



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Thursday 8 February 2024

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

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

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

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

David Southwick

Leader of the Nationals

Peter Walsh

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury

**Members of the Legislative Assembly
60th Parliament**

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel 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	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren ²	South Barwon	Ind	O'Keefe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan ⁵	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden ³	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will ⁴	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam	Prahran	Greens	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole ⁶	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Wight, Dylan	Tarneit	ALP
Kathage, Lauren	Yan Yean	ALP	Williams, Gabrielle	Dandenong	ALP
Kealy, Emma	Lowan	Nat	Wilson, Belinda	Narre Warren North	ALP
Kilkenny, Sonya	Carrum	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 7 July 2023

⁶ Sworn in 3 October 2023

Party abbreviations

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

CONTENTS

RULINGS FROM THE CHAIR	
Member conduct.....	211
JOINT SITTING OF PARLIAMENT	
Legislative Council vacancy.....	211
BUSINESS OF THE HOUSE	
Notices of motion	211
DOCUMENTS	
Documents	211
COMMITTEES	
Parliamentary committees	212
Membership	212
MOTIONS	
Dissent from Speaker's ruling.....	212
BUSINESS OF THE HOUSE	
Adjournment	212
ANNOUNCEMENTS	
Photography in chamber	212
MEMBERS STATEMENTS	
Michelle Robinson	212
Australia Day awards	213
Australia Day awards	213
Water policy.....	214
Meadow Creek solar farm	214
Werribee electorate Endeavour Awards.....	214
Lunar New Year	215
Australia Day awards	215
Camp Sovereignty	215
Drug harm reduction	216
Australia Day awards	216
Mildura ambulance services	216
Container deposit scheme	216
Kalkallo electorate schools	217
Workplace Incidents Consultative Committee.....	217
Ringwood East market.....	217
Melton road safety.....	218
Lowitja O'Donoghue	218
Apology for past care leavers	218
Cranbourne electorate community organisations	219
Lunar New Year	219
Water safety	219
Hope Cafe.....	220
Dr Moss Cass awards.....	220
Australian Croatian Association of Ballarat	221
BILLS	
Firearms and Control of Weapons (Machetes) Amendment Bill 2024	221
Statement of compatibility.....	221
Second reading.....	228
Building Legislation Amendment (Domestic Building Insurance New Offences) Bill 2023	234
Second reading.....	234
Service Victoria Amendment Bill 2023	245
Second reading.....	245
DOCUMENTS	
Apology for past care leavers	247
MOTIONS	
Apology for past care leavers	247
MEMBERS	
Minister for Planning	254
Absence	254
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Suburban Rail Loop	254

CONTENTS

Ministers statements: women’s health.....	256
Payroll tax.....	256
Ministers statements: medical research.....	258
Payroll tax.....	258
Ministers statements: sanitary products.....	259
Community safety	260
Ministers statements: family violence	261
Housing.....	262
Ministers statements: women’s health.....	263
RULINGS FROM THE CHAIR	
Constituency questions	264
CONSTITUENCY QUESTIONS	
Murray Plains electorate	264
Broadmeadows electorate.....	264
Narracan electorate.....	264
Kororoit electorate.....	265
Brighton electorate	265
Wendouree electorate.....	265
Brunswick electorate.....	265
Monbulk electorate.....	266
Morningson electorate	266
Narre Warren South electorate.....	266
BILLS	
Service Victoria Amendment Bill 2023	266
Second reading.....	266
Justice Legislation Amendment (Police and Other Matters) Bill 2023	289
Council’s amendments.....	289
Service Victoria Amendment Bill 2023	292
Second reading.....	292
Third reading.....	292
Regulatory Legislation Amendment (Reform) Bill 2023.....	293
Second reading.....	293
Third reading.....	293
Building Legislation Amendment (Domestic Building Insurance New Offences) Bill 2023	293
Second reading.....	293
Third reading.....	294
ADJOURNMENT	
Queens Avenue, Caulfield East, redevelopment.....	294
Pascoe Vale electorate transport infrastructure.....	294
Regional health services.....	295
Women’s health.....	296
Flood recovery	296
Women’s health.....	297
Teacher workforce.....	297
1st South Frankston Scout Group	298
Five Ways intersection, Warrandyte.....	298
Housing.....	299
Responses.....	299

Thursday 8 February 2024

The SPEAKER (Maree Edwards) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.

*Rulings from the Chair***Member conduct**

The SPEAKER (09:33): Yesterday during question time the member for Brunswick, the member for Melbourne, the member for Prahran and the member for Richmond wilfully obstructed the business of the house. This was a premeditated disruption to the smooth running of the chamber. I have requested an apology to the house for this behaviour from the members involved. I want to make it clear that the request for an apology is for the disruptive behaviour that violated the rules of the house yesterday and for no other reason. I add that this is not the first time that unruly behaviour has occurred, and therefore I will not be seeking apologies for further premeditated and deliberate abuse of standing orders. Serious disruption will be sanctioned immediately, particularly for those who have been engaged in disruptive behaviour before. I ask that the members for Brunswick, Melbourne, Prahran and Richmond now apologise unreservedly to the house.

Ellen SANDELL (Melbourne) (09:34): On behalf of the members for Prahran, Brunswick, Richmond and myself, we apologise.

Members interjecting.

The SPEAKER: Order! I accept the apology.

James Newbury: On a point of order, Speaker, every member is elected to this place in their own name. No member is accountable through any other member. It is only appropriate that any member who has behaved improperly apologise to this house individually and personally, and I would say with deep regret that if the Speaker's ruling were otherwise we would move dissent from the Speaker's ruling.

The SPEAKER: That is my decision, and my decision stands.

*Joint sitting of Parliament***Legislative Council vacancy**

The SPEAKER (09:35): I have to report that the house met yesterday with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Dr Matthew Bach MLC and that Richard Welch has been duly chosen to hold the vacant place.

*Business of the house***Notices of motion**

The SPEAKER (09:35): General business, notices of motion 13 and 14, will be removed from the notice paper unless a member wishing their matter to remain advises the Clerk in writing before 2 pm today.

*Documents***Documents****Incorporated list as follows:**

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Fire Rescue Victoria – Report 2022–23

Office of the Public Advocate – Report 2022–23 – Ordered to be published
Office of Public Prosecutions Victoria – Report 2022–23
Recreational Fishing License Trust Account – Report 2022–23 on the disbursement of revenue
State Electricity Commission of Victoria – Report 2022–23
Statutory Rules under the following Acts:
Australian Crime Commission (State Provisions) Act 2003 – SR 6
Livestock Disease Control Act 1994 – SR 5
Victorian Collaborative Centre for Mental Health and Wellbeing – Report 2022–23.

Committees

Parliamentary committees

Membership

The SPEAKER (09:36): I have received the resignations of Gary Maas from the Legal and Social Issues Standing Committee and Jackson Taylor from the Integrity and Oversight Committee effective from today.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (09:37): I move, by leave:

That:

- (1) Jackson Taylor be a member of the Legal and Social Issues Standing Committee; and
- (2) Eden Foster be a member of the Integrity and Oversight Committee.

Motion agreed to.

Motions

Dissent from Speaker's ruling

James NEWBURY (Brighton) (09:37): I seek leave to move:

That this house dissents from the Speaker's ruling of 8 February 2024 in relation to the Greens' recent behaviour in the Parliament.

Leave refused.

Business of the house

Adjournment

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (09:37): I move:

That the house, at its rising, adjourns until Tuesday 20 February 2024.

Motion agreed to.

Announcements

Photography in chamber

The SPEAKER (09:38): I advise the house that I have given approval for a photographer to take photos during the special sitting today.

Members statements

Michelle Robinson

Ben CARROLL (Niddrie – Minister for Education, Minister for Medical Research) (09:38): I rise today to congratulate Michelle Robinson on her retirement last week from my local Kmart, at Airport

West, after 34 years of service. Thanks to a sneaky call from Michelle's husband Norm to my office, I had the great privilege of making my way into the Kmart breakout room on Michelle's last day for the celebration. I have never seen so many people squeezed into one room – so many longstanding, loyal servants of Kmart Airport West.

In a twist of history, in 1989 I started my first job at Kmart Airport West the same week that Michelle started. I stayed for eight years, right through my high school and university years, and Michelle stayed for 34 years. It is often said that the people you meet are more important than the pay cheque you receive, and that sentiment goes well and truly for Michelle. You could see how well she has been loved over so many years and how many young people she has helped start their working lives.

Michelle has been a longstanding, loyal servant of Kmart Airport West. I wish her very well for the future. Her skills in servicing the local community, teaching young people that the customer is always right, effective communication and punctuality are lifelong skills that everyone should have. Michelle also did a lot with the Kmart Wishing Tree that I had the great privilege every Christmas of being able to light up, helping to ensure that young people from disadvantaged backgrounds get that special something at Christmas time, a present under the tree.

The SPEAKER: Before I call the member for Croydon, I acknowledge in the gallery a former member for Lara and minister the Honourable John Eren.

Australia Day awards

David HODGETT (Croydon) (09:40): I rise today to congratulate Randall Bouchier, who received the Ian De La Rue award for community leadership at the recent Yarra Ranges council community awards held on Australia Day. For more than 35 years Randall has made significant contributions, giving back to the community in countless ways. He inspires others to be involved in community events and offers a wealth of knowledge, experience and enthusiasm in all that he does. As a chaplain and emergency chaplain for the community, Randall has offered endless support over this time. He also regularly gives his time and skills as a master of ceremonies across many community events. His passion and selflessness make him an excellent recipient of this award. A special thanks also to Randall, who even taught me to play piano, much to the delight of my family.

I also wanted to congratulate Satria Arbai, who was awarded Young Citizen of the Year at Maroondah City Council's Australia Day awards. Satria is a young adult living with a disability who is a passionate advocate for disability rights and inclusion. Satria runs workshops and training sessions where his lived experience shines the light on some of the challenges faced and how to best interact with those living with a disability. Congratulations, Satria, on the wonderful work you are doing and will continue to do.

Australia Day awards

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (09:41): I rise to congratulate Janine Mohamed, from my electorate, who is the Victorian Australian of the Year in 2024. A leader of purpose and grace, Janine serves our community with great distinction. Over almost five years at the helm of the Lowitja Institute and as former CEO of the Congress of Aboriginal and Torres Strait Islander Nurses and Midwives, Janine has forged new pathways for Aboriginal Australians in health care as clinicians, researchers and leaders. A proud Narrunga Kurna woman, Janine's journey from nursing studies at the University of South Australia to her appointment as adjunct professor, her more than two decades of service in Aboriginal community controlled health and her recent award of an honorary doctorate in nursing by Edith Cowan University are all testament to her drive and commitment.

Janine's purpose extends far beyond individual accolades. She champions the dismantling of racism, advocates powerfully for the Indigenous health workforce and works towards closing the gap in health outcomes for Aboriginal people through the systemic integration of cultural safety in our healthcare

system. On behalf of my community, I honour the enduring impact of Janine's commitment to justice, equity and the health and wellbeing of First Nations people.

I also wish to offer my warm congratulations to Macedon local recipients of Australia Day honours: Associate Professor Ngairé Elwood, for service to medicine and stem cell research; Dr Jennifer Gray, for service to wildlife management and to zoological industry organisations; and Allan and Shirley Cann from Woodend, for so many years of service to our community. Congratulations to each and every one of those recipients.

Water policy

Tim McCURDY (Ovens Valley) (09:43): Over the Christmas period I was invited on multiple occasions to visit the Ovens River and the King River to see the damage that is now being done by fallen trees and the blocking up of our river systems. The Ovens River has become a perched river system, where the build-up of gravel and rocks now has the riverbed nearly the same height as the banks. When water flows out of a perched river it rarely finds its way back into the river it came from. Locals are furious that catchment management bodies are starved for funds by this Allan Labor government and the maintenance is now non-existent. The Victorian government must invest in our rivers before it is too late to protect our natural streams.

The Nationals' Buyback Fightback tour was extremely successful and well attended in early December last year. The member for Lowan and I toured the Murray River from the dam wall at Albury–Wodonga to the mighty town of Mildura. Key stopovers included Howlong, Yarrawonga, Cobram, Shepparton, Cohuna, Robinvale and Mildura. The federal government has signed the death certificate for many of these small communities that rely on irrigation water to keep their communities alive. Thanks to the members for Benambra, Shepparton, Murray Plains and Mildura, who helped us to educate communities along the way as to the detrimental effects buybacks will have and why we need to stop the buybacks at all costs before the Albanese Labor government sells us all down the river.

Meadow Creek solar farm

Tim McCURDY (Ovens Valley) (09:44): Another magnificent roll-up at the Bobinawarra hall recently sent a clear message that solar farms do not belong on prime agricultural land. John and Jess Conroy have coordinated proud and passionate farmers to draw a line in the sand against this solar farm. As farmers we know that a weed is a wrong plant in the right paddock. Well, the Meadow Creek solar farm is the right project in the wrong farming district. We say no to a solar factory in Meadow Creek.

Werribee electorate Endeavour Awards

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (09:44): I rise to refer to my annual Endeavour Awards and recognise the student recipients who graduated in 2023. The Endeavour Awards are an opportunity for me as the local member to acknowledge those students in my electorate who have endeavoured to always do their best or who have demonstrated significant growth in their attitude and approach to their learning. These awards showcase more than just educational achievement; they are about the students' character, their service to the community and those who always strive to do their best.

Each local school was asked to nominate a graduating student from year 6 and year 12. The year 12 recipients and their guests were welcomed to a morning tea that I hosted in December here at Parliament. Last year's Endeavour Awards recipients include Basit Daif from Manor Lakes P-12 College, Finn Merryfull from Werribee Secondary College, Ellie Monk from Wyndham Central College and Zichen Ma from Heathdale Christian College. I want to thank all the recipients for joining me in Parliament House to celebrate their achievements and their nominations by their school communities to receive my awards. I wish them all the best for their future ambitions.

It is a pleasure and a privilege to acknowledge our young leaders of tomorrow and to embrace and encourage their aspirations for the future. I have no doubt in my mind that they will all go far.

Lunar New Year

Nicole WERNER (Warrandyte) (09:46): On behalf of the Liberals and Nationals it is my pleasure to rise in Parliament today to wish everyone a happy Lunar New Year. I am proud to come from Chinese ancestry, with my parents having migrated from Malaysia to Australia in the late 1980s. I am also proud to be the first Asian woman elected to the Legislative Assembly in Victoria and to have the opportunity to represent my community in this place.

Lunar New Year is a time of renewal, reflection and reunion. It is a time when families come together, friends unite and communities celebrate the rich tapestry of our cultural heritage. This year is the Year of the Dragon. The dragon symbolises strength, courage and prosperity. Notable people born in the Year of the Dragon include my wonderful dad Yang Tee Teh and an excellent member for Western Victoria Region in the other place Joe McCracken. I look forward to celebrating with my family and at various upcoming Lunar New Year events, including with my good friends at the Chinese Senior Citizens Club of Manningham and the Asian Business Association of Whitehorse.

As we embark on this Lunar New Year, may it be filled with blessing, prosperity and joy for us all. To our wonderful Chinese community, ni hao da jia hao. Wo shi di yi wei, ni xin, zhi you dang, hua yi, zhou ee yen. Zhu da jia, xi nian kuai le. Nian nian you yi. Shen ti jian cang. Gong xi fa cai. Xie xie.

Australia Day awards

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (09:47): I rise to acknowledge local residents in my Ivanhoe electorate who were recognised in the Australia Day 2024 honours list. Appointed as members of the Order of Australia were Dr June Factor AM of Ivanhoe, for significant service to literature, to history and to the community and the late Dr James Richard May AM of Heidelberg, for significant service to mining research and governance and to the community. Mr David Philip McCabe OAM of Ivanhoe was awarded the Medal of the Order of Australia for services to the community of Wangaratta. As Minister for Police, I have written to several Victoria Police members who were awarded the Australian Police Medal.

I further offer my personal congratulations to Dr Francis Roger Acquah AM for significant service to mental health care and to the community and to Mrs Penny Fowler AM for significant service to the community through a range of organisations, including the Royal Children's Hospital Good Friday Appeal; Ms Suzanna Sheed AM, former parliamentary colleague and member for Shepparton, for her service; and Ms Zeynep Yesilyurt OAM for services to multicultural communities and women's affairs.

Finally, one of my little brothers was awarded the Public Service Medal, Mr Nicholas Patrick Carbines PSM of Macleod, for outstanding public service in the provision of payments and supporting those most vulnerable and experiencing homelessness across inner-city Melbourne. I am sure your Services Australia colleagues and the team at the Salvos led by Major Brendan Nottle at Melbourne Project 614, Bourke Street, are pleased that your work has been acknowledged, and I know your family is very proud of your commitment to those in need.

Camp Sovereignty

Sam HIBBINS (Pahran) (09:49): Last night I joined with my Greens colleagues in visiting Camp Sovereignty located in the very quiet and tranquil part of the Pahran electorate now known as Kings Domain. We joined many others in a sunset ceremony around the sacred camp fire where we had a good chat to Uncle Robbie about genocide, about sovereignty, about treaty and about the history and vision for the area. I put on record my support for their movement, including for Kings Domain to be renamed and returned to the traditional owners.

Drug harm reduction

Sam HIBBINS (Pahran) (09:49): I once again urge the government to implement pill testing here in Victoria. I know this is an issue that is of great concern to many residents in the Prahran electorate, particularly the young people and punters who are heading out to our many nightclubs every weekend. Over summer there was another spate of overdoses. There is the ongoing risk of people taking pills or drugs that contain more dangerous substances that they are not aware of or much higher doses than expected. There have been multiple coroners reports recommending pill testing and a continued weight of evidence that makes it clear that pill testing saves lives.

Australia Day awards

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (09:50): On Australia Day I was delighted to learn that not one, not two, but six incredible women from my electorate were recognised in this year's Australia Day honours list.

Firstly, we have Carol Willis, who for 30 years has worked to provide thousands of residents with assistance such as crisis counselling, food parcels and financial support. Carol has been a tireless volunteer across many committees.

We have had a former mayor and councillor of Hobsons Bay, Angela Altair, recognised for her services to the community via journalism and local government. Angela worked as a journalist covering local government affairs and then moved to the other side of the desk in 1999 when she was elected to council.

Dr Christine Longman was another one – recognised for her long and successful career serving the Williamstown community as a local GP as well as her pro bono work as an on-call doctor.

Longstanding committee member for the Williamstown Literary Festival, Lis Grove, received an honour for her services to the community.

Wilma Robarts was recognised for her services to the Williamstown community through the Holy Trinity church, volunteer tutoring and Heartsong Choir. This was alongside her work as a primary school teacher for 37 years.

And finally, community radio volunteer for more than 30 years Fiona Bamford-Bracher was recognised for her outstanding work as trainer, program host and producer at Triple R.

Mildura ambulance services

Jade BENHAM (Mildura) (09:51): I rise today to send a huge shout-out and thankyou to our Mildura ambos. Our hardworking paramedics have attended 86.8 per cent of code 1 emergency cases within 15 minutes in the Mildura LGA, making them the second best in the state. These figures are for the final quarter of 2023, showing the average response time for a code 1 case locally was 13 minutes and 11 seconds, which is 19 seconds faster than the previous three months, only narrowly outdone by Swan Hill ambos. Given that I have a foot in each camp, with both councils being in the Mildura electorate, I wanted to send a huge shout-out to the top two ambulance services in the state and say a heartfelt thankyou.

Container deposit scheme

Jade BENHAM (Mildura) (09:52): Whilst we are talking about regional Victoria being better than the rest of the state, last week I had that great pleasure of visiting the Visy exchange depot, one of the container deposit scheme locations. It is easy to see why Mildura is leading in this area as well, having returned over 4 million containers by mid-January, because the set-up is brilliant, the staff are terrific, and it is easy and fun. Damien contacted me after I spoke about this in this place about how it could

be evolved to sporting clubs, community groups and perhaps even schools. He thinks it is a great idea and is hatching a plan to execute it. Thank you for the tour of the Visy exchange depot.

Kalkallo electorate schools

Ros SPENCE (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (09:53): We have had a terrific start to the school year in the Kalkallo electorate with the opening of Yubup Primary School, which I attended along with the Premier and the Minister for Education, as well as the welcome to country ceremony at Banum Warrik Primary School, which will be officially opened next week.

With the completion of these schools, I am proud that since the election of the state Labor government in 2014 we have now delivered 11 new government schools in the growing communities I represent. Yubup Primary School – yubup meaning parakeet – is a very welcome addition to the rapidly growing Mickleham. Thank you to students Pravan, Joban, Trishanpreet and Zuhra, along with principal Maree Moyle, who gave us a tour of this terrific school and to some of its state-of-the-art facilities. The preps enjoyed a story from the Premier, and they loved the free prep bags we were able to hand out. These bags are loaded with books, educational items and information to help preps and their families start off the school year.

It was fantastic to also attend the first day welcome to country ceremony at the new Banum Warrik Primary School, with Banum Warrik meaning ‘grassy plains’. The ceremony, led by Coree and the Koorie Youth Will Shake Spears group, included a smoking ceremony and a couple of traditional dances, which all the students were really keen to take part in. It was fantastic to see the brand new facilities at Kalkallo’s newest school. Thank you also to principal Anthony Potesta for inviting me to this ceremony. I cannot wait to attend the official opening next week.

Both of these schools are incredibly important to this growing community. We have got families moving in every day, and now their trip to school is even shorter.

Workplace Incidents Consultative Committee

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (09:54): I rise to give my heartfelt thanks for the work of the Workplace Incidents Consultative Committee, and I am really pleased that the member for Narre Warren South is in the chamber today, as he is the co-chair of this important group. It is a great privilege to be a minister and it is a really special privilege to be the Minister for WorkSafe and the TAC. It is obviously important to work closely with your departments and with your agencies to try to understand what is the right thing to do – how to construct policy in the right way and try to implement it. But what I really value from the Workplace Incidents Consultative Committee is the input of the lived experience. Every one of these members has lost a loved one. Think about that for a moment – the notion that you have lost a child, you have lost a partner or you have lost a parent in a workplace injury. The way in which you choose to respond to that is by volunteering, providing assistance, trying to make sure that we provide the right support to bereaved families that have lost someone as a consequence of a workplace injury and thinking about how we can try to improve our performance to make sure that we minimise the trauma that people experience. So from my perspective I want to thank my good friend the member for Narre Warren South, but I also want to also thank Dr Lana Cormie, who is the co-chair; Samantha Burns, the deputy co-chair; Dave Brownlee; Elvis Martin; James Wood; Bette Phillips-Campbell; Ralph Snider; Michael Stone; Brett Struhs; and Francis Malek. Thank you so very much.

Ringwood East market

Will FOWLES (Ringwood) (09:56): I rise today to celebrate the vibrant Ringwood East market, a hub of creativity, commerce and community spirit located in the heart of my electorate. Last Saturday I had the pleasure of visiting the market and meeting with its passionate president Helen Johnston of the Ringwood East Traders Association. There was a bustling atmosphere, with over 50 stallholders

showcasing their unique wares, from handcrafted gifts to plants to cookies. Held on the first Saturday of every month at Knaith Road park, the Ringwood East market is more than just a shopping destination; it is a place where residents connect, families bond and local businesses thrive.

It is important to acknowledge the challenges that Ringwood East currently faces. Ongoing works at the nearby Ringwood East station and level crossing removals in Ringwood have presented some difficulties for local businesses. However, the market's resilience reflects the unwavering spirit of our community. Traders are adapting, innovating and finding new ways to reach customers. I urge those in my community to visit the Ringwood East market and experience its magic firsthand. Support our local stallholders, celebrate the entrepreneurial spirit and soak in the unique community atmosphere. By shopping local we invest in the very fabric of our neighbourhoods, ensuring their continued success. Bring the kids down, buy an ice cream, grab some plants and chat to the local community groups. I stand firmly behind the Ringwood East market and its dedicated traders. Together we can ensure its continued success and celebrate the invaluable role it plays in fostering a vibrant and connected community.

Melton road safety

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (09:57): I rise to bring to your attention in the house a serious matter of child safety in my electorate of Sydenham. The education precinct along Becca Way and Lancefield Drive in Caroline Springs and the City of Melton is home to a number of schools, including a kindergarten and maternal and child health centre. It is a very close-knit community; however, for staff, students and parents the school day begins and ends with a fear for children's safety due to a lack of traffic management and poor planning at the drop-off and pick-up zones in this area. Melton council have made a few small improvements; however, I have heard from many parents and staff at the local schools that the zones are ineffective.

In term 4 last year an incident occurred between two parents involving a near miss, and unfortunately police were called. A parent, Karen, has written to me saying:

My seven-year-old son confidently rides his bike to school; however, I'm always fearful something will happen to him because of the dangerous traffic flow issues. So far, the Council hasn't been doing enough to take the safety of our children seriously.

I have concerns for the whole precinct. I call on Melton council to deliver better safety infrastructure in the area. The school community really does need urgent and proactive action. We must work together to find a solution before a serious, fatal incident occurs.

Lowitja O'Donoghue

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (09:59): I want to also acknowledge the passing of Lowitja O'Donoghue, an Indigenous leader who changed the face of Australia. She spent her life advocating for the health and the rights of First Nations people.

Apology for past care leavers

Ella GEORGE (Lara) (09:59): This week the Victorian government is making a formal apology to Victorian children who experienced historical abuse and neglect as children in institutional care. Before 1990, over 90,000 children were placed into institutional care. Many suffered in many ways, including various forms of abuse, such as physical, psychological, emotional and sexual. These children grew up not knowing their parents or their families. Brothers and sisters were separated, never to be reunited. Having suffered enormously, care leavers are some of the most resilient people I have met. I have learned so much from hearing firsthand from them about the hurt and pain they have endured. And their pain is still ongoing. Many care leavers that I have spoken to are still suffering as a result of the abuse they experienced.

The stories of care leavers are something that all Victorians should learn about, and the best place to do that is at the Australian Orphanage Museum in Geelong, where you can hear from a care leaver about this dark part of Victoria's history. This museum is dedicated to documenting and exhibiting authentic social histories about the experiences of growing up in an orphanage, children's homes, missions and other institutions, including foster care, in Australia. It will help you understand why this apology is necessary and what it means to Victorian care leavers.

I want to thank the care leavers who have generously shared their stories with me. Thank you to Billy, Pam, Janet, Terry and John, and thank you to Frank Golding and Leonie Sheedy. Thank you for all of your work advocating for care leavers. We would not be here today without you. This apology is long overdue, and it will be an honour to be present for it in the house today.

Cranbourne electorate community organisations

Pauline RICHARDS (Cranbourne) (10:00): There is a lot going on in Cranbourne, and boy am I lucky to be able to be invited to some extraordinary events to celebrate the best of us.

Last Sunday I went to the Cranbourne Uniting Church to celebrate the wonderful volunteers and people who contribute their time to the Cranbourne food truck. This food truck provides not just care and community and food but a sense of belonging and a place where people can be together. We were able to share a wonderful celebration with not just the volunteers and the people who contribute but also the clients of the food truck. Every Sunday is a good time for a sausage sizzle – I would say every day might be a good day for a sausage sizzle. The Uniting Church minister led a grace, and it was Rabbie Burns. I do not know what he said – it was in Gaelic – but I know that I was enthusiastic about whatever it was that he had to say. I did announce my enthusiasm with the same sort of cheers and celebration that the rest of the congregation had.

The Nepalese community in Cranbourne is growing. We are so lucky to have the Hindu Astha society not far away in my own neighbourhood of Cranbourne South. I was very lucky to be there. And, finally, the amazing filming of *Sembra Mio Figlio*, which means 'just like my son', with poet Basir Ahang and directors from the Hazara community. I was very lucky to be there.

Lunar New Year

Eden FOSTER (Mulgrave) (10:02): I rise today to extend my heartfelt gratitude to the vibrant Chinese and Vietnamese communities across the Mulgrave electorate and to all those communities who are celebrating the joyous occasion of the Lunar New Year. In recent weeks I have had the privilege of meeting and celebrating with many different cultural communities and attending numerous local Lunar New Year celebrations. It has been a privilege to witness the richness of our cultural heritage and to connect with our multicultural community leaders and various cultural groups, including the South Eastern Melbourne Vietnamese Associations Council, the Springvale Indochinese Mutual Assistance Association, the Springvale Asian Business Association, the Australian Vietnamese Women's Association, the Vietnamese Museum Australia, the National Council of the Australian Federal Chinese Association and the Golden Flower Chinese Friendship Association.

Our Chinese and Vietnamese communities particularly form a significant part of my electorate. They play an integral role in our community, enriching our lives with their traditions, values and delicious cuisines. I thank them for their ongoing commitment to fostering unity across our great state.

The Lunar New Year represents a time of renewal, reflection and hope. Let us embrace the spirit of the Year of the Dragon with optimism and determination. May this new year bring us closer and deliver prosperity and success across our community. Xīn nián kuài lè. Chúc mừng năm mới.

Water safety

Jordan CRUGNALE (Bass) (10:03): Our community is hurting and so very sad and affected by the loss of six precious loved ones to drowning on our Bass Coast in January: at Kilcunda beach, Sahil

Panwar, in his 20s from Cranbourne East, known for his infectious laughter, warm spirit and zest for life; at Surf Beach, Barry Oakes, a 66-year-old pastor from the Ashburton Presbyterian Church; and then at Forrest Caves, also on Phillip Island, four family members from Clyde, Jagjeet Anand, a 23-year-old registered nurse, his sister Suhani Anand and Kirti Bedi, both 20 years of age, both studying nursing, and Reema Sondhi, 42 years old, on holiday from India – hearts of gold, caring and very down to earth. Their families, in all this grief, want to raise awareness of the dangers of swimming at unpatrolled beaches like these ones. We send love, strength and support to their families, friends, communities and all who cherished them. May your loved ones' spirits and souls rest in peace for eternity.

Our arms are also wrapped around our first responders: our local surfers; Woolamai surf club lifeguards, including those who were off duty at the time; paramedics; members of both the San Remo and Phillip Island SES units; police; and those from our community at the scene who worked so hard in the most difficult of circumstances. Everyone involved did their best. Our Bass community is a very special one. They come together, they rally around and they support and hold each other in times of need, and they will continue to do so in the time ahead.

Hope Cafe

Kathleen MATTHEWS-WARD (Broadmeadows) (10:05): I rise to pay tribute to all the volunteers and local organisations that help our community out with food relief. Every Thursday the Hope Cafe at St Mark's in Fawkner hosts a free three-course meal with live music and food hampers to take home. At the same time the incredible Orange Sky volunteers rock up with their laundry van and wash and dry clothes for free, so at the end of the meal people not only have a full tummy but also the dignity of freshly washed and dried laundry. Whilst many food relief organisations shut down over January, the Hope Cafe kept operating, and during this time, when the availability of volunteers can be a bit thin, my husband, the kids and I had the honour of helping for a few weeks, which was a lot of fun and a lot of dishes. It was also fabulous to join the Christmas celebration with the Moreland Salvation Army band and a visit from a very special person in red.

I thank local resident Hassan Gul for sourcing the gifts and SecondBite, OzHarvest and the West Street bakery for supplying the food week after week. A huge thanks to the parishioners and nonnas that come together every Thursday to cook delicious food, and the biggest shout-out to the volunteers that bring it all together every Thursday, including coordinator Krystene and her kids, Luch, Sandra, Anna, Val, Bev, Katheryn, Lauren, Maxine, Rob, Fil, Luke, Meri, Lewis, Ken, Marlene, Dylan, Vergina, Marie, Rodney, Mary and Anagie, and of course Father Colin for his support.

Dr Moss Cass awards

Katie HALL (Footscray) (10:06): I have spoken before in this place about the impact Dr Moss Cass had on Melbourne's inner west and the nation, and in honour of his work and in collaboration with his family I recently established the Dr Moss Cass award. The award is for primary school students who demonstrate the same values that drove Dr Cass his whole life: kindness, empathy and consideration of others.

As we enter a new school year I would like to congratulate the students who received the award in December: Medina Crnalic from Footscray North Primary, Bailey Toseland from Maribyrnong College, Mia Trogrlic from St Margaret's Primary, Billie Shortis from Footscray West Primary, Christina Tang of Corpus Christi Primary, Ruby Sutherland from St Augustine's Primary, Jarred Kraljevic from Yarraville Special Developmental School, Seni Colvey from Footscray City Primary School, Adnan Lemon from Footscray Primary, Ella Critchlow-Salvidge from Footscray High and Imogen Jukes from Yarraville West Primary, who wrote me the most beautiful letter. Thank you to the students of the inner west, who represent all that we know is good about our community. I am sure your parents are immensely proud.

Australian Croatian Association of Ballarat

Michaela SETTLE (Eureka) (10:08): I am delighted to rise to make you aware of a wonderful event I attended two weeks ago, which was put on by the Australian Croatian Association of Ballarat – a really wonderful day out. They provide great food for all of the community, and yes, it is a really good part of Ballarat. We have hundreds of people come from across Victoria. (*Time expired*)

Bills

Firearms and Control of Weapons (Machetes) Amendment Bill 2024

Statement of compatibility

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:10): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Firearms and Control of Weapons (Machetes) Amendment Bill 2024:

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 and Control of Weapons (Machetes) Amendment Bill 2024.

In my opinion, the Firearms and Control of Weapons (Machetes) Amendment Bill 2024, 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 Bill amends the *Firearms Act 1996* (the Act) to expand police powers to serve firearm prohibition orders. Specifically, the Bill will empower Victoria Police officers to:

- direct or detain an individual for the purposes of serving a firearm prohibition order;
- enter premises without consent for the purposes of serving a firearm prohibition order on an individual, subject to a service search warrant; and
- serve a firearm prohibition order on a person in detention by registered post.

The above powers can only be used by police officers in circumstances where Victoria Police have exhausted all reasonable attempts to serve an individual with a firearm prohibition order personally.

The Bill also amends the *Firearms Act 1996* to:

- allow police officers to serve a firearm prohibition order by putting a copy down in the presence of the individual and telling them the nature of the order;
- make minor unrelated amendments to certain definitions in the Act.

The Bill also amends the *Control of Weapons Act 1990* to insert an example in the definition of **controlled weapon** to state that a machete is a type of knife. This is a purely clarificatory amendment to confirm the existing legal position whereby a machete is a knife and all knives are controlled weapons unless they are specified in the Control of Weapons Regulations 2021 as being prohibited weapons.

Current operation of the firearm prohibition order scheme

A firearm prohibition order is a discretionary order made by the Chief Commissioner of Police prohibiting an individual from acquiring, possessing, carrying or using any firearm or related item. The Chief Commissioner may make an order only if satisfied that it is in the public interest that the individual who will be subject to the firearm prohibition order must not acquire, possess, carry or use a firearm or firearm-related item.

The firearm prohibition order scheme, which was introduced in 2018, operates in tandem with the ‘prohibited person’ scheme. It provides additional police powers to proactively respond to and prevent serious firearm-related crime. Firearm prohibition orders are intended to be used by Victoria Police in relation to persons where sufficient intelligence or information holdings exist to indicate that it is contrary to the public interest for that person to possess a firearm. This includes those engaged in serious criminal activities, such as organised crime members and their associates, and anyone charged with a firearms-related offence.

To ensure an individual has actual knowledge that a firearm prohibition order applies to them, a firearm prohibition order must be served on an individual in person by a police officer before it is enforceable. An individual served with a firearm prohibition order must immediately comply with additional duties under the *Firearms Act 1996*, which are enforceable by significant penalties. Additional duties include the requirement

to immediately surrender any firearm or firearm related item in the individual's possession to a police officer, and the duty not to enter or remain on a premises at which a firearm is used or stored.

Further existing police powers to search an individual apply immediately after a firearm prohibition order is served on the individual. The existing firearm prohibition order search powers allow a police officer to, without warrant or consent, enter and search a premises that is occupied by, in the care of or under the control or management of the individual, and to search any vehicle, vessel or aircraft that is in the charge of the individual or in which the individual is a passenger. The existing firearm prohibition order search powers also allow a police officer to search the individual and to detain them for as long as is necessary to conduct the search. A police officer may exercise these search powers if reasonably required to determine whether the individual has a firearm or firearm related item or is contravening the *Firearms Act 1996*.

Existing warrantless search powers in the *Firearms Act 1996* also provide for a police officer to search a person accompanying an individual subject to a firearm prohibition order if the police officer reasonably suspects that the person is committing or about to commit an offence against the *Firearms Act 1996* or has a firearm or firearm related item in their possession.

Children aged 14 years of age or more can be subject to a firearm prohibition order.

Amendments to facilitate service of firearm prohibition orders

A firearm prohibition order must be served on an individual before it is enforceable. Since the introduction of the firearm prohibition order scheme in 2018, a small number of individuals have actively avoided service of a firearm prohibition order to avoid enforcement of the firearm prohibition order scheme.

To ensure that Victoria Police can serve firearm prohibition orders on the few individuals who are avoiding service, the Bill introduces additional measures to facilitate service on those people that engage and limit human rights under the Charter. These measures include:

- a power for the Chief Commissioner to apply to a magistrate for a service search warrant, which authorises a police officer to search a premises for a person for the purpose of serving a firearm prohibition order; and
- a power for a police officer to apply to the Chief Commissioner to make a service direction determination, which authorises a police officer to stop an individual in a public place and direct them to remain at the place or to go to a police station or other safe place for the purposes of serving the firearm prohibition order. If a person unreasonably refuses to follow a direction, a police officer may detain the person in order to serve the firearm prohibition order.

The Bill includes safeguards so that the additional service powers may only be exercised where necessary. The Bill ensures that these additional service powers are only to be used as a last resort and not merely because they are more convenient to police. An individual may easily avoid being subject to these additional service powers by receiving the firearm prohibition order when the police officer attempts to serve it. The Bill only authorises the use of additional powers to effect service of a firearm prohibition order on an individual after the reasonably available less restrictive means have been exhausted.

Firearm prohibition orders are targeted at the most serious criminals who pose a significant threat to community safety. These individuals should not be allowed to avoid or delay the application of a firearm prohibition order by exploiting procedural safeguards. Such a delay, which is generally initiated by the individual, unreasonably limits the effectiveness of the firearm prohibition order scheme, which is designed to support police to proactively respond to and disrupt firearm related crime in Victoria.

The Bill also provides administrative improvements to facilitate service of a firearm prohibition order that do not engage or limit a human right under the Charter. These measures include providing for a police officer to serve a person in detention (including immigration detention) by registered post in certain circumstances; and providing for a police officer to put a copy of the firearm prohibition order down in the presence of the individual and telling the individual the nature of the order.

Human Rights Issues

Certain Firearms Act amendments in the Bill engage the following human rights under the Charter:

- the right to freedom of movement (section 12)
- the right to privacy and reputation (section 13)
- protection of children (section 17(2))
- property rights (section 20)
- the right to liberty and security of the person (section 21)
- the right to humane treatment when deprived of liberty (section 22).

For the reasons outlined below, I am of the view that the Bill is compatible with each of these human rights where they are limited.

Overall purposes of the amendments

The purpose of all of the limitations discussed below is to prevent firearm crime, which represents a serious threat to community safety in the context of an increase in the proliferation of illicit firearms in Victoria. There can be no doubt that preventing firearm crime is a very important public purpose in a free and democratic society that is based on human dignity, equality and freedom. The fact that it is likely to be necessary in order to fulfill the State's obligation to protect the right to life insofar as the right to life may include such an obligation (*Osman v United Kingdom* (1998) 29 EHRR 245, [115]–[116]), means this purpose should be given significant weight under section 7(2) of the Charter. Under human rights law the State is entitled, and in some circumstances may be obliged, to take appropriate steps to protect the lives of those within its jurisdiction (*Veness v Medical Board of Australia* [2011] ACAT 55, [35]).

Safeguards

The significant safeguards introduced by this Bill will ensure that any limitations on these Charter rights, discussed below, are justified and proportionate. The Bill inserts new Divisions 8 and 9 into Part 4A of the *Firearms Act 1996* which include protections for individuals whose rights have been limited, and record keeping, reporting and monitoring requirements to provide for the ongoing monitoring and oversight of the additional service powers by the Parliament, the Minister and IBAC.

The general safeguards provided in Division 8 include a new section 112ZU which limits the detention period for people detained under Divisions 6 or 7 to a maximum of 2 hours (or when the order is served if that occurs first). New section 112ZV provides that an individual must not be questioned on a matter that does not relate to the firearm prohibition order. If an individual is not served within the specified time, new section 112ZW prevents the powers being used again on the same individual until 24 hours later. When taken together, these measures prevent a person being unreasonably detained for an extended period. New section 112ZX requires that a person who has been moved by police be transported back to that place or another safe place, to minimise the disruption to them.

New section 112ZZC requires the Chief Commissioner to report on a quarterly basis to IBAC with the prescribed particulars of the records that are required to be kept under the new provisions, and substituted section 174E(1) requires the Chief Commissioner to report to IBAC quarterly on specified information. The substituted section 174F requires IBAC to review the making of firearm prohibition orders and the making of service detention determinations for each three-month period of every year. Section 174H(3) will provide that IBAC must review whether or not each determination for a service detention determination should have been made by the Chief Commissioner. This is a remarkable level of oversight and comprehensive assurance, which, coupled with the record keeping requirements such as the need to record the use of powers against children, and particulars of service search warrants for people with a special vulnerability, will ensure that any adverse trends in the operation of the scheme can be picked up very quickly. This promotes the right to equal protection from discrimination in section 8(3) of the Charter and ensures the powers are being used in a proportionate manner as required by section 7(2) of the Charter.

The right to freedom of movement (section 12)

The right to freedom of movement in section 12 of the Charter protects three separate rights: the right to move freely within Victoria, the right to enter and leave Victoria, and the right to choose where to live in Victoria. It provides that every person lawfully within Victoria has the right to move freely within Victoria. It provides protection from unnecessary restrictions upon a person's freedom of movement and extends, generally, to movement without impediment throughout the State and a right of access to places and services used by members of the public, subject to compliance with regulations legitimately made in the public interest (*DPP v Kaba* (2014) 44 VR 526 at [100]). The right is directed at restrictions that fall short of physical detention coming within the right to liberty under section 21 (*Kracke v Mental Health Review Board* (2009) 29 VAR 1 at [588]). The right to freedom of movement is one of the most commonly qualified rights that may be reasonably limited under section 7(2) of the Charter (*DPP v Kaba* (2014) 44 VR 526 at [117]).

Clause 14 inserts new Divisions 6, 7, 8 and 9 in Part 4A of the *Firearms Act 1996*.

Division 6 authorises limits on the right to freedom of movement when an individual is directed by a police officer to stop and remain at a place or to go to a police station or other safe place for the purposes of being served with a firearm prohibition order. Division 7 authorises limits on the right to freedom of movement when a person is held in custody at the premises that are the subject of a service search warrant, or potentially taken to a police station or other safe place, for the purposes of being served with a firearm prohibition order.

Before a police officer may exercise the power to direct an individual under Division 6, the Chief Commissioner must make a service direction determination under new section 112V. In making this

determination, new section 112W requires that the Chief Commissioner must first be reasonably satisfied based on affidavit material that the public interest requires that the firearm prohibition order must be served within 28 days; that a police officer has reasonably attempted to serve the firearm prohibition order; and that the individual is avoiding service of the firearm prohibition order, or that a police officer has made reasonable enquiries and Victoria Police cannot identify the individual's current address or their whereabouts for the purposes of service. If the individual is a child, the Chief Commissioner must be reasonably satisfied that the circumstances are exceptional.

The phrase "reasonably satisfied" is used in various Acts and has been found to be "designed to set up an objective criterion to be determined by reference to the external evidence or indicia" (*R v LR* [2006] 1 Qd R 435 at [5]). Although the test is objective, there will not be a single acceptable outcome, however "there must have been evidence available to him or her which can objectively be seen to support the decision that has been reached" (*R v LR* [2006] 1 Qd R 435 at [44]). This test satisfies the "under law" requirement for reasonable limits in section 7(2) of the Charter.

Before a police officer may break and enter premises to search for an individual named in the warrant and detain them for the purposes of serving the order under Division 7, a magistrate must issue a service search warrant under new section 112ZG. Before doing so new section 112ZH will require the magistrate to be satisfied that there are reasonable grounds to believe that a police officer has made reasonable attempts to serve the order; it is in the public interest for it to be served within 28 days; issuing the warrant is reasonable in the circumstances and if the individual is a child the circumstances are exceptional. Before issuing a warrant, the magistrate may have regard to the nature of the premises for which entry is being sought; whether it is a residence; and whether a person with a special vulnerability (including a child) are likely to be at the premises, any other prescribed matter, and any other matter the magistrate considers relevant. Consideration of these matters will ensure that the human rights impacts on other people in the premises are anticipated and balanced before a warrant is issued.

In my opinion, these limitations are not incompatible with the right to freedom of movement under the Charter. Any limit on an individual's freedom of movement is authorised by law after less restrictive means reasonably available to serve the firearm prohibition order on the individual have been exhausted. This amendment only limits freedom of movement reasonably in accordance with section 7(2) of the Charter.

The right to privacy and reputation (section 13)

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. Section 13(b) states that a person has the right not to have their reputation unlawfully attacked. A number of amendments in the Bill may engage this right.

This right is a very broad right concerned with physical and psychological autonomy (*Kracke v Mental Health Review Board* (2009) 29 VAR 1, [619]–[620]). A person's name is an aspect of their right to privacy, and where a police officer demands that a person reveal their name and address, the right is engaged (*DPP v Kaba* (2014) 44 VR 526, [132]–[134], [447], [463]).

Although the right is broad, it also contains internal limitations which have been interpreted as confining the scope of the right: the current authority on section 13(a) is that an interference with the right to privacy and reputation does not amount to a limitation on that right if the interference is lawful and is not arbitrary (*Thompson v Minogue* [2021] VSCA 358, [44]). The adjective 'arbitrary' is wider than the adjective 'unlawful' in that an interference with a person's privacy may be arbitrary even if it is not unlawful (*HJ* [2021] VSCA 200, [152]). An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

The provisions of new Division 6 engages the right to privacy in a variety of ways including when a police officer requires an individual to give their name and address to verify their identity under new section 112ZA(1)(b) and when a police officer directs an individual to surrender their personal autonomy to receive service of a firearm prohibition order under new section 112ZC.

The power to require an individual to give their name and address under new section 112ZA is not arbitrary because the police officer must first be reasonably satisfied that a service direction determination applies to the individual, and the purpose is to verify their identity before exercising the power to direct an individual to stay in a place or to go to a police station or other safe place to receive service of the firearm prohibition order. Similarly, the power to direct an individual to remain in a place or to go to a police station or other safe place to receive service of a firearm prohibition order arises only after the police officer has verified the individual's identity and is reasonably satisfied that a service direction determination applies to the individual. It is not arbitrary.

The phrase “reasonably satisfied” has been found to be “designed to set up an objective criterion to be determined by reference to the external evidence or indicia” (*R v LR* [2005] LR QCA 368, [5]). Although the test is objective, there will not necessarily be a single acceptable outcome, however “there must have been evidence available to [the decision maker] which can objectively be seen to support the decision that has been reached” (*R v LR* [2005] LR QCA 368, [44]). In my opinion, this requirement ensures that the use of the power is not arbitrary and is sufficiently predictable to satisfy the requirement of lawfulness, so that the internal limits within the right are not breached.

New Division 7 provides for a magistrate to issue a service search warrant that authorises a police officer to search a specified premises for the named individual for the purposes of serving a firearm prohibition order. New section 112ZG engages the right to privacy if a court issues a service search warrant authorising a police officer to enter an individual’s premises, including their home.

However, I consider that a search for an individual who is avoiding service of a firearm prohibition order authorised by a service search warrant issued under new Division 7 of Part 4A of the *Firearms Act 1996* does not limit the right to privacy protected by section 13(a) of the Charter for the following reasons. A service search warrant authorises a search for an individual according to law. The search may only be carried out after a magistrate has been satisfied that the specific statutory preconditions have been met. A police officer’s authority to search is appropriately constrained so that the police officer is solely authorised to search for the individual named in the firearm prohibition order, at the premises specified in the warrant, for the purposes of serving the firearm prohibition order on the individual. The police officer is not authorised to search for any other thing.

The power conferred on a magistrate to issue a service search warrant protects against the arbitrary exercise of power. The magistrate must be satisfied that police have reasonably attempted to serve the firearm prohibition order, that the individual is avoiding service, and that the service search warrant is reasonable in the circumstances. The magistrate may have regard to the nature of the premises for which entry is being sought, whether the premises is a residence, whether a person with a special vulnerability (including a child) is likely to be at the premises at the time of the search, any other prescribed matter, and any other matter the court considers relevant. In the event that the Chief Commissioner applies to a magistrate of the Children’s Court of Victoria for a warrant to search for a child aged 14 years or more, the magistrate must be satisfied that exceptional circumstances exist to justify the issue of the service search warrant. Exceptional circumstances means something unusual, or out of the ordinary that in the circumstances justifies the issue of the warrant despite the inherent vulnerability of a child.

A service search warrant will, by definition, be issued only in circumstances where there is no other less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve. A service search warrant can only be issued after a police officer has reasonably attempted to serve the firearm prohibition order and established that the individual is avoiding service of the firearm prohibition order. Avoiding service goes beyond a mere failure to cooperate with police in a particular circumstance. Avoiding service is established by a course of action that demonstrates that the individual is taking positive steps to avoid the service of the firearm prohibition order.

An individual may avoid the interference with their privacy under a service search warrant simply by accepting the firearm prohibition order from the police officer when the police officer reasonably attempts to serve the firearm prohibition order on the individual.

For these reasons I am of the opinion that the Bill does not limit and is not incompatible with the right to privacy and reputation protected by section 13 of the Charter.

Protection of children (section 17(2))

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. Section 17(2) recognises the particular vulnerability of children due to their age and confers additional rights on them. Its scope is informed by the *United Nations Convention on the Rights of the Child*, which requires that in all actions concerning children, the best interests of the child shall be the primary consideration. However, it is worth noting that courts in the United Kingdom construe the best interests of the child as “a” primary consideration rather than “the” primary consideration (*ZH (Tanzania) v Home Secretary* [2011] UKSC 4, [25]–[26]).

Currently, a firearm prohibition order can apply to a child aged 14 years or more and must be served before the firearm prohibition order is enforceable. In recognition of the particular vulnerability of children, the Bill provides that the Chief Commissioner must not make a service direction determination in respect of a child unless exceptional circumstances exist, and new section 112ZK(2) requires the Chief Commissioner to apply to a magistrate of the Children’s Court of Victoria for a service search warrant. A magistrate must not issue a service search warrant in respect of a child unless exceptional circumstances exist.

Further, before issuing a service search warrant new section 112ZH provides that the magistrate may have regard to whether a person with a special vulnerability is likely to be at the premises at the time of the search. The Bill defines special vulnerability in relation to a person to include a person under the age of 18 years.

It is a well-accepted principle in determining exceptional circumstances that the hurdle is a high one, but not so high that it is impossible to ever achieve. Further, unusual or uncommon circumstances are not necessarily solely required (*Director of Public Prosecutions (Vic) v Cozzi* [2005] VSC 195). In the context of bail applications it has been said that a general definition of “exceptional circumstances” is not possible and that exceptional circumstances might come about as a “result of the interaction of a variety of factors which of themselves might not be regarded as exceptional. What is ultimately of significance is that viewed as a whole, the circumstances can be regarded as exceptional to the extent that ... the making of an order ... would be justified” (*Application for Bail by Moloney, Re* Supreme Court of Victoria, unreported 31/10/1990] BC9003878). I consider this to be a sufficiently high threshold for allowing these powers to be used against children.

In recognition of the particular vulnerability of children, new sections 112ZF and 112ZT specify additional measures for the protection of a child when a police officer exercises a power in relation to a child. These include requirements to contact a person with parental responsibility for the child, to tell a person with parental responsibility for the child that the child is being directed, detained or placed in custody, to explain the process, and to give the child a reasonable opportunity to communicate with a person with parental responsibility for the child. In addition, a police officer must give the child a reasonable opportunity to communicate with a legal practitioner from Victoria Legal Aid (or the Victorian Aboriginal Legal Service) as soon as practicable.

Although these amendments will apply to children who are aged 14 years or more, and may therefore limit their Charter rights, they will only be used in exceptional circumstances. I consider that in those exceptional circumstances the limits on the rights of children in section 17(2) will be justified for the reasons outlined in this statement in the discussion of those rights.

The right to property (section 20)

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with the law. The right to property under section 20 of the Charter will be limited when all three of the following criteria are met: the interest interfered with is ‘property’, the interference amounts to a ‘deprivation’, and the deprivation other than ‘in accordance with law’. This right does not provide a right to compensation and the High Court has confirmed that the requirement under section 51 (xxxii) of the Federal Constitution that the Commonwealth Parliament cannot pass a law that acquires property without compensation on just terms does not apply to the States (*Durham Holdings Pty Ltd v New South Wales* (2001) 205 CLR 399).

In *PJB v Melbourne Health (Patrick’s Case)* (2011) 39 VR 373 Bell J observed that in the Charter, neither ‘property’ nor ‘deprived’ is defined. On first principles, these terms should be interpreted liberally and beneficially.

The term ‘property’ includes both real and personal property and any right or interest (including any economic interest) regarded as property under Victorian law. Property could also include non-traditional and less formal rights in relation to property, such as a licence to enter or occupy land and the right to enjoy uninterrupted possession of land.

A deprivation of property could occur where a title or right to property is transferred to an entity other than the owner; where a title or right to property is extinguished; or where an action has the effect of substantially depriving a property owner of the ability to use his or her property or part of that property (including enjoying exclusive possession of it, disposing of it, destroying it, transferring it or deriving profits from it). An interference with the home can amount to a deprivation of property (*PJB v Melbourne Health (Patrick’s Case)* (2011) 39 VR 373, [61]–[62]).

‘In accordance with law’ has a particular meaning in the human rights context. To comply with this right any deprivation must be authorised by legislation or the common law, and any discretion conferred should be confined and structured so that it is neither arbitrary nor unclear.

New section 112ZG provides for a magistrate to issue a service search warrant that authorises a police officer to break, enter and search a premises for an individual who is avoiding service of a firearm prohibition order. In my opinion, this engages the right to property as it will authorise an interference with a premises, including a door or locking mechanism at the premises. However this provision does not limit the right to property because any interference with property will be authorised by law. The authorising provision is clearly structured so that the scope of the authority to interfere with property is clearly delineated, and the relevant discretions are not arbitrary. New section 112ZH clearly sets out the matters that a magistrate must reasonably

believe based on sworn or affirmed evidence, and expressly identifies additional matters that the magistrate may have regard to when exercising a discretion to grant a service search warrant.

New Subdivision 2 of Division 7 of Part 4A of the *Firearms Act 1996* includes measures to limit the scope of any interference with property to the minimum reasonably necessary to achieve the policy purpose. New section 112ZN requires that before an officer executes a service search warrant on a premises they must first reasonably believe that the individual to whom the order is present at that premises. Section 112ZO requires a police officer to announce their presence, and to give an opportunity to any person at the premises to allow the police officer executing the service search warrant to enter. The Bill provides for an exception to the requirement to announce their presence when a police officer reasonably believes that immediate entry is required to ensure the safety of any person or that the effective execution of the service search warrant is not frustrated. This is consistent with similar search warrant provisions in other legislation and provides for the least restrictive means reasonably available to achieve the policy purpose.

For the reasons set out above, in my opinion the Bill does not limit the property rights protected by section 20 of the Charter.

The right to liberty and security of the person (section 21)

Section 21 of the Charter protects the human right to liberty and security. It provides that a person must not be deprived of their liberty except on grounds, and in accordance with procedures, established by law.

Section 21(1) of the Charter provides that every person has the right to liberty. Section 21(2) provides that a person must not be subject to arbitrary detention. Section 21(3) provides that a person must not be deprived of his or her liberty except on the grounds and in accordance with procedures established by law. Together, the effect of sections 21(1), (2) and (3) is that the right to liberty may legitimately be constrained only in circumstances where the deprivation of liberty by detention is both lawful, in that it is specifically authorised by law, and not arbitrary, in that it is reasonable or proportionate in all the circumstances.

Whether a particular restriction amounts to a ‘deprivation of liberty’ for the purpose of the right in section 21 is a question of degree or intensity. Detention or deprivation of liberty does not necessarily require physical restraint; however, the right to liberty is concerned with the physical detention of the individual, and not mere restrictions on freedom of movement. (*Kracke v Mental Health Review Board* (2009) 29 VAR 1 at [664]). In my opinion, the temporary restriction of movement that occurs when an individual complies with a police officer’s direction to stop and remain in place, or to attend the nearest police station or other safe place to receive service of a firearm prohibition order does not amount to a deprivation of liberty and is instead a restriction of freedom of movement (*DPP v Kaba* (2014) 44 VR 526, [78], [97], [112]). A person complying with a direction is free to go after the time that it takes to serve the firearm prohibition order (which cannot be more than 2 hours in any event). Accordingly, an individual does not experience a significant delay or physical restraint that could amount to a deprivation of liberty for the period during which the individual is subject to the direction.

If the constraints that occur when a person complies with a direction are considered to limit the right to liberty, the fact that this restraint is limited to 2 hours, and the other justifications for its use, ensure that any limitation on this right is reasonable for the purposes of section 7(2) of the Charter.

The powers conferred following a service direction determination have been structured to employ the least restrictive means reasonably available to achieve the purpose of the limitation, escalating the limitations only where an individual unreasonably refuses or fails to comply with a lawful direction given by a police officer. New section 112ZC provides for a police officer to first direct an individual to stop and remain at a place or to go to a police station or other safe place for the purposes of being served with a firearm prohibition order. An individual who complies with this direction is subject to a limitation on their right to freedom of movement for a period not exceeding 2 hours from the time of the direction.

New section 112ZD provides for a police officer to detain a person who unreasonably refuses or fails to comply with a direction given under new section 112ZC. The power to detain the individual is limited to the purpose of serving a firearm prohibition order on the individual, and arises only after the Chief Commissioner has made a service direction determination and the individual has unreasonably refused or failed to comply with a lawful direction. In my opinion the power to detain an individual under section 112ZD (and use the force reasonably necessary to apprehend and detain the individual) limits the right to liberty but is not incompatible with the right protected by section 21(1) of the Charter because it complies with the requirements in sections 21(2) and (3) of the Charter.

New section 112ZS also provides for the detention of an individual under a service search warrant, which engages and limits the individual’s right to liberty. New section 112ZU provides that the period during which an individual may be detained under a service search warrant is limited to the time it takes to serve the firearm prohibition order on the individual or 2 hours (whichever is the earliest). In my opinion, this limitation is

proportionate to the important public safety purpose of commencing the enforcement of a firearm prohibition order against an individual who is avoiding service of the firearm prohibition order, and for this reason is not incompatible with the right protected by section 21(1) of the Charter.

Section 21(4) provides that a person who is arrested or detained must be informed at the time of arrest or detention of the reason for the arrest or detention and must be promptly informed about any proceedings to be brought against that person. Sections 112ZE(2) and 112ZS(2) include protections for an individual deprived of their liberty having been detained for the purposes of serving a firearm prohibition order. These protections include a requirement that a police officer tell the individual that they are not under arrest for an offence, to explain the purpose of the detention, and to inform the individual of the effect of additional protections applying to an individual detained for these purposes. In my opinion, these provisions ensure that any deprivation of liberty is compatible with the right protected by section 21(4) of the Charter.

Section 21 further provides for the proper treatment of a person who is arrested or detained in subsections (5) to (8). In my opinion, the powers to detain an individual conferred by the new provisions do not engage sections 21(5) to (8) of the Charter because the power to detain an individual for the purposes of serving a firearm prohibition order does not arise in connection with the commission of an offence, does not limit any right to judicial review, and does not relate to a person's ability to perform a contractual obligation.

In my opinion, the Bill is compatible with the rights protected by section 21 of the Charter because the limits on the right to liberty conform with the requirements of section 21 itself. The limits are also reasonable limits under section 7(2) of the Charter because of the thresholds for the use of these powers, the confined nature of any detention that can occur under them and the various safeguards and monitoring mechanisms introduced by the Bill.

The right to humane treatment when deprived of liberty (section 22)

Section 22 of the Charter imposes certain standards in respect of the treatment of people who are detained in Victoria. It requires that any person detained must be treated with dignity and humanity. This applies to people detained in the criminal justice system and in non-punitive or protective forms of detention such as the compulsory detention of persons with a mental illness, for a public health purpose, or as is in the case of this Bill, for a public safety purpose when serving a firearm prohibition order on an individual. The Bill ensures that individuals detained for the purpose of being served with a firearm prohibition order are treated humanely and with respect as they are only detained for the very short period in which it takes to serve them, which is at most allowed to be two hours.

Additionally, Victoria Police must comply with the Charter when exercising its powers and performing its functions and duties under the Act, including the new provisions introduced by the Bill.

Importantly, the Bill inserts new Divisions 8 and 9 into Part 4A of the *Firearms Act 1996* which include protections for an individual whose freedom of movement or freedom of liberty has been limited and record keeping, reporting and monitoring requirements to provide for the ongoing monitoring and oversight of the additional service powers by the Parliament, the Minister and IBAC. Each of these measures promote accountability and compliance with duties at law to treat a person detained with dignity and humanity.

In my opinion, the Bill does not limit the right to humane treatment when deprived of liberty protected by section 22 of the Charter.

The Hon Anthony Carbines MP – Minister for Police

Second reading

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:10): 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 Bill before the House introduces amendments to the *Firearms Act 1996* to support Victoria Police to maintain community safety by expanding police powers in relation to serving firearm prohibition orders. The Bill also contains an amendment to the *Control of Weapons Act 1990* to clarify that a machete is a knife and therefore a controlled weapon for the purposes of that Act.

Overview of firearm prohibition order amendments

The Bill expands police powers to serve a firearm prohibition order (FPO) on an individual after an FPO is made by the Chief Commissioner of Police. An FPO that applies to an individual is not enforceable until it is

served on them under the *Firearms Act 1996*. Section 112I of the *Firearms Act 1996* currently requires that an FPO must be served in person on the individual to whom it applies by a police officer. This strict requirement operates as a protection for an FPO subject by ensuring they have actual knowledge that the FPO has been made and applies to them before the further offences and enforcement provisions of the FPO scheme apply to that individual.

The FPO scheme is a civil prohibition scheme which empowers Victoria Police to proactively and quickly disrupt serious criminal activity associated with the illicit use of firearms. FPOs can be issued against an individual aged 14 years or more when the Chief Commissioner 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 Chief Commissioner may have regard to the criminal history of an individual, their behaviour or associates, and to criminal intelligence.

The impact of an FPO on an individual is significant. An effective FPO triggers prohibitions and extended police powers, including a prohibition on entering or remaining in a range of premises, a requirement to surrender any firearm or firearm-related item to police, and powers for police to enter and search premises and individuals and persons accompanying them without consent and without warrant. A person to whom an FPO applies is a prohibited person for the purposes of the *Firearms Act 1996*.

The Independent Broad-based Anti-Corruption Commission (IBAC) first Ministerial report pursuant to section 174B of the *Firearms Act 1996* (2018 to 2020) was tabled in this House on 28 November 2023. In that Report, IBAC reported on factors identified by Victoria Police that may impact on the timely and efficient service of an FPO. Whilst IBAC accepted that the reasons for delay in service of an FPO are justified in certain circumstances, IBAC observed that service of an FPO must be given priority because an FPO is made on the basis of an affirmative conclusion by the Chief Commissioner that there is a risk that the FPO subject will come into possession of a firearm in circumstances where the firearm may be used to endanger the peace and safety of the public.

The government is today taking action to respond to the factors identified in the IBAC report, which reflect concerns that have also been identified by Victoria Police. The amendments in this Bill are designed to put Victoria Police in the best possible position to serve an FPO on an individual as soon as possible after it is made so that any risk to community safety can be actively managed through the FPO scheme under the *Firearms Act 1996*.

Victoria Police is concerned that certain individuals deliberately seek to avoid or delay the application of the FPO scheme, by refusing to cooperate with police or by actively avoiding service of the FPO. Victoria Police has identified three classes of individual on whom it has particular difficulty in serving an FPO. These are:

- individuals who actively avoid service of an FPO;
- individuals whose whereabouts are unknown; and
- prisoners in detention or individuals in immigration detention who refuse a visit from a police officer for the purpose of receiving service of an FPO, and in relation to whom it is important that the FPO is served and effective upon their release from detention.

Any delay in service and consequent commencement of an FPO also delays the community safety benefits that the FPO scheme is designed to assure. To address this risk the Bill provides for:

- the Chief Commissioner to make an FPO ‘service direction determination’ to enliven additional police powers to direct and if necessary detain a person to serve an FPO;
- the Chief Commissioner to apply to a magistrate to issue an FPO ‘service search warrant’ to enable police to break, enter, and search a premises, and if necessary to detain an individual, for the purposes of serving an FPO;
- additional options to serve an FPO by registered post on a person in detention or in immigration detention; and
- a police officer to serve an individual who refuses to accept an FPO by putting it down in the individual’s presence and telling them the nature of the order.

The Bill includes safeguards so that the additional powers to serve an FPO on an individual are exercised only when necessary, never as a first resort, and not merely because it is more convenient to police. Safeguards include stipulated criteria, procedural protections, court supervised search warrants, IBAC review of service direction determinations, improved record keeping requirements, and ongoing IBAC monitoring of the additional FPO service powers.

Once enacted, the operation of the new FPO service powers will be monitored for how they are being applied to persons under the age of 18, for consideration of whether further safeguards are required.

Service direction determination

Victoria Police reports that the service of an FPO may be delayed when an individual actively avoids service, or where the individual can't be found after the police have made reasonable enquiries as to the individual's whereabouts.

Every reasonable tool should be provided to Victoria Police to serve an FPO on an individual – including in circumstances where an individual's whereabouts are unknown. In this case, a police officer may encounter an individual through an unplanned police interaction, such as at a traffic stop, and may be alerted to an unserved FPO by a flag on the LEAP database. In that circumstance, it is unlikely the police officer would have a copy of the FPO to hand in order to serve the FPO on the individual at that time.

An individual who is subject to an unserved FPO is typically unwilling to wait at a place or to go to a police station so that the police officer can serve an FPO on them. Such a missed opportunity extends the risk to community safety simply because paperwork couldn't be served on the individual in that moment.

The Bill manages this risk by providing for the Chief Commissioner to make a service direction determination in relation to an individual who is avoiding service or who can't be found.

A service direction determination authorises a police officer to stop and direct an individual who is in a public place to provide their name and address to confirm the individual's identity. Except in limited circumstances an individual is not required to give their name and address to a police officer. Consequently, a police officer may exercise this power if reasonably satisfied that a service direction determination applies to the individual. After confirming the individual's identity, the police officer may then direct the individual to remain at a place or to go to or accompany the police officer to the nearest police station or another safe place for the purposes of serving the FPO on the individual.

A police officer may use reasonable force to detain an individual for the purposes of serving an FPO if the individual unreasonably refuses or fails to comply with a direction given under authority of a service direction determination. At that point the individual is taken into lawful custody and commits an offence against section 49E of the *Summary Offences Act 1966* if they escape or attempt to escape from lawful custody.

Service direction determination - protections and safeguards

Practical, procedural and legal protections apply to a service direction determination. The Bill is structured to separate strategic and tactical decision-making so that the decision-maker can consider whether making a service detention determination decision is demonstrably justifiable in the circumstances.

The decision to make a service direction determination must be made by the Chief Commissioner or a person who could make an FPO. The Bill limits the Chief Commissioner's power to delegate, conferred by section 19 of the *Victoria Police Act 2013*, to the same class of delegates specified in section 112F of the *Firearms Act 1996*.

The Bill provides for the Chief Commissioner to make a service direction determination on application from a police officer supported by affidavit if reasonably satisfied that the public interest requires the FPO to be served within 28 days, that the individual is avoiding service or that police have made reasonable enquiries to ascertain the individual's residential address and that Victoria Police doesn't have a record of the individual's current residential address and does not otherwise have information about the whereabouts of the individual. This approach enlivens these additional powers only when other reasonably available measures to serve the FPO on the individual have been exhausted.

The period of operation of a service direction determination is not open-ended and expires within 90 days after it is made, or an earlier day specified by the Chief Commissioner. Noting that a service direction determination may be made in relation to an individual whose whereabouts are unknown, a service direction determination may be remade if the FPO is not served on the individual before the service direction determination expires.

The Bill includes procedural protections for an individual so that a police officer must verify the identity of the individual before exercising the power to direct the individual to remain in place for the purposes of serving the FPO. The Bill also requires the police officer to explain the nature of the power being exercised and the consequences of unreasonably failing or refusing to comply, to explain when the individual is free to go, and prohibits the police officer from questioning the individual on a matter unrelated to the FPO. If the individual is transported to a police station or other safe place for the purposes of serving the FPO, the individual must be returned to the place from which they were taken.

The Bill protects an individual from unreasonable delay in serving the FPO paperwork, so that the individual must be released as soon as the FPO is served on them, and within 2 hours after the individual is first directed to stop, or later detained. A police officer bears a positive duty to serve the FPO as soon as practicable after directing the individual to stop. If the FPO is not served within 2 hours, the individual must be released and

may not be subjected to a direction under a service direction determination within 24 hours after being released. The 24-hour limitation does not apply if a person escapes a direction or detention before the expiry of the specified time to serve the FPO has elapsed.

Additional protections apply in exceptional circumstances that justify the use of these additional service powers in relation to a child. The additional protections operate in addition to the child's right to such protection as is in their best interests and is needed by them by reason of being a child, as protected by section 17(2) of the *Charter of Human Rights and Responsibilities Act 2006*.

If exceptional circumstances exist to justify a service direction determination in respect of a child, a police officer must, as soon as practicable after directing the child, reasonably attempt to contact the person with parental responsibility for the child to inform them that the child is being directed, detained or in custody. The police officer must, if practicable, provide the child a reasonable opportunity to communicate with the person with parental responsibility for the child, and with a lawyer from Victoria Legal Aid, or a lawyer from the Victorian Aboriginal Legal Service if the child is an Aboriginal person or Torres Strait Islander.

The Bill does not limit the duty of an investigating official under section 464FA of the *Crimes Act 1958* to notify the Victorian Aboriginal Legal Service after an Aboriginal person or Torres Strait Islander is taken into custody.

Service search warrant

The Bill provides for the Chief Commissioner to apply to a magistrate for a warrant to search for an individual who is avoiding service of an FPO for the purposes of serving the FPO.

A magistrate may issue a warrant authorising a police officer to break, enter and search a specified premises for an individual, and if necessary to detain the individual, for the purposes of serving the FPO. The magistrate may only issue an FPO service search warrant if they reasonably believe that a police officer has reasonably attempted to serve the FPO on the individual, that the individual is avoiding service of the FPO, and that it is in the public interest to serve the FPO within 28 days.

To protect the interests of third parties who may be present at a premises at the time an FPO service search warrant is executed, the magistrate must believe that issuing a service search warrant is reasonable in the circumstances. In reaching this decision, the magistrate may consider the nature of the premises for which entry is being sought, whether the premises is a residence, whether a child or a person with another special vulnerability is likely to be at the premises at the time of the search, any prescribed matter, and any other matter the court considers relevant.

Service search warrant relating to a child

Section 112D of the *Firearms Act 1996* provides for the Chief Commissioner to make an FPO that applies to a child aged 14 years or more. Consequently, exceptional circumstances may arise that justify the issue of a service search warrant relating to a child.

The Bill requires that the Chief Commissioner must apply to a magistrate of the Children's Court of Victoria to determine an application for a service search warrant in respect of a child. The government recognises that a magistrate of the Children's Court of Victoria is uniquely positioned to understand the particular vulnerabilities of a child and the measures necessary to protect the best interests of the child. They bring legal expertise and experience to the consideration of matters involving children, young people, and their families. There are four stand-alone specialist Children's Courts located at Melbourne, Broadmeadows, Dandenong and Moorabbin. Magistrates from the Magistrates' Court of Victoria also sit as Children's Court magistrates in other metropolitan Magistrates' Courts and all regional Magistrates' Courts on nominated days.

When considering an application for a service search warrant applying to a child, a magistrate of the Children's Court must be satisfied that exceptional circumstances exist. The magistrate may impose any additional conditions that they consider appropriate given the exceptional circumstances.

If it is necessary to detain a child under a service search warrant, the police officer who detains the child must, as soon as practicable after detaining the child, reasonably attempt to contact the person with parental responsibility for the child, to inform them that the child is being detained under a service search warrant. If practicable they must also provide the child a reasonable opportunity to communicate with the person with parental responsibility for the child, and with a lawyer from Victoria Legal Aid, or a lawyer from the Victorian Aboriginal Legal Service if the child is an Aboriginal person or Torres Strait Islander.

The Bill does not limit the duty of an investigating official under section 464FA of the *Crimes Act 1958* to notify the Victorian Aboriginal Legal Service after an Aboriginal person or Torres Strait Islander is taken into custody.

Executing a service search warrant

The sole purpose of an FPO service search warrant is to enable a police officer to locate an individual who is avoiding service of an FPO and, if necessary to detain them, for the purpose of serving the FPO. Consistent with this purpose, a police officer who proposes to execute the warrant must reasonably believe that the individual to whom the FPO applies is present at the premises to be entered and searched. A police officer must be in possession of the FPO at the time of executing an entry under an FPO service search warrant and must comply with the usual procedural protections when executing a warrant, including the duty to announce their presence, and to provide the execution copy of the warrant to an occupier or the person named in the warrant.

An FPO service search warrant does not authorise a police officer to search the premises for any other person or unlawful thing. The police officer executing the warrant must leave the premises immediately after the search is completed if the individual cannot be found. If the individual is found, the police officer must leave the premises immediately after serving the FPO on the individual, subject to any other lawful basis to remain at the premises.

The Bill clarifies that the duty to leave the premises does not limit the operation of the search powers set out in Division 5 of Part 4A of the *Firearms Act 1996*. Those search powers are available immediately after the FPO is served on an individual but are subject to specified requirements. The net effect is that a police officer executing the search warrant must immediately leave the premises unless another lawful basis to remain at the premises exists, such as when authorised to conduct a search of the premises under Division 5 of Part 4A in relation to a person to whom an FPO applies.

Record keeping and extending existing monitoring and oversight measures

The *Firearms Act 1996* currently includes safeguards to protect the rights of an individual subject to an FPO and to verify that Victoria Police is administering the FPO scheme appropriately. Existing safeguards include multiple rights to have the Victorian Civil and Administrative Tribunal review the decision to make an FPO, duties of the Chief Commissioner to report annually to the Minister and quarterly to IBAC, and IBAC monitoring of the exercise of the powers and the performance of the duties and functions of the Chief Commissioner under the FPO scheme.

The Bill extends these safeguards, imposing strict record-keeping requirements so that records detailing the reasons for making a service direction determination, and records of the exercise of police powers under a service direction determination or a service search warrant are kept and provided to IBAC, the Minister, and to affected parties. The Bill requires the Chief Commissioner to report as separate information any power or duty exercised against an individual under the age of 18 years – which is authorised only in exceptional circumstances. This additional reporting obligation will ensure the Government maintains appropriate and proportionate visibility over these powers and that safeguards are working as intended.

A three-tiered oversight and assurance system is in place for IBAC to ensure the proper administration of the FPO scheme and the exercise of powers. This system includes biennial ministerial reports, a standing power to monitor and report, and a requirement to complete a representative sample of case reviews. This oversight system operates in addition to IBAC's extensive powers to investigate and respond to police conduct under the *Independent Broad-based Anti-corruption Commission Act 2011* and is designed to operate as an assurance process.

The Bill improves these monitoring and assurance powers so that IBAC may determine to review all cases in a particular reporting period and may review a decision taken or a matter arising in a previous reporting period that relates to a matter under review or being monitored in a current reporting period.

The Bill expressly provides for a person affected by the exercise of a service direction determination or a service search warrant to access records containing the prescribed particulars.

Clarifying the sunset date of the FPO scheme

The Bill clarifies the sunset date for the FPO scheme. Recognising that the FPO scheme was a response to a pressing threat to public safety and order, the *Firearms Amendment Act 2018*, an amending Act which introduced the FPO scheme into the *Firearms Act 1996*, provides for the sunset of the FPO scheme 10 years after coming into operation. The sunset allows for further consideration as to whether the FPO powers should continue in the future after 10 years of operation.

The FPO scheme came into operation on 9 May 2019 and will expire on the last moment of 8 May 2028. The Bill specifies the date on which the FPO scheme expires in the *Firearms Act 1996* itself so that the expiry date can be easily ascertained in the Principal Act.

Other amendments to improve the operation of the Firearms Act

The Bill includes minor amendments to update language and modernise references throughout the *Firearms Act 1996* to a child's guardian. Consistent with the *Children, Youth and Families Act 2005* and the plain English drafting style, references to a child's guardian will be replaced with a reference to the person with parental responsibility for the child.

Amendment of the Control of Weapons Act 1990 – Machetes

The Bill amends the definition of **controlled weapon** in section 3 of the *Control of Weapons Act 1990* by inserting an example stating that a machete is a type of knife. Section 3 of the *Control of Weapons Act 1990* defines a controlled weapon as a knife, other than a knife that is a prohibited weapon, or an article prescribed by the regulations to be a controlled weapon. Schedule 1 to the Control of Weapons Regulations 2021 prescribes four additional articles as controlled weapons, being spear guns, batons or cudgels, bayonets and cattle prods.

The *Control of Weapons Act 1990* also defines the term **prohibited weapon** as being an imitation firearm or an article that is prescribed by the regulations to be a prohibited weapon. Schedule 2 to the Control of Weapons Regulations 2021 prescribes 47 separate articles as prohibited weapons. Of those 47 articles, 11 are types of knife, being flick, knuckle, butterfly, double-end, concealed (including the "Black Eagle Knife"), push, trench and non-metal/ceramic knives.

Prohibited weapons are subject to more rigorous restriction than controlled weapons. To lawfully possess, carry or use a prohibited weapon, a person must be within a class of persons subject to a Governor in Council exemption under section 8B of the *Control of Weapons Act 1990* or hold an individual approval granted by the Chief Commissioner under section 8C of that Act. Specific types of knife have been prescribed as prohibited weapons because of their concealability, association with criminal activity or lack of legitimate uses in society.

Machetes are knives and are therefore controlled weapons. However, there is a misconception by some people in the community, including by some market stall holders and other retailers as well as some members of the public, that machetes are tools and are therefore not weapons. The amendment, inserting an example in the definition of controlled weapon stating that a machete is a knife, makes the legal status of machetes very clear – they are controlled weapons and, as such, may not be possessed, carried, or used without a lawful excuse. The amendment is purely to provide clarity and does not alter the existing legal status of machetes.

A lawful excuse for the possession, carriage or use of a controlled weapon is the pursuit of any lawful employment, duty or activity, participation in any lawful sport, recreation or entertainment or the legitimate collection, display or exhibition of weapons but does not include for the purpose of self-defence.

In relation to children, the *Control of Weapons Act 1990* makes it an offence for a child to purchase a controlled weapon and for a person to sell a controlled weapon to another person knowing that the other person is a child. To operationalise these offences and mitigate their breach, many retailers have placed a flag in their barcode systems against every knife in stock requiring a member of staff to sight a purchaser's proof of age and they must refuse to sell a knife to a child or any person whose status as an adult is unclear, otherwise they will risk breaking the law.

The Government is satisfied that machetes will continue to be appropriately classified as controlled weapons because machetes are used as tools for various legitimate purposes, including horticultural, agricultural, and general-purpose activities such as clearing brush and cutting and maintaining trails. They are common items in the community which, when used properly, have a considerable benefit. If used unlawfully, a person will be subject to prosecution as is currently the case.

I commend the Bill to the house.

James NEWBURY (Brighton) (10:10): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 22 February.

Building Legislation Amendment (Domestic Building Insurance New Offences) Bill 2023*Second reading***Debate resumed on motion of Sonya Kilkenny:**

That this bill be now read a second time.

And James Newbury's amendment:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government commits to comprehensively protect victims and their families from rogue behaviour from a small minority of dodgy builders and the potential loss of their deposit if a building company collapses'.

Paul HAMER (Box Hill) (10:11): I am very pleased to come back to the Building Legislation Amendment (Domestic Building Insurance New Offences) Bill 2023, because it is a really important piece of legislation in terms of consumer protection. We have seen too often in recent times construction companies going into administration or outright collapsing. Many, many customers have saved for their entire lives to put down deposits for a new home, and it leaves many of these customers with incomplete builds and in a state of personal financial ruin, with their deposits gone and their savings destroyed. We have also heard of stories of companies not disclosing to their customers about the true state of their books and in some instances accepting deposits literally only hours before entering administration. This really reprehensible behaviour has collapsed confidence in the public's eyes and depleted the construction industry, or certain sections of the construction industry, of trust. They do include some really big names in the housing construction sector. Porter Davis is one that has been named frequently, but there are other large builders – ProBuild and Pivotal Homes, for example – previously big players in the residential volume build construction game. Some of the behaviour of these companies was really despicable. When Porter Davis collapsed in 2023 it was revealed that around 560 building owners or prospective building owners were at risk of losing their entire deposit due to the failure of Porter Davis to obtain domestic building insurance on their behalf. We have also heard of other builders that collapsed that had also not obtained the requisite domestic building insurance to protect their customers' deposits.

I do want to just reflect on a case in my own electorate of a constituent who made contact with my office in April last year. Hallbury Homes were building two townhouses for him before entering sudden liquidation in early January, leaving 42 projects unfinished and owing \$12 million to more than 400 creditors. My constituent had invested around \$600,000 in his build, and in his case he had already entered legal proceedings with Hallbury because they were failing to meet their expectations by late 2022. He did raise with me that he felt he could see the writing on the wall because the company's work had dropped off on his site, and that obviously triggered some of the legal dispute. It is not just the financial impact that this has on people, it has a huge mental impact as well. The individual told me that the experience had almost destroyed his life. His marriage was under immense strain and the stress was life changing, as you would expect if you had invested your complete life savings in an investment that you hoped would set you up for financial security. To have that taken away would be truly devastating.

It is really important that we do have the policies in place that require and strengthen the provisions for protection of customers. This bill seeks to do that by setting two new offences to the Domestic Building Contracts Act 1995, which will be triggered when a builder receives money from a building owner in relation to carrying out domestic building work under a major domestic building contract without having obtained the required insurance for that work. The bill will also make amendments to the Building Act 1993 to ensure that the Victorian Building Authority can enforce and take disciplinary action in respect of the set of new offences in the legislation. It brings in new offences and tougher penalties for builders who accept deposit money under a major domestic building contract without first taking out the required insurance, which was clearly an issue that was raised in the Porter Davis case and in others subsequently.

As I mentioned, this is really part of reform package that is designed to provide stronger protections for consumers, with further legislative options also being considered, including responding to the use of multiple contracts in the building industry, which in some cases try and avoid the requirement for a domestic building insurance policy to be taken out. This will allow also for a further review of the domestic building contracts to be undertaken.

This is an important bill in the context of the broader government program. Obviously there has been quite a lot of discussion around the debate of this bill about the housing situation that we find ourselves in in Victoria and the need for more housing, so it is really important that as we build that new housing we have those protections in place for consumers. There will also obviously be new market entrants coming in from a construction point of view and building those new houses, and we want to make sure that those players in the construction industry who are coming into the industry are doing the right thing by their clients, by the customers, to ensure that they have signed up and taken out all of the necessary insurance so that customers of new builds can go in with confidence that they will get the product at the end of the day. And if economic situations occur that unfortunately mean the builder cannot complete the work, then at least those consumers are well protected. So it is a very important bill in the current climate, and I commend the bill to the house.

James NEWBURY (Brighton) (10:19): I move:

That the debate be adjourned.

I move that the debate be adjourned because it is important that this house immediately debate the behaviour of the Greens, the pattern of behaviour of the Greens, and that a number of members of the Greens party have not apologised for the pattern of behaviour that is occurring. It is deeply distressing not only to many members of this place but to staff of members of Parliament, to staff in this building and to people in the community that a repeated behaviour is occurring and yet, sadly, that behaviour has not been apologised for.

Every member is elected to this place in their own name, every member. We represent our communities, but no-one speaks on our behalf in this place. What we saw this morning was the acceptance of an apology from one member by the Speaker for the behaviour of others, and many members of this place saw one member of the Greens laughing after an apology was given. It is totally and utterly unacceptable, and as such the coalition sought to move dissent from the ruling of the Speaker. I want to place on record how long and hard we thought through that course of action before doing so, how I personally spoke with the Speaker, how I wrote to the Speaker and how I met with multiple members of the government because I did not want to go down that path. My strong view was that every member should apologise for their own behaviour.

We have seen over recent months both chambers shut down. We must debate the behaviour and the action taken. The action taken this morning was that one member who has caused and led, frankly, this outrageous behaviour did not apologise. After an apology was given many members of this place saw one of the members laughing. This is very, very serious. This is about the behaviour of members of this place. That is what we need to debate – appropriate behaviour from members of this place and where they behave inappropriately in a way that does cause distress and does cause issues of safety concern. What we saw last year with the shutdown of the Parliament was a genuine concern for the safety of members and for the staff of this building, and I put on record the Premier's comments where she concurred with that principle that the behaviour recently not only is wrong but is deeply concerning and is, frankly, inciting issues around safety. We cannot have behaviour of that nature.

We must have a debate about whether or not behaviour is appropriate from members in that way. When they are behaving inappropriately we must debate what sanction they receive, and the sanction of not apologising today was totally inappropriate. It was totally inappropriate, and to know that a member laughed about it – we should all sit here shocked by what we saw. It is not good enough to have a member knowing that they do not have to apologise and then laughing about it, because what we know is it is going to happen again. The Speaker did note this morning an intent to act further. But

I have no faith that poor behaviour will not happen again, and we must debate whether behaviour of this type is acceptable. We must debate, when behaviour of this type occurs, whether or not a member apologises to the house for that behaviour individually and personally, as they rightly should. As such, because an apology was not required, we sought to move a dissent from the Speaker's ruling, which we certainly did not take lightly.

We must debate those matters. We must debate that ruling. It is only appropriate that these issues be debated, and I do this noting for the house that this is not something that has been moved without fully thinking through the ramifications, fully thinking through what we are here talking about – the seriousness. But we cannot allow this behaviour to continue in this place, and we cannot allow members to get away with it without even an apology.

Colin BROOKS (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (10:24): At the outset can I say that I and I am sure many members on this side of the house share the sentiments that have been expressed by the member for Brighton in the speech that he has just given. I am absolutely concerned at the behaviour of members who deliberately obstruct the operation of this house. I have seen it a number of times over the years that I have been in this place, but it seems that there is a particular member who has a pattern that is emerging in terms of obstructing the operation of this house.

The importance of the proper operation of this house, Deputy Speaker, is that the people in my electorate are entitled to have their representative be able to contribute to debates in this place and to be heard, just as they are from your electorate and the member for Brighton's electorate. Every member of this place has members and constituents who expect that their members are able to represent their views in this place, and people who obstruct the operation of this house are effectively silencing the rest of us on behalf of our constituencies. So it is absolutely inappropriate for people to selfishly perform in the way that they did yesterday and during other examples that we have seen as well.

I do not want to have anyone think that I am not as angry at the behaviour as other members of this place are – I am. I think we are very fortunate in Victoria to have the form of democracy we have and the way that this Parliament works. It serves us all. It serves our communities really well. It is not perfect, but it serves us all so well. But I think the way in which this has been raised, as a procedural motion to adjourn debate during debate on an important bill, is not the appropriate way for this matter to be dealt with. Just as I have described the obstruction that occurred yesterday – this is no way on the same level, but of course we are debating some really important legislation to protect building consumers. I would hope that we can continue with that debate and then with the next piece of legislation that we are going to debate without these sorts of procedural debates, notwithstanding the genuine nature by which I think the member for Brighton raises this matter. There are ways for members of this place, particularly those that have carriage of the operation of the chamber, to negotiate and discuss, whether it be in this place or outside, to resolve these sorts of important matters.

I think members need to carefully reflect on how they approach these sorts of matters. We need to give them careful consideration. The curtailing of a member's right to participate in this place is a serious matter. The sorts of actions that we might contemplate in terms of sanctions on members are really important and serious things for us to consider, and they are not matters that should be contemplated as part of an adjournment to a piece of legislation without notice to other members of this place. I would encourage the member for Brighton, who, as I say, I think is genuinely raising this matter, to engage with government representatives and other members of this place to ensure that these matters are considered in a careful and timely way.

James Newbury: On a point of order, Deputy Speaker, imputations are unparliamentary, and I did in every way engage with both the government and the Speaker, who refused to engage on the matter and change the position that was taken to this house.

The DEPUTY SPEAKER: The minister is to continue, but I will say I am listening carefully to the member for Brighton's contribution, the minister's contribution and further contributions. The question in front of the house at the moment is whether we adjourn, and it is a procedural debate. I understand that the house needs to explain the whys and wherefores, but please keep it to the procedural motion. I am just saying that out loud.

Colin BROOKS: I in no way intended to impugn the member for Brighton. Deputy Speaker, your ruling then is correct and highlights the fact that this is a procedural debate about the adjournment of a piece of legislation. My argument is, despite the fact that these are serious matters that have been raised, that the appropriate way for these to be dealt with is not via the way in which the member for Brighton has raised this as an adjournment during a piece of important legislation debate, and therefore I do not support and would imagine the government does not support the adjournment of this piece of legislation for the matters that he has raised.

Ellen SANDELL (Melbourne) (10:29): I would just like to make a few brief comments on this matter. There has been a lot of what I would class as faux outrage about the obstruction of the house in this debate. The member for Brighton –

Members interjecting.

The DEPUTY SPEAKER: Order! Member for Melbourne, I am just going to repeat what I said. The question in front of the house is on the adjournment of the building legislation, so please keep your debate to the importance of that or otherwise.

Ellen SANDELL: The member for Brighton is proposing that we adjourn debate on bills, which are the normal business of this chamber, to debate something for his own political ends. I would just say that there has been a lot of outrage from the member for –

James Newbury: On a point of order, Deputy Speaker, it is a breach of the standing orders to make imputations on members, and this undermines the apology that was given this morning. This undermines the apology, and every member can see it.

The DEPUTY SPEAKER: Imputations on members are disorderly. I would encourage members to keep that in mind.

Ellen SANDELL: All I am simply doing is referring to the contribution that the member for Brighton made. He is suggesting that we adjourn this bill to debate a matter that is about his view that members are obstructing this house. He is seeking to suspend the normal business of this house to debate the obstruction of the house, and that to me is a little bit nonsensical because what he is doing is using a tool to debate obstructing the house. I do not think that that is a proper use of this Parliament's time. I would argue that spending 30 minutes on this debate and then a further however long debating whether members are obstructing this house is more obstructive than a 5-second protest that happened yesterday. There has been a lot of talk about decorum in this house. Through this debate there has been –

Members interjecting.

Ellen SANDELL: Deputy Speaker, I believe I have the right to make a contribution in silence.

Members interjecting.

The DEPUTY SPEAKER: Order! Settle. The member to continue in silence.

Ellen SANDELL: Thank you, Deputy Speaker. There has been a lot of talk about decorum in this house, and I would just like to point out some of the activities and actions that we have seen over the last little while in this house, because I think it is important to take a holistic view and not just look at one particular incident. This week we have seen incredibly loud call-and-response from the government –

Members interjecting.

The DEPUTY SPEAKER: Without assistance, please, members on my right.

Mary-Anne Thomas: On a point of order, Deputy Speaker, this is a narrow procedural debate. I note also that you have given some licence to members to talk about some substance in relation to this issue, but I would ask that you bring the member for Melbourne back to the procedural issue that is –

The DEPUTY SPEAKER: Thank you, Minister. The member for Melbourne to continue, with the procedural debate in mind.

Ellen SANDELL: I understand that the content of the procedural debate is about the decorum of the house and obstructing the house. That is what other contributions have been about. I would just like to remind members about the decorum that we have seen in this chamber over the last little while: very loud call-and-response from the government, incredible walls of noise in this place. In my time in this chamber we have had situations where students have been banned from coming in to even watch Parliament because of the bad behaviour in this place. I note the Premier was out this morning talking about decorum, and in fact she was suspended for six days back in 2013 for appalling behaviour, in fact calling the Speaker a dictator. So I think we should just look in the mirror when we talk about decorum –

James Newbury: On a point of order, Deputy Speaker, on relevance, we reserve our right to take further action in relation to this speech.

The DEPUTY SPEAKER: It is not a point of order. I appreciate that members need to make examples of why, but you have to come back to why. The member's time has expired.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (10:34): I want to take the opportunity presented by the procedural motion that has been moved by the Manager of Opposition Business to say that on this side of house we abhor the behaviour that we saw yesterday in the Parliament. It was unparliamentary in every sense of the word. It was a deliberate attempt to shut down debate in this place, and it was a deliberate attempt to intimidate members of this place. And the thing about it that was most offensive to my mind was that it was once again a premeditated action by the Greens political party to use this place, as I think has already been noted, for their own political purposes and not at all in the interests of Victorians, for whom each of us has a responsibility to act –

The DEPUTY SPEAKER: Order! It is a procedural motion.

Mary-Anne THOMAS: Thank you. However, there are procedures in place for managing behaviours in this place. The Speaker is in charge of ensuring that the standing orders and the sessional orders and indeed other rulings made by Speakers are upheld in this place. I think the Speaker was clear today that having witnessed this behaviour in the past she will no longer be affording those that have shown on now multiple occasions their willingness to disrupt the business of the house – the Speaker has indicated that she will not be affording those members the opportunity to make an apology to this place but she will be taking swift action.

In terms of some of the issues that have been raised by the Manager of Opposition Business, the Manager of Opposition Business and I, as you would expect, have had a number of conversations following what we both agree was outrageous and disrespectful behaviour in this place, very unparliamentary behaviour in this place, yesterday. We have, as you would also expect, discussed the significance of today in relation to the apology that is being given to care leavers, many of whom, hundreds of whom, are assembling in this place. We have talked about the significance of this day. There are other avenues that are available for both the Manager of Opposition Business and I to take the will of the majority of members of this place to the various committees that this Parliament convenes to take some further action in relation to what we saw yesterday.

I do not think that interrupting debate on an important bill before the house to discuss behaviour that is completely antithetical to everything that this house stands for is a useful use of this Parliament's time at this particular time and place. While we appreciate the sentiments, we will not be supporting the adjournment of the debate on the business before the house now.

David SOUTHWICK (Caulfield) (10:38): I rise to support the member for Brighton in his call to adjourn the debate to raise an important debate on the outrageous behaviour of the Greens. I think we have seen today from the member for Melbourne that this was not a sincere apology for yesterday. In her contribution she wound back what was said in effectively a very, very small apology earlier today – five words, I think, were used – that was meant to be on behalf of all of the Greens, when we know it was the member for Richmond yesterday that led the charge and that had a debate which was horrific in the language that was used. There is the fact that the manager of government business has said 'premeditated', which clearly from the government suggests that this is not a one-off – this is a member of Parliament, the member for Richmond, that has premeditated things, not just today, not just yesterday but on other occasions as well.

Therefore to take an apology on behalf of all of the Greens is unacceptable, and that is why it is really important that we debate this today. It is an important process. You would see that we hardly ever would go through the process that we have of seeking to move dissent. And I think quite frankly that we should receive an apology from the member for Melbourne today for the speech that she has given, because the speech that she has given completely undermined the apology. It wound back the apology, and I think we need to hear again from the Speaker, because it was not sincere. It was a political stunt, but it was more than a political stunt. It actually brings up the issue of safety, and it brings up the issue of incitement of hate – the very nature of what we all stand up against in this Parliament. We are unified as the government and opposition against the hate. But if we are going to allow the Greens to behave in this particular way, then where does it stop? We have protesters out the front, and Greens members are activating those protesters to bring them into the chamber to photograph, to go down to my office and to threaten my safety. Where does this stop? I would ask for each individual member of the Greens, like every member of Parliament, to be judged individually. That is the process and why we are calling on this discussion to be brought forward today, because it is important. We stand here as individuals. Yes, the Greens might be part of a party that has a clearly antisemitic and anti-Israel approach to things; we know that. It is unquestionable, their approach on Israel.

Ellen Sandell: On a point of order, Deputy Speaker, the member for Caulfield has levelled an offensive accusation, which I take offence to, and I ask him to withdraw.

The DEPUTY SPEAKER: The content of the debate was made to a collection of members, not to a single member, and therefore imputation does not apply. There is no point of order.

David SOUTHWICK: As I was stating, it is clearly understood, the Greens position on Israel and on the Jewish community; we are aware of that. But when you come into this chamber, you come here as an individual. The member for Richmond yesterday came here as an individual and raised a question which was outrageous. It was antisemitic, hateful and hurtful. And then the rest of the Greens followed suit. So it is quite right that each individual member of the Greens should apologise. That is not what has happened, and that is why we are questioning, unfortunately, the ruling of the Speaker, because we do not believe it is in keeping with what should have happened. We clearly know that it was not a sincere apology, because the member for Melbourne has wound that back today.

The DEPUTY SPEAKER: Come back to the procedural motion, please.

David SOUTHWICK: So until we actually get a proper apology from each and every member of the Greens, each and every one of them that was thrown out yesterday, then unfortunately it is not good enough. If the government effectively do not support the member for Brighton in this, unfortunately they are supporting the Greens in their activity. It is really important today that we take

this up, because there is nothing more important than the safety of this Parliament and the divisive nature that the Greens are using for not just Parliament but the whole of the state of Victoria.

James Newbury: On a point of order, Deputy Speaker, I formally request that you refer the member for Melbourne's contributions through this debate to the Speaker, with a view to considering whether the behaviour undermines the apology that was given, obviously falsely, this morning.

The DEPUTY SPEAKER: There is no point of order.

Tim RICHARDSON (Mordialloc) (10:43): I think it is an important point on standards, and I welcome at least the discussion around a procedural matter that has some sort of substance and is worth discussing. Rather than some of the 2023 procedural debate deferments, this actually has some merit in its consideration. But the form which it takes – and there are a couple of points I will make to this – is a bit of concern. One is that the interplay of reflections on the Speaker and then a dissent risks then reflecting on the Speaker's ruling during that reference as well, rather than just debating whether the Greens political party members were apologising or not. We have had other standards of behaviour here that we have seen over time which have been referred to the Speaker. They have not come back in a dissent like that, and I just think that is something that should be reflected on. Mashing the two together as a reflection on the Speaker's ruling and then also the merit of the issue and the really poor conduct of members of Parliament in here needs to be carefully considered.

The other thing is the standards, which is a really important point. We saw really significant concerns yesterday. We are representatives; all 88 of us have 50,000 constituents in our communities, and it is an important point to reflect on the standards that we accept as behaviour in this place, which should be upheld. People look to us as leaders, and when we diminish or belittle those standards, we take the low road and low pathway. The member for Melbourne and others have had *Guardian* articles about standards in this place and adhering to behaviour and different procedures but then undermine all of those points with the behaviour and conduct that was put forward yesterday.

The member for Brighton made some important points, and I think the ministers at the table – the Leader of the House and the Minister for Development Victoria – did as well. But let us just pause and reflect that in the 59th Parliament we had people literally threatening the Premier with hanging out on the steps of Parliament, and no-one was calling that out on that side. In fact they were inflaming that behaviour and those antics.

James Newbury: On a point of order, Deputy Speaker, I ask you to bring the member back. I am sure that we all share similar views on poor behaviour, and I would ask you to bring the member back to the motion.

The DEPUTY SPEAKER: I think the member had strayed a little bit from the procedural debate. If he could come back to it, that would be appreciated.

Tim RICHARDSON: Standards are important, and I think they are something that we should reflect on at a time that is appropriate, rather than interrupting the building insurance legislation bill – an opportune time. Standards in the Public Accounts and Estimates Committee would be a great thing to debate – putting your feet up on the table and belittling ministers and witnesses. I would really welcome those opportunities to debate standards in this place. We would lean right in for a chat on that, but not at this time. This is not the appropriate time, where we are debating important legislation and where we have an apology coming up that should be the focus of everyone's attention, not allowing the Greens political party another moment to undermine such an important and significant day in those reflections. That should be the focus of everyone today for those who have fronted up to our Parliament and should see it in all its importance and all its multipartisanship in an apology that the Premier will deliver and, hopefully, will be supported by everyone in this place. We do not want to defer, delay or impact on that schedule and some of the legislation that comes through. So at this point in time, with also the risk of going into what is then a dissent from the Speaker's ruling on those

issues, we should keep the program underway and oppose the deferral of this adjournment on this occasion.

Assembly divided on motion:

Ayes (26): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Sam Groth, David Hodgett, Emma Kealy, 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, Jess Wilson

Noes (57): Juliana Addison, Jacinta Allan, Colin Brooks, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Sam Hibbins, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, 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.

Jordan CRUGNALE (Bass) (10:52): I rise to speak on the Building Legislation Amendment (Domestic Building Insurance New Offences) Bill 2023. We have heard already in this place in the course of the debate the enormity of making the decision to build or renovate a home. This decision is complex and personal, a decision involving both financial and emotional investment and a decision that should not need to involve consideration of the financial viability of a building company. However, according to ASIC between mid-2021 and 2023 in excess of 2000 building companies went into liquidation, with a further 783 folding in the September quarter of last year. In too many cases these closures saw significant losses for purchasers – deposits lost, houses largely paid for yet unfinished.

The constituents of the Bass electorate have not been immune to the impacts of residential building company collapse. In July 2022 Langford Jones Homes went into voluntary liquidation, reportedly leaving 66 homes partially completed and 60 more homes yet to be commenced in the areas of Phillip Island and Melbourne's bayside and south-east suburbs. Then when the Porter Davis collapse happened in March 2023 many constituents with properties in our south-eastern growth corridor, including Clyde, experienced the devastating impacts, many reaching out to my office for support and advice in tears, in disbelief and struggling to come to terms with what had just happened.

Of the many left devastated I want to speak about one family in particular with three young children. After reaching lock-up stage, weeks away from moving in, they paid \$94,000 – the day before Porter Davis Homes went into administration. If that was not enough, their home was then destroyed by a suspicious fire. Their dreams shattered in an instant, the financial burden was unbearable – it was beyond devastating. They reached out for support and advice on how to navigate through both the administration process and also the insurance process, which was a double whammy of red tape, only adding to their distress. They lost money; they lost their dream home. What we saw at the time of the blaze was also a rise in vandalism at construction sites by suspected out-of-pocket tradies. It was reported in the media at the time that a swathe of devastated customers were starting to padlock their fences and install security cameras to ensure their homes were not targeted. Domestic building insurance (DBI) and the obligation for builders to obtain insurance on behalf of purchasers were meant to protect these individuals. Unfortunately not all purchasers were protected. Builders delayed

obtaining insurance, accepting deposits but waiting until construction commenced or just not obtaining it at all.

I am proud to be part of this Labor government, which has taken action to support individuals who through no fault of their own have been impacted by the awful and careless practices of these building companies. We have done this through the initial support of Porter Davis customers and the subsequent introduction of the liquidated builders customer support payment scheme. While these measures have provided significant financial support to many impacted customers, the actions of these building companies has had devastating impacts both financially and emotionally for all families – for the families, individuals and broader communities. The significant negative mental and physical health impacts of longer term ongoing stress, particularly relating to stresses over which you have no control, is well founded. These families will likely experience these impacts well into the future, and that is why I am pleased to stand and speak in support of this bill, a bill which amends both the Domestic Building Contracts Act 1995 and the Building Act 1993 to help protect Victorians from experiencing the strains – as I mentioned, the financial strain, emotional strain and physical strain – which result from a building company collapse when required insurances have not been put in place.

The opposition could do something right now actually to deliver stronger protections for Victorians building or renovating their home. They could support this bill and give the Victorian Building Authority (VBA) the powers it needs to better protect consumer deposits, power that would hold builders to account for doing the wrong thing, and instead they moved a reasoned amendment asking us to delay debating the bill and to go back and do another review – more talk, no action.

This bill, the Building Legislation Amendment (Domestic Building Insurance New Offences) Bill 2023, will protect consumers by ensuring builders take out domestic building insurance prior to the receipt of first payments, ensuring coverage both during the delay between payment and commencement of construction and through to completion of their project. Further, this bill introduces two new offences to apply should builders fail to meet this obligation, and these offences entail significant and appropriate fines, fines that will not disappear should a company become insolvent, fines that responsible individuals and/or company directors may be held liable for.

Importantly, this bill also provides the VBA with the necessary powers to take action against builders who fail to take out the required insurance prior to accepting payment, and these actions extend to immediate suspension of registration if warranted. I am sure the people of Victoria, particularly those with plans to build or renovate, will be reassured to know that the VBA continues to audit compliance with DBI requirements.

This bill is the first in a suite of reforms which will provide greater protection to Victorians. This Labor government is acting to ensure Victorians have access to safe and quality homes through reforms that deliver greater clarity of roles in the building system and stronger regulators to protect consumers, facilitating skill enhancement, professionalism and transparency and improving the approvals process to ensure homes are safe and built to last.

While these important measures will act to protect Victorians building and renovating houses, I would like to take this opportunity to acknowledge the subcontractors, often small businesses, who have also been impacted by recent liquidations of housing construction companies. In the case of Langford Jones Homes, liquidators reported that over 400 creditors were owed in excess of \$23 million. Many of those creditors were local subcontractors relying on payment for supply of already installed materials and payment of wages.

Last year the Legislative Assembly Environment and Planning Committee, of which I am a member, conducted an inquiry into employers and contractors who refuse to pay their subcontractors for completed works. Our review and subsequent report identified insolvency as a significant risk for subcontractor payment. Australian corporate insolvency data indicates 90 per cent of unsecured creditors will receive nil returns, and as such the downstream impacts are significant. Subcontractors

have invested in materials, time, staff and planning for delivery to these large building companies, and when the company collapses, failing to make payments to their subcontractors, the subcontractors themselves are at risk of insolvency, putting jobs at risk. As such, there is a trickle-down effect. The insolvency of the head company may result in more flood-like events downstream, potentially resulting in multiple insolvencies.

I would like to thank the chair the member for Wendouree, the deputy chair – he is in the room – the member for Morwell and my fellow committee members for their work, as well as the committee and the team for their support for the duration of the inquiry. We had so many submissions and held public hearings, and I extend my thanks to the many that contributed to the hearings, providing evidence. It is a great report.

I would like to thank the Minister for Planning and her ministerial department team for this legislative work and for their response to the recent collapse of significant building companies and the negative community impacts. This bill sends a strong message to industry while giving consumers confidence in the building industry and our regulator's ability to ensure compliance. I commend the bill to the house.

The DEPUTY SPEAKER: Before I call the member for Hastings, I note in the gallery a former colleague the former member for Broadmeadows Mr Frank McGuire. Welcome back.

Paul MERCURIO (Hastings) (11:02): I am happy to rise to make my contribution to this very important bill before us today, one of the longer titles, the Building Legislation Amendment (Domestic Building Insurance New Offences) Bill 2023. Effectively there are four main purposes of this bill: to amend the Domestic Building Contracts Act 1995, to amend the Building Act 1993, to provide that investigation and enforcement powers may be exercised in relation to the contravention of certain offences against the Domestic Building Contracts Act 1995 and to provide that builders who are found guilty of contravening certain offences against the Domestic Building Contracts Act 1995 may become ineligible for registration for a period of time. There are 19 clauses in this bill, and each has multiple additions within it. Oftentimes the additions are the same – in fact oftentimes the exact wording is used in multiple sections. This is because of the issue which arose last year with the collapse of Porter Davis and which has continued on with other large and small builders and building companies also collapsing.

Put simply, some builders were taking people's deposits without taking insurance out on their builds and therefore leaving their clients completely vulnerable in the event that the building company collapsed. As we know, many building companies have collapsed, sadly. I would like to acknowledge that we are talking about real people, people who have lost their dream, their money and their future, people who now must begin again. This is untenable. It is unfair. It is completely unnecessary. The depth of despair that these people must feel is unfathomable. I would also like to acknowledge that there are thousands of builders and building companies around Australia that have not collapsed, that have always done the right thing, that take great pride in their workmanship, their customer service – companies that do make people's dreams come true.

This bill will be the first part of a reform of the regulatory framework to make sure that people who have given money to their builders for domestic work will be protected, because what has happened to not only Porter Davis customers but others is wrong. This will be achieved by inserting new offences with tough penalties and also providing strengthened powers for the Victorian Building Authority to enforce compliance with insurance requirements. The new offences are designed to stop builders like Porter Davis and other domestic volume builders from receiving money for a contract without holding the required insurance by inserting new penalties – up to \$96,000 per person and up to \$420,000 for a company. These penalties are for the builders who knowingly or recklessly committed the offences, while slightly less penalties are given to builders that committed the offences at a standard of strict liability.

These changes will also give the Victorian Building Authority more power to commence proceedings to make sure that builders are complying with the new regulations and also allow them to enforce the new offences to non-complying builders. Amendments to the Building Act will state that the VBA has grounds to immediately suspend the registration of a registered building practitioner if they are deemed to have committed one of the new offences. These changes are being made after the Porter Davis collapse, which exposed loopholes in the Building Act which some builders have been taking advantage of. I will say that the Building Act has not changed since 1995, so it is good that we are making changes now. These new offences and amendments to the act will make sure that it stamps out this awful behaviour and create penalties to deter anyone from repeating these disgraceful acts. Actions from companies like Porter Davis continue to give a bad name to our domestic home builders. It is a reputation that most do not deserve, and they are doing the right thing by the law and are not taking advantage of people who want to own their own home.

With this bill we have done our due diligence and consulted with multiple organisations and government departments to ensure collaboration and mitigate potential risks. I do note that Master Builders Victoria have concerns and wish to see further changes to the act, but we are here today to make changes to close a loophole that has been taken advantage of for too long. Just as a reminder, this is the first part of a suite of reforms that will deliver stronger protections for Victorians building or renovating their home.

In addition to that, we have commenced consultations as part of the review of the Domestic Building Contracts Act 1995, looking to improve safeguards for consumers when entering building contracts. We have also released the stage 2 report of the expert panel reviewing our building system. This came up with 14 recommendations to deliver greater accountability, improve insurance coverage and strengthen compliance and enforcement. In short, after there has been further consultation with the building industry and consumer groups and looking at those 14 recommendations, it will allow for decisions to be made and possible further legislation to improve building practices and make sure people who have worked hard for their deposits are not left out when things go wrong through no fault of their own.

These changes also come at a very important time, as we are on the way to building 800,000 homes over the next decade. Having made these amendments, homebuyers can be confident that if something goes wrong with their builder, they will be insured and they will not lose their hard-earned deposits. We are also supporting the building industry by providing them with a huge pipeline of work through our landmark housing statement. As I mentioned previously, we have set an ambitious target of 800,000 homes to be built within the next decade, and we need to provide buyers with certainty that their dreams will not come crashing down because a builder did not want to follow the correct rules. We want the building industry to have confidence in the government as we provide a strong list of works heading into the future, but we also need that confidence in return when putting deposits down. Young people are having to sacrifice and save more money than ever for a house deposit. So we need to make sure that they are protected heading into the future, and this bill is the start of that process.

My wife and I like to walk around my little township where we live, and a couple of years ago a new development was being built. Once they put the roads in, my wife and I would walk around those roads because they were very quiet. They did not stay quiet for long, because people started building. It was really interesting watching the process of houses going up. The land was cleared, foundations were laid, slabs were laid and walls – but in that process I noticed one house stopped completely; nothing happened. Around it other houses sprang up – the walls were made, the roof truss was put in, painting was done – and I also noticed another house was locked up, nothing happening. It was dirty. There was plastic and fencing. It was very unfortunate; you could see that there was some demise going on.

Eventually the whole suburb sprang up, with lots of wonderful different houses. There were gardens and grass and cars out the front and kids playing, and yet there was another house that just looked a bit like a ghost house. There were probably 4 per cent of buildings in that area that did not happen.

Around them there were beautiful houses where people had their dreams come true – their families were living there, they had everything they wanted – but there were three houses there where people’s dreams had been destroyed. They had lost their money, they had lost their dream and they had to go back to the drawing board. It is such a disgrace. This bill is working towards stopping that, and it is really unfortunate that those on the other side, the opposition, have moved a reasoned amendment asking us to delay the bill and go back and do a review – basically do nothing, more talk, no action. Of course the opposition have form on this. In 2022 they opposed a bill to strengthen the oversight of the building industry, before supporting virtually the exact same bill six months later, after the election. I mean, let us get this done. Why delay this bill?

One of the most important jobs – and we all know this – we have in this place is to protect Victorians from bad business practices. People have worked too hard for their deposits to be taken away because a builder knowingly does the wrong thing. We have started the process for building reform to protect Victorians, and this is only the beginning. I ask those in the opposition to stand up, support your constituents and do not allow your constituents to lose their dream of owning a home – that is not fair. I will always do what is fair. I commend this bill to the house.

The DEPUTY SPEAKER: Before I call the minister, I would like to also acknowledge in the gallery the Honourable Luke Donnellan, former Minister for Roads and Road Safety, former Minister for Child Protection and former Minister for Disability, Ageing and Carers. Good to see you back.

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (11:12): I move:

That debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Service Victoria Amendment Bill 2023

Second reading

Debate resumed on motion of Gabrielle Williams:

That this bill be now read a second time.

Tim McCURDY (Ovens Valley) (11:13): I am delighted to rise and lead the opposition’s response on the Service Victoria Amendment Bill 2023. I want to briefly go over some of the background of the bill and some of the key changes that we can expect to see. But first can I place on record that we will not be opposing this bill, although we do have some concerns. I will go through them, and maybe some of those concerns can be addressed by speakers on the other side. I hope that is the case and we can resolve those during the course of the debate.

The Service Victoria Amendment Bill 2023 is a legislative proposal designed to introduce reforms and enhancements to the existing Service Victoria Act 2018 with the overarching goal of optimising the delivery of government services for all Victorians. What this will provide is what is called end-to-end service delivery, and I will explain that in detail a bit further down in my contribution, as others will. But most importantly this bill seeks to address various aspects related to the operation, scope and integration of Service Victoria, and thankfully the Victorian government has finally committed to streamlining access to this essential service and fostering greater efficiency.

The objective of the Service Victoria Amendment Bill is to bolster the effectiveness and the accessibility of Service Victoria, a central platform established to provide a wide array of government services in a user-friendly consolidated manner. Currently there are 104 uses of Service Victoria within your digital wallet. Others will talk about this I am sure, but the digital wallet is certainly coming of age, not only since COVID but in the latest technology. It really is important, and many have their fishing licence and other licences – their shooting licence and lots of other things that you can do in

your digital wallet – and this will certainly expand what the opportunities are through Service Victoria. Through amendments to the existing legislative framework the bill aims to reinforce the capabilities of Service Victoria in delivering these services, ranging from licensing and permits to registrations and other administrative functions which cater to the diverse needs of consumers and businesses across Victoria. Key provisions within the bill are anticipated to introduce changes to Service Victoria, aligning it with existing technological advancements and changing the landscape of public service delivery.

One of the central themes of this legislative initiative is the expansion of the service offerings available through Service Victoria in areas such as digital identity management; permit applications, which will be important; payment services of course; and access to relevant information and resources – a broadening of the scope of services. The bill attempts to consolidate contrasting government functions into one accessible platform which simplifies interaction between individuals, businesses and government entities. We know that Victoria is well behind the rest of Australia, or the rest of the eastern seaboard that is for sure, in this area. New South Wales and Queensland have forged well ahead and now have in place robust and fully transparent systems that allow members of those two states great access to their own personal data and access to personal licences as well.

This bill is poised to integrate upgrades and functionalities into Service Victoria, reflecting a forward-looking approach to service delivery, which is what we need. This may involve the adoption of advanced digital infrastructure, innovative data management systems and enhanced user interface designs, all aimed at fostering a seamless user experience for those engaging with Service Victoria. The bill will also encompass provisions for the integration of emerging technologies such as artificial intelligence and machine learning to augment the efficiency and precision of the service delivery process, ultimately enhancing the overall efficiency of Service Victoria.

In addition to these advancements, the bill will introduce measures to bolster data security, privacy protection and governance protocols within the Service Victoria framework. When we talk about governance and privacy protection, they are significant concerns that I will touch on a little later in my contribution. Even though my contribution will be truncated very shortly, I will go into it before I finish my report. Given the importance of safeguarding sensitive personal and business-related information, the legislative amendments will prioritise the implementation of cybersecurity measures, data encryption standards and compliance frameworks, and will try to fortify the resilience of Service Victoria against potential threats and vulnerabilities. Let us hope that these provisions underscore the government's commitment to upholding the highest standards of data security and privacy in the digital service delivery landscape, because we have seen so many government initiatives not deliver what they were intended to do.

The Service Victoria Amendment Bill 2023 has the emphasis on stakeholder engagement and feedback mechanisms, with a collaborative approach to shaping the future and direction of Service Victoria. The bill will also incorporate provisions for regular consultations with community representatives, industry stakeholders and end users to solicit insights, preferences and suggestions for refining and expanding the range of services offered through Service Victoria.

The legislative amendments aim to ensure that Service Victoria evolves in tandem with the evolving needs and aspirations of its user base, driving continuous improvement and innovation within the platform. Yay! That is a great thing to finally happen. The proposals within the Service Victoria Amendment Bill underline what Victorians needed for accessibility and inclusion and aim to mitigate barriers to access and usage for individuals with diverse needs and circumstances. This will involve provision for the integration of assistive technologies –

The SPEAKER: Order! The time has come for me to suspend the house in accordance with the resolution of the house.

I acknowledge the former member for Broadmeadows Frank McGuire in the gallery.

Sitting suspended 11:20 am until 11:33 am.**Business interrupted under resolution of house of 15 November 2023, as amended on 28 November 2023 and 6 February 2024.**

The SPEAKER: I would like to welcome everyone to today's special sitting. I remind visitors that mobile phones must be on silent and no photography is allowed.

*Documents***Apology for past care leavers**

Jacinta ALLAN (Bendigo East – Premier) (11:33): I table the parliamentary apology to Victorians who experienced historical abuse and neglect as children in institutional care.

*Motions***Apology for past care leavers**

Jacinta ALLAN (Bendigo East – Premier) (11:34): I move:

That this Parliament expresses our formal and sincere apology to Victorians who experienced historical abuse and neglect as children in institutional care in the following terms:

Today we acknowledge a shameful chapter in our history, and the experiences of a group of Victorians who have fought for a long time to be heard.

From 1928 to 1990, thousands of children were entrusted to the state, religious organisations and charitable agencies.

To those children, who were abused and neglected during their time in care, we humbly and unreservedly apologise.

That you were needlessly separated from your brothers and sisters – sometimes growing up within the same four walls – but never being allowed to know each other.

For the grief of being removed from your parents, often without explanation – and the years spent fighting to find your family, sometimes in vain.

To those who died without getting the respect or recognition they deserved.

To the children who lost their lives while in the guardianship of the state, whose voices were silenced forever.

And to the families who were broken, permanently.

We failed you. For this, we are deeply sorry.

There are countless ways to harm a child, and all of them leave a mark.

We apologise, that instead of reading, writing and arithmetic, many instead learnt of floggings, beltings and brutality.

That you were often cruelly, and purposefully, punished for the most minor of infractions – and far more often, for things entirely outside of your control.

That too many of the men and women, organisations and institutions, entrusted with your care, perpetrated the very opposite.

For the physical scars you bear to this day, we say sorry.

We also recognise that many of you bear the emotional scars.

The humiliation. The stigma. The neglect.

That you were made to feel so worthless when you were – and are – worth so much.

For the heartbreak and humiliation dealt to you, we say sorry.

For those of us who grew up safe, connected and nurtured – it's impossible to imagine. But for those who lived it – the impact is not only historical but enduring.

To those with families of your own, we apologise that the burden of your experience often carries on in your relationships with your children and grandchildren.

And we apologise to those whose experience of so-called “care” made having your own family an impossibility.

We also acknowledge the challenges many of you have faced in building healthy, loving relationships.

And we acknowledge your courage – and the incredible support and understanding of your husbands, wives, partners and families – in proving that love is always possible.

Many of you were also denied that most basic right – knowing who you are.

Instead, you were forced to piece together your identity and history from your records – documents that were either incomplete, blacked out, or littered with lies made up about you and your family.

We are sorry this made the wounds even deeper.

We also apologise for the opportunities missed and the potential left unrealised.

For the way your health was neglected – often with a lifetime of consequences.

For the lies and low expectations that curled up and took root inside your hearts.

To those bright children full of life, who could have done anything, been anything, but instead had their childhood and education cut short.

For the unpaid child labour – work that should have belonged to adults. Boys forced to toil on farms, in vegetable gardens, and other manual labour, and girls in laundries, scrubbing floors and long hours looking after younger children.

To you, we say sorry.

Because it’s not just what happened in those institutions, but also outside of them.

When you were old enough to leave, many of you were simply discarded – often with no more than the clothes on your back.

You went from having every element of your life controlled, regimented, and policed to being completely alone.

Nowhere to fall back on. No-one to turn to.

You were left unprepared for a world that had, until that point, treated you with disdain and indifference.

For all this and more – we say sorry.

But sorry is just a word.

It requires action and even more, commitment.

Today as a Parliament, we take the first step towards righting those wrongs.

And commit ourselves to doing more and doing better to protect Victoria’s children – past, present and future.

The term ‘ward of the state’ first appeared in Victorian legislation in the 1887 Neglected Children’s Act, and for the next century those four words would be the basis of untold hurt for thousands of Victorian children and their families. Today I want to talk about some of that hurt, because it was on that basis that our state assumed responsibility for a child to the exclusion of parental rights. Placed in orphanages, missions, children’s homes and foster care, they became, in the words of one survivor, ‘the government’s children’, and it was on that basis that more than 90,000 Victorian children were placed in care between 1928 and 1990, many of them subsequently physically and emotionally abused and neglected. They were sent to places with quaint-sounding names that were anything but, homes that offered none of the love or security we associate with the word. Today we are here to bear witness to the lives that were changed forever by the actions of the state, of the churches and the charities that carried out these policies in our names and of the child welfare agencies, police and justice systems that enforced them.

It began with misguided moralising, much of it rooted in classism, because instead of supporting parents who were struggling to put food on the table, instead of helping fathers who had returned from serving their nation and were grappling with the aftermath, instead of assisting mothers, many of whom were isolated or alone, the government thought it knew better and could do better. Unmarried couples, single mums and dads, those who had the misfortune of just being poor or sick – the state set its sights on the most vulnerable in our community, making judgements with the stroke of a pen that

would change the course of someone's life forever. When you listen to their stories it is that casual indifference, that careless cruelty that is often the hardest to bear – the arrogance and incompetence of officials who thought they knew better.

There are many stories of the abuse children in care experienced during this time, but I want to tell you about what we did to Heather and what was said about Heather's mum and her sister. In 1958 Heather ran away from St Catherine's girls home in Geelong when she was nine, searching for her mother. Mum lived in West Geelong and Heather was determined to be reunited with her. The first night she slept under a bridge near the Barwon River, eventually navigating her way back to her mum's house. The first thing her mum did was make her something to eat, then Heather had a shower to wash off the mark of two days on the road. Then her mum picked up the phone and called a taxi to take Heather back to St Catherine's – because she did not have a choice. The state wielded all the power, and nothing you did or said could change a thing.

The notes in Heather's file describe her going missing and the local police out looking for her but not the reason why she ran away. There was no mention of Heather's search for her mother, no mention of her mum's love, her mum's determination to regain custody of her kids, but there is one place in Heather's file where her mother's name does appear – when a welfare officer referred to her as a 'garrulous woman'. Now, the dictionary defines 'garrulous' as being over-talkative or trivial, but I know what they really meant. They meant she was a woman, likely working class. They meant that when she got upset she spoke a little bit too quickly, and that meant you did not have to listen to her – it meant she did not count. But as Heather said, she was not garrulous, she was fighting to get her children back. Her mother sent dozens and dozens of letters pleading her case, all of them ignored. Heather was never allowed to return home to live. Instead the physical and psychological abuse she experienced in care, she says, still haunts her. So do their words. 'You've come from the gutter,' they said. 'You'll never amount to anything,' they said. At 17 Heather was moved to a hostel with other girls and then to private care until she turned 18.

Her youngest sister Evelyn did not make it home either. She died of untreated rheumatic fever when she was just eight years old. Heather remembers being called into Mother Superior's parlour shortly after. There the Mother Superior explained, 'Evelyn's death was like God had a bunch of grapes, and he had taken the best one for himself.' Heather remembers, 'I just stared at her and I said, "Evelyn wasn't a grape!"'

She remembers that for many years she truly believed that her sister had been murdered. You can only imagine the silent fear that little girl must have lived with, and Heather says it still haunts her to this day, and after Evelyn's funeral she said not one single word was ever spoken of her again. It is really hard to hear these stories without getting angry – the arrogance, the indifference, the prejudice and the price these families paid for it. And then, having decided the system knew best, the system did not just neglect these children, it actively hurt them. As one Victorian, now in her 80s, said, 'We weren't people to them, just things they had to feed.' As another put it, 'You were told if you were a state ward, then you were a bad child. And if you hear something enough times, you often start to believe it.'

There is no such thing as a bad child. Instead, brutal punishments were handed out for imagined misbehaviour. Children who wet the bed – what we now understand to be a response to trauma – were singled out and made to wear their wet sheets or worse. The intention was nothing less than humiliation, a deliberate attempt to rob a child of their dignity and self-esteem. Then there were the so-called medical procedures focused neither on a child's health nor on their wellbeing. Children were also physically abused, locked in dark and airless cupboards and denied food or given what was rotten. A list of everyday objects that were weaponised against children is a list so long and so awful I cannot imagine reading it out loud. But if you can imagine it, it probably happened.

In learning more about these institutions I also learned a little more about my own family. It was something I had never heard of, so shrouded was this stuff in secrecy. But through this process I found out that my own great-grandmother and her daughter, my great-aunt, had spent time in an orphanage.

It was not for very long, and as far as I know they did not experience some of the things we have heard about today. But as a wise woman said to me, ‘One day in an orphanage is like a lifetime to a child.’

It must have felt like an eternity to Barry. Eight brothers and one sister were broken up and sent all over Victoria. The horrors they each experienced left permanent scars. Barry’s sister Maureen took her own life at 18. Two brothers died of an overdose, and in 2018 Barry’s twin Graham drew the blinds of his commission flat, got into bed and never got out again. He weighed a little over 40 kilograms when he was found. These are just the siblings that Barry knows about. ‘I blocked out a lot of my past and I find it hard to remember,’ he said, ‘but I will never forget the oppressive and aggressive force of physical abuse. The dormitories, the showers and the gymnasium were places I will never forget – where I was held down and abused ... it never leaves you.’

We said we knew better, and we did not. We brought them into our care, and we failed them. We took so much from these children and so much from these so-called wards of the state – their birthdays and their sense of self. We even robbed them of their names. As Sandra – as she was called, ‘number 88’ – put it, ‘We lost our identities.’ We failed to prepare them for their futures too. Many left these places not knowing the things most of us take for granted – not knowing how to use a telephone, how to read and write or how to buy a train ticket; not being able to show affection, be held or be touched. As one lady described it, ‘I grew up in the 60s – but I missed them completely.’

Of course they had big ambitions and big ideas, like any child. Lyn always dreamed of being a nurse. Then there was Terry, a little boy who wanted to be a plumber; Lenny, who wanted to be an electrical engineer; and Beth, who told us she wanted to grow up and look after the babies in her own orphanage. I want to tell you about Gerald too – Gerald, aged 85, who said he got everything he dreamed of as a boy. He grew up to have a family. He learned how to love and be loved right back. I share his story because I think it says something remarkable about resistance. Even within a system designed to dehumanise, up against the force of the state and the violence of those tasked with upholding its power, he resisted – they resisted. Indeed many of these brave men and women have been resisting their whole lives. As children in a system designed to break their will, they fought back in ways big and small. Like wildflowers growing through a crack in the cement, they rose up. They rebelled, they fooled adults and sometimes they escaped.

It is astounding to think of the courage of these children, the same age as my own and even younger – children who broke free of those cloistered walls because they knew that whatever was beyond them had to be better. They fought as adults too. It is the reason why we are here today. By telling your stories, often at the emotional cost that comes with reliving the past, you have ensured that this dark chapter in our history is fully acknowledged and addressed. You have met silence with truth, power with defiance and indifference with determination. Because of organisations like Care Leavers Australasia Network, Open Place, Alliance for Forgotten Australians, Child Migrants Trust, Connecting Home and more, you have provided a home – a home for those who grow up without one.

There are a lot of people who fought for today, and I know I cannot hope to name all of you. But I do want your contributions recorded in the history of this place – people like Leonie Sheedy, Sue Whittington-Stevens, Heather Bell, Robert House, Frank Golding and Joanna Penglase, whose ad in the paper was the seed from which so much has grown. People like Gordon Hill, Boris Kaspiev, Caroline Carroll, Ian Hamm, Andrew Bickerdike and Dr Margaret Humphreys – we are here because survivors demanded recognition.

I also need to acknowledge those Victorians whose experiences mean they cannot be with us here today. The emotion is still too raw and too heavy. Whether you are watching at home, interstate or overseas, I want you to know that today belongs to you too. It also belongs to those we have lost – people like Heather’s sister Evelyn and Graham, Barry’s twin. We remember the Victorians who died without recognition or justice. To each and every child who was abused, neglected or mistreated and on behalf of this Parliament and every Parliament before it, we say sorry.

Of course I understand that these words are not a magic salve. You have been hurt in ways that cannot be undone and witnessed things that cannot be unseen. But I do hope that this apology can be the start of something new – for you a start to healing, to recognition and to change, and for us a start to saying ‘never again’ and meaning it.

In listening to and reading about the stories of these children I found one word that came up again and again: ‘shame’. So many of these Victorians live with so much shame. If I can address myself very directly to everyone who feels that deeply, I want to say this: the shame does not belong to you. It is ours. It was always ours, and it always will be ours. Today is about reclaiming that shame, lifting its weight from your shoulders and holding it up to the light – and in its place a sense of pride, pride in the bright and beautiful children that you were and pride in the strong and courageous adults that you have become, in the fight that you have led, in the heart that you have shown, in your determination to make sure it never happens again.

I commend the motion to the house.

John PESUTTO (Hawthorn – Leader of the Opposition) (11:53): To all here assembled: I am very proud and very moved to join with the government and the Premier in supporting this historic motion, one that is long past time but one which is well deserved. Throughout human history there has been a universal and timeless dictum that has cut across civilisations and cultures. No matter what the language, no matter what the civilisation, no matter what the culture, the dictum has always been the same: unyielding and strong, those in positions of power and authority bear the heaviest of responsibilities.

We join this motion today because our care leavers who are with us today and those who never made it to today deserved that protection, and they did not get it. They deserved it. And it is no consolation to say to people, ‘It was a different time.’ No, those standards applied then as much as they do today. We failed those in institutionalised out-of-home care in this state, and this apology is well deserved. So many thousands of young Victorians were in out-of-home care, and the Premier rightly accounted for many of them. Whether it was the most barbaric form of physical abuse, whether it was frankly child exploitation, whether it was sexual abuse, for many it destroyed them. They may have pressed on, but they were never the same. The scars were deep and beyond any remedy. It is a mark of the strength and resilience of the people who are with us today, those watching online and those who cannot join us today. It is a miracle of the human spirit that they could survive that.

I have had the pleasure in recent weeks of talking to many survivors who went through the horrors of that treatment, and it is impossible not to be moved. As I have said, many were put in employment settings that today we would consider primitive, unacceptable – in domestic settings under the guise of, ‘This is charitable; this is benevolent.’ Well, it was not. It was wrong. It was wrong then and it is wrong now. As I said, many faced rampant forms of abuse. Whilst our words today cannot remedy that, it will be of enormous comfort to those who are here today and those who cannot join us that this historic statement today by this Parliament, coming together as one, will offer that kind of healing.

It was not just those who went through the horrors that have been explained in the lead-up to today and that the Premier accounted for; it was those around them too – siblings with whom they had lost touch, parents who were grieving to make contact yet again one more time with the children they had lost. And the grounds for removing children were primitive. In many cases if you look at the records, it just says ‘neglect’. Many will tell you when you speak to them that, frankly, they were removed because they were considered poor. That is not the mark of a civilised country, and we mark ourselves against that dictum I spoke about before, by this test: how well do we as an advanced and civilised people look after the most vulnerable? So it was that we did not meet that standard, and that is why today it is important to come together as we do.

I had the pleasure last week of meeting with Leonie Sheedy, and I would join the Premier in her comments about Leonie. She, frankly, is a force of nature, and I know she is joining us today. She is

emblematic of that resilience that we marvel at when we see it and ask ourselves the question: how would we weather that kind of treatment? Leonie Sheedy, as one of the co-founders of CLAN, is a testament to that human spirit. There are so many sliding doors moments in our lives, and there was one in 1992 when Leonie just happened to see an ad, one of 175 that had been placed in papers in New South Wales. From there, CLAN eventually would be born, as she collaborated with people like Joanna Penglase and other members of CLAN whom the Premier has rightly acknowledged today, including current CLAN president Sue Whittington-Stevens. That one sliding doors moment is why we are sitting here today.

Leonie told me of so many of the people she has fought for over the years, harrowing stories. Even in most recent times, how those people survived is a miracle. But we have to do more than just apologise today. If we think that is enough, we would be mistaken. Our apology must be supplemented by a real and active commitment to make sure that those children who need care and do not have the loving arms of a family, that unconditional love, get it from us. So today is not just an apology. Today is and must be a challenge to all of us who sit in the chambers of this Parliament to do everything we can to ensure that nothing like the horrors we have been told about occur again. It is hard, but we must do that.

We know that many of these stories touch us by one or more degrees of separation. In my own case I have a dear friend and adviser who has told me about his mother Hilda, and he has given me permission to account for some of it today. Hilda was one of five. They were removed from their family because they were considered poor. Hilda, my adviser's mother, never recovered. She felt shame and prejudice that was not hers to bear, and she bore it her whole life. It is a mark of her character and resilience that she was able to produce people like my adviser and his siblings.

One of Hilda's siblings was Bob, and Uncle Bob was sexually abused. How he could have survived any of that is anyone's guess. Here is the thing: Uncle Bob went on to get married and have a family and to serve in a very senior role in the Metropolitan Fire Brigade command. After some four decades of marriage his past caught up with him. His marriage broke down, he left his family and he died alone and destitute, all because he could not break out of the clutches of the horrors he had survived. It is so important for us to remember, as the Premier has said, that the scars are lasting, and people will need constant support as we go ahead.

I want to thank CLAN. I want to thank all care leavers right across our state, right across our country, those who support them, those who are with them – everyone involved in this effort.

Interjections from gallery.

John PESUTTO: I understand. To everyone involved in this effort, to bring closure and comfort for those who have been affected, we must support this apology with real action. For those like Hilda and Bob who have long left us, we will not forget their torment and their experience.

In supporting the Premier in this motion, I just wish to say this: nothing we say today may assuage completely the enduring anguish of not knowing the answers to some of life's most profound questions. What are the origins of my existence? From whom do I descend? Where do I find unconditional love? Your life journey will go on from today, but I do hope that this occasion marks an uplifting milestone on your pathway to ongoing discovery and healing. I also hope that this apology is made auspicious not just because of the collective expression of the deepest sorrow today but by the comfort in knowing that this assembly constitutes us saying that we are with you and that we will walk with you.

For any community to truly claim the mantle of being a community, it must itself be a family, and so we meet here today not just as members of Parliament, not just as friends and acquaintances – I want all of you to know we meet here today as sisters and brothers. I hope that in the moments to follow this when we meet outside the chamber and in the days and years ahead that you will remember that and that you will greet me as John your brother. For that is the mark of a true community, that we are

ultimately a family. I am proud, on behalf of the Liberal Party and the National Party, to join with the Premier in support of this historic motion.

Samantha RATNAM (Northern Metropolitan) (12:04): I rise on behalf of my colleagues to support the government's apology and to express our deepest sorrow for the traumas experienced by victims and survivors of abuse and neglect in institutional care. Today is historic, and while we know it comes too late for too many, it is so important that institutions right the wrongs of the past and are able to say sorry.

To be removed from one's family and to be placed in care is a painful experience for any child. But then to experience abuse and neglect at the hands of those who are meant to care for you is truly unthinkable, and yet it was a reality for so many Victorians. Here today in this Parliament we are apologising for the failings of the care system that ultimately resulted in profound suffering for many. We extend our sorrow to the families and communities of survivors. You have had to witness the heartbreaking suffering of your loved ones over the years, and we recognise that this has taken its toll on you too. We also recognise that the traumatic impacts of abuse are often ongoing over the course of a lifetime and that they too often flow into intergenerational traumas which carry forward in ways we are still trying to understand.

For too long survivors of abuse and neglect have had to stay silent, whether that be because of the fear of not being believed, the fear of retribution or the stigma that society imposes. I cannot imagine the pain that was felt by the children who were not believed when they spoke up, when people in positions of power did nothing to save them and when family members sided with abusers. We are profoundly sorry to the children who experienced this betrayal of trust, and we are indebted to the survivors who bravely came forward and shared their stories to royal commissions, to police investigations, to support workers and to their loved ones.

We also want to recognise CLAN, the Care Leavers Australasia Network, and so many other organisations of courageous groups of people for their relentless advocacy and care. We are grateful for your courage, because without the truth there can be no healing, no redress, and our systems would be doomed to repeat history.

We apologise to those survivors who continue to be failed by our institutions. We are sorry that there are many of you who continue to struggle as you have not been able to seek the support you need. We are sorry that our social systems have not been strong enough to give you the support you need. We are particularly sorry to survivors who have been criminalised, as we know how historically our criminal justice system has not been considerate of trauma and what it does to our lives and our actions. This failing is even more wrong as it means so many people have been doubly punished.

Ultimately the words spoken here today cannot take back the failings of the state's institutions. What we can do now is make a commitment towards appropriate redress, and that is what we and the Greens as well are committed to. We must all work across the Parliament to deliver a redress scheme which provides support, comfort and justice. To do this, the voices of survivors must be listened to, and their needs cannot continue to be ignored. It is crucial that this scheme fills the gaps in other redress mechanisms to ensure that no-one who needs support slips through the cracks.

To the survivors who are listening to this message, we are deeply sorry for what has happened. We are sorry for the ongoing anguish you and your loved ones have endured. We make a promise to you here today that we will not forget the wrongs of the past. Rather, we will use this grief that we carry in our hearts to propel us to action – action which sees justice done and makes sure an apology like this is never needed again.

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

Sitting suspended 12:10 pm until 2:02 pm.

*Members***Minister for Planning***Absence*

Jacinta ALLAN (Bendigo East – Premier) (14:02): I rise to inform the house that for the purposes of question time today the Minister for Precincts will answer questions for the portfolios of planning and suburbs.

The SPEAKER: I acknowledge in the gallery the former member for Clarinda the Honourable Hong Lim and the Honourable Mu Sochua MP, former minister for women from the Cambodia National Rescue Party.

A member: And John Eren.

The SPEAKER: I think the former member for Lara has already been acknowledged today.

A member: He deserves two.

The SPEAKER: Indeed he does deserve two.

*Questions without notice and ministers statements***Suburban Rail Loop**

John PESUTTO (Hawthorn – Leader of the Opposition) (14:03): My question is to the Minister for the Suburban Rail Loop. The Grattan Institute has today said that the government must ‘bite the bullet’ and cancel the Suburban Rail Loop in order to free up construction workers to address Victoria’s housing crisis. Why is the Labor government making the housing crisis worse by insisting on building the SRL against expert advice?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:03): We have got the Leader of the Opposition, representing a party that never started nor completed a major project when they were in office, quoting so-called experts –

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

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

Danny PEARSON: The Grattan Institute have not built anything; they are not experts when it comes to these matters. The other point I would make is that in the past, too, we had other so-called experts, for example, rail against the construction of the city loop. And the reality is that if we had not built the city loop then we would have basically trains terminating at Flinders Street and Spencer Street. That would just not be fit for purpose for a city the size of Melbourne in 2024, let alone when we gaze forward to the 2050s, when Melbourne will have the population of London. Those big global megacities need an orbital route. You do not have just one standard CBD, you do not have a hub-and-spoke approach, you need to have –

Matthew Guy interjected.

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

Member for Bulleen withdrew from chamber.

Danny PEARSON: It is not a binary equation. It is not a case of you have major transport infrastructure or you have housing. You have both. You have got to do both. And on this side of the house we know that you can do both, because that is what we have spent the last 10 years doing – investing in the critical infrastructure that Victorians have voted for, be it schools, be it hospitals, be it

major transport linkages, be it making sure that we have got housing to deal with the increase in the population that we are seeing.

Those opposite have consistently opposed this project, and you have got to ask yourself: why are they being such economic vandals when it comes to a project like this? You are going to have 4000 jobs on the ground in 2026, and if the Leader of the Opposition becomes the Premier then he will sack 4000 jobs. You are looking at the broader economic benefit. You are looking at in excess of \$58 billion worth of economic benefit to Victoria as a consequence of this project. It is about making sure that we have got more housing around transport nodes. It is making sure that people have got the ability if they live down at Frankston, for example, to get on the train and go to Monash University, which is Australia's largest university. This is a bold, visionary project, it is a project that this state needs and it is a project that will be delivered by the Allan Labor government.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:06): Is Suburban Rail Loop East fully funded?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:06): We have been really clear that this project will be between \$30 billion and \$34 billion between now and 2035. I appreciate the Leader of the Opposition probably has not spent much time reading budget estimates or budget papers, but the forward estimates go for four years.

James Newbury: On a point of order, Speaker, the question was very simple, and I would ask you to bring the minister back to the question.

The SPEAKER: The minister was referring to budget figures. He was being relevant.

Danny PEARSON: We are getting on with the job of delivering this project. All contracts will be let by 2026.

John Pesutto: On a point of order, Speaker, on relevance, the question was about whether the project is funded.

Mary-Anne Thomas: On the point of order, Speaker, the minister was being entirely relevant to the question. I ask that you direct the Leader of the Opposition not to use points of order to stop ministers on their feet from delivering responsive answers.

James Newbury: Further to the point of order, Speaker, *Rulings from the Chair* is very, very clear that ministers cannot generally respond to a question; they must respond to it directly. The question was whether the project was fully funded, and the minister has not yet dealt with that matter.

The SPEAKER: I would ask members who are raising points of order not to repeat the question. The question was very straightforward. The minister, however, was referring to the budget and how it was going to be funded.

Danny PEARSON: We have been really clear. The funding streams will be through the Commonwealth, through the state and through value capture. We are well on the way to having 4000 jobs on the ground in 2026. All contracts will be let, and we will have TBMs on the ground. Those opposite want to fill in a hole.

John Pesutto: On a point of order, Speaker, on relevance, we asked deliberately a very simple question. I am trying to give the minister a chance to answer. We want to know whether it is fully funded, not the streams. Is it funded? It is a simple question. I ask you to draw the minister back.

The SPEAKER: Leader of the Opposition, I would ask you not to repeat the question in your point of order. I understand your point of order, and I understand your need to have the answer that you want. I cannot compel the minister to answer the question the way you want. The minister was being relevant. He was referring to the budget papers.

Danny PEARSON: As I was saying, we are looking at three funding streams: the Commonwealth, value capture and contributions from the state. All major contracts will be let by 2026. We are going to have tunnel-boring machines in the ground. This is going to be an exciting project. Those opposite have clearly decided that they want to oppose this. They want to fill in a hole – board it up. They are just economic vandals.

Ministers statements: women’s health

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:09): I rise to update the house on the Allan Labor government’s \$153 million investment in the health of Victorian women. I have stood here before and spoken at length about women’s health here in Victoria, and some might say I have to do so in order to make up for lost time. We are giving women’s health the attention, the focus and the funding that it needs and deserves. I have had a look, and prior to the election of our government, words like ‘endometriosis’, ‘menstruation’ and ‘menopause’ barely got a look in in this house. It is time to break the shame and stigma that is associated with women’s healthcare needs. Our health matters, and I will gladly take every opportunity I get to talk about the important work that the Allan Labor government is doing to change the way in which we deliver health care to women here in this state.

Can I talk about our women’s healthcare clinics? The 20 we are establishing are an absolute game changer. They will support women needing treatment and advice on issues like pelvic pain, polycystic ovary syndrome, menopause and incontinence. We are also expanding our existing network of sexual and reproductive health hubs so that we can provide the treatment that women need for STIs, we can give them access to effective contraception and we can expand accessibility of medical termination of pregnancy. We are increasing the number of laparoscopies that will be delivered in our state so that the symptoms of endometriosis can be diagnosed earlier and treated more effectively. We are making sure that our health services will have the workforce that they need, delivering scholarships of up to \$20,000 to up to 100 healthcare workers so that we have those additional specialists that we need. Our government is showing real leadership on a real issue that matters to the women of Victoria. Only the Allan Labor government – *(Time expired)*

Payroll tax

David SOUTHWICK (Caulfield) (14:11): My question is to the Minister for Health. Ron is 72 and lives in Caulfield, and he has told me:

After reducing bills I’m still having to choose between food and medical necessities.

Why is Labor making the cost-of-living crisis worse for Ron and all Victorians by adding its unfair health tax to GP visits?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:12): I thank the member for Caulfield for his question. Can I say that his constituent Ron will not be alone when it comes to the challenges that are being faced accessing primary care in this state. Let me tell you why it has been so difficult to access primary care here in the state of Victoria – the same reason it is difficult to access it here in Victoria as it is across Australia: because of 10 years of neglect by the previous Liberal–National government, the very same government that froze the Medicare rebate for six years. You cannot freeze the Medicare rebate and expect that it will not have an impact on the price of accessing primary health care in this state. Why not get on the same side as our government and work hard to ensure that we have –

David Southwick: On a point of order, Speaker, on relevance, this is not what happened 10 years ago; this is what happens currently under the government’s GP health tax. I ask you to bring the minister back to answering the question specifically about the GP health tax.

The SPEAKER: I would encourage the member for Caulfield to have a better understanding of how to raise a point of order and what to put in that point of order.

Members interjecting.

The SPEAKER: This is for all members. It is not a laughing matter. I would ask the minister to come back to the question.

Mary-Anne THOMAS: As I have already indicated, the experience that the member has raised in relation to his constituent Ron is one that we acknowledge is being experienced by many Victorians right across our state and indeed Australians around the nation because of the damage that has been done to Medicare. Medicare of course was established by Bob Hawke. We celebrated that 40-year anniversary the other day. Medicare was envisaged to be free, fast and local, and every step of the way those on the other side of politics, the Liberal and National parties, have tried to destroy Medicare. The proof is in the pudding.

James Newbury: On a point of order, Speaker, *Rulings from the Chair* does accept that a minister has to be not only relevant but succinct. I appreciate that the minister had some time talking about 40 years ago, but I request that the minister return to the question, which related to a current matter.

The SPEAKER: The Manager of Opposition Business is correct. I also remind the Manager of Opposition Business about being succinct in points of order. It is not something that I am going to accept for much longer – points of order being raised that are not explicitly in relation to the standing orders. The minister will come back to the question that was asked.

Mary-Anne THOMAS: Thank you, and I am very happy to do so, Speaker, because when we talk about access to primary care it is really important that we take the opportunity to outline once again in this place the initiatives that the Allan Labor government has put in place in order to make primary care more accessible to all Victorians. We have established 29 priority primary care centres. I have said it before and I will say it again: these priority primary care centres are there to deliver the services that so many GPs used to deliver. Whether it be for cuts and bruises or breaks and sprains or simple, uncomplicated infections, priority primary care centres are there to deliver. Not only that, we have introduced our community pharmacy pilot. Once again we are saving Victorian women in particular a potential trip to the GP. Women can get the treatment that they need to relieve their urinary tract infections with a simple visit to the pharmacist, and they can refill a prescription for the pill with the pharmacist. The Victorian virtual ED is yet another example of where we are making it easier for people to get access to health care where and when they need it.

Again, there are challenges with the primary healthcare system. They rest solely with the federal government, and we will attempt to work with them to resolve those issues.

David SOUTHWICK (Caulfield) (14:17): Why isn't the government offering any cost-of-living relief to Ron and other Victorians who have to choose between food and medical necessities? Why?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:17): I think I have already outlined some of the cost-of-living relief that the Allan Labor government has put in place when it comes to medical costs, and that of course again goes to our priority primary care centres, the Victorian virtual ED and the community pharmacist pilot.

While the member is talking about cost-of-living relief, it is also an opportunity to remind the house of the many other ways in which we are providing cost-of-living relief to Victorians, whether that be making three- and four-year-old kinder free, whether it be making it free for kids to access the dental treatment they need through Smile Squads or whether it be making it easier for regional and rural Victorians to get to the health care that they need with fares now capped at metro prices. The Allan Labor government has a range of initiatives in place that are designed to tackle the cost-of-living issues facing Victorians.

Ministers statements: medical research

Ben CARROLL (Niddrie – Minister for Education, Minister for Medical Research) (14:18): I rise to update the house on how the Allan Labor government is backing our best and brightest medical minds and medical research to transform the health outcomes for everyday Victorians right across our state. If you asked any medical researcher around the world where they would want to work, they would talk about three places: London, Boston and Melbourne. Right here in Melbourne we are home to a world-class medical research community and world-class medical research precincts from Parkville right out to Monash in Clayton. Some of our brightest minds are really working very hard to change very, very incredible outcomes.

It is very sad that around 1000 children are diagnosed with childhood cancer each year – that is 1000 too many diagnoses – but our world-class researchers at the Hudson Institute of Medical Research, which I visited recently, are about changing that. Last month I saw firsthand how they are using precision medicine to target brain tumours in children. While survival rates for children have not improved in a long time, our researchers out at the Hudson are trying and trying and trying again, and it is all starting right here in Victoria, where we are wanting to shift the dial with the Victorian Paediatric Cancer Consortium, which I know the Minister for Health is very proud of.

If you take type 1 diabetes, every day around seven people are diagnosed with type 1 diabetes. Many of them are children. Right here in Victoria, and right now, we are changing that. A few weeks ago I met with Professor Thomas Kay from the St Vincent’s Institute of Medical Research. He told me about their breakthrough using transformative research to use everyday rheumatoid arthritis drugs to halt the progression of type 1 diabetes – a real game changer that will help people who have been dependent on insulin injections to have the quality of life that they so richly deserve.

This is all happening under the Allan Labor government in one of the fastest growing areas of medical research, where we are translating that research not only into cures but, as the Treasurer knows, also into our precincts and making sure it creates jobs.

Payroll tax

Brad ROWSWELL (Sandringham) (14:20): My question is to the Treasurer. The Treasurer’s leaked letter to the federal Labor health minister accused him of making comments in relation to the government’s unfair health tax that are ‘likely to mislead practice owners, doctors and patients’. Why is this government trying to blame federal Labor instead of just axing its unfair health tax?

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:21): I would like to thank the member for Sandringham for his question. I have been waiting with trepidation for a question from the opposition on this. It has become Orwellian the way that the opposition have now branded our stamp duty arrangements as a health tax. That health tax – our payroll tax arrangements – has effectively been the same since they were last in government, unchanged since 2007. Might I also state the fact that there are 350 GP clinics in this state that pay payroll tax and have been for many years. And why is that? Because every taxpayer that meets the requirements of employment or employment-like activities needs to pay their share. If they do not, then everybody else has to pick up the burden that is created. We are very clear in our position when advocating for the state of Victoria and Victorians. We said to the Commonwealth that our view is that they need to attend to their primary responsibilities around primary health care. We will always stand up for Victorians, because they are our boss. We know who those opposite answer to: their wholly owned subsidiaries of their National–Liberal party mates in Canberra – all the way.

James Newbury: On a point of order, Speaker, standing order 58: the Treasurer is debating the question.

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

Tim PALLAS: Victorians' taxes contribute to the capacity of this state to provide the services that Victorians need and in fact deserve. We put \$130 billion into our healthcare system, growing it. We saw something like \$50 billion taken out of the federal system – cut by a conservative government – and those opposite remained silent. The champions of GPs remained silent while the healthcare system was laid to waste by their federal counterparts.

Can I be very clear as a government that every taxpayer, every employer, has an obligation to comply with the law. The law has not been changed, and questions in this place have to be factually correct. The law has not changed. I say that to this Parliament fully apprised of my responsibilities to be honest. Unfortunately those opposite do not see the truth and facts as being a relevant consideration when they come into this place and parade around trying to pretend that –

James Newbury: On a point of order, Speaker, standing order 118: imputations are unparliamentary.

The SPEAKER: There is no point of order this time, but I do ask the Treasurer to be careful in the way he is responding to questions.

Tim PALLAS: We continue to work with the GP community and their representatives, and we will continue to look at them sympathetically should they have substantive issues they would like to raise. One GP clinic has approached us seeking support, and they are getting just that.

Brad ROWSWELL (Sandringham) (14:25): The New South Wales Labor Premier said just yesterday that GPs take pressure off our public hospital system 'and that's not going to be the case if we whack them with a massive new tax'. Why won't the government follow the lead of other state Labor governments and abolish their unfair health tax?

Tim Pallas: On a point of order, Speaker, this is the second time the member for Sandringham has talked about a health tax. Questions in this place must be factually correct, and I think it is about time we bell the cat. It is just dishonest for those opposite to frame a question in those terms.

The SPEAKER: It is not for me to determine the truth or otherwise of questions, but I do ask the Treasurer, if he is going to respond, to respond to the question.

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:26): As a government we recognise that GPs preform a vital service for our community. They are the front line of primary care. Might I also say that we have seen bulk-billing reduce in this state over the last 18 months from about 24 per cent of GP clinics down to 12. What we have seen is that the state government have stepped up to the plate, with \$52 million for 29 primary care facilities. We have made a contribution in order to fill the gap in terms of primary health care that was laid waste by a Liberal–National party government – over 10 years of malfeasance and quite frankly selling out the interests of sick and needy Victorians. We will continue to stand up for our primary healthcare providers. We will continue to provide the support that is necessary to deal with the pressure therefore put onto our emergency hospital system as well. *(Time expired)*

Ministers statements: sanitary products

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (14:27): I am really excited to be able to update the house today about the Allan Labor government's commitment to making sure that women and girls are getting the necessary sanitary products that they need. With students now back at school they will once again have access to free sanitary products, for a sixth consecutive year, saving families hard-earned dollars. We are the first state in Australia to make pads and tampons freely available in public schools, and we are not stopping there, with pad and tampon vending machines rolling out across public places across the state later this year.

I recently visited Clarinda Library with the member for Clarinda and the Kingston mayor, and we heard how this will benefit local library users. We know that for too long periods have been stigmatised, creating discomfort and embarrassment for women and girls when they get stuck without products. Many of us in this room would know as parents what it is like to have your daughter ring up and say that she needs urgent attention in this area. So women need to be able to access period products wherever they need them, whenever they need them. This program will continue to roll out and deliver pads and tampons, because we know they are not a luxury, they are a necessity.

Community safety

Brad BATTIN (Berwick) (14:29): My question is to the Minister for Police. Crime continues to rise in Victoria under this Labor government. Crime Statistics Agency data has revealed that home invasions have increased by a third over the past 12 months. Why is the minister failing to keep people safe in their own homes?

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (14:30): I note that in the past day or so the Australian Bureau of Statistics have released figures that Victoria continues to have lower offence rates than the national average. Not only that, but our youth crime rate, the youth offence rate here in Victoria, is lower than in New South Wales. I would point out again also that our crime prevention programs have seen a 29 per cent drop in those young people that need support and are making sure that they do not reoffend and that when they do reoffend they are much less serious crimes.

You cannot have some 3000 arrests without things like Operation Trinity, which has been cracking down of course on those aggravated burglaries that have been occurring in the community, and there is also Operation Alliance, which has been disrupting and dismantling youth gangs in our community – 3000 arrests across Operation Trinity and Operation Alliance in our community. That just goes to show that Victoria Police are holding to account those who commit offences, demonstrating also the \$100 million that the Andrews and Allan Labor governments have been investing in – 950-odd crime prevention programs to support young people. It has also demonstrated a continued increase, with the \$100 million and 950 programs that have supported young people and supported those who need help to get their lives back on track.

We do not resile from the fact that you can only run operations like Trinity and Alliance to crack down on aggravated burglaries, to crack down on youth gangs, when you invest in Victoria Police – a \$4.5 billion investment in Victoria Police so they can put the resources where they are needed most to target crime where it is happening in our community. That is what we have been able to do through our investment in 3600 additional funded police here in Victoria. Those opposite not only cut the police budget by \$100 million, they did not fund one additional police officer in their time in office – not one. The police academy out there in Glen Waverley is full. The police academy is full.

Members interjecting.

The SPEAKER: Members will cease interjecting across the chamber. Member for Berwick, you asked the question. I hope you will listen to the answer. The Minister for Police to continue without assistance.

Anthony CARBINES: We have always made sure on this side of the house that we give the Chief Commissioner of Victoria Police the tools they need to do the job. Every Victorian knows 24/7 that there are the police available to support them in emergencies in particular, to ring 000, and emergency response is always available because police 24/7 are available to serve our community.

And we take this opportunity to thank every member of Victoria Police for the work that they do, every day, every night, 365 days of the year – Victoria Police from the smallest single-person operations in stations in the regional and remote communities in Victoria to our big cities and suburbs. It is Victoria Police who put their lives on the line to keep Victorians safe. They make that commitment

wholesomely and fulsomely, and we congratulate them and we thank them again for their work. We should always understand that it is the Allan Labor government that continues to invest in Victoria Police and ensure that they have the tools they need to do the job.

Brad BATTIN (Berwick) (14:33): The Productivity Commission data shows that operational sworn Victoria police per 100,000 people have decreased, while non-operational staff have increased by 23.5 per cent. At a time when Victorians are facing a surge in home invasions, why is Labor cutting frontline police officers in Victoria?

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (14:34): Community safety remains the number one priority of the Allan Labor government. In each and every one of our communities we cannot have 3000 arrests out there in our community around Operation Trinity and Operation Alliance, which deal with youth gangs and deal with aggravated burglaries, unless the chief commissioner has the tools to deploy those resources where he needs them most. They are operational decisions. He makes them, he does them well and we are seeing the results in the arrests that are being made in –

Brad Battin: On a point of order, Speaker, on relevance in relation to the police cut in numbers here in Victoria, which is 3 per cent, I am more than happy to make available to the house the actual statistics from the Victoria Police annual report, which shows a decrease in Victoria Police numbers here in Victoria.

The SPEAKER: That is not a point of order, member for Berwick.

Anthony CARBINES: The Made for More campaign funded by the Allan Labor government is asking more Victorians than ever before to make a commitment to serve their community and join Victoria Police, and I am pleased to say more and more Victorians are taking up the call, deciding to serve their communities at Victoria Police. That is why the academy is full. That is why every fortnight, when I get the opportunity, I am out at the academy to welcome those new graduates who have committed themselves to work on the front line to support communities and put their communities first. We thank them every day for the work that they do and the results that they are achieving in their communities, and we will continue to give them every resource and every bit of legislation that they need to keep Victorians safe.

Ministers statements: family violence

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (14:35): We are a government that takes seriously the threats to women's health. We are committed to ending the horrific and tragic epidemic of violence in Victorian families. Women are not healthy when they are not safe. Women have the right to be safe everywhere in this state, especially in their homes. It is sobering to note that in Australia intimate partner violence is a major cause of death, disability and illness in women aged 15 to 44. This must end. The Allan Labor government has provided \$19.4 million to women's health services to improve the health and wellbeing of Victorian women. Women often seek the support of these services because of the violence that is used against them in their homes.

Victoria is leading the nation – and it is something we should all be very proud of – when it comes to family violence reform, investing over \$3.86 billion. This includes in primary prevention, which is changing the way we support women when perpetrators have used violence against them. This government has established 36 Orange Door branches and access points across Victoria since the findings of the royal commission. These vital safety hubs are the first in the country, so far helping over 400,000 Victorians access critical safety assessments and case management, including access to health services, when violence has been used in their homes. For far too long family violence has been seen as a problem for women to carry alone, a shame for women to silently cloak themselves in, and we do not accept this. The Allan Labor government is committed to preventing family violence before

it starts so that all Victorians, particularly women and children, can be safe, healthy and free from violence.

Housing

Danny O'BRIEN (Gippsland South) (14:38): My question is to the Premier. Damian from Foster has a disability and lives in a unit behind his mother's public housing home. Last year their properties were so full of mould that contractors refused to enter. Damian did not have a bathroom for three months while waiting for repairs. Damian has been on the priority housing transfer list since January last year. Why do vulnerable Victorians like Damian live in unacceptable conditions because Labor cannot manage public housing?

Jacinta ALLAN (Bendigo East – Premier) (14:38): I thank the member for Gippsland South for his question, and if the member for Gippsland South is willing to help Damian seek further advice and assistance from the government agencies, through the housing portfolio, I would invite the member for Gippsland South to appropriately provide that information outside of the chamber so Damian's dignity can be respected and his matter can be worked through outside of this chamber with the housing minister, who I note also represents the communities of Gippsland and I am sure will be willing to work with the local member, as I said, if he wants to give Damian the dignity and privacy of raising this matter outside of this place.

On the broader housing issues, as the member knows well, we have been working incredibly hard to invest in more public housing. Whether it is through the \$5.3 billion in the Big Housing Build committed to in 2020 or whether it is the addition of a further \$1 billion last year to build at least 1300 social and affordable homes across regional Victoria, we are determined and committed to building more homes in regional Victoria. Given the apparent genuineness with which the member for Gippsland South asked the question, I would hope that he would also, in this place and in his role as a local member of Parliament, use every opportunity to support the construction of building more public, social and affordable housing, not use – as others have done in this place, indeed some of his own colleagues – parliamentary mechanisms and tools and local councils, like the Leader of the Opposition has done, to oppose and stop these sorts of critically important housing developments, because they provide the dignity of a roof over the heads of people like Damian.

Danny O'BRIEN (Gippsland South) (14:40): I thank the Premier for her response, and I note that there is less public housing in South Gippsland shire now than there was in 2015. I also note your response for me to pass on the details of Damian's situation. Disappointingly, Premier, I wrote to the housing minister on Damian's behalf in July last year. Despite repeated reminders and emails and following up to the minister, Damian and I have still not received a response. Why is this government so callous that it will not even provide Damian and his mother with a response after eight months?

Jacinta ALLAN (Bendigo East – Premier) (14:41): I thank again the member for Gippsland South for his question. Again I reiterate that if there is the opportunity for the member for Gippsland South to provide these details outside –

Members interjecting.

Jacinta ALLAN: With respect, I think we can all see what is going on here.

Danny O'Brien: On a point of order, Speaker, on the question of debating the issue, I have just outlined that I have formally written to the minister in the past. I might add that on a previous occasion when the Premier invited me to provide details of a case just like this I never heard back from the government at all.

The SPEAKER: I will take the first part of the point of order on debating, and I ask the Premier to come back to the question.

Jacinta ALLAN: I think it is important that we give the individuals that are being referred to in these questions a bit more respect and dignity than what the member is affording them, because the member for Gippsland South pretty quickly flicked the switch to politics. I hope he has advised Damian that under every budget –

Members interjecting.

The SPEAKER: Order! The Premier will resume her seat. Member for South-West Coast, you will not get a Christmas card this year.

James Newbury: On a point of order, Speaker, on standing order 118, the Premier has now made quite a serious imputation about the member, who has genuinely raised a matter in good faith. I would ask you to bring the Premier back to the question.

The SPEAKER: I do not uphold that point of order, but I do ask the Premier to come back. The Premier has concluded her answer.

Ministers statements: women's health

Jacinta ALLAN (Bendigo East – Premier) (14:43): I am proud to rise and update the house on the government's nation-leading inquiry into women's pain. It is staggering to think that four in 10 Victorian women live with chronic pain, and we know it is holding them back. One in three have a health condition that affects their ability to go to work, and at least 20 per cent of women have skipped social activities because of their health. Every woman in this house and every woman across Victoria has either experienced chronic pain or knows someone who has, and that is why our inquiry into women's pain will hear directly from women and health workers and also work to break the barriers that are holding them back to support them. Importantly too it is going to give an opportunity for girls and women to tell their own stories and share their own experiences. It will also look at opportunities for how we can, yes, improve our service delivery and look at treatment options and services for women. Ultimately it is about improving the lives and outcomes for thousands of women right across the state.

We are a government that is proud to listen to women, respect women and elect women. Can I point to the member for Mulgrave, who with her election has resulted in this place and the other place being 50 per cent women across the Victorian Parliament. We know that when you elect more women, the more diverse experiences you have across the Parliament, and those experiences get heard and acted on – experiences, for example, in menstruation, in endometriosis, in fertility care, in reproductive health and in menopause. These are issues that affect women's lives every single day, and that is why we are taking action, giving women the opportunity to be heard and to be listened to but most importantly to have it acted upon.

James Newbury: On a point of order, Speaker, on behalf of the member for Benambra, can I raise the following unanswered questions with you: questions 726 and 727 to the Minister for Environment, 789 to the Minister for Housing, 790 to the Minister for Agriculture and 791 to the Minister for Health.

Tim Read: On a point of order, Speaker, I have one overdue constituency question, 376, asked in October, directed to the Minister for Industrial Relations.

Gabrielle de Vietri: On a point of order, Speaker, I have an unacceptably long list of questions awaiting responses that have passed their due dates. All of them were due last year: question 226 –

The SPEAKER: If there is a long list, member for Richmond, I would ask you to hand the list to the Clerk rather than read them all out.

*Rulings from the Chair***Constituency questions**

The SPEAKER (14:47): I have reviewed the constituency questions from yesterday. The member for Ripon asked the minister to provide her with an update. On 31 October 2023 I informed the house that I would rule out future constituency questions that ask ministers to provide advice or to provide an update on matters as these are technically actions. Therefore I rule the member for Ripon's constituency question out of order.

The member for Shepparton and the member for Melbourne both asked questions of a general nature that were not specifically related to their electorates. Furthermore, the member for Melbourne asked two questions during her constituency question. Therefore I rule the constituency questions by the member for Shepparton and the member for Melbourne out of order.

*Constituency questions***Murray Plains electorate**

Peter WALSH (Murray Plains) (14:48): (490) My constituency question is to the Minister for Public and Active Transport. Can the minister provide the residents of Kerang and district the latest information on V/Line plans to return staffing to the Kerang railway station? The Kerang railway station is a busy hub at the intersection of a number of public transport routes that pass through my electorate: the Swan Hill to Bendigo train service, the Echuca to Kerang bus service, the Albury to Mildura bus service, the Mildura to Bendigo bus service and the Albury to Adelaide bus service. The residents of Kerang and district believe that the Kerang railway station is busy enough to justify V/Line having a staffing presence at the station, and I ask that the minister provide the latest information as to plans to do that.

Broadmeadows electorate

Kathleen MATTHEWS-WARD (Broadmeadows) (14:49): (491) My constituency question is to the Minister for Public and Active Transport, and I ask: what measures are in place to enforce the various cleaning and maintenance contracts at the Broadmeadows station precinct and car park? Department of Transport and Planning reps met with Hume City Council reps and me to discuss some of the challenges at the station. One of these challenges is the complex leasing and ownership arrangements of the site and surrounds and the various responsibilities for cleaning and maintenance, particularly of the privately owned but common-use areas that people use to access the station platforms and underpass. It is my understanding that the private owner of the property is responsible for the cleanliness and maintenance of this area, and I do not believe adequate upkeep or cleaning is occurring at the level the community expects. The department undertook to investigate the current cleaning contract requirements and whether these were being met and what options are available to improve the customer, resident and business experiences at the station precinct. I look forward to receiving details of these measures.

Narracan electorate

Wayne FARNHAM (Narracan) (14:50): (492) My constituency question is to the Minister for Roads and Road Safety. When will the minister take action to address the dangerous intersection of Nar Nar Goon-Longwarry Road and Bunyip-Modella Road in Bunyip? We have seen a number of very serious accidents at this intersection in recent months. Thankfully, none of those recent accidents have resulted in loss of life. At least one accident a month at this intersection requires emergency vehicle assistance, with many other minor accidents occurring. I understand it will require a solution from both state and local government, but we cannot allow this intersection to remain as is given the danger it poses to the local community.

Kororoit electorate

Luba GRIGOROVITCH (Kororoit) (14:51): (493) My question is for the Minister for Education. How many free meals have been provided to students in Kororoit as part of the school breakfast club program? I ask this post visiting a number of schools in Kororoit and seeing the exact need for it. I recently, however, visited Deer Park North Primary School, and I was asked by one of the students what are some of the things that our state government is doing to help alleviate the cost-of-living pressures. I explained to the students that the breakfast available to them in the mornings is a Labor government initiative. This program started in 2016 to provide students who might otherwise go without with a healthy breakfast so that they can get the most out of their day of learning. Every child deserves access to a great education but also to nutritious food to start their school day, and I look forward to hearing how many students have benefited from this program in Kororoit. No child in our wonderful state should go hungry ever.

Brighton electorate

James NEWBURY (Brighton) (14:51): (494) My constituency question is to the Premier. When will the state Labor government stop ignoring the genuine investment needs of Brighton Primary School? In April next year Brighton Primary will celebrate 150 years of educating the young children of Brighton. It is almost as long since the school has received any meaningful capital investment. The lack of capital investment is a significant concern to my community, with over 750 residents recently signing a petition calling on the Minister for Education to commit much-needed funding to this school. As year 6 student Aleksandar recently wrote to the Minister for Education:

... one of the most pressing issues we face is the state of our classrooms, particularly the 50 year old relocatables that currently house two-thirds of our students.

For the Premier's background, Brighton Primary is home to one of the few specialist hearing units in Melbourne. Those children with hearing difficulties are taught in the demountables. The demountables are located right next to a train line. These children deserve better. The state government owes these children much, much better.

Wendouree electorate

Juliana ADDISON (Wendouree) (14:52): (495) My constituency question is directed to the Minister for Mental Health and is regarding the implementation of the recommendations from the 2021 landmark Royal Commission into Victoria's Mental Health System and how that is benefiting my constituents in Wendouree. The royal commission was established in 2019 in recognition of the Labor government's commitment to improving the system for Victorians living with mental illness or psychological distress, their carers, their families and supporters as well as our mental health workers. In the 2021 royal commission final report 65 recommendations were included, in addition to the nine interim report recommendations. I am proud that our government committed to implementing all recommendations. These are already well underway, and we are delivering on them. Minister, how is the implementation of the royal commission's recommendations delivering a better mental health system for the Ballarat community?

Brunswick electorate

Tim READ (Brunswick) (14:53): (496) My constituency question is for the Minister for Planning. In mid 2022 Yarra council sought to increase their open space levy on new developments. Sixteen months later this request was rejected despite support from a panel. Local governments now need to raise more money to buy increasingly expensive inner-city land to turn into parks. Our growing apartment-dwelling population will need and will demand more shared open space. Will the minister be requiring developers in Yarra to increase their contribution towards creating green open space?

Monbulk electorate

Daniela DE MARTINO (Monbulk) (14:54): (497) My constituency question is for the Minister for Housing. Minister, with specific reference to my electorate of Monbulk, what is the Allan Labor government doing to address homelessness and social housing availability? We are all aware that homelessness and the availability of social housing are issues of concern across our state of Victoria, including in my electorate. The cost of living is increasing, and for a myriad of reasons a growing number of people are struggling to find a secure home to live in. This is not just an issue affecting Victoria, however, but a wider problem across our country. I am proud that the Allan Labor government has not only acknowledged that we are in need of more social housing but has issued a comprehensive housing statement – a dedicated plan to address these matters in a tangible and meaningful way, setting a bold target to build 800,000 homes in Victoria over the next decade. I look very much forward to the minister's response.

Mornington electorate

Chris CREWTHER (Mornington) (14:55): (498) My question is for the Minister for Community Sport. Why is the Labor government failing to fund much-needed infrastructure for the Emil Madsen Reserve, located in the Mornington and Dunkley electorates? It has many local clubs and is indeed the highest participation grassroots sporting facility in the state, having over 2000 participants across five sports. It is in poor condition with inadequate facilities, with girls even having to change in portables and their cars and with soccer sometimes being moved across to Mount Eliza Secondary College, which itself has buildings over 50 years old. With Nathan Conroy the federal Liberal candidate for Dunkley, the federal shadow minister and the cricket club, I went the other day to see the state of play at Emil Madsen. Currently \$20 million out of \$35 million has been committed, and the state Labor government – you guessed it – has delivered and committed nothing, even after the Liberals committed to it during the election. With Nathan Conroy and others, I call upon the Labor government to commit to this project.

Narre Warren South electorate

Gary MAAS (Narre Warren South) (14:56): (499) My constituency question is for the Minister for Education and concerns funding to help families with school costs. Minister, how is the Allan Labor government assisting students and families with school costs in my electorate of Narre Warren South? Every student should have access to good education regardless of their background and their socio-economic circumstances. Many struggling families in my electorate need help with essential items, such as uniforms, textbooks and schoolbags. I do note the government's affordable school uniforms program is crucial. It really does help with living expenses, allowing students to make the most of their schooldays. Ensuring adequate support for students is essential in fostering equal educational opportunities for every single student. This support not only enhances the overall educational experience for students but also contributes to creating an inclusive learning environment. I look forward to sharing the minister's response with my community.

Bills**Service Victoria Amendment Bill 2023***Second reading***Debate resumed.**

Tim McCURDY (Ovens Valley) (14:57): I am delighted to get to continue my riveting conversation and contribution on the Service Victoria Amendment Bill 2023. I was rudely interrupted, but anyway, we will get back to where I was. I was busy talking about Service Victoria's need for accessibility and inclusion, aiming to mitigate the barriers to access and usage for individuals with diverse needs and circumstances, and this will involve provisions for the integration of assisted technology design principles to ensure that Service Victoria remains inclusive and equitable in catering

to the diverse demographics and capabilities of its users. Acting Speaker Farnham, I am delighted to see you in the chair. And may I say we know that we need to cater for all Victorians. The further we go down this digital pathway, the more we need to cater for all Victorians. The government say they cater for all Victorians, but we know they say one thing and then often cater for those who vote for them; we often find that in our regional seats. That is why I am saying that in this digital highway, this digital pathway we are going down that we are so desperate to get further down, we need to do so inclusively, making sure that all Victorians have that ability to understand and utilise this service. Hopefully, by fostering an inclusive service environment the bill can make an effort to uphold principles of accessibility and equity in the digital service delivery landscape.

I want to touch on a bit of the bill. The main purpose of the bill, as we know, is to amend the Service Victoria Act 2018 to provide for the delivery of functions by the Service Victoria CEO either with or on behalf of non-government entities and to provide for delivery of functions by non-government entities, whether with the Service Victoria CEO or on behalf of the Service Victoria CEO or a service agency. Secondly, it will clarify the purpose of the act. Thirdly, it will set out further functions and powers of the Service Victoria CEO. Fourthly, it will enable the identity verification standard, which is very important, as we move down this track, to deal with the processes governing applications for and the issue, renewal, suspension and cancellation of electronic identity credentials. Finally, the bill sets out to ensure that information management requirements under the act are consistent with equivalent requirements of other acts.

The Service Victoria Amendment Bill 2023 came into fruition on the recommendation of the Noone report into the Service Victoria Act. It was statutorily required by section 57 of that principal act. The review was commissioned by the minister, with the final report tabled in this place mid-2022. It was undertaken by Dr Claire Noone. The report recommended largely minor and technical changes to the act that would help to improve the operation of Service Victoria as well as provide a more end-to-end framework, which I mentioned earlier in my contribution. The aim is certainly to make that one-stop shop for digital services from the government. Time will tell whether they can deliver that, and I certainly in all good faith do hope that happens, because we desperately need that.

I also want to be perfectly clear that this end-to-end service delivery is well overdue, as Victoria trails its counterparts in New South Wales and Queensland. There does not appear to have been a political will to move forward with this platform, but I am pleased to see that here in 2024 we are starting to go down that path. Maybe the new year brings new hope that this Allan government is finally starting to listen to others, including the opposition, when it comes to digital technology, because Victoria seems to only have eyes for digging tunnels in Melbourne. We think it is important that we look after all Victorians and all areas, not just spending and wasting all of Victorian taxpayers money on a couple of projects here in Melbourne.

To provide some context here, Service Victoria currently delivers 104 different government services, ranging from licence renewals to rebates and savings finders. For all the boasting, the 2023–24 budget papers set aside \$30 million for the delivery of digital services as a specific line item. That is what it was going to cost – \$30 million – to get this superhighway up and running in terms of Service Victoria and the digital platform. And now we find – and not surprisingly – that there is a further \$60 million set out for the 2024–25 financial year. Who would have thought that the Allan Labor government would have a cost overrun or underestimate what the costs were going to be! We are now talking a further 200 per cent from what the initial investment was going to be. We have now got a further \$60 million in the budget, so we have gone from \$30 million, which was going to be fully funded, fully costed, to now \$90 million. You would hope this is due to the expected doubling of transactions and traffic on the website, but we cannot be sure that that will be the case. Even with most operations run on a cost-recovery basis, it is mind-boggling that there should be such a jump in funding requirements, and I hope that the taxpayer is getting bang for their buck. We know waste and financial mismanagement is in the government's DNA, and it should come not as a surprise but more as a reminder that the inability to manage money is not a new phenomenon of the Allan government.

I want to discuss some of the main changes that this bill intends to bring and what we can expect from them. I mentioned before the end-to-end service delivery. The bill makes amendments to the principal act in order to make changes to allow Service Victoria to deliver end-to-end service through the app, giving them appropriate provisions to assess and issue various applications, such as licences – VicRoads – without having to pass from Service Victoria to VicRoads and back again if they need support or need verification of an ID or various things. There is a lot of doubling up going on between agencies. This legislation will fine-tune that so the CEO of Service Victoria will have that ability to make those decisions and do those identity checks and various things so there is not a toing and froing, which will save time, make better opportunities and certainly make this work a lot better. It will stop two different departments from doing the same work and of course double-ups of licensing and paperwork et cetera. It remains to be seen whether this will actually be the case or whether departments will just start blaming each other for any work lost in the system, but we will see how that goes in good faith. It is about trying to streamline the process.

Identity verification and electronic ID are also covered. The changes in this section broadly relate again to those end-to-end changes and give the Service Victoria CEO the power to make further inquiries around identity verification on behalf of those agencies. This will improve the identity verification standard for digital ID and will also streamline the process.

Further, these changes will give the user the ability to either consent to the storage of data and documents on the platform for future use around ID or decline for privacy and security reasons. I am very pleased to see that that is offered, because various people have different requirements, different needs and different wants. I think having that flexibility, whether they would like to accept that or decline that, is a choice people get to make.

The government trialled digital drivers licences over the last half of 2023, with a broader rollout of them this year. I say hallelujah to that. I am pleased to see that we are moving down that path with VicRoads and that drivers licences are obviously not that far away from making it onto the digital platform for us. I do like the fact that my fishing licence and some of those other licences are on there, member for Gippsland South. Once we get our drivers licences, we can certainly grow that as we go along. But I am still concerned about the government's track record on delivering successful outcomes for Victorians, and I also have concerns, as I said before, around the data storage and protections for Victorians, particularly following a brutal couple of years of massive data leaks from Optus and Medibank; we all know about those. Of course the more data we put in one place, the more careful we need to be.

I want to touch on partnerships with non-government entities, which this legislation will now start to allow on the digital platform. Service Victoria will be allowed to enter into partnerships with non-government entities. The changes will open up a new method of interacting with government for businesses, with the legislation allowing Service Victoria to make agreements with non-government entities for the purpose of performing joint functions. This will enable, again, as I said, the one-stop point of interaction for Victorian businesses when they require a government service, making the process less complicated and certainly more streamlined. The details behind this change are still a little light on, as we often find, and there are no clear-cut examples of how these changes will be used. This is one of those line items that we see in legislation where this government says, 'Trust me, we will get it sorted when it comes to the time.' We have to hope in good faith that these will roll out and be fair and equitable.

It was identified in the bill briefing that private companies may be able to outsource elements of hiring checks to Service Victoria to streamline processes and reduce costs. With that being said, what steps are being taken to educate businesses about those changes, and how will the government remain competitive with the private sector in this area? What happens if there are delays or businesses are left paying more? That does remain to be seen.

We also have a few concerns that the increased digitalisation of government services will leave more and more people behind. As we know, not everybody is digitally savvy. Not everyone is like Acting Speaker Farnham, who is an absolute wizard when it comes to his phone and his iPad and everything electronic. Not everybody is in that same situation. I look at my mother and father, who are very challenged when it comes to that. They even come to me for support, and I just palm them off to the next generation. In all seriousness, we do have to be careful and always look out for those who are not capable of managing the old iPhone or the Samsung or whatever it might be to get where they need to go. As MPs we all get people coming into our offices with very simple needs. A lot of those needs are resolved by technology and saying, 'Look, have you got a phone? Can you do this? Have you got a computer? Sit with me, we can help you through that process.' That is a bigger number than we like. Of course we want to make digital technology and this platform suitable for all those who are digitally savvy. I will say the majority of the population are technologically savvy and can use phones, iPads and computers, but again we always keep in the back of our minds that there are people for whom English is their second language, and there are people who are older and have not taken on the changes that have occurred in the last five to 10 years. We need to bring every Victorian with us, for the want of better words.

There are also those who suffer disabilities, have issues with comprehension, are illiterate or are non-tech-savvy people, as I said. An example of this could be seen with the QR codes and service codes during COVID. How many people do we all know who came along and showed us? When they had been scanning in on the QR code they looked at their phone and they had about a thousand photos of the QR code because they thought they were supposed to take a photo of it. I see the Acting Speaker laughing at that. My father was certainly one of those; he still has a lot of photos on his phone of QR codes. Anyway, it remains to be seen. We will try to bring along even someone who is 93 years old so they are ready for the next time they need to use their phone.

Further to this, by diverting more resources away from the coalface or retail customer support and into online support we need to make sure that those with disabilities, such as visual impairment or dexterity or mobility issues, will not be cut off or left behind as well. Whilst they may have additional support, they themselves are unable to be as independent as they could be due to a potential lack of telephone or in-person agents who they can engage with at the time.

Among all the concerns I have with this bill – and we really want to see this come to fruition – are the data breaches. We want to be careful about data breaches and, as I have been banging on about, making sure that all Victorians get to use it – when I say 'all' I mean that 95 per cent of Victorians can manage this on their own, and if others need extra support, that is fine. What I am saying is we need to, I suppose, 'Keep it simple, stupid' at the end of the day.

Again, multicultural and linguistic barriers will also need to be addressed. Further concerns have been raised with us. With the continued digital pathway not specifically addressed in the bill, it is a concern that many ethnic communities may suffer reduced service delivery from the government due to a lack of adequate translation online where the level of English used is very low and, as I said before, for some where English is their second language.

The government has proposed to address this issue as it continues to expand the platform. However, it has offered no framework to ease the online switch for these communities. This is an important step that must be taken sooner rather than later. We know that in a diverse multicultural state like Victoria where English is a second language for over a million people, we have to keep that in mind. Especially for older migrants or those newer migrants who are more in need of government services, English can be challenging, which is why I would like to see the government doing more in this space.

Further to this is the general concern around privacy and data retention. With more digitalisation come more chances of a massive data breach through a cyber attack or sheer carelessness or neglect. Victorians are rightfully concerned about their data being secure – again, as I say, on the back of the breaches that we saw with Optus and Medibank recently. By moving all online data into a single

database – I know the aim of it is to reduce the chances of a breach as you have got one database rather than many, many databases – there is still that risk of exposure to a major breach if that happens. I get that a single set of consistent laws is important and helps to reduce the likelihood of a mistake happening, but it also leads to complacency and a lack of diversity when it comes to data security.

Again, I still have concerns about the future cost to users not being clearly addressed. The Allan Labor government seems to want to tax anything that moves, and this is an area –

Danny O'Brien interjected.

Tim McCURDY: Thank you, member for Gippsland South; if it doesn't move, they push it and then they can tax it. This is an issue that, again, we have to get to the bottom of. There is no cost now to individual users – I get that, I see that – but where do we get to as we move further down this digital highway and are totally reliant upon our digital wallet, when we actually do not have a hard licence anymore because it is all in our digital wallet, whether that is two years, five years or 20 years down the track? And when that becomes a factor –

Members interjecting.

The ACTING SPEAKER (Wayne Farnham): Order! There is just a bit too much audible noise.

Tim McCURDY: Thank you, Acting Speaker, I am delighted for that cover. I appreciate it. As I say, if you no longer need a plastic card and it all is in your digital wallet, we have got to make sure that there does not become a cost to access that, whether it is every time you use it or an annual cost to be able to do that. Some on the other side might be able to address that during the debate as it goes forward.

I know I have covered a lot of subjects here, and it is a very important bill. In summary, I want to say that the Service Victoria Amendment Bill 2023 represents what is an ambitious endeavour aimed at transforming the Service Victoria platform to better serve Victorians and businesses within Victoria by embracing a multifaceted approach encompassing expanded service offerings, technical advancements, data security measures and stakeholder engagement. The bill should help Victoria out of the digital wilderness and set us on the path to a state-of-the-art digital service delivery just like we have seen in other states like New South Wales and Queensland, who we are well behind. But we can start to catch up.

Through these reforms the bill endeavours to make Service Victoria a responsive platform that empowers individuals and businesses, and let us hope it fosters greater efficiency, transparency and engagement in the public sector. Only time will tell if Victoria heads down this digital highway well equipped and ready for the challenges or we end up with another overcosted, underperforming system that Victorians will detest. I certainly hope that we do not end up with a system like that. We want to end up with a system that people are proud of and will use on a daily basis. I do hope Victoria is guided by New South Wales and Queensland, who already have the runs on the board. We do not need to reinvent the wheel. If they are sensible, they will take advice and guidance from those who have done it before so that we do not fall into traps by reinventing the wheel and then having to revisit it somewhere down the track.

I think we do need to review this as we go, a couple of years into implementation, to ensure that we are not leaving Victorians behind. As I said before, we want to make sure that it is inclusive for everybody. No matter where you sit in the digital platform and where your skills are, you should not be left behind. You can still access your own personal data, licences and all sorts of savings; whether it is a power saving bonus or whatever it might be, you can access it on your phone and you have got the ability to do it. Every member in this house will be able to relate stories on a weekly basis of people who come in to see us and talk to us about 'How do I do this? How do I do that?' It is quite a simple function – it is for those of who are doing it all the time. But even those who are not doing it every day of the week should still be able to just use a little bit of common sense and be able to make it work

without having to go and get the support of another family member or the next generation down to make sure that they get the service that they need off that website.

My opening remarks were back at about 10:30 this morning, so I feel like I have been going for 4½ hours on this, but there was a break in the middle, I am aware of that.

Tim Richardson interjected.

Tim McCURDY: The member for Mordialloc, I know, needs more. He wants more, and I think he is right. If I could get an extension of time, I could go into more detail about the issues I have with the Labor government, more so than this bill. In all seriousness, I genuinely hope that it achieves the goals that it is trying to achieve. We do not always find that in bills in this place – something comes through with ‘Here’s a bit of detail. The rest will be in regulations. So just hope for the best that we get the results we want.’ But I certainly think that as this goes forward there should be a review a bit further down the track to make sure that people are not being left behind and that it is doing what it set out to do – and maybe a comparison with what others are doing in New South Wales and Queensland. Two or three years down the track there might be an opportunity.

I do hope that this tired, self-centred government will not just look at what they do but will look around. They will broaden their view a little bit. They will see what others are doing and be man enough to say ‘If we’ve got it wrong, let’s fix it’ rather than just forge all the way ahead down this digital pathway and say ‘No, we know what we’re doing; we don’t need anyone else to interfere with it.’ As I say, we will not be opposing this bill, and I commend the bill to the house.

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (15:20): I am delighted to make a contribution on this bill, because I was incredibly fortunate and I was incredibly proud to be the responsible minister for Service Victoria for over three years. I do want to take exception with a number of the comments the previous speaker made. I take on face value what the member said, but it is important to point out a couple of observations. The first thing is: all governments have built up their IT systems, which are in many cases built on legacy systems, systems which have formed the basis of public administration for many years and many decades, systems which were built at a time that predated the cloud. It is not simply a case where you say, ‘Well, let’s just pick up what New South Wales has done and we can deploy it here’, because the systems are very different, and in many cases you have got different functions you are trying to discharge.

The other point to make is that New South Wales did start this journey back in 2011, at a time when technology had radically changed, and what we did as a government was we used cloud-based technology. Why this is important and why the member was wrong in his previous statements is that when you go back to the pandemic we had to look at getting a person’s vaccination certificate, which was not held by the state government. It was held in Canberra. It was held in a mainframe system; mainframe computers are high-volume computers which were from the 1990s. We had to then extract that individual vaccination certificate and we had to put it in the Service Victoria wallet. Now, why the member for Ovens Valley is wrong is because we were using cloud-based technology. We had beaten New South Wales to the punch. We beat new South Wales by probably two to three weeks because of the fact that we had modern technology and cloud-based technology and a cloud-based solution. That is why we were more efficient and more effective.

I raise that in this context because when I became the minister with responsibility for Service Victoria in June of 2020 – and I relinquished those responsibilities in October last year – we were on an incredible journey. It is basically a hockey stick when you look at the number of transactions which were onboarded in the course of that time, and there are now over 100 transactions that can be performed on that platform.

One of the reasons why we were so fortunate and our trajectory and our acceleration has been so rapid is our people. Jo de Morton was the CEO of Service Victoria; she is now the Secretary of the

Department of Government Services. You could not find a better public servant in the state of Victoria than Jo. In the heat of the pandemic, when we were trying to work out how to respond to the challenges, every challenge that was thrown at Jo was met head-on and delivered.

Think about this for a moment. Go back to those times. We had public health orders in this state which were operational, and we had to provide the confidence to public health officials that by opening up the economy and using the vaccination certificate and using QR codes – that was the social licence to open up. We could only do that with the technology. We could only do that with Service Victoria. And every challenge that was thrown at Jo throughout that period of time, she delivered on in spades. It gave public health the confidence to say, ‘Okay, if we can track where people have been and if there is an outbreak, then we can get onto it quickly’, and that led to that opening up. Without that confidence that Service Victoria brought, we would not have been able to open up in the way in which we did in the time in which we did, and we would not have had the economic growth that happened as a consequence of that.

Darren Whitelaw is the acting CEO currently. I am not sure if he is the substantive CEO now; he was acting when I left the portfolio. He has been fantastic. Darren and I have worked really closely with the development and the adoption of the digital drivers licence. It is going to be an absolute game changer. The notion that you can just leave your wallet or your purse at home and everything is on your phone – it is all about the user experience. This is just going to be fantastic.

I want to also give a shout-out to Cassandra Meagher, who has been involved heavily with this bill, but also with her work at that time she was fantastic. She was just sensational, because again there were times when we were in that hothouse environment of dealing with a pandemic and trying to respond and trying to make sure we could start to open up the economy in the safest way possible, and technology was the enabler that enabled that to occur. I want to thank Jack Cairns as well, who has done a tremendous amount of work in relation to this bill.

For me one of the great pleasures I derived was going up to Ballarat regularly when I held the portfolio. Walking the floor in Ballarat, the GovHub centre – that is where so many of the people who run the call centre, the people who work on the tools, the people who do that development are. I loved it. I loved walking the floor, because you know what? You might be the minister, but if you do not have your people with you, if you cannot motivate your people and you cannot tell them that what they are doing is so vitally important, you lose them, and if you lose your people, you are gone. Just forget it. For me walking the floors and thanking them and recognising just what a great role they were playing was something that I was incredibly proud of.

Going to the comments the member for Ovens Valley made earlier, as the Minister for Government Services I sat on the DDMM, the digital and data ministers meeting, and that was at the time chaired by Stuart Robert. Stuart has had his challenges since his government was defeated. I worked very closely with Victor Dominello. The great thing about the DDMM throughout that journey was, irrespective of whether we were Labor or Liberal, we were never partisan. We were always about trying to get the outcome. It was about listening and learning and finding ways you can do things better and improve and adapting that great Toyota philosophy of kaizen, continuous improvement – trying to do better, trying to be better, trying to improve the performance. That is why we were able to onboard so many different transactions.

I have spoken about the vaccination certificate. When we decided we wanted to have the travel and accommodation vouchers as the first step of our fiscal recovery – growing the economy, growing jobs – we were trying to push out those accommodation vouchers, those travel vouchers. We were having tens of thousands of people on the Service Victoria platform getting those vouchers, and it never collapsed. It never shut down. I appreciate the member for Ovens Valley might not know a great deal about this technology, but the load-bearing capacity of this technology is cutting-edge 21st-century technology, and it never failed. It never failed, because the technology was good and we had fantastic people. Again, as I said, we were on that journey, and there was probably a handful, or maybe

it was about 20 transactions, when I took over the portfolio in 2020; it is well over 100 now. It is something I am incredibly proud of, that drive.

This is the forefront of public policy administration in this state, and this is about trying to do things better and be more efficient. I think the community expects us as legislators, as public administrators – it is about the user experience. People do not care whether they are engaging with VicRoads or Victoria Police or the Department of Health or the Department of Education. People want to have a seamless experience, and in many respects, if you think about the way in which government has been constructed, it is almost like each department is a factory. Traditionally you would go to a factory for some goods or services or to another factory, and really the direction where we need to take this is we have got to have more of a warehouse distribution approach. We have to look at the fact that you have got different factories – health, education, justice – but are providing services through a common distribution centre, a common warehouse, a common front door, which is Service Victoria. That is the future of public administration in this state because you have got that seamless user experience. You can ensure that citizens can have that ‘tell us once’ approach and that seamless quality experience. That is the promise of Service Victoria. That is the future of public administration in this state.

This bill is really important because it builds on that. We have got to constantly look at trying to improve our performance and to make sure that the statute books reflect common practice. AI is going to present an enormous amount of challenges for us over the next journey, but we have got to make sure that we continually improve and we continue to ensure that the bills that relate to Service Victoria are modernised, and we have to take the community with us on our journey. We have to have their trust. If we do not have trust and buy-in, then we will not achieve our potential in relation to a government or in relation to the platform itself.

I am incredibly proud of my time at Service Victoria. It was just a gift. It was a joy. It was something I am so incredibly proud of. I loved the people. I loved how hard they worked. I loved the fact that they were always up for a challenge. I loved the fact that they were so smart, they were so committed, they were so passionate and they never failed. They never, ever failed. Everything that was thrown at them they delivered. They delivered in spades, and we are the beneficiaries of it. If it was not for the enabling technology, we could not have opened in the way in which we did or in the time in which we did. We would not have had the benefits.

To Jo, to Darren, to Cassandra, to Jack and to everybody at the GovHub in Ballarat and to the developers at Footscray: you guys are the best. I was so grateful to have been your minister, and I am so pleased that this bill is before the house.

David SOUTHWICK (Caulfield) (15:30): Well, as I have said on many occasions, Labor cannot manage money. Labor cannot manage major projects. Life is getting harder under this government. Labor cannot manage the digital economy, and they certainly cannot manage connectivity. If you think that Service Victoria are going to get their act together when you have had a minister that has been asleep at the wheel – we just heard from the Assistant Treasurer now saying how wonderful Service Victoria is – and if you think that they are going to finally get this right, then you are dreaming, you are absolutely dreaming. This government could not organise a chook raffle when it comes to connectivity.

I look at my electorate of Elsternwick, and we have still got people that have to use tap-on and tap-off in their small business for credit card use out on the street, because we have not got connectivity in Glen Huntly Road, Elsternwick. Small businesses do not have connectivity. How in hell do we expect people around the state to be able to connect up to government services when you have got major trading precincts that still cannot get onto the internet? This government is absolutely asleep when they think that they are going to connect up Victoria.

You only have to look back to pre-2010, under the former Premier Steve Bracks, who promised a big, wonderful Myki – a big, bold, wonderful Myki. Well, what happened to that disaster? Five hundred

million dollars in a budget blowout – this government is used to blowouts. This government is used to waste. Nothing has changed there, and it was also two years late. And what happened when they finally delivered Myki? You could not use it for buses, you could not use it for trams. Well, do not believe the past, let us fast forward to where we are today. Can you still use Myki like everybody else? Can you use it on your phones? The answer is ‘No’. We are told now that we have got to wait until 2025, maybe, to be able to tap on and tap off using our mobile phones. This is absolutely archaic.

Victoria is stuck in the past. We pay more than anyone else in taxes, but we get the absolute least when it comes to services. Who would believe that we are the highest taxing state in the nation and we cannot even tap on and tap off using our mobile phones? That is what a joke of a government this is – a complete joke of a government. And if any Victorian taxpayer thinks they are going to solve all of this – a digital drivers licence, being able to use all the different services, energy and all the rest of it, being able to compare and contrast, all of it, different websites – it does not consolidate, it does not work.

The minister got up and said how wonderful it all was during COVID. I mean, we were using pen and paper during COVID. We were not using the technology. It took months – 12 months – to get anything organised during COVID, and then finally small businesses had vouchers to give and that did not work. Those vouchers expired; those vouchers could not be used. And the minister today gets up here and he says, ‘Well, you know, we had a great relationship with New South Wales.’ A great relationship with New South Wales? They have been doing this stuff for years, yet we do not pick up the phone. We say, ‘Rather than use what New South Wales has done and catch up, we want to reinvent the wheel and charge taxpayers for it.’ That is why we are broke. That is why we are paying more taxes than every other state, because the Labor government wants to always reinvent the wheel. They know better. They know better than someone else that has already punted, had a go, made mistakes and improved it: ‘No, no, no. Let’s not learn from someone else. Let’s just go out there, reinvent the wheel and slug taxpayers.’ And do you know why? Because it is not their money and they do not care. They do not care how much budgets blow out.

Members interjecting.

David SOUTHWICK: See, they are saying now, ‘Who cares?’ Thirty billion dollars, \$50 billion, who cares? Labor do not care about money, because it is not theirs. They have not come here by learning about how to make it, how to lose it, how to fight for it or how to struggle to put food on the table – none of that. It is just easy come, easy go, and at the end of the day who gets slugged? It is taxpayers, and that is what this is. Because today we have got a bill in front of us about Service Victoria. We wanted to connect Victoria at the last election with ways to be able to make it cheaper for residents and small businesses and Victorians. No, no, no, they did not learn from that. What we have got here is a bill in front of us today that all it is going to give taxpayers is a big bill. We do not know how much, because there are no details – no details about all of this stuff, about how they are going to consolidate, about how they are going to roll it out or about who it gets rolled out to. None of that. It is just ‘Trust us and we’ll solve it’. Every single technology project that this government has touched has cost more and more in blowouts, and in many instances they have not been delivered.

You only have to look at our health system. Again, between 2014 to 2018 we had this great promise that they were going to consolidate the HealthSMART of all of the hospitals. We would have been able to, with one lot of records, go from one place to the next, and it would all work. They had eight hospitals in a trial to get that done. What happened to that? They gave up. They put their hands in the air because the budget blew out. The Labor government ran out of money, and the hospitals said they were going it alone. It is still not fixed. We treat our cars when servicing our cars better than we do our families and our patients. We do not have those records and we do not have that connectivity because Labor does not have a clue – and that is what really annoys me, because Victorians are missing out. If you are paying for something and you are paying the highest taxes, you would think you would actually get something for it, but no, we are missing out.

At the last election, yes, we did not have all of the answers, but there were some good policies, one of which was Connect Victoria, which was to connect Victoria with some basic services, some basic infrastructure – things like a fuel-saver app.

Members interjecting.

David SOUTHWICK: The member for Mordialloc and others can laugh about slugging taxpayers money – they do not care because it is not theirs. They laugh about that, but it is not funny when people are paying for Labor's mistakes. It is not funny when Labor keeps making mistake after mistake after mistake and Victorians pay for it. Connect Victoria was going to have a fuel-saver app to be able to compare fuel prices like they do in New South Wales. That has been going for years, but no, we will not do that. It was going to cost a million bucks, and every single Victorian was going to save up to \$800 a year on their fuel. Instead, one of the biggest cost-of-living pressures is fuel at the moment. Labor just put their hands up in the air and say it is not their problem, it is the federal government's fault.

This government does not want to admit fault for any problem. The cost of living is not their fault. Health being slugged, GP taxes, all the things, Suburban Rail Loop, major project blowouts – they are not their fault. Nothing is this government's fault. The only thing that is their fault, or certainly something they will own, is when they cut a ribbon. It does not matter how much it cost. It does not matter how much the taxpayer is going to be slugged, they will just cut a ribbon and walk away and leave the mess behind.

That is the situation with this. This is an absolute unfortunate joke of a system where Victorians are unconnected. It is archaic, the fact that we are not. If you look at older Victorians, there is no solution here for older Victorians that do not have the digital know-how – no solution for them. Again, a solution that the Liberal–Nationals put forward at the last election was to be able to use things like Victorian newsagencies, pharmacies and Australia Post as kiosks right across the state so you can go in and connect with government just the same as you can connect with your phone.

You need to have solutions for everybody – not just for some people but for all Victorians – and that is again the fault of the Allan Labor government. They only care for some, not for all. Unfortunately, the some that they do care for are their mates, and Victorians by and large miss out. Life is getting harder under Labor. Victorians are all paying the price, and I think people are finally waking up and saying that Labor cannot manage money and we are all paying the price for it.

Paul EDBROOKE (Frankston) (15:39): Acting Speaker Farnham, it is fantastic to see you in the seat. With indulgence of the house, I just wanted to pass on a thankyou from my father, who was watching the formal apology this morning to those who experienced abuse and neglect in institutional care. It was not until a bit further on in my life that I realised that some of the things that I had taken for granted along my father's journey were not exactly what I thought they were – for example, some of the physical scars he has got. I just thought, 'Oh, Vietnam veteran – that's how they come.' And often I would say 'What's that scar from?' and Dad would say 'Oh, a big crocodile bit me' or something like that – you know, the way men usually deal with their mental health and sometimes physical health problems.

It was not until a little bit later that we realised that some of those scars were from scurvy, from malnutrition, from rickets. He has scars on his arms from cigarette burns from being abused in institutionalised care. There was even a time when he broke his wrist. I went to the doctor with him, and he got scans. I saw what eventually we found out was a shotgun pellet in his hand. From a person who has been through amazing amounts of physical, mental and sexual abuse, I know he wanted me to pass on to the Premier of Victoria that the formal apology actually brought tears to his eyes. Certainly from my point of view he could thank everyone in Parliament. It is once again the Parliament at its best. And to our new member, we try and keep it here at all times. Thank you for your indulgence,

Acting Speaker. I know my dad would be pleased with me for saying that, and I think it has acquitted one of my responsibilities to him.

On this bill, we have heard a little bit from some of our Labor government members on this side about how good essentially the Service Victoria app is. Service Victoria currently provides quite a few really handy things but also some things that you take for granted that you think should have been on there ages ago but we did not know we had the app. The app was put into place prior to COVID, but of course no-one even knew what a QR code was before COVID – or at least I did not; I do not want to generalise and talk for other people. You did not, Acting Speaker Farnham? It is good to know. Now everyone knows there is a QR code system. We order our coffees and sometimes food in cafes and whatnot through the QR code system, with things going directly to your table. In a lot of ways one positive to come out of COVID is the fact that we now embrace new methods of IT, and Service Victoria has seen a massive uplift in the amount of people that use it – and why wouldn't they?

As far as your Ambulance Victoria membership goes, you can renew it, you can update it and you can apply for the new one. You can create your own business profile account, renew your liquor licence and find business permits and licences. There is a savings finder to help with the cost of living, of course. You can apply for your disability worker registration or renew your disability worker registration. There is a Get Active Kids tab where you can apply for those very, very popular Get Active Kids vouchers and update your Get Active Kids voucher provider details as well.

Also, very importantly, it is now something that people expect – to have their identity available online. We know that there is the visual licence trial in Ballarat. I have got a bit of pressure from the learners in my house that want to be able to use their phone for the licence, so hopefully we will roll that out very soon. I think we will. You are able to verify your identity online. You are able to use the Service Victoria app to verify your identity with Births, Deaths and Marriages Victoria, Consumer Affairs Victoria, the Labour Hire Authority, the Residential Tenancies Bond Authority, the Victorian Building Authority and the Victorian WorkCover Authority as well. As far as local government goes, we can also talk about the automatic outdoor fitness approvals and automatic skip bin approvals, footpath trading approvals, roadside trading approvals and pet registration as well. So the Service Victoria app is making things easy for Victorians.

We could also go on to talk about the other offerings from the Service Victoria app – the NDIS worker screening check; you can apply for an update. As we have heard, you can get your junior recreational fishers card, get your senior fishers card, get your registration of interest to hunt pest animals on Crown land, find a kangaroo harvester or get a Victorian miner's right. Seniors can get their Seniors Card or their business discount card. Of course the sick pay guarantee is accessible via the Service Victoria app as well, as are the Solar Homes rebates and loans. You can renew your registration for your caravan, trailer, motorcycle, truck, boat or any other vehicle. Veterans can get their veterans card. You can get your police check, your working with children check – and that list will keep on increasing over the next few years.

As the Parliamentary Secretary to the Treasurer, Service Victoria does somewhat come in my wheelhouse. I have had the great pleasure of dealing with the minister in charge of the portfolio and also the Service Victoria departmental staff, who have done a great job. The thing that is really obvious, I guess, when you hear the opposition talking about this – 'Why don't we have X? Why don't we have Z? Why don't we have this?' – is that dealing with these kinds of apps can be quite complex, whether it be about accessibility, whether it be about people with languages other than English, whether it be about people for whom there is an age gap or whether it be the big one, being privacy and the storage and security of people's private details. We have seen some pretty dramatic news stories recently about leaks of people's details. A lot of work has to go on behind the scenes to make sure that whatever new offering there is works well. The due diligence is being done right now on the Victorian driver licence trial in Ballarat.

This bill basically extends on that offering to make sure that we can provide what the community of Victoria needs now and in the future. It will enable end-to-end digital service fulfilment. It will clarify and add to the functions of the Service Victoria CEO for more proactive delivery of improved services. It removes a number of unnecessary provisions as well. It enables external service delivery partnerships, it supports more flexible options for identity verification and it harmonises information management requirements for those applying across government, ensuring information can be used to deliver improved customer services. The bill also addresses a range of minor inconsistencies.

There will be no direct operational change to existing services. The bill aims to introduce more flexibility and improved service delivery as well. Over time the Service Victoria app is going to be expected to lift a lot more weight. There will be a ton of different offerings available on that, and we have to prepare the app for the future. That being said, the independent review that has been spoken about considered the Service Victoria Amendment Act against the digital strategy and domestic and international cases. The review recommended that further changes were required to support digital delivery needs, and this bill implements the independent review's legislative recommendations, which will support ongoing modernisation as well.

Some people will have you think that there has not been much consultation on this bill and indeed the app. From my experience with those designing the offerings on this app and dealing with the Service Victoria app and indeed the whole department I can say that Service Victoria has consulted with a huge amount of external stakeholders, including but not exclusive to Electronic Frontiers Australia, the Australian Privacy Foundation, the Law Institute of Victoria, the Commonwealth Department of Finance, the Attorney-General's department and the Australian Criminal Intelligence Commission.

I think everybody in this house would have used the Service Victoria app, and of course there will be some people that might prefer, as we have heard, the New South Wales app. I am not quite sure of the differences. I have used both; they both seem fairly user-friendly. What we are doing with this bill is making sure that the Victorian app that so many people are finding handy to use at the moment is going to fulfil their needs as they come up in the future. Touch wood, we will not have bushfires and different crises that we have to deal with too much, but when we do it will be the Service Victoria app in the future that I think will be carrying the load for people that need to have things dealt with asap to get their needs met in times of an emergency or in the recovery phase of that emergency. With that, Acting Speaker Farnham, it is good to see you in the chair, and I commend the bill to the house.

Kim O'KEEFFE (Shepparton) (15:49): I rise to make a contribution on the Service Victoria Amendment Bill 2023. The bill will amend the principal act to provide for the Service Victoria CEO to make agreements with non-government entities for the delivery of functions and the performance of functions jointly, for or on behalf of one another or on behalf of the other service agencies as defined in the principal act. In addition, the bill will clarify the purposes of the principal act and set out further functions and powers of the Service Victoria CEO, including to support digital delivery of government services and to establish and maintain a centralised point of access for government services. Furthermore, the bill will ensure that the processes for the application for and the issue of renewals, suspensions and cancellations of electronic identity credentials are governed by the identity verification standards made by the minister under section 41 of the principal act and ensure that information management requirements under the principal act are consistent and equivalent requirements under other acts.

The Service Victoria Amendment Bill 2023 will enhance the capacity of Service Victoria to act as a central point of access for Victorians for end-to-end government services by enabling more government services to be provided online, which will provide Victorians with a simpler, faster and easier access point to government services. As many have experienced, there can be many delays or complicated processes when trying to source information or documents. There have been issues with people trying to get through the application process. Just this week my office was contacted by an elderly couple who were trying to access documents for their son. Their son's circumstances had changed following a heart attack, and he was struggling with his mental health. His parents had tried

desperately via phone to get access to the required forms and documents and were advised there was a 3-hour wait. This is a clear example of where people face lengthy and unacceptable delays. Obviously this couple were not technologically savvy, and it raises a valid point to ensure that the bill has adequate provisions for a range of challenges. Simplifying and modernising the identity verification process and improving administrative efficiencies makes sense, and we do have to ensure that protections are also in place.

The bill before the house will also support the role of Service Victoria in furthering its digital transformation of the Victorian public sector by ensuring that government services can readily adapt to the technical changes of today's modern society, aligning the information management and privacy requirements applying to Service Victoria under the principal act with those applying to the whole of the Victorian government and enabling identity verification standards to deal with the processes governing identity verification.

As we have seen with the establishment of a new government department last year, the Department of Government Services, Service Victoria was established to deliver modern government services designed around people's needs and to make it easier for customers to transact with government online at a time and place convenient to them. Right through the COVID-19 pandemic Victorians frequently and consistently used the Service Victoria app by scanning QR code check-ins and through more day-to-day interactions such as car registration payments and ambulance subscriptions. But the Service Victoria app also includes a digital wallet where Victorians can securely store and show their digital working with children check, veterans cards, Victorian seniors cards or even fishing licences.

In addition, through these amendments to the principal act the bill will allow Victorians to access Service Victoria to receive more documents and approvals for services without having to be passed around different parts of government, instead establishing one place for Victorians to go for government services. We want to see a change in the back-office administration that is currently taking place and prolonging this process. We need regulations to deliver new services and reduce the need to obtain ministerial approvals for such operational matters and underlying technology for a new database to create an improved experience for people applying for personal documents. This will see firsthand positive effects and experiences where unnecessary red tape is removed, making it faster for Service Victoria to efficiently operate and deliver more services for the people of Victoria right across the state regardless of their postcode.

Most importantly, the bill before the house will allow for more flexible options for identity verification. We need this bill to align to national and international standards and not the limitations that we have currently been experiencing. The principal act includes complex provisions about applications, processing review and the issuing of temporary and ongoing identity credentials. The changes in the bill will provide more alternative processes for people who are unable to verify their identity online, which will allow existing services to be moved to Service Victoria more quickly and efficiently. We need to support and facilitate more customer-friendly processes for Victorians. Most importantly to note, the verification of personal identity is crucial for protection, and we must have software and protections in place so identity online cannot be undermined or harmed. Victorians should have confidence in knowing that their personal identity will be protected, not be fearful of their personal identity being stolen or harmed through weak software, and know that they have protections in place.

The bill seeks to repeal an unused identity verification review pathway to the Victorian Civil Administrative Tribunal that has allowed a customer to seek review of decisions about verifying their identity. Since the provision was introduced in 2018 Service Victoria has verified over 1.5 million customer identities and no customer has sought a review by VCAT. Although there are several areas of concern within the bill, such as digital inclusion and accessibility, there are some concerns that the government's continued push towards more digital interactions for all government services will mean it is difficult, if not impossible, for those who suffer from disabilities or issues with comprehension, are illiterate or innumerate or are not tech savvy. A case study of this can be seen with the use of QR codes and the Service Victoria app during the COVID-19 pandemic, which I have already touched on

in my contribution. During the pandemic and the scanning of QR codes, many Victorians were unable to access venues et cetera or were required to fill out additional paperwork due to a lack of ability to utilise modern technology or in some cases a reluctance to use the service.

In addition, further concerns have been raised with the bill surrounding the continuing digitisation pathway that are not specifically addressed in the bill. Many ethnic communities especially across my electorate may suffer from reduced service delivery from the government due to a lack of adequate translations online. Whilst the level of English used is very low and easy to comprehend, it is still difficult for those whose first language is not English. The government have proposed to address this issue as they continue to expand the platform itself. However, it has offered no framework to ease the online switch for these communities, which is of great concern.

Whilst there are some concerns with the broader approach to Service Victoria and digitisation as a whole and the impacts and inclusivity of these changes, the bill in and of itself is largely technical and non-controversial in nature, aligning back-end systems more closely with other legislation, ensuring continuity and compliance. Further, the bill also allows Service Victoria more flexibility to futureproof and make any necessary changes that technological advances will bring. I thank and note the lead speaker of the opposition for his contribution. We will not be opposing this bill.

Anthony CIANFLONE (Pascoe Vale) (15:56): I rise of course to also support the Service Victoria Amendment Bill 2023, and it is a bill that is all about us modernising and streamlining the way in which Victorians can continue to access and engage with government services, resources and supports in an increasingly digitised world. We do not have to cast our minds too far back to remember a time when most of our interactions as community members with government and non-government services were largely conducted in person or over a counter. For me, I do fondly remember my early years growing up and accompanying my mum for a walk down to the bustling Sydney Road shops in Coburg during the late 1980s and early 1990s, where she would conduct most of our family's affairs along the strip. She would drop by the local bank branch with her bank book in tow to withdraw the funds needed for the shopping trip ahead – not an Apple iPhone or Wallet in sight.

We would then stop by the Australia Post office to mail some letters or pay some bills with the money she had just withdrawn, long before the days of email or Bpay. We would swing by the local Medicare office if there was a health-related matter or refund she had to finalise – again, long before any Medicare app or health refund app. We would then stop by the local butcher, fruit shop and fresh food market, with my mum closely inspecting all the produce she was about to purchase in cash, well before the days of click and collect or Uber Eats.

If she had an opinion and wanted to vent about a local issue, she could pop by the then local member's office at 3 Munro Street, Coburg – who was then Bob Hawke – to vent her grievances to Bob's welcoming and sympathetic electorate officer Mimi Tamburrino. But unlike the previous examples, my mum and others can still do that, because Mimi is my electorate officer. If we had to pay the car rego of my dad's red VK Holden Commodore, we would head into the then landmark VicRoads buildings in Lygon Street, Carlton.

While many of these interactions now seem like a rarity and not the norm, especially for gen X, gen Y and gen Z increasingly, the reality is it was not that long ago when the vast majority of our interactions as a community with government and non-government services were done in person. But fast-forward to 2024, and of course digital technology has fundamentally changed the way in which we all live, work, shop, travel, connect with family and friends and interact with each other, with digital technology now touching almost every aspect of our lives. And whilst there are tremendous advantages associated with the ongoing evolution of this technology, including for business, workers and the general community, which this bill will continue to facilitate, I am also very passionate about ensuring that as we become more digitised as a world and a community, no Victorian is left behind, particularly from a migrant or culturally, linguistically or other diverse community.

Just like my mum used to enjoy her Sydney Road outings almost four decades ago, she and many of her contemporaries who migrated here of non-English-speaking backgrounds from Italy, Greece, Türkiye, Lebanon and many other parts of the world simply do not have the digital literacy capacity or access to technology that many of us have been raised with and take for granted. To this very day she and many in her community and age bracket prefer that approach. In fact, as set out in our government's own digital economy strategy, almost 2.5 million Australians remain offline – that is, people who do not have access to technology or digital skills – and one in 10 do not have access to a personal computer, many of whom are our most vulnerable. But that is why I am very pleased that along with this bill we are continuing to ensure accessibility and inclusion through all of our government services for those who choose not to engage or cannot engage online, by making alternative channels available for every transaction, and by providing offline services and channels for people to complete applications or prove identification and by making physical forms or payment processes available too. And a lot of those times, as I am sure many of us can attest, that happens through our local electorate office.

If the COVID-19 pandemic taught us anything it is that many parts of our economy and community can work and function in a more hybrid, flexible and sustainable manner too. Prior to the COVID pandemic 19 per cent of people chose not to engage with government services online, and now that is down to 8 per cent. Given that all members of our community have virtually no choice but to engage with government services, we have to move as a state towards enhancing our digital service offerings across the public sector and services.

As set out in the Victorian government's digital transformation strategy, we are working towards this through three pillars: creating better, fairer and more accessible services across government; building a digital-ready public sector; and fostering a thriving broader digital economy that will create jobs. One of the key pillars in this strategy of course is Service Victoria, which this bill today is all about. People have completed more than 1 billion transactions through Service Victoria, including using QR codes for check-ins during the pandemic but also paying car regos and ambulance subscriptions and for vouchers and cashbacks to help reduce the cost of living. Customer satisfaction is reported to be more than 95 per cent, with the most common feedback being that it is very easy to use. The Service Victoria app of course includes a digital wallet, where Victorians can securely store and show a digital working with children check, a seniors card and also a Victorian veterans card, which I will touch on in a moment. I appreciate the Minister for Veterans is in the chamber at the moment. As part of this approach, we need to keep evolving, and that is why the government did create and establish the Department of Government Services earlier this year to oversee the ongoing evolution of the app, which now provides for 100 different government service offerings for the community.

This bill will continue to make it even easier and simpler for Service Victoria to deliver digital services by providing a more flexible and principles-based legislative framework and by streamlining customer services through the Service Victoria app and process. Parts of the bill that are quite significant in this regard include where it broadens the definitions in the act to include the definition of 'customer service function' and where it amends the list of Service Victoria's functions to be more principles based so that the platform can deliver more innovative bundled services. The bill also helps reduce back-office administration across government departments, which is currently contained in the act. It will enable more flexible options to identify verification and allow Victoria to align with Commonwealth trusted digital identity frameworks. The bill harmonises information management requirements while still remaining subject to the Privacy and Data Protection Act 2014.

As I said, one aspect of the bill that I am particularly passionate about relates to the role of Service Victoria in how it will continue to support our veterans community by facilitating access to the new Victorian veterans card. In one of my previous roles I had the absolute pleasure of being the veterans adviser, as was the now member for Lara in this chamber, to the former Victorian Minister for Veterans John Eren, who was just here earlier today, as we know. It was a particularly enjoyable and humbling experience to work alongside Minister Eren and to travel the state and advocate on behalf of and meet

with so many veterans across every community and corner of this beautiful state. The period was particularly important given that we as a nation were at the time commemorating the centenary of the First World War and the Anzac landings at Gallipoli. With Minister Eren being of Turkish descent – just as today’s minister is – the work carried that extra level of meaning and significance.

I was very proud of the work that we achieved during that time under Minister Eren’s stewardship, which has laid the pathway for the minister of today. We continue to work with the Victorian Veterans Council. We invest in the Shrine of Remembrance. We unveiled the Australian–Turkish friendship memorial. We commemorated the 50th anniversary of the Battle of Long Tan, and I acknowledge the member for Frankston’s father’s service in that regard. We successfully advocated for the then Liberal federal government to ensure the 2021 ABS census specifically sought information on the veterans community for the very first time, and we established the landmark Victorian veterans employment strategy, which continues to support newly returned veterans.

But of course there is always more to do. That is why on 6 November 2022 the Labor government made an election commitment to develop and implement a new veterans card for Victoria. The card is designed to be a meaningful and symbolic way to say thank you to our veterans for their service and their sacrifices and to also help them with cost-of-living relief by providing discounts on a range of services and initiatives. The card is now being delivered as a digital card through the Service Victoria app – as of 1 July 2023 – and the reforms contained in this bill will continue to ensure it expands its reach and access. I commend the Minister for Veterans on her stewardship in overseeing the rollout and her team and department in that regard. This will help support 60,000 Victorian veterans who are not currently eligible for the Commonwealth Department of Veterans’ Affairs gold card and associated concessions. We are delivering this by a \$36 million commitment over four years. There are a range of discounts that veterans who take up the card will be eligible for – 13,000 veterans to date have done so.

I have been doing everything I can in my local community to promote take-up in that regard. I was very honoured to welcome the Minister for Veterans to launch the local veterans card in my community on 12 August 2023 by visiting the Coburg RSL. The RSL was formed in 1918 and is one of Melbourne’s oldest continuing and operating RSL sub-branches. It is older than the Shrine of Remembrance, which was established in 1934. Alongside 100 local RSL members, who included branch president Michael Pianta and retired army chaplain Reverend Mark Dunn, it was a pleasure to have the minister talk to local veterans about the card being rolled out.

We used the occasion to commemorate a lifetime local resident and longstanding local veteran Des Bourke, who served our nation during the Vietnam War as part of A Company, 5th Battalion of the Royal Australian Regiment. Des was called up to national service on 30 June 1965 and served two years being deployed as a frontline soldier for his first tour in Vietnam, between 1966 and 67. His battalion conducted 18 separate operations, in which tragically 25 men were killed, with a further 79 wounded in action. Des was repatriated out of Vietnam due to injury and illness, and legend has it he did more in two years than 10 full-timers did in seven years. Since his return Des has continued his selfless service to our community and the RSL for over 50 years, doing basically everything at that RSL that you could imagine possible as well.

We also subsequently conducted a service on 3 August 2023 to commemorate the 13 local residents who were killed in action in Vietnam at the Fawkner cemetery. They are still buried there today. It is quite fitting, I think, that this is a Service Victoria bill that builds on the service and legacy of the veterans of the past.

Brad ROWSWELL (Sandringham) (16:06): I also rise to address the Service Victoria Amendment Bill 2023. I commend the member for Ovens Valley, my colleague from the National Party, for his work as the responsible shadow minister in preparing the opposition’s position on this bill. It has been well circulated and it should be well known at this point in time that we do not intend to oppose this bill. That said, that does not mean we do not have some views on this bill on behalf of

the people that we represent in this great state and in our communities. I look forward to the member for Evelyn's contribution. The member for Caulfield did an outstanding job. He has a very good sense of all things digital and has a very long, abiding interest in such matters as well.

I want to draw my contribution today very narrowly on the fact that Victoria is behind the eight ball when it comes to digitalisation. I simply do not think that that is acceptable. I look to our near northern neighbours in New South Wales and think of what they have been able to achieve and how easy it is for people in New South Wales to access their government and digital wallet all the same. Basic things like a drivers licence can be accessed by those New South Wales residents thanks to the vision of the New South Wales government.

I want to pay a special tribute to a former minister of a former coalition government in New South Wales, and that is the Honourable Victor Dominello, who had a conversation with the then Premier Gladys Berejiklian and really took the digital agenda in New South Wales from zero to hero in a very small amount of time. New South Wales is benefiting from it. For the first time in that state's history there was a dedicated minister responsible for the integration of a digital program – a first for our nation – and New South Wales is benefiting from it. It is great that various departments responsible for various things have various data points, but if those data points do not talk to each other to be able to give those decision-makers, those ministers of the Crown, the information that they need to make the best decisions in the best interests of the people they seek to serve, then what is the purpose of that data? This was the journey; this was the mission and the drive behind Victor Dominello's purpose in digitalisation and making sense of the data that so many departments and government agencies were collecting – something that could be used to drive better policy outcomes, to drive down costs and to assist the people of New South Wales. That is the opportunity for us here in Victoria. I am sad to say I really do not think that we have done nearly enough in this space.

There is opportunity in the future for us to do more in this space. I contend that we perhaps have not done as much in this space and this has not been an agenda item for this government, now in its 10th year of governing, for the simple reason that money has been spent – money has been wasted – elsewhere. I have said it in this place before and I will say it again now: there has been more than \$38 billion of waste on major projects in the last 10 years. Is it any wonder that very worthy causes, very worthy pursuits, such as the digitisation agenda and pulling all those departmental and government agency data points together so they can be made sense of, so they can help in better policymaking and so they can help the people of our state and hopefully deliver budget efficiency as well just have not been a priority?

I note an article in the *Age* newspaper from 8 May 2023 written by a member of the fourth estate known to some people in the chamber today, I suspect – a chap by the name of Broede Carmody. Mr Carmody wrote in the *Age* newspaper:

Victoria is finally catching up to NSW and South Australia when it comes to digital driver licences.

Fully licensed drivers will be able to apply for a paperless permit from 2024, the Andrews government confirmed on Monday.

When I first saw that in May 2023 I did a little happy dance actually. I was quite pleased about that. I thought, 'About time.'

Juliana Addison: Could you show us the happy dance if you are going to refer to it?

Brad ROWSWELL: I seek your protection, Deputy Speaker, from the member for Wendouree. That is disorderly.

The DEPUTY SPEAKER: Order! Dancing is disorderly.

Brad ROWSWELL: Thank you, Deputy Speaker. I am grateful for your protection. I did a little happy dance only because I thought, 'Well, about time.' There was an opportunity for us to, for once in our lifetime, head out – when we were allowed to, when we were not in lockdowns – add to the

Victorian economy, spend money, go out, and all we needed to take was our phone. We could leave our wallet at home. Whoop-de-do! What a great joy that would be. But no, you cannot do that at the moment. You cannot do that at the moment because we have not got a digital drivers licence just yet. But it is happening. It was promised to us by the Andrews government during the course of last year. Well, it is 2024. Mr Carmody, who I know to be a good and honourable journalist, has reported here that we will be able to apply for a paperless permit from 2024. By my measure it is 8 February in the year 2024, and crickets – that is what I am hearing from the Allan Labor government. But I look forward. I know that there are some advisers in the chamber here today, and perhaps they can take that back to the minister. At least those on this side, we want our drivers licences to be digitised so we can leave our wallets at home and we can just take our phones with us when we go out and support our local economies and local communities.

There is an issue though. In making that announcement in May 2023 there was no indication from the then Andrews Labor government that anything other than digital drivers licences would be added to your Service Victoria app. My mum does not drive a car and therefore she does not have a drivers licence, but when she needs proof of identity how does she use that digital technology?

Juliana Addison interjected.

Brad ROWSWELL: Sure. Member for Wendouree, I will be disorderly and take you up on the interjection. You are absolutely right. It is never too late for you, member for Wendouree, to be right on something, and here we go. Yes, you are right – a proof-of-age card. Exactly. My mum has a proof-of-age card, but there is no plan by the government in this bill, the Service Victoria Amendment Bill 2023, to enable something like a proof-of-age card to be digitised and to be included as part of your digital wallet.

Juliana Addison interjected.

Brad ROWSWELL: Stay tuned, says the member for Wendouree. Stay tuned. If I was being discourteous to the member for Wendouree, I would potentially suggest that that was policy on the run, that that was a commitment by a member of the Allan Labor government to digitise proof-of-age cards in the same way that the government intends to digitise drivers licences, but I will not suggest that because I have more courtesy and respect for the member for Wendouree than that.

I will end my contribution there other than to say we have an opportunity in this state to do better than we have done. New South Wales and South Australia in this space are far ahead of us. I am not putting any mayo or GST on that comment, that is just a matter of fact. We do need to catch up. We do need to catch up quickly. It is the right thing to do to digitise our processes and to use our data in a better way that delivers better outcomes for the people of Victoria, better policy outcomes, perhaps in this economic climate financial efficiencies and, above all else, an easier, simpler system for every Victorian.

Juliana ADDISON (Wendouree) (16:16): I am delighted to rise, following on from the member for Sandringham, to talk about the Service Victoria Amendment Bill 2023. I am standing up to support this amendment, which will further improve the delivery of digital government services across the state and which is something that I know we are all incredibly interested in as we move forward. It was great to hear the contribution from the member for Pascoe Vale, who is always a very engaged member.

This is important legislation, and I am very pleased to speak to it. I would really like to thank the Minister for Government Services, her ministerial office and the department for bringing this bill to the house. I would also like to acknowledge the input of the department agencies and non-governmental stakeholders that were consulted, which includes the Victorian information and health complaints commissioners, the privacy foundation, the Law Institute of Victoria and all of Service Victoria's partner agencies.

I fundamentally believe that it is paramount that citizens are able to engage and access government services in my community and across the state. I think many of us know and would say that navigating government services can be challenging on a good day and near impossible when your life is in crisis or when you are unwell or when you are a vulnerable Victorian. Service Victoria provides a convenient, easily accessible and central point of access for Victorians to a variety of government services. Not only is it customer-friendly, it is digitally supported by modern IT infrastructure, which has facilitated the completion of almost 15 million activities during the most recent financial year – 15 million. It is amazing if you think of the population of Victoria and these interactions – so important. This number does not surprise me given that the platform supplies end-to-end access to over a hundred customer services from right across government.

I am very proud to have so many Service Victoria staff working in my electorate of Wendouree in our purpose-built \$100 million Ballarat GovHub building, as well as VicRoads, Consumer Affairs Victoria, Working with Children Check Victoria, the State Revenue Office, Regional Development Victoria and other departments, including the Department of Education. Our GovHub has centralised the delivery of a range of government services, making it a one-stop shop for customers and a hub for local activities. We have delivered on our Ballarat jobs promise with workers in the hundreds, with hundreds of new jobs and with relocated positions now based in central Ballarat. It is terrific to talk with government employees who have chosen to relocate to Ballarat about how much they enjoy living in our city, with everything that Ballarat has to offer not only for them but also for their families. These new jobs, as well as the construction, have strengthened our local economy. The construction of our GovHub, headed by contractor Kane and local builders Nicholson in a joint venture, was a major boost for the local and regional economy that created 500 jobs and supported more than 60 companies not only from Ballarat but from across the region as well in Bendigo and Geelong.

I am very disappointed that the Shadow Treasurer is walking out, because I am going to make references to him, and I want him to stay. If your time is not too valuable, just hang on a minute.

I have had the opportunity to meet with Service Victoria staff onsite and see the work that they are doing, and I am particularly pleased that Ballarat was chosen as a site to trial the digital Victoria driver licence, which I conveniently have on my phone in my Service Victoria app wallet. Since July Ballarat residents have been able to register their interest to participate in the pilot through their myVicRoads account or from the Service Victoria website and add a digital version of their licence to their phone. I know the member for Sandringham would love to move to Ballarat just so he could do that. But I am sorry, it is really important you stay by his side, and I will keep the home fires burning in Wendouree.

The DEPUTY SPEAKER: Through the Chair.

Juliana ADDISON: There are a number of benefits to the new digital licence – I am sure the house will appreciate this – including that it is more secure than a physical licence and can be updated to reflect changes, including a new address or new licence conditions. I am sure that many digital natives, as well as the member for Sandringham's mother, will in time be sure to use this for ID or proof of age rather than carrying a physical card like a proof-of-age card, but I do not want to get ahead of myself. I have got to be very cautious on that front.

With Service Victoria there are other digital solutions. I know there is a healthy rivalry between New South Wales and Victoria, but I think if the member for Sandringham was more interested in promoting all the good things happening in Victoria rather than that mob north of the Murray, he would be very excited to know the things we are now able to do: get a recreational fishing licence or a Victorian miners right – going all the way back to the goldfields and Eureka – now in 2024 with Service Victoria. There is also the digital seniors card – I do not want to jump to conclusions, but perhaps Mrs Rowswell might be interested in also having that – and a digital veterans card.

Service Victoria is also providing great services. Many have been able to apply for the Get Active Kids vouchers. That is really, really good. As we know, these important Get Active Kids vouchers

help kids and families to afford club memberships, fees, uniforms and equipment. In partnership with local governments, Service Victoria also provides automatic approvals for permits such as footpath trading or outdoor fitness, streamlining processes for business to the benefit of communities – with participating councils, I note. Just a word to the City of Ballarat: you are not on that list yet, so we have a little bit of work to do there, but I know that many other councils are involved in this.

We have all been talking a lot this week and for the last couple of months about cost-of-living pressures. That is why it is so important that there is also the savings finder available through Service Victoria, which shows Victorians a huge range of rebates and discounts that are relevant to them. More than ever in this cost-of-living crisis we are all looking to make savings, and I encourage every single person to take full advantage of checking the savings finder online with Service Victoria.

One further program I really want to highlight that I am so proud of is the sick pay guarantee, which is accessible through Service Victoria. It is our nation-leading policy that is a game changer for casual and vulnerable workers. This is where casual and contract workers can check their eligibility and sign up for the guarantee as well as where they can then make a claim if they need to. No worker should have to choose between not heading into work when sick and earning a living, which is why our government's sick pay guarantee pilot program is so crucial, and the key to making it accessible is Service Victoria.

It is not enough for programs such as this just to exist. To be of any benefit they must be easy to find and straightforward to navigate, and that is exactly what Service Victoria provides. As I have already said, it is paramount that citizens have easy access to services. This is not only for my constituents living in Wendouree – every single Victorian needs to have ease of access. All of these programs are available thanks to the Service Victoria Act 2018, which originally outlined the core priorities for the agency. The act has since been updated, most recently in 2022, with targeted amendments that addressed specific needs arising from the COVID-19 pandemic.

With this bill that is before the house, the proposed amendments intend to better clarify the purpose of Service Victoria as an agency and to create the legislative framework to further enhance service provision. These amendments were also informed by the independent review into the act which followed its three-year anniversary. I would like to acknowledge Dr Claire Noone for her work in leading this review and the dozens of stakeholders consulted for their input.

In light of this review's recommendations, the bill before us proposes several amendments to the Service Victoria Act 2018 with the intention of supporting and enhancing the provision of government services via Service Victoria so we will be able to enable the delivery of more end-to-end and innovative digital services; provide better and more flexible identification verification, as raised by the member for Sandringham; enable services delivery partnerships to create streamlined and secure customer experiences; as well as further harmonising information management practices under the act with those across government.

In my final remarks I just want to say that this bill improves provisions regarding electronic identity credentials in addition to laying the framework for the agency to provide identity verification to non-government entities. I commend this bill to the house. I commend the workers at Ballarat in the GovHub.

Bridget VALLENCE (Evelyn) (16:26): Today I also rise to speak on the Service Victoria Amendment Bill 2023, and at the outset I will refer to the government's media announcement about this change and this boost to digital services through Service Victoria for the Victorian government and the people of Victoria. The title of that media release was 'Digital services to make life easier for Victorians'. I appreciate that we are bringing in the bill today and we are debating the bill today; however, I think that could not be further from the truth, because this Allan Labor government loves a headline but fails dismally on delivery each and every time.

I was listening to the minister earlier today, Minister Pearson, who referred to the fact that this is about kaizen and continuous improvement and that with this bill they are at the forefront of public administration, yet we are only bringing in a bill today, debating it today in 2024, that is going to bring digital services finally, once and for all, to the Victorian public. They are years behind, and it is really quite astonishing. You look at other jurisdictions around the country who are miles ahead when it comes to their service apps to the benefit of the people that they represent, and yet you have got the Allan Labor government who – I have no idea what they have been doing.

In terms of Minister Pearson's suggestion that this bill indicates that they are at the forefront of public administration, I will pick up on a point that the member for Wendouree also raised, and that was around the digital drivers licence pilot rollout to the residents of Ballarat. I refer to an article in the *Age* published in June 2023, which refers to this particular pilot program for the drivers licence in the Service Victoria app, and the title of this article was 'Not a scam: VicRoads blames technical error for digital licence bungle'. So whilst the member for Wendouree would like to claim that this was a great pilot program that she signed up to and got her digital drivers licence through, it was an absolute bungle and a complete embarrassment. And if that one addition to the Service Victoria app is any indication about how this government is going to roll out this service, it is quite embarrassing.

Ballarat residents received a text message saying 'Be the first to get your licence on your phone', but there was a significant problem, the problem being that people's surnames were incorrect, and so all those Ballarat residents thought that this was a scam. This is a demonstration of the Victorian government thinking that they are actually helping people and people thinking that it is a scam. They botched it so badly and there was such a poor uptake of this pilot for the digital drivers licence because everyone was concerned it was a data breach. Everyone was concerned that someone was scamming their phone and could access their data and details and perhaps scam money from them. This is what this Allan Labor government is doing.

So they are bringing in this bill now, but I am totally unconvinced that the government are actually going to get this right. They say they are going to add more and more services to the Service Victoria app, but I am completely unconvinced that they will get any of it right. In fact while Minister Pearson said that he felt this was a game changer, states such as South Australia and New South Wales have had a digital drivers licence on their service apps since before the COVID-19 pandemic, and we were only rolling out a pilot last year for another 12 months to actually have it running across the state. That remains to be seen – whether it will actually run fully across the state. I certainly have my doubts, and I think Victorians do too. Also, the government has still failed to indicate if, when it does finally get rolled out, drivers will get a discount on their licence renewals if they switch over to the new system. I think in a cost-of-living crisis, under the Allan Labor government, that Victorian motorists deserve relief on their licence if they switch to a digital platform rather than the old paper-based one. So that could be something that we hopefully see – an announcement from the government in the future – but I will not hold my breath.

The media release of 23 May 2023 about this particular program indicated that the government was 'supercharging' this Service Victoria app with \$90 million of already guaranteed funding. So I had a bit of a look at the state budget. That indicated that in the 2023–24 budget there was \$90 million allocated to Service Victoria for delivering digital government services. If I look back at the budget prior to that, the 2022–23 budget, there was \$86.5 million allocated for the very same thing. So the question I guess Victorians have, rightly so, is: has the government already blown this out by more than double – by another 90 million – because they completely underestimated the scope of the back-end work that is required with the digitisation of these various services in the app? I would hazard a guess that that is the case. So with \$86.5 million allocated in the 2022–23 budget and a further \$90 million for the very same thing in the 2023–24 budget, this is a very, very expensive piece of infrastructure. I would say had they done it years ago, had they scoped it properly and had they had some better commercial sense and negotiating ability, they might have been able to get a better outcome for the Victorian taxpayer. Obviously that is of some concern. We really, really hope that this

government can actually deliver this digital infrastructure with the money that they have allocated, but probably, like every other project, whether it is the West Gate Tunnel or the Service Victoria app, the costs are likely to blow out. The odds are that they will blow out the budget on this project too.

The government indicated in their media release that this investment in Service Victoria will be delivering more digital services but it would not be possible without strong cybersecurity. That is one of the concerns that we have with this bill and with this program. I think it is important that we bring the state's services up to the digital age, so to speak. But given that the government has already indicated that it requires strong cybersecurity to bolster such digital services through the Service Victoria app, what the government has failed to do, in my view, is to give Victorians any assurances or certainty that there will not be cybersecurity breaches with this app and with these services. That requires some quite sophisticated back-end work with IT and communication service providers and contractors, and it requires the government and the bureaucracy to have a level of understanding when they are scoping and undertaking this work. I do not think with all of the IT programs that the government has rolled out in the past couple of years they have demonstrated that there is sufficient capability in the department to do this, so we would have some concerns about the cybersecurity element. We hope that the government will get that right, but we would hope that the government will come out with some assurances to the Victorian public that there will not be any cybersecurity breaches.

Just in conclusion, the Assistant Treasurer, the then Minister for Government Services, said in the media release:

Victorians want to get basic tasks done simply and efficiently – that's why we're working to make Service Victoria a one-stop app ...

We're streamlining processes and putting common sense at the front of our services ...

But the reality is that Victoria is so far behind everywhere else in the country when it comes to this. Victorians are being punished because of the incompetence, the financial mismanagement and the service delivery mismanagement of the Allan Labor government. We will not be opposing this bill, but I certainly hope that those assurances will be provided by the government to the Victorian public.

Nathan LAMBERT (Preston) (16:36): I also rise in support of the Service Victoria Amendment Bill 2023, which amends the principal act, the Service Victoria Act 2018. For the benefit of the member for Evelyn, who somewhat implied this was our first legislation in this area, it not only amends the original act but of course is a further set of amendments after the Service Victoria Amendment Bill 2021.

It is a pleasure to speak on a bill that primarily deals with software development and relational databases. I did have a chance in my own working life to do a little bit of that work, but I was mainly a very interested spectator as some very ingenious people over the last few decades solved all these problems of how to store data online, query it and then make it available to people across the web and across mobile devices. I think almost every large organisation in this state has been through the journey of having to, first, implement databases and then make that information available to people in an interactive way. It has been very substantial work for those organisations. Of course the Service Victoria app, which we have been discussing today, is at the forefront of the Victorian government's journey along that database path. I just really want to stress that with the Service Victoria app the things that Service Victoria are trying to do are complex and hard. If you open up your phone, it is certainly my instinct, having worked in the area, that the app that they are trying to build is a lot more complex than Instagram. It is a lot more complex than your banking app. It is probably the most complex app in your phone. I say this because I want to disagree quite strongly with the nature of the remarks of the member for Caulfield in particular, who essentially stood up here and said, 'Well, it's easy. Why didn't it all happen five years ago?' I want to stress to him it is not easy.

We heard a lot from the opposition about Service NSW and Victor Dominello and the work they did. I acknowledge that that was a well-run organisation, Service NSW, internally, but I think it is a complete mischaracterisation to not acknowledge that they went through the same technical bumps,

the same integration bumps that we have and in fact moved very similar legislation to the legislation that we are discussing today and probably will continue to do so. I very much agree with the Assistant Treasurer's remarks to that effect.

I understand there were some Australian Hotels Association drinks held on Tuesday night. We have heard a lot in this chamber this week from the opposition about the AHA and the views of hoteliers. I do not think Labor members were invited, but it is always good to hear the views of hoteliers. I do not deny that. But I just would make the point that it would be good to also hear the views of IT professionals and those who have been involved in large-scale deployment of databases, and I think, from the opposition's contributions to this debate, that some of that lived experience has been missing.

I do want to step out the reasons why the work that Service Victoria is doing is both important and complex. The first one to remember is that the Victorian government is one of the most complicated and largest organisations in the country. Effectively, Service Vic are building 50 apps, not one, insofar as they have to do central authentication, customer experience and verification for a whole lot of separate departments and agencies that have their own back-end systems and make their own decisions. The second thing is that standards are always higher for government, and that always makes it a more difficult job. I do not step back from that. Standards should be higher for government. A lot of corporations can get away with just serving 98 per cent of their customers; we always have to go to the last 100 per cent. But that does make the job more difficult, and I think it is very important to point out that Service Victoria have been doing a very good job of ensuring that every transaction has an offline component that people can make use of. They go through accessibility audits. They have translations available. They are doing that work. Nothing in this bill will change the fact that they continue to do that work. What this bill is about is the fact that we have historically put in front of Service Victoria some very, very high bars to clear and some very, very strong constraints on their activities – higher bars and stronger constraints than anyone else working across government has had to deal with. Hence we are back here today to realign the standards and the restrictions upon them with those faced by everyone else across the Victorian public service.

I just want to set out that context. It is very, very easy to stand up and say we should have a one-stop digital app, it should be consistent and everyone should be able to talk to government on it, but I just say on behalf of any IT professional involved in that project: that is like saying it is really easy to build a 55-storey skyscraper. Well, it is not easy. It is doable, but you need a lot of very highly trained professionals coordinated over a long period of time to deliver the project.

Turning then to the specifics of the bill, I thought the member for Pascoe Vale did a very good job at summing them up, and I will just touch on them more briefly. Essentially the bill does three things. It broadens the scope of the work that Service Victoria can do, changing the functions set out in section 15, further allowing end-to-end delivery and allowing them to take a whole project and make some of the decisions involved with it. There is through those changes some better capacity to deliver integrated services, and I know particularly in the children portfolio the ability of Service Victoria to pick up some of that work of drawing services together and presenting them consistently is a priority for this government and will be a priority going forward.

Secondly, it allows Service Victoria to work more closely with non-government partners. Previous speakers have mentioned the good work of Dr Claire Noone. She cited Australia Post as a possible partner. I think the member for Caulfield cited newsagencies. Going back to my earlier point, Service Victoria work across a lot of departments and agencies who in turn work with a lot of non-government bodies – community housing and so forth – so I think those reforms are sensible.

Finally, the third thing it does is, as I have touched on, remove a lot of very specific regulation to Service Victoria so that instead of being governed by these very prescriptive things in the current act, they instead are governed by the standard Privacy and Data Protection Act 2014 provisions and those in the Health Records Act 2001 and the Public Records Act 1973 and other relevant regulation. There are some other minor tidy-ups in there as well.

I would like to say, if I can, that the division of this bill into parts was not perhaps easy for the lay reader to understand, but I am very grateful to the minister's office for talking me through those key themes. Ultimately they come back to the point that we are going to make things easier for Service Victoria through this bill, and that is important to do, because we have up until this date been making things more difficult for them. You could ask quite reasonably why it is that we have made things more difficult for them. I note the member for Brighton has actually just ducked into the chamber, and he did make a good contribution to this debate when we debated an earlier version of this bill in 2021. I think he did note that the original bill probably was a little too prescriptive in some places and not prescriptive enough in others. I think we would agree with that.

I think people have good reason to want legislation in this area to be prescriptive, and certainly we have seen some recent examples with Optus and Latitude and Medibank, where we have very good reason to be disappointed in the way people have handled databases and handled people's information and handled the tasks that are addressed by this bill. If I can just put it on the record, I thought Latitude were particularly disappointing, having had to support some constituents with their issues. They did not make it clear to people that they had acquired a lot of companies on the way through and hence held databases. People got a letter from Latitude who had never heard of Latitude, and I think in hindsight they could have managed that better. But I think it does speak to the difficulty of legislating in this area if we wind back to 2018 when the principal act was drafted. It is clear that sort of thing was not the focus, because I suppose we did not know that we would have the cybersecurity issues that we have had. Then there was a lot of focus on the identity verification components, which really have moved on in a different way since then – I think in a way the community are more comfortable with – so we can remove those parts or repeal part 6 of the principal act and the other relevant parts, as this bill does.

That comes back to perhaps a general point I would like to make, that in my own experience regulating technology is very hard when technology is moving. Sometimes you are too far ahead; very often you are a little bit behind. There is no way to solve that problem. It is always hard to regulate a technology that is advancing and changing in the way it works. The best thing you can do – really the only thing you can do – is to continue coming back to the Parliament and updating things and amending things when you need to, and that is exactly what we are doing here today. I certainly would be very happy to come back and amend the act further if need be.

I would like to thank the minister and their team for their fine work and also the Assistant Treasurer of course, who spoke earlier to his involvement in the Service Victoria program. I certainly want to echo his thanks to the departmental staff and particularly those staff who were involved, as the Assistant Treasurer mentioned, in the COVID period, when a lot was asked of a small number of people and they responded admirably. I would like to thank Claire Noone and her team for their independent report, which I read and thought was well written and which of course drives many of the changes in the bill that we have in front of us today. I think this is a good bill. I commend it to the house.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (16:46): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Justice Legislation Amendment (Police and Other Matters) Bill 2023

Council's amendments

The DEPUTY SPEAKER (16:46): I have received a message from the Legislative Council agreeing to the Justice Legislation Amendment (Police and Other Matters) Bill 2023 with amendments.

Ordered that amendments be taken into consideration immediately.

Message from Council relating to following amendments considered:

1. Clause 1, page 3, line 5, omit “unauthorised”.
2. Insert the following New Clause to follow clause 57 –

‘57A Other authorised access to, use of or disclosure of police information

After section 231(1)(a) of the **Victoria Police Act 2013** insert –

“(ab) the disclosure to the IBAC of police information that relates to the conduct of a member of Victoria Police personnel or a systemic issue within Victoria Police;”.

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (16:47): I move:

That the amendments be agreed to.

The Allan Labor government has a proud record of listening to victims, survivors and advocates, and the house amendments moved by Minister Erdogan in the other place are a clear example of that record. The Victorian community rightly holds Victoria Police to the highest standards of integrity. We know that the vast majority of Victoria Police members uphold these standards, and we thank them for their work. But there are rare circumstances and situations where police engage in acts of misconduct, and we must ensure there is no doubt that any misconduct disclosure is lawful and appropriately protected. These amendments will provide the necessary clarity to the existing legislative protections for all Victoria Police employees. I commend the amendments to the house.

I can say in my engagement with constituents and people who consider themselves in the past to have been victims of misconduct, some of those who have also been employees or members of Victoria Police, they have taken me through examples of where they perhaps feel they have not been treated justly or have not had confidence that they have been dealt with in a way that takes a quarantining and a careful engagement of looking out and protecting victim-survivors and their advocates. I have had many discussions which have brought a lot of this work together in the Justice Legislation Amendment (Police and Other Matters) Bill 2023, particularly how these amendments listed here further affirm and give confidence to victim-survivors that the government has heard their concerns.

We are very confident that in broad terms the legislation that has been before both the other place and our house goes a long way to addressing the concerns that have been raised previously, but these further house amendments give some, I hope, further clarity around the work of IBAC and whistleblower protections and the like. I take the view that everything that we have sought to do in relation to this legislation has been to pick up on the concerns of victim-survivors, particularly those and their advocates who either are members of or have family members in Victoria Police or who feel an engagement they have had with Victoria Police has been hurtful or harmful, and where that is the case they need to have greater confidence that the integrity measures that are in place protect them and allow an opportunity to call out misconduct and bad behaviour and that those disclosures are lawful and appropriately protected. If we do not have that in place, we risk matters of misconduct not coming to light and we risk victim-survivors and advocates being further diminished or further damaged instead of bringing matters to account. This is not just to hold Victoria Police to account where we need to but also to make sure that we are looking out for those victim-survivors and advocates so that they feel they can make their matters known in a protected way but also in a respected way. I am confident and the government is confident that these house amendments provide that opportunity and give further affirmation to the broad context of the legislation that is before the house.

In commending the amendments to the house I say again that these amendments add to the more significant work that substantiates the broad piece of work that this legislation brings to the house but also at the core of it is about providing support to victim-survivors and advocates who have raised concerns in the past, and we want to give them the confidence they can continue to do that in the future. We know that everyone at Victoria Police, in the hard work that they do, need to be held to the highest

standards. They do not shy away from that. This legislation also has the support of Victoria Police and of course the Police Association Victoria, and I think that gives confidence to victim-survivors and their advocates. That is a further good reason why we should give every support to these amendments, and I commend them to the house.

Michael O'BRIEN (Malvern) (16:52): I am pleased to rise to support the amendments that were made in the other place to the Justice Legislation Amendment (Police and Other Matters) Bill 2023. I am pleased to hear the Minister for Police encouraging and supporting this increased ability to provide information to IBAC. I know the minister is a big fan of IBAC. He has made that clear in the past. It is great to see the police minister getting behind IBAC to give them more access to information to root out corruption.

This is a very serious matter because police rightly have a great deal of power under the law in this state, but with power comes responsibility. With power must come accountability, and when police power is misused, when it is abused, where we see serious misconduct and where we see systemic misconduct and corruption it must be exposed. It is understandable that the brave men and women of Victoria Police do regard themselves as a family. It is often hard to speak up against the family, but there are times where that is necessary. Where people see the wrong thing happening or where people in the force see serious misconduct or corruption, they do have a need to speak up and an obligation to speak up, and it is appropriate that those people be protected by the law.

We have seen instances in the past where police information has not been disclosed properly. One that comes to mind is the photographs of Dani Laidley being interviewed. That was an appalling breach of Dani Laidley's personal privacy, and that information should never have been put out in the public domain. I commend Victoria Police for taking that issue seriously. But I have also seen instances where Victoria Police have pursued members, allegedly, for releasing protected information and have chased people, hounded them out of the job, hounded them through court and failed in the end.

I think particularly of Sergeant Michael Lamb, who I think was treated appallingly by Victoria Police – pursuing him through the courts, and no charge was ever proven. But it would have stopped Victoria Police from hounding him out of the job and chasing him through the courts, despite the fact that that all failed in the end. What this says is that there is a need for clarity around the circumstances in which police officers are able to disclose protected information. I cannot think of anything more important than a police officer who witnesses serious misconduct, who witnesses corruption, being able to know that they can bring that information to the Independent Broad-based Anti-corruption Commission without having the weight of the world brought down on them in the circumstances. This amendment, which provides for the disclosure to IBAC of police information that relates to the conduct of a member of Victoria Police personnel or a systemic issue within Victoria Police where that information in that category is authorised, I believe is very important.

We want to send a message to Victoria Police that we greatly respect the work they do. It is why we provide them with resources. It is why we provide them with significant powers. But we also want to say to those men and women of Victoria Police: if you see something, say something – speak up. You have the right to bring information to IBAC, and you will be protected if you do so. For those reasons the Liberals and Nationals support the house amendment that was made in the other place, and we wish the bill a speedy passage.

Ellen SANDELL (Melbourne) (16:56): I would like to put on record that the Greens will be supporting these amendments. We are happy to see these amendments pass and come before this place. They are amendments that were proposed by the Greens in the Legislative Council and then adopted as house amendments, so I would also like to thank the government for their cooperation in passing these Greens amendments. A number of current and former police employees had suggested these amendments, alongside us, to provide clarity and certainty for police employees wishing to make a lawful disclosure to IBAC. So if a police employee wants to be a whistleblower because they have seen something happen that is not right, they want to make sure that they would have the confidence

that their disclosures would be protected before they make that disclosure. It takes a lot of courage to be a whistleblower, particularly for those that are within institutions of power like the police. It is important that we ensure police officers and employees know that they will not breach their police duties by disclosing to IBAC at the time of disclosure and that we make sure that they know that they can be protected if they are coming forward with information about improper conduct that needs to come before IBAC. The amendments will promote more transparency and accountability by helping current police raise concerns about culture or systemic issues inside the police, such as racism or practices having potential adverse impacts on particularly vulnerable groups, which may or may not be protected disclosure. I commend these amendments and appreciate the government's cooperation in supporting these Greens amendments.

Motion agreed to.

The DEPUTY SPEAKER: A message will now be sent to the Legislative Council informing them of the house's decision.

Service Victoria Amendment Bill 2023

Second reading

Debate resumed on motion of Gabrielle Williams:

That this bill be now read a second time.

Annabelle CLEELAND (Euroa) (16:58): I rise today to speak on the Service Victoria Amendment Bill 2023, a bill that I do not oppose. Getting to the guts of it, what I am really concerned about in my community is possibly the impact it is going to have on the elderly and people who might have communication challenges when it comes to using a computer. We heard a wonderful debate earlier, so I will not repeat anyone who has gone ahead of me. What I do want to talk about are some of the challenges that we are worried about, and this includes people who suffer from disabilities; people who have issues with comprehension, are illiterate or are innumerate; the elderly; or people who are just not tech-savvy. Being from a regional electorate, this is something I am concerned about. Our office is regularly inundated with constituents needing assistance in order to access online-only services, find information, use programs, print, scan, photocopy and more. While they are always welcome, we do have concerns about this being a one-stop shop online, because many residents in our regional communities have at best unreliable internet connection in addition to many towns suffering from regular power outages – check out my social media. The frequent power outages and natural disasters that have plagued my community have disrupted internet connectivity and rendered online services inaccessible –

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

Regulatory Legislation Amendment (Reform) Bill 2023*Second reading***Debate resumed on motion of Danny Pearson:**

That this bill be now read a second time.

Motion agreed to.**Read second time.***Third reading***Motion agreed to.****Read third time.**

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

Building Legislation Amendment (Domestic Building Insurance New Offences) Bill 2023*Second reading***Debate resumed on motion of Sonya Kilkenny:**

That this bill be now read a second time.

And James Newbury's amendment:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government commits to comprehensively protect victims and their families from rogue behaviour from a small minority of dodgy builders and the potential loss of their deposit if a building company collapses'.

The DEPUTY SPEAKER: The minister has moved that the bill be now read a second time. The member for Brighton has moved a reasoned amendment to this motion. He has proposed to omit all the words after 'That' and replace them with the words on the notice paper. The question is:

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

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

Assembly divided on question:

Ayes (55): Juliana Addison, Jacinta Allan, Colin Brooks, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Sam Hibbins, Mathew Hilakari, Melissa Horne, Lauren Kathage, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Noes (25): Brad Battin, Jade Benham, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

Question agreed to.

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.

Business interrupted under sessional orders.

Adjournment

The SPEAKER: The question is:

That the house now adjourns.

Queens Avenue, Caulfield East, redevelopment

David SOUTHWICK (Caulfield) (17:08): (511) My adjournment tonight is for the Minister for Transport Infrastructure, and the action that I seek is for the minister to meet with local residents of the QueenSAVEtrees group to discuss an alternative option for the proposed Queens Avenue, East Caulfield, redevelopment. Back in November 2023 the Queens Avenue redevelopment, which included the removal of the Neerim Road level crossing, had meant that along Queens Avenue the government would look at building a new bike lane. The details were unclear as to what that would mean, but we soon found out that 250 magnificent trees some 100 years old would be removed as part of this process. A number of the residents, as you could imagine, were in absolute uproar over this. They contacted my office and we wrote to the minister, and over summer there was real angst about these trees being cut down.

I am pleased that with the amount of community activism by many of my local residents there was a stay of execution for these trees. 3AW, the *Age* – a number of media outlets – ran the story. We were told that there would be consultation and the government would come back with another alternative. I genuinely hope for this. I know that the local council, the Glen Eira council, were presented with effectively three options: option 1, remove the 250 magnificent trees some 10 metres high and 100 years old; option 2, remove about 20 trees but take out a number of car parks along Queens Avenue; or number 3, do nothing, and then the minister would choose option 1 or option 2. Obviously that was not suitable to many of our local residents. We had meetings with council, and I am pleased to say that on Tuesday just gone council decided to vote against two options and it has asked the minister to go back to the drawing board.

I genuinely call on the minister today to meet with local residents, to meet with the City of Glen Eira and to work out an option that is suitable, that is going to give bike use and that is going to give those trees the ability to stay in their natural habitat like they should so that ultimately we can all be winners. If we cannot do that, then leave it as it is. In a cost-of-living crisis the last thing that we want is to spend money when we do not need to, and this is a classic example. If we are removing level crossings, which is a good idea, we should not just have to build something that nobody wants in terms of additional bike lanes and to take down these trees. I genuinely say to the minister: this is not political. Come down. I will organise it. You can have a cup of coffee in my office, meet with the local residents and meet with the council members and the mayor. Let us get a solution that is suitable for the residents of Glen Eira.

Pascoe Vale electorate transport infrastructure

Anthony CIANFLONE (Pascoe Vale) (17:11): (512) My adjournment matter is for the Minister for Public and Active Transport, and the action I seek is for the minister to visit my electorate to see

firsthand the record investments the Victorian Labor government has made since 2014 to upgrade local transport infrastructure and services and to meet with local transport workers and commuters to discuss future opportunities for improvement.

As I said in my first speech, I am a very firm believer that all local residents should be afforded access to sustainable and safe transport options. Indeed I am proud to represent the a Merri-bek community that has some of the highest rates of public and active transport take-up in the state when it comes to commuting to work, with a reported 14 per cent of local residents who catch a train, 14 per cent who catch a tram, 7 per cent who ride bikes, 3 per cent who catch a bus and 3 per cent who walk. As an inner-city electorate that covers the suburbs of Pascoe Vale, Coburg and Brunswick West, we are very fortunate indeed to have access to a number of strategic and local transport corridors that help safely connect people to jobs, learning, health and community precincts and encourage this take-up, including through two metropolitan train lines, the Upfield and the Craigieburn lines, and three tram lines in the form of route 1 along Nicholson Street in East Coburg, route 19 along Sydney Road in Coburg, and route 58 through West Brunswick and West Coburg along Melville Road. In terms of buses, we are fortunate to be serviced by a number of north–south and east–west routes, and in terms of active transport, cycling and pedestrian infrastructure, we are also very fortunate to be serviced by several corridors of either state or local significance.

Since 2014 we have continued to invest and take real action to help improve these and other local transport services and corridors, including the construction of the Metro rail tunnel, which once operational will provide for increased capacity and services on the Upfield and Craigieburn lines; the landmark Upfield level crossing removal project through Coburg, which has removed four crossings at Moreland Road, Munro Street, Reynard Street and Bell Street, accompanied by a world-class active transport, cycling and walking corridor; better trams and improved tram services along our local corridors, including through the introduction of accessible and low-floor trams and improved night-time services; the introduction of zero-emissions buses along our routes and the commissioning of the northern suburbs bus review to consider future opportunities; investing \$11.9 million to install traffic lights and remove the dangerous roundabout at the corner of Gaffney Street and Sussex Street in Coburg North; and investing \$4.6 million towards delivering the Coburg to Glenroy cycling link and a further \$3.7 million to improve the Upfield shared path so it connects all the way up to the M80 Western Ring Road. We have also committed recently \$2.4 million to improve road safety for vulnerable road users along the Gaffney Street, Landells Road and Essex Street corridors.

In this respect, however, there is always more to do. I draw the minister's attention to the number of local road safety and public and active transport matters that I have written to her about and which I welcome her attention on. I would also draw the minister's attention to the work of the parliamentary inquiry into vulnerable road user safety post COVID-19, which I was very pleased to have welcomed to Merri-bek for a particular specific hearing. I would welcome the minister to meet with local transport workers, including at the Moreland tram depot and local bus drivers, many of whom are Transport Workers' Union members, and further consider these and other local opportunities with commuters also. I welcome the minister's response so I can share it with my very passionate and active community when it comes to public and active transport matters.

Regional health services

Tim BULL (Gippsland East) (17:14): (513) My adjournment tonight is for the Minister for Health, who I see is at the table. Minister, we need your help. The action I seek is for the minister to fix the medical imaging disaster we have at Bairnsdale Regional Health Service and other regional hospitals. Medical imaging departments in country hospitals are experiencing significant delays. This is frustrating GPs, impacting the health of patients and delaying critical treatments, and I know it is the same at the Central Gippsland health service for the member for Gippsland South here.

One patient of several that have contacted my office since Christmas, Gordon Holland, said he had a seven-week wait for scan results required after his surgery, only to be told that due to the age of the

results he had to go back for another scan, with no guarantee this would not happen again. So he turned up to the doctor with his scans after he had received them – too old to be used. Just think about that: by the time the scan was processed it was out of date for his injury. Another patient, Vicki, a cancer patient, had an oncologist appointment 20 days after her scan to discuss the course of action for her treatment. However, the oncologist, 20 days later when she turned up at the appointment, had not received the scans, so the appointment for her treatment could not proceed. Can you imagine how that poor woman was feeling about that? Another gentleman travelled to Melbourne for a specialist appointment, which would mean an overnight stay, but on arrival, 15 days after the scan was done, the specialist did not have the results. So the appointment could not proceed – it was cancelled – further delaying his treatment.

Minister, this is not unique to East Gippsland. We know that the third-party provider I-Med is suffering from staff shortages. That has been relayed to our health services. We constantly come into this place and hear what a great job is going on with our health system here in Victoria, but that is not what we are hearing on the ground with issues like this. This issue severely impacts the health outcomes of country people, and it could potentially cost lives when we are talking about oncology patients. You would no doubt be aware of this matter, Minister, but I would really seek your intervention to know what is going to go on to fix this problem for our country patients.

Women's health

Nina TAYLOR (Albert Park) (17:16): (514) Our women's health 2023 survey shows four in 10 Victorian women live with chronic pain and one in three have conditions that impact their ability to work. Ergo for too long women have been experiencing pain that has all too often been neither believed nor addressed. They are told 'Take a paracetamol', 'It'll get better when you have children', 'Use a hot-water bottle' or 'It's all in your head', instead of having the true cause of the pain investigated. We all know that pain is real, women deserve to be believed and women want solutions, so we have launched Victoria's first inquiry into women's pain to examine the systemic issues and hear directly from Victorian women. Further to that, the action that I seek is for the Minister for Health to come to the electorate of Albert Park to better understand the kinds of pain and associated conditions that the women in my electorate have been experiencing for who knows how long. It would be very helpful, I think, to further that consultation and engagement on this very important subject.

Flood recovery

Danny O'BRIEN (Gippsland South) (17:18): (515) My adjournment this evening is for the Minister for Emergency Services, and the action I seek is for the minister to seek amendments to the current disaster recovery funding arrangements that operate between state and federal governments. Specifically, there have been occasions in the past, including after the October 2021 storms, where there were some very helpful grants provided to businesses and primary producers for clean-up activities. I think there were grants of about \$20,000 or \$25,000 available, which in that circumstance were very much necessary, when there had been a lot of damage done. On Boxing Day last year we had a significant downpour in Gippsland and very localised events, particularly in the area between Sale and about Toora, where we got 80 to 100 millilitres in an hour or so. That impacted on a number of areas, including Woodside and Welshpool, where there was some significant damage and basically the creek ran through the entire town. I was contacted by a couple of farmers in particular as well as local businessmen and indeed a couple of households that were flooded out, where they literally had the waters running through their house, about whether there would be any assistance from the state government for clean-up –

Tim Bull interjected.

Danny O'BRIEN: The member for Gippsland South just indicated there was the same issue at Buchan. I was liaising with the office of the Minister for Emergency Services, and I appreciate the feedback that I was able to get from them, because I wanted to see if some of that October 2021 assistance is available. What I was told was that under the disaster recovery funding arrangements

there is a threshold of about 15 per cent, I think it was, for a given region, so 15 per cent of farmers in a given district need to be affected before there will be any state or federal government assistance.

Personally, I think that is not fair, basically, because you have got a situation where if there are 10 farmers whose creek has burst its bank, which happened in the Woodside area, for example – they lost fences, they lost stock and they had damage to their properties – they get nothing, because they do not reach the threshold. If there are 300 farmers, then there might be assistance triggered. Now, the point is that they are all impacted exactly the same. The fact there are 300 of them or 10 of them does not mean individually they are any worse off. So while I appreciate that governments have these thresholds for generally good reasons, I ask the minister to raise this with her colleagues at the state and the federal levels and to see if there can be more flexibility in these arrangements. We often jump in and provide assistance when there is a big event, but when there is a very localised event with exactly the same impacts on individuals, like the farmers and businesspeople in my electorate, there is an argument that they deserve help as well. So I ask the minister to take action on this issue.

Women's health

Tim RICHARDSON (Mordialloc) (17:21): (516) My adjournment this evening is also to the Minister for Health, and the action I seek is for the minister to engage with my community in the Kingston and Greater Dandenong areas on the upcoming women's pain inquiry. This government has a significant record in investing and supporting women's health. More than \$150 million is being invested by this government, and that has been led by our fantastic Minister for Health and also the Parliamentary Secretary for Women's Health, a portfolio allocation that is so critical. I know that the Parliamentary Secretary for Women's Health does some outstanding work with the Victorian Women's Health Advisory Council, leading some of that work on behalf of the minister in the rollout of that investment.

I know very well from my time as Parliamentary Secretary for Mental Health and Suicide Prevention that the greatest work that you can do is to listen to those with lived experience. It is probably no shock that this is an area – the women's pain inquiry – where I will not have an understanding or lived experience. So as the member for Mordialloc and representing my community, I think it is important then to take this inquiry, its terms of reference and its engagement directly to the people I represent, and I thought that would be a great opportunity to welcome the Minister for Health out to the Kingston and Greater Dandenong areas and representatives in our community to understand how important this inquiry will be – the outcomes, the considerations and the time frames.

It is open for submissions now, and we encourage anyone in the Mordialloc electorate and indeed across Victoria to consider making a submission, sharing their lived experience and putting that forward, and we will definitely encourage people from this engagement and consultation as well. We welcome this very important announcement; it was such a landmark moment alongside the Premier, the Minister for Health and the Parliamentary Secretary for Women's Health. Thank you for the work that you are doing on behalf of Victorian women. I am really looking forward to welcoming you to the communities of Kingston and Greater Dandenong and hearing directly from our stakeholders, who do so much great work in health promotion, advocacy, prevention and intervention, and also those with lived experience.

Teacher workforce

Jess WILSON (Kew) (17:23): (517) My adjournment is for the Minister for Education, and the action I am seeking is that the minister release the 2022 and the 2023 teacher supply and demand reports. As of today, there are 1394 unfilled teacher jobs in Victorian public schools. Remarkably, the number of vacancies has increased by the day since the start of the school year last week. Every single one of these 1394 unfilled positions is making life harder for teachers and students right across the state, and we know that these vacancies are hitting regional and rural communities the hardest as well as schools in Melbourne's growth suburbs.

The teacher supply and demand reports are critical to workforce planning and ensuring the needs of students can be met now and over the coming years, and there is no reason why the government keeps these documents hidden, except to try to hide the full extent of the teacher crisis across Victoria. We have even had the minister try to blame the Commonwealth government for the delay, despite the fact it is a state-based report about the state education system. But in case you think it is just the coalition that is concerned about this fundamental lack of transparency and accountability, you might be interested to hear the Australian Education Union's views:

Withholding the release of these teacher supply and demand reports means that Victoria's educators are being kept in the dark on the actual extent of Victoria's teacher workforce crisis, and leaves us wondering whether the state government has a plan to invest and address these staffing shortages and increased workloads.

The problem with Labor's lack of transparency on teacher shortages is that it denies Victorians the ability to measure the success or otherwise of the government's various workforce initiatives, totalling over a billion dollars over recent years. Without this solid data we are completely in the dark about what, if any, impact the government programs are having. For example, the last teacher supply and demand report said that in 2021 demand was expected to grow by 14.6 per cent while the total registered workforce was expected to grow by just 7 per cent. This obviously leaves a significant gap that needs to be filled, but now we are completely in the dark about whether that gap between supply and demand has widened or is closing. Further, the 2021 report identified that one in five graduate teachers was leaving the profession in the first five years. Without the release of the updated reports, we do not know if the Labor government has been able to arrest this trend. We can only draw our conclusions about why exactly Labor is so desperate to keep these important data points hidden from public view and from public scrutiny.

Hundreds of thousands of Victorian students returned to the classroom last week, and every single one of them deserves a quality education, and their teachers deserve to work in an environment that is not defined by overwork and burnout due to staff shortages, so once again I call on the Minister for Education to release the 2022 and 2023 reports.

1st South Frankston Scout Group

Paul EDBROOKE (Frankston) (17:26): (518) The action I seek from the Minister for Youth is that the minister come to visit a fantastic scouting group in my great electorate and review some of the upgrades to their hall. At the last election, in 2022, the Labor government committed \$20,000 for the 1st South Frankston Scouts to upgrade their hall, a much-needed upgrade. The upgrade included improvements to the entrance by building a ramp, allowing access for all people of all abilities into the hall. Works have already commenced and are due to be completed this year. These upgrades will ensure that even more young members of my community can gather at a safe and accessible place as Scouts. We know that Scouts are so valuable in our community, and we would love to hear the minister say she will come down to visit these young people.

Five Ways intersection, Warrandyte

Nicole WERNER (Warrandyte) (17:27): (519) My adjournment matter is for the Minister for Roads and Road Safety, and my request to her is to come and visit the Five Ways intersection in Warrandyte South. While the Labor members opposite may get tired of my work to fix the Five Ways intersection, I will never tire of doing what needs to be done to keep my community safe. As I have said before, the electorate of Warrandyte's top priority is my top priority, and that is fixing the dangerous and perilous Five Ways intersection. The problems with the intersection are so plain for anyone to see that I think if the minister saw with her own eyes the treacherous nature of it she would be compelled to do the right thing and fix it.

I am inviting the minister to do something that her government needs to do more often, which is to listen. Listen to the new drivers whose biggest fear is misunderstanding this homework assignment of an intersection and having their young lives cut short. Listen to the parents in my community who feel like they are taking their families' lives in their hands every time they take a turn. Listen to the local

businesses that surround this intersection, who are constantly pleading for the government to do something about this tragedy waiting to happen in Warrandyte South.

Just last week there was another head-on collision at the intersection, blocking traffic in both directions. Luckily, this time nobody was killed due to the inaction of the minister in fixing this intersection. Just yesterday a constituent told me that she nearly had a collision as a car pulled in front of her at the last minute, and as she put it, 'I don't think I've ever had a calm drive through there.' My community is constantly asking: how unsafe must it be before it is fixed? How many people need to have near-miss collisions and how many people need to crash before you wake up to this abomination of an intersection?

Housing

Jackson TAYLOR (Bayswater) (17:29): (520) There is nothing more important than having a roof over your head, and that is why the Allan Labor government is delivering huge reforms to deliver more social housing and to make housing more affordable. Not too long ago we announced the single biggest investment into social housing in our nation's history: \$5.3 billion to deliver 12,000 new dwellings to support those who need it. This is our largest of many social housing projects being delivered in every single corner of our state, including in Knox. The action I am seeking is for the Minister for Housing to join me at a social housing project in Knox for a tour and an opportunity to discuss further the importance of these projects in the Knox community.

We are now well on our way to delivering on those 12,000 dwellings, but we know there is more to do. That is why we released our bold housing statement last year with the aim to deliver 800,000 new homes over the next decade to make housing more affordable. The statement, which is our commitment, will also deliver more social housing and better and quicker decision-making, will further protect renters rights and will deliver a new long-term housing plan that works for Victorians, not against them. This is not easy work, and there will absolutely be challenges along the way, but it is absolutely essential to ensure we are doing all we can to increase housing supply to ensure a fair go for young people and people of all ages who want to own a home, and it is work to ensure our current planning system does not hold us back.

I have said it time and time again: I will always be on the side of more social housing and reforms to encourage sensible planning outcomes that enable more affordable housing where people want to live, and I am very proud to be part of a government that is delivering on exactly that.

Responses

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (17:30): I welcome the opportunity to respond to members in the chamber at this time. To the member for Gippsland East, who raised with me the concerns that his constituents are experiencing in getting their imaging done in a timely way – particularly at Bairnsdale health but also at other health services in the Gippsland region – I do know that the world is facing a bit of a global shortage of radiologists at the moment. It really points to the need for us to think perhaps a little differently about the way in which we can ensure that people in rural and regional Victoria are not disadvantaged by the tyranny of distance, which sometimes plays into the difficulties that we have in getting the right people at the right place in terms of the healthcare workforce. I very much look forward to looking into that and trying to resolve that issue with you, so I thank you very much for that question.

My colleagues the member for Albert Park and the member for Mordialloc both asked me to attend their electorates to meet with their constituents and to hear directly from them about women's experiences of pain in our community. There is no doubt whatsoever that since the day I joined with the Premier and the member for Northcote – also the Parliamentary Secretary for Women's Health – to announce this first pain inquiry we have absolutely been inundated by women in our electorates and communities who at last feel that their voices are being heard and that their experiences will be

believed. So I absolutely welcome that opportunity. I will work, obviously, with your offices and my office, and if I am not available for some reason, I will also work with my parliamentary secretary to ensure that one or the other of us is there with you in your communities. That is something we very much look forward to.

The member for Caulfield raised a matter for the attention of the Minister for Transport Infrastructure, and he requested that the minister join him to meet with locals regarding the Queens Avenue redevelopment. The member for Pascoe Vale, always a passionate advocate for his community in this place, asked that the Minister for Public and Active Transport visit his electorate to see firsthand the absolutely positive impact that this government's commitment to boosting transport infrastructure in his electorate has had – the way in which the public transport system is working for his community – but also just to have that opportunity to talk about what the next steps might well be in servicing the people of the Pascoe Vale community.

The member for Gippsland South had a question for the attention of the Minister for Emergency Services in the other place, and the action that the member seeks is that the minister liaise with her federal counterpart – and indeed, I suspect, with other ministers around the nation – on ways in which the disaster recovery funding arrangements could be amended to recognise that the increasing natural disasters in this state and across Australia do have a really significant impact and perhaps the existing framework is no longer fit for purpose. I am sure the minister will welcome the opportunity to do that.

The member for Kew had a question for the Minister for Education. The action that the member sought is that the minister release the teacher supply and demand reports for 2022 and 2023. I will refer that matter to the minister. The member for Frankston, like me, is a passionate supporter of the scouting movement. The member has asked that the Minister for Youth join him to see the fantastic upgrades to the South Frankston Scout hall. I am sure the Minister for Youth will look forward to doing that. The member for Warrandyte has raised a matter for the Minister for Roads and Road Safety. The matter that she raised is that the minister take action in relation to the Five Ways intersection. The member for Bayswater raised a matter for the attention of the Minister for Housing. The action that the member sought is that the minister join him at the Knox social housing project but also take the opportunity to visit with the member and hear from him about his real commitment to social housing and delivering for the people of his community.

The DEPUTY SPEAKER: Stay classy, Victoria. The house now stands adjourned.

House adjourned 5:37 pm.