only suitably qualified persons undertake activities.

The regulator will be empowered to reduce red tape for industry by granting accreditation for longer periods, shifting focus to ongoing compliance after accreditation, and providing guidelines to give clarity to program participants and ensure consistent administration.

The Bill also clarifies responsibilities of Accredited Providers, by requiring details of discounts provided to customers.

The Bill also strengthens complaint and dispute pathways by setting requirements for participants in specified activities to be members of an independent complaints and dispute resolution body. Training and competency requirements for program participants who undertake highly specialised or sensitive activities will be put in place to ensure safe and compliant delivery.

Finally, the VEU program will be reviewed by 1 October 2032 and every 5 years thereafter, to ensure that the program continues to meet its objectives until its conclusion in 2045.

The Bill's suite of reforms will modernise the VEU program, ensuring it remains effective in Victoria's energy transition while continuing to deliver lower bills and energy savings for all Victorians.

In addition, the Bill contains the following additional amendments:

Amendments to the *Electricity Industry Act 2000* (EIA) and the *Gas Industry Act 2001* (GIA)

The Bill will include amendments to strengthen energy consumer protections in the EIA and GIA to give effect to critical energy consumer protection reforms agreed at the Energy and Climate Ministerial Council (ECMC) on 19 July 2024. The Bill will include a clarification that Orders made under section 13 of the EIA and section 21 of the GIA are not limited to the standing offers and can include regulating any tariff for the sale of electricity and gas to prescribed customers or a prescribed class of customers. This allows additional pricing Orders to be made to regulate prices without any unintended consequences for the Victorian Default Offer (VDO).

The Bill will also introduce a new head of power to enable the Governor in Council on the recommendation of the Minister to regulate or prohibit licensees from imposing specified fees or charges on a customer or class of customers.

Finally, the Bill will align the GIA with the EIA process, requiring persons who are exempt under an Order, to be listed on the Essential Services Commission's register of exempt persons. This will ensure consistency across both frameworks and provide the ESC and the public with visibility of gas exempt persons. The Victorian Government is committed to maintaining Victoria's strong energy consumer protections and these reforms will ensure that the energy law operates as intended.

Amendments to the *Mineral Resources (Sustainable Development) Act 1990* (MRSD Act)

The Bill includes amendments to maintain effective regulation of rehabilitation at Hazelwood mine until the Hazelwood Declared Mine Rehabilitation Plan is approved and becomes the main regulatory instrument governing rehabilitation at the site. The Bill will ensure Hazelwood's mining licence continues to apply until this occurs. Doing so does not authorise mining at Hazelwood mine and the licence will only regulate rehabilitation activities at the site.

The amendments also preserve the ability to increase rehabilitation bonds where rehabilitation is not complete after licence expiry.

This will ensure that site-specific requirements for managing risks and the associated statutory enforcement framework will continue to apply. Regulatory continuity supports the effective management of public safety, environmental and financial risks.

I commend the Bill to the house.

James NEWBURY (Brighton) (15:09): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 2 July.

Firearms Amendment Bill 2026

Statement of charter compatibility

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (15:10): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the **Charter**), I make this Statement of Compatibility with respect to the Firearms Amendment Bill 2026 (the **Bill**).

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

Overview of the Bill

The Bill introduces amendments to the *Firearms Act 1996* (**Firearms Act**). The purpose of the Bill is to amend the Firearms Act to:

- ensure the continuation of the firearm prohibition order (**FPO**) scheme;
- make further provision for the categorisation of firearms;
- increase penalties for offences relating to trafficking of firearms and FPOs;
- impose a citizenship requirement and a background check requirement on the holding of a licence under the Firearms Act;
- make consequential amendments to the *Firearms Amendment Act 2018*.

Human Rights

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

- the right to equal protection of the law without discrimination (section 8(3));
- the right to property (section 20); and
- the right to a fair hearing (section 24(1)).

Human Rights issues

Continuation of the FPO scheme

Part 2 of the Bill deals with the continuation of the FPO scheme introduced by the *Firearms Amendment Act 2018* (the **Amendment Act**). Clauses 4, 5 and 6 repeal provisions of the Firearms Act and Amendment Act which collectively operated to effect the sunset of the FPO scheme on 8 May 2028, being 10 years after the scheme came into operation. The effect of these amendments is to make the FPO scheme permanent.

Making the FPO scheme permanent does not itself impose any new limits on human rights, but rather continues the limitations imposed by the Amendment Act when inserting Part 4A in the Firearms Act. I refer to the to the Statement of Compatibility which accompanied that Bill for a discussion of the human rights impacts of the already existing scheme.

While this Bill does not alter the substantive nature of the scheme beyond extending the duration of its operation, I acknowledge that the limitations on human rights affected by Part 4A of the Firearms Act are significant. While the majority of the rights limited by the Amendment Act were – for the reasons set out in the Statement of Compatibility for the Amendment Act – reasonably justified under s 7(2) of the Charter, the Minister introducing the Bill acknowledged that the FPO scheme may be incompatible with the right to privacy and the right of children to such protection as is in their best interests. This was because of police search powers having a low threshold precondition and that the FPO scheme applies to children under the age of 18 without modification as to the vulnerability of children. Notwithstanding the incompatibility, the Minister considered the FPO scheme appropriate and of pressing importance to protect the community from the risk of harm associated with increases in firearm-related offending – particularly in the context of serious and organised crime groups – where other law enforcement powers, including the 'prohibited persons' scheme, had proven inadequate. Reliance was also placed on the effectiveness of similar schemes in other jurisdictions.

In introducing this Bill, which has the effect of making the FPO scheme permanent, I am of the view that the limitations on human rights occasioned by the FPO scheme – and as dealt with in the statement of compatibility for the Amendment Act – while significant, continue to be warranted in order to protect public safety, and are justified in a free and democratic society based on human dignity, equality and freedom. The FPO scheme, being a civil prohibition order scheme, authorises proactive crime prevention and is in my opinion an effective complement to the prohibited person scheme that applies to a person after a judicial process. When taken together, the FPO scheme and the prohibited person scheme form an integrated suite of crime prevention and law enforcement tools to protect the community from firearms-related violence. Based on Victoria Police advice, it is my opinion that it is necessary to continue the FPO scheme to provide Victoria Police with all of the powers reasonably required to respond to, and to prevent, the serious risks to life and community safety occasioned by violent firearm-related offending.

Categorisation of Firearms

Part 3 of the Bill concerns the categorisation of firearms and extends the legislative mechanisms to temporarily categorise classes of firearms. Clause 8 amends section 3A(1) of the Firearms Act to authorise the Chief Commissioner, after consulting with the Minister, to make a temporary declaration that has the effect of re-categorising any firearm or type of firearm (other than an antique handgun or black powder handgun).

The amendments to section 3A may have a resulting adverse effect on some licence holders' property rights in that the re-categorisation of a firearm may mean that a person owning such a firearm no longer holds the appropriate category of licence to possess, carry or use that firearm, which may temporarily deprive them of property rights in relation to their continued possession, carriage or use of that firearm.

However, if a declaration is made by the Chief Commissioner, the Chief Commissioner must notify each person who is in possession of a firearm to which a declaration applies and the Chief Commissioner retains the discretion to allow an existing licence holder to continue to possess the firearm, or to renew their licence, in order to continue possessing, carrying or using that firearm. Also, the Chief Commissioner, when exercising their discretion to make a declaration under section 3A, is a public authority for the purposes of the Charter and is required to give proper consideration to the rights of any cohort of persons affected by the declaration, and act compatibly with those rights.

On this basis, I do not consider the property right in section 20 of the Charter to be limited by Part 3 of the Bill. To the degree that Part 3 does constitute a limit on the right to property, it is reasonably justified. The Rapid Review of Victoria's Firearms Laws conducted Ken Lay AO APM identified existing classifications powers as too limited with the effect of restricting the ability to respond flexibly to changes in firearm design and risk. This amendment seeks to protect public safety and implement the recommendations of the Rapid Review.

Citizenship requirement on the holding of a licence under the Firearms Act

Part 6 of the Bill deals with the new citizenship requirement for the holding of a firearms or dealers licence under the Firearms Act. Clause 21 inserts new section 3D in the Firearms Act which introduces a citizenship requirement that restricts the availability of firearms licences to Australian citizens, New Zealand citizens who are Australian permanent residents in Australia and non-citizens of a class that is prescribed to satisfy the citizenship requirement. New section 3D(2) provides an exemption from the citizenship requirements if a person reasonably requires a firearm to earn a livelihood or belongs to a class of persons that is prescribed in the regulations to be exempt from the citizenship requirement. Section 3D(3) provides that a body corporate satisfies the citizenship requirement if each officer of the body corporate satisfies the citizenship requirement or is exempt from the citizenship requirement.

Clauses 22 to 26 and 28 to 30 insert in various provisions of the Firearms Act relating to various types of licence applications and renewals, the requirement that the Chief Commissioner ***must*** not issue a licence unless the Chief Commissioner is satisfied that the applicant satisfies the citizenship requirement or is exempt from that requirement.

Clause 27 inserts new section 46C in the Firearms Act, which provides that the Chief Commissioner ***must***, if satisfied that a firearms licence holder does not satisfy the citizenship requirement and is not exempt from that requirement, cancel the licence holder's licence. The provision requires the Chief Commissioner to invite the licence holder to provide evidence of their citizenship or exemption status, and to consider such evidence, before cancelling the person's licence. Clause 31 inserts a similar provision providing for the cancellation of dealers licences under the Act. The cancellation of dealers licences under this provision extends to circumstances where the Chief Commissioner is satisfied that either the licence holder, a responsible person in relation to the licence, or a person employed in the business does not satisfy the citizenship requirement and is not exempt from that requirement.

Right to equality and non discrimination (s 8)

Section 8(3) of the Charter relevantly provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. 'Discrimination' under the Charter is defined by reference to the definition in the *Equal Opportunity Act 2010* (**Equal Opportunity Act**). The Equal Opportunity Act defines discrimination to mean discrimination on the basis of an attribute listed in section 6 of that Act and includes 'race' which in turn is defined to include 'nationality' or 'national origin'. Whether nationality or national origin takes in 'citizenship' is unclear and will likely depend on context. This being so, I accept that on a broad view, nationality may be treated as tantamount to citizenship.

The purpose of section 8(3) of the Charter is to ensure that all laws and policies are applied equally, and do not have a discriminatory effect. Direct discrimination occurs where a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. Adopting the broad reading of 'race' and 'nationality', the citizenship requirement introduced in the Firearms Act as it relates to licences could be considered as having a discriminatory effect on non-citizens and persons not otherwise exempt from the citizenship requirement, either directly or indirectly.

To the extent that the right is limited, it will be reasonably justified. As a starting point, differential treatment on the basis of being a non-citizen commonly occurs in many aspects of basic public life, such as in relation

to eligibility for employment, voting rights, receipt of government benefits and services. The introduction of the citizenship requirement serves the important objective of implementing the agreement between the National Cabinet and state governments to, in the wake of the Bondi terror attack, overhaul and strengthen firearm controls and reduce firearms-related harm in Australia, including by restricting gun ownership to Australian citizens. In this regard, South Australia and Western Australia already have legislated citizenship requirements for firearm licences.

Secondly, the Rapid Review found that background checks conducted by Victoria Police primarily relied on Victorian intelligence holdings and self-declarations, and that international police checks presented challenges in accessing information through established methods and where intelligence holdings are inherently constrained.

Further, the National Firearms Agreement, established in response to the Port Arthur massacre in 1996, affirms that firearms possession and use is a privilege that is conditional on the overriding need to ensure public safety. The privilege of owning a firearm is an appropriate one to link to citizenship, which recognises a social contract between the person and their country of citizenship, and ensures that individuals who possess lethal weapons have a demonstrated long-term allegiance and accountability to the country. Citizenship comes with fundamental obligations and privileges, such as voting, and an allegiance of loyalty to Australia, its people, its democratic beliefs and the upholding of its laws. It is accordingly appropriate that the privilege, and solemn responsibility, of firearm possession, ownership and use be reclassed as a special privilege of a citizen. Notably, the citizenship requirement is subject to a specific carve-out for New Zealand permanent residents which reflects the unique Australia – New Zealand relationship and existing visa and information-sharing arrangements.

In addition, and importantly, from a human rights perspective, the United Nations and international human rights bodies do not generally recognise firearm ownership as a right and instead support governments adopting strict gun control measures to discharge their positive obligation to protect and promote the right to life (to which section 9 of the Charter is based). The prevailing consensus of international human rights treaty bodies is that collective public safety and the preservation of life outweigh individual persons' desire for firearm ownership and there is an expectation that governments take reasonable steps to prevent firearms related violence committed by civilians.

For these reasons, I am of the opinion that the right to equal protection of the law without discrimination, if limited by the citizenship requirement introduced in Part 6 of the Bill, is reasonably justified.

Right to property (s 20)

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. For an unlawful deprivation of property to occur, the interest affected, or interfered with, must be 'property'. While property is not defined under the Charter, property is likely to include all real and personal property interests recognised under general law and may extend to holding a licence.

By inserting the citizenship requirement as a condition for the approval and renewal of firearms and dealers licences, and non-citizenship a ground for cancellation of firearms and dealers licences, the Bill expands the grounds upon which the Chief Commissioner may refuse or remove the right to hold a licence under the Firearms Act. While the loss of the regulatory permission to hold a licence under the Firearms Act is unlikely on its own to constitute a deprivation of property within the meaning of the right, the implication of the loss of a regulatory permission to hold the licence – and potentially also the prospect of holding a licence – is that the person is not permitted to possess, carry or use firearms, which may in turn impede their private property rights. Further, if a person whose licence is not renewed or cancelled does not dispose of their firearm, they will commit an offence under the Firearms Act.

This being so, the citizenship requirement introduced by this Bill is clear and certain, publicly accessible and is not, for the reasons set out above, arbitrary (capricious, unpredictable, unjust or unreasonable), in the sense of being disproportionate to the legitimate aim sought. Additionally, firearms can be used as a lethal weapon that are by their nature heavily regulated and restricted. The conditional nature of a firearms licence, including the prospect of holding one, are subject to statutory conditions that may be altered by statute. Accordingly, a person cannot reasonably hold an expectation that their property rights in relation to regulated items such as firearms are unconditional and everlasting.

I therefore do not consider the citizenship requirement, as introduced by Part 6 of the Bill, to limit the right to property in section 20 of the Charter.

Right to a fair hearing (s 24)

Section 24(1) of the Charter provides that a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision makers but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests.

If a broad reading of section 24(1) of the Charter is adopted so as to apply to administrative decision-making that affects existing rights and interests, it may be said that the Chief Commissioner's power to refuse to renew, or to cancel a licence, engages the fair hearing right. In my view these amendments will not limit the right as the exercise of the power will be subject to procedural fairness and adequate review.

The Bill imposes a duty on the Chief Commissioner to take an administrative action, being to cancel a licence, if the Chief Commissioner forms the required state of mind. The Bill affords procedural fairness by requiring the Chief Commissioner, after forming a reasonable belief that there are grounds to give written notice of the matter to the licence holder and invite the licence holder to cancel a licence, to comply with a series of procedural requirements, which include serving a notice, inviting and considering evidence that they satisfy the citizenship requirement or are exempt from the licensee, and forming a state of satisfaction within 28 days after the notice is served.

Further, new sections 46C(5), 76B(5) and 76C(5) provide for a non-prohibited person to apply to the Firearms Appeals Committee for review of the decision to cancel a firearms or dealers licence, including for failing to comply with procedural requirements or where the Chief Commissioner ought to have been satisfied on the evidence that the individual satisfied the citizenship requirement or was exempt from that requirement.

I therefore consider that Part 6 of the Bill is compatible with the right to a fair hearing in section 24(1) of the Charter.

Firearms background checks

Part 7 of the Bill concerns firearms background checks and introduces the additional requirement that all persons who hold a firearms licence must hold and maintain a firearms background check within the meaning of the Commonwealth *AusCheck Act 2007* that does not include an adverse criminal intelligence assessment or an adverse security assessment. The Bill prohibits the Chief Commissioner from issuing or renewing a firearms or dealers licence to a person unless the person is subject to a firearms background check under the AusCheck scheme that does not include an adverse assessment. The Bill also requires the Chief Commissioner to cancel a firearms or dealers licence on becoming aware that the holder of the licence is subject to aa firearms background check under the AusCheck scheme that includes an adverse criminal intelligence assessment or an adverse security assessment.

Right to property (s 20)

Clauses 39 and 43, which insert in sections 42(2) and 73(1) of the Firearms Act the requirement that the Chief Commissioner refuse to renew a firearms or dealers licence where the applicant – and in the case of a dealers licence, all the responsible persons in relation to that application and persons employed in the business – does not satisfy the firearms background check requirement, engages the property right in s 20 of the Charter for the same reasons as discussed above in relation to the citizenship requirement.

Similarly, clauses 40 and 44, which insert in sections 46 and 76, and clause 45, which inserts new section 76C, introduces the requirement that the Chief Commissioner cancel a firearms or dealers licence where the applicant – and in the case of a dealers licence, all the responsible persons in relation to that application and persons employed in the business – does not satisfy the firearms background check requirement, does for the same reasons as discussed above in relation to the citizenship requirement, engage the property right in s 20 of the Charter.

For the same reasons as set out in the above discussion on the property right in relation to the new citizenship requirement, I do not consider the firearms background check requirement, as introduced by Part 7 of the Bill, to limit the right to property in section 20 of the Charter.

Conclusion

I consider that the Bill is compatible with the Charter as outlined in this statement.

The Hon. Anthony Carbines MP
Minister for Police
Minister for Community Safety
Minister for Victims
Minister for Racing
Leader of the House

Statement of treaty compatibility

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (15:10): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

In my opinion, the Bill is compatible with the objects set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The Bill amends the *Firearms Act 1996* (the Act) to progress reforms that will:

- ensure the continuation of the firearm prohibition order (FPO) scheme;
- make further provision for the categorisation of firearms;
- increase penalties for offences relating to trafficking of firearms and FPOs;
- impose a citizenship requirement and a background check requirement on the holding of a licence under the Firearms Act;
- make consequential amendments to the Firearms Amendment Act 2018.

Consultation with the First Peoples' Assembly of Gellung Warl

Due to the recent establishment of the First Peoples' Assembly of Gellung Warl, it was not possible to give the First Peoples' Assembly the opportunity to advise on the Bill or for them to otherwise make representations about the effect of the Bill on First Peoples.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the *Statewide Treaty Act 2025*:

advancing the inherent rights and self-determination of First Peoples; and

addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and

ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

Advancing the inherent rights and self-determination of First Peoples

In my opinion, the Bill does not in its terms deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, affect the object of advancing the inherent rights and self-determination of First Peoples.

While the Bill does not include any provisions that are explicitly directed at First Peoples, the Act which it modifies contains certain safeguards for the FPO scheme that are directly regarding First Peoples. These safeguards are relevant to the proportionality analysis regarding ensuring the equal enjoyment of human rights and fundamental freedoms enjoyed by First Peoples below.

Addressing unacceptable disadvantage inflicted on First Peoples

In my opinion, the Bill does not in its terms deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, affect the object of addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation.

Ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

Apart from the amendments to make the FPO scheme permanent, the Bill does not in its terms deal with First Peoples, nor is it expected that any other aspects of the Bill will, in practice, affect the object of ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

I note that the amendments to make the FPO scheme permanent engage a number of human rights protected under the *Charter of Human Rights Act 2006* (Charter).

The FPO scheme is a civil prohibition order scheme that authorises the Chief Commissioner of Police (CCP) to make a discretionary order against an individual aged 14 years or more if the CCP is reasonably satisfied that it is contrary to the public interest for the individual to have access to a firearm or firearm-related item. The CCP may have regard to the criminal history of an individual, their behaviour or associates, and to criminal intelligence when exercising this discretion.

The impact of an FPO on an individual aged 14 years or more is significant. A person subject to an FPO is exposed to additional offences and extended police powers, including a prohibition on entering or

remaining in a range of premises, a duty to surrender any firearm or firearm-related item to police, and exposure to additional search powers allowing a police officer to, without warrant or consent, enter and search the premises of the person subject to the FPO and to search any vehicle, vessel or aircraft that is in the charge of the person subject to the FPO or where they are a passenger thereof. A person subject to an FPO can be searched by a police officer to verify compliance with the FPO and can be detained for as long as necessary for the search to be conducted. Persons accompanying a person subject to an FPO can also be searched.

The FPO scheme commenced in 2018, limited to operation for period of 10 years, and was expressed to be a response to an urgent and pressing threat to public safety and order, deferring consideration of the need for an ongoing scheme to a future parliament.

As the Bill will make the FPO scheme permanent, it engages Charter rights regarding the operation of the scheme, including those rights identified as engaged when the FPO scheme was first introduced in the *Firearms Amendment Act 2018*. These rights include the right to privacy (section 13), the right to protection of children (section 17), the right to property (section 20), the right to freedom of association (section 16(2)), the right to fair hearing (section 24), the right to freedom of movement (section 12), and the right to protection against self-incrimination (section 25(2)(k)).

Although the Bill does not include any provisions that apply specifically to First Peoples, I note that despite efforts under the Closing the Gap National Agreement and related efforts under the Aboriginal Justice Agreement, First Peoples remain significantly overrepresented across the criminal justice system. The Yoorrook Justice Commission's Yoorrook for Justice report found this was in part driven by a 'pattern of systemically racist policing' noting that while this 'does not characterise the whole of policing in Victoria, it is widespread and ingrained'.

I further note that First Peoples are marginally overrepresented as a proportion of the population subject to FPOs. In the period from 2021 to 2025, a total of 1885 FPOs were issued, with 7 percent of all FPOs issued against an individual identifying as an Aboriginal and/or Torres Strait Islander. First Peoples accounted for less than 2 percent of the Victorian population in the relevant period.

Considering the impacts that the discretion and significant powers under the FPO scheme have on human rights generally, the overrepresentation and bias faced by First Peoples in interactions with police generally, and the overrepresentation of First Peoples subject to FPOs, I note that the Bill's amendments to make the FPO scheme permanent and the resulting ongoing potential for the disproportionate application of the FPO scheme on First Peoples, may result in the unequal enjoyment of human rights and fundamental freedoms by First Peoples.

While the Bill may limit the achievement of the objects in section 66(3)(d)(iii) as outlined above, in my opinion the limitations are proportionate and therefore compatible with these objects. In particular I note that:

the Bill applies universally to all individuals, not specifically or only to First Peoples;

a FPO can only be made if the CCP is satisfied that it is in the public interest to do so because of the criminal history of the individual; because of the behaviour of the individual; because of the people with whom the individual associates; or because, on the basis of information known to the CCP about the individual, the individual may pose a threat or risk to public safety;

the Bill has been developed to reform Victoria's firearms regulatory scheme and provisions of the *Firearms Act 1996* that target illicit firearms to comply with National Cabinet's imperative to take strong, decisive and focused action on firearms law reform following the Bondi Beach terrorist attack on 14 December 2025;

the FPO scheme is subject to a stringent independent oversight regime by the Independent Broad-Based Anti-corruption Commission (IBAC) which includes biennial ministerial reports reviewing the FPO scheme, a general power to monitor and report on the exercise of powers and the performance of duties and functions of the CCP and members of Victoria Police regarding the FPO scheme, and the review of a representative sample of cases where an FPO is ordered;

the Act also includes specific provisions to protect First Peoples within the FPO scheme including requirements that:

when a Magistrate is considering whether to issue a search warrant for service of an FPO they may have regard to whether there is likely to be any First Peoples at the premises at the time of the search;

the Victorian Aboriginal Legal Service is notified when certain police powers regarding FPOs are exercised in relation to children (aged 14 to under 18 years of age), including:

when a police officer is reasonably satisfied that a service direction determination applies to a child and directs them to remain in place or go to a police station or other safe place, and

as soon as practicable after detaining a child under an FPO service search warrant;

the CCP must make written records of searches under FPO service search warrants that relate to First Peoples;

IBAC has broad powers to monitor the use of police powers relating to FPOs and the CPP must report to IBAC every three months on certain matters, including regarding all First Peoples who were the subject of service direction determinations and service search warrants under the FPO scheme; and

a range of data regarding FPOs and the exercise of FPO-related police powers must be included in the Victoria Police annual report.

Conclusion

For the reasons set out above, in my opinion the Bill is compatible with the objects specified in section 66(3)(d)(i) to (iii) of the *Statewide Treaty Act 2025*.

The Hon. Anthony Carbines MP
Minister for Police
Minister for Community Safety
Minister for Victims
Minister for Racing
Leader of the House

Second reading

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (15:10): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The Victorian Government is unwavering in its commitment to ensure the firearms industry operates safely and only those who are licensed and have a legitimate reason can access a firearm. The Firearms Amendment Bill 2026 (the Bill) continues our focus on improving firearm safety and protecting the community from the dangers of serious and organised criminals, while at the same time balancing the interests of legitimate firearms users including our recreational hunters, sports shooters and primary producers.

The overarching purpose of *Victoria's Firearms Act 1996* (Firearms Act) is to give effect to the principle that the possession, carriage, use, acquisition and disposal of firearms are conditional on the need to ensure public safety and peace. Keeping Victorian's safe is the Government's number one priority and this Bill further demonstrates this, including through increasing penalties for offences under the Firearms Act that target serious and organised criminality and keeping firearms out of the hands of the wrong people.

The amendments in this Bill have been carefully developed in the context of National Cabinet's decision to take strong, decisive and focussed action on firearms law reform following the abhorrent, antisemitic terrorist attack at Sydney's Bondi Beach on 14 December 2025. The development of this Bill has been informed by the Rapid Review of Victoria's Firearms Laws, conducted by Mr Ken Lay AO APM. On 25 May 2026 the final report on the Rapid Review of Victoria's Firearms Laws as well as the Government Response were released publicly. That same day, the Premier made the Government's position on immediate firearms reform clear – through this Bill the Government is making it even harder for a gun to fall into the wrong hands.

This Bill does not place any cap on the number of firearms that individual firearms licensees can lawfully have. The Government recognises the legitimate need for sectors of the community, such as primary producers, professional and recreational hunters, and sports shooters, to lawfully possess, carry and use firearms. Firearms licensees are subject to extensive regulatory scrutiny with the vast majority of firearms owners being law abiding members of the community. Amendments in this Bill will enhance Victoria Police's regulatory toolkit to ensure this continues to be the case.

I turn now to the detail of the reforms in the Bill.

The Bill introduces a citizenship requirement for firearms licensing which will be satisfied by an individual who is an Australian citizen, a New Zealand citizen who is an Australian permanent resident or an individual of a class that is prescribed by the Regulations to satisfy the citizenship requirement. The Bill exempts an individual from the citizenship requirement if they reasonably require a firearm to earn a livelihood or they are an individual in a class that is prescribed by the Regulations to be exempt from the citizenship requirement.

These new citizenship provisions will come into effect on a date to be proclaimed. This will enable a number of elements to be progressed first, including a review of the Firearms Regulations 2018 to further refine the application of the amendments, work by Victoria Police on an upgraded firearms licensing system, and the Commonwealth work to establish the AusCheck scheme. I anticipate the precise proclamation dates will be in line with other jurisdictions and reflect ongoing national dialogue.

The Bill introduces a Commonwealth firearms background check requirement for firearms licensing that will leverage Australian Security Intelligence Organisation – ASIO – and Australian Criminal Intelligence Commission – ACIC – national intelligence information through AusCheck. Once the provisions come into operation, an AusCheck criminal history check will be required for all new firearms licence applicants and existing licensees when they next seek to renew their firearms licence. Additionally, the relevant intelligence agencies and Victoria Police may initiate an own motion check outside of the licensing cycle if new information comes to light suggesting an individual may pose a security or organised crime risk.

AusCheck currently provides background checks for critical infrastructure workers in Australia, specifically determining eligibility for unsupervised access to secure areas in the aviation and maritime industries, in national health facilities, major national events and security-sensitive critical infrastructure sectors. AusCheck provides its background checking services through a legislative framework established by the *AusCheck Act 2007* of the Commonwealth and supporting Regulations. The *Combatting Antisemitism, Hate and Extremism (Firearms and Customs Laws) Act 2026* of the Commonwealth, which came into force on 21 January 2026, laid the foundation for a new Commonwealth background checking framework for firearms licensing leveraging the AusCheck agency and expanding its remit to ensure that Commonwealth intelligence can inform firearms licence decision making in every state and territory.

The amendments in relation to citizenship and allowing for the additional use of national intelligence information to underpin firearms licensing are two key initiatives agreed by First Ministers at National Cabinet on 15 December 2025. This action immediately followed the Bondi terrorist attack and is a significant development in Australia's approach to firearms regulation that are largely nationally agreed in principle at this time.

The Bill repeals provisions of the *Firearms Act and the Firearms Amendment Act 2018* relating to Firearm Prohibition Orders (FPOs) that were to sunset on 8 May 2028, 10 years after their original commencement. These amendments will enable Victoria Police to continue using FPOs as an invaluable tool for disrupting serious and organised criminals and keeping firearms out of their possession into the future. The Bill does not in any way change the substantive nature of the FPO scheme, which will continue with the same features beyond 8 May 2028.

Since 2018, the FPO scheme has played an important role in Victoria Police's ability to detect and disrupt illicit firearms offending. The FPO scheme operates together with the existing prohibited person scheme under the Firearms Act to target individuals who want to possess, carry and use firearms for entirely unlawful proposes. As a civil prohibition order scheme, the FPO scheme was anticipated to be a gamechanger in driving down firearms harm when it was first introduced, and this has proven to be the case. As of May 2026, Victoria Police has issued 2,788 FPOs with a cumulative total of 2,017 charges having been laid related to FPO breaches under specific FPO powers. When Victoria introduced FPOs only a few Australian jurisdictions had implemented such a civil scheme; now almost every jurisdiction has legislated its own FPO scheme, largely consistent with Victoria's.

A person who is subject to an FPO is exposed to prohibitions and penalties that do not apply generally to any other citizen. Those prohibitions and penalties can be imposed on an individual if the Chief Commissioner is satisfied that it is in the public interest to do so because of the criminal history of the individual, or because of the behaviour of the individual, or because of the people with whom the individual associates, or because on the basis of information known to the Chief Commissioner about the individual, the individual may pose a threat or risk to public safety. An FPO must be served on an individual to be enforceable against them.

The Victorian Government has already demonstrated its commitment to giving Victoria Police the powers it needs to use the civil FPO scheme effectively. Amendments to the Firearms Act that came into operation in November 2024 addressed issues raised by police regarding FPO subjects avoiding service of the orders. Those amendments empowered the Chief Commissioner to make a service direction determination to authorise police to stop and detain a person in a public place and direct the person to attend a police station to

effect service of an FPO. The amendments also allowed for the issue of a service search warrant by a magistrate, enabling police to enter premises to serve an FPO subject, and persons may be served with an FPO by registered post if they are detained or imprisoned. This Bill now makes the FPO scheme a permanent policing tool in recognition of its criticality in the ongoing proactive disruption of serious criminal activity associated with the illicit use of firearms.

The Bill additionally increases the maximum penalties for the 5 offences relating to FPOs to modernise Victoria's penalty levels in light of equivalent offences introduced by some other jurisdictions more recently and having regard to the seriousness of these offences. Relevant offences prohibit the individual from acquiring, possessing, carrying or using a firearm or any firearm related item, offences for failing to notify the Chief Commissioner of a change of address, offences for entering or remaining on premises where firearms are located, and offences for failing to surrender a firearm or firearm related item when the FPO is served. The Bill also increases the penalties that apply to a third party who, knowing that an individual is subject to an FPO, disposes of a firearm or a firearm related item to the individual subject to the FPO. These amendments will ensure that Victoria's FPO offences will have some of the strongest penalties in Australia.

The Bill introduces graduated offences and penalties for the existing firearms trafficking offences. The Bill imposes harsher and more suitable penalties for possessing, acquiring or disposing of traffickable and large traffickable quantities of firearms to reflect the grave risk to community safety presented by unlawful trafficking in firearms outside of the legitimate licensing system. The amendments will insert new definitions for ***large traffickable quantity of firearms*** and ***traffickable quantity of firearms*** into the definition section of the Firearms Act to apply an important distinction between a traffickable quantity of firearms, meaning at least 2 but no more than 9 firearms, and a large traffickable quantity of firearms, meaning 10 or more firearms, for the purposes of the existing offences under section 7C and 101A of the Firearms Act.

In relation to the firearms trafficking possession offence under section 7C of the Firearms Act, the amendments will mean that if a person possesses a traffickable quantity of at least 2 but not more than 9 firearms not in accordance with the Firearms Act or the regulations, that person commits an offence carrying a penalty of 1200 penalty units or 10 years imprisonment. However, if a person possesses a large traffickable quantity of 10 or more firearms not in accordance with the Firearms Act or the regulations, that person commits an offence carrying a penalty of 1800 penalty units or 15 years imprisonment.

Similarly, in relation to the existing firearms trafficking offence under section 101A of the Firearms Act, the offence is reshaped to continue the prohibition on the acquisition or disposal or a traffickable or a large traffickable quantity of firearms, and applies the harsher penalty of 1800 penalty units or 15 years imprisonment where a person acquires or disposes of a large traffickable quantity of firearms within a period of 12 months not in accordance with the accordance with the Firearms Act or the regulations.

Finally, the Bill also creates greater flexibility for the Chief Commissioner to temporarily recategorise firearms to better enable police to respond to emerging firearms technology of concern. The Bill clarifies and extends the legislative mechanisms to temporarily recategorise a firearm or type of firearm. The existing power to make an interim declaration under section 3A of the Firearms Act will be extended to authorise the Chief Commissioner, after consulting with the Minister, to make a temporary declaration to change the category of a firearm or type of firearm (other than an antique handgun or a black powder handgun). The exclusion of antique handguns and black powder handguns reflects the unique and historical nature this class of firearm, and the comparatively lower risk to public safety presented by this class of firearm.

The expansion to the section 3A discretion is designed to enable Victoria to respond quickly to changes in firearms technology, and potentially to implement national decisions to quickly recategorise a firearm or a class of firearm, until amending Regulations or other legislative reform is complete. Accordingly, the Bill extends the regulation making power to authorise regulations to prescribe that a class of firearm in a specified category of firearm is in a different category of firearm for the purposes of the Act.

National consistency in firearms categorisation is a fundamental aspect of Australia's federated firearms regulatory scheme. Victoria is actively participating in the renegotiation of the National Firearms Agreement between the Commonwealth and states and territories as announced by National Cabinet on 15 December 2025. Any further consideration of firearms categorisations will be informed through this coordinated national process.

I commend the Bill to the house.

James NEWBURY (Brighton) (15:11): I move:

That debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 2 July.

Fair Work (Commonwealth Powers) Amendment Bill 2026

Statement of charter compatibility

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Violence Reduction, Minister for Finance) (15:12): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the *Fair Work (Commonwealth Powers) Amendment Bill 2026*.

In my opinion, the *Fair Work (Commonwealth Powers) Amendment Bill 2026*, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The key purposes of the Bill are to amend the *Fair Work (Commonwealth Powers) Act 2009* (Referral Act) to:

- extend various amendments to the *Fair Work Act 2009* (Cth) to public sector employees and employers, including Commonwealth provisions pertaining to restrictions on fixed term and casual employment, flexible working arrangements and pay secrecy;
- expand the category of matters that can be subject of enterprise bargaining and validly included in enterprise agreements and workplace determinations as these instruments apply to law enforcement officers;
- extend general protections provisions under the *Fair Work Act 2009* (Cth) to law enforcement officers in relation to the expanded category of matters that may be subject of enterprise bargaining and validly included in enterprise agreements and workplace determinations;
- provide for other, minor and technical related matters.

Human Rights Issues

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

This Bill is compatible with the human rights protected by the Charter. As the amendments are of a technical nature, they do not limit any human rights.

The Hon. Sonya Kilkenny
Attorney-General
Minister for Planning
Minister for Violence Reduction
Minister for Finance

Statement of treaty compatibility

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Violence Reduction, Minister for Finance) (15:12): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

In accordance with s 66 of the *Statewide Treaty Act 2025*, I table a statement of Treaty compatibility for the Fair Work (Commonwealth Powers) Amendment Bill 2026.

In my opinion, the Bill is compatible with the objects set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

A key objective of the Bill is to amend the *Fair Work (Commonwealth Powers) Act 2009* (Vic) (Referral Act) to expand the category of matters that can be the subject of enterprise bargaining and validly included in enterprise agreements and workplace determinations (arbitrations) as they relate to law enforcement officers. The Bill will also ensure that the general protections regime under the *Fair Work Act 2009* (Cth) (FW Act) broadly applies to law enforcement officers in the same way that these protections apply to other public sector employees.

The Bill will extend the jurisdiction of recently enacted *Fair Work Act 2009* (Cth) provisions to the Victorian public sector, including provisions dealing with flexible work, pay secrecy, and limitations on casual and fixed term employment.

Details of the Bill

The Bill will amend the Referral Act to ensure that provisions in the *Commonwealth Fair Work Act 2009* (Cth) will extend to Victorian public sector employees, where these provisions do not currently apply as a matter of law. The Bill will ensure that provisions in the Commonwealth legislation dealing with flexible work, pay secrecy, limitations on casual and fixed term employment will apply to public sector employees.

The Bill will amend the Referral Act to ensure that the following matters are referred to the Commonwealth with respect to law enforcement officers:

a. Probation

b. Promotion

c. Transfer from place to place or position to position (subject to a deployment exception of up to 14 days)

d. Physical or mental fitness

e. Discipline

f. Termination of employment

The effect of the referral of these matters to the Commonwealth will mean that terms achieved through collective bargaining regarding these matters will be able to validly be included in enterprise agreements. This will ensure that where terms regarding these matters validly included in enterprise agreements as a result of collective bargaining, law enforcement officers have access to dispute resolution through the Fair Work Commission. The amendments will also ensure that terms regarding these matters they may be validly included in a workplace determination as it relates to law enforcement officers.

The referral of these matters will also ensure that law enforcement officers have access to the general protections under Part 3-1 of the *Fair Work Act 2009* (Cth) with respect to these matters. The Bill ensures that law enforcement officers will be able to bring general protections claim on the basis of any alleged adverse action taken by their employer based on a protected attribute, where the alleged adverse action was taken in relation to:

a. Probation

b. Promotion

c. Transfer from place to place or position to position (subject to a deployment exception of up to 14 days)

d. Physical or mental fitness

e. Discipline

f. Termination of employment

The Bill also makes other subsequent amendments to the *Victoria Police Act 2013* (Vic) (VP Act), which clarify that provisions of the VP Act will continue to apply, to the extent that they are consistent with a future enterprise agreement or a workplace determination. The amendments also provide the Police Registration and Services Board with dispute resolution powers if agreed in a future enterprise agreement, and clarify that neither the Fair Work Commission nor the PRSB will have jurisdiction in relation to disputes arising regarding emergency deployments of up to 14 days. The amendments also define the terms 'transfer' and 'tasking' to ensure the referred matters are clear and support the exclusion for Chief Commissioner to deployment law enforcement officers for up to 14-day days, as outlined in the Referral Act.

Consultation with the First Peoples' Assembly of Gellung Warl

Due to the recent establishment of the First Peoples' Assembly of Gellung Warl, it was not possible to give the First Peoples' Assembly the opportunity to advise on the Bill or for them to otherwise make representations about the effect of the Bill on First Peoples.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

a. I have considered whether the Fair Work (Commonwealth Powers) Amendment Bill 2026 is compatible with the objects at section 66(3)(d) of the *Statewide Treaty Act 2025* being:

   a. advancing the inherent rights and self-determination of First Peoples; and

   b. addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and

   c. ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

b. In my opinion, the Bill does not in its terms deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, have a differential effect on First Peoples.

c. The Bill will expand the category of matters that can be the subject of enterprise bargaining and validly included in enterprise agreements and workplace determinations (arbitrations) as they relate to law enforcement officers. The Bill also seeks to ensure that the general protections regime under the Commonwealth Fair Work Act broadly applies to law enforcement officers in the same way that it applies to other public sector employees. The Bill applies these changes equally to all law enforcement officers, including those that identify as First Peoples. In my opinion there is no practical or differential effect on First Peoples.

d. The Bill will extend the jurisdiction of recently enacted *Fair Work Act 2009* (Cth) provisions to the Victorian public sector, including provisions dealing with flexible work, pay secrecy, and limitations on casual and fixed term employment. The Bill applies changes with respect to fixed term and casual employment to non-executive public sector employees equally, including those that identify as First Peoples. The Bill applies these changes with respect to pay secrecy and flexible work to executive public sector employees equally, including those that identify as First Peoples. In my opinion there is no practical or differential effect on First Peoples.

Conclusion

I consider the Bill does not affect any of the objects specified in section 66(3)(d) of the *Statewide Treaty Act 2025* and is therefore compatible with each of those objects.

The Hon. Sonya Kilkenny
Attorney-General
Minister for Planning
Minister for Violence Reduction
Minister for Finance

Second reading

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Violence Reduction, Minister for Finance) (15:13): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The Bill would amend the *Fair Work (Commonwealth Powers) Act 2009* (Referral Act) to ensure that provisions introduced to the *Fair Work Act 2009* (Cth) in 2022 will apply to public sector employees. These provisions deal with flexible working arrangements, pay secrecy, and fixed term and casual employment provisions. Extending these provisions to public sector employees ensures that all Victorians continue to have the benefit and protection of federal workplace relations laws that are fair and balanced. The Bill would ensure that Victorian public sector and local council employees have access to recent amendments to the federal legislation, which will provide parity with protections that are afforded to other Victorian employees.

The Bill would also amend the *Fair Work (Commonwealth Powers) Act 2009* (Referral Act) to enable law enforcement officers to bargain over, and reach agreement on, a greater range of matters. The Bill would allow law enforcement officers to collectively bargain over, and make agreements, regarding terms pertaining to probation, promotion, transfer from place to place or position to position (subject to a deployment exception of up to 14 days), physical or mental fitness, discipline, and termination of employment. This will enable law enforcement officers to bargain over these matters in the same way that other public sector employees and employers, and employees of non-public constitutional corporations now bargain. It will ensure a greater level of fairness and consistency in the bargaining and enterprise agreement making process, across the Victorian public sector.

Background

In 2009, the Victorian Government took steps to ensure that all Victorians had access to the protections of the Commonwealth workplace laws by referring certain workplace relations matters to the Commonwealth government. The State Referral Act ensures that Victorian employees have broad access to provisions under the *Fair Work Act 2009* (Cth) in effect at the time. With some exceptions, without the Referral Act, the federal workplace laws would only apply to workplaces where the employer was a constitutional corporation.

At the time, Victoria did not refer certain matters in relation to public sector employees. These exclusions are referenced in section 5(1) of the Referral Act. These matters were excluded from the referral as they related to matters that the High Court in the *Re Australian Education Union; Ex parte Victoria* (Re AEU) decision held to be essential to the function of the States.

At various stages following the initial referral in 2009, the Government has made amendments to the Referral Act, including with reference to these previously excluded matters, to ensure that changes to the legislative and common law landscape are appropriately flowed onto public sector and local government employees. Legitimate use of fixed term and casual employment will continue to be permitted.

Key objectives of the Bill – extending provisions of the *Fair Work Act 2009* (Cth) to public sector and local council employees

The Fair Work (Commonwealth Powers) Amendment Bill 2026 is a further step to ensure that the objectives of the Referral Act continue to be met. A central objective of the Bill is to ensure that public sector and local council employees have broadly the same access to recently amended provisions to the *Fair Work Act 2009* (Cth) as other Victorian employees.

The Bill would amend the Referral Act to ensure that the exceptions at section 5(1) of the Referral Act do not prevent sections of the newly amended *Fair Work Act 2009* (Cth) from flowing onto Victorian public sector employees. The amendments would ensure that the matters in the *Fair Work Act* (Cth) pertaining to flexible working arrangements, pay secrecy, and provisions dealing with fixed term and casual employment broadly apply to public sector employees and employers, as well as employees and employers in local councils. These amendments seek to address the disparity in access to provisions in the federal workplace laws that currently exists between Victorian public sector and local council employees, and other Victorian employees.

Ensuring that provisions under the *Fair Work Act 2009* (Cth) that deal with fixed term and casual contracts also aligns closely with the Government's secure employment agenda, which preferences ongoing and secure forms of employment over non-ongoing and insecure employment models. The amendments that would extend provisions in the *Fair Work Act 2009* (Cth) dealing with fixed term contracts and casual employment will only apply to non-executive public sector and local council employees.

Key objectives of the Bill – addressing disparity between law enforcement officers and other public sector employees regarding enterprise bargaining and other protections under the federal legislation

In 1996, certain other matters in relation to law enforcement officers were not referred to the Commonwealth. These include matters outlined in section 5(2)(b) of the Referral Act pertaining to probation, promotion, transfer from place to place or position to position, physical or mental fitness, discipline or termination of employment. These exclusions were maintained in subsequent amendments to the Referral Act in order to ensure that the integrity and operational independence of the state laws government law enforcement officers. However, these exclusions mean that law enforcement officers are not able to validly bargain over and agree to terms regarding certain matters. The current operation of the exclusions in the Referral Act means that, unlike all other public sector workforces, where such matters are included in enterprise agreements by agreement between bargaining parties, these terms cannot be subject to dispute resolution processes at the Fair Work Commission.

Further, the current exclusions in the Referral Act prevent law enforcement officers from accessing general protections under the *Fair Work Act 2009* (Cth) with respect to these matters. As such, law enforcement officers are currently unable to bring general protections claims under the federal workplace protections on the basis of any adverse action taken by their employer based on a protected attribute in relation to these matters are excluded from the Referral Act. These exclusions mean that law enforcement officers are currently subject to different standards compared to other public sector employees.

The Bill would also make amendments to these exclusions to address the disparity between enterprise bargaining for law enforcement officers and other public sector employees by referring some of these previously excluded matters to the Commonwealth. In particular, in relation to matters pertaining to probation, promotion, transfer from place to place or position to position, physical or mental fitness, discipline and termination of employment. Doing so would enable law enforcement officers to validly bargain over and agree to terms pertaining to those certain matters in the same manner as other public sector employees. The Bill would also enable law enforcement officers to have access to protections under the federal legislation, such as general protections, in the same manner as other public sector employees.

The Bill also ensures that, where necessary, the Fair Work Commission may make workplace determinations that include terms pertaining to the referred matters (namely, probation, promotion, transfer from place to place or position to position (subject to a deployment exception of up to 14 days), physical or mental fitness, discipline, and termination of employment). This ensures that law enforcement officers are, as far as practicable, operating under the same industrial settings as other Victorian public sector employees.

It is critical that State law enforcement continues to operate effectively in response to emergencies, incident management and other community safety concerns. As such, while the Bill would refer matters pertaining to transfer of law enforcement officers from place to place or position to position to the Commonwealth, this referral is subject to an exception of deployments of up to 14 days. Matters pertaining to deployments up to 14 days to support law enforcement response to a major incident or emergency are not included in the scope of the amended referral. This will ensure that law enforcement officers are able to be readily mobilised and deployed to respond to critical incidents and emergencies in a timely manner. The powers of the Chief Commissioner of Police to legitimately deploy officers in these circumstances cannot be fettered terms in an enterprise agreement or workplace determination, or otherwise be subject to dispute resolution proceedings at the Fair Work Commission. However, the parties will be able to validly bargain on the entitlements that might attach to those deployments.

I commend the Bill to the house.

James NEWBURY (Brighton) (15:13): I move:

That debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 2 July.

Health Legislation Amendment (Regulatory Reform) Bill 2026

Second reading

Debate resumed on motion of Melissa Horne:

That this bill be now read a second time.

Emma KEALY (Lowan) (15:13): It is wonderful to kick off debate on legislation. It has taken us until a quarter past 3 this afternoon, with 1 hour and 45 minutes left, to debate this legislation, but it is very, very important. At the outset I would like to acknowledge all of the health service workers in the public and the private health services right across Victoria. It has been an incredibly difficult time working within health care for the past decade but particularly since the COVID epidemic and the lockdowns, which had a significant impact not just on health service workers having to work through the infection control risks through that period but also with the mental health impacts, the impacts on our workforce and the impacts on our community. It was our health workers who were front and centre of that response, and I do thank them for their work. There are some that just simply have not had a break since then. They did the heavy lifting over the pandemic, and they certainly do not feel like they have had a break up to this point.

This has been compounded by some savage cuts to the health sector, where there is an expectation that our health services do more – much, much more in some instances – with much, much less. This is made a lot worse by the fact that we have had significant cuts to the primary healthcare services, the grassroots mental health and healthcare services and the community health and preventative health services – the things that make a difference and help people maintain their wellness in the community – and have had to put that impact further down the line, the ambulance at the bottom of the cliff as we often talk about in health care.

The expensive end of health care, the part of health care which is the most expensive, has the greatest implications on recovery, whether it is a mental illness or an event that has occurred or whether it is about mental ill health or about a mental illness. If you are having to go to hospital for treatment, you have missed every step before that. That is something that is extraordinarily problematic in the state of Victoria at the moment. All of the money is really being directed right to the end of the healthcare profile rather than keeping people well, keeping them in the community, keeping people engaged and making sure they are staying on top of those health issues. It is something that is of great concern to me as someone who has experience working in the health sector itself.

We know that that is further complicated by the extreme cost-of-living pressures that every Victorian is facing at this point in time. It is very difficult for me and the team in the Lowan office to hear from

people who are having to choose between putting food on the table and seeing a doctor, sending their kids on a school camp or buying a new uniform for them or making a decision about whether they get those braces for the child or making sure that there is occupational therapy or social work that is required for a child who is neurodivergent, with the thousands of dollars that it costs to go to a mental health professional to get a diagnosis for their young child. You know that is what they need before they get to school so that they can have the best possible learning opportunities and to take a lot of pressure off that home environment, to make sure that parents and educators, all of the carers for that child, have the tools that they need to bring out the best in the child and support the child.

That is something that is very, very important to me and my colleagues within the Liberal and National parties. It is wonderful to have the member for South-West Coast, my electorate neighbour, who is also a healthcare professional – a nurse. You are never a former nurse; you are a nurse. You have those skills and that experience throughout your life. I know that there are many within my team that would be able to respond and provide support if there was an issue that came up. The Shadow Minister for Health in the other place Ms Crozier is a former nurse – or a nurse still, if I keep to my language – who is an exceptional advocate and campaigner for a stronger healthcare service across Victoria but also for better supports for our health service workers, as I acknowledged earlier.

This legislation is, as it is named, a regulatory reform. There are four key aspects to this piece of legislation that will be debated today. The first is in relation to assisted reproductive treatment. The bill also makes amendments to the Non-Emergency Patient Transport and First Aid Services Act 2003, and I am certain that any members in rural or regional Victoria will be able to contribute to this with firsthand experience around some of the challenges that our constituents face when it comes to accessing non-emergency patient transport or simply getting to appointments that can have serious life implications.

This legislation will amend the Public Health and Wellbeing Act 2008 in relation to the registration of cooling towers. For those who are of a similar mind, in my health experience I started off my career as a biomedical scientist working in a laboratory. In relation to Legionnaire's disease, I diagnosed one case of that in my career back in the olden days. But with cooling towers, I think there was a matter discussed on 3AW this morning where somebody had come back on a flight from overseas with a suspected infectious disease and there were no public health staff available to support them and provide additional support over the weekend for what could be a particularly contagious event. It just shows how deep the cuts have been from the Allan Labor government when it is seen as a non-frontline service to have access to important infectious disease support and information for our public health workers across the system. The bill does make amendments as well in relation to the Radiation Act 2005. I would like to speak to that a little bit further during the debate, because during the bill briefing there seemed to be a level of evasiveness around the rationale behind this and a reticence to share some significant information that the EPA had provided to the government in relation to why this amendment was required. We will discuss that later on in my contribution today.

In relation to this legislation, there have been a number of concerns raised from those businesses who are involved in assisted reproductive treatment. We know that there have been significant issues which have caught media attention, and for those who work closely in their electorate offices I am certain that there are people on both sides of the chamber who have had discussions, particularly with women who are going through the process of assisted reproductive treatment. They may have friends or family members who have sought assisted reproductive treatment. They may have gone through that journey themselves. Any woman who has had to enter into that process – or if you have known anybody who has – knows how difficult it is for so many reasons. It is difficult on your body to have hormonal treatment and to have that structured and very regimented routine over when you have your injection, when you have your window of opportunity to conceive and when that all comes together, being in the right place at the right time. And of course there is a significant amount of money involved. There is a significant amount of heartbreak involved for many people. For some it never sticks. For some they have the greatest joy of their life and they do not look back ever.

It is as emotional as it is difficult physically to go through, and it is financially a huge challenge for so many people and simply unaffordable for many, so it is important to support families that are going through this process so that they have confidence that the organisations that will be managing the reproductive treatment will be doing so in a way that ensures that the embryos are theirs. We have had instances where that has not been the case, where somebody has found out later on that the wrong embryo has been transferred, including the story that we would have heard a few years ago about a woman giving birth to a stranger's baby and the legal complications of that. It is a heartbreaking situation, if you put yourself in those shoes for just a short period of time, for both the donor of the egg that provided that embryo but also for the birth mother. What a difficult situation to have to confront when you have created that connection with your baby which turns out to be not your own. Is it your own or not? It is a very difficult argument and psychologically extraordinarily difficult.

We also know that Monash IVF settled a class action brought by hundreds of patients in relation to a bungled genetic testing program, while further revelations came to light that Victorian IVF clinics were vastly under-reporting the actual rate of dangerous complications. There has been a lot of focus on this, not just in Victoria but nationally, and all Australian health ministers commissioned a national rapid review back in June 2025 and agreed to its recommendations in September of last year. The rapid review found multiple failures of the current system. This is not surprising given the incidents that we know about, let alone the ones that we are not aware of that have been managed privately – even further for those who do not know that they have been involved in a bungle of some description.

The main recommendation from this rapid review was to move away from industry self-regulation to government oversight, with the Australian Commission on Safety and Quality in Health Care to be responsible for accreditation of fertility clinics. This is a body that already oversees accreditation of hospitals and other health services. This is something that is being worked through at present, and the feedback that we are getting from some assisted reproductive treatment organisations is that this legislation is a step ahead of where the national reforms are. While there is absolutely a general consensus that we need better regulation, better oversight and better scrutiny over assisted reproductive treatment, we also need to understand that there is a national program that is coming. We need to ensure that this process of transference from the current system through to what the future system looks like does not involve an interim responsibility of new standards or a new body coming through which creates a further chance for variations in treatment and oversight or differences in the standard of support and health care that you would expect if you had IVF or assisted reproductive treatment here in Victoria versus other states. The intent is to keep it at a high level and consistent across all states. That is something that I think is very important.

I highly respect the input that has been provided from different assisted reproductive treatment services, because they are looking at this with the view that things need to change but we need to ensure that the change is a positive one and does not create any unnecessary confusion or harm, particularly for those who receive and engage in these services. In particular there are concerns that have been raised in relation to RTAC, the Reproductive Technology Accreditation Committee, that that accreditation will be abolished as a registration requirement but in its place the secretary may approve one or more accreditation schemes, with registered ART providers required to comply or face penalties of up to 60 penalty units for a natural person and 300 penalties for body corporates. This replacement scheme has not yet been developed. This is what we are facing with the legislation today. It is something that will be delivered through a future change, and that is a concern to the organisations that will have to work under this new scheme. We do not know what we are working towards, but we are cutting what is already in place.

What we found during the briefing was there will be two processes in place, two different schemes in place, for a period of time, and that is through the transitional provisions within the legislation, proposed sections 169 to 171, which allow the secretary to approve two concurrent schemes immediately after commencement, recognising that some providers will remain RTAC accredited while others might be accredited to the Australian scheme. However, the requirements of the new

scheme are entirely unknown, and members will have limited ability to plan or assess compliance costs until the scheme is published.

It is extraordinarily challenging in health care because there are so many standards and so many quality assurance programs that you are involved in. Something that is important to take consideration of is while this all ensures that there is a higher level of certainty for consumers, it does also mean there is an additional input of administrative time, of scientists' time when it comes to ART and of clinicians' time to make sure they are meeting those standards. If you are doing two standards side by side that can compete, it can consume additional time and it can mean resources are taken away from delivering the services that people are seeking, which are about making sure that more parents who are seeking to successfully implant an embryo are able to do so. While this is not a deal breaker, it is something that I would urge the government to consider very carefully as this legislation is brought into practice.

It is a challenge. I know even back in the olden days, when I was CEO of a health service, we had six different accreditations that we had to go through because we delivered aged care, we delivered acute care, we still had an operating theatre and we had a variety of allied health and community health services that we delivered, including dental services. We also had the usual accreditation that was required to ensure that financially your transactions were sound and no-one was taking money or inappropriately accounting for public funds. There were six accreditation processes that we had to go through. It was incredibly time consuming. It took funds out of the service. Sometimes it was a process where there was an incredible amount of duplication, which did not necessarily result in a higher quality of care or a higher level of transparency. Most importantly, there was a lot of information that went into these agencies, particularly the public health department, but there was not a lot of information coming back on how you could do better and how you could aspire to improve your system to make sure you did run a higher quality service, a more efficient service and a more productive service. That is something that is required. We cannot just have these lumping big departments with lots of staff that collect a lot of information but do not support our health services to deliver better health services for our people. It is something that may be an ideology for me, but I think that it would be good to get back to a system where the government and departments work for the organisations that are delivering frontline services rather than being a barrier – a cost barrier, a time barrier, any sort of barrier – for these people who are on the ground and who want to just get on and do their job and do it well. Certainly the member for South-West Coast and I are working hard to ensure that we can be in government sooner rather than later so we can end the waste, stop the corruption and get our health services back to supporting people when and where they need it.

We are hearing from other organisations. The feedback that I read in earlier was from the Australian Private Hospitals Association. We have also had feedback from Melbourne IVF. We have heard from them that:

- The introduction of the Bill is premature as it seeks to materially overhaul how the ART sector is regulated in Victoria before there has been any significant progress on the national accreditation scheme currently under development.
- Any reforms to accreditation requirements should wait until all stakeholders have a clearer picture of the structure and contents of the national accreditation scheme and standards, and should be accompanied by appropriate consultation with affected stakeholders.
- The Bill, if passed, will lead to increased cost and uncertainty for patients. This is including because it will lead to the creation of an interim regime pending the launch of the national accreditation scheme, which will require ART providers to significantly update their processes twice in a relatively short period of time.
- The proposed reforms will also not make ART treatment safer or more widely available, or lead to more successful outcomes, for patients in Victoria.
- There are aspects of the Bill that appear to have been rushed as numerous details still need to be properly worked through. As such, at the very least, the proposed reforms will require further consideration and consultation before the Bill is enacted.

This is not something that we made up ourselves; this is something from the people who deliver ART services, and I would urge the government in the time that is available between the chambers to take action, to make note that there is an opportunity to have further consultation with the people who will have to deliver these changes, the people who provide support to the patients, the people who make IVF a reality for so many families. We need to ensure that this is done right, and I do urge the government to take heed of these organisations, because feedback is required for a reason, and that is to make sure we do it once and do it right, not do it multiple times and create additional cost barriers and confusion and perhaps even inadvertently create a more dangerous system on the way through.

Further to this legislation, I would like to speak to the element regarding non-emergency patient transport and first-aid services. This aspect of the legislation makes a relatively minor change. It expands regulation-making powers in relation to the incorporation of documents, and this is to support greater communications and make sure that there is a pathway for information sharing, particularly for the non-emergency patient transport and first-aid services that are out there.

In relation to non-emergency patient transport, we have seen a critical impact from some recent cuts by the Allan Labor government, and we had really upsetting contact from a constituent just last week who was on the list for a liver donation and lived in, I think you would call it, remote rather than rural Victoria – the Yarriambiack region. She is an older woman who does not drive or is not comfortable driving long distances. Her husband is not well at this point in time. She was told that if a liver should become available, she would need to get to Melbourne within 6 hours. We do not have access to public transport at all in some regions. For some it is maybe one trip a day that goes from our region through to Melbourne. It is certainly not something where you could have any confidence that public transport would be available within a 6-hour window to get you from point A through to Melbourne. It was extremely difficult to have the conversation with someone who is at that level of liver failure, where they were in such distress that they would miss out on their opportunity to get a transplant because they could not find anybody to take them to the appointment. This is information that came from a social worker in the public health system that was basically: if you do not get there, you are going to miss out.

We need to have a health system where there is no wrong door, where we take the time to understand the limitations of access to health services and particularly patient transport in rural and regional Victoria. We need to make sure that we do not have a situation where someone is mentally distressed and think they are going to miss out on a transplant because they have got no idea how they are going to get to Melbourne within 6 hours and they do not have the means to access that through their health services. It is problematic, and it is not just this one incident alone. We are hearing repeatedly of people who cannot access non-emergency patient transport for chemotherapy or radiation treatment. People are choosing – if they cannot find a family member, if they cannot find a friend, particularly through the fuel crisis where costs were so high that they felt like they would be a financial burden on the people around them – and people are making excuses not to have life-saving treatment to take the burden off the people around them. That is just such a hard conversation to have; it is very, very difficult. And for those of us who have loved ones who have been through or are going through cancer treatment, you cannot imagine that that would ever be something that they would have to consider as an option. It is a very difficult situation. There is more that can be done within patient transport services, particularly for rural and regional people. People are missing out on health care far too often, simply because they cannot access a public way, a supported way, to get there. That is creating a community of haves and have-nots in Victoria. No-one should miss out on health care simply because they cannot drive long distances, yet that is what is happening under the Allan Labor government, and it is disastrously bad; it is heartbreaking.

I would like to further mention access to health care in rural and regional areas, particularly in relation to bush nursing centres, because often they are the ones that provide that non-emergency patient treatment and community health, primary health and often ambulance services as well in our rural and regional areas. They have not had an increase in funding for an extraordinarily long period of time.

They have had EBA negotiations to increase and improve the pay for their nursing staff, and no-one begrudges that. But if there is going to be a government going in to negotiate a higher EBA, then that same government should be delivering a higher level of funding so they can actually pay their staff at a higher rate to continue the same number of hours for those staff, particularly in those small communities, and not have to look at what services they cut.

I note earlier in the week the member for Gippsland East, who also hosts a large number of bush nursing centres, made mention that one of his bush nursing centres was having to go from five days back to four days. There is diminished access to health services, and this is the problem with the centralised system. We have really novel healthcare services around the state, people who do things a little bit differently, who need flexibility in how they deliver care, how they deliver health care, and yet this is being taken away by a series of cuts, by productivity gains through the service, and we end up with fewer hours, fewer services and our local people paying the price for a Labor government that is insistent that only the big health services are the ones that matter. That is not the case.

We need to support bush nursing centres in our smallest communities. They need to see an increase in funding. We need to see more support for patient travel, particularly in our rural and regional areas. We need to make sure that we have got funding in place for people in my community. Recently I heard of an instance in Horsham where somebody was looking to see a specialist and they were unable to because the funding had been cut by the Labor government, and so that specialist was no longer able to travel to Horsham, which is the 10th largest regional city in the state. I had an instance also the other day at Grampians Health where somebody had been diagnosed. They had a very, very high PSA; they had a PSA that was simmering for a long time, then it just spiked, and they were told that they would not be able to be referred to a urologist as there simply was not one available to be able to send out to Edenhope. To leave somebody in that situation, where they were told just to take some magnesium – 'It should help you sleep at night' – is not any reassurance, and it did not help that person sleep better at night. I am very, very grateful and thankful that that individual instead went into South Australia, and today they started their treatment, their radiation treatment, and I wish them all the very, very best. They have got eight weeks of care over there, but they could not get the care they needed for prostate cancer in Victoria, so they went to South Australia.

That is what is happening in Victoria. That is not good enough. That is not good enough for any Victorian, and I challenge any of you to think about how that would feel if that was your family member. How would you feel if that was your father who could not access services here and was told, 'You can't get a urologist in Victoria. You have to go to South Australia. We can't help you'? That is not good enough. That is something that everybody should be –

Mary-Anne Thomas interjected.

Emma KEALY: Well, former Minister for Health, I am more than happy to put you in touch with that person, because that person is my father, and I trust him implicitly. He started radiation treatment today. My father started radiation treatment in Adelaide today because the former Minister for Health centralised services into Ballarat. He could not access radiation treatment in the state of Victoria. He could not access a urologist in the state of Victoria, and he has gone to South Australia. If the former Minister for Health would like me to pass on his details, I would be more than happy to – or my mother's, who would be more than happy to talk about it as well. It is heartbreaking, it is wrong and nobody should have to face that. Nobody in this state should be told they cannot get health care in Victoria. Nobody should get that – not me, not the former Minister for Health, not anybody. I would not wish that on anybody, but this is what happens in Victoria. It is what happens when you have got a government that is happy to throw away $15 billion, including on strippers on Big Build sites – money that should be invested in our health services in Victoria. It means Victorians are missing out.

Members interjecting.

Mary-Anne Thomas: On a point of order, Acting Speaker, the member is now straying way off the bill, and I ask that you bring her back to the matter at hand.

The ACTING SPEAKER (Wayne Farnham): I remind the member of the bill. You have been relevant to the bill, but you did stray a little bit, so just come back.

Emma KEALY: I think that health services across the state should be funded appropriately. When they have significant funding cuts because money is being spent in ways that are completely wasteful, that support corruption in this state and that will not be investigated by Premier Allan and all of the people who stand behind her and who have confidence in her leadership of this state, I can tell you there are a hell of a lot of people right across Victoria – not just in National seats, not just in Liberal Party seats, but in Labor Party seats – who have lost confidence in Premier Allan and the Labor government. They have lost confidence that Premier Allan and the Labor government are making decisions for the people of Victoria. It feels like there is just desperation and chaos. There is such urgency and fear about what people actually want to do. All of the Labor members want to keep their own seats. They have forgotten what it is all about. They have forgotten they have been elected to represent the people of Victoria.

Paul Edbrooke: On a point of order, Acting Speaker, I fear that the member is again straying from the bill.

The ACTING SPEAKER (Wayne Farnham): The member may have strayed a little bit from the bill. I ask you to be relevant to the bill.

Emma KEALY: I will stand in this place with all of my colleagues from the National Party and all of my colleagues within the Liberal Party and put forward a positive plan, because Victorians deserve better. Victorians deserve a safe pair of hands that will actually focus on Victorians, that will deliver better health services, that will make sure that our schools are high quality, that will be able to support the teachers, that will make sure there is no more waste and that will put in a royal commission to get to the bottom of the corruption in this state. We will get rid of the bikie gangs. We will hold all of those people to account who have done the wrong thing.

Belinda Wilson: On a point of order, Acting Speaker: relevance.

The ACTING SPEAKER (Wayne Farnham): The member has concluded.

Mary-Anne THOMAS (Macedon) (15:43): I am very proud to speak today on the Health Legislation Amendment (Regulatory Reform) Bill 2026. The bill seeks to amend the Assisted Reproductive Treatment Act 2008, the Radiation Act 2005 and the Public Health and Wellbeing Act 2008, and in addition a minor and technical amendment will be made to the Non-Emergency Patient Transport and First Aid Services Act 2003. The reforms outlined in this bill will be administered and enforced by the health regulator, a regulator which was established as a branch of the department back in early 2024. I want to take this opportunity to thank the hardworking team in the health regulator for all the work that they have done, and particularly in relation to the matter that I want to spend my time on this afternoon, which is assisted reproductive treatment, because as the staff members of the health regulator will know, no sooner had we established the health regulator than they were required to deal with some very challenging circumstances arising from Monash IVF. But I will talk a little bit more about that through the course of my contribution.

It is worth knowing that when it comes to assisted reproductive treatment Victoria has always been a nation leader. This goes back to the days of professors Carl Wood and Alan Trounson, who established IVF here in the state of Victoria. In fact in 1980 Australia's first IVF baby, and the world's third, was born at the Royal Women's Hospital. We have a long history of seeing advances in assisted reproductive treatment and care. Importantly, we have always matched that with making sure that we have law that stays abreast of those advances and continues to reflect changing norms, expectations and desires in society for how assisted reproductive treatments are regulated in this state.

I am very proud, having done a little bit of research, to see that it was in fact during the Cain government, under Premier John Cain, that we became the first jurisdiction in the world to enact legislation governing ART, and that was in 1984. The Brumby Labor government looked to rework that legislation and introduced the Assisted Reproductive Treatment Act 2008, which is one of the acts that we are amending today. Subsequently Minister Jill Hennessy led a range of reforms. It was during Minister Hennessy's reign that we saw significant and world-leading reform that put children at the centre of our Assisted Reproductive Treatment Act by ensuring that donor-conceived children would always know, or would have access to, their biology, that they would be able to answer that question: where did I come from? The point here is that it is really important to continue to stay vigilant and evolve this legislation to ensure that we keep pace with changes in technology and in society. As I said, we need to make sure that we are putting at the centre of all of our legislation the donor-conceived children and their families.

Since the first days when we were world leading in IVF, we have seen a multibillion-dollar industry grow in the delivery of ART services. I have got to say that when you put vulnerable people – that is, people that are desperate for a child – up against the might of a money-making industry like the IVF industry, it is really important that we have appropriate regulation and legislation in place.

I need to correct some matters that the member for Lowan raised in her contribution. I just want to be clear that what we are proposing in this bill is to enable the implementation of a nationally consistent accreditation scheme. It is not about duplication; it is about being ready for when a national scheme is introduced. It was Monash IVF that really drove this action that was taken by health ministers, and I have got to say it was Victoria that led the charge to say that having a sector that accredits itself does not pass the pub test and that Australians expect more, and therefore it was important that we looked to have the rapid review. The rapid review was led by Professor Euan Wallace, former Secretary of the Department of Health here in Victoria and noted specialist obstetrician and gynaecologist.

It was Victoria that led in the national review. We did this also because we had seen this shocking situation in Queensland where a mother took home a stranger's baby. It was not long after – this all happened in 2025 – that a mother from Monash IVF here in Melbourne was implanted with the wrong embryo. Quite clearly we saw a failure of this national self-accreditation system, and it became apparent to health ministers that we needed to take action to ensure that we had an appropriately regulated sector. The recommendations of the review have been agreed to by health ministers, and the health ministers are now taking action to implement them. As I have already outlined, the amendments in this bill will enable that national system to apply here in Victoria, and that is really, really important. A national accreditation framework is being developed by the Australian Commission on Safety and Quality in Health Care, and it will ensure that the ART sector operates in a way that is safe and transparent. This bill will ensure that Victoria stands ready to adopt this framework once it is finalised. A number of the concerns that the member for Lowan raised are in fact not concerns at all with regard to the way in which the department and the minister, I am sure, will continue to consult with the sector.

One of the other areas in which Victoria leads of course is in the establishment of a public fertility program. Again, I have talked about the way in which we have led the nation in so many areas when it comes to assisted reproductive treatment, and the establishment of public fertility care is yet another example of that. On this side of the house the Allan Labor government believe that the decision to start or grow a family should not depend on the size of your wallet or where you live. Public fertility care is something that I am very, very proud of. We have been able to celebrate and I have had the great opportunity to meet some of our public IVF babies, more than 350 of whom have been born as a consequence of our government's commitment to public fertility care. It is important that I raise that here today. One of the unique features of this program is that it is led by the Royal Women's but there are satellite sites right across the state. I am sure the member for Lowan will congratulate the government on the fact that targeting women in rural and regional Victoria is quite explicit in the establishment of public fertility care.

It is important to talk about it, because I have no doubt whatsoever that when those on the other side are scrambling to fill their $40 billion black hole, one of the first areas that they cut will be public fertility care. Do you know why? I think the member for Lowan gave it away. Let us be clear, there are people that do not support public fertility care, and they are the private fertility care providers. They do not support it. Yet the member for Lowan seems to have spent a lot of time talking to them and ensuring that their interests are protected. We will always stand on the side of Victorians, those that do not have thousands and thousands and thousands of dollars to spend on private fertility care. Again, it is that equity, making sure that the key beneficiaries include low-income earners and include people living in rural and regional Victoria. It was such a delight for me to be able to meet a woman who lived in Mildura who was able to access our public fertility care and, as I have said, have that opportunity to start a family.

This is a really important bill. I want to wind back to where I started and say that health regulation is extremely important. We have got to get it right. In this area of fertility care we see advances at a national and indeed an international level. I think it is really important that we strive towards a nationally consistent ART sector and that we take our place on the global stage to ensure that we have a responsible and ethical international fertility care system. I have got to say, it concerns me at the moment that that is not the case. I commend the bill to the house.

Roma BRITNELL (South-West Coast) (15:54): I rise to speak on the Health Legislation Amendment (Regulatory Reform) Bill 2026, but I want to begin by acknowledging all the health workers who work in our health system and thanking them for their tireless commitment to the roles they play, the wide and varied roles from nurses and doctors to the kitchen staff and the cleaners. It takes a huge team of allied health staff and right through to be able to keep our community well. Over the last number of years we have seen our health services stretched to quite extraordinary levels. I sometimes think that the nurses in particular – obviously as a nurse of 30 years experience in many areas of nursing over that time, I remember feeling quite clearly that people's health was my responsibility. You never think to say that it is beyond your capacity to help someone and fix a situation, because that is how nurses and healthcare people operate. But unfortunately we are seeing our health service under enormous pressure. It has not had the funding to fund the primary health care that is needed so that people do not end up unwell and in hospital.

We saw an example of that during COVID, when many, many people missed their cancer check-ups or screenings, and there was an article in the paper just last week about the amount of people being treated for cancer, dying from cancer and with end-stage cancers because the screening process was missed that could have picked it up. It is a really difficult position for healthcare providers to find themselves in at the moment, working in those environments. It is just such a shame that we are seeing a health crisis which is really a result of a lack of funds and lack of respect and care for the nurses and the doctors and the allied health professionals and all those that do the work that brings the hospital together. Many of them are actually on strike at the moment – the support workers – because they are desperately saying, 'Come on, give us what we need. We're doing a hard job, and we're not getting the proper respect and remuneration for that.' I think we all know how hard they work, but it is very unfortunate that the Labor government are expecting them to actually take these situations and not care for them enough to actually understand the resources they need to provide the service that they should be able to provide.

On that note, I would like to give a call-out to some of the good doctors in our region. It is actually Bowel Cancer Awareness Month, and we have some amazing colorectal surgeons in South-West Coast: Mr Joe Wragg and Mr Phil Gan, both outstanding doctors who have done incredible work. They give so much of their time. Another doctor that I want to give a shout-out to is my own GP and a fellow I worked with for probably 21 years running a health clinic in the Aboriginal community. He has been there about that long; I was there about 15 years, actually. I have actually nominated him for the Victorian Rural Health Awards, so I look forward to the results on 25 June. Whether he is a winner

or not, he is certainly a worthy recipient of the award that he has been nominated for and for which he is now a finalist.

This is a bill that looks into improving the assisted reproductive treatment process – the ART. That is as a result of some pretty horrific situations that came about after embryos were mixed up. Victorians were shocked to learn of cases involving embryo mix-ups, including reports of a woman giving birth to a child that was not genetically related to her.

The bill also looks at some changes around the cooling tower regulations. In the bill briefing the government thought we had 6000 cooling towers in the state, but it was quite alarming to think that they actually got that wrong; it is actually 3000 cooling towers. It is not just a health issue – well, it is a health issue, because legionnaire's is what results from poor management of cooling towers, and we have done a lot as a state to improve that. We still have cooling towers on dairy farms. Once upon a time it was the only way to cool milk; now we see more refrigeration technologies. On our dairy farm we had a 50,000-litre vat; that is how much milk we were able to put into the vat. It is quite extraordinary when you think about just how much milk goes into a vat these days, but cooling towers were what cooled the milk down to 4 degrees quickly so that bacteria did not multiply and we could all have safe food products. That gives an opportunity for me to say thank you to all the primary producers across our good state of Victoria who produce clean, green food and make sure that we are all very blessed to be able to have such amazing access to very fresh product and good-quality food.

This bill also makes some changes to the Non-Emergency Patient Transport and First Aid Services Act 2003. This is a very important service, and it flows right through to ambulances. We are seeing, right across south-west Victoria, some real challenges with our ambulance service and our patient transfer. We have had so many situations where people are just not able to get an ambulance on time. I had a case just a couple of weeks ago where a lady in her 80s lay on the floor for an hour and a half waiting for an ambulance in Warrnambool. Not so long ago, there was a phone call from a very distressed lady who has chronic pain issues and on one Sunday night in Portland called the ambulance, who said they could not come because it was not an emergency and they did not have an ambulance. We often do not, because we do not have the resources we need in South-West Coast, which goes back to me saying we have not got enough funding. This is the modern world of 2026, and this is one of the basics you would expect after a government has been in for 21 of the last 25 years – pretty much all but four years of the last quarter of a century. To think you cannot get an ambulance on time is extraordinary. The ambulance officer said to the woman in Portland, who was in extreme pain, 'Look, how about you call a taxi?' On Sunday nights in Portland there are no taxis. If you cannot get an ambulance and you cannot get a taxi and you are an elderly person who does not drive – that is an absolutely disgraceful position for us in the state of Victoria to find anyone in, let alone our most vulnerable.

Not only in Portland is it often difficult to get an ambulance – or in Warrnambool or in Hamilton, for that matter, in the member for Lowan's electorate – we have had the helipad closed in Portland. The reason the helipad was put there in the first place was because it is 5 hours to Melbourne by road now. When minutes matter it is important to get people lifted by air from a hospital and into Melbourne quickly. Now we have not got that service. This is just a disgrace. Not only do we not have the service but we do not have the rationale for losing the service. The government have tried to pull the wool over Victorians' eyes and the wool over Portland people's eyes by saying nothing.

The previous Minister for Ambulance Services initially said that it was because of Civil Aviation Services Australia's changes to regulation, but when I asked them about that change to regulation CASA said that was not true. The government misled the people of Portland, and since then we have not been able to get them to commit to the rationale and the reason for the shutting down of the helipad. It is absolutely disgraceful that you cannot get a helicopter from Portland. The people of Portland fundraised, they campaigned and they felt like they had achieved an outcome when they got the helipad at the hospital, and now that has been closed. It has been closed for over three years. Despite

making several attempts with every health minister and the Minister for Ambulance Services, there has been no explanation.

What we really know, though, is this is a government that has lost its compassion. It is so wrapped up in corruption and waste and trying to cover all that up and denying the ability to have royal commissions that they are underfunding the health services, and that is why we have seen out in Portland the helipad closure and why we are seeing services disappear from the Portland hospital. The government says it is because we cannot access and find staff. The recommendations of an inquiry I was involved in in 2017 said we need to invest in the region's health, and if we did not do that, there would be shortages. That is where we are at right now. Those shortages exist because the recommendation of that inquiry, the perinatal services inquiry, was not adopted.

The inquiry highlighted that maternity services would be short and there would not be enough general surgeons, anaesthetists and people able to perform obstetric procedures and that we would find ourselves in a real situation if those recommendations were not adopted. Sure enough, that is exactly where we are at. Birthing services are under enormous pressure, often unable to be accessed in Portland and right across our region, because this government has spent more time focusing on giving money to corrupt bikie gangs and doing the wrong thing by Victorian taxpayer dollars. Unfortunately, we have got a health service in crisis, and that is only one of the areas of crisis of this state because of the mismanagement of the Allan Labor government.

Nina TAYLOR (Albert Park) (16:04): I am very pleased to speak on these important regulatory reforms which are helping to adapt in a changing environment in many important aspects pertaining to Victorians, particularly with regard to assisted reproductive treatment, radiation and the Public Health and Wellbeing Act 2008. I will start on the topic of IVF. I have friends and colleagues who have had children through IVF, and I know that it can be an incredible point in life when somebody can achieve a new life through this beautiful and incredible process. However, unfortunately, we have witnessed episodes where not only has the particular IVF treatment not been successful but in fact it was mismanaged in the sense that embryos were not correctly implanted, resulting in some pretty devastating outcomes for the people involved. It is enough in and of itself to have to go through the process of trying to conceive, let alone to have complications that one should not have to endure. Hence the government is on the front foot, as it has been historically when it comes to IVF treatment.

I do want to reiterate that the comments that were made in the chamber by the member for Lowan are not correct. There will not be two schemes under this bill. It is simply enabling legislation to replace the current accreditation scheme with the new national independent accreditation scheme once finalised in early 2027. It is therefore enabling legislation. It is not trying to create a duplicate system or some sort of further complexity or to exacerbate costs or anything of that nature. On the contrary, in Victoria, we are being proactive in making sure we are absolutely ready for these changes, because it is simply the right thing to do. I am sure the contrary criticism would apply. They are saying, 'Don't rush into this.' Okay, should we just wait until the change arises and then not be ready? I mean, that would not seem to be a very logical way to approach this very important issue. So I hope I can allay the concerns of the member for Lowan and indeed the opposition that there is merit in actually being ready for these national changes, which actually will be for the betterment of Victorians.

We know that there were a series of concerning and highly distressing incidents – and I alluded to this before – in private IVF providers. That is what has really fostered this increased public discussion and really has been the impetus behind having consistency on a national level – so not only Victorians but in fact all Australians can expect the requisite standard to be applied, and consistently, when it comes to assisted reproductive technology and the IVF sector more broadly. As part of this, the Australian Commission on Safety and Quality in Health Care is developing a new accreditation framework for IVF providers that will ensure that tougher scrutiny is required to obtain accreditation. The new accreditation framework will be independent, unlike the current framework, which is industry based. Based on what we have observed, having that sort of self-check is simply not cutting the mustard;

hence it is important that we elevate the standards across the country, and Victoria is playing its part to make sure that we are ready for these appropriate changes.

A further element of the bill when it comes to the health and safety of Victorians is actually cooling towers – because we know that, unfortunately, they can be a key vector for legionella. I should say, though, it is not about increasing the burden on the responsible person or organisations; rather, it is about providing greater clarity. The proposed amendments will require the responsible person, defined as the person who owns, manages or controls a cooling tower system, to assume obligations such as registration, development and review of a risk management plan and annual audits. The approach ensures that the primary responsibility for cooling tower safety is clearly identified, enforceable and aligned with the practical control of cooling towers, taking into account contemporary building ownership and management practices. This is a very practical change. Certainly when you think of the rather drastic ramifications of not having consistency or clarity, if you like, in terms of the responsibility and accountability in this space, we can see why it is absolutely imperative that we make these very important changes.

A third element – and there are various elements to this bill – is with regard to the Radiation Act 2005. Victoria, along with all other jurisdictions, committed in 2021 to implementing the National Directory for Radiation Protection, which requires legislation to ensure licence-holders make adequate financial provision for managing disused radioactive sources. May I put in a caveat here that we know that the experts in this field, day in, day out, are actually conducting all manner of health treatments – X-rays or otherwise – that they are undertaking with due diligence. I want to pay respect to and thank them for the incredible work that they do. However, as is always the case with legislation, we have to allow for all foreseeable contingencies.

While licence conditions already require disposal, there is currently no effective mechanism to ensure funds are available when a licence-holder fails, becomes insolvent or abandons a source. These reforms close the gap and ensure risks are managed proactively rather than reactively. It is not to in any way cast aspersions, but it is allowing for various contingencies should the government be required to intervene, as the case may be, and therefore have a financial surety element that allows for the vicissitudes of situations that can occur in a society. I would like to put the caveat that I am sure that health experts across the country, as I was saying from the outset, are doing their best, day in, day out. This is not to cast any kind of negativity in that regard but rather to say that we do have to allow for all contingencies because we are dealing with human beings.

On that note, I want to actually do a little flip here onto something really, really positive, and that is the Paula Fox Melanoma and Cancer Centre, which is in the seat of Prahran, very proximate to my electorate. They have a Quadra PET/CT scanner. When we talk about radiation – oh, my goodness – this is in the best sense, for X-rays. It is not about hurting people, it is about actually detecting cancer and other things. It can do it in 2 or 3 minutes. People do not have to have a 20-minute exercise, which can be really intimidating. This thing is just absolutely amazing and it is part of public health care, so I was a little bit concerned about the opposition trying to infer a lack of investment in health care or otherwise. Let me tell you, we have incredible health care in this state. This Quadra PET/CT scanner is something to behold – what it will do for patients in terms of the accuracy of the machine but also in reducing the anxiety associated with having to lie still for a protracted period of time and to be in that sort of claustrophobic space.

This is just an example of where these elements of health can flip either way, because on one hand we are talking about the expiration of a particular radioactive material and on the other it can actually be a fantastic help, save lives and detect all kinds of illnesses. I just wanted to end on a positive note there, because we are allowing for the vicissitudes of experiences within a health system. As a responsible government we are doing the right thing to make sure that there are those contingencies in place to allow for situations where the circumstances are not as they should be. On that note, I would like to commend these reforms to the house. They are much needed. I also do want to do a shout-out to our wonderful public IVF. That is certainly a great achievement for all Victorians.

Richard RIORDAN (Polwarth) (16:14): On the Health Legislation Amendment (Regulatory Reform) Bill 2026, I am always pleased to rise in this place and talk about anything that makes our health system better, particularly when it affects the some nine different health services across the great electorate of Polwarth. This bill has three or four main parts, and I will just touch briefly on a couple of the others before we talk on the infrastructure side of this bill.

First of all, there is reference to improvements to the assisted reproductive treatment accreditation and registration powers in this bill. Of course many people will be aware of the very public incidents that occurred back in 2025 through two agencies in Queensland and Victoria, where people undergoing artificial reproductive treatment, I can only imagine, had their lives turned upside down. I guess for many of us it highlighted how easily lives can be badly damaged and ruined and thrown into confusion when we do not get the health system right. We can readily think of problems, things that go wrong, if someone dies or something happens to someone in the health system, but the complications in the ART process really highlighted that health rules and health governance can affect all sorts of people in many different ways. This bill, to that extent, hopefully will put processes in place or assist the Victorian government in working with a national accreditation scheme that will bring about a level of confidence that is very, very important for many people. That part is quite important.

The bill is also amending the Public Health and Wellbeing Act 2008 in relation to the process around cooling towers, and I will touch on that in a minute. But there are two other things. There are some amendments to the Radiation Act 2005 to make sure that the various waste products at the hospitals are disposed of in a timely fashion – that makes sense. The two bits I want to talk about include the bill's amendment to non-emergency patient transport. For people in country hospitals this is a really important component of the health service, and often it can be forgotten about.

I just want to highlight a couple of examples when public transport is not available. Non-urgent patient transport is for people who need assistance when they are out in a rural country hospital and they have got to get to a service or an appointment or some other thing in a major metro or large regional location, such as Geelong or Warrnambool or Ballarat, from Polwarth. Unfortunately, for many people that can be really difficult. If you are an elderly couple or you are an older single person, you just do not have networks around you. You cannot rely necessarily on family and friends to help you out, and therefore you rely on services such as the Red Cross driver service, which is a really important service in my community. There is a roster of volunteers, and patients rely on that to get them to the services that they need. For people that are perhaps having prolonged cancer treatments and other things, that can be multiple times a week, and that is a really important service that operates.

It is also for more complicated situations, such as when people are perhaps laying down and not able to sit upright in a volunteer's car. Then the more formalised non-emergency patient transport is an important service. These are critical issues and part of the overall health provider service that exists in country communities. Increasingly our health services are not satellites of the larger majors. When working at their best, they are able to provide as much local care and service as possible in the local community but then are able to rely on those larger centres for more complex or more experienced needs.

I know in my own community we have a fantastic program called the Long Road Appeal, and that has been running now for nearly 15 years. It is a community effort where as many larger metropolitan services are provided in the local community as possible, and that is done through fundraising and other things that help the local health provider, in this case Colac Area Health, to raise the funds, to have the equipment, to have the training and to have the services at the local level to prevent that longer transition. One of the things we have found in our community is that we prolong people's lives when doing that. If we can, as we say, reduce the long road and provide more services in a more timely fashion in the local community, we can get better health outcomes.

On better health outcomes, another element of this is changes to the Public Health and Wellbeing Act 2008 in relation to regulating cooling towers. I guess this makes me want to just put on the record

the fact that critical infrastructure in hospitals is something we do not do well here in Victoria. As someone who was on a hospital board for some 16 years, I know only too well the amount of time, effort and energy our local health services put into grant applications and other things to maintain the most basic of services. While not a cooling tower but very closely related – for the circulation of hot water and hydraulic services around the hospital I was involved in – it was deemed for nearly a decade that the pipework, the structure, the connecting mechanisms and the overall structure of those hydraulic services were well past their use-by date. It always frustrated me that in normal commercial operations when organisations discover they have major problems they have no choice, they must find ways to find the money and the capital and investment to get those things properly maintained and looked after. Unfortunately, the way we fund health, we do not build capital wear and tear into the funding of our health services so that these basic things can be maintained, because unlike any other public service in the private sector, you have to manage your way through the capital wear and tear within your organisation. That is something we do not do particularly well. So it is good to see in this bill that we are formalising the responsibility for the maintenance of cooling towers, because there is no shortage of examples of when cooling tower management has not been done properly. Legionella and other airborne illnesses can spread, and quite frankly you do not want those sorts of things spreading around a hospital – a highly compromised consumer outcome.

Something that I think the government can do better, and the health department in particular, is how we go about making sure that organisations, particularly those smaller rural health care services, are assisted with this. If I think of my own electorate, I have the Cobden bush nursing hospital, I had, before it was redistributed, the Mortlake Health Service and certainly I have the Colac health service, where ageing and inadequate infrastructure – basic infrastructure that the organisation cannot do without – has often been left running in far from optimal circumstances. What that causes is high running costs. It causes an unnecessary amount of extra maintenance and costs. While on one hand the government is saved from a larger initial capital expense, the organisation itself, with already limited resources, is forced into ongoing costs, when if the right investment was made at the right time for that health service, it could in fact be saving money and saving costs.

For every dollar that a health organisation has to spend on repairs and maintenance, that is a dollar less they have to provide critical care services for their community and to support the hardworking staff and others within the organisation. The fact that we, in this day and age and in a country as lucky as ours, cannot get the basics right from time to time is a real disappointment. I guess to the extent that this bill helps sharpen the pencil on how we look after cooling towers, that is a tick, and the artificial reproduction treatment services changes are an improvement. Anything that we can do to speed up and make non-urgent public transfers easier is a good thing.

Meng Heang TAK (Clarinda) (16:24): I am delighted to rise today to speak in support of the Health Legislation Amendment (Regulatory Reform) Bill 2026. It is even harder to speak on this bill when following the member for Albert Park. This is another important bill, an omnibus bill that proposes reforms to four health portfolio acts regulating a range of professionals, organisations and businesses with the aim of improving the health and safety of all Victorians. I commend the Minister for Health for bringing this bill forward and for all of the investment going into our healthcare system at the moment.

We can see in the south-east of Melbourne the investment that this goes to. Just last month we had the announcement of work on the massive $535 million expansion of the Monash Medical Centre at Clayton, which is now underway. It was a great announcement. The member for Glen Waverley and other colleagues attended with the minister on the day. I was somewhere else – I could not make it – but this is an amazing project that will deliver a new seven-storey medical tower above the newly expanded emergency department. It is a fantastic investment. The outcomes are really significant. Once complete, the tower will include expanded services supporting around 2400 births annually; operating theatres providing capacity for up to 7500 more surgeries each year; a new intensive care

unit with modern technology to support the hospital sickest patients; and new medical equipment. A central sterile service department will help deliver more surgeries sooner than later.

This is an amazing project. As one of Victoria's busiest hospitals, the project will futureproof care in the south-east for generations to come. Not only that but the project is expected to create more than 1500 construction jobs and support additional medical jobs once it is open. This is great news for our community in Clarinda and in the south-east. Construction is expected to be complete in 2029. That follows Labor's delivery of a new $76.3 million emergency department in 2021, which I was extremely proud to be involved in as a local member during that time. This shows our commitment to investing in health as we build 11 new hospitals across Victoria. Our government is bringing care closer to home and making life easier for families in the south-east, which I am extremely proud of.

We see that commitment to our health system continuing here today with this bill, which, as I mentioned, is an omnibus bill that proposes reform to four health portfolio acts regulating a range of professional organisations and businesses with the aim of improving health and safety for all Victorians. The first of those reforms, as mentioned by previous speakers on this side of the house, is reforms to the Assisted Reproductive Treatment Act 2008 which will support appropriate alignment between Victorian legislation, the new national ART accreditation framework and the standard to be developed by the Australian Commission on Safety and Quality in Health Care. The reform aims to strengthen Victoria's regulatory scheme by ensuring that registration operates independently from accreditation. The secretary will have clear discretionary power to grant, renew, vary and refuse ART provider registration based on a range of probity and suitability criteria, such as applications, criminal record, financial viability and compliance history. Further, the minister will have a power to cancel registration in specified circumstances. The secretary and delegates will also be given enhanced inspection powers.

These are important changes that come out of the rapid review, which was prompted by two incidents last year where embryos were wrongly transferred. We saw the health minister agree to the recommendations of the review to reform how ART services are regulated and accredited across Australia. As such, we have these changes here before us today that will make it easier and safer for all Victorians when it comes to starting a family.

Further to this, we are amending the Radiation Act 2005 to create an offence related to disposal of radiation sources and to enable the secretary to require a person authorised to deal with the source to provide financial assurance for management and disposal of the source, another important amendment. In addition, there are amendments to the Public Health and Wellbeing Act 2008 to assign responsibility for key obligations currently imposed on landowners relating to management of cooling tower systems to responsible persons – that is, the entity with actual control and management of the cooling tower system. Both of these are commonsense amendments that will improve the health and safety of all Victorians. Finally, we have the amendments to the Non-Emergency Patient Transport and First Aid Services Act 2003, which will enable documents such as clinical protocols to be included in the regulations as they are made and in force from time to time.

These are important changes that will improve the health and safety of Victorians, especially those looking to start a family. These are changes that I am very happy to support today. Again, I thank the minister for bringing this forward and for the continued investment into our healthcare system and the health of Victorians. We can see over just the last budget $32 billion in funding for our healthcare system this year alone, the biggest investment ever in frontline care.

A really popular initiative, if I may, is the $18 million initiative to enable pharmacists to treat even more Victorians with even more conditions without a trip to the doctor for a prescription. With my remaining time, I would like to take this opportunity to commend the effort – I am sure the local member for Mulgrave would agree with me and the member for Glen Waverley would also agree with me – of our local champion of pharmacists, the hardworking Richard Lim OAM JP, former deputy mayor of the City of Greater Dandenong. Through his and his staff's efforts at his pharmacy in the

centre of a multicultural place in Springvale, they have done a tremendous job in terms of not only serving customers but also in fundraising to assist the Monash Children's Hospital and other causes. I had the opportunity to attend – it was my first time, but I know that Richard and his staff attend and also are part of the power in terms of getting fundraising – the annual Shine Gala dinner, this time in the city, to help with purchasing and other research for those babies born with a cleft. We can see the amounts and the great outcome of the surgeons and the staff at Monash Children's Hospital that made it possible for another to shine with a smile. This is fantastic, so I would like to congratulate and also commend the efforts once again of Richard Lim OAM JP and his staff at Lim's Pharmacy in Springvale for their work.

I would like to conclude by saying that there were so many significant investments into public aged care, which included delivering new government-funded aged care beds and additional capacity locally in my electorate at the Kingston Centre, now the Boollam Boollam Aged Care Centre in the Clarinda district, which provides dignity for our seniors and a place to call home. I am very proud of the government's commitments and investment into health for Victorians, and we see the commitment continue here in this bill. I commend the bill to the house.

Tim READ (Brunswick) (16:34): I rise to speak in support of this Health Legislation Amendment (Regulatory Reform) Bill 2026. The need for improved regulation of assisted reproductive technology is uncontroversial, particularly in light of the recent two serious incidents involving Australia's second-largest IVF provider, Monash IVF, mishandling embryos. Both were attributed to human error despite the existence of multistep verification protocols. This bill makes amendments to the Assisted Reproductive Treatment Act 2008 to support implementation of reforms recommended by the *Rapid Review of Assisted Reproductive Technology and In Vitro Fertilisation Regulation and Accreditation in Australia*. The rapid review concluded that industry-based self-regulation through the Reproductive Technology Accreditation Committee provided insufficient governance and oversight of the growing and increasingly complex assisted reproductive technology sector. The rapid review found that the standards underpinning accreditation are not sufficiently rigorous, that compliance monitoring is insufficient and that the enforcement powers that do exist under the current scheme are limited and underutilised. The rapid review's first stated reform priority is a new national accreditation scheme for assisted reproductive technology providers, to be administered by the Australian Commission on Safety and Quality in Health Care. The amendments in the bill prepare Victoria's legislative and regulatory framework to align with the national standards the commission is currently developing. Victoria has much experience to draw on to contribute to these national standards to ensure that they are sufficiently robust. In March 2019 the then Victorian Minister for Health referred an inquiry to the health complaints commissioner on the provision of assisted reproductive treatment services and unsafe and unethical practices by IVF providers in Victoria.

Fertility treatment usually involves the pursuit of something deeply wanted but never guaranteed. Parents may spend years and tens of thousands of dollars on seemingly never-ending cycles that frequently fail. Each failed cycle is often experienced as profound grief at the loss of an imagined future of one day holding your baby. That vulnerability creates conditions that unethical operators can exploit. The health complaints commissioner's inquiry found that consumers regularly received inaccurate or incomplete information about their prospects of success. Patients described being told that they would be pregnant within months, only to then spend years in treatment. Others were not told of diagnoses that bore directly on their likelihood of success or were given assessments of their fertility that later proved to be wrong. In some cases patients only discovered the truth about their own medical situation after requesting their records to transfer to another provider.

The industry's profit imperative compounds this problem. IVF is a lucrative business which generates around $800 million annually across Australia. Australia's biggest providers are listed on the stock exchange, and Australia's biggest provider has a market cap close to a quarter of a billion dollars. As one submission to the commissioner put it, fertility treatment is one of the few medical fields where practitioners have a perverse financial incentive to provide a service that fails. Each unsuccessful cycle

is a potential source of further revenue and profit for shareholders. The inquiry found that some patients were encouraged to continue through repeated cycles without adequate investigation of the underlying causes of their infertility. So-called add-on treatments offered alongside standard IVF were found to be in widespread use across Victorian clinics despite lacking an established evidence base. The inquiry found that providers gave inconsistent and sometimes contradictory accounts of their efficacy. As a consequence, people in treatment were spending additional money on treatments of questionable benefit. There is often a distinct power imbalance between a fertility clinic and its patients, and many described to the inquiry feeling entirely dependent on their provider, afraid to raise concerns or make complaints for fear of jeopardising their treatment.

We need to ensure that Victorians' often negative experiences of the IVF industry are reflected in new, robust and enforceable national standards. People considering or pursuing fertility treatment deserve protection from providers who exploit their longing to become parents purely for profit. I urge that the government ensures that the findings and recommendations of this inquiry inform the development of any national standards, and I take this opportunity to reaffirm that the Greens support this bill.

Steve McGHIE (Melton) (16:39): It is a pleasure to rise to speak in support of the Health Legislation Amendment (Regulatory Reform) Bill 2026. The thing I want to start with is extending my thanks and appreciation to all the healthcare workers right across the system, including our paramedics and our non-emergency patient transport officers and all of those healthcare workers on the front line and in the back of house that keep the system going and support our patients across the state and make sure that their health and welfare is well supported.

At a first glance legislation like this can appear quite technical, which it is, and it deals with registration schemes, regulatory powers, licensing arrangements and amendments to several different acts. But behind every one of those technical amendments is something much more important of course, and this bill is about protecting Victorians and protecting their health and welfare. That is what it is fundamentally about. It is about making sure that families can have confidence in our health services that they rely on, that public health risks are properly managed before they become emergencies and that our regulatory system keeps pace with our modern health care. These are not the kinds of reforms that usually attract headlines, and in many ways the best outcome is that most Victorians never notice them, which is great when they just take it for granted that things are put in place and regulated appropriately.

The legislation strengthens the safeguards that protect Victorian families, and it reinforces confidence in assisted reproductive treatment. We have had many contributions about that and some of the issues that have happened, and I will go to that later. It also improves the management of the public health risk, and it ensures that radioactive materials are handled safely throughout their life cycles so dangerous bacteria are prevented from spreading through poorly managed cooling towers and radioactive material will be safely disposed of before it poses a risk to workers and patients or the broader community. That is good governance. That is what it should be about, and that is what we need to do about protecting our community and our people of Victoria. It is also about preventing harm before it actually occurs.

As someone who spent many years working in the health sector as a paramedic before entering this place, I have seen firsthand what happens with people's experiences through illness and injury. People often think of paramedics as responding to emergencies, but many do not appreciate that emergency medicine is only one part of the health system and behind every ambulance crew are countless people working every day to stop emergencies from occurring in the first place. That is the whole idea: preventing those sorts of things through the public health professionals that are involved, the regulators that are involved and the inspectors, the scientists and the administrators, who play a very important part in providing a great system and preventing and reducing the potential for emergencies. Let us not get it to that extreme, hopefully. Of course they are people who rarely receive any recognition, because they are doing their jobs behind the scenes in a lot of cases and as a community we take for granted what they do. They prevent outbreaks. They are improving the system all the time and looking to

improve the system all the time. No family should experience unnecessary trauma because appropriate safeguards were not in place, and it is important to provide that sort of support. The legislation strengthens the systems working quietly in the background to keep Victorians safe every day and to prevent any potential extremes, such as an emergency situation.

One of the most significant aspects of this bill relates to assisted reproductive treatment, and many contributions have spoken about that. Starting a family is one of life's most important journeys. For many Victorians, assisted reproductive treatment is not simply another health service; it represents great hope for some families. It is obviously quite an emotional process and a trying process on families, and those families place enormous trust in fertility specialists and clinics. They deserve absolute confidence that they will be well supported and well provided for through, hopefully, the expertise in that process. That is why those services are being delivered safely and ethically and to the highest professional standards.

There has been wide consultation in regard to this bill, in particular with the private IVF sector, and that consultation will continue to go on through implementation. I think there was some suggestion earlier from some of the opposite speakers that there has been little consultation. I am not so sure that that is accurate. It appears that there has been extensive consultation, and that will continue. I will make reference in particular to the private IVF sector being included in that consultation, so it is really important. Unfortunately, we saw some recent failures within parts of the IVF sector, and that understandably shook public confidence. Families who had already experienced enormous emotional stress were confronted with failures that should never have occurred. That is another reason why this bill has been put in place. I commend the minister that brought this bill forward and thank them for it. Those incidents highlighted the importance of having strong independent oversight. This bill responds directly to those concerns of having good, strong oversight of this process.

Following the national rapid review of assisted reproductive technology and IVF regulation, Victoria is taking action to ensure our legislation is ready to implement stronger national accreditation standards. I go back to the point that was raised earlier about the duplication. This will fall in line with that national review and what comes out of that, so there will not be two bits of legislation. Importantly, these reforms separate government registration from industry accreditation, and that means that registration decisions can be made independently by the Department of Health based on appropriate assessment of governance, compliance history and risk. The secretary will have stronger powers to grant, refuse, vary or renew registrations, and the minister will also have the ability, where appropriate, to cancel a provider's registration, so that is really important. Inspection powers will also be strengthened to ensure compliance can be properly monitored. They are very sensible reforms, and they improve accountability. That is what is really important. It strengthens the transparency of the whole thing. Most importantly, it helps restore the confidence for Victorian families who deserve nothing less than the highest standards of care, and it reduces any stress and duress that people could have been caused through some errors made from the past.

The bill also makes important changes to the Public Health and Wellbeing Act 2008 relating to cooling towers. As previously raised in other contributions, most Victorians probably never think about cooling towers. We just take them for granted too. I know there were some issues about figures quoted before about a suggestion that there were 6000 when there are only 3000. I would not have a clue how many cooling towers there are throughout the state. I did not know we had cooling towers on farms, as the member for South-West Coast said, but apparently we have cooling towers at dairy farms to cool the milk. I was not aware of that, so you learn something every day. I have no idea about the total number of cooling towers we have, but this bill relates to the cooling towers. We know that poorly maintained cooling towers can become breeding grounds for legionella bacteria, which can cause legionnaire's disease. That is a serious and potentially fatal form of pneumonia. As we know, we have seen outbreaks of that in different parts of the state at different times, and interstate too, and the damage that that can cause to individuals and severe cases of pneumonia. From my former life as a paramedic I know that by the time someone requires emergency treatment sometimes it is really hard and it can

fail. This is a really important bill. There have been some great contributions today, and I commend this bill to the house.

Kim O'KEEFFE (Shepparton) (16:49): I rise to make a contribution on the Health Legislation Amendment (Regulatory Reform) Bill 2026. This bill seeks to amend four different acts: the Assisted Reproductive Treatment Act 2008 to require registered ART providers to comply with an approval accreditation scheme and to make amendments to provisions relating to the registration of registered ART providers and the inspection powers of the secretary; the Non-Emergency Patient Transport and First Aid Services Act 2003 to expand the scope of the regulation-making power in relation to the incorporation of documents; the Public Health and Wellbeing Act 2008 to amend provisions in relation to the registration of cooling tower systems; and the Radiation Act 2005 in relation to the disposal of radiation sources and to create a regulatory scheme for the provision of financial assurances and for other purposes.

Before I begin my contribution, I would like to acknowledge all of our amazing and wonderful healthcare workers, who do an amazing job every single day. Their dedication and care is really a testament to the way that they help people. In December I had a medical episode and I was in hospital. I had an asthma attack. It does not happen very often; I have had a couple. That one was quite a bad one. I was taken away by the ambulance. When I got to the hospital, just to be right in the middle of that system and to experience what they do on the job every single day was a learning. We sit back and we look at what they do, but to be involved in that process – the care that I received was second to none. I spent a couple of days in hospital, but about three days later I got a text message from one of the nurses just saying, 'Hoping you've got your asthma pump in your bag. We did realise you don't do that as often as what you should.' There was that genuine heart, that genuine care.

We probably do not think enough about what goes on between those walls every single day. People were running, bells were ringing – we hear bells ringing here, but when you are in hospital there are often different alarm bells going off for different reasons. But the fast pace, being in emergency and then going into a ward and seeing firsthand that process in place, is just phenomenal. I do not think, as I said, we probably understand it as well as what we could and should.

I would like to speak firstly to the amendments around the Assisted Reproductive Treatment Act that come from the rapid review conducted into assisted reproductive technology and in-vitro fertilisation regulation and accreditation in Australia. I have a close friend whose daughter went through IVF. It was quite a process, and it can be quite heartbreaking. It is an exciting time, but then it also can be quite disappointing. She had a couple of misses before she got to have her little girl Ruby. But for that family to have that opportunity to have a child and for Tam to have a daughter, the one child that she has, it is quite a miracle. As a mother of two children, I was very fortunate to go through that process of pregnancy and becoming a mum. It does not happen for everybody, and I think we need to stop and think about that. But unfortunately there have been some issues that have arisen. It is so important that people are protected, that this is a really tight process and that things that have happened in the past do not happen again. The rapid review found multiple failures of the current system. Recent serious incidents have highlighted why strong oversight and robust safeguards are essential.

One of the most shocking incidents involved a woman undergoing treatment at Monash IVF in 2025 – that has been mentioned in this house today – who had the wrong embryo transferred due to what Monash described as human error. The embryo belonged to another patient, meaning the baby was genetically related to a different family. The mistake was only discovered months later when the genetic parents asked to transfer their remaining frozen embryos to another provider. During that process staff found an unexpected extra embryo in storage, triggering an investigation. The investigation confirmed that an embryo from a different patient had been incorrectly transferred, resulting in the birth of a child. Monash IVF apologised to both families and commissioned an independent review and reported the incident to regulators. This incident highlighted the devastating consequences that can occur when safeguards fail. For a woman to go through IVF, which can be such a difficult time in itself, to finally fall pregnant and then give birth to a baby that was not biologically

hers is just so tragic for her and her family and the other families involved. Such an incident is deeply distressing for everyone involved and raises serious questions about systems, procedures and accountability. The traumatic incident serves as a powerful reminder that even in highly regulated healthcare settings failures can occur when oversight is inadequate or safeguards are not sufficiently in place. A few months later a second embryo transfer error was disclosed at Monash IVF's Clayton clinic in Melbourne. In that case a patient received the wrong embryo under her treatment plan. Her own embryo was transferred instead of her partner's embryo. This prompted further regulatory scrutiny and an expansion of the independent review.

While these incidents are rare, they demonstrate that even a single failure can have lifelong consequences for families. The fact that multiple embryo transfer errors were subsequently identified highlights why strong oversight, rigorous auditing and transparent reporting arrangements are essential to maintaining public confidence in assisted reproductive treatment services.

Whilst this bill improves regulatory powers, these recent events have demonstrated that change must happen and that stronger oversight and regulation must be in place to ensure it never happens again. Victorians expect absolute confidence in systems governing embryo storage, identification and transfer procedures, and there is a need to better protect patients from catastrophic errors. The review handed down by Professor Euan M Wallace and the Department of Health here in Victoria made a total of 10 recommendations, including strengthening the powers of the Victorian Department of Health to oversee assisted reproductive treatment providers, aligning Victoria's IVF regulatory framework with a new national accreditation scheme being developed by the Australian Commission on Safety and Quality in Health Care, allowing stronger compliance inspection and enforcement powers where concerns arise and giving the regulator greater capacity to intervene when patient safety or quality standards are at risk. One of the key recommendations that the rapid review handed down was that independent accreditation be pursued through the existing national healthcare accreditation body, the Australian Commission on Safety and Quality in Health Care, and that it be responsible for accreditation of fertility clinics.

The report also found that the demand for assisted reproductive services is increasing. In 2023, 104,000 ART treatment cycles were performed in Australia, in comparison to about 56,000 back in 2010, so a significant increase. Australia has one of the highest per capita uptake rates of ART services in the world, with one in 16 babies in Australia born as a result of assisted reproductive technology. Infertility affects thousands of people and can have profound emotional, psychological and social impacts. For many Australians facing infertility, IVF provides hope where there was once heartbreak and uncertainty. IVF is more than just a medical procedure; it is a pathway to parenthood for individuals and families who may otherwise never have had the opportunity to have children. Advances in reproductive medicine have transformed countless lives, resulting in the birth of healthy children and bringing immeasurable joy to families across our nation.

Every child born through IVF represents a family's hope fulfilled. Our responsibility in this Parliament is to ensure that those families can pursue that hope with confidence, knowing the system is safe, accountable and worthy of their trust. The review highlighted that there have been 12 previous reviews and inquiries into different aspects of assisted reproductive technology, legislation and care provision that have been undertaken in different states and territories since 2014. Reviews of ART in the ACT, Queensland, South Australia and Western Australia have all identified the need for reform in the sector itself, along with improvements to accreditation processes and regulatory oversight. Some stakeholders have raised concerns that while all states and territories are reviewing and introducing legislation, these are not actually in alignment as intended, risking further inconsistencies.

The amendments that are contained in this bill are about ensuring that our legislation and regulatory framework are ready to be aligned with the national accreditation framework and standards currently being developed by the Commonwealth. The rapid review found that the current industry-led accreditation scheme is in fact inadequate and lacks the transparency that the community expects. It is important as legislators that we act in this space and have the right schemes and protections in place.

In the short time I have left, I am also going to move on to another aspect of the bill that we are debating today, which is a completely different topic: cooling tower systems. There are apparently approximately 6000 cooling towers in Victoria, and cooling towers are used across Victoria in residential, commercial and industrial settings. Whilst they play an important role in evaporative cooling systems, they can also pose a serious health risk if not properly maintained. Legionella bacteria can develop within cooling towers and, if released into the air, can cause legionnaire's disease, a potentially fatal illness. These reforms recognise that the person best placed to manage the risk associated with a cooling tower is not always the landowner. In many cases, responsibility for the operation and maintenance of these systems rests with facility managers, occupiers, lessees or owner corporations. By aligning legal responsibility with operational control, the bill strengthens accountability and helps ensure that health and safety obligations are properly met. Currently, the owner of the land on which there is a cooling tower system located is required to prepare and implement a risk management plan, and that plan must be audited annually by an approved auditor. They also must be registered under the Public Health and Wellbeing Act 2008.

Daniela DE MARTINO (Monbulk) (16:59): It gives me great pleasure to speak, unfortunately for only about 40 seconds, on the Health Legislation Amendment (Regulatory Reform) Bill 2026. This is an incredibly important bill. I was listening with great interest to the member for Shepparton speaking about her experience in the hospital system. I am sorry to hear that that occurred. We do have an incredible health system in this state – one which we should be incredibly proud of. I commend this bill to the house.

The SPEAKER: The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

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

Education and Training Reform Amendment Bill 2026

Second reading

Debate resumed on motion of Ben Carroll:

That this bill be now read a second time.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

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

Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026

Second reading

Debate resumed on motion of Anthony Carbines:

That this bill be now read a second time.

The SPEAKER: The question is:

That this bill be now read a second time, government amendments 1 and 2 be agreed to and the bill be now read a third time.

Assembly divided on question:

Ayes (82): Juliana Addison, Jacinta Allan, Brad Battin, Jade Benham, Roma Britnell, Colin Brooks, Josh Bull, Tim Bull, Martin Cameron, Anthony Carbines, Ben Carroll, Anthony Cianflone, Annabelle Cleeland, Sarah Connolly, Chris Couzens, Chris Crewther, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Wayne Farnham, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Matthew Guy, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, David Hodgett, Melissa Horne, Natalie Hutchins, Lauren Kathage, Emma Kealy, Sonya Kilkenny, Nathan Lambert, John Lister, Gary Maas, Alison Marchant, Anthony Marsh, Kathleen Matthews-Ward, Tim McCurdy, Steve McGhie, Cindy McLeish, Paul Mercurio, John Mullahy, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, Danny Pearson, John Pesutto, Pauline Richards, Tim Richardson, Richard Riordan, Brad Rowswell, Michaela Settle, David Southwick, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Bridget Vallence, Emma Vulin, Peter Walsh, Iwan Walters, Vicki Ward, Kim Wells, Nicole Werner, Rachel Westaway, Dylan Wight, Gabrielle Williams, Belinda Wilson, Jess Wilson

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

Question agreed to.

Read second time.

Circulated amendments

Circulated government amendments as follows agreed to:

1. Clause 32, page 27, line 6, omit "3" and insert "5".
2. Clause 32, page 27, line 29, omit "3" and insert "5".

Third reading

Motion agreed to.

Read third time.

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

Dangerous Goods Transport Bill 2026

Occupational Health and Safety Amendment (Dangerous Goods) Bill 2026

Second reading

Debate resumed on motions of Ben Carroll:

That this bill be now read a second time.

Motions agreed to.

Read second time.

Third reading

Motions agreed to.

Read third time.

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

Business interrupted under sessional orders.

Adjournment

The SPEAKER: The question is:

That the house now adjourns.

Clyde North police resources

Brad BATTIN (Berwick) (17:09): (1719) My adjournment is for the Minister for Police, and the action I seek from the Minister for Police is urgent action to get Victoria Police members at the Clyde North police station to ensure that we can protect the community out there. Since 2023 we have seen in the crime stats today there has been an 83 per cent increase in crime impacting the Clyde North area, and this is including things like aggravated burglaries, car thefts and theft from stores. We have seen so many offences happening in the area, and particularly an increase in violent offences, that we have got a genuine concern that the police members have to travel all the way from either Narre Warren or Cranbourne, and both of them have got vacancies on their rosters. I am calling for this on behalf of the police members out there, who have identified, understand and know that Clyde North has become a place where people are genuinely concerned about their own safety, and I request that the minister act on this as soon as possible to protect my community.

Ashwood electorate housing

Matt FREGON (Ashwood) (17:10): (1720) My adjournment matter is for the Minister for Housing and Building, and the action I seek is for the minister to join me for a visit to Power Avenue in Ashwood in my district to view the significant opportunities that I believe exist to renew and expand social and affordable housing within our community. The Ashwood district has a strong history of supporting social housing, with recent investments including the redevelopment of Markham estate, the High Street Road development in Syndal and the planned renewal, which is already at the demolition stage of the previous, for the Alamein Avenue and Electra Avenue sites. These projects demonstrate the positive outcomes that can be achieved through targeted investments in modern, well-designed housing. At Power Avenue there is a unique opportunity to build on this success, I believe, by renewing ageing housing stock while also supporting the long-term future of our fantastic Power Neighbourhood House, an invaluable community asset that provides social connection, support services and programs for local residents. It is worth mentioning to thank Cara and her team down at the neighbourhood house, because we did turn up en masse with the Premier, the Deputy Premier and the Minister for Health about a month ago. She was not exactly expecting the complete media train, but she obviously, as she always would, welcomed us with open arms and that warm, embracing spirit that we get from our wonderful neighbourhood houses. I welcome the opportunity to show the minister this site and firsthand discuss the opportunities that I believe we can continue to act on.

Regional housing

Peter WALSH (Murray Plains) (17:11): (1721) My adjournment matter is for the Minister for Housing and Building, and the action I seek is for the minister to implement a program to purchase existing vacant homes in regional Victoria for those who have already spent years on the priority housing waitlist while new build projects are carried out. Across regional Victoria we are experiencing a housing crisis of unprecedented proportions. Every week my office is confronted with families living in cars, women escaping domestic violence with nowhere safe to go, older Victorians facing homelessness for the first time in their lives and parents desperately trying to provide stability for their

children while trapped on waiting lists. Time and again we are told there is a priority housing list, but what does that actually mean to the people on it? What comfort is there in being told you are on a priority list when there is simply no housing available? More importantly, what hope is there for those who do not meet the threshold for a priority status and are left wondering whether they will ever have access to a secure house at all?

The Allan Labor government regularly points to its housing investment as evidence of progress. It says it has spent $6.3 billion and delivered 13,300 homes, yet by its own figures that investment has resulted in only 7000 families being housed. If those figures are correct, taxpayers are entitled to ask some serious questions. By any measure that represents an extraordinary cost relative to the number of families ultimately accommodated. At a time when thousands of Victorians remain on waiting lists, many of them in desperate circumstances, the government must demonstrate every dollar is being spent in the most effective way possible. Meanwhile, throughout regional Victoria there are existing vacant homes available right now. In many communities across my electorate they can be purchased for significantly less than the cost of delivering a new government house. Most importantly they could be housing vulnerable Victorians most in need on that priority waitlist. Every month spent waiting for lengthy construction projects is another month families remain homeless, another month women fleeing violence remain at risk and another month that children are denied the security and stability that comes with having a home. The government must stop measuring success by announcements and start measuring success by priority-waitlisted people actually being housed. This immediate fix program should be run in parallel with a long-term construction pipeline.

First Step

Nina TAYLOR (Albert Park) (17:14): (1722) My adjournment is for the Minister for Mental Health. The action I seek is for the minister to visit First Step in St Kilda; an integrated addiction, mental health and legal services hub which provides vital support to over 1800 people each year. First Step will receive over $180,000 in the 2026–27 Victorian state budget to continue and consolidate their integrated care initiative for people using alcohol and other drugs. First Step works tirelessly to provide services such as ResetLife day rehabilitation program, the mental health integrated complex care program and counselling to NDIS participants. First Step services support incremental whole-of-life improvements which build towards the stabilisation of physical and mental health. They work to keep people connected to their families, participating in society and taking control of their own lives. First Step is exactly the kind of hub we need to provide vulnerable Victorians with all the support they want and need. I look forward to having the minister join me to see the incredible work of the First Step team. I do want to thank Scarlett Currie from Mac.Robertson Girls' High School, a work experience student who has assisted with this adjournment today.

Melbourne Polytechnic Prahran campus

Rachel WESTAWAY (Prahran) (17:15): (1723) My adjournment matter is for the Minister for Skills and TAFE. The action that I seek is for the minister to release every report, plan, feasibility study, departmental brief and ministerial submission concerning the future of the former Swinburne site, now Melbourne Polytechnic's Prahran campus. In November of 2021 Labor promised to secure the site as a vibrant education and arts precinct. The site has an extraordinary history and enduring value to Prahran, with arts education having been delivered there for many, many years. The campus remains home to nationally significant institutions, including the National Institute of Circus Arts (NICA). This site is not just surplus government land but part of Prahran's cultural identity and a vital component of Victoria's creative education infrastructure.

Once land of this character is carved up or sold, it can never be recovered for community and public benefit. Yet Labor's candidate for Prahran Dr Meghan Hopper, the doctor of spin, has suggested the housing may form part of the site's future. That raises serious questions about what plans are being developed behind closed doors, what advice has been provided to government and whether Labor's 2021 promise is being quietly abandoned. Prahran does not need Hong Kong on High Street, nor

another high-density development imposed without proper consultation. This publicly owned land presents a rare opportunity to strengthen both the arts precinct and neighbouring Prahran High School.

Prahran is Victoria's smallest electorate by area, and many local families already live in apartments and other high-density housing. There are children who attend a vertical school, with limited access to open space. They deserve genuine green space, outdoor recreation and facilities capable of supporting a broader curriculum. The government should be exploring how this precinct can provide Prahran High School with the space and the facilities necessary to offer students a full educational experience while protecting NICA and expanding opportunities for creative industries, community organisations and lifelong learning. This is the coordinated planning that a growing, high-density, inner-city community absolutely requires.

My community deserves to know whether housing options are under consideration, who authorised that work and what consultation has occurred with Melbourne Polytechnic, Prahran High School, NICA, the City of Stonnington and the local community. This site offers an amazing opportunity for my electorate, and locals are calling for public benefit to be at the heart of any plans. The community deserves complete transparency, meaningful consultation and a lasting public legacy. They deserve better than another secret Labor development plan or another broken promise.

Werribee Mercy Hospital

Sarah CONNOLLY (Laverton) (17:18): (1724) My adjournment is for the Minister for Health, and the action I seek is that the minister update me on the opening of the new emergency department at Werribee Mercy Hospital. Well, folks, we are well and truly on our way to opening this major expansion of one of the most critical hospitals in Melbourne's west. This project is part of a $280 million package to expand emergency departments across our growing suburbs, and let me tell you, it is going to make a world of difference. Once fully operational, this project will deliver a doubling of treatment spaces, from 33 to 67, four new resuscitation bays, 16 short-stay beds and 36 emergency care cubicles. What this means is that the hospital will be able to see another 25,000 patients in emergency care each and every single year once fully operational. When we are talking about patients that need imminent care or treatment, that is a major improvement. I will not talk it down, like some of those in our local community tend to do. This is significant investment in Wyndham.

In addition to this, this year's budget commits another $95 million to operationalise the new ED when it opens later this year, ensuring that it has the staff and the resources that it needs to cater for these extra patients. It builds upon the other incredible investments in health infrastructure across Melbourne's west, including at the Joan Kirner Women's and Children's Hospital, which we opened in 2019; the new Footscray Hospital, which is up and running; the Point Cook community hospital, which is taking shape as we speak; and, let us not forget, the new Melton Hospital, where major construction works have kicked off. Only Labor invests in the things that we need in Melbourne's west, and only Labor governments will invest in the things that matter when it comes to strengthening our public health system. That is why I would greatly welcome an update from the minister on the opening of the new emergency department of Werribee Mercy.

Mornington Peninsula homelessness

Anthony MARSH (Nepean) (17:20): (1725) My adjournment is for the Minister for Housing and Building. In just 18 months seven people experiencing homelessness have died across the Mornington Peninsula, six of them in my electorate and one in Hastings just last week. A recent death in Rosebud was especially cruel. A man in his 50s died while sleeping rough only days before he was due to move into secure housing. He had survived the cold, the danger and the indignity of homelessness, but he did not survive Labor's long-delayed waiting list. These are not just stats; they are people with families, friends and futures. The tragedy is not that these deaths were unforeseeable, it is that they were foreseeable.

The Mornington Peninsula now has the highest recorded number of rough sleepers in any functional regional zone in the state. More than 100 people are officially on the rough sleeping list. More than a third of those are women. Yet despite having the highest level of need, the Mornington Peninsula remains the only region in that functional zero program without government-funded outreach services. That is simply indefensible. Local organisations such as the Southern Peninsula Community Support centre are doing extraordinary work, supporting some of the most vulnerable people in my electorate. They are operating outreach programs, providing food relief, laundry and shower services and helping people navigate pathways into housing, but they are being forced to do that largely through donations, fundraising and community goodwill.

The Labor government was warned. On 18 December last year, when I was mayor, I wrote directly to the then minister seeking urgent action and additional support for rough sleepers on the Mornington Peninsula given the heightened risk over the summer period. While that letter sat unanswered, a man experiencing homelessness died only weeks later on 8 January. The then minister's response did not arrive until early February this year. Homelessness does not take a holiday, and despite that tragedy and the shocking statistics, no additional funding has been provided. Local services warned the Labor government. The Mornington Peninsula shire warned the government. I warned the Labor government. Yet no funding has since been provided.

After seven deaths in 18 months, this Labor government is missing in action and now has blood on its hands. It knew the vulnerable people were sleeping rough. It knew the local services were overwhelmed, and it knew the Mornington Peninsula had the highest level of need and there were no government-funded outreach services, yet the Labor government chose not to act. Seven people have already lost their lives, and the Labor government has been warned repeatedly. It is time to act before another vulnerable person dies waiting for help. I therefore ask the Minister for Housing and Building to fund assertive outreach workers and case managers based in Nepean to support frontline organisations already delivering homelessness, outreach and support services on the southern Mornington Peninsula, and to provide advice on when that funding will be delivered.

Moonee Ponds Creek

Anthony CIANFLONE (Pascoe Vale) (17:22): (1726) My adjournment matter is for the Minister for Water, and the action I seek is for the minister to provide an update on the next stage of the reimagining Moonee Ponds Creek project. The Moonee Ponds Creek forms part of the lungs and arteries of our community, meandering north-west into my community from the Yarra River – from just under where the Bolte Bridge is and going under the CityLink overpass. The creek continues to provide many neighbourhoods and habitats along the corridor with nature, open space, environmental and recreational spaces and oases through our increasingly urbanised north-western suburbs.

That is why I was so delighted to have secured and delivered with my colleague stage 1 of the reimagining Moonee Ponds Creek revitalisation works, with $10.2 million in upgrades through sections of the creek via Pascoe Vale, Oak Park and Strathmore, a 360-metre section of the creek being renaturalised with improved paths and better spaces for families and biodiversity and 43,000 plants that we have planted. I helped plant some of the first at the time, and I commend my colleagues the members for Essendon and Broadmeadows, Merri-bek council, Moonee Valley City Council, Melbourne Water and all the other partners – Chain of Ponds, Friends of Moonee Ponds Creek and all the others – who were part of that.

But there remains more to do. We have to help keep naturalising the creek further south of the corridor, which is why I was so happy to welcome the $5 million commitment and investment from the Albanese Labor government in September 2024 towards delivering stage 2 of the reimagining works further south through Strathmore and Pascoe Vale, down to where Lebanon Reserve is between Ivan Street, Strathmore, and the Pascoe Vale Road bridge, further downstream from stage 1. In this respect I am delighted to say Melbourne Water is now kicking off community consultation on stage 2. It builds

off the feedback from stage 1, which found that 88 per cent of community members are satisfied or very satisfied with the work that we have done to date.

Stage 2 proposes to continue introducing a more natural creek form, including a meandering channel and rock works to slow the water flow down. These changes, along with accompanying recreational opportunities for families, are expected to improve water quality, biodiversity and habitat spaces. I encourage all locals to attend the pop-up sessions coming up this weekend. The first one is happening on Saturday 20 June from 10 am to 1 pm at the Pascoe Vale Central Cricket Club at Oak Park Reserve, just behind the Oak Park pools. The second pop-up session will be at the Strathmore sports club, 5 pm to 8 pm on Monday 22 June, at Lebanon Reserve on Mascoma Street. The 'Let's Talk' page on the Melbourne Water website allows people to provide feedback on the concept plans, which are up there as well.

Again I commend all the stakeholders – Melbourne Water, Chain of Ponds, the Department of Energy, Environment and Climate Action, the councils, all my parliamentary colleagues, federal colleagues and Peter Khalil, the member for Wills – on helping to secure this funding. I welcome all of you to visit the Moonee Ponds Creek stage 1 and stage 2 once they are complete.

Shepparton electorate housing

Kim O'KEEFFE (Shepparton) (17:25): (1727) My adjournment matter is for the Minister for Housing and Building. The action I seek is that the minister urgently undertake an audit of vacant public housing properties in the Shepparton electorate. Many months have passed since I last raised this, and there are still many public houses that have been sitting empty for a long period of time. Many are in need of repairs. At a time when the Shepparton electorate is experiencing a severe housing and homelessness crisis it is deeply concerning that public housing properties are sitting vacant for extended periods while vulnerable families and individuals remain without secure accommodation.

Greater Shepparton has one of the highest rates of homelessness in regional Victoria, ranked third highest amongst regional Victorian electorates. Every vacant property represents a missed opportunity to house a person or a family in desperate need. Alarmingly, there are currently 2665 people on the public housing waiting list in Greater Shepparton, with 1477 classified as priority applicants, including those fleeing family violence and people living with disabilities or special needs. At the same time an estimated 436 people are homeless on any given night in the Shepparton electorate, including around 162 young people aged 19 years and under. Despite this growing demand, residents continue to raise concerns with me about public housing properties sitting empty while awaiting repairs, maintenance or upgrades. While it is important that homes are safe and fit for occupation, it is equally important that these works are completed without unnecessary delay.

Across our community there are people sleeping rough, sleeping in cars, couch surfing, in need of emergency accommodation or facing the prospect of homelessness. Service providers continue to report increasing demand, and they simply cannot meet the needs of those seeking assistance, yet at the same time there are empty homes that could be providing shelter but are sitting vacant. We simply cannot have houses sitting empty when there are people homeless.

Wyndham City Council

John LISTER (Werribee) (17:27): (1728) My adjournment matter tonight is for the Minister for Local Government. The action I seek is an update on the actions the Allan Labor government is taking to restore confidence in the leadership of Wyndham City Council. It touched a nerve when I last stood in this place and reiterated the concerns of community members about the governance and leadership of Wyndham City Council. If the two former mayors considered it a good use of council resources to publish a press release on the website attempting to draw inferences from my contribution, I think their priorities are misaligned with what ordinary community members want to see, because when I attended the fourth rally calling for the resignation of the Liberal mayor Preet Singh the people I spoke to wanted action, not rambling press releases. I took time before the protest to meet with victim-

survivors of sexual abuse to talk about why this disgraceful doubling down is causing real hurt. I want to thank the residents who turned out to share their concerns.

We are in this situation for two reasons: the conduct of former mayor Josh Gilligan, which led to his suspension under the councillor code of conduct, and because of Liberal Party infighting revealing the conduct of Mr Singh before he became a councillor. I have raised residents' concerns with the leadership and governance of Wyndham City Council in public and in meetings since I was elected. I welcome the appointment of the two monitors who are going to help get to the bottom of the issues there.

I met this afternoon with victim-survivors of abuse to discuss some of the next steps this Labor government is taking: amending the Local Government Act 2020 and our commitment to banning so-called good character references in court. I want to thank them sincerely for their engagement. As I committed at the rally, I am here to listen and share their views, and I look forward to contributing to the debate on these laws when we return. The amendment will empower councils to hold mayors to account who do not perform appropriately in that role. The situation in Wyndham is a mess made by the Liberal Party, by one of their members, and I call on the opposition to support these changes. Finally, I reiterate residents' concerns: Preet Singh should resign. The law is changing to further hold mayors like him to account.

Responses

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (17:29): The member for Ashwood raised a matter for the Minister for Housing and Building regarding a requirement to visit the Power Avenue site in his electorate. The member for Murray Plains raised a matter for the Minister for Housing and Building to take action to purchase existing vacant houses in regional Victoria for the support of those on the priority housing waiting list. The member for Albert Park raised a matter for the Minister for Mental Health in the other place seeking action with regard to visiting First Step in St Kilda in her electorate. The member for Prahran raised a matter for the Minister for Skills and TAFE with regard to action on the Swinburne site in her electorate and the future use of that site.

The member for Laverton raised a matter for the Minister for Health in the other place seeking an update on the opening of the Werribee Mercy Hospital emergency department, part of a $280 million package of investment in emergency department and health service works across the state. The member for Nepean raised a matter for the Minister for Housing and Building seeking action on funding of assertive case managers and the like for existing services for the homeless in his electorate of Nepean. The member for Pascoe Vale raised a matter for the Minister for Water, also in the other place, with regard to an update on the Moonee Ponds Creek project. The member for Shepparton raised a matter for the Minister for Housing and Building seeking action on an audit of vacant housing properties in her electorate, particularly around Shepparton. The member for Werribee raised a matter for the Minister for Local Government on the actions that the government is taking to restore confidence in the leadership of the Wyndham City Council.

The member for Berwick raised a matter for my good self on what urgent actions are being taken with regard to policing services at the Clyde North police station. I am pleased to advise the member that the government has invested $78 million in both the Clyde North police station and the Narre Warren police station, which I was pleased to attend the opening of with the members for Narre Warren North and Narre Warren South and other members from the other place, including Mr Galea, in what has been a very significant redevelopment for Narre Warren and the Clyde North, providing police services as we speak, particularly highway patrol and other specialist police services. I am confident that there will be further announcements with regard to policing services at Clyde North and the new station built by our government. That also follows up on the investment announcements that we have been delivering at Point Cook, where there is a $25 million project underway for a new police station, and I am confident we will have that service up and open later this year, as well as the $29 million

redevelopment of the Benalla police station, which is providing services for the north-east, which I opened with the Treasurer in her electorate over the past year. And in South Melbourne, as the member for Albert Park well knows, the new $52 million police station is coming up out of the ground in a significant way as we speak. We will continue our record investment in police services and make sure that the Clyde North community get the police services that they need, on a day when the independent Crime Statistics Agency Victoria has released details that, again, show that crime is down here in Victoria.

I commend all those matters for action to ministers. And in the short period of break until we return, my best wishes to members and parliamentary staff.

The SPEAKER: Thank you, Minister. Thank you, members. Before we leave, as always, I would like to give a shout-out to our clerks, our Hansard team, the tours and customer services team, the catering team, the cleaners, the security team and all the Department of Parliamentary Services and other staff who work in this Parliament to support us during a sitting week and beyond. I hope every member enjoys the break. The house now stands adjourned.

House adjourned 5:34 pm.