



# **Hansard**

## **LEGISLATIVE ASSEMBLY**

### **60th Parliament**

**Thursday 1 August 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**

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

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

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

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

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

<sup>5</sup> Resigned 7 July 2023

<sup>6</sup> 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

---

BILLS	
Bail Amendment (Strengthening Conduct Conditions) Bill 2024 .....	2685
Introduction .....	2685
BUSINESS OF THE HOUSE	
Notices of motion and orders of the day .....	2691
PETITIONS	
Mansfield District Hospital .....	2691
Yea and District Memorial Hospital .....	2692
DOCUMENTS	
Documents .....	2692
MOTIONS	
Construction, Forestry and Maritime Employees Union .....	2692
COMMITTEES	
Legal and Social Issues Committee .....	2693
Reporting dates .....	2693
MOTIONS	
Construction, Forestry and Maritime Employees Union .....	2693
Middle East conflict .....	2694
Construction, Forestry and Maritime Employees Union .....	2694
Middle East conflict .....	2694
Construction, Forestry and Maritime Employees Union .....	2694
Land tax .....	2697
Construction, Forestry and Maritime Employees Union .....	2697
Transport infrastructure .....	2699
Construction, Forestry and Maritime Employees Union .....	2700
BUSINESS OF THE HOUSE	
Adjournment .....	2700
MEMBERS STATEMENTS	
Country Fire Authority Werribee brigade .....	2700
Clyde North mobile phone coverage .....	2701
Thompsons–Bells roads, Clyde North .....	2701
Poson Dansala .....	2701
NCN Health .....	2702
Gendered violence .....	2702
Andrew Goldman .....	2702
Bob Steel .....	2702
Government performance .....	2703
East Ivanhoe Preschool .....	2703
Energy policy .....	2703
Ezi Magbegor .....	2704
Kalkallo Youth Advisory Council .....	2704
David ‘Macca’ McCarthy .....	2704
Brighton Beach bathing boxes .....	2704
Stefan Romaniw .....	2705
Construction, Forestry and Maritime Employees Union .....	2705
Rex Smith .....	2705
Kokoda Track .....	2706
Gary Ward .....	2706
Paris Olympics .....	2706
Cyprus settlement .....	2707
Holy Spirit Church of the Syriac Catholic Community .....	2707
Filipino community .....	2708
Sikh community .....	2708
John Kennedy .....	2708
Literacy education .....	2708
Werribee Open Range Zoo .....	2708
BILLS	
Youth Justice Bill 2024 .....	2709
Second reading .....	2709
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Construction, Forestry and Maritime Employees Union .....	2731

# CONTENTS

---

Ministers statements: community sport.....	2732
Construction, Forestry and Maritime Employees Union.....	2732
Ministers statements: creative industries.....	2733
Construction, Forestry and Maritime Employees Union.....	2734
Ministers statements: economy.....	2737
Middle East conflict.....	2737
Ministers statements: Paris Olympics.....	2738
Middle East conflict.....	2739
Ministers statements: Paris Olympics.....	2740
CONSTITUENCY QUESTIONS	
Laverton electorate.....	2740
Brunswick electorate.....	2741
Bayswater electorate.....	2741
Melbourne electorate.....	2741
Glen Waverley electorate.....	2741
Prahran electorate.....	2742
Tareit electorate.....	2742
Richmond electorate.....	2742
Monbulk electorate.....	2742
Melbourne electorate.....	2743
BILLS	
Youth Justice Bill 2024.....	2743
Second reading.....	2743
Third reading.....	2765
State Sporting Legislation Amendment Bill 2024.....	2766
Second reading.....	2766
Third reading.....	2766
Aboriginal Land Legislation Amendment Bill 2024.....	2766
Second reading.....	2766
Third reading.....	2766
ADJOURNMENT	
Drought preparedness.....	2766
Hoa Nghiem Buddhist Temple.....	2767
North East Link.....	2767
Footscray electorate community safety.....	2768
Berwick electorate infrastructure.....	2768
Monash Medical Centre.....	2769
Windsor Community Children's Centre.....	2770
Pascoe Vale electorate bus services.....	2770
Community safety.....	2771
Glen Waverley electorate road safety.....	2772
Responses.....	2773

**Thursday 1 August 2024**

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

***Bills***

**Bail Amendment (Strengthening Conduct Conditions) Bill 2024**

***Introduction***

**Michael O'BRIEN (Malvern) (09:34):** I move:

That I introduce a bill for an act to amend the Bail Act 1977 to make changes to the unacceptable risk test and to the imposition of conduct conditions and to re-enact, with modifications, offences previously repealed from that act and for other purposes.

Victoria is in the grip of a crime crisis at the moment. It is a crime crisis which has been made worse by this Labor government weakening bail laws in March this year. The government was warned that this was going to cause detriment – it was going to make Victoria Police's job harder; it was going to make the court's job harder – but the government thought it knew best and it went ahead and weakened bail laws anyway. Now Victorians are living with the consequences. When the government said that if you breach your bail conditions it is no longer an offence, they sent a very clear message to people on bail: conditions are an optional extra – it does not matter if you comply or not. What is the point of putting conditions on bail when it is not an offence to break them? That is what this government did.

Why did this government weaken the test for people on bail who then commit a serious indictable offence? It used to be that if you were on bail and you committed an indictable offence, you automatically faced a tougher test to get bail again. That, I would say, is what most Victorians would say is common sense: if you get the privilege of bail and you abuse that privilege by going out and committing another offence, you should face a tougher test to get bail again. But this Labor government said, 'No, we know better, and we're going to abolish that provision.' The bill that I seek to introduce will fix those problems. We will reinstate breaking bail conditions as an offence. We will reinstate a tougher test for bail for those who commit indictable offences while on bail.

Another thing the government did in its bail changes is make changes so that for the test that the magistrates have to apply for giving bail, they no longer have to consider whether the person on bail is likely to offend again. I would have thought one of the most obvious things that a bail decision-maker should have to consider is: if I give this person bail, if I release them into the community, are they likely to commit another offence while they are on bail? That used to be the law, and the government changed the law. They said, 'No, you're not allowed to consider whether this person will commit another offence if I give them bail.'

It is sociological nonsense, absolute nonsense, and Victorians are paying the price. I could go through the list of horrific offences, horrific news reports, that this state has seen since this house last met. Before the break we had the government saying, 'Things are so bad we're going to have crisis meetings.' Well, what has happened to those crisis meetings? Absolutely nothing. In fact the only legislation this government has in the house, which we will be debating later today, is a bid to further weaken laws in relation to young offenders – further weakened laws, less accountability, less everything, and less safety for Victorians most importantly.

This bill is an attempt to right the wrongs of this Labor government. This bill is an attempt to inject some common sense back into the Bail Act. This bill is an attempt to give Victoria Police and bail decision-makers the tools they need to keep Victorians safe. It will be a great test for this government as to whether or not it is prepared to look at this bill – to allow it to be introduced and to consider it – or will this government do what it has always done and just refuse and deny any opportunity for oppositions to put forward legislation?

This is the government that quite famously, through the disgraced member for South Barwon, used to say, ‘You have no right to introduce legislation to this place; we are the government and you’re not.’ Well, the government was prepared to punt the member for South Barwon from the caucus, but let us see if they have punted his ideas. Let us see if they have punted his arrogance. Let us see if they are prepared to actually allow this bill to be introduced, because if they do not, we will know the ghost of the member for South Barwon still walks amongst them – that arrogance, that belief that only Labor has the right to debate or introduce ideas into this Parliament will still be there.

It is far more important for Victorians that we have sensible bail laws that give police and decision-makers the opportunity to keep them safe. What we are putting forward is something which the Labor government and the Labor Party previously supported. This Labor Party previously supported bail offences. This Labor Party previously supported tougher tests for people who breach bail by committing another offence. This Labor Party previously supported sensible measures, and it is time for them to do it again.

**Tim RICHARDSON** (Mordialloc) (09:39): This is not the time to be considering these matters, and there a number of reasons why this will not be given the airtime that it deserves.

*Members interjecting.*

**Tim RICHARDSON:** If you allow us to maybe have some words, you might learn something. You might tune in a bit rather than just screaming and yelling. We will have the Youth Justice Bill 2024 underway soon, with the work that has been done and the experts that have been advising the Attorney-General and the Minister for Police and the Premier on some of the reforms that will be made. We do acknowledge that there are challenges in Victoria with a group of youth offenders who have been taking Victorians for granted – their impact on lives and impact on the trauma that people experience – and that is why the Premier has acted to bring these people and bring these experts together, not bringing in a bill that has been –

**John Pesutto** interjected.

**Tim RICHARDSON:** Leader of the Opposition, maybe just listen a bit. I know you have got a lot on your plate at the moment, and I know there is a lot of pressure and stress. I know how angry you have been lately. Maybe just calm down a bit. You might have a turn yourself. We are bringing those, not coming in with different views. We have seen the member for Berwick, who had a very interesting view around bail, then coming in with a hard law-and-order message. We saw the consistency of that when the member for Bulleen was the Leader of the Opposition in 2018. Remember all the commentary then? And with Peter Dutton now as federal opposition leader we have seen the narrative and rhetoric. We saw the nuance that the member for Berwick brought to that early on, the understanding as a former police officer about dealing with the causes and the impacts of crime and where we can prevent it into the future. That is the kind of nuance and that is the kind of thought that we need, not some half-baked legislation coming in today that is about getting the grabs. The last minute and a half was an example of some of the commentary, which had nothing to do with the actual bill. I think that was a bit of theatre from the member for Malvern, who is still trying to prove that there is a bit of relevance and gravitas there. There is a bit of a deficit complex there from the member for Malvern –

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

**The SPEAKER:** I do ask the member for Mordialloc to come back to the motion before the house.

**Tim RICHARDSON:** We will have the Youth Justice Bill underway very soon, and we want to make sure that any law reform is done with the greatest amount of consideration, detail and advice from the experts. We have seen those opposite thunder off on a pathway before, against advice from Victoria Police, on their own thoughts and own plans and own schemes, then down the track the



legislation that we bring in has all of the necessary inputs as well – that nuance and that leadership and bringing people together.

We do have a lower rate of youth offending than anywhere else across the nation, but that does not mean that we are not serious about – as Chief Commissioner Patton described – the hundreds of youth offenders that they manage and a cohort in the dozens that are very difficult and challenging. That is what we are confronting at the moment. We have seen crises in New South Wales. We have seen crises in Queensland and across the eastern seaboard, but luckily the support that we have provided to law enforcement, the resourcing that we have provided from eight years ago, means that we need to take the time to get this right, not come into a place to then get grabs for whatever news or whatever social media ambitions. That is not how you govern.

I appreciate the need to introduce bills and the need to each day have something to bring forward. That is different to how the opposition has done it before, and I acknowledge that. That is a bit of extra work that has been done. And as much as the member for Malvern winds me up, he does carry a high load in law reform and bringing forward bills from that shadow cabinet so at least each day they are bringing forward bills. There is a little bit more work going on than we have seen previously, where it just rolls through for months and you do not see any sort of engagement at all. But then to answer the question around how this bill has come to be, you cannot go thundering off if you are in government, with all the nuances and all the work needed to make sure that it does not end up with unintended consequences and does not undermine the real purpose of protecting Victorians and making sure more young people are diverted away from repeat offences. We do not want the system to then be training the next hardened criminals. We need to be dealing with the causes of those behaviours. Having the accountability and that nuance is really difficult, and it has been described in complexity. I think Chief Commissioner Patton's commentary and some of the commentary around law reform from legal experts that we have heard on radio and in commentary have been really important. It is not something that you bring half-baked. It is an important issue that has been worked through by the Attorney-General, the Premier and the police minister, and that is the appropriate frame. Let us get on with the Youth Justice Bill and debating that, which is another important element of the law reform that is going on right now.

**James NEWBURY** (Brighton) (09:44): I strongly support the member for Malvern's introduction of the Bail Amendment (Strengthening Conduct Conditions) Bill 2024. Victorians want bail laws strengthened. The victims of crime want bail laws strengthened. The police want bail laws strengthened. The only people who do not want to strengthen the bail laws they weakened are the Labor Party. That is a fact. We have heard today from the government that they want to think more and talk more. We know what they are doing. The Premier is doing carpool karaoke instead of dealing with the real issues facing this state. Just this week in my community on Monday we had an incident where a disabled woman was driving her son to school and was hit by an offender in another car. It flipped over her car. Guess what, the next day the offender was out on bail. It is an absolute disgrace. On the same day at yet another place in my community three cars were torched. That is two days this week, and I could go through for hours the examples and incidents that have happened in my community alone.

There is a youth crime crisis in Victoria – we know it. The government may want to deny it, and they may want to talk and think more, but this bill will do something significant. This bill will do something meaningful, and it will make sure that the open-door bail policy of this government is actually starting to close. That is what is happening in this state; there is an open-door policy. When you talk to Victoria Police they call it out. I feel so much for Victoria Police because what they are now saying to me is that they are under pressure from their families, because they go out and do the hardest work, they go into the most dangerous places for us to keep us safe and then the next day the people they are arresting are being let out again. So their families are saying to them, 'We are worried about you not just because of your job – because you're working hard to make sure criminals are not on the street, but the next

day they're out again.' So those same violent offenders have to be chased again and again and again, and we hear from the government they want more time to think and talk. It is an absolute disgrace.

We in the coalition have tried to make things better in terms of making sure the laws actually do what they should. We have tried to move bills on move-on laws, machete laws and today on bail laws, because we are seeing what is happening in the community. We know of the 10 per cent increase in crime and the 20 per cent increase in youth crime just in the last year – an almost 20 per cent increase in residential aggravated burglaries. Some of the worst types of offences that people can suffer are to have someone come into their home, and this has been happening for two years in Bayside, as many will know. The government, when this was raised, victim-blamed people in my community for calling it out – victim-blamed them. It is an absolute disgrace, and to think that the Labor government are going to vote against this bill being introduced is an absolute disgrace.

Look at the examples that occurred in my community this week. How can you have a woman driving her child to school – she has a special car to help her drive – hit by an offender? She does not even have capacity to drive that car anymore; it was written off. How is it okay for the government to sit there and say, 'Let's think and talk a bit more'? The sad thing is it is not just the incidents that I have raised. People have died because of these crimes; people have died in their homes. What does it take when people have died – Victorians have died? You would think you would get up. Stop thinking and talking; get up. What is the ministry doing in this place? How can you vote against this bill?

**The SPEAKER:** I ask members not to hit the table when they are making their contributions.

**Nina TAYLOR** (Albert Park) (09:49): If only flailing about and yelling were an effective mechanism for bringing about change in this space, then that would have been mastered by the opposition yesterday in question time. Today we have just heard persons yelling really, really loudly. I did not hear a lot of constructive elements which are going towards diverting –

**James Newbury:** On a point of order, Speaker, this is the second government member that I have called relevance on, and it is important that members not victim-blame. We are standing up for victims.

**The SPEAKER:** Manager of Opposition Business, you had your turn. I ask the member to come back to the motion before the house.

**Nina TAYLOR:** I do think that the timing of this particular bill is intriguing, bearing in mind we are about to proceed to debating the Youth Justice Bill 2024 and that would seem a fit and proper place to be debating the various opinions and perspectives. I know the Attorney-General and the Minister for Police have made concerted and considered efforts and they have indeed consulted widely. It is a continuum – it is not a beginning and an end point – with respective persons with lived experience and Victoria Police and others who work in this space to ensure that the most nuanced and effective reforms can be delivered in this place. If they have had the opportunity to read the Youth Justice Bill 2024 – and I would consider that they have been given ample time to do so – they would know that victims of crime are actually very much a priority in the reforms that are being brought about, which are centred on victims as much they are upon diverting those from committing offences and in effect ending up potentially in a life of crime or incarceration. Either way, they are very damaging alternatives that I would like to think that no-one in this place would be endorsing, and that is why it is so important that, rather than having what I am afraid to say appears to be no more than a stunt, we debate the Youth Justice Bill, which is on topic.

**James Newbury:** On a point of order, Speaker, I find that word offensive. It is outrageous to use words like that over genuine issues. I find it personally offensive. It is totally wrong. The member was reflecting on me and the member for Malvern. I find it offensive.

**The SPEAKER:** I do not think the words were directed at the Manager of Opposition Business or the member for Malvern. It was in the broad context. But I do remind the member for Albert Park to stay with the motion before the house.

**James Newbury:** Further to the point of order, on Tuesday there was a ruling that when offending words were not heard they were withdrawn because the member was offended – the Premier in that case. I have just raised the fact that I was offended by that word, and I would ask you to consider the fact that I was offended.

**The SPEAKER:** I have ruled on the point of order.

**Nina TAYLOR:** What I am simply saying, calmly and in a very considered way because of the gravity of the issues which we are talking about, is that no-one is resiling from the incredible seriousness and the consequential elements of the matters being debated. No-one in any form on this side of the fence is seeking to resile from the very serious nature of matters particularly about youths and the positive or what can be very negative trajectories subject to the supports and other solutions that are provided and which we seek to drive in this place. Hence I am simply suggesting the Youth Justice Bill provides a perfect opportunity to debate these matters.

**Brad ROWSWELL** (Sandringham) (09:54): I also rise to address the Bail Amendment (Strengthening Conduct Conditions) Bill 2024 introduced by the member for Malvern, the Shadow Attorney-General. There is a very clear difference between the government side of the house and this side of the house, and that is that we acknowledge that there is a problem in this state. The government have quite frankly got their head in the sand on this issue. They have got their ears closed off and their eyes shut, and they do not even recognise that there is an issue in the first place. Yet there are people around this state, Victorians around this state – mums and dads, grandparents, aunts, uncles – living in fear for their safety because of the circumstances that this government has created.

The member for Malvern is seeking to introduce a bill this morning – and it is within his right to do so, to take leadership as the state’s alternative Attorney-General and do so in the absence of government leadership on this matter – and the government is absolutely missing. It is true. It is a matter of fact, not conjecture – a matter of absolute fact – that in March this year this government weakened this state’s bail laws. They raised the white flag of defeat when it came to sending a strong message to those Victorians who seek to do other Victorians harm that it was not okay, that they were not going to get away with it.

Victoria Police are fed up. They are absolutely fed up. They are doing, and I will put this on record, a very, very good job at catching the criminals. People on this side of the house – I would expect people in this house generally – respect the job that Victoria Police are doing, deeply, deeply so. They catch the crooks, they bring them before a bail justice – and they let them out. Before we know it they are out again reoffending, wreaking havoc, wreaking fear in our communities, and don’t we know it.

I could speak, but I would prefer to use the time I have remaining to read into *Hansard* emails received from some of my constituents. This from an email received from David:

I attended from concern –

a recent community safety forum –

with the amount of house invasions and aggravated burglaries occurring. In fact a neighbour of mine has suffered two episodes in the last 12 months or so. Property was stolen, including a car and then the replacement car. The occupant family of mother and two teenage children are living in terror of a third event, so much so that they have relocated and the house is on the market. This is the effect of inadequate protection of the community by the Justice system that hands out meaningless penalties to the perpetrators.

Graham said to me:

Everyone in Bayside has either experienced invasion/theft or knows someone who has been affected.

...

It is essential that the bail laws are tightened back to where they were.

People in the community know it. People in the community know that under this government bail laws were weakened. People know that under this government criminals have been given a big, fat green

tick to get on and wreak havoc and terror in our communities, inflicting fear on innocent people, and it is just not right. What will it take for this government to actually recognise this circumstance in Victoria and do something about it?

Yes, it is true, the Youth Justice Bill 2024 is expected to be debated in this place a little bit later today. But the Youth Justice Bill does nothing to strengthen our bail laws. Bail laws were weakened in March this year by this Allan Labor government. The first priority of a government should be the safety and security of citizens – not just their personal safety but their economic security as well – but in this case they have been absolutely wanting. They have no plans to strengthen bail laws in this place, and in the absence of leadership from the government the member for Malvern seeks to introduce this bill.

If the government actually want to hear the concerns of the community, actually want to act upon the concerns of the community and recognise that this is a problem – not just in my part of the world but right across our state, in regional Victoria as well – then they would allow for this bill to be read. They would allow for this bill to be considered. But instead they have got their head stuck in the sand whilst Victorians right around this state are living in fear.

I could think of nothing more important for this Parliament today than to be doing everything we can to keep our community safe, to send a strong message to each and every Victorian that this Parliament takes their safety and security as a point of highest order. But I suspect that this government will not allow that to take place and bail laws will continue to be weakened.

**Sarah CONNOLLY** (Laverton) (09:59): I am not going to say it is a pleasure to rise to speak against this motion. I am actually really disappointed in having to rise to speak on this motion. I will say to the member for Hawthorn, who I probably have not said more than two words to in the two years he has been in here, I am really disappointed. I am really disappointed to stand here and say that. To have the really hard work of police officers – and there are police officers here in this place that are now MPs – and words brought into this place that are said about police officers and the hard work that they do and have them talked about and tossed around as a political hot potato is really disappointing. I will say, as someone whose electorate takes in some of the biggest suburbs and the fastest growing growth corridor in Melbourne's west, I spend a lot of time getting around talking to police, and police officers do incredible work in my electorate. We have long conversations, serious conversations, about the challenges that are facing the community in Melbourne's west but also here in Victoria. I am sad that these conversations are brought into this place and thrown around –

*Members interjecting.*

**Lily D'Ambrosio**: On a point of order, Speaker, it is very hard to hear the contribution from the member who is on her feet. It would be good if there was a little bit more silence in the chamber.

**The SPEAKER**: Members will show some respect to members on their feet. Member for Nepean, I remind you that you are not in your place.

**Sarah CONNOLLY**: I am also really disappointed that the impacts of crime on the victims, some of whom have suffered appalling things in this state, are talked about here in this chamber and used by those opposite for political pointscoring. There are some issues that cause a political divide that should not be brought into this place and used in the community to increase the fearmongering amongst vulnerable people, folks in my community –

*Members interjecting.*

**The SPEAKER**: I ask the house to come to order. The Leader of the Opposition will come to order.

**Sarah CONNOLLY**: It is fearmongering that has really long lasting impacts, particularly in communities like mine. I am not going to use the word 'stunt'. We have talked about a lot of stunts that are usually undertaken, and I note that the Greens members of Parliament are not here for this

motion debate this morning. Stunts have become commonplace in the past six years, increasingly so. I will not call this another stunt, but I do not think there is a genuine ability to have this conversation with those opposite when they try to bring a bill like this into the house just before we stand to debate the Youth Justice Bill 2024. I am really keen to talk about the Youth Justice Bill and get on and debate that; there is some really important work. Many of those opposite do not make much of a contribution here in this place, but I note that you are all sitting there, keen to support your leader, who seems to be fighting this one and trying to talk tough on crime. You have got to talk tough on something, member for Hawthorn.

I have to say I am disappointed. This does have long-lasting and serious impacts in our community. We need to be able to have a proper conversation. Bail laws need the time to be worked through. They have serious consequences in this state. Those opposite clearly are trying to use this as some sort of social media or newspaper headline, and that is what is most disappointing. The conversation of those opposite when it comes to crime, regardless of what type of crime it is, in this state always ends up in three- or four-word slogans that the community, at state elections – and federal elections, mind you – have rejected time and time again. Shame on you.

**Assembly divided on motion:**

*Ayes (26):* Brad Battin, Jade Benham, Roma Britnell, 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, Bill Tilley, Bridget Vallence, Peter Walsh, Jess Wilson

*Noes (56):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, 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, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Sam Hibbins, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, 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.**

***Business of the house***

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

**The SPEAKER** (10:10): Notice of motion 20 and order of the day 5 will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 2 pm today.

***Petitions***

**Mansfield District Hospital**

**Cindy McLEISH** (Eildon) presented a petition bearing 7469 signatures:

The petition of the people of the Shire of Mansfield, and of the state of Victoria, points out to the house that the current powers and responsibilities of the Mansfield District Hospital Board of Directors are under review by an "Expert Advisory Committee" of the Victorian Department of Health. We support the list of concerns raised in our community, and in "The Mansfield Courier", and request the Assembly to maintain the current

powers and responsibilities of the Board of Directors. We respectfully remind the Parliament that our Board has managed our Hospital successfully for 150 years.

**Ordered that petition be considered tomorrow.**

### **Yea and District Memorial Hospital**

**Cindy McLEISH** (Eildon) presented a petition bearing 461 signatures:

The petition of the people of Yea and District, the Shire of Murrindindi and of the State of Victoria, points out to the house that the current powers, authorities and responsibilities of the Yea and District Memorial Hospital Board of Directors have been under review by an "Expert Advisory Committee" reporting to the Victorian Department of Health. We support the list of concerns raised in our community, and in the 'Yea Chronicle', and request the Assembly to maintain the current powers, authorities and responsibilities of the Board of Directors. We respectfully remind the Parliament that our Board has managed our Hospital successfully since inception and that our Hospital was in large part funded by past local residents as a memorial to local men and women from Yea and surrounding districts who died in active service during World War 2.

**Ordered that petition be considered tomorrow.**

### *Documents*

### **Documents**

**Incorporated list as follows:**

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

Statutory Rules under the following Acts:

*Conservation, Forests and Lands Act 1987* – SR 71

*National Energy Retail Law (Victoria) Act 2024* – SR 70

*Subordinate Legislation Act 1994* – Documents under s 15 in relation to Statutory Rules 70 and 71.

### *Motions*

### **Construction, Forestry and Maritime Employees Union**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (10:11): I move, by leave:

That this house condemns the Premier for refusing to support our call for a royal commission into CFMEU misconduct –

**Leave refused.**

**The DEPUTY SPEAKER:** The Leader of the Opposition will resume his seat. Leave is not granted.

**John PESUTTO:** I have not read my motion out. I have got to read the motion out, Deputy Speaker. I am not sitting down.

**The DEPUTY SPEAKER:** The standing orders are clear. That is not in the standing orders. Leave is not granted.

**John PESUTTO:** This is a joke. This is an absolute joke, and you know better. You need to uphold the forms and manners of this house. We are entitled to raise issues on behalf of the Victorian people.

**The DEPUTY SPEAKER:** The Leader of the Opposition knows better than to reflect on the Chair.

**John PESUTTO:** This is a joke. This is a farce, and we are not going to take it. We are here to represent the Victorian people and we are not going to be shut down.

**The DEPUTY SPEAKER:** The Leader of the Opposition will resume his seat.

**Brad Battin** interjected.

**The DEPUTY SPEAKER:** The member for Berwick knows better.

**John PESUTTO:** We are not going to be shut down. We are entitled to raise motions, and it cannot be the practice of this house that we cannot even read motions.

**The DEPUTY SPEAKER:** The Leader of the Opposition is reflecting on the Chair. I call the Speaker.

**John PESUTTO:** Why don't you just say no, and we will be done with it?

**The DEPUTY SPEAKER:** Leader of the Opposition!

**John PESUTTO:** We are not going to be treated like this. We are not going to have this house debased and scrutiny debased. We are not copping it. We have corruption in this state.

**The DEPUTY SPEAKER:** The Leader of the Opposition is reflecting on the Chair, which is contemptuous, and it is very disappointing. You know the standing orders are the standing orders.

**John PESUTTO:** This is a joke. You cannot even read a motion.

**Brad Battin** interjected.

**The DEPUTY SPEAKER:** The member for Berwick is warned. I am referring the conduct to the Speaker, and she will deal with it. Does the Leader of the Opposition have a further motion by leave?

**John PESUTTO:** Yes, I do. I move, by leave:

That this house criticises the Premier for refusing to back our call for a royal commission into CFMEU misconduct, failing to boot bikies from government worksites and refusing an inquiry in the other place, showing the Premier is incapable of cleaning up the corrupt CFMEU or governing with integrity.

**Leave refused.**

### *Committees*

#### **Legal and Social Issues Committee**

##### *Reporting dates*

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (10:14): I move, by leave:

That the reporting date for the Legal and Social Issues Standing Committee's inquiry into capturing data on family violence perpetrators in Victoria be extended to no later than 31 March 2025.

**Motion agreed to.**

### *Motions*

#### **Construction, Forestry and Maritime Employees Union**

**Peter WALSH** (Murray Plains) (10:14): I move, by leave:

That this house demands the Premier explain why she ignored detailed warnings from an Indigenous labour hire firm about CFMEU threats and violence, which she sat on for 12 months, showing a blatant disregard for the criminal behaviours outlined in the letter, including threats to kill a vulnerable young Indigenous worker.

**Leave refused.**

**Bridget VALLENCE** (Evelyn) (10:15): I move, by leave:

That this house condemns the Premier for failing to show leadership by continuing to provide the CFMEU taxpayer funds through the Labor government's Skills First scheme, despite the Premier admitting the CFMEU has a rotten culture and claiming that she would personally be tearing it out from its roots.

**Leave refused.**

**Middle East conflict**

**Tim READ** (Brunswick) (10:15): I move, by leave:

That this house notes the ICJ report advising that Israel's occupation of Palestinian territory is unlawful and that all states have an obligation to neither recognise as lawful nor assist Israel's occupation of Palestinian territories and calls on the Victorian Labor government to end all military ties with Israel, including its MOU with the Israeli Ministry of Defense and its partnership with Elbit Systems.

**Leave refused.**

**Construction, Forestry and Maritime Employees Union**

**Brad ROWSWELL** (Sandringham) (10:16): I move, by leave:

That this house condemns the Premier and her government for squeezing Victorian families with \$21.5 billion in property taxes while wasting \$40 billion on CFMEU-driven cost blowouts on major projects, showing complete disregard for taxpayers hard-earned money and the cost-of-living crisis.

**Leave refused.**

**Middle East conflict**

**Gabrielle DE VIETRI** (Richmond) (10:16): I move, by leave:

That this house immediately reviews all diplomatic, political and economic ties with Israel, inclusive of business and finance, pension funds, academia and charities, in light of the advice by the International Court of Justice stating that Israel's occupation of Palestinian territory is unlawful and that all states have an obligation to neither recognise as lawful nor assist in Israel's occupation of Palestine.

**Leave refused.**

**Construction, Forestry and Maritime Employees Union**

**Sam GROTH** (Nepean) (10:16): I move, by leave:

That this house condemns the Premier's preferential treatment of the CFMEU in tender documents for the scrapped Commonwealth Games village build and demands an immediate review of all tender processes to ensure the corrupt and failed union is not preferenced and Victorians' right to freedom of association is protected.

**Leave refused.**

**James NEWBURY** (Brighton) (10:17): I move, by leave:

That this house condemns the Minister for Planning for admitting she knew of the improper behaviour within the CFMEU as early as last year yet took no serious action or made referrals to Victoria Police, demonstrating a shocking disregard for accountability and justice.

**Leave refused.**

**Emma KEALY** (Lowan) (10:17): I move, by leave:

That this house condemns the \$40 billion in cost blowouts driven by the Premier's complicity and preferment of the CFMEU above other unions, leading to the regional health services' budgets being slashed by up to 20 per cent and under threat of forced amalgamations, placing the health and wellbeing of Victorians at risk.

**Leave refused.**

**Michael O'BRIEN** (Malvern) (10:17): I move, by leave:

That this house calls for a royal commission into CFMEU misconduct on public projects, noting the Premier's 10-year history of enabling union corruption and the preferential treatment given to the CFMEU in taxpayer-funded projects, including the scrapped Commonwealth Games village bid.

**Leave refused.**



**Richard RIORDAN** (Polwarth) (10:18): I move, by leave:

That this house condemns the Premier for prioritising the criminal CFMEU's \$40 billion cost blowouts on taxpayer-funded projects over the needs of vulnerable Victorians, slashing public housing by 1360 bedrooms since 2020, doubling wait times and abandoning over 3000 families a year to the endless waitlist.

**Leave refused.**

**Jess WILSON** (Kew) (10:18): I move, by leave:

That this house condemns the Premier for overseeing a \$10 billion cost blowout and years-long delays on the North East Link, driven by the CFMEU's thuggery, extortionate demands and standover tactics on this taxpayer-funded project.

**Leave refused.**

**David SOUTHWICK** (Caulfield) (10:19): I move, by leave:

That this house condemns the Premier for her failure to protect Victorian taxpayers from the CFMEU tax, whereby CFMEU standover tactics and preferential treatment in government procurement practices, contracts and arrangements have increased construction costs by at least 30 per cent, directly impacting housing affordability and cost of living for all Victorians.

**Leave refused.**

**Brad BATTIN** (Berwick) (10:19): I move, by leave:

That this house condemns the Premier for under-resourcing the Victoria Police, leaving almost 1000 frontline positions vacant and 43 police stations closed, while allowing the thuggish and criminal CFMEU to misuse taxpayer funds and drive \$40 billion in project cost blowouts.

**Leave refused.**

**Roma BRITNELL** (South-West Coast) (10:20): I move, by leave:

That this house condemns the Premier for neglecting the most vulnerable children in our community by slashing child protection funding by \$141 million while affording the criminal CFMEU preferential treatment in government contracts and allowing \$40 billion in cost blowouts on major projects.

**Leave refused.**

**Cindy McLEISH** (Eildon) (10:20): I move, by leave:

That this house condemns the Premier for underfunding desperately needed IVF services to cover the CFMEU's cost blowouts on taxpayer projects, putting the dreams of women desperate to form a family at risk.

**Leave refused.**

**David HODGETT** (Croydon) (10:20): I move, by leave:

That this house condemns the Premier for refusing to clean up the criminal CFMEU by adopting our policy to establish an independent construction enforcement watchdog and enforcing a stringent building and construction code, showing a blatant disregard for accountability and the integrity of Victoria's construction industry.

**Leave refused.**

**Matthew GUY** (Bulleen) (10:21): I move, by leave:

That this house condemns the Premier for betraying the hardworking families of Melbourne's western suburbs by cancelling the long-awaited *Western Rail Plan* while shamelessly squandering \$40 billion of taxpayers money on CFMEU cost blowouts on other projects.

**Leave refused.**

**Danny O'BRIEN** (Gippsland South) (10:21): I move, by leave:

That this house condemns the Premier for recklessly slashing road repairs by 75 per cent and cutting \$88 million from the road safety fund, endangering the lives of Victorians, all while allowing \$40 billion in CFMEU-driven cost blowouts on major projects.

**Leave refused.**

**Chris CREWTHER** (Mornington) (10:22): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving Mornington electorate locals of funding for any rail services whatsoever, buses to retirement villages and upgrades to dangerous Nepean Highway intersections, Emil Madsen, beach infrastructure and more.

**Leave refused.**

**Tim McCURDY** (Ovens Valley) (10:22): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving the Cobram community of a dialysis unit in the Ovens Valley electorate.

**Leave refused.**

**Martin CAMERON** (Morwell) (10:22): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving regional Victorians in the Morwell electorate of funding for better and safer roads.

**Leave refused.**

**Kim O'KEEFFE** (Shepparton) (10:23): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving GV Health of funding for stage 2 of GV Health's redevelopment.

**Leave refused.**

**Annabelle CLEELAND** (Euroa) (10:23): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving health services throughout the Euroa electorate, including Seymour, Kilmore, Nexus, Euroa, Heathcote, and Benalla Health of critical funding.

**Leave refused.**

**Jade BENHAM** (Mildura) (10:24): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving the community of Mildura of a new hospital, our alcohol and other drugs facility, a passenger train and a functional Murray Basin rail project.

**Leave refused.**

**Wayne FARNHAM** (Narracan) (10:24): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving the community of West Gippsland in Narracan of funding for the new West Gippsland hospital.

**Leave refused.**

**Roma BRITNELL** (South-West Coast) (10:24): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving South-West Coast of the necessary funds for the construction costs that have blown out due to increases in price on the South West Healthcare hospital build and cutting the funding to South West Healthcare instead of giving them more money, as every other hospital in this state has been given, for increased construction costs.

**Leave refused.**

**Sam GROTH** (Nepean) (10:25): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving Nepean residents of funding for the much-needed Jetty Road overpass and the Rosebud Hospital.

**Leave refused.**

**Roma BRITNELL** (South-West Coast) (10:25): I move, by leave:

That this house condemns the Premier for wasting \$40 billion in infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving South-West Coast of the much-needed drug and rehabilitation Lookout project, which has been funded everywhere else in Victoria except for South-West Coast. Our community's drug and alcohol needs need to be addressed by this government too.

**Leave refused.**

#### **Land tax**

**Brad ROWSWELL** (Sandringham) (10:26): I move, by leave:

That notice of motion 48, standing in my name, relating to the establishment of a parliamentary inquiry into the impact of land tax on Victorians, be agreed to.

**Leave refused.**

#### **Construction, Forestry and Maritime Employees Union**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (10:26): I move, by leave:

That this house condemns the Premier for failing to accept our proposal for a royal commission and for establishing a formal review, to be headed by Mr Greg Wilson, which will not involve any compulsion of witnesses or documents or evidence, will not involve any public hearings and will not involve any investigation of any matter that touches upon criminality. It is an absolute disgrace.

**Leave refused.**

**Roma BRITNELL** (South-West Coast) (10:27): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving South-West Coast of the necessary funding to get our roads up to a roadworthy state and keep our families safe.

**Leave refused.**

**Emma KEALY** (Lowan) (10:27): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving communities in my electorate of Lowan of funding for their health services, including the Western District Health Service, Willaura hospital and also Mortlake community health services.

**Leave refused.**

**Emma KEALY:** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving the people of western Victoria of critical road funding for the Western Highway duplication.

**Leave refused.**

**Emma KEALY:** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving communities in my electorate of funding for bush nursing centres.

**Leave refused.**

**Emma KEALY:** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving communities in western Victoria of the right to access passenger rail services that can connect them to Melbourne.

**Leave refused.**

**Cindy McLEISH (Eildon) (10:29):** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving those living between Yarra Glen and Yea and heading to Mansfield of desperately needed funds to fix the Melba Highway, one of the worst in the state.

**Leave refused.**

**Roma BRITNELL (South-West Coast) (10:29):** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving South-West Coast of necessary childcare facilities, which should have been planned, built and staffed so women can get back to work and their families can cope in this increased cost-of-living crisis.

**Leave refused.**

**Annabelle CLEELAND (Euroa) (10:29):** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving regional people of crucial train services, leaving them unable to attend health appointments and unable to travel on public transport or having to sit on the floor. It is becoming an absolute disgrace.

**Leave refused.**

**Jade BENHAM (Mildura) (10:30):** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving communities in the north-west of this state of roads that are car- and truckworthy.

**Leave refused.**

**Jade BENHAM:** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving communities in the north-west of this state of vital early learning care centres that the communities desperately need so people can get back to work.

**Leave refused.**

**Tim McCURDY** (Ovens Valley) (10:31): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving the Yarrawonga community of a new bridge over the River Murray in the Ovens Valley electorate.

**Leave refused.**

**Bridget VALLENCE** (Evelyn) (10:31): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving Yarra Ranges communities in the Evelyn electorate of funding to fix dangerous roads, such as the Warburton Highway in Seville East, Maroondah Highway in Coldstream, Clegg Road in Wandin and Hull Road in Mooroolbark.

**Leave refused.**

**Bridget VALLENCE**: I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving the Yarra Ranges community in the Evelyn electorate of funding for Lilydale ambulance paramedics and finalisation of the protracted pay dispute of the Labor government with these hardworking paramedics.

**Leave refused.**

**Bridget VALLENCE**: I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving the Yarra Ranges community in the Evelyn electorate of funding for the Lilydale youth mental health hub.

**Leave refused.**

**Bridget VALLENCE**: I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving the Mooroolbark community in the Evelyn electorate of funding for fixing the single-lane bottleneck of Hull Road under the rail bridge and duplicating the rail line to improve frequency on the Lilydale train line.

**Leave refused.**

### Transport infrastructure

**James NEWBURY** (Brighton) (10:33): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts yet does not deliver the promised \$9.8 million for Hampton Primary School. She should stand condemned.

**Leave refused.**

**James NEWBURY**: I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts yet has failed to deliver the \$11.7 million they promised to Gardenvale Primary School. She should stand condemned.

**Leave refused.**

**James NEWBURY**: I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts yet has shut the Bayside police station at night at a time when we are in the middle of a youth crime crisis.

**Leave refused.**

**James NEWBURY:** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts yet has failed to deliver the promised crossing to ensure schoolchildren can safely cross Glen Huntly Road in Elwood.

**Leave refused.**

**Construction, Forestry and Maritime Employees Union**

**David SOUTHWICK** (Caulfield) (10:34): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving Caulfield Primary School of vital upgrades to improve their school services.

**Leave refused.**

**David SOUTHWICK:** I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving St Kilda Primary School of important, vital upgrades that were promised at the last election.

**Leave refused.**

**Brad BATTIN** (Berwick) (10:35): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving victims of domestic violence access to homes in the Casey region that should have been built under the Big Build.

**Leave refused.**

**Chris CREWTER** (Mornington) (10:35): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving Mornington electorate locals of funding to fix potholes across the electorate, of further resources and opening hours for Mornington police, of building and fixing public housing when we have one of the highest levels of homelessness in the state and of upgrading Mornington Park Primary School and Mount Eliza Secondary College.

**Leave refused.**

**Kim O'KEEFFE** (Shepparton) (10:35): I move, by leave:

That this house condemns the Premier for wasting \$40 billion on infrastructure blowouts due to the Premier's decade of mismanagement and CFMEU corruption, depriving critical funding for the Shepparton bypass.

**Leave refused.**

***Business of the house***

**Adjournment**

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (10:36): I move:

That the house, at its rising, adjourns until 13 August 2024.

**Motion agreed to.**

***Members statements***

**Country Fire Authority Werribee brigade**

**Tim PALLAS** (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (10:37): I rise to acknowledge the recipients of some special awards at the most recent Werribee fire brigade awards dinner. The Werribee fire brigade has a long history. It was officially

registered in January 1915 and will soon celebrate 110 years of service. Over that time people have joined their local brigade for the same reason: for the camaraderie enjoyed together and to help protect their community. While there were many awards presented at the recent awards night, can I particularly acknowledge Damien Milloy, who was presented with the CFA life membership award for 30 years of service. The life membership award is considered for those members who have contributed over and above what might be normally expected of a member. I also want to acknowledge Philip Menzies, who has clocked up 40 years of service. Damien and Philip's duration of membership represents a truly lifelong support of others in the community. Community citations for services were awarded to Daniel May, Rohan Rizzoli and Josh Finlayson in special recognition of their service rendered to a critically injured person during a bushfire in Bunyip in 2019. These dedicated members are ready to uproot themselves and go to where their skills and professionalism are needed, most often far from home. Rohan was also awarded firefighter of the year, along with John Lister, as members of the Werribee fire brigade who provide dedication and selfless devotion in the protection of our community.

#### **Clyde North mobile phone coverage**

**Brad BATTIN** (Berwick) (10:38): Residents of Clyde North have been neglected for far too long when it comes to Labor, and one of the biggest focuses down there is their mobile phone reception. I thought it was quite distasteful this week when I saw two Labor MPs out there on their social media, big smiles, to show that there is a new mobile tower coming up in Clyde North when for a decade the community has been calling for this tower and the only reason it was not built was because of Labor's state planning laws. It was not to do with the feds; it was not to do with Telstra. It was to do with the state planning laws that prevented it. And if they want more evidence of that, we met with the council, who had to block these towers getting built because of the ridiculous state planning laws. So to come out now and brag a decade later that something that should have been delivered as an essential service 10 years ago is now getting done is an absolute mockery of that community.

#### **Thompsons–Bells roads, Clyde North**

**Brad BATTIN** (Berwick) (10:39): That is added to when you go down Thompsons Road. We have seen the delays down there, and the government want to brag that they are upgrading the roundabout. However, when you get to Bells Road – and we have written to the minister and said there is a big issue – it is a safety issue. For cars going around that intersection at the moment it is so dangerous. We have got kids crossing at that road there, and the government have sent out a letter to us stating – these were the exact words from the minister – they are celebrating, and congratulations to the community for that road being opened. However, when I go down there, there seems to be a bit of a problem with the definition of 'opened', because you cannot walk on it, drive on it or go through the intersection. It is actually not open. They cannot open a road, send a letter out to me but not open it for the community.

#### **Poson Dansala**

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:40): I rise today to speak about the immense generosity of the community members in my electorate of Mill Park. I was kindly invited by the Sri Lankan community leaders Pushpa Jayakody and Chandra Bamunusinghe JP to celebrate Poson Dansala recently. Poson Dansala is the celebration of Buddhism arriving to Sri Lanka in the third century BC and is celebrated annually. In true generosity of spirit, local restaurateurs Sina and Erandi Jayathilaka of Sina's Kitchen held an event to celebrate this auspicious occasion by offering complimentary food and drinks to thousands of community members. The atmosphere was so joyful, and I enjoyed actively helping to distribute food and tea to community members from near and far who had queued to join in the celebration. I am proud to represent the Mill Park electorate, a richly diverse multicultural community, and grateful to have the opportunity to learn and share through events such as Poson Dansala. I was also honoured to greet Venerable Pasadika Thero and Venerable

Buddhaviharee Thero of the Dhamsuwa monastery at the event. During these globally challenging times the values espoused through these events of kindness, goodness and tranquillity are truly worth celebrating. The celebratory spirit of the event was captured beautifully through the prayer ceremony, cultural music and festive symbols. My sincere congratulations and appreciation to all the organisers and volunteers who organised this event for our community.

### **NCN Health**

**Tim McCURDY** (Ovens Valley) (10:41): I again want to highlight the desperate need for dialysis in Cobram at NCN Health. Currently there is no dialysis in Cobram and patients need to travel far and wide to receive treatment. Although dialysis is available 30 minutes down the road at Yarrowonga, it is extremely difficult to get a reserved place. Local Yarrowonga and Mulwala patients, combined with the many tourists who enjoy all that Yarrowonga has to offer, book well in advance and take the limited places. I again urge the Minister for Health to seriously consider a dialysis unit in Cobram. There is a minimal cost outlay, and it would save many local patients thousands of kilometres driving to basic services.

### **Gendered violence**

**Tim McCURDY** (Ovens Valley) (10:42): A huge shout-out to Jasmine Adams of Wangaratta and Ash Ladgrove of Cobram, who were the chief organisers of the rally against domestic violence. I went to both rallies last weekend in Wangaratta on Saturday and in Cobram on Sunday morning. Both were well attended and were a fitting reminder that it is all of our responsibility to call out domestic violence and violence of any kind. It should not take a local murder to get people active, but I am so pleased that this national campaign has had strong attendance. In fact the Northern Territory government committed \$180 million on the back of this campaign to help stamp out violence against women, and I encourage the Victorian government to increase the investment to stamp out this insidious and gutless behaviour.

### **Andrew Goldman**

**Tim McCURDY** (Ovens Valley) (10:42): Congratulations to both Katamatite Football Club and Rennie Football Netball Club, who this weekend will play off for the Andrew Goldman cup. Andrew passed away nearly four years ago and was a staunch supporter of local sporting clubs. I will be there on Saturday to hand over the trophy to the winning club. Andrew never forgot local clubs.

### **Bob Steel**

**Danny PEARSON** (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:43): When you come to a football game at Wedderburn, you will see RA Steel, Bob, at the gate, where he will have been since the early hours of the morning selling raffle tickets, filling up drink bottles, collecting meal tickets and generally making sure all the roles of the day are ticking over, always the last to leave, making sure nobody is left behind. Over the last 50 years Bob was president from 1983 to 1985, treasurer from 1986 to 1992, secretary from 2000 to 2003 and senior coach in 1995 when the football club was at its low point. He has coached various junior teams but has also been the team manager, the gatekeeper and a general committee member. Bob has filled various league positions as well. If there was a job to be done at WFC, Bob had already done it or was doing it. His mantra was ‘You don’t just think about it, you do it.’

His first love is the Wedderburn football club. His second has to be the Wedderburn Band Cricket Club. He was president from 1991 to 1993, treasurer for another seven years and WBCC junior coach on and off for about 10 years. During all that time he played a role in maintaining the turf by regularly cutting, watering and rolling. He was always the first there on a Saturday setting up and the last to leave, making sure everything was locked away. Not only has Bob given service to both sporting clubs; he has also been a member of the Wedderburn Apex club, a Lions Club member and president in 2021–22, and he serves on the Wedderburn institute hall committee, Donaldson Park committee of



management, friends of the hospital finance committee, Wedderburn trotting club and Wedderburn Community House. In every organisation he has given his time as president, treasurer and secretary. RA Steel has become an icon within the Wedderburn community, highly revered and respected. A humble man who never sought the limelight, just wanted to get the job done, he has served all his life his beloved WFC and the greater Wedderburn community.

### Government performance

**Roma BRITNELL** (South-West Coast) (10:44): As a result of the government's decade of waste and mismanagement, Victorian home owners are paying the price. Labor cannot manage money, and debt is at a record high. As a result, cost-of-living pressures are getting worse, but as they get worse this government punishes Victorians through higher, unfair taxes. A very real example comes from a retired constituent of mine who has lived on his property for over 30 years and is being hit by this new tax. He recently received a windfall gains assessment valued at over \$30,000 due to land rezoning. This constituent did not initiate rezoning, nor was he even aware of it occurring, nor is he trying to make a buck, but he has been ordered to cough up \$30,000 within eight weeks of receiving the notice. If the payer cannot afford to pay up-front, they can elect to defer, but doing so incurs accrued interest. In this instance this adds up to potentially an additional \$18,866 over 10 years on top of what this constituent is already forced to pay through no fault of his own. All the while this government wastes billions of dollars and is then rorted by organised crime via the big rotten build projects. It is the government's massive waste and mismanagement that has left us with a bill of \$187 billion of debt in Victoria, and families, retirees, mums and dads – everyone – are being shaken down by this rotten government.

### East Ivanhoe Preschool

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:46): I just thought I would get up and have a chat about East Ivanhoe Preschool and the \$3.6 million commitment that our government has made to building a brand new kindergarten in East Ivanhoe at the preschool. Over the next six months we are going to see a brand new build in East Ivanhoe that is going to open up places for 110 local children. That is effectively doubling the capacity there at East Ivanhoe Preschool. Construction is underway now. I was there with the Banyule City Council mayor Peter Castaldo, who is also a local councillor there, and it is great to be working with Banyule on renewing and refreshing our preschool facilities across the Ivanhoe electorate.

It is part of wider kinder reforms. We are seeing those reforms delivered in partnership with early learning providers and local councils so that all Victorian kids can now get two years of free kinder support. Every three-year-old can now have at least 5 hours of free kindergarten a week, and by 2029 we will increase that to 15 hours. We are also doubling the kinder for four-year-olds to 30 hours a week with the new pre-prep. It is about giving children the best start in life, but to do that, though, we have got to make sure we are investing in our facilities and services, those preschool centres, so that they can cater for more families and more children. There are plenty of young families in East Ivanhoe, where there is a great history, but of course a lot of our services that have provided great services for many generations need to be renewed, and this \$3.6 million brand new kinder expansion in East Ivanhoe is going to be great for the local community.

### Energy policy

**Sam HIBBINS** (Pahran) (10:47): I rise to condemn Labor's approval of new offshore gas projects. It beggars belief that in the middle of a climate crisis the Victorian Labor government has given Beach Energy a permit to drill for and extract gas under the ocean right near the Twelve Apostles when we know that fossil fuels need to be left in the ground to have any chance of keeping temperature rises to below 1.5 degrees. Now the federal Labor government have, unbelievably, opened up vast areas of Commonwealth waters for gas drilling just 5 kilometres from the Twelve Apostles. Just last week was the earth's hottest day ever, but Labor and Liberal just do not seem to comprehend the magnitude of the crisis. They are going all in on gas and all in on the extraction of even more fossil fuels.

Just this week I stood on the steps with young people who are calling for the right to a safe climate to be included in Victoria's Charter of Human Rights and Responsibilities so the state government would be required to consider whether any new policies or legislation could make climate change worse, particularly for future generations. The intergenerational responsibility we have in this place is momentous. It needs to be made clear: fossil fuels need to stay in the ground. Otherwise the government is selling out generations of Victorians and making climate change worse.

### **Ezi Magbegor**

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (10:49): Congratulations to Craigieburn local Ezi Magbegor for competing in the Paris Olympics this year representing Australia along with the rest of the Opals basketball team. Ezi has had a terrific sporting career, making her international debut at the 2015 FIBA U19 World Championship, where Australia took bronze, and since competing at the 2018 Commonwealth Games before she was signed with the Melbourne Boomers in the WNBL and eventually joined the WNBA team Seattle Storm in the United States. This is not Ezi's first time competing at the Olympics, though; she previously competed in the Tokyo Olympics in 2021. I wish Ezi and all of the Australian athletes competing at the 2024 Olympics the very best of luck. These terrific role models give inspiration to so many young athletes who hope to follow in their steps as they pursue their sporting dreams.

### **Kalkallo Youth Advisory Council**

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (10:49): I would also like to take this opportunity to acknowledge the fantastic work of the Kalkallo Youth Advisory Council. Thank you to Aarav, Alyssa, Ammar, Aneeta, Athena, Aric, Eshaal, Gabrielle, Harkirat, Hope, Husain, Jayde, Kayla, Manraj, Mantasha, Maria, Marseel, Matthew, Nathaniel, Nayush, Omar, Priyanshi, Sarah, Shannon and Uthish. This year members have decided to focus on the issue of environmental protection and have decided to raise awareness about the issue locally by developing a flyer which they plan to distribute to their peers throughout my community. The flyer will provide information on why young people should participate in environmental initiatives and how they can do so. The work that they have done so far has been terrific, and I cannot wait to see the final result.

### **David 'Macca' McCarthy**

**James NEWBURY** (Brighton) (10:50): He will be very unhappy with his biggest secret being debunked, but David 'Macca' McCarthy's bark is a lot worse than his bite. This month he steps down as president of JOY after serving seven years as president. His significant contribution as a leader of the Rainbow community deserves acknowledgement. As a JOY member for 25 years, a radio presenter for 21 years and lead presenter of *Sat Mag* for 14 years, he has been a fearless and unflinching advocate for equality and the rights of the rainbow community. What also sets him apart is his advocacy of policy, not politics, a testament to his character. Though history in *Hansard* should record his efforts, I am not sure our friendship will do much for his street cred.

### **Brighton Beach bathing boxes**

**James NEWBURY** (Brighton) (10:51): Last week 20 of the Brighton Beach bathing boxes were broken into over three nights. The break-ins caused extensive damage and property was stolen. For background, the boxes are listed on the Victorian Heritage Register. Bayside council are custodians of the Brighton foreshore and box owners hold long-term leases, but council imposes all costs on the box leaseholders. Disappointingly, council refuses to provide any security or proper lighting of the beach despite it being a magnet to hundreds of thousands of tourists. Box owners are wrongly being forced to pay tens of thousands of dollars for private security to patrol the site, and let us not forget the Treasurer shamefully and mistakenly trying to charge owners land tax earlier this year. Given ongoing crime, we need enhanced security at the site and more broadly across Brighton.

**Stefan Romaniw**

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (10:52): I rise to pay tribute to a life well lived and to someone we are going to miss terribly, and that is Stefan Romaniw. I know that the Leader of the Opposition also spoke about him, as have others in the past. He was described as a titan of the Ukrainian diaspora and as a giant of a man with a giant heart, and having known Stefan for years, I feel that those descriptions are absolutely apt. I joined the Victorian Multicultural Commission as a staff member under the chair George Lekakis. Stefan was the immediate past chair, and he had warmth, energy, drive and commitment. He did not care where you sat, what your gender was – anything. He cared if you were joining him in the journey of pursuing change and reform. He was an absolutely extraordinary Victorian. He was first vice-president of the Ukrainian World Congress, then co-chair of the Australian Federation of Ukrainian Organisations. He was a chairman of the Ukrainian Youth Association and held many other roles well beyond the Ukrainian community. As others have said, he was executive director of Community Languages Australia, so he looked after all ethnic languages. He represented the multicultural community through the Victorian Multicultural Commission as chair. One thing that I really was taken by was when he said in an interview:

I've been blessed with a community that has given me the skills to be able to move forward in life.

...

somebody gave me this little saying the other day "When you drink a glass of water, don't forget who dug the well."

**Construction, Forestry and Maritime Employees Union**

**Bridget VALLENCE** (Evelyn) (10:53): Unlawful conduct, abuse, intimidation and thuggery by the CFMEU on Labor government infrastructure projects have been exposed. After 10 years of the Andrews–Allan Labor government, a gangster culture of bullying, standover tactics and corruption on state government construction sites has been allowed to flourish. Premier Jacinta Allan was the minister responsible for the Big Build infrastructure projects dominated by the CFMEU and has known about the CFMEU's thuggery and criminal links since the 2015 Victoria Police submission to the Royal Commission into Trade Union Governance and Corruption, which she commented on in 2016. The royal commission resulted in the Australian Building and Construction Commission being established, but after it was successful in more than 200 prosecutions, imposing over \$15 million in penalties on the CFMEU, the Albanese Labor government abolished the ABCC shortly after it was elected.

Allegations of kickbacks, misuse of public money and criminal associations have been rife, with only CFMEU-approved suppliers winning contracts for Labor's Big Build, despite their bid prices being double that of their competitors. North East Link, Melbourne Metro and West Gate Tunnel projects have been disrupted, delayed and held to ransom by the CFMEU drastically forcing up the cost of these projects, with Labor's major construction projects now \$40 billion over budget. Victorian builders and workers have been bullied and stood over by CFMEU bosses for too long. Victorian businesses have been shattered and the mental wellbeing of many young workers damaged. The Victorian Liberals will establish a new watchdog to enforce fair standards of conduct under a new code of practice for Victoria's building industry.

**Rex Smith**

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (10:55): I rise to mourn the passing of Mr Rex Smith, who was a much-loved stalwart of the Greensborough Football Club. Rex's connection to the club goes way back to the 1970s when he got involved with the club through the participation of his sons. In 1985 Rex became the inaugural president of the junior football club and would later be involved as the secretary of the senior club in the 1990s and 2000s. A particular point of shared pride came during his time as club secretary in 2006 when the senior football club won impressive division 2 premierships in all the A, B and C

grades. His commitment and pride in the history and traditions of the Greensborough Football Club were legendary, and even in his later years he was known at the club as being the first car to arrive in the morning to watch the under-19s play. He was always committed to supporting younger players coming up through the club.

Local sports clubs like Greensborough Football Club thrive when they have members and volunteers as devoted to the operations of the club and the betterment of the community as Rex Smith was in his almost half-century involvement at Greensborough. He is remembered as a genuinely warm person by anyone who knew him at the club, and I extend on behalf of my local community the deepest condolences to the Smith family and to the Greensborough Football Club community. He certainly will be sorely missed. Rex certainly epitomised Greensborough's motto 'All My Life'.

### **Kokoda Track**

**Martin CAMERON** (Morwell) (10:56): I rise today to talk about my nine-day Kokoda trek that I undertook with my good mate the member for Gippsland East. We set off from Kokoda and walked to Owers Corner, some 130 kilometres, with both students and adults. The Marsh/Tierney scholarship that we set up for my electorate in Morwell allowed us to take a 16-year-old girl called Amelia van Vliet from Morwell, and what an incredible story she had to tell. In an emotional journey Amelia got to complete the trek, the same trek that unfortunately took the life of her father 15 years earlier when he was killed along with other trekkers when the light plane they were in crashed into the side of the mountain over at Kokoda. With the help of the member for Gippsland East we were able to visit the Australian embassy in Port Moresby, where there is a memorial with Amelia's dad's name on it. We also got to visit another memorial with his name on it at the Kokoda hospital before being able to stop on the side of a mountain and being able to still see the site, some 15 years later, of the actual plane crash. To be able to share this experience with Amelia and our group, as well as pay respects to the soldiers who sacrificed their lives on Kokoda so we can enjoy the way we live our life now, was certainly very humbling, emotional and something I will never forget or take for granted.

### **Gary Ward**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:57): I rise to pay tribute to my wonderful dad Gary Ward who passed away on 18 July. My inspiration and my hero, he was a big-hearted man of courage, compassion and immense integrity as well as a lot of fun. He and Mum raised us with both Catholic and Labor values of social justice and caring for others. He dedicated his life to the betterment of the rights and conditions of workers as a union organiser for the SDA for more than 30 years. He also contributed to our local community in many ways, including through the Corpus Christi school and parish and the Therry Penola football club and as a life member of Glenroy Cricket Club.

A true believer, Dad joined the Glenroy West branch of the Labor Party in 1985 and helped at every state, federal and local election. Unfortunately he died one year short of his ALP life membership. Although he became a paraplegic in 2005, he continued to be involved and fought the good fight to the end. He was still involved in the campaign to bring back a post office to Glenroy, and I thank him, Sonja and John Rutherford and all the members of the post office working group for their continued work and for not giving up. I will again write to Australia Post, and I also thank Peter Khalil for his continued advocacy on this issue.

Dad touched the lives of so many and was loved by all who knew him. I would like to take this opportunity to thank his team of dedicated carers, especially Kala, Romina, Germeet and Louise, who shared his journey and lots of laughs along the way and always provided assistance with such dignity and respect. Thank you.

### **Paris Olympics**

**Sam GROTH** (Nepean) (10:59): As we all know, the Olympics are in full swing, and I just want to acknowledge some of those Olympians from my electorate of Nepean competing over there in Paris: Emily Whitehead, who is a part of the women's gymnastics team; Eileen Cikamatana, who will

represent Australia in the women's weightlifting; and Caitlin Parker, who the Dromana community has gotten heavily behind, is in the women's boxing.

Last week I had the opportunity to go out to Rye Primary School and show them my Olympic uniform from Rio in 2016. I know it does not fit quite as well as it used to, but the students there really embraced the opportunity to talk everything Olympics. They will compete in their own Olympic day tomorrow at school, embracing everything that is the Olympic Games and the values that they represent. Of course I got so many questions from them about what the Olympics means. We are one of only two countries to compete in every modern Olympics since 1896, and there have only been 4315 Olympians representing Australia. So while I got asked the question if I had ever won a medal, of course the answer was no, but I am very, very proud to be a part of that small Australian cohort that can forever call themselves an Olympian, and I do encourage, just as the Australian Olympic team is doing, that everyone tomorrow embraces green and gold day in support of our athletes, whether they are at home, at work or at school. Get behind our Olympic team and wear green and gold to work tomorrow.

### **Cyprus settlement**

**Nick STAIKOS** (Bentleigh) (11:00): July marked a very sad milestone, one that is felt deeply by the Hellenic community. It has been 50 years since the invasion of Cyprus and the continuing division on the island. I acknowledge the 175,000 people who lost their homes and all of their possessions. I acknowledge the families of the 9000 people who lost their lives, and I acknowledge the families of the 1000 people who remain unaccounted for 50 years later. I have grown up knowing people with harrowing stories of the events of July 1974. I know people whose loved ones remain missing presumed dead. I know people who picked up their families and ran, leaving everything behind thinking they would return home but were never able to. I know someone who was just an infant when he arrived in Australia from Cyprus as a refugee. He does not have his original birth certificate; it was left in a drawer at his home along with family photographs and other precious possessions. He and his family fled, and never saw their home or their possessions ever again. The story is repeated thousands and thousands of times over. I have also heard of remarkable stories of goodwill between Greek and Turkish Cypriots. I have heard from people who have since visited homes that they lost in 1974 and been warmly embraced by the current residents of their homes. Many of them even held onto their possessions in anticipation of such a meeting. No hate between them, just humanity. My hope on this 50th anniversary is that every ounce of humanity, every ounce of goodwill is harnessed to finally, once and for all, resolve this issue.

### **Holy Spirit Church of the Syriac Catholic Community**

**Iwan WALTERS** (Greenvale) (11:02): I rise today to acknowledge the extraordinary leadership of Reverend Monsignor Fadhel Alqass Ashaq; His Grace Bishop Georges Casmoussa, the Apostolic Visitor of the Syriac Catholic Church in Australia; and all members of the Syriac Catholic community of Melbourne who have contributed to building the beautiful new Holy Spirit Church. Earlier this month I was overjoyed to join many hundreds from across my community for the blessing, consecration and formal opening of this wonderful new home for the Syriac Catholic community by His Beatitude Mor Ignatius Joseph III Yonan, Patriarch of Antioch and all the East.

This proud community, with ancient roots in Mesopotamia as the indigenous people of Iraq, has grown so rapidly in Australia in recent years, with hundreds of families now calling Melbourne home. It is a community who have endured so much hardship and persecution but who remain strong and deeply committed to their faith and to our community. The Holy Spirit Church will be a safe, permanent home for the Syriac Catholic community in Melbourne's north, one that has been built by the hands and the hearts and through the generosity of the community itself.

I particularly thank Monsignor Fadhel for his steadfast leadership of the community since 2011, for his pastoral ministry and for his leadership of a community that has suffered so greatly and arrived in Australia after often deeply traumatic and violent experiences. It has been so profoundly inspirational to see the impact of the community's hard work in fundraising and building their new church. I thank

and acknowledge all the Syriac community members, the tradies and all of those who have donated their time, their expertise and their skills and material to make this Holy Spirit Church a reality.

#### **Filipino community**

**Pauline RICHARDS** (Cranbourne) (11:03): I am very pleased to have the opportunity to rise today and talk about some of the wonderful things that have been going on in my community, particularly the Pinoy community. They held an extraordinary day last Saturday. The leadership of the Filipino community in Cranbourne is just something that really speaks to the values of the community. In particular I would like to acknowledge the cybersecurity and financial literacy forum that was held and, as always, managed by volunteers. Alfie Tilan, Ness Gonzalez, Rachelle Orodio, John Araneta and Derrick Castro have all been part of the committee that organised that. I was really fortunate to be able to participate.

#### **Sikh community**

**Pauline RICHARDS** (Cranbourne) (11:04): I would also like to say how grateful I was to the Sikh volunteers for coming in to visit Parliament recently, in particular for introducing me to Bir Singh. Bir is a really important lyricist and an incredibly accomplished singer. The gifts of the Punjabi language and music are something that I was very grateful for.

#### **John Kennedy**

**Pauline RICHARDS** (Cranbourne) (11:05): In the last seconds I am just going to say it was great to meet John Kennedy and John Kennedy's cousin John Kennedy. The Kennedy clan came in, and it was a great welcome. It was wonderful. What a great member of Parliament he was. We are still so lucky.

#### **Literacy education**

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (11:05): Like many colleagues here, I think there is nothing more important than what happens inside our classrooms, whether it is in early education, primary, secondary or beyond. There is no investment more powerful than in education. Before I took this job I had no idea that teaching reading had changed so much over my lifetime. To me, explicit teaching is based on the simple, respectful acknowledgement that the teacher holds knowledge that the student does not yet have, knowledge that must be taught, and the evidence tells us that when teachers use explicit instruction, students learn and they learn well. It engages all students for optimal learning. Of course all learning begins in the home, and parents are the best role models for good behaviour. This morning I was with the Premier to release our 2025 prep bags, which we know will help families. Equipping our teachers with materials that allow them to explicitly teach positive behaviours helps them to ensure our classrooms are made safe and orderly for all children.

I was proud to recently announce that from 2025 the Victorian government will be revising and updating the Victorian teaching and learning model to embed explicit teaching at its core, including the use of systematic synthetic phonics. Systematic synthetic phonics is the most effective way to teach the vast majority of foundational students reading comprehension and literacy improvements, building students' imagination, curiosity and capacity to ask questions and investigate and indeed to develop their capacity for lifelong learning. Students can only use their imagination to develop curiosity when they have knowledge on which to build their curiosity and imagination. All of the evidence is clear that the best way to develop new knowledge is through explicit teaching.

#### **Werribee Open Range Zoo**

**Mathew HILAKARI** (Point Cook) (11:06): The herd is on the move. We are taking the elephants from Melbourne Zoo to Werribee zoo, to their new home, which is actually as big as the whole Melbourne Zoo. They are the sorts of facilities that elephants deserve. I cannot wait to see it grow more and more out of the ground.

*Bills***Youth Justice Bill 2024***Second reading***Debate resumed on motion of Anthony Carbines:**

That this bill be now read a second time.

**Brad BATTIN** (Berwick) (11:07): I rise on behalf of the opposition to start our contribution to the debate on the Youth Justice Bill 2024. In doing so I will be going through different parts and different elements of the bill. As most people would understand, this bill has over 1000 clauses and is over 1000 pages, and to address every clause in a 30-minute period would be quite difficult with the amount of time we have. I will give it a go, though. This bill originally came from a report that was published in 2017 by Penny Armytage and Professor James Ogloff AM on meeting needs and reducing offending. The *Youth Justice Review and Strategy* was classed as a landmark strategy at the time on what we needed to do with youth justice. This report originally stated:

The Review provides an opportunity to redesign the system to create an evidence-based response to youth offending and youth crime that is reflective of the needs and attitudes of young people and the broader community.

I think a really important part we have to consider is that it was also about the community's views; it was not just in relation to outcomes for young people but how it impacts the whole community. Since that review we have seen widespread support for some of the things that have been put forward in the past, but the Allan Labor government has really done very little when it comes to youth crime here in our state. I will go into that in more detail when we start to see what is happening with crime in Victoria, but we do note that because of this lack of change there has been no real change to the youth justice legislative framework. There have been seven years of inaction, seven years of a government failing to address the root causes of youth crime and failing the youth justice system, and as I said, the results speak for themselves. Youth crime continues to rise, violence is getting worse, knife crime is increasing and people feel less safe in their homes. This is not coming from us, this is from speaking to victims in the community.

I have to say, when it comes to the spin from this government, the date of releasing this particular bill could not have been any better when you are talking about Labor spin. It came the day before the crime statistics came out in Victoria with the largest increase we had seen for a long period of time, particularly around youth crime and youth violent crime.

It is important to note that when the government talk about diversion in this bill we have got to be very cautious. Diversion away from custody and diversion so that a person cannot commit a crime are two totally different things, and I think with what the government is putting in place there are going to be zero outcomes and zero responsibility for a cohort of young people.

While this bill addresses one specific area around raising the age to 12, the government is on record saying that the goal is to raise the age of criminal responsibility to 14 here in this state. They were originally going to put it in the bill. I think they have jumped at shadows a bit in that, and they have changed that. We have some concerns about raising the age, at this time, up to 12. There is a red flag, and there is much the government could have done with the new legislation. They should have put victims first. We should be improving safety and we should be delivering on the main goal of the report and the review, and that is to stop young people committing crimes, not pretend it does not happen.

What is the bill about? The bill creates a standalone Youth Justice Act by removing the youth justice provisions from the Children, Youth and Families Act 2005 and placing them into one simple new act. The bill is set to raise the age of criminal responsibility to 12, and it will also set out new transport

powers for Victoria Police for people who are aged 10 and 11. At this stage I would like to move, on behalf of the opposition, a reasoned amendment. I move:

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

- (1) a comprehensive, fully developed and fully funded program to target and divert at-risk individuals and cohorts of young people to prevent crimes occurring is agreed to by all stakeholders;
- (2) community safety concerns about the current level of youth crime in Victoria are addressed; and
- (3) further assessment of and consultation on more binding powers to manage young people where it is deemed their behaviour poses a risk to the safety of others is completed.’

There are many reasons why I have moved this reasoned amendment, and none more so than to ensure that we do put community safety as a priority. It is important to note the goal of this system and what should be that goal. Every one of us in here wants to make sure that our community is safe, that we prevent crimes occurring and that we are supporting those who need it, and this in turn will put less people in jail. That is our ultimate goal.

Ten years into the Allan Labor government holding office, the results speak for themselves. The level of inaction is borderline offensive. Point (1) in the reasoned amendment is perhaps the most important element of the Armytage–Ogloff review and is a reform that should have started straight after the review was released. If this had been done at the time that the review was released in 2017, not seven years later, we may have actually seen the impact of this on some of the changes in crime that we are seeing now.

Chapter 4 of the review is about diverting children away from the justice system. This should be the goal of all crime prevention. Every program should be designed to work with these young people. However, they must be held accountable still; the young people must be held accountable for their crimes and actions. You cannot divert all young people away from a custodial sentence. You need only look at the Labor government’s decision to weaken the bail laws here in our state, and we are seeing the outcomes of that today, where young people who get bail continually repeat violent crimes. We have some serious questions on this bill and the failure to address specifically chapter 4 of that review.

Where is a comprehensive strategy – we have not seen it – about targeting at-risk youth from this government? There is none. We know it is a fact that the Allan Labor government, instead of working to prevent crime, is cutting funding from crime prevention here in Victoria. In the recent state budget the Allan Labor government cut \$20 million from crime prevention, at a time when crime is reaching record levels here in our state. This cut directly impacts on delivering these programs. It is cutting money for community-based offender supervision. It is cutting money for youth diversion programs. This is because the government have managed to lose control of the budget and they have got to find ways to make savings. The savings that they are talking about now, by cutting funds for crime prevention, in the long term will cost Victorians millions if not billions of dollars. The cost to keep a young person in custody is nearly \$6000 per day. It is cheaper to send 40 kids to Scotch College here in Victoria than it is to keep one locked up for a 12-month period. If the government was smarter in this and had done this earlier, it could have had crime prevention models in place and used that money and diverted it to crime prevention here in our state. This bill, which should be for a youth justice system to address the reasons for offending and also should address the community’s concerns, has failed on both counts.

Point (2) of my reasoned amendment focuses on community concerns around the rise in youth crime, especially violent crime. I will go through some of the statistics, but I will also go through some of the facts that are out there at the moment. On 13 January Ashley Gordon, a young Victorian doctor, was fatally stabbed by 16-year-olds. In the article in ABC online Dr Gordon’s sister Natalie Gordon said the family were still struggling to make sense of what happened:

“This has affected more than our family,” Ms Gordon said.



“This has affected his patients, his friends – it’s reached our entire community.

“I don’t want anyone to feel what we are feeling.”

In this article the family, friends and community who knew Dr Gordon are not just calling for the Bail Act amendment to ensure that bail is fixed so it does not happen to anyone else, because these offenders were on bail, but also saying to the government, ‘Please ditch your push for raising the age to 14.’ We as a Parliament must be supporting these voices, these families, these communities. The Allan Labor government must explain to the Gordon family why they still refuse to fix the bail system and ensure that there is no-one else left in the same position as the Gordon family, who lost their loved one Ash Gordon.

On 2 July William Taylor was another victim of the youth crime crisis in Victoria. Mr Taylor was tragically killed when a stolen car crashed into him while being driven by a 17-year-old. According to the *Guardian* of Thursday 4 July:

Prosecutors asked the court for 12 weeks to prepare a brief, but the children’s court judge asked what evidence they had to prove he was the driver of the Jeep.

The prosecutor said police seized a pair of white shoes from the boy’s home when they arrested him, which she alleged the driver was seen wearing in CCTV footage of the collision.

She said they also seized a mobile phone, which she alleged was used to make a call near the scene.

...

She said one of the two girls arrested told police the 17-year-old was the driver ...

So we have got a witness to it. It was alleged that this vehicle, the Jeep, was stolen in an aggravated burglary just days prior. He was bailed, only to breach that bail within the next 48 hours, and Victoria Police had to use up important resources to go and find him. Again, that was a terrible message to the family who had just lost a loved one – that it did not matter – and the judge made a decision based on the laws in place from this government to grant bail to someone like that.

The youth crime statistics in our state we have all seen. They come from the crime data statistics which come out every three months. There has been a 20 per cent increase in criminal incidents by youth offenders – a 20 per cent increase – in the last 12 months. Aggravated burglaries increased in that time by 18.4 per cent – 18.4 per cent. What is worse than that is since 2014 aggravated burglaries have increased by 146 per cent across our state. It is not just in one area, it is not just in one community; it is happening across the whole state. Mildura had the number one amount of aggravated burglaries. Berwick was number two in the number of aggravated burglaries. We have got aggravated burglaries through the west and the north. They are not just after specific cars, and they are getting more and more violent. It is simply not the time to change some of these laws. We should be putting in place programs and investment to ensure these young people have a genuine opportunity to not commit the crimes in the first place. On top of this, in the last six years 137 people have been injured by cars stolen in aggravated burglaries, and this rate continues to increase. It increased by 53 people in the last 12 months – an 82 per cent increase in the number of people who have been injured by stolen cars – and a lot of these stolen cars are coming from aggravated burglaries.

The concern for the Liberal and National parties is that the biggest obstacle preventing real change is the lack of admission that there is an issue here in the state, and the government continues to do it. In July the Deputy Premier claimed Victoria has some of the toughest bail laws in Australia. I invite the Deputy Premier to join me to explain to the families that I have mentioned in the past who have lost loved ones or to sit down to explain to the many other victims of violent crime how the bail laws protected their families. Did the bail laws live up to the expectations of community views? The simple answer is no.

When it comes to raising the age in this state, I have been on record talking about how I would love to have no young people in jail. That is an ideal, an absolute goal, that I think everyone should be targeting. How awesome would it be to have no need to have a youth detention centre in our state? It

is an outcome that I know I would want and, Acting Speaker, I am very confident that you would want. I am very confident everyone in this house would want to never have a youth justice centre. However, the current circumstances show we do need them.

Young people who commit crime and knowingly do so should be held to account, and there are current laws to protect those that do not have the capacity, the *doli incapax*. There was a case in Victoria just this year, which was highlighted in the *Age* on 16 May 2024, where a statement from the Director of Public Prosecutions after the charges were dropped said:

It was the director's position that there were not reasonable prospects of a conviction in this matter because the prosecution would not have been able to rebut the presumption of *doli incapax* ...

This highlights that we already have the protections in place for those young people who are 10 to 14 and older if they do not have the capability to make a decision between right and wrong. These safeguards rightly operate here in this state already. They are rightly there to protect young people who are not in the position to make a decision or to understand the consequences of their decision. They are there to protect those kids that we have already seen – some of those with mental health needs, some of those with a limited capacity to make decisions because of their IQ et cetera as well. These protections are already there.

But this bill means a person aged 10 or 11 can never be held to account for a violent crime. They cannot be forced into a prevention program. They can be forced to go through the justice system. They cannot be put into a position of a diversion. They cannot be put in a place where we can use other community facilities to give them the best opportunity and the tools they need moving forward to ensure that they do not commit crime long term. So whilst I have said before my absolute goal is to have no young person in jail, we need to have a system where when any person enters or should be entering the justice system, we can use wraparound services and, if need be, force these young people into these wraparound services to give them the best opportunities going forward. That is gone once this bill goes through. The stats are clear. It is just not the right time to change this, and we believe that we must have the responsibility there.

Rather than just being negative, I want to talk about some of the positive things that we could look at where we can make that change. I had the pleasure of going over to the UK in Cheshire, where they are actively working with young people. They take health services and council services, and they use all the local organisations that they can that deal with young people, whether it is not-for-profit or paid services through the state, including government and including justice. They get the highest risk young people, and they put wraparound services on each person. They had 15 when I was there – 15 kids at extreme risk of committing crime. Of those 15 with the services they provided, those services then bleed out and help other people that they are associated with, or they identify the issues in the home and they directly work with those young people at home. They do not remove the responsibility. They do not say these kids cannot get forced into some of these things. They put the practices in place to ensure that these young people – these young kids – have every opportunity to get the tools they require to succeed in life.

This is after a 30 per cent crime rise in Victoria when – and the Chief Commissioner of Victoria Police has even stated this – crimes committed by 10- to 13-year-olds rose by 22.5 per cent and offences by 10- and 11-year-olds rose by 65. The Victorian police commissioner does not support raising the age to 14. Victoria Police do not support it and the Police Association Victoria does not support it, and I think we need to have those voices heard in this argument. We need to understand that there are already practices in place to protect young people who do commit crime. As I have said, one of the things I think that we must be very, very cautious about with those 10- and 11-year-olds is that we as a Parliament, we as a community, do not remove the responsibility for them of committing the crime. There are other ways around it where we can ensure they get the services they need. What this bill will do is remove them, and we will not be able to have that opportunity for them.

The transitional provisions for this do create some issues and concerns for us, and people who have read through the bill will understand. In part 19.1, any criminal offence committed by a 10- or 11-year-old person before the commencement date is rendered null and void, so effectively the charges that were there will no longer be there. The police cannot lay charges even if an investigation has commenced for anyone who is 10 or 11. Court proceedings must not be started. If they have been started, they must immediately cease. For anyone serving a custodial sentence or any other sentence, that sentence must be stopped. What a risk. If we have got a young person who is 11 years old who has gone through the justice system and is not in custody but is currently working through having support services because the court has put them in place, we are now saying to them, 'You don't even need to complete your services.' We are now saying to them, 'You don't even need to complete that with the extra support, and you or your family can say, "No, we're not interested anymore."' That is a negative outcome from this bill. The resulting message is giving effectively a green light to some of these things and creating what I would call a new norm. Whilst for 10- to 11-year-olds the concern from some will probably be less, the government's aim is to push this up to 14, and we are seeing some of these violent crimes from 12- and 13-year-olds right now, so much so that the police commissioner came out and spoke about it.

There is a whole section in the bill in relation to Aboriginal children and young persons, and there are a number of sections of the bill that set up youth justice matters specific to Aboriginal children and young persons: part 1.3, division 3, 'Guiding youth justice principles and matters specific to Aboriginal children and young persons'; part 2.3, 'Aboriginal youth justice agencies'; and part 7.1, clause 210, 'Additional sentencing principles for Aboriginal children'. Clause 59 will allow the secretary to delegate specific functions to an Aboriginal youth justice agency to perform, although it is not clear what these powers are. The Scrutiny of Acts and Regulations Committee (SARC) has noted the effect of clauses 59(1) and 61(1) may be to permit the secretary to authorise the principal officer of a registered Aboriginal youth justice agency to exercise a function or power of the secretary under the act.

I believe we should all be seen as one under the same law. We are living in the same country with the same law; everybody should be treated equally when it comes to the eyes of the law. I think it is very, very important. In saying that, we have been supportive of Drug Courts and Aboriginal courts in Victoria, but if you are going to take it that we are creating an entirely new youth justice system for Aboriginal children compared to non-Indigenous children, I think you are starting to go a step too far and you are putting greater risks in there. As I said before, when you are talking about raising the age, particularly with kids with Indigenous backgrounds – we know that there are too many kids particularly from Indigenous backgrounds who are in the justice system and particularly in custody – we also need to know that the programs in place for 10- to 14-year-olds, if they do commit an offence, are there to give them the best options moving forward, to give them the best tools, to enforce education, to enforce that they go to programs for improvement and to give them the opportunities to go back to the heritage backgrounds that they have and work with their local community groups and work with their local elders, but it cannot be in a separate justice system. We should be bringing these powers into the youth justice system so they have got the power in there, not separating them and creating an entirely different program for one cohort of children compared to another. I think it is a great risk that we have.

A big concern we have is around victims of crime, and we have always said that we must put victims of crime first. This bill simply fails. In part 12.4, the 'Youth justice victims register', the functionality it is proposed to have in clause 659 falls well short of the adult victims register in terms of the information given, the notice periods and the ability to influence and make submissions to proceedings. Victims on the youth justice register will get very limited information, considering the serious impact on their life, and they will only receive notice when the young person has applied for parole or when they have been given parole. That is different from the adult system, and we are saying it is going too far and that victims need to be treated more respectfully than that. The impact of these

changes reduces the responsibility and obligations of a young person after they commit a crime, so it effectively reduces the rights of victims to be heard.

The effect of clauses 142(b), 143(f)(i) and 144(g)(i) may be that the evidence of alleged offending for which a youth warning or youth caution was given or for which an early diversion outcome was finalised is inadmissible in civil proceedings. This is a great risk. If you are taking away the ability for evidence to be admissible – because it is being used with a caution or diversion – in civil proceedings, you are taking away the rights of victims who could be victims of violent crime or extensive damage to property. I think we have to be very cautious where we go from this.

SARC again noted that the inadmissibility of evidence of a child's alleged offending in the form of warnings, cautions and early diversion outcomes in a civil proceeding against the child may actually infringe on the victim's rights under section 24(1) of the charter of human rights. If SARC is saying that this could have an impact on the charter of human rights, where a victim who seeks civil remedy from a child has the right to a fair hearing, then these clauses make it difficult or impossible for me to support the bill, especially on behalf of victims here in this state. The statement of compatibility for the bill does not address these matters, which SARC noted when they made their notes on it. The Allan Labor government are ignoring the rights of victims, and we cannot stand by while that happens. This government has learned nothing from the victims of serial killers held in our prisons here in the past. The Attorney-General was quick with a media release, stating:

The family and friends of Natalie Russell, Debbie Fream and Elizabeth Stevens continue to suffer and grieve.

She also said:

We've listened to victims and their families ...

The Minister for Youth Justice stated in Parliament on 29 August 2023:

We are committed to a victim support system that respects victims' rights and helps them to fully participate in the justice system.

Yet now in this bill, even with the government's own SARC report, they have gone against the human rights charter and they have taken away those rights from those victims. Again, it is not something we can support.

The other thing in this, when we talk about youth justice, is we note that the government, who one day were saying, 'Not a youth crime crisis, not an issue here in our state; we can't see where the real problems are,' went the next day to an urgent meeting, trying to call in all people in relation to youth justice to have a talkfest here in Melbourne. Considering the government have been consistent with the message that there are no youth crime issues, we found it very interesting that they wanted to call everyone together for a talkfest in the state. One of the problems with that talkfest is no-one knows actually what happened and no-one knows what the outcomes of that meeting were. There was no agenda released. The government failed to deliver any actions that focused on reducing crime from that. It is more about removing responsibility from young people aged under 12 and obviously then pushing it up to 14.

As I said before, there are other things we can do. It is really important from an opposition and from a government perspective that we look at alternatives from around the world, not just here in our state, at some of the things we can do. In Japan young people diverted from the justice system can attend small-scale specialised schools for their bespoke needs, and in Victoria we are very lucky to have some of these schools. David Scott School, which I have had the pleasure of visiting, is an amazing school with fantastic outcomes, and I know the member for Frankston would know the David Scott School; it is down in his electorate. It is a brilliant school that achieves amazing goals. I have worked with kids in special schools and I have worked with kids in state schools, and obviously as a police officer as well. You have to sometimes judge what a positive outcome is. When you walk into these schools, not every kid wants to go through and get their VCE and get an amazing result and go on to become a doctor. We have got kids in these schools that just want to be accepted and then get through a system

where they can feel they have developed some skills to go and find gainful employment or go and support others who have been in a similar position, whether it is from drugs or mental ill health. When you have schools like David Scott, who do an amazing job of that, then the evidence is there.

We have got Cire school in Berwick, which I know is also in the Yarra Valley. These schools, these programs need more funding. They need to be able to grow. They need to be able to give opportunity for the courts to divert these kids away from the justice system. Going to Parkville College at Cherry Creek is not a positive outcome; getting them into a school in the community where they can gain skilled employment and they can gain the skills they need for the long term is a positive outcome, and I think that is where we have got to be heading. This bill is not heading towards that. It is heading away from actually taking any responsibility at all.

As I said before, Cheshire have a targeted program for what they do. Various states across the US run programs. Their whole desire is to keep young people out of the prison system through the US. Whilst here we hear much about crime in the US and we hear a lot of negatives, there are also some really positive stories about them closing prisons, about ways they are dealing with young people when it comes to mental ill health and drug use, where they actually focus on the issue and they focus on the cause that is creating the crime. If you look at the 24/7 sobriety program in Florida, it is solely designed around: if a person commits crimes when they are drunk, then we need to work out how to not get them drunk. If a person commits crime because they are stoned on drugs, we have got to put programs in place to stop them getting stoned on drugs.

I think if we are going to be looking at justice reform through our state, that justice reform cannot be saying, 'You're not going to be held responsible for anything.' It has to start saying, 'You will be held responsible, and part of that responsibility and the outcome is we're going to put you on these programs where either you're going to, via you, support yourself to get better or, if required, the government or other organisations can step in and offer you that assistance,' because if they come out of those programs better and committing less crime, we kind of all win. We do not need to worry about making the changes and not making them responsible. We need to actually say, 'You are responsible for your actions, and we are going to put things in place to protect you.'

Another stage of this is the police powers, and there have been raised with us some concerns around the police powers. It is actually very interesting. I do not think anyone actually supports these police powers. There is a group that say they are too far and a group that say they are not far enough. I have not had one person that has said, 'Well done. Congratulations on these.' In saying this, saying there will be an increase in the age – I get that. Taking that out of it, I think there have to be powers in place to move young people, so we are supportive of the fact that we have to have those powers.

The concern raised with the Police Association Victoria is the amount of hours it is going to take in paperwork each time a young person is moved or relocated. There is actually more paperwork under this system than there was to charge a child, so it is going to take police resources off the street. There have got to be protections put in place to ensure that Victoria Police understand the limitations on them. Their search powers will be gone, so if a young person goes in and steals items from a shop, there are no more search powers to search for the stolen items. If you are going to put a young person in the van to move them for their safety or for the safety of others, you do not have a search power anymore to search them for a knife, because they have changed it from being able to do a safety search to now the search being only on reasonable belief, and by definition of 'reasonable belief' you have to have basically enough evidence to say the person has most likely got a knife on them. Well, you cannot do that when you just find a kid in the middle of the street. You cannot just guess it, so you are putting police at risk of being sued for searching for their own safety and for the safety of the young person. So we need to actually readdress that and in my view rewrite this bill to ensure that police have that protection, because we are going to be asking them to move them. The other part of this is there are already laws in place for how people under 10 are dealt with by Victoria Police. Now we are going to have under 10, then 10 to 12 and then 12 and onwards. We are going to have three different elements

for police to guess which element they are going to use for moving a person on to make sure they are protected. It is a lot to do.

In conclusion – and I look forward to hearing the member for Malvern and the positions that he is going to put up as well – we have got to make no mistake: this bill is not about youth and crime, it is a function to divert people away from the justice system. But what we are saying is we need to make sure we hold people accountable. The Victorian opposition, when we go through this, cannot reasonably support this bill in its current state. We will be opposing the bill when it goes to a vote. We would ask for support for the reasoned amendment and to have a focus back on how we ensure people are responsible for their actions and that the outcomes are a government and organisations supporting young persons to not commit crime in the future.

**Nina TAYLOR** (Albert Park) (11:37): I think what is really critical about this very comprehensive legislation is that it is providing a robust end-to-end framework for Victoria's youth justice system, and actually at its heart what is driving the reforms here is community safety. That very much underpins this evidence-guided legislation. I think this is the next step when we are developing modern and effective responses to youth offending. They are nation-leading reforms, and they are building on all the mechanisms that have been put in place to date to drive down the number of young people engaged in youth justice. I think an important element here as well is making sure that there is a developmentally appropriate way of responding to Victorians as they mature from young people into adulthood. Hence evidence has shown that simply treating youth offenders the same as adults does not result in the outcome that we all want, which is to enhance community safety.

I am going to speak to one of the critical elements of this bill, and that is raising the minimum age of criminal responsibility, noting that Brad Battin, the member for Berwick, a former police officer, is on record back on 27 May 2021 in an article titled 'Liberal MPs break ranks in push to raise age of criminality to 14'. At that time I am just saying, factually, this reported that the member:

... a former police officer and former Liberal spokesman for youth justice; former president of the upper house Bruce Atkinson; and former Liberal spokesman for child protection Nick Wakeling have split from their party's official position, urging the government to end the "draconian" law and keep children under the age of 14 away from the criminal justice system.

I think that that is interesting in the context of the discussion we are having today, that we can see that perhaps those opposite are not necessarily all on the same page with regard to the approach that is taken to best divert youth offenders away from a life of crime and to keep our streets safe.

When we talk about the minimum age of criminal responsibility, on the one hand Victoria will be the first state to raise the age of criminal responsibility from 10 to 12 years of age, but I think it is important to note that that particular age range has not just been randomly selected, and there has been an incredible amount of work put in to make sure that there are appropriate supports and caveats around these changes, because we all want to drive the best possible outcome for our community.

I just want to note that we know that serious offending by 10- and 11-year-olds is very rare, as is the situation where a 10- or 11-year-old would come before our courts, and it is rarer still that a child that young would receive a custodial sentence. We thankfully do not have any children in the system of this age, and with these important reforms we never will again. But further to the point of how you approach a person of that age group 10 or 11, we should say that while some may disagree with this particular approach that we are taking here today – and I want to come back to the evidence, because that is pivotal and is absolutely critical in such a delicate and what should be a very nuanced space – the evidence tells us that this approach does not work. This is because very young children typically lack the maturity to form criminal intent, and their charges end up being withdrawn or not proven. So how does that help keep the community safe, so to speak? How does that help a young person who has got themselves into a difficult position or a dangerous position to divert to a better pathway?

I should say in the rare situation in which a 10- or 11-year-old does engage in criminal activity it stems from something going horribly wrong in their lives, and this warrants a response of help and support,

one that is not best done through the criminal justice system – that is what the evidence shows, and I think it is really important that that is made clear through this debate – but instead through support services with age-appropriate services. Another important caveat that does not mean in any way resiling from consequences is that accountability is actually built into this bill, as is a victim-centred approach. I think that is what I was saying from the outset about an end-to-end focus, because we are looking at the whole spectrum of impact and consequence: the tragedy of a young person entering a life of crime and, the very worst outcome, ending up incarcerated and having committed an offence which forever condemns their life, as well as the respective Victorian that they have impacted, or Victorians, as the case may be. Hence the imperative to make changes based on evidence, and I am reiterating that point because this is not simply ‘tough on crime’ and it is all better. If only it were so simple to be able to rectify behaviours that are inappropriate in our community with such words.

I agree with the member for Berwick that there is only so much that can be transacted in the time available, so I am going to zone in on just a few key points. Something that is also a risk when you are raising the minimum age of criminal responsibility is those who may seek to exploit those who are in that age group – that is, 10 to 12. They are important caveats that have been built into the bill. So raising the age of criminal responsibility must be done in a way that prevents the exploitation of young people in criminal activity. This is why the bill proposes to make a series of changes to the charging framework of recruitment offences involving young children. Certainly that would be a concern of mine but for the fact that these caveats have been built into the bill. This includes amending the definition of ‘criminal activity’ for the offence of recruiting a child to make it clear that this includes conduct by a child who is under the minimum age or is presumed incapable of committing an offence because of the *doli incapax* principles. In practice, what does this actually mean? This means recruiting or inciting a child under 14 to commit an offence, or even conspiring to, will still constitute criminal activity for the purposes of prosecuting an adult charged with the recruitment offence. So you can see there is a reason why this is a very comprehensive and a rather large bill – because there has been so much research, so much evidence and so much consultation to ensure that we drive the best possible outcomes for our community.

The further point that I do want to go to is with regard to bail and electronic monitoring. The bill will introduce a trial to allow for up to 50 young people at any one time to be subject to electronic monitoring of their bail conditions and provide additional support to high-risk young people on bail who do not have electronic monitoring conditions. This is about making interventions at the earliest possible stage and keeping the community safe while the young person has a matter before the courts. Currently under the Bail Act 1977 a bail decision-maker can and often will attach conduct conditions to a bail undertaking to mitigate the risk that an accused person might pose to the community.

I am just going to zone in a particular nuance that I think is very important when we are talking about the topic of bail. Bail will still be determined by the relevant bail tests and cannot be granted where a person poses an unacceptable risk to community safety. Young people who pose an unacceptable risk to the safety or welfare of another person will not be granted bail, with or without an electronic monitoring device. Ultimately this monitoring is about better equipping our justice sector – that is, the courts, police and youth justice – with more tools to monitor the compliance of bail among young people. I know there has been a lot of discussion about this issue, and we welcome that discussion – that is the point of debating a bill of this nature or otherwise – but it is also important to factor in all elements that are being considered as part of driving community safety.

**Michael O'BRIEN** (Malvern) (11:47): I rise to put on the record our grave concerns that the government has just got this wrong when it comes to the Youth Justice Bill 2024. This bill is being debated at a time when Victoria is in the grip of a youth crime crisis. The member for Berwick laid out the statistics, but behind every statistic is somebody who has been injured or somebody who has had their life in some cases taken away or their sense of security taken away or their property taken away. These are people we are talking about; they are not just statistics.

In dealing with this youth crime crisis, unfortunately every single action of the Allan Labor government in response has been the wrong one. Every single action has been the wrong response. Bail laws – when you are dealing with a youth crime crisis, bail laws should be strengthened, but Labor has gone and weakened the bail laws. They have weakened them by ensuring that if you break your conditions, that is no longer an offence. They have weakened them by saying that if you commit a serious offence while you are on bail then you do not face an elevated test to get bail again. They have weakened them by saying that bail decision-makers no longer have to consider the likelihood of you committing an offence while you are on bail as being relevant to the test of whether you should get bail in the first place. Bail laws should have been strengthened; Labor has weakened them.

When it comes to policing, to deal with the youth crime crisis you need more community policing. You need more police on the streets. And what has this government done? They have shut or reduced the hours of 43 police stations across Victoria just this year alone, including in my community of Malvern. We used to have a 24-hour-a-day police station. It is now open 8 hours a day. That is fabulous if all the hooligans are working business hours, but not too many of them work from 9 till 5. The fact that they have closed my police station at night means my community feels less safe and is less safe. And it is not just in Malvern, it is at 42 other stations across Victoria as well. We need more police in the streets and policing in the community. This government has cut it back.

We need more efficient courts to deal with young offenders more quickly. We all know that the best way to deal with it is promptly so that if there is a sanction that sanction can be applied swiftly and if there is a diversion it is applied swiftly. It is not fair to the young people, it is not fair to the victims, it is not fair to anybody to have these matters dragging on and on and on, yet we have some of the worst court backlogs of any state in the country. And what has this government's response been? To cut the courts budget by \$19.1 million on 1 July this year. Cutting funding to an underfunded court system, to an overworked court system, to an inefficient court system, is exactly the wrong response at a time like this. If you are talking about trying to divert young people away from bad decisions and bad choices, away from a life of crime, you invest more in crime prevention. But what has this Labor government done? It has cut funding for crime prevention by \$20 million – unbelievable. Whatever would make the system better, whatever would make Victorians safer – stronger bail laws, more policing, more efficient courts, more crime prevention – this government has done exactly the opposite. That is why this government has got it wrong with this bill.

As Shadow Attorney-General let me refer to some of the legal aspects of this, including raising the age. What is raising the age? It is saying that at the moment there is an irrebuttable presumption that somebody under the age of 10 cannot commit a crime. That is being raised to 12. For those between 12 and 14 there is a legal principle called *doli incapax*. That means that the assumption is that a child of that age does not have the mental capacity to be able to know what they were doing sufficient to form what we call the *mens rea* to be able to be convicted of a crime. But that can be rebutted. It means that if the prosecution can prove that this young person knew exactly what they were doing – not just the act but that they knew that it was seriously wrong, they knew it was morally wrong, they knew what they were doing and they wanted to cause the damage that they caused – in those circumstances where the prosecution can meet that burden of proof, and the burden of proof is at the beyond reasonable doubt level, the highest level we have in the criminal system, only then can a young person potentially be convicted.

By raising the age all Labor are saying is that they are going to deal with 10- and 11-year-olds who know exactly what they are doing and they are going to give them a free pass. At the moment if you are a 10- or 11-year-old and you commit an offence but you do not have the mental capacity to properly comprehend it, the law protects you anyway. That is how *doli incapax* works. Unless this government are saying that they do not trust our police, they do not trust our prosecutors and they do not trust our courts to be able to apply the principles of *doli incapax* properly, the government should just come clean and admit that what they are doing in this bill is saying that 10- and 11-year-olds who do know



exactly what they are doing when they hurt somebody or when they steal something will be given a free pass and not held accountable at all.

It has been said in this debate that kids should be in school, not in jail. I do not think you are going to find a single member of this place that disagrees. The great news is that there is not one single 10- or 11-year-old in detention – not one. So this bill is not about getting kids out of detention, it is not about getting kids out of jail, because there are not any there in the first place, because we already have systems of cautions and diversions and alternative methods of dealing with children that are appropriate. This is not about getting kids out of jail, this is about whether kids who do the wrong thing should be held accountable at that age to get them on the right track. We say they should be. We say there should be legal accountability for kids who understand what they are doing, who know what they are doing and who do it anyway. Because without that accountability, how are we going to get these kids back on the right track? We will not. They will be emboldened. If there is no consequence for a bad action, it will be done again, it will be done more regularly and it will be done to a higher level, and then you will get to the stage where these kids are 12 – or 14 if the government succeeds in raising the age to 14 – and they have been emboldened by having three or four years of being able to get away with almost murder. What happens then? Apparently the diversion works? No. We need accountability when they do the wrong thing at an early age, not to put them in jail – to get them on the right path. That is what we should be doing as a society. That is why we believe this bill is wrongheaded – because there is no accountability mechanism whatsoever.

Let me just refer to a couple of other matters. In terms of offences, we have had 413 offences committed by 10- and 11-year-olds in the year to March 2024. We are not talking about a couple of people, we are talking about 413 offences, and those are just going to be wiped off the record now. This bill will certainly manipulate the crime stats, but it will not make Victorians any safer. The government has also created a massive problem when it comes to how people like shopkeepers are going to deal with this. We asked the government: what can shop owners or police do if a child of 10 or 11 steals something once this bill passes? The government said:

In terms of the criminal law, it would not be appropriate for government to issue definitive statements about whether or not shop owners could seek to apprehend and detain, use force or take any other action in relation to children in stores.

Bad luck, small businesses, you are on your own. This government is going to create a massive legal problem – what, you have got to check for ID before you hold a child who is stealing from your shop?

When it comes to police, we asked: if the shop owner calls the police, what can the police do? Police would be unable to use force to search the child suspected of being in possession of a stolen item. However, they could recover a stolen item if it is within arm's reach and force is not required. Well, terrific, kids, put the iPhone down the pants and you can walk out scot-free and the police cannot do a damn thing about it. That is what the government is doing in this bill. So good luck, members, go along to all your small businesses and tell them how you have left them exposed to criminal liability and civil liability through this bill. They have not thought it through.

There are other objectionable aspects of this bill – the idea that in this bill it requires:

... the progressive transfer of authority, resources and responsibilities to an Aboriginal-controlled justice system.

We do not have treaty in this state. If you want to have a treaty, have one and have the debate and put it to the public. Do not use in this bill something that requires the Secretary of the Department of Justice and Community Safety to enable the progressive transfer of authority, resources and responsibilities to an Aboriginal-controlled justice system. I believe in equality before the law. Call me a dinosaur if you will, but I believe in equality. We are all equal before the law. There should not be two separate justice systems in this state, if that is what this bill seeks to establish.

In terms of electronic monitoring, I have made the comment before that rather than being something that young people would be scared of, they are more likely to be swapping them like Taylor Swift friendship bracelets. I refer to the *Electronic Monitoring Trial*, November 2022, from the Queensland government. On page 4 it says:

... there are also instances and examples provided where young people consider the device to be a badge of honour and have requested the device to show it off to friends.

Well, that is a huge lettuce leaf you are going to be hitting those young offenders over the heads with, when they are actually going to be requesting the devices and showing them off to their friends. The government has got this wrong. The government should rethink it, work with us and actually try and make Victorians safe.

**Sarah CONNOLLY** (Laverton) (11:57): I too rise to speak on the Youth Justice Bill 2024, and it is interesting to follow the member for Malvern. I do not know if I would describe him as a dinosaur, but I will say some kind words, which I know some of my colleagues will think are unkind words, really: the member for Malvern really is a Liberal through and through. And that is the great divide that is sitting here in this chamber when we are talking about really serious issues involving children – kids, really young kids.

I do want to before I begin my contribution tell a story, that last weekend I was talking to a bloke doing some work on a building site at my house. I will say, member for Malvern, he was not from my part of town, he was closer to yours. I did check that out. I always know who voters are when they come around to my patch. But listen, I will say –

**Michael O'Brien** interjected.

**Sarah CONNOLLY**: Well, I am a renter, so I hope they got three quotes – the landlord. But what I will say is that he was just a regular bloke, and we were talking about youth crime and youth justice and things that are happening and we were sort of having this big D & M about kids and raising kids and kids going off the rails and kids doing truly horrendous, appalling things to other kids and other adults, and things that we see in the papers in the community. I am not downplaying any of that. And then he sort of opened up and he told me a story about his 14-year-old stepson, who a couple of years ago had completely gone off the rails. He had gone from being completely normal, living in a fully functional household. He had gotten a girlfriend, his first girlfriend – completely random – and his girlfriend, it turned out, was a little bit older and she was on drugs. So there they are, the parents and the stepfather thinking, 'My 14-year-old, he's talking about a girl, wow,' only to suddenly start getting calls – the first call he remembers quite clearly – from the police talking about his stepson getting involved with breaking into cars and looking for money, because it turned out the girlfriend was hooked on ice and had passed that appalling addiction and habit on to the 14-year-old stepson.

His wife was absolutely traumatised. He talked to me about how grateful he was that there were services – diversion services and rehabilitation services – that could deal with his stepson's addiction, because they had never been addicted to anything in their lives. What a terrible thing that was to have happen to his family. But he was using the services and also working with some of the incredible police programs that are in place involving sport – no, this one was I think something to do with rope climbing. It was something really physical, really intensely difficult. He had to complete this program – he did it with a whole lot of other kids – but along the way he was being mentored by local police. This builder was just saying it was absolutely remarkable. His son is going on to finish year 12, I think. We were sort of having this big D & M, all starting from youth justice and crime. No-one wants to see the types of things happening in our community unfolding, and what we need to do is make sure that they are prevented in the very, very first place from ever happening. Those sorts of prevention measures, which I do not think have been talked about in this place today, certainly on that side of the chamber over there, start when a child is born.

To say that the Labor government has done nothing when it comes to preventing crime and youth crime in this state is absolutely outrageous, because the Minister for Children in the other place is doing a plethora of work. Millions are being spent. In fact I was with her on Monday. We were talking to maternal and child health nurses dealing with bubs in the first weeks after they are born, at home with high-risk, vulnerable families in my community. It was really sad talking about new mums and dads that have come from refugee backgrounds and have experienced all kinds of horrendous war trauma and appalling domestic violence and drug addiction. You wonder what kind of start these kids are going to have. That is in the first couple of thousand days. To say that we are doing nothing is absolutely outrageous. This bill is about locking down some of those things.

We want to see a system that works for everyone, and that is why talking about crime, youth justice and bail in this place always gets people's backs up. They feel quite passionate about it, and I have no doubt that those on the other side of the chamber do feel really passionate about this. My concern time and time again is when we have these types of conversations, we need to have them with the reflection in our minds that every now and then the community is paying attention to what is happening here. I think that if anyone in this chamber took the time to right now get on their phone and check out what the Libs are putting up on their social media, it will be that terrible photo of someone in a hood, masked, doing something illegal. I really hope that those sitting opposite today – the member for Berwick and the member for Malvern; I know the member for Gippsland South would not be doing it – do not put up those kinds of crime pictures saying that Victoria is the most dangerous state to live in, because we know, through the data and the crime stats, that is simply not the case. That is the biggest problem when we talk about crime and when we bring bills like this Youth Justice Bill before the house: we cannot have a sensible, rational conversation.

In spite of all of this, I think that it is important to reiterate this to my community – I spend a lot of time listening to my community and having conversations with victims of crime, with perpetrators of crime and with the people providing the services to try and steer kids clear of getting involved in crime in the first place: I think that we should take some comfort from the fact that we do get some things right in this state when it comes to dealing with youth crime and youth offences. They are not always on the front page, and the likelihood of them being on the front page of local newspapers like the *Herald Sun* is quite rare; it would be telling a good news story. But they are important stories to tell the community, because they reassure the community that Victoria is not the most unsafe place to live; it is one of the greatest places to live.

As someone who was not born and bred in Victoria, in Melbourne, some people might call me an interloper. I hope they do not. There are many people in my community that I could call that. Melbourne in Victoria is a great place to live, and people choose to come here and be part of our communities and be part of neighbourhoods in the western suburbs that have indeed suffered from systemic social disadvantage for generation upon generation upon generation. So when we come into this place and we want to have a conversation about youth justice, youth crime, these are really complex issues. They should not have simple throwaway three-word slogans attached to them. As the member for Tarneit back in 2018 I had to fight an election with those opposite saying that Tarneit was the most unsafe place to live and raise a family. I think it was actually Peter Dutton who said that. He was on radio, maybe 3AW, saying the people in Tarneit were too scared to go out for dinner. Well, that is absolute rubbish because restaurants in Tarneit night after night are bloody well packed time and time again. But that kind of stigma, that kind of aspersion on a community like Tarneit, set back multicultural inclusivity and understanding differences. It set that back. There were families from our wonderful African community that said to me, 'You will go to an election, you have talked about youth crime. The Libs have run on being tough on youth crime. But by saying that there is a gang crisis in Tarneit it is kids like my son and my daughter that will be targeted because of the colour of their skin.'

I do not want to see that happen again at the next election. A lot of these conversations and a lot of these slogans – and I guarantee you the social media posts of the Liberal Party will be going off like

wildfire today – are detrimental to every community here in Victoria. They are detrimental; they are untrue. While we can talk about violent offences happening on our streets, we also need to be telling the community the truth. This is not the most unsafe state to live in. It is completely irresponsible of those opposite. I commend the bill to the house.

**Danny O'BRIEN** (Gippsland South) (12:07): I am pleased to rise to speak on the Youth Justice Bill 2024. I am going to give the member for Laverton a bit of credit, but I was a bit disappointed with the last minute or so of that contribution because up till then she had been, I think, very respectful and considered in her commentary on this, because this is an issue where there is a genuine disagreement between those of us on this side, the Liberals and Nationals, and the government. I think the member for Laverton had been respectful of that disagreement on how you handle this issue until the last part about social media posts that she condemned without having seen them and the like, which I think is not the sort of commentary that we should be having on an issue such as this.

Absolutely this is a political issue because this is an issue that the people of Victoria are concerned about – youth justice – particularly at this point in time when we have youth crime at very high levels and particularly violent youth crime at very high levels. So absolutely we should be giving this very careful consideration. We actually should be looking at our values as members of Parliament and as members of political parties as to how we address this issue. To be frank, I think this is a good example of the differences between the two parties, because I think there are two issues at stake here as there are with most crime: there is the issue of protection of the community and there is the issue of prevention of crime – preventative measures, diversionary measures – and rehabilitation if necessary of an individual, in this case a young person. My concern is that this bill does not address either of those adequately.

I give the government credit that they have tried, and we have got a thousand-page piece of legislation here, but I think in the fundamental principles it does not pass muster on those two issues. In particular, a lot of my focus is going to be on the increase in the age of criminal responsibility, which is the one on which I do not agree, and I suspect a very large portion of the public will not agree on that too. As the member for Malvern indicated – and I pay credit both to the member for Berwick and to the member for Malvern for their excellent speeches – no-one wants to see kids in jail. That is not the issue here.

I am reminded of one of the emails that we received some time ago lobbying on this particular bill, and this individual was lobbying in favour of raising the age. They said that kids should not be in jail; they should be home with their parents. It stuck with me because in many respects that is the problem: they are not home with their parents –

**A member** interjected.

**Danny O'BRIEN**: or they do not have parents, or they are in a broken home of some description. That is absolutely part of the problem. So I think in that sense that question was wrong – that they should not be in jail, they should be home with their parents. That is where it comes to the issue of the preventative programs and the diversionary programs that I think we need that are lacking in this legislation or in any commitments given by the government to actually provide them, because I do not think you can simply say what this bill does, which is effectively that if something is done by a child between 10 and 12 then the crime did not occur.

The member for Malvern, in reading out the responses from the government to a hypothetical situation of a child shoplifting from a store, has indicated that effectively that is what the government is saying. If they do that and they are caught by the shopkeeper, then nothing actually happened. We are getting into a logical fallacy here of inconsistency in argument. Again, my concern is that there are not the preventative measures here that are necessary, the diversionary programs, and the member for Berwick outlined some of those from around the world that could be done – and it is not easy. I do not think for a moment that it is simply a case of setting up a boot camp for kids out in the Mallee or something. I

am not suggesting that is the simple solution. There is no simple solution. Our youth justice system is meant to be a diversionary program. It is not meant to be punitive for most of those young people in the system. It is actually meant to be rehabilitative. But it is not easy.

I have said before that following the member for Malvern on legal matters is somewhat daunting, but he has outlined very clearly the legal principle of *doli incapax* and the fact that as it stands right now, as I understand it, we do not have any 10- or 11-year-olds in prison or in the youth justice system because of the legal principle of *doli incapax* – that is, that it is incumbent on the Crown in prosecuting a child to prove that they knew that what they were doing was wrong. As a result, we already have those protections in the system from 10 to 14. That *doli incapax* rule ensures that the prosecution has to prove beyond reasonable doubt that the particular child knew that their conduct was seriously wrong or gravely wrong as opposed to merely being naughty or mischievous.

It is on that point that I want to go to an issue that is plaguing part of my electorate at the moment. We all have issues of youth crime. We all have issues of crime more broadly, and it is particularly bad in parts of my electorate. In Leongatha and surrounds at the moment there is a massive amount of community concern about youth crime, and much of it comes down to one particular individual, who of course I am not going to name in any way, shape or form, but many people in Leongatha know who I am talking about. This individual has been charged – speaking to police – about a dozen times in the last two months, and every time he is released almost straightaway because of the *doli incapax* rule. That in itself I think is a problem. This boy has recently turned 14, so he is now above that threshold, but I understand that all of his activities prior to the age of 14 are now being completely disregarded by magistrates.

There is obviously a lot to it that I do not necessarily know. But when it comes to that issue of ‘does the child know what they did was wrong’, I find it extremely hard to comprehend that after being charged a dozen or so times that child does not know that what they are doing is wrong, because they are doing it repeatedly and it is often the same thing. There are instances of car theft. What is of concern to the community is that not only is there car theft, but then there is very, very dangerous behaviour – driving around local streets at 100 kilometres an hour, for example. It cannot be possible that our community accepts that that child after being charged so many times and then released and doing it again does not understand that what he is doing is wrong. That, I think, is something that the government needs to be cognisant of in this legislation and in this space, because it is, to my mind, simply incomprehensible that we can continue to allow that behaviour to occur and not actually protect the community – and indeed protect that child, because certainly there are some problems there.

There are concerns as well in the bill with respect to the retrospectivity of it – part 19.1 – and I share the concerns of the member for Berwick. Some of the practical application of this, where a child’s consent is required for all interventions, just does not seem to make any sense. Police having the opportunity to remove a child from putting themselves in danger is understandable, but some of the other things, again as the member for Malvern has indicated, are of great concern to me. I am concerned that despite all the work that has gone into this and despite the level of detail, the level of review and the thousand pages, we have a clause like clause 25, which indicates at clause 25(d) the role of the secretary in:

enabling the progressive transfer of authority, resources and responsibilities to an Aboriginal-controlled justice system in consultation with representatives of the Aboriginal community on justice-related issues and Aboriginal communities ...

I do not understand – it is not the Aboriginal part of it – how you can have legislation that progressively does something. Legislation either is or is not. You cannot say ‘Over time we’re going to do this as part of the law’ or particularly say ‘We’re going to progress to a system that we don’t have yet’ – that is not agreed by the Parliament, for example. That is a symptom of the concern that we have with this.

We have an obligation here in this Parliament to protect the community from crime and ensure that there are consequences for bad behaviour. If it is that there is a child undertaking that bad behaviour,

we need to try to ensure that they are on the straight and narrow. I do not believe the bill achieves either of these, and that is why I am opposed to this legislation.

**Paul EDBROOKE** (Frankston) (12:17): It is a pleasure to rise on the Youth Justice Bill 2024. Just from the outset, I stand here as a representative for my community of Frankston, and I think it is probably reflective of most communities in Victoria that people want to feel safe. There is a balance that needs to be struck here, and that is that we make laws that make people safe, we come down hard on criminals and we make sure that those criminals do not reoffend. However, in the youth justice space that gets a whole lot more complex. We are looking at people who are young. They, as the former member just said, do not often know what they are doing as far as asserting criminal liability goes, and I would hope that most members on the other side of the house believe that young people with flexible neuroplasticity can actually change.

I would be a liar if I stood here and said that I was a very good boy when I was growing up. There were people that put their faith in me, and here I am today standing in Parliament. I stand here today, reflective of my community, looking at both sides of the coin, where we have to keep our community safe, and we also have to make sure we have the programs legislated in place to make sure, one, that people who make mistakes are able to, for want of a better word, reprogram their relationship with their community, which can be done and has been done very successfully – the data suggests that, and that is what a lot of this bill goes to – but also that repeat offenders cannot do what we just heard then. The issue we have is a very small number of repeat offenders who seem to not realise, I think, the gravity of the situation at times and what they are actually doing.

To hear people in this chamber yesterday talking about crime was a little bit educational for me, so I want to just go through some data before I start talking about some other things in this bill. As reported by the Australian Institute of Health and Welfare, in 2022–23 Victoria had the lowest rate of young people aged 10 to 17 under youth justice supervision on an average day. That is 4.7 people per 10,000, almost three times lower than the national rate. Victoria also had the lowest rate of young people aged 10 to 17 under community supervision, and that is 3.7 per 10,000, and in custody 1.1 per 10,000. Victoria had the lowest rate of Aboriginal young people aged 10 to 17 under supervision on an average day, and that was 41.5 per 10,000, more than three times lower than the national rate of 131.9 per 10,000. That is not saying we have not got work to do. That is why we are here today; that is why we are talking about this bill. All I am trying to do is give a foundation of evidence that we work from in this house so we are not accusing each other of dog whistling; we are working from data that is independent and has been verified so we can actually look at the problem and deal with the problem.

Hearing contributions today, I think maybe one person has asked the question: why are youth offending? I think that is the biggest question we need to answer, because out of that comes the answer to lower youth crime rates, and that equals less victims and that equals a safer community. When I think about why youth are offending – and through various careers I have had different interactions with youth in schools and special schools as a firefighter and even in my current job – often it is because they are disengaged. They are not linked with education, support services or employment, and that could be due to quite a few things. Often what we see, and I think the data backs this up wholeheartedly, is that a lot of these kids that are offending are actually victims themselves.

As the member for Gippsland East said: where are the parents? That is a community issue. Lots of abuse, lots of drug use in the home, homelessness – they are often victims themselves. I think, as I spoke about before, there is a balance here. We need to answer why youth are offending, and I think that gets more and more obvious as we go through the data. But we need to have a look at some of the data from overseas and talk about the developmental trauma that some of these children have. I can only speak anecdotally from one or two kids in Frankston that have offended that I have met, and certainly you can tell there are issues there. You can tell that the way they see their community is not friendly. They do not feel part of their community. I think they have been programmed by life itself to see others as threats and themselves as outside of the community. This is a big deal, but I do not think it is insurmountable; I think it is something that we can actually act on. Overseas there is lots of data

on using the lessons of the science of neuroplasticity to make sure that these kids basically have their brain circuits reprogrammed to become part of the community, by care, by education, by a stable environment, by loving parents. It is pretty basic stuff. I just do not want us to overlook that. This bill goes a long way with some of those court-ordered programs and services to actually doing that, especially in the Aboriginal space as well.

I think also when you consider that, you have got to consider the notion that if people feel safe, if they feel like they are meaningfully connected to the community, if they feel like they are in charge of their lives, if they feel like they have got a sense of purpose, they are much less likely to offend, they are much less likely to fall into drugs, they are much less likely to fall into a criminal life. On the other side of that, though, I know that, as someone who meets with lots of families in Frankston who have perceptions of safety that they are concerned about, we need to make sure that people are safe. When I hear of repeat offenders, the answer is not a simple one. We are introducing a pilot of electronic monitoring during bail, and as people said, there are plenty of fences around that one. It is a trial, and I look forward to seeing the data that comes out of it. I look forward to seeing if it stops some of the reoffending and even more so gets these youth reconnected into education and into standard things. You know, we look at ourselves in the mirror and think that is normal, but these kids have another normal, and it is not all we are used to – so bringing them into that.

I think it is a really balanced and broad approach. The bill definitely goes a long way to addressing those root causes of offending and takes strong approaches on high-harm young offenders. We know that it is a small group of very frequent offenders, who, as I have said, I would love to see some of the backgrounds on – what they have grown up with – because I refuse to believe that people are just born and turn out as bad and become youth criminals. I think there is a lot more to it, and this bill goes a long way to making sure that we take that into account. Because it is one thing to address youth crime; it is another thing to bring the numbers down by looking at the generational or cultural issues that we have. As a couple of people have mentioned today, I think family is one of those. We heard mention of Tay Tay at one stage, of Taylor Swift and bracelets. I am not sure where we were going with that one, but I think that victims of crime also benefit under this bill. They still get compensation for crimes committed by people under the age of criminal responsibility. They can participate in group conferencing, giving them more opportunity to hold those who commit crimes against them to account directly as well.

I know, as I said at the outset, I am here as a representative of my community. I have spoken about this bill to members of my community, and they have given their full support to it. They have endorsed it. They believe that this is the right way to go, without any amendments. With that, it is my duty as a member of my community and as a representative to endorse this bill and make sure we support it.

**David SOUTHWICK** (Caulfield) (12:27): There is no question we have a youth crime crisis here in this state, and it has not happened in the last six or 12 months, it has happened over a decade. We are now in this Parliament with a bill before us that still does not fix the problems that we are seeing each and every day. Just in the last month we had a heartbroken family who had a young trainee doctor, Will Taylor, killed in a Burwood car crash tragedy and then huge anger, rightly so, from the family after the 17-year-old accused of being behind the wheel of the stolen car walked free on bail.

I bring that to the attention of the house because when that happened I received a call from a member of Victoria Police who was one of the first on the scene of that particular situation. There were six teams that were involved in that tragedy, and all he could remember was seeing Will, who was behind the wheel, who was in his dying moments if not already dead, and those six individuals more concerned about a bump on one of the alleged perpetrator's heads and treating that rather than worrying about the person that they had just killed. He said to me he has a 15-month-old boy and that he has never felt more unsafe now, because of what is going on – and he has been in the force for 15 or 20 years – since when he was behind the wheel when he was on his Ls. That is from a member of Victoria Police, and they are absolutely beside themselves because no matter what they do in terms of

their jobs, albeit under-resourced, underfunded, even when they catch people doing these serious crimes, they just get let out on bail and they reoffend again and again and again.

There is no question we need to distinguish between stupid crime and serious crime. For those people that go out and for whatever reason get caught up in the wrong groups and do something for a dare or end up offending, we need to stop that from happening in the first place and do whatever kinds of diversion programs to make sure that does not escalate to serious crime. I note the government has cut \$10 million from these kinds of diversion programs and crime prevention programs in the budget, so this government is not serious about crime prevention. They are also not serious about providing enough funding for Victoria Police. We have a thousand police still not properly accounted for in the system, so we have the police desperate in terms of being under-resourced. We have forty-three 24-hour stations that are closed or underdone. So we have a police problem, we have a problem in terms of rehabilitation and thirdly, and probably more importantly, this is the government that only a few months back watered down the bail laws, which allowed people, once they commit a serious crime, to be back on the streets again doing the same thing.

I want to bring to the attention of the house a letter I received a few weeks ago. We held a crime safety forum in Caulfield, and I want to thank Glen Eira council for the work that they did in hosting that forum. I will come to that in a minute. But literally the day before, I received this from a Glen Eira parent. I have raised this a few times: the situation of a young boy, Benjamin, who was on his way home from school with his bag on his shoulders. As he left the school a car pulled up, they dragged him into the car, held him outside of the car, his head smashing against the road, and he was left with brain injuries in intensive care for months and months. It was a horrific situation. The person that committed the offence was out on bail, and we have seen nothing done in terms of this situation of that person being free. This is what the parent said to me:

I, like many parents, was sadly not surprised but extremely disappointed in the decision to free one of the youth who attacked and robbed children outside of Glen Eira College. Of particular concern is the fact that this offender was the main orchestrator, and had so many charges for this offence and previous offences.

I note ‘previous offences’.

As a community I can see that people are not only fed up with hearing about house invasions and robbery and the targeting of young school children, but of these offenders being constantly set free.

People do not understand the impact of this on not only those families – Benjamin and his family – but a whole community. This parent went on to say:

I can only convey to you how disturbing it was having a child who was home sick from school the day of the attack, and having to wake him up to go through his whatsapp class chat to find out if it was one of his friends or classmates who had been attacked. All I knew was that a child the same age as mine had been critically hurt. Fortunately my son and his friends and classmates were able to share their thoughts and feelings on the matter with each other, and the school and police were brilliant in the way that they supported the students.

This is not the school’s fault. This is not the police’s fault. This is the government’s fault for not providing the resources and support and letting these people back out on bail. This is the absolute crux of this letter:

However there was a lasting impact from the day, for example my daughter started year 7 this year and was too afraid to ride to school alone for the first 5 months, other parents I spoke with who had children who were so traumatised that they refused to go to school alone in fear. For my children going out with their friends should be a joy, however it took months for my husband and I and their friends’ parents to relax and we still worry about their safety.

This parent went on to say that they do not want young offenders who have committed small nonviolent crimes to be sent to detention. However, when they constantly and consistently reoffend, then why are, as this parent says, out-of-touch judges not detaining them but putting them back out in the community? I will tell you why: because this government has weakened bail laws, that is why.



This government has weakened bail laws, and these people just get out and reoffend and turn people's lives upside down, turn communities upside down and turn victims' lives upside down.

I think people are sick and tired of talk. In this bill we have got raising the age. What about having serious time for serious crime? Adult crime, adult time. These are people, young people, that are committing adult crimes. They are not stealing a pack of cigarettes. These are serious, serious crimes and they are getting let out again and again and again, and I think we have got to differentiate from that. Yes, we need rehabilitation. Yes, we need support. But when young people do adult crime, these young people should receive adult time, clear and simple. That is what should happen, and that is not what is happening here in the state of Victoria. That is why our system is broken, and that is why we have a youth crime crisis in Victoria. That is why the Premier and the Labor government are doing absolutely nothing to fix the problem. Talk is cheap, and Victorians have had enough of talk when it comes to youth crime and the youth crime crisis that we are facing in this state.

There are lots of people and lots of examples. Shayne Hood, who has lived experience, is the director of Wounds and Wisdom and the co-founder of 16 Yards. He presented at our safety forum – excellent. He has been through it. He is talking to young people. He is doing some great things. Greg Sher from the Break, a local organisation doing great things, is trying to do stuff to rehabilitate and help young people, including Indigenous people. Where is their support? Where is their funding? We need more funding, we need a plan and we need consequences for those serious crimes. It has not happened in Victoria. It has not happened under Labor. We have seen weak bail laws, weak judges that are not going and doing what is needed and a poor, under-resourced police force that keep doing their job with little resources only to find that these violent criminals are back on the street again. Victorians have had enough of it. They have completely had enough of it. In areas like mine crime is 15 per cent up on last year. Enough is enough.

**Dylan WIGHT** (Tarneit) (12:37): It is with pleasure that I rise this afternoon to speak on the Youth Justice Bill 2024. With the passage of this bill Victoria will become the first state in Australia to raise the age of criminal responsibility to 12. This is a monumental step forward for youth justice in our state. It demonstrates significant criminal justice reform, shifting from an ineffective punitive system to a modern evidence-based approach. This new approach prioritises addressing socio-economic factors that lead to youth crime and creating positive opportunities for the rehabilitation of at-risk children and those who are already involved in the criminal justice system.

Youth crime is a problem that my community regards with particular concern. The youth crime rate in Wyndham is relatively low compared to other parts of the state. Nonetheless I am very aware of and concerned by the reputation that is often propagated by those opposite and by some media outlets. This is why I am more than happy to stand in this place and advocate for measures such as these which promote evidence-based strategies for reducing youth offending. I am proud that this government, unlike those opposite, are not resorting to desperate tough-on-crime, fearmongering politics, and we never, ever will. This stuff has been shown time and time again to have extremely detrimental effects on vulnerable children, particularly Indigenous children and children of refugee and migrant backgrounds. I am very aware that there are many vulnerable victims of crime in my community that are hurting as a consequence of youth crime.

Many, particularly on the 6 pm news, like to exploit fears about migrants and the poor in my electorate by painting it as a haven for youth crime and gang violence. It is disgusting and deplorable that some in our community would try to exploit racism, fear and trauma. This kind of crude and shameful fearmongering tarnishes the name of my electorate and has a disastrous effect on social cohesion. So often when I talk to people of multicultural backgrounds and civic leaders in my community, they talk about wanting to improve the image of Tarneit. They work hard and are committed to building a positive and inclusive community out there in the outer west. The kind of cynical, race-baiting, harmful politics we hear in some media outlets or on the evening news, and shamefully sometimes from those opposite, threatens to take away from all of that positive effort.

On this side of the house we are backing progressive, evidence-based criminal justice reforms, and I would like to thank all of those in my community, in this place and through the department and minister's office who worked so tirelessly to put this together. I would especially like to give a shout-out to WEstjustice, who do fantastic work through my community in Wyndham. We know that these reforms based on evidence work. We know that they work. I hope that this bill can continue to be debated in this place and in the media without resorting to some of the tactics that I mentioned in my contribution previously – resorting to discriminatory stereotypes that, as I said, are harmful to our social cohesion and dangerously encourage the further marginalisation of vulnerable youths who may be currently at risk of falling into the cycle of offending.

It is important to recognise that vulnerable children that become involved in criminal activity are still exactly that: children – kids that will continue to go to school, kids that will continue to play sport and kids that will continue to grow up as part of our community. As a parent, I want to know that a child with a criminal background who could be at school or playing footy with one of my boys has received the care needed to overcome that criminal behaviour and perhaps the issues that caused it. Locking them up, shaming them and then sending them back to school simply will not help. Proper care and support will. We are taking action because it is the right thing to do, not just for the children involved but for the safety of our entire community.

Evidence shows that the younger a child is when first sentenced, the more likely they are to reoffend, and their offences tend to become more frequent, more violent and persistent into adulthood. By addressing the root causes of their behaviour and guiding them onto the right path we can ensure long-term community safety, which I know is important to all of us in this chamber, irrespective of which side we sit on. Serious offences by 10- and 11-year-olds are exceedingly rare, as are court appearances and custodial sentences for children this young. Thankfully we currently have no children of this age in the system, and with these reforms we never will again. When a 10- or 11-year-old engages in criminal activity it signals a serious underlying issue in their life that requires help and support, not criminal justice intervention. Support services with age-appropriate interventions are the best response.

Some may prefer a tough-on-crime approach, and we heard the contribution from the member for Caulfield just prior to me. Some may prefer that tough-on crime approach for young children, but evidence shows that this does not work. Young children typically lack the maturity to form criminal intent, leading to charges being withdrawn or not proven. If we do not help these children now, we will spend more resources policing their behaviour as adults to be able to maintain community safety. To be clear, raising the minimum age does not mean children escape consequences. They will still be held accountable, especially for serious harm. Raising the age recognises that the current criminal justice system is just not the best way to hold a young child accountable. Developmentally appropriate interventions and necessary supports are more effective in stopping harmful behaviour, which of course is the goal of this legislation. Our education, child protection and youth justice systems have programs to support young people dealing with trauma, challenging behaviours and complex issues.

Victoria Police as frontline responders have outreach and diversion programs to engage children without resorting to criminal charges. The role of Victoria Police in protecting our communities is of course crucial. We have worked closely with them in developing this legislation, ensuring they can continue to respond effectively to protect community safety, even with children below the age of criminal responsibility. This bill introduces a commonsense approach for police responding to children who pose a safety risk to themselves or to the community. Instead of locking up kids, police will be required to facilitate the transfer of these vulnerable children to a parent or a guardian, the health system or a welfare agency as appropriate.

This piece of legislation comes before this house because it is the right thing to do. It is the right thing to do for children in our communities that may be at risk of going down a particular path because of underlying issues and trauma in their life. It is also the right thing to do for community safety. I have said in this place before that community safety is the number one priority of the Allan Labor

government, and putting children into programs that will stop their offending is great. I commend it to the house.

**Jade BENHAM** (Mildura) (12:47): I rise today to speak on the Youth Justice Bill 2024. This is another issue that is critical in my electorate at the moment and has been very topical since I began in this role. That has been highlighted, and I appreciate all the work that the shadow minister has done on this bill and appreciate too the visit that he had to Mildura, listening to victims of crime, police and other agencies that work in this space. The member for Berwick visited Mildura earlier this year, and he is coming back again very, very soon to do some more work in this space.

If you are familiar with the latest crime stats data, Mildura is again up there; in fact we are up another 9.8 per cent. That does not sound like much, but it is, especially when it keeps going up and up and up and those stats are not coming down. It makes Mildura number one in criminal incidents overall. Mildura is also number one in aggravated burglaries. Mildura is number one in youth crime. What we are down on, though, is people who feel safe walking alone at night. That has come down 24.15 per cent and is probably the lowest it has ever been. That is alarming, especially considering the lack of public transport and other safe ways to get home if you are not driving, because we are very, very spread out. Getting from Merbein to Red Cliffs or from the city heart to somewhere else, even over the river to Coomealla or Dareton, can be a challenge at times, so that is alarming. These are not the things that Mildura should be known to be number one for. We are number one in sunny days, we are number one in food produced per capita, we are number one in a lot of other things – lifestyle. There is a reason why 68,000 of us choose to live there.

**A member** interjected.

**Jade BENHAM:** Yes, the local member is obviously an attraction. But our fundamental focus should be community safety. Mildura has been neglected in this space over the past five years in particular through youth crime and youth homelessness as well, which has worsened with the cost of living. It was great to see the members of the Loddon Mallee Homelessness Network on the steps of Parliament. I spent a bit of time speaking with them yesterday about all of the issues and what has created a very visible increase in homelessness over the past 12 months in particular. They did mention that those coming out of institutional settings – it is a really unique part of the world, and I say this all the time – particularly for those coming out of Broken Hill Correctional Centre, which is just over the river, coming back to be with family and that may not work out, so they end up sleeping rough. It was great to get an insight into those sorts of things yesterday.

There is a youth homelessness issue. I have heard various members talk about these children not being able to be at home. We know all this. We know that home is not a safe place for them a lot of the time. We know that there are issues. We know, as the member for Frankston said, that they are probably victims themselves. There are agencies working in this space to rectify that, and we know all that, but ultimately we have to also listen to the victims of these crimes. I have been constantly inviting people into my office and sitting down and listening to victims and victims' families about the fear that is very, very real on the ground.

Youth justice and how to solve it is not a blanket issue. For some of the agencies, particularly Hands Up Mallee in our part of the world – where, like I said, there is pretty little public transport, especially after 9 o'clock – things need to be community-led. There needs to be flexibility with all of these agencies so they can work together. But when we talk about victims of crime there also needs to be more support for those victims. I had the Sunraysia Indian Association contact me because on New Year's Eve there was a very distressing arson attack on one of their stores and that really upset the community. The Indian community in Mildura contribute an enormous amount to our community on a very, very broad scale, and the estimated loss was around \$200,000. It was determined that the perpetrators – after the police members had done their job – were four teenagers all under the age of 15. They knew what they were doing was wrong. Of course they did. That is not just an act of mischief.

I have also spoken to Matthew Mclean a number of times. We tabled a petition that he had run about the attack in broad daylight on his daughter at an establishment in Mildura, for social media content. Surely that is not okay. They know that that it is not okay. They are doing it for likes, and that is something that really has to be addressed. That petition sought to tighten laws – not weaken them, but tighten laws – around those who film, post and participate in crime for social media content.

Damien McDonald as well – I spoke to him a while ago. He was over in Perth at a Red Hot Chili Peppers concert, which I was very jealous of, and got a phone call in the middle of the concert from his daughters, who were in the middle of an aggravated burglary. One of his daughters was 15 and the other one was 18. He has since been back and met with the member for Berwick and me to talk about the mental health impacts that has had on his daughters and his family as a whole. These are the people that really need support, and fundamentally that is the government's job, isn't it, to look after community safety and keep us safe.

These are just some of the victims, some of the cases that I thought I would highlight today, given that I have only got 10 minutes to talk about it. When we talk about the agencies and we talk about police – and I should take a minute because in all of these cases the police responded brilliantly. They are working so hard. The Minister for Police was with me a couple of weeks ago in Mildura to meet with those hardworking members, and a lot of them will have very frank conversations with me – off the record of course, and they make sure that I keep it off the record because they are fearful of chatting to their MP about these things, which is crazy to me.

One quote that has stuck with me and keeps going around in my head is that we bring the perpetrators in – and they are generally a small group of young people that are committing these crimes, but it is having an effect, and usually a negative effect, on others – they come in the front doors of the police station, they go out the back door through the courts and through the justice system and then they are back out on the street, and they call it a washing machine. It is just a cycle that keeps going around and around with little or no consequences. There is no deterrent for these kids to stop committing these crimes that they are doing.

When we talked about organisations in the last couple of minutes, I mentioned Hands Up Mallee. Sunraysia Community Health Services HomeBase is another extraordinary program, and this, along with Hands Up Mallee, is community led. They have got local people working on the ground with local families and local kids, but they have restrictions. For example, there is a bus running to HomeBase, which is a facility that young people can go and hang out in – they can study, they can eat – but that bus cannot run after 5 o'clock. I do not know if you are aware of how things work, but crime happens after 5 o'clock, and young people need a place to go, especially after 5 o'clock and after school, if they are even going to school in the first place. Hands Up Mallee have asked multiple times for the Minister for Youth Justice to visit Mildura, because this needs ministerial intervention, particularly in my electorate.

These agencies – Sunraysia Community Health, Hands Up Mallee, the Clontarf academies, the Koori Stars, Mallee District Aboriginal Services and all of the other agencies that work in silos – cannot collaborate to deliver what could be a really good solution for all young people in Mildura. But because the guidelines and rules are so inflexible no-one puts up their hand up and says, 'Yes, we can do that. We're funded to do that; let's work together.' There is an inability, and we need ministerial intervention, not laws that are too little, too late, quite frankly. It is all too little, too late, and raising the age of criminal responsibility when you have got arson attacks being committed by people under the age of 15 – some of them are under the age of 12; we know that there are young people running around as young as nine – just will not work. Of course we are opposed to this bill. More work is desperately needed.

**Nathan LAMBERT** (Preston) (12:57): I did mention yesterday that it is good to be back in this place after a period of parental leave. With your indulgence I would just like to thank Danny Erlich, Esther Erlich, Jack Migdalek, Norma Migdalek and Marion Lambert, my mum, for the help they have

provided to Noah, me and our newborn daughter. I should say that that experience of parental leave and indeed the experience of meeting with young children that we all do through our work here is a reminder of where we start with today's bill, which is with the very fundamental belief that no child is intrinsically a criminal. None of us choose the circumstances in which we grow up. Most of us grow up in average circumstances; some young Victorians do not. Some young Victorians spend the first 10 or 15 years of their life in a succession of child protection arrangements, out-of-home care or experiences of family violence and abuse. It is very difficult for those of us who have not experienced those things to understand them, but I think we can understand that the child did not choose those circumstances. As a Labor Party we believe fundamentally that if someone starts out in very difficult and disadvantaged circumstances, we have an obligation to ensure that that start does not result in an even more disadvantage adulthood, and if we do not do anything, we know it will. That is a key principle behind today's bill.

Youth justice can be a very tough topic, but I do believe this bill is a hopeful bill ultimately, because it recognises that our formative years are our formative years and we can learn from our mistakes. Young people can learn and grow. Many of us, as the member for Frankston mentioned, benefited when we were teenagers from the generosity of those who let us learn from our mistakes, and I think we have an absolute obligation to extend that generosity to those at-risk children who need it the most. It is a long and complex bill, as the member for Berwick mentioned.

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

**Business interrupted under standing orders.**

*Questions without notice and ministers statements*

**Construction, Forestry and Maritime Employees Union**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:02): My question is to the Premier. Yesterday the Premier acknowledged that she had failed to answer a very simple question: whether the member for Eltham had raised concerns about CFMEU misconduct with her in 2022. Has the Premier ever discussed, verbally or in writing, CFMEU misconduct with the member for Eltham?

**Jacinta ALLAN** (Bendigo East – Premier) (14:02): I thank the Leader of the Opposition for his question, although I do reject his characterisation of how I answered the question yesterday in question time. But I will repeat, as I have said previously, that allegations that have been raised with me have been referred to the relevant authorities.

**James Newbury**: On a point of order, Speaker, standing order 58 does require the Premier to be direct. I am specifically referring to the requirement to be direct. The Premier was asked whether she had ever had any verbal or in-writing discussions with the member for Eltham, and that question has not, again, been answered.

**The SPEAKER**: The Premier has concluded her answer.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:03): The letter sent to the Premier in 2022 by an Indigenous labour hire firm regarding CFMEU misconduct detailed ongoing discussions with the member for Eltham. Why did the Premier fail to reach out to the member for Eltham to discuss these serious allegations?

**Jacinta ALLAN** (Bendigo East – Premier) (14:04): I thank the Leader of the Opposition for his supplementary question. I again repeat, for the benefit of the Leader of the Opposition, that all allegations raised with me were referred to the appropriate authority.

**James Newbury**: On a point of order, Speaker, again on standing order 58, the Premier has failed again to answer a very simple question. It is now four times we have asked these sets of questions in relation to these matters. It is totally unacceptable that the Premier can read out a script, irrespective

of the question that is being asked. I would put to you that there is some obligation on the executive to answer questions.

**The SPEAKER:** In her substantive response to the question the Premier referred to a rejection of the characterisation of the question. There is no point of order. The Premier has concluded her answer.

**James Newbury:** On a point of order, Speaker, the reference you just made was to the substantive question, not to the supplementary response.

**The SPEAKER:** I have ruled on the point of order.

### Ministers statements: community sport

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (14:05): I rise to inform the house of the important work taking place to help create the next generation of Victorian Olympians. As any athlete can tell you, facilities are only one part of the winning equation. Our \$200 Get Active Kids vouchers address three significant cost barriers to participating in sport: uniforms, equipment and registrations. These vouchers are making a huge difference for kids right across Victoria. The top five sports under the voucher model will come as no surprise to members or to keen Olympic viewers: swimming, basketball, gymnastics, round-ball football and athletics. This year's budget included \$6 million to continue this vital program, ensuring that eligible families will have access to funding that we know can be the difference between participating or not. Almost 150,000 vouchers have been distributed through the seven rounds of the program so far, and with round 8 opening in spring there are more vouchers on the way.

Access for all Victorians is a crucial component of our ongoing investment, with the all-abilities workforce and sector support program launching this year. Round 1 of the Regional Community Sports Infrastructure Fund has funded several projects, including the \$1 million all-abilities infrastructure upgrade at Wallington Reserve, home of the Bellarine Bears Baseball Club and Wallington Cricket Club. The member for Bellarine knows how important that project is and the benefits it has beyond the nine baseball players on a team, with an additional \$50,000 for these teams to deliver an all-abilities participation initiative to break down barriers and get more people into sport, emulating their Olympic and Paralympic heroes. With 10 days to go until the closing ceremony, I wish all our athletes the best of luck as they inspire the next generation of Olympians and Paralympians.

### Construction, Forestry and Maritime Employees Union

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:07): My question is to the Premier. The letter sent to the Premier in 2022 by an Indigenous labour hire firm contained numerous allegations of criminal behaviour by CFMEU officials, including making a threat to kill, a threat to inflict serious injury and using threatening words. Why then did the Premier say on Tuesday in this house that the letter 'did not contain allegations of criminal behaviour'?

**Jacinta ALLAN** (Bendigo East – Premier) (14:08): I thank the Leader of the Opposition for his question, and it gives me the opportunity to repeat what I said yesterday to the Leader of the Opposition. Allegations raised with me have been referred to the relevant authority.

**Peter Walsh:** On a point of order, Speaker, rule 58 says that answers to questions must be direct, factual and succinct. Can I put it to you that the Premier is none of those in how she is handling all the questions, but particularly that question, which goes to the nub of the integrity of the government in responding to questions on behalf of Victorians. I would ask you to bring her back to actually answering that question, please.

**Mary-Anne Thomas:** On the point of order, Speaker, I ask that you rule the point of order out of order. I would in fact contend that the Premier's responses are each of those things: direct, factual and succinct. I would also add and remind the house that *Rulings from the Chair* is very, very clear that the minister has discretion to determine the content of any answer.

**James Newbury:** Further to the point of order, rulings from the Chair from multiple Speakers – at least five Speakers – also make clear that remarks must directly relate to the question asked.

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

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:10): In June 2023 the Premier wrote to the chief commissioner about non-specific allegations of criminal incidents on government projects. Given the Premier knew of serious criminal allegations involving the CFMEU, why didn't the Premier's letter actually name the CFMEU?

**Jacinta ALLAN** (Bendigo East – Premier) (14:11): I thank the Leader of the Opposition for his question and the opportunity to clarify for the benefit of the house that Victoria Police is indeed an independent investigative agency, that it would be deeply inappropriate for me to cut across their work –

**James Newbury:** On a point of order, Speaker, under standing order 58(1)(b), the Premier is debating the question in an effort to not respond to the question, and I would ask you to bring the Premier to the exact question asked.

**Mary-Anne Thomas:** On the point of order, Speaker, there is no point of order. The Premier was being directly relevant to the question that was asked, which referenced the Chief Commissioner of Victoria Police.

**The SPEAKER:** I will rule on that point of order. I cannot direct the Premier how to answer the question. The Premier was just commencing her answer.

**Jacinta ALLAN:** I was, Speaker. Thank you for the opportunity to continue to answer the question, because I was indeed being directly relevant to the question that was asked. I was not going to direct Victoria Police on how to conduct their independent work. Others have done that in the past; that is not how we will operate.

**James Newbury:** On a point of order, Speaker, on standing order 58 again, the Premier is debating the question. The question asked why the Premier's letter did not name the CFMEU.

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

**Jacinta ALLAN:** Where allegations have been raised with me, they have been referred to the relevant authority.

**John Pesutto:** On a point of order, Speaker, under standing order 58, the Premier was not being direct in her answer to the question, we would submit. The Premier said at the conclusion of her answer that she refers all matters to Victoria Police. The very specific purpose of this question was indeed to ask the Premier why she did not refer the allegations of criminal conduct by the CFMEU to the chief commissioner when she wrote to the chief commissioner and did not do that. Standing order 58 is one of the vital checks and balances on the executive. If you are not, with respect, prepared to enforce it, then what is the point of the standing order? What is the point of question time? We have not been able to elicit one substantive answer on behalf of the Victorian people.

**The SPEAKER:** Leader of the Opposition, I would remind you that raising a point of order needs to be done also within the rules of the house. A point of order is not an opportunity to seek a further ruling from the Chair when I have already ruled on the point of the order.

#### Ministers statements: creative industries

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (14:14): Our creative agencies are going for gold as part of our \$40 billion creative state economy. Both the National Gallery of Victoria and the Melbourne Museum have lit up in green and gold to help cheer on our Olympians, our Paralympians and our past Olympians, like the member for Nepean. If only ambition was an Olympic sport.

Work is underway to transform our arts precinct, and we cannot wait to unveil our much-loved refurbished state theatre when it reopens. The National Gallery of Victoria continues to kick goals with exhibitions like *Pharoah* and this summer's *Yayoi Kusama* blockbuster. Melbourne Museum has the incredible *Victoria the T. Rex*, bringing Victorians fact to face with the cretaceous period, which is about the same time I think that the Leader of the Nationals came into this place.

ACMI is putting in medal-winning performances, with over a million visitors last year and its current incredible *Beings* exhibition. The State Library Victoria is smashing visitation records: 2.4 million visitors in the last year off the back of its \$88 million upgrade. The Wheeler Centre hosted an event with Olympic champions Patrick Johnson and Kieren Perkins, and 150,000 people have enjoyed concerts at the incredible Melbourne Recital Centre.

Our screen agency VicScreen is driving significant film production right here in Victoria, from big productions with US investors to homegrown cult classics like *Late Night with the Devil*. And, no, that is not Peter Dutton on Sky after dark; it is a different sort of horror show.

*Members interjecting.*

**Colin BROOKS:** I thought you would like that one. The list goes on. Victoria is clearly the cultural and sporting capital of the country, and the Allan Labor government is backing those key strengths.

#### **Construction, Forestry and Maritime Employees Union**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:17): My question is to the Premier. The Premier has said in this place that government infrastructure projects in Victoria ‘cost what they cost’. Is the \$40 billion in cost blowouts on taxpayer-funded projects because the Premier enabled CFMEU thuggery, corruption and criminal behaviour to fester for the last 10 years?

**Jacinta ALLAN** (Bendigo East – Premier) (14:17): I thank the Leader of the Opposition for his question and the opportunity to remind the house of the significance of the transport infrastructure pipeline that we have in this state that is building vital transport connections. Whether it is in regional Victoria with road and rail, in the suburbs removing level crossings or building the West Gate Tunnel, the North East Link or the Metro Tunnel, we are getting on and delivering our significant pipeline of transport infrastructure projects.

*Members interjecting.*

**The SPEAKER:** The member for Mildura is warned.

**Jacinta ALLAN:** The investment that we make in these projects of course is outlined on an annual basis in the budget and in the midyear budget update.

**James Newbury:** On a point of order, Speaker, under standing order 58, this answer could not be any more clearly the Premier not directly responding to the issue raised in the question. The question related to integrity and corruption that is occurring on government worksites – corruption on government worksites – and the Premier is reading a media release, which does not in any way relate to –

*Members interjecting.*

**James Newbury:** well, you certainly could write it then – instead of responding to the substance of the question. This is very frustrating for Victorians.

**The SPEAKER:** The Manager of Opposition Business knows that is not the way to raise a point of order. There is no point of order. The Premier was being relevant.

**Jacinta ALLAN:** Before the member took the point of order, I was outlining to the house how the investment that our government has made in this significant transport infrastructure pipeline is outlined



on an annual basis in the budget and updated half-annually in the midyear budget update, and that information is provided transparently. And, you know what, Speaker –

*Members interjecting.*

**Jacinta ALLAN:** I have been asked about costs and I am giving you the details.

**Peter Walsh:** On a point of order, Speaker, the Premier is debating the question. This goes to the nub of why there is \$40 billion worth of cost blowouts on major projects here in Victoria, particularly because of the thuggery, corruption and criminal behaviour of the CFMEU, which has been empowered by the Labor government here in Victoria.

**The SPEAKER:** Leader of the Nationals, that is not the appropriate way to raise a point of order. The Premier was being relevant to the question. The preamble forms part of the question, and the Premier was being relevant.

**James Newbury:** On a point of order, Speaker, the Leader of the Nationals raised a point of order on the Premier debating the question. It was not on relevance, it was on debating the question, and that is what the Premier is doing – debating the question to avoid answering the question.

**The SPEAKER:** The Premier was not debating the question; the Premier was continuing with her answer.

**Jacinta ALLAN:** I was in the process of going to how we detail the investments we make in these projects. If you review the budget papers, the vast majority of our significant transport infrastructure pipeline is on time and on budget.

*Members interjecting.*

**The SPEAKER:** The member for Polwarth is warned.

**Jacinta ALLAN:** Where there have been from time to time projects that have had some challenges, that have needed additional investment –

*Members interjecting.*

**The SPEAKER:** I am not sure that I can take the point of order, because I was not able to hear the Premier responding, but I will take the point of order.

**James Newbury:** On a point of order, Speaker, under standing order 58, the Premier is required to be factual. The Premier just said that projects were delivered on time and on budget, and we know that is not factual.

**The SPEAKER:** There is no point of order.

**Jacinta ALLAN:** I was going on to say that where we have challenges with particular projects, projects that have been –

*Members interjecting.*

**Jacinta ALLAN:** The reason why it is so vitally important that we get on with these investments, that we get on with these projects, is not only that there are tens of thousands of workers who rely on these projects, who rely on this pipeline, who rely on the dignity of a pay packet going home at the end of every week to support their families; their families also deserve better transport connections. That is why we are investing in these projects. The Treasurer and I have raised on a number of occasions since budget that there are certainly cost pressures on infrastructure projects around the country and around the world. There are pressures around workforce supply and availability of materials. These are well documented, well discussed –

*Members interjecting.*

**The SPEAKER:** The member for Mordialloc is warned.

**James Newbury:** On a point of order on relevance, Speaker, I seek your guidance. We are now 2½ minutes into a 3-minute question relating to the CFMEU. The Premier has not yet raised the CFMEU. Is it relevant?

**The SPEAKER:** The Premier was referring to costs and government infrastructure projects. She was relevant to the question.

**Jacinta ALLAN:** That is why we will continue to support these projects. We will work through the challenges that are experienced by projects around the country and around the world, because Victorians need these better transport connections to get home safer and sooner and to have an equality of opportunity to participate in our community.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:23): Over the last 10 years, how many times was the Premier warned about the CFMEU’s thuggery, corruption and criminal behaviour?

**The SPEAKER:** I ask the Leader of the Opposition to rephrase his question so it relates to government business.

**John PESUTTO:** Over the last 10 years, how many times was the Premier warned about the CFMEU’s thuggery, corruption and criminal behaviour on taxpayer-funded major projects?

**Jacinta ALLAN** (Bendigo East – Premier) (14:24): As I have said on a number of occasions, where allegations were raised with me, they were referred to the relevant authority.

**James Newbury:** On a point of order, Speaker, on standing order 58, this cannot stand. The Premier is not responding to the question. The question was very simple – how many times – both today and yesterday, and I put to you, Speaker, that question time has become a joke. It is a joke. It is not unreasonable for the Premier to answer the question.

**The SPEAKER:** That is not the way to raise a point of order.

**Mary-Anne Thomas:** On the point of order, Speaker, I ask that you rule that point of order out of order. There is no point of order. Standing order 58 is very clear. All answers to questions must be direct, factual and succinct, and that is exactly what the Premier has delivered. I also remind the house that Speakers’ rulings on this matter are very, very clear. Ministers have discretion to determine the content of any answer.

**The SPEAKER:** I repeat my previous rulings that I cannot direct the Premier how to answer a question. The Premier was being relevant to the question that was asked. The Premier has concluded her answer.

**John Pesutto:** On a point of order, Speaker, under standing order 58, we have now asked a total of 24 questions – very simple, tight questions.

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

**John Pesutto:** Speaker, with respect, we understand your role. This is not directed at the Chair. But we will not accept a government that is covering up corruption. We will not accept a government that does not answer questions. We have asked 24 simple questions and not got one answer. We will not stand for it. I ask my colleagues: let us show that this question time is pointless. There is no point to question time.

*Members interjecting.*

**The SPEAKER:** Order! The Premier will come to order. Just for clarification, the Leader of the Opposition’s point of order is out of order.

**Ministers statements: economy**

**Tim PALLAS** (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:28): I imagine this contribution will be met with almost unanimous support. I am pleased to update the house on how the state's economic performance is tracking. It is Olympian. Let me start with job creation, where we are in first place in the nation, with over 827,000 jobs created since November 2014, when this government first came to office, the most of any state in the nation, including New South Wales, who are a fair bit bigger in terms of population – a gold medal performance, you might say, or as Norman May may well have said, gold, gold, gold. But there is more gold to come. Deloitte Access Economics has rated Victoria as the best performing economy in the nation not just this year but for the next five. Indeed our state economy is in fact the engine room of the nation. We are the leading weightlifters when it comes to job creation and investment, with the greatest number of new businesses created since 2021 and the largest increase in retail trade since this government was first elected. Like a good marathon runner, our strengths have maintained over time. We have a total of \$208 billion worth of infrastructure commencing or continuing in new and existing capital projects, creating jobs, improving productivity for business and delivering better services. I know that this house is unanimous in its support for the monumental efforts of our Olympians, but perhaps we should sit back and contextualise the heroic efforts that Victorian business and the Victorian people are putting into making this economy great.

**Middle East conflict**

**Ellen SANDELL** (Melbourne) (14:30): We always did know that the Greens were the real opposition anyway. My question is to the Premier. Two weeks ago the International Court of Justice, the UN's highest court, declared that Israel's occupation of Gaza, the West Bank and East Jerusalem is unlawful. The ICJ also said that all states must immediately review all diplomatic, political and economic ties with Israel, inclusive of business and finance, pension funds, academia and charities. Yet here in Victoria the Labor government has signed an MOU with the Israeli Ministry of Defense to support greater collaboration and share opportunities between Victoria and the Israeli Ministry of Defense. My question is: will the Premier follow the UN court's advice and now rip up this MOU with the Israeli Ministry of Defense?

**Jacinta ALLAN** (Bendigo East – Premier) (14:31): I thank the member for Melbourne and Leader of the Greens. As tempted as I am to use this as an opportunity, this is a very serious question containing very serious subject matter. I do note the member referred to the ICJ ruling and her reference that advice was given to states. The states that are referred to in that context are of course nation-states, national jurisdictions that hold the responsibility on behalf of their nations for engaging in foreign relations and foreign affairs matters. That is not the role of a subsovereign jurisdiction.

I have been very careful to reinforce this point on a number of occasions, and I want to be absolutely clear. I and our government utterly condemn the Hamas invasion, the terrorist invasion, that occurred on 7 October. We utterly condemn that. Like so many in the community, we have continued to, for some, watch from a distance, but so many in our community have been watching with deep, close, personal distress because we know that so many in our community here in Melbourne and Victoria have family and friends and loved ones in Palestine and in Israel who are suffering deep loss, horrendous loss, horrific loss as a consequence of this ongoing conflict.

We all want this conflict to stop. That is why, on behalf of the role that we play here in Victoria, noting as I have said that in my very firm view it would be inappropriate to cut across the work that our federal government are doing, who appropriately speak on behalf of our nation on these matters, I do support the call that has been made for a ceasefire, for the release of hostages and for the flow of humanitarian aid. We have seen an escalation in recent days of this conflict. There is clearly still some way to go with this conflict, which means more kids are going to get killed, more loved ones are going to lose their lives and more people are going to need our love and support. That is what I am focused on, the role that we must play here in Victoria – not a political role but a human role, not a role that

engages in political pointscoring but a role where we wrap our arms around people in our community and stand with them, Jewish and Palestinian, and say we reach out and love one another and provide support and want this conflict to end.

**Ellen SANDELL** (Melbourne) (14:34): I thank the Premier for her answer. The Premier mentioned that subnational jurisdictions should not have responsibility for international relations or relations with other defence ministries. If that is the case, if the Premier does not believe that the state of Victoria has responsibility in this matter and if she believes that this is a horrific war that she wants to end, why did the Victorian government sign an MOU with the Israeli Ministry of Defense and why won't she stand up now and cancel it?

**Jacinta ALLAN** (Bendigo East – Premier) (14:35): Can I just be absolutely clear. My reference to subsovereign jurisdictions' role in these matters is in the context of the federal government's responsibility for leading the foreign relations and foreign affairs relationships on behalf of our nation. Jurisdictions, including local government and state government, have long worked on deepening cultural ties and links and trade links with other jurisdictions around the world. Our state has a number of sister city relationships as evidence of that. I was in Whitehorse at the Box Hill town hall recently, where we had a wonderful celebration of Chinese culture and heritage and the contribution that Chinese Victorians have made to our state. It is absolutely appropriate that the state of Victoria has those cultural and economic relationships, because it strengthens all of us, and that is what we should be focused on at this time of conflict.

#### **Ministers statements: Paris Olympics**

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (14:36): I rise to update the house on how the Allan Labor government has given Victorian athletes the very best chance to excel on the world stage in Paris. Like most of us here in this house, I have been blown away by the sporting achievements I have seen over the last few days, performances like local Grace Brown's historic gold medal ride. Unlike the Leader of the Opposition, Grace got off to a blistering start and never had to look over her shoulder. And there were performances like Jess Fox's K1 and C1 show stoppers. Jess showed us what those who were opposite have not been able to do for a decade – that is, making paddling upstream look easy. The build-up to your little crescendo there was not quite what you planned, was it?

Whether you were watching Grace take gold or the unstoppable Aussie women in the pool, these Olympic Games have been irresistible. That is just one of the reasons why our government continues to invest in our elite athletes through the Victorian Institute of Sport, which got a boost in this year's budget, because these athletes serve as powerful role models – role models for all young kids watching the games around Australia and around the world, who go out and want to swim like Mollie or shoot like Patty.

While our Aussies are going for gold in Paris, we have a few members on this side of the house vying for a spot when the games come to Australia. I know the member for Hastings will be a certainty to be on the podium in ballroom dancing. The member for Frankston will be a shoe-in for gold for good Samaritan acts, and the member for Albert Park would top the table for the most passionate parliamentary contributions. While we are cheering on our athletes going for gold in Paris now, we know that our sustained investment, as the Minister for Community Sport said a moment ago, will also hold us and them in good stead for global competitions going forward.

**The SPEAKER:** The member for Brighton has the call.

**James Newbury:** There is just no point. Labor is covering up corruption.

**Jacinta Allan:** On a point of order, Speaker, can I ask for a point of clarification. I just want to check in terms of who will get the next call and the form of the house, because it is quite unusual. Never I think has the house seen someone lack the courage of their convictions and cut and run from

this place so quickly, and the thing is that when you cut and run no-one misses you. No-one misses you if you do not have the courage to stand on the base of your convictions.

**The SPEAKER:** The member for Brighton did not ask a question or direct a question to anyone, so therefore the member for Melbourne has the call.

### Middle East conflict

**Ellen SANDELL** (Melbourne) (14:39): My question is to the Premier. The Victorian Labor government is the principal sponsor for Land Forces, a weapons expo set to happen at the Melbourne Convention Centre this September. The expo will feature and promote Israeli drone maker Elbit Systems, which, as you would remember, killed an Australian aid worker, along with other weapons manufacturers that are active and complicit in Israel's atrocities in Gaza, which the Premier has herself said are horrific, such as Lockheed Martin, Boeing, Thales and more. In light of these companies' atrocities in Gaza, will Labor cancel its sponsorship of the weapons expo?

**Jacinta ALLAN** (Bendigo East – Premier) (14:40): Again I am going to perhaps repeat some of the comments I made in my answer to the earlier question from the member for Melbourne. Now is not the time to be driving further division and looking for opportunities for that division. Now is not the time for that. Yes, Melbourne is hosting in September the Land Forces conference. It is an international conference which delegates from around the globe will be attending. Yes, the Victorian government is a principal sponsor of this event, along with the Australian Army, in terms of the jurisdictional responsibilities of the army. This is an event that should not be used by the Greens to continue to drive division. That is not going to end the conflict in the Middle East.

I am deeply alarmed, like I am sure so many in our community are, at the recent escalation in just the last couple of days and how the unrest is spreading into Lebanon and into Iran. It is fragile. There is a fragility and a tinderbox environment in the Middle East. In no way should we be trying to replicate that here in Victoria. We should be focused on supporting those Victorians who are grieving, supporting those Victorians, yes, with the offer of humanitarian assistance where we can and as the government has done, not continuing to use these opportunities to drive a political wedge. It deeply disappoints me and saddens me that this is the path that the Greens political party in this Parliament and in the federal Parliament have chosen to take repeatedly, time and time again.

The real enemy here is hate and war. It is not the Labor Party. The real enemy here is war and conflict and hate. The antidote to that is not the grandstanding that we continue to see from the Greens. The complete disrespect that we saw shown by members of the Greens political party at the Australian Labor Party's Victorian branch conference a few months ago was disgraceful. It was evidence that they are not focused on fostering a culture of love and respect. They want to drive this culture of hate and division that is at the root of the conflict in the Middle East, which we should all be standing as one to reject.

**Ellen SANDELL** (Melbourne) (14:43): The Premier says that the enemy here is war. I am sure it is no news to her that war is only made possible by weapons, and we would argue that now is not the time to be actively supporting weapons manufacturers that are engaged in and make possible these atrocities in Gaza. My supplementary question is: how much is the Victorian Labor government spending on its sponsorship of this weapons expo happening here in Melbourne?

**Jacinta ALLAN** (Bendigo East – Premier) (14:43): I strongly disagree with the member for Melbourne in her characterisation that war is made possible by weapons. War is made possible by the wrong decisions that leaders take to take their armies, their forces, into conflict with another. It is people – it is humans – who make these decisions, not the weapons. Let us be absolutely clear. It is frankly a little bit childish to say otherwise. But weaponising conflict, like the member for Melbourne and the Greens political party do, is what drives that ongoing conflict. This ongoing weaponising of conflict is something I reject in the strongest possible terms.

**Sam Hibbins:** On a point of order, Speaker, questions are not a time to attack those asking the question. It was a very clear question on how much the government is spending on sponsoring this weapons expo, and in the 8 seconds the Premier has left, I would ask you to direct her to answer the actual question.

**The SPEAKER:** The Premier will come back to answering the question.

**Jacinta ALLAN:** The characterisation by the member for Prahran of this conference demonstrates that they intend to weaponise this event, and we just will not stand for it.

### **Ministers statements: Paris Olympics**

**Jacinta ALLAN** (Bendigo East – Premier) (14:45): While others are cutting and running from the field, walking off the field of play because they have spat the dummy, we are getting in behind our Victorian athletes in Paris who are doing us proud. We have some of the best athletes in the world, and we are seeing it: our swimmers, our skateboarders, our boxers, our cyclists, our table tennis – I nearly said tennis; he thought he was a star once. I want to give a shout-out to Australia’s very first gold medal winner, Camperdown-born legend Grace Brown, who took out gold in the women’s individual time trial. She is just about to head into retirement. That is a fantastic boss move from Grace.

I am also a little bit biased when it comes to geography and sport, and I think it is fair to say that Bendigo and central Victoria absolutely punches above its weight when it comes to our contribution to the basketball world stage. I am loving watching Bendigo-born NBA star Dyson Daniels doing our state proud with the Boomers, alongside other local athletes Ally Wilson, Amy Atwell and Matty Dellavedova from the proud city of Maryborough, who are shooting hoops on the world stage. I also want to give a shout-out to Andy Buchanan, who will be making his debut in the Olympic marathon next week.

There is another thing we should be proud of. All the gold medals won to date by Australia have been won by women athletes. That is further fantastic evidence that when you invest in female-friendly facilities, when you invest in Get Active Kids vouchers, you are giving all kids, boys and girls, men and women, the opportunity to compete and one day perform on the world stage. That is what our focus is on: supporting people to get a go and have a go and being able to cheer them on in Paris over the course of this Olympics. This goes alongside all of our infrastructure investment, and we will keep cheering them on.

### *Constituency questions*

#### **Laverton electorate**

**Sarah CONNOLLY** (Laverton) (14:48): (730) My question is for the Minister for Consumer Affairs. Just a few weeks ago I was ecstatic to hear the announcement that our government is currently developing new reforms and protections for the residential parks industry. As the minister knows, my electorate is home to two villages that are categorised as residential parks, and these are Palm Lake Resort in Truganina and Ingenia Federation Village in Albion. I have had the pleasure of meeting with residents of both villages on many, many occasions over the years and could speak here all day about the wonderful communities there, including folks like Neil and Carmel from Palm Lake and Anne from Federation Village. In turn they have shared with me many of their own experiences and challenges with where they live, from things like exit fees to the maintenance of shared facilities and so much more. These issues are things that residents across the state have been advocating for, including the Manufactured Homes Owners Association (Victoria), led by the incredible Judy Duff, who I have met on several occasions. Not only has our government listened, but we are acting. So my question is this: how will these proposed reforms benefit residential parks like Palm Lake and Federation Village in the electorate of Laverton?

**Brunswick electorate**

**Tim READ** (Brunswick) (14:49): (731) My constituency question is for the Minister for Roads and Road Safety. More people ride to work, school and uni from Brunswick than from any other part of Australia, and many people want to ride along Sydney Road, which is unsafe. There is a growing community in my electorate wishing for a rebuild and revitalisation of Sydney Road, including accessible tram stops, separated bike lanes and wider footpaths, all of which were proposed by the minister's department about five years ago. I would like an update from the minister on when this might happen. Oh, no, an update – I will rephrase it, Speaker.

**The SPEAKER:** You have 18 seconds to ask a question.

**Tim READ:** Will the government commit to rebuilding Sydney Road?

**Bayswater electorate**

**Jackson TAYLOR** (Bayswater) (14:50): (732) It is great to be here, and I am standing up now to say Boronia is the place to be, and it is about to get even better with the delivery of the new Tormore Reserve pavilion, which will support great clubs like the Boronia football netball club and the Boronia Cricket Club as well as the wider community. Last election I announced \$1.2 million to help get the job done after starting the campaign with the clubs to help finally deliver the facilities they need and deserve, of course with a huge commitment of \$5 million delivered by Mary Doyle, the federal Labor member for Aston. Now we are all keen to see works get underway. My constituency question is to the Minister for Community Sport: once started, when can we expect to see construction wrap up so clubs will be able to move into the new digs? This project is almost entirely fully funded, aside from a bit of operational funding from Knox council, by the state and federal Labor governments getting on and delivering for Knox. I cannot wait to see the end result of what has been years of work by the clubs. This is a continuation of record support from the Allan and Andrews Labor governments for delivery of sport locally.

**Melbourne electorate**

**Ellen SANDELL** (Melbourne) (14:51): (733) My question is to the Minister for Environment and minister in charge of the EPA. Why hasn't the government done anything about the terrible air quality at Southern Cross station? There are a number of my residents who have contacted me who live near this station, and they are suffering from incredibly poor air quality due to diesel trains and due to the poor design and poor monitoring and compliance of air quality at this station. It is something that no-one should be suffering in the place that they live. We live in a beautiful state and a beautiful city where everyone should have access to clean air. I have raised this matter a number of times with a number of ministers and have not received any response or any action. Those residents deserve answers. It has been raised a number of times now, and I would very much appreciate a response. I will continue holding the government to account on air quality at Southern Cross station.

**Glen Waverley electorate**

**John MULLAHY** (Glen Waverley) (14:52): (734) My constituency question is directed to the Minister for Education. What is the impact on local government schools in the Glen Waverley district because the Commonwealth government is not providing 5 per cent of the needed funding according to the schooling resource standard? Public education is the backbone of our state. Quality public schools give every child, regardless of gender, race, sexuality or socio-economic background, a chance to learn and develop into contributing members of society. They provide opportunities and open pathways for kids to be the best version of themselves. Public schools are some of the most important assets of our state and nation, and we must do everything in our power to improve and support them. We have a situation whereby private schools are overfunded whilst public schools, which serve the majority of our community and quite oftentimes the most disadvantaged, are chronically underfunded. The fact that we are discussing whether public schools should receive even the minimum funding is

outrageous, and it is so disappointing to see that the Commonwealth is not more motivated to provide more funding to bridge the disparity.

#### **Prahran electorate**

**Sam HIBBINS** (Prahran) (14:53): (735) St Kilda Primary School has been a thriving school for 150 years. However, it is in drastic need of an indoor community hub for school and community use. When the previous sports hall was demolished there was an understanding that there would be a replacement built. The state government has not allocated funds to build it. My question is to the Minister for Education. This means that the school currently has nowhere for indoor PE, assemblies, graduations, performances or extracurricular activities. Not only that, but with the majority of students living in apartments and townhouses there is a really limited amount of open space and a real need for indoor sports and basketball and netball courts. So I ask the Minister for Education: when will St Kilda Primary get funded for their indoor community hub?

#### **Tarneit electorate**

**Dylan WIGHT** (Tarneit) (14:54): (736) My question is to the Minister for Children. How will the Allan Labor government's Building Blocks grants help families in my community of Tarneit? I had the great pleasure last month of visiting the opening of the Hoppers Crossing Children's Centre, which is right next to my electorate office on Heaths Road. The Hoppers Crossing Children's Centre received \$2.7 million in funding as part of a Building Blocks capacity-building grant. It was fantastic to see the amazing facilities this grant has already contributed to my community. I am also eager to go and see this kind of building development in the Goodstart Early Learning centre on the corner of Morris Road and Heaths Road, for which extensive upgrades are proposed totalling \$1.2 million as part of the same grants program. The project includes new flooring, painting, bathroom refurbishments and new joinery and cabinetry. I cannot wait for the minister's response.

#### **Richmond electorate**

**Gabrielle DE VIETRI** (Richmond) (14:55): (737) My question is for the Minister for Disability, Minister for Ageing and Minister for Carers and Volunteers. I have been contacted by a constituent who is disabled and finding it increasingly difficult to access assistance. In fact disability advocacy organisations are in the midst of a funding crisis. Lack of state government funding has meant that they are facing operational deficits, resulting in service cutbacks and even permanent closure for many. These organisations are crucial for supporting Victorians with disabilities. Now services are reporting that they are faced with no choice but to cut staff hours. They are frontline organisations that are critical to people with disabilities being able to live their lives and overcome the barriers that are presented to them. I have heard from a CEO from a frontline disability service who is down to 8 hours a week – just 8 hours a week for the CEO. How will these organisations run when there are no staff left to run them?

#### **Monbulk electorate**

**Daniela DE MARTINO** (Monbulk) (14:56): (738) My question is directed to the Minister for Roads and Road Safety. Following the recent landslip on Mount Dandenong Tourist Road near Mason Grove in Sassafras, could the minister please advise what measures are being taken to ensure the safety and accessibility of the area for local residents and visitors. On 16 July, after heavy rainfall, a landslip occurred on Mount Dandenong Tourist Road. The response was swift, and the road was reopened the following day in a collaborative effort between the Emerald SES and the Department of Transport and Planning. The road in this section is now down to one lane, with temporary signals managing the flow of traffic. This is an essential thoroughfare for my constituents and the many visitors to the Dandenong Ranges who come to enjoy our natural beauty and great food and retail offerings. I look forward to sharing any information which the minister can provide.



**Melbourne electorate**

**Ellen SANDELL** (Melbourne) (14:57): (739) My question is to the Minister for Roads and Road Safety. When will the Department of Transport and Planning come to meet residents of Abbotsford Street and surrounds to talk about the safety issues on this street in North Melbourne? The department of transport a little while ago came and remodelled Abbotsford Street, but it is simply not working and actually it is really quite unsafe. There have been a number of accidents on this road. Cyclists, pedestrians and also motorists have been affected. There are very poor sightlines. There has been the installation of tram barriers that are simply not working with the design of the rest of the road. We understand that some of these measures were introduced for safety reasons, but they are actually making the area much more unsafe for residents and people who use that road. It is a very confusing road design. It is also near the new campus of the new North Melbourne Primary School, a wonderful campus, but it is creating a very dangerous situation for those parents and students as well.

**Bills****Youth Justice Bill 2024***Second reading***Debate resumed.**

**Nathan LAMBERT** (Preston) (14:58): Before we adjourned I was talking about the Labor values in the Youth Justice Bill 2024, but I would like now to turn to the details. It is of course a very substantial work of reform, at almost 1000 pages. But given that the Liberals and Nationals have walked out of the chamber, I guess I will mainly focus on the comments made by the Victorian Aboriginal Legal Service (VALS), by the Fitzroy Legal Service and by Dardi Munwurro, who operate out of Preston and Reservoir. Those organisations do very important work in our community, and I think it is worth stepping through their comments in some detail. But just before I do that, I would like to touch on an important distinction in this discussion. There are some people who think that all contact with the justice system is equally damaging, and those people are critical of today's bill from what is really an abolitionist perspective. That is clearly not the government's view, and I think it is clearly not the view of communities across Preston or Reservoir either. Certainly when we are out doorknocking and when we are in some parts of our electorate that are economically disadvantaged, I find that the prevailing view is not that those communities are overpoliced –

*Members interjecting.*

**The SPEAKER:** Member for Richmond and member for Brunswick! Member for Richmond, I have asked you not to wear that in the chamber.

**Nathan LAMBERT:** but in fact that they would be grateful and are always grateful for additional presence of police in their communities. But there is a separate view that it is incarceration in particular that we should be most concerned about, particularly with respect to children. Certainly I think the criminological evidence is much stronger there and very suggestive that the act of incarcerating a child is in many ways an order of magnitude, if you like, more significant than something like a police warning, for all the reasons that we might imagine: the way it cuts off children from their families, from their loved ones and from their workplace and places them into what can be a very negative environment.

While there has been a lot of high-profile debate about the minimum age of criminal responsibility, I do think there is a very important parallel debate about the age at which a child can be incarcerated, and on that specific question there are some very important and valuable reforms in this bill. There are of course all of the changes to pre-charge diversions and pre-charge considerations of doli incapax. But then also if we think about what is happening after a charge, there is the new presumption in favour of proceeding by summons, which will limit the use of remand. There are the new fast-tracked protections to address the risk of self-incrimination when young people are dealing with pre-trial

interventions, and again that will ameliorate the effects of remand. There is the updated sentencing hierarchy. There are the new Aboriginal sentencing principles. There is the new long-term view of community safety and, most importantly, the new presumption against custody for children under 14.

I would add electronic monitoring to that list. Electronic monitoring is contentious. It is clearly not a positive thing; none of us would personally volunteer to be monitored in that way. But it does not involve the separation of people from their loved ones, their workplaces and their connections to their daily routine that they use to manage their life, and it does not involve the placing of them into what can be a very negative environment that we see with incarceration. All the evidence out of countries in Europe that use this extensively is that you can debate how it is used but if it serves to reduce rates of remand then it is certainly something worth trialling. Obviously, that remains a point of debate.

I think it is important to say that for those reforms I have just listed there is a great deal of support amongst stakeholders. Indeed I have got some particularly positive feedback in my discussions about part 2.3 of the bill, which allows more of the work and decision-making with respect to First Nations young people to be made by First Nations organisations, and I would like to recognise the work of the Aboriginal Justice Caucus and its constituent organisations in delivering that piece of reform. We recognise their work, and we will continue to listen to those organisations. I was talking to Alan Thorpe, who is at Dardi Munwurro, and I think there are some good suggestions from him on the language we use in these bills. I think he would like to see language that goes towards thinking of parts of this system more as about healing than about delivering punitive outcomes, and I think it is certainly worth listening to the suggestions of Alan and others.

I might finish by just returning to those age threshold questions which have been at the centre of the debate. I think it is a very important principle for us as a government, particularly as a Labor government, that we are always responsible for 100 per cent of people in 100 per cent of situations. In many organisations, if you are running a bank or a supermarket or whatever, you can get away with only thinking about 99 per cent of people who you might serve and not worrying about the final 1 per cent. But in government you cannot do that; you have to think about every Victorian. The most extreme circumstances you can think of are circumstances that are always the government's responsibility. If we think about, for instance, the prohibition of custody, it is not a question of what the average 15-year-old might do; it is not a question even of what those 15-year-olds currently in Cherry Creek might do. But it is a question of what is possible. We know, sadly, that history shows that it is conceivable and it may happen that you have a 15-year-old who has committed multiple homicides and who is intending to attack their family or to commit further homicides and is making that clear.

I think the member for Melbourne in her contributions yesterday, grossly unfairly, alleged that we are only considering these things because the Murdoch media make certain comments about them. I do not think it is in any way fair to suggest that when thinking about that particular circumstance, where you have a clear threat to someone's life and you might need to use detention and that could in rare circumstances come from a 15-year-old. I do not think is a fair characterisation. I note that Poccum's Law, which the Greens support, effectively reduces the Bail Act to one sentence, and I think there are cons as well as pros to that suggestion. But even if we look at that, it allows the immediate safety of another person – a loved one, a family member or any other person – to be a consideration in the use of detention in pre-trial circumstances. I have discussed this with VALS, but I still think that there is work to be done to explain why it is that we would not carry that principle across to post-trial detention.

But as I said, we will continue to have a discussion with VALS, the Fitzroy Legal Service, Dardi Munwurro and others. They are great organisations that do important work. They have some further comments about physical activity and so forth, which we will keep chatting to them about, but I would like to conclude by thanking the Minister for Youth Justice, the Attorney-General of course and the Minister for Police and their teams for their work on this bill, which is very substantial. It is progressive; it is thoughtful. But as I said in my opening remarks before the adjournment, it is above all a hopeful bill in the way that it looks at our young people. I would like to commend it to the house.

**Roma BRITNELL** (South-West Coast) (15:06): I rise to speak on the Youth Justice Bill 2024, and I do so after consideration of the reasoned amendment from the Shadow Minister for Youth Justice. I support his stance on the bill. I will not go into the detail that he has already outlined during his address to the Parliament earlier, but I will focus on some of the areas that are of great concern.

Clearly under the Allan government we are seeing an explosion in crime rates, particularly with crime in the youth space. Crime is at a crisis level in Victoria. We really need to address this, and I am afraid the reason we oppose the Youth Justice Bill is because this is very poorly timed. The reasoned amendment points out that a comprehensive and fully funded program to target and divert at-risk individuals and cohorts of young people to prevent crimes occurring is to be agreed to by all stakeholders. These things that should have been done and been in the bill are not there. That is why the timing for this is all wrong.

A report was done in 2017. Penny Armytage and Professor James Ogloff published a document called *Youth Justice Review and Strategy: Meeting Needs and Reducing Offending*. It was a landmark study into Victoria's youth justice system. The report stated that:

The Review provides an opportunity to redesign the system to create an evidence-based response to youth offending and youth crime that is reflective of the needs and attitudes of young people and the broader community.

Since this review was done seven-plus years ago not one thing has been addressed by this government. Frankly, this legislation completely misses the mark.

No-one wants to see children incarcerated. No-one wants to see that. In fact it is very disappointing to see that this government are trying in this youth bill to take away the opportunity for the youth services, which they have not developed, strengthened and designed – those that are currently there – to actually help a child and divert them away from the system. That is what this youth bill should be doing. It should be aiming to keep the community safe, diverting children away from the system but also making sure that children understand what they have done and have the opportunity to be directed in the right way rather than heading towards a life of crime.

By changing the age of responsibility it is actually doing something I think far more damaging than good. What we are doing by raising the age is taking away the ability for a child to actually have committed a crime. When children commit significant crimes, there is already a legal principle called *doli incapax*, and this legal principle protects children by the prosecution and the court having to without a doubt prove that the child understood their actions, had the capacity to understand their actions and had the intellect to understand their actions. That is very, very hard to prove; it is a very difficult principle of law. We already saw earlier this year where a 12-year-old committed a significant crime and the court made the decision that they were not able to take responsibility for their crime.

To prove the fact that this is a very difficult legal principle to get past, there actually are no children in the prison system at 10 or 11 years of age at all. All of us would agree that we do not want to see children in prisons. That is absolutely a given, but at the same time if you take away the ability for the police and the system to actually help a child who has done something wrong – and let us face it, stealing, society has decided for thousands of years, is wrong – under this law a child can walk into a store, put an iPhone in their pocket and walk out, and it is not theft. So we are giving children a very, very wrong understanding of what they should and should not be doing. We should be saying to that child, 'That is actually wrong. If you continue down this path, your life could lead to a life of crime and incarceration. Instead of that, let's put the wraparound services around you you need that are going to help you realise what will happen if you don't recognise stealing and the consequences of that.' Children need consequences; they need boundaries. For us to take away the right or the ability of the wraparound services to actually get involved in that child's life at that point I think is actually sending a really bad signal. All children, in my mind, are looking to have boundaries and consequences set for them so they can mature into adults and know how to work together in a cohesive society.

We do not have children in the system. Of course it sounds good, because none of us want to have a child incarcerated, but there are already the principles of law that are protecting children. Effectively, by putting this bill through we are giving children a green light to do crime. If the government were serious about addressing the youth crime issue, I do not know why they would cut \$20 million from youth crime in this year's budget. Why would you cut \$20 million from diversion programs that help the youth? This is, once again, a bill that plays to an audience where if you do not look into it, it makes sense – oh gosh, we do not want to see children in prison. But that already exists to protect them, so I think what we are doing is a disservice to the youth.

We all know that under the Allan government we are seeing incredible crime rates right across Victoria. In south-west Victoria we do not usually have higher crime stats, but what we are seeing is a very different environment in the township of Warrnambool, for example. I have had a number of shop owners come to me recently and say they are frightened. Their staff are frightened to lock up. We had an incident where a shop owner's customers were hiding in the shop from someone who was bashing on the window and bashing on the glass. We had a shop owner assaulted recently. Lea Watson, who owns Pitstop, came to speak to me about her staff being too frightened to lock up on their own at night because the streets have really got quite bad. At Heatherlie, an independent living facility behind my office, the elderly community in there are actually really frightened because of the amount of people that are loitering around there and frightening the elderly – so much so that one of my friends actually goes around each night and locks the door for her elderly aunty who has not got the capability with her fingers to be able to do it herself. So they are that frightened that they are asking for help every single night to be locked in.

It is really quite significant the amount of crime we are seeing. A lot of the issues the police are not able to manage, and they keep saying, 'We need more resources. We need more instruments.' No-one in our community is saying the police are not doing as good a job as they can possibly do, because we know that they just are not getting the resources. They are often even called to Melbourne to back up the metropolitan area, and we are left with less and less resources. I was told recently by one of the police that we only have one paddy van in the area for the whole of the district.

**John Mullahy:** That's a racist slur. Don't use paddy wagon, thanks.

**Roma BRITNELL:** The wagon that we put people in who are criminals. I am not familiar with –

**John Mullahy:** Divisional van.

**Roma BRITNELL:** Divisional wagon; thank you for the correction. But the reality is there is only one, and the police really do need extra support, and the community have a right to feel safe. So bringing this Youth Justice Bill in now when the work has not been done – not one single thing has been done in the seven-plus years since this opportunity was presented to the government in the form of the review done by the experts in the field – really does say here we have another example of where the government refuses to actually do the work and make a difference.

We have got increased crime rates. We have not got enough houses for people. We have got an education system that is collapsing. We have got a health service that is having cuts and mergers being threatened across. We have got roads that are falling apart. This is the worst Labor government we have seen probably in the history of this nation and certainly in the history of this state, and we are certainly seeing them unravel before our very eyes, where we are seeing cuts to programs – like a cut to youth diversionary programs of \$20 million, at a time when youth crime is exploding – and a bill getting put through without the work being done on actually developing the systems that would help youths stay out of prison. They just go with the populist comment of 'Let's not put kids in prison.' Well, kids are not in prison, and the law already protects children with the legal principles that exist. What we really need to see from this government is investment in our youth and support for our youth – more investment, not less. It is extremely disappointing to see this bill come in in 2024 when the

government has had seven years to do the work on putting wraparound supports in place to actually assist those children and do more, not less.

**Paul HAMER** (Box Hill) (15:16): I too rise to speak in support of the Youth Justice Bill 2024, a very weighty tome indeed. I want to just acknowledge at the outset the hard work that the Minister for Police, the Minister for Youth Justice and also the Attorney-General have put in to bring this bill into the chamber. It does deal with a wide number of issues, which have been touched on already, and I will go into a bit of detail but I want to just initially reference something that the lead speaker for the opposition, the member for Berwick, was saying.

He was talking about an incident that occurred very close to my electorate during the break. That was the tragic death of William Taylor in a car crash. The member for Berwick then spelt out the prosecution's case for why the alleged driver should not have been bailed. But he failed to mention that the actual media report quoted the magistrate as saying that the prosecution's case was very weak and that he did not feel that the evidence was there. I think we need to always remember that we must maintain obviously faith in our police to do their job but also faith in our criminal justice system. The presumption of innocence is a fundamental tenet of our legal system and our criminal justice system, and we always must respect the law with any of these cases.

In relation to the bill at hand, obviously, as has been referred to, this started with a key recommendation from the Armytage and Ogloff review of 2017 that the state should commit to a new standalone Youth Justice Act. This is exactly what this bill seeks to achieve. We have not really had a comprehensive review of the system for many, many years – since 1989, in fact – and obviously times have changed and society has changed a lot in that time. The current system does rely on a number of outdated assumptions and approaches to youth justice that do not accord with our contemporary understandings around rehabilitation and recidivism. It is really important that we as a government ensure that our justice system keeps our community safe and gets better long-term outcomes by evolving and becoming more responsive end to end.

We know that children and young people who enter the criminal justice system require different responses to those for adults. We have to recognise that the individuals' brain function has not fully developed. There is a capacity for rehabilitation and helping get young people back on the right path in life, and we do have an obligation to do that. As parents, as friends, as family members as well as legislators, I think we accept that as a vital part of our task. I know we have seen a lot in the news recently, and there are a lot of media reports about a youth crime wave, but the rate of youth offending in Victoria has actually been trending downwards in the last 15 years. As reported by the Australian Institute of Health and Welfare, in 2022–23 Victoria had the lowest rate of young people aged 10 to 17 under youth justice supervision on an average day, which was almost three times lower than the national rate. Victoria also had the lowest rate of young people aged 10 to 17 under community supervision and in custody as well as the lowest rate of Aboriginal young people aged 10 to 17 under supervision on an average day.

That said, I do acknowledge that it is an issue for the Victorian community and for the community in Box Hill, and I mentioned the recent crash and death of a young man nearby in the electorate as well as the very sad and tragic murder of a local GP earlier this year. I know it is tempting sometimes to call for a more punitive approach, and particularly we see that repeatedly from the opposition. That is their clarion call, the one consistent message – it is always about locking up and throwing away the key. But disproportionate criminal justice interventions can actually increase the risk of offending for young people. The current evidence is that the younger a child is when they are first sentenced, the more likely they are to reoffend and to reoffend more frequently and violently as adults. We have to focus on helping these children and address the underlying causes of offending, and get them on the right path to keep the community safer in the long run.

I have to disagree with the points made by the member for South-West Coast in terms of saying that raising the age of criminal responsibility to 12 is basically giving a green light to committing criminal

offences. We know the issues of people who are at that age and their ability to actually form a mental capacity to commit a crime. You might not have a criminal trial, but there are still avenues and opportunities for individuals in that cohort who in many circumstances come from a very disadvantaged situation and need assistance, and there are still those crime prevention and assistance programs available. It does not require the criminal justice system to lead them on the path and get them into a program and make sure that their lives are better. Putting them into the criminal justice system at such an early stage is not going to be leading to better outcomes in the longer term.

On that point, current medical evidence is clearly showing that young children, particularly younger than 10, lack the cognitive maturity to form criminal intent. Through what we have learned about child and adolescent brain development, we know that the current minimum age of criminal responsibility in Victoria is too low. As I said, it is not so much about how many children of that age are currently in the criminal justice system, it is about their capacity to actually know what they are doing and about what we can do as a community and as a state to ensure the betterment of their lives and ensure that they can fulfil all of their potential.

There are a number of other important elements to the bill. I know a particular element of the bill that has been talked about in the media is about a trial to allow up to 50 young people at any one time to be subject to electronic monitoring of their bail conditions and provide additional support to high-risk young people on bail who do not have electronic monitoring conditions. It does need to be reiterated that this is not just for any young person who gets bail. It is intended to target those who are considered to be at high risk of repeated high-harm offending but where their risk can be mitigated through the use of monitoring, and youth justice will be tasked with preparing a suitability report on the child to assist the court in determining whether the imposition of electronic monitoring conditions is appropriate in their circumstances. The court will be provided with technical information about whether there are sufficient electronic monitoring resources available to monitor the young person and whether electronic monitoring is able to be supported at their home. There have been a number of different views put forward on the electronic monitoring trial, and I think it is an important trial for a particular cohort of offenders. There are, as I said, many different elements to this bill, and I commend the bill to the house.

**Tim READ** (Brunswick) (15:26): I too am speaking on the Youth Justice Bill 2024. It has been quite a while since we last considered a bill of this scope, with over a thousand pages addressing issues of substance across a number of portfolios. Our task now is to consider whether the bill matches our vision of how we think young people, children, should be treated by our criminal justice system by police, by the courts and by youth corrections facilities. Prisons harm children. They punish but rarely help. The criminal legal system takes children away from their families, communities and other supports and pushes them down a path that often leads to adult prison. Encouragingly, there are indications throughout this bill on rehabilitation and reform, and there is a focus on diversion programs. The evidence is clear that diverting children away from the legal system has a positive impact in reducing their risk of reoffending.

I would like to draw attention now to the substantial amount of advocacy by many people and organisations who work with young people. We know you have spent many hard years advocating for reform. Given the bill has clear principles and a commitment to working with Aboriginal communities, I would like to give a special acknowledgement to the tireless work of the Aboriginal Justice Caucus, among other groups and organisations. There are provisions that we should welcome in this bill as well as things to criticise or improve. Let us start with some of the positive points in the bill. We are pleased to see restorative justice principles and processes integrated into the youth justice system. The bill raises the age of criminal responsibility to 12 years without exception, and while the Greens would like to see that raised to 14, we do recognise this is a significant first step.

There is a focus in the bill on diverting young people away from the criminal justice system. We know that minimising contact with the system will reduce the criminogenic effects such contact can have on children's development and wellbeing. Diversions, which are alternatives, include warnings, cautions

and family group conferences. In this bill there is an important legislative prohibition on solitary confinement in youth detention, and in fact I introduced very similar provisions in this place in the last term. There is a clear presumption of *doli incapax*. This means that 12- and 13-year-olds do not have the capacity to differentiate between right and wrong, and that will be enshrined in legislation. There are improved provisions around sentencing and improved definitions of ‘use of force’ and ‘use of search powers’, areas in which police now have clearer and we hope stricter guidelines in which to operate.

Most importantly, we know that First Nations children are over-represented in Victoria’s youth justice system for many reasons beyond their control, so we welcome the following measures in the bill. There are guiding principles specific to Aboriginal children and young persons. There is an obligation on the Secretary of the Department of Justice and Community Safety to develop strategic partnerships with Aboriginal communities and to consult with representatives of the Aboriginal community on justice-related issues. The bill establishes Aboriginal youth justice agencies, and there is the provision of additional measures for Aboriginal children and young persons, such as cultural support plans for Aboriginal youth.

I now want to raise four negative elements of the bill. First, raise the age: the Greens will put forward an amendment to raise the age of criminal responsibility to 14 years without exception and establish a presumption of bail. It has been longstanding Greens policy that the age of criminal responsibility should be raised to at least 14. Whether sentenced or unsentenced, children cannot appreciate the negative impacts of their actions and do not belong in prison. The UN Committee on the Rights of the Child has called on countries to raise the age to at least 14 years.

Second, we do not believe that the electronic monitoring trial will work as envisaged, and we will be moving amendments to delete powers to conduct that trial. I have seen a lot of law enforcement technology introduced on the understanding that it only be used in narrowly defined circumstances, and before long it becomes commonplace. Capsicum spray was a case in point, and now it is being sprayed on unruly crowds at the tennis.

Three, while the bill does strengthen diversion options, (a) we believe there needs to be a stronger presumption in favour of youth warnings, cautions, youth justice conferencing and diversion, (b) there should absolutely be a right to and a requirement for legal advice offered automatically for any child prior to consenting to diversion – it should not need to wait for the child to ask for legal help – and (c) there is no need for prosecution to consent to a diversion pathway.

The fourth concern is that there are new police powers that enable police to transport children aged 10 and 11 in a police vehicle; to detain them, including at police stations, without time limits; and to use force on them and subject them to searches. By creating various approaches to engaging with children aged 10 and 11, aged over 12 but under 14 and aged over 14, the bill does run the risk of becoming too complex for police to use. This has proved dangerous in the past. During the coronial inquest into the death of Veronica Nelson members of Victoria Police admitted to being unable to understand the Bail Act 1977, and therefore they established an unwritten policy that contravened their obligations under the Bail Act. Veronica died in custody only a few days after being remanded on minor offending charges by police officers who did not understand or properly apply the then bail laws of Victoria. The Greens think it is important that appropriate legal frameworks exist to regulate the exercise of police powers, and we will be moving amendments to strengthen these in the other place.

The bill raises the minimum age of detention to 14 years, with significant exceptions. Due to the exceptions this will affect very few people; however, increasing the minimum age of detention to 16 would have a material effect and decrease the number of Aboriginal children in custody, and it would support progress towards achieving the youth detention goals in the National Agreement on Closing the Gap and the Victorian Aboriginal Justice Agreement. Prisons are not safe places for children, and consistent with the recommendation of the Yoorrook Justice Commission and international human

rights standards, another Greens amendment will be that the minimum age of detention should also be raised to 16 years without exception.

In the bill there is a clause that isolation is permissible if necessary:

in the interests of the security or safe operation of the youth justice custodial centre ...

This clause should be deleted. It is so broad that it could justify any potential isolation of a child, including due to such reasons as the understaffing of a facility. A unilateral power to place a child in isolation is inappropriate given the disproportionately negative impact isolation has on young people. As highlighted by the Victorian Ombudsman in her investigation into the use of isolation of children in custody, isolation carries different consequences in relation to children, and custodial staff have a limited understanding of the dangers of isolation, its impact on mental health and its effects on behaviour. We think that wellbeing requirements should increase. There should be clearer definitions as to what constitutes 'meaningful human contact'. In my view, simply handing a child a book does not qualify. Allowances for exercise should increase from the current 1 hour per day to 3 hours per day for children. There should be a stronger and clearer requirement to collect and publicly publish data on the number of warnings, cautions, summonses and prosecutions that proceed against children, and that should be a requirement for Victoria Police, for prosecuting agencies, for youth justice, for the Commission for Children and Young People and for all courts.

We will also be moving an amendment to remove the clause that prohibits a child or young person held in custody from altering their record of sex if it 'would be reasonably likely to be regarded as offensive by a victim of crime or an appreciable sector of the community'.

I would like to conclude by acknowledging the work of the Smart Justice coalition, the community legal sector and many others, who have tirelessly advocated for a humane and rational approach to these laws so that we have an evidence-based criminal justice system rather than just a penal system with provisions motivated by medieval notions of revenge or 19th-century notions of the therapeutic power of the deprivation of liberty. We will have more to say on this in the other place.

**Chris COUZENS** (Geelong) (15:35): I am pleased to rise to contribute to the Youth Justice Bill 2024. I also want to start by acknowledging the ministers, the Attorney-General, the police, youth justice staff and organisations in the legal sector for their input into this bill and their commitment to young people in Victoria. This is an important bill that aims to reduce offending and improve community safety while providing genuine opportunities for young people who come into contact with youth justice to turn their lives around. This legislation will establish a robust end-to-end framework for Victoria's youth justice system that is all about improving community safety. This is the next important step in our reforms to deliver modern and effective responses to youth offending guided by evidence, and I think that is the important fact here. It is guided by evidence. I think that is an important part of the work that has been done by us as a government. As a community we want to ensure that not only the community is kept safe but we are doing the right thing by young people.

In my previous life I worked with many young people for many years, and it was not necessarily directly in the youth justice area. It was in the homelessness area, but you could see young people coming into that environment who we would call pretty innocent who we would then say were contaminated by older young people who were already in the criminal justice system. I think we need to look at preventions to ensure that we are not putting young people into institutions where they do not benefit unless they have got the rehabilitation supports and the programs to be able to turn things around. This bill does contain nation-leading reforms which build on Victoria's success in driving down the numbers of young people engaged with youth justice. This is a result of a significant amount of work following the central recommendations of the 2017 Armytage and Ogloff review that Victoria establish a new dedicated Youth Justice Act. This is about ensuring we have a modern and robust youth justice framework that is focused on community safety and guided by the evidence of what works.



We know that children and young people who come into contact with the criminal justice system need a different response to adults, recognising their immaturity and capacity for rehabilitation, and the best way to do that is to divert young people away from the criminal justice system as early as possible while holding serious and repeat offenders to account. There are also key reforms for victims of crime, including creating a new victims register for people impacted by youth offending. I recently had the opportunity to have a work experience young woman in my office who was really keen to have a look at this bill, and that was Effie, who took the opportunity to read the bill as a young person and offer up her views on the challenges of youth justice. I do want to quote some of what she said because I think it is very relevant. She wrote:

... by continuing diversion programs and community-based initiatives, the aim is to continue steering young people away from revolving doors of incarceration and towards opportunities for growth and fulfilment. This is a proactive approach that not only reduces recidivism but also strengthens the fabric of our community by fostering resilience and empowerment.

Effie went on to highlight that it has been 40 years since the minimum age for criminal responsibility was set to 10 years of age, and during this time we have been able to progress in our knowledge about adolescent brain development and the needs of youth. She concluded that increasing police powers and pipelining more children into youth prisons is never the answer. I want to thank Effie for her contribution.

I think it is important that we are listening to young people. I also often talk to young people about many issues that are impacting them. In recent times I have spoken to them about youth justice and what this bill means, and a lot of those young people initially were saying, 'Well, why are we all being tarred with the same brush?' 'It is always young people that are the causes of significant crimes in our community' – that is what we keep hearing, particularly from those opposite, who beat up this fear about young people out in the community running rampant. I think at one stage they were saying young people were running down Geelong streets with machetes, and it was just so far from the truth it was not funny.

So young people are taking notice of what they are seeing, on social media in particular, and they are feeling quite offended by those comments. I know that in my community of Geelong there is a small group of repeat offenders that are committing some of those crimes, and that small group has been diverted into a program, which we have been funding for some time now, which is highly successful. That program is really a wraparound service for those young people to keep them out of the justice system. That is what this bill is about, and that is what this government is about. We do not want to be locking up children. That is not what this is about. What we do need is to have those programs, which are wrapping their arms around those young people, to keep them out of the justice system and out of institutions.

The bill will make Victoria the first state in Australia to raise the minimum age of criminal responsibility to 12. It includes electronic monitoring trials for young people on bail. The bill is also a comprehensive reform across the full youth justice system. We are legislating for more early pre-charge diversionary opportunities, including warnings, cautions and early diversion group conferences, supporting better outcomes for victims of crime. The bill includes clear principles for sentencing, custody and other important factors that must be taken into account when a young person comes into contact with the criminal justice system. We are legislating a new custodial framework to make our youth justice precinct safer for those in custody, and just as importantly, for our hardworking youth justice staff. In addition to electronic monitoring, the bill includes other measures to respond to a small cohort of serious repeat offenders, with enhanced measures to target high-risk, high-harm offending.

This bill also includes meaningful steps towards establishing a self-determined, Aboriginal-controlled youth justice system in the future. I think it is worth noting that the recent Closing the Gap data, which came out yesterday, actually shows a decrease in Aboriginal young people entering the justice system, which is really heartening to hear. On the success of the Koori Courts, in my electorate of Geelong the

Koori Court operates I think once a fortnight. I often talk to the elders who sit on that Koori Court, and they are really happy with the way the court operates. They can see that it makes a difference for those young people, and those young people are listening to their elders and their community, which is really important. I am really pleased that we are taking our time to allow the community to form their views on what they think should be happening for Aboriginal young people.

Obviously the Yoorrook Justice Commission has also identified a great deal of information and stories from young Aboriginal people across this state, identifying the impacts of incarceration and what that means for their communities. I hope that we will be looking at the evidence that has come through that commission in terms of developing further work on Aboriginal young people and the impacts on them regarding incarceration and what programs can be put in place that are actually run and controlled by the Aboriginal community, because we know that when they are led by First Nations groups, they are generally very successful. We have seen that through the Koori Courts. I think we do need to do more, and that is exactly what we are doing as a government. The Aboriginal community here in Victoria are working very hard to come up with the best possible options for Aboriginal young people. I commend the bill to the house.

**Richard RIORDAN** (Polwarth) (15:46): This afternoon I wish to contribute to what is an important bill that has come before the Parliament today, and that of course is the Youth Justice Bill 2024. It is important because how we deal with young people, how we support young people and how we enable young people to live their best lives and move forward are always important matters that the Parliament needs to be cognisant of and at all times be prepared to put the resources and the support into. What is disappointing for many in the opposition's point of view, and me in particular on this one, is that this bill has its genesis in a report done in 2017. That was some seven years ago.

The important issue of youth justice and dealing with young people is something I am quite passionate about, because as a country MP I know young people are often dealt a really short straw in life – in education, in health services and in mental health services and even in terms of getting employment, jobs and opportunities. It is always uppermost in our minds. This government has claimed to have had this as a priority in its legislative agenda, but the genesis for this came from back in 2017.

For something as important as this bill – and it is a significant bill and, I must say, one of the most impressive tomes that I have seen in my eight years in the Parliament, and there has been a lot of work put into it – the question has to be asked: is this government actually putting its money where its mouth is? Is this government really showing a true commitment to helping make the lot of a young person in Victoria better? The reason I ask that is because it is understandable that it is a significant bill and one that would take a lot of time to come to the Parliament, but in the process you would think a government that really cared about this would actually be putting the resources into the support of young people as they get there so that when the bill comes to the Parliament it is a natural progression that the law is tightened, improved and reformed and it matches in with the actions of the government over the last seven years. Sadly that is not the case. We know, for example, that just this year alone there has been a \$20 million cut to funding of diversion programs and support programs for those facing the criminal justice system. What sort of government, who at the core and the basis of its reform says, 'We're going to divert people out of the criminal justice system, out of our prisons, out of our detention,' actually significantly cuts back the funding for that? That is a real concern to me as to what is going to happen.

I guess as a country MP I reflect on the reforms that the government made last year on alcohol abuse and public drunkenness. Once again it was a similar sort of rhetoric: 'We shouldn't be criminalising people for just being drunk and it's important for Aboriginal and Torres Strait Islander communities and some of the most vulnerable cohorts that they're not instantly caught and thrown into jail and the other consequences of the criminal justice system.' But what have we seen as a consequence of that law? When you move outside of the inner circle of Melbourne of course there are no support services at all. If you are a person with an alcohol abuse problem in regional Victoria now – and this is a growing and significant problem – you cannot go to the local hospital, because the funding has been

cut and there are no support services there. The police stations have been cut and you are not allowed to go there, and the police certainly cannot in any way assist a drunken person. There are no mental health services. There are no overnight emergency accommodation or bed services. There is literally nothing. I speak from the experience of my own community, where we have for the first time in my 52 years regular occurrences of people sleeping rough on the streets in our country towns. That is something no Victorians have really ever seen before, and it is because there are just no support services. Nothing can be done.

My great concern with this is we are going to say now to a cohort of people, potentially even more vulnerable than drunk people, that they will not have the services and support they need and require in order to ensure not only their safety but their progression through life and adolescence. This legislation will effectively say to the police in particular that if they come across a young person who may or may not have committed a crime but is probably not up to any good, they have very few things at their disposal to help, because if you are in that case in a country community there are no youth services available. You are not able to divert that young person to help. Traditionally in a country town the police run a role not just of a punitive, criminal enforcing role but as mobile support services. If you talk to a country copper, they have regularly put someone in the back of a car and taken them back home. They have taken them to their grandma because they know Mum and Dad are perhaps not capable of looking after them and they know where their relatives live and where support services are. They might know of a relative or a friend or even someone at the local school or whatever that might be able to assist.

The notion in this bill inherently says that common sense and practical decision-making are not something that our justice system does. There are plenty of examples of when they get it wrong, for sure, but no-one ever sits and collates the many, many times that they do do a good job, that they do provide a functional role and that they do actually support communities and try to keep people out of trouble. It is the hallmark of the way the system works, and what we are actually doing is, by having this notion that all interactions with the criminal justice system are bad, we are actually throwing the baby out with the bathwater. This bill does not actually seek to find the happy medium that says that sometimes we can get it right, particularly in communities in Victoria where there are no options, where there are not going to be the street support services. It is all very well here in Melbourne, where there are all sorts of food kitchens and there are all sorts of youth drop-in centres and all sorts of other paid-for services. They just do not exist in so much of Victoria. My concern is: what will happen to those people? What will happen to those young people?

Take, for example, the electorate of Polwarth. The young people in the electorate of Polwarth for the last five years across my P-12 and secondary schools are running at an average of nearly 50 per cent non-school attendance in the state school system. Not one dollar from this state government has been applied to supporting those children. In fact if it were not for the philanthropic nature of the St Joseph's learning centre here in North Melbourne, who have come and brought a small self-funded campus to my community in my electorate of Polwarth, there would be 100 kids today, young people that fit the bill of what we are talking about today, who would not be getting an education. They are being educated by a third party, who are giving them the youth support, who are giving them the counselling, who are giving them the drug and alcohol support, who are giving them clothes, who are giving them food, who are giving them the support that the state is just not giving them. We are a lucky community in that someone has filled that gap, but across the electorate of Polwarth I have some 40 towns. One out of 40 towns has some youth support – no-one else does.

This bill does not provide that support. This bill does not come with a commitment from this government that every young person will have the support for education, will have the support for drugs and alcohol and will have somewhere to go at night when Mum and Dad do not provide a safe environment to be in. Every single person in this chamber comes across these cases. We know that it is that background – that lack of a consistent, fair and safe home to go to or a lack of an example in their lives – that so often leads to the problems that this legislation today is trying to deal with. While

it has been an important process to come to a reform of youth justice and we can always do better, this bill does not accept the reality that Victoria faces today. It is a bill that has been written through the lens of bureaucrats and others who are not fully cognisant of the poor state of support for young people in this state today.

If I can just reflect, in the last minute, as Shadow Minister for Housing, for example, we have seen in every single reporting period since this government has been in place a family escaping domestic violence and needing accommodation has waited longer and longer and longer. We are now two years on, and they cannot even provide housing and support for a mum and two kids on a regular basis. Once again, in country Victoria the wait is even longer. That is reflective of just the basics of looking after people. We are now saying to our 10- and 11-year-olds, and there are many in this place that want this to go for 13- and 14-year-olds as well: if you have been involved in an incident and you have needed support or a first responder, and particularly in the country it is the police, they are powerless to intervene and provide the care and support that you will need. This bill is an important one, but unfortunately the government has again missed the mark, and I find it difficult to support the bill in its current state.

**Matt FREGON** (Ashwood) (15:56): With some indulgence, I would like to start by acknowledging the tragic passing of William Taylor, who was a constituent of the district of Ashwood. Obviously that has been in the news in recent times. I will not go any further into matters that may be relevant in any future court proceedings. I know some others have canvassed things, but I am just going to be very careful and not do that. I cannot and I am sure we all cannot imagine the grief of a family losing a loved one in tragic circumstances such as those. It was just senseless, and I just want to put that on the record.

This is, as I think one other member mentioned, a very weighty tome – the bill is very thick – but it is a very important and weighty topic as well. I actually think as a house we have done a fairly good job so far in all agreeing that this is complicated. Whether we agree or disagree on some of the finer points of it, I think we can all agree that we would rather there were no children in the corrections system, that there was no youth crime. That is obviously not a possibility and has never been one. I support this bill, and I thank the Minister for Police at the table, the Attorney-General, the Premier and all members for their input on this, because I think this is an area of balance in a system.

I take the member for Polwarth up on his point that we do not often talk about when the criminal justice system gets it right, because we tend to focus on where it seems to have got it wrong. It is difficult to understand without detail sometimes decisions that may have been made by our judiciary, and I have spent a lot of time on the phone in the last few weeks in particular, although in my district of Ashwood this is something that has been a topic of conversation for some time.

I will come to other aspects in a moment, but I will go to the part of this bill on how we are trialling electronic monitoring for repeat youth offenders. I know there is contention on both sides of the argument for this trial. I think the member for Malvern – and I am not trying to paraphrase or verbal him – made a comment that the youths may see this as a badge of honour. That is possible. I would argue that we are in a position now where we need to provide our judiciary – at least this is what I am getting from constituents in Ashwood – with some other options. There is a sense in the community, rightly or wrongly – it does not really matter – that there are a number of offenders who are young who are going round and round.

The trial of up to 50 youth offenders to be monitored, as I think the member for Preston said in his contribution, might keep one of them out of the corrections system. I do not think that any of us would argue against the idea that children are better off not in incarceration. I think we would all tend to agree. Again I am not trying to put words in people's mouths, but I know the member for Berwick has in the past said pretty much – now I am using my words – that diversion programs are important. We are doing work in that space. The numbers in our youth correction facilities are a third of what I believe they were 10 years ago. There is a lot of good work. To take the example from the member for

Polwarth talking about the criminal justice system, there is a lot of good work that gets done. But when we see examples, which appear to be on the increase, of where it does not go right, the public has a valid right to expect that we are taking that seriously. I have said this to many constituents over the last 12 months, especially the last few weeks: that the Premier is taking it seriously, the Attorney-General is taking it seriously, the Minister for Police is taking it seriously – we are all taking it seriously. I would happily suggest that that is everyone on all sides of this house.

For those who are concerned about the trial of electronic monitoring, I will just make a couple of observations. Firstly, I do not think that anyone in here is pretending it is going to fix all the problems. No single step will remove all crime from the state of Victoria, as much as we would all like that to be the case. That said, I would argue when you have a young person who is maybe – let us face it, they are not the sharpest tools in the shed, these people. They are making some pretty bad choices. Those who are making those choices more than once and appearing before the court system, if they are given a condition of monitoring, even if they do not think that matters, a lot of the offences that are happening – the aggravated burglaries, those type of things – are happening in groups. And I put to you that even though they might not be the cleverest people, if little Timmy comes in to do whatever activities they were planning on doing in the evening and he is wearing a bracelet, even though he might not think it matters, I reckon the other three or four of his friends might think it matters. So hypothetically there is one less child – youth – out there committing crimes.

The statistics seem to report that there is a very small cohort of kids who are, let us face it, going down a bad path, and who knows when they will realise their life is not going the way it should be. But if a number of them are then taken out of the system by monitoring, by diversion, by investment in keeping them on their conditions, then maybe we break that business model, whatever that business model is. Maybe we make enough of a dint that this pattern that seems to be occurring, if not stopped, is decreased, and I am hopeful that that will be a part of it.

It is not the only part of this bill by a long shot. I spoke to the good police down at Mount Waverley station about a month ago. We talked about the bill that was introduced into the house, and I will just say this briefly: one of the things that they were very, very happy about was this change in the age of the solicitation offence. At the moment if you are over 21 and you solicit a youth to commit a crime, that is an offence. If you are 18 to 21, it does not qualify. We are changing that in this bill so that it goes to 18. There was a terrible incident in Ashburton about two years ago, I think, where a number of older people were with a younger group, but the older ones stayed away and the younger group attacked someone. I find it very disconcerting that we may have adults doing that. Maybe they used to be in the youth justice system or the youth criminal system and now they are not. They do not want to go to the grown-up jail, because that is all very scary, but if they are soliciting younger people they should be punished for that. I recommend the bill to the house.

**Martin CAMERON** (Morwell) (16:06): I rise to talk on the Youth Justice Bill 2024, and in doing so I would like to thank the member for Berwick for his lead on the bill. As has been mentioned a lot through everyone's speeches, which I have listened to, it is a lengthy bill – over 1000 pages – so I have listened with interest to everyone's contributions. In the Latrobe Valley community we have a worrying, continuing spike in crime, including youth crime and in particular violent crime, both in home invasions and also crimes on the street. It is an issue that is raised constantly with my office, and I would predict that it would be the same with every member's office, whether you are in regional Victoria or inner-city Melbourne. It is something that is a hard issue to fix, but we need to be proactive in the space to make sure that we are getting stuff right with it.

Our youth justice system is meant to be a sort of diversionary pathway, and we have pathways in the Latrobe Valley. One in particular, Youth Space, is in Morwell and has over 700 or 800 clients, as they like to call them, that use this particular facility as a diversionary program for youths that have not got the greatest home life, and I think this is where a lot of troubles and issues do start. As the member for Frankston said, behind every issue with a child you can probably pick up that there is an issue at home, and I think that is 100 per cent right. We can see the significance of getting the Youth Justice Bill

right – it is not an easy one – and I think everyone in the chamber here recognises that. Car theft, breaking into houses, running through shopping centres, carrying concealed weapons – these are a lot of the things that we put up with in the Latrobe Valley, in our shopping centres. Mums and dads are at home at night-time with the kids, and young people are breaking into houses and stealing cars so they can do what they want to do.

We just heard from the member for Ashwood, and he was being very respectful and very delicate, obviously, on an issue that has happened in his area. I have also had a similar thing happen in my area, and I am lucky enough that I can stand here today. We see one side where we are trying to fix the youth justice system, but on the flip side we also have the victims of crime. I am lucky enough that I can stand in the chamber today and I can be a mouthpiece for the Gordon family, who are people from Traralgon. On 13 January their son Ashley Gordon, Dr Ash – he was a young Victorian doctor – was fatally stabbed by two 16-year-old criminals. The system failed Dr Ash and the system failed the family. I say that in part because the perpetrators that committed the crime were out on bail. I think that there is more to the justice system. You have got to balance up what we are trying to achieve and, if we do not achieve it, what happens on the flip side.

I was lucky enough to sit down with the family, and if I stood here and spoke how Mr and Mrs Gordon spoke and the anger and the want for change in their minds and in their hearts for their son Ash, you would be telling me to sit down, because I think the words would be definitely unparliamentary. There is a lot of anger that comes through with the family, but in saying that, they know that there has to be a difference made so this never, ever happens again to another family member. I sat down and my colleague Melina Bath in the other place joined me, and we listened to the family start off talking about Ash but then talking about changes that they wanted made. They wanted changes made to the concealed weapons law because that is what took their son's life. He was a doctor living a great life in Melbourne. He was the life of the party; he lit up the room when he came home for family functions, birthdays, Christmas time and weekends. It is a family that will never, ever get over it.

They are very lucky they have a daughter Nat who is very articulate and will not let this go until significant changes are made in this chamber on behalf of her brother, because he paid the ultimate price for people that have committed crimes and gone through the justice system and been back out on the street. That is a great tragedy not only for them but obviously for other members in this chamber that have gone through sitting down with families. It is pretty hard. I am a father with children, and to think if it was me and one of my children had been left lying on the ground, I cannot really imagine getting that phone call after it had happened from the police. I think that is one of the most harrowing things that Mr and Mrs Gordon will never, ever get over. It consumes their life continually every single day, to the point where Mrs Gordon says, 'I keep expecting Ash to walk through the door and sit down and have a cuppa with me and make me feel better,' but that is never, ever going to happen again.

They rely on us being able to make significant changes to our justice laws but also, as we go through, to our bail laws, giving police every law that they need to be able to search people on the street. I know we try to look after the people that commit the crimes. I have spoken about diversionary programs and Youth Space in Morwell, who look after this. But speaking about that, they just had their funding pulled before the budget. It was only because we jumped up and down and proved the point to the government about what they achieve in keeping people off the streets and making a difference – you could actually have the data that they were making a difference – that they got a 12-month reprieve. We need to make sure, when we are sitting down and reading these bills, that if we are going to have these diversionary programs we need to keep funding them so that for children that are on the street that do not have a great home life and are in and out of gangs, so to speak – because as the member for Ashwood said, they do walk around town in groups – there are places for them to go.

As I said, as I stand here being able to relate the pain and suffering that the Gordon family daily go through, we need to make sure that right across the board we do the right thing and we leave no stone unturned so no other family ever has to go through that phone call at night or in the morning telling them that their son or daughter has been killed in unforeseen circumstances. It is something that should

not have happened, because people should not have been on the street, but it did. I note that we do oppose this bill going through because we think that there need to be more changes.

**Alison MARCHANT** (Bellarine) (16:16): I rise today to speak in support of the Youth Justice Bill 2024 and to add my thoughts and contributions to what have been really thoughtful contributions from other members in this place today. I suppose in a quick summary this legislation really is to establish that robust framework that Victoria's youth justice system needs, and it is about improving our community safety. Before I get into the parts of the bill and linking it a little bit to my own electorate, I do want to recognise or take this time to recognise the profound impact that crime does have on individuals, on families and on communities. It certainly has a ripple effect and touches every aspect of life. I have spoken to constituents who have reached out to me or who I have encountered out in the community who have been victims of crime. It has been mainly theft of property and scams – online scams are a big problem in my community – but it is really that invasion of privacy. It is distressing. They have concerns about their personal safety, and it certainly has that deep lingering effect on people, so I would like to start with acknowledging that. And that is why this bill really is so important. This bill and future reforms that we have committed to doing as a government are things that I also have personally committed to doing to keep our community safe.

Addressing youth crime, though, particularly does require that multifaceted approach, and it is about tackling the root causes and providing support for both prevention and rehabilitation. We are certainly as a government really committed to making sure that reform is done properly for our youth justice system. We have committed to a review of our system and have come out with some recommendations to improve it. The *Youth Justice Review and Strategy: Meeting Needs and Reducing Offending* is a comprehensive review that was undertaken, conducted by Penny Armitage and Professor James Ogloff, and it really just marked that first examination of a system and aimed to modernise and strengthen our youth justice framework. Some key recommendations around legislation were early intervention and diversion, which is what we have done, but also some systematic improvements and of course investment, which we have also done in this space. Overall the strategy does aim to create a more effective and humane youth justice system by addressing those underlying causes of offending, improving our support services and ensuring that interventions are appropriate and timely. The bill today is clear in its intentions. It is there to reduce reoffending and improve our community safety.

I think it has been mentioned today that we do have one of the lowest rates of youth offending in Australia, but Victoria Police have identified that a small number of reoffenders are driving an increase of serious offences, and they are being committed by young people. That is where that *Youth Justice Strategic Plan 2020–2030* plays a large part in our reforms in going forward. The plan also recognises the harm caused to victims, and we also recognise that many young people who end up in the youth justice system are also victims and maybe in their background have experienced abuse, trauma and neglect. There may be mental health issues, drug and alcohol issues, and they may be not engaged in what would be traditional education, training or employment. A significant proportion of young offenders also have been in various services and interventions, such as child protection, family support, disability and homelessness services, and that is before they have entered into any involvement in the youth justice system. These young individuals face challenges in education, health and the family setting. This is a complex issue. There are many layers to the problems, but there are also many layers to the solutions. Many children and young people who may enter into the youth justice systems usually respond pretty well to those diversion and rehabilitation services. They will mature and grow out of the offending and crime and get their life back on track.

I just wanted to talk a little bit about a Geelong region program that is absolutely amazing at diversion and supporting our young people who are at risk. It is called the Geelong Youth Engagement program. This program literally saves lives and transforms the lives of young people who are at risk. The CEO is a former Victoria Police officer who throughout his whole career was working with youth. He has created this wonderful program that takes young children who have been identified as disengaging from school or on the brink of engaging with the youth justice system. They give them an intensive

year-long program to get them back on track – wraparound services – but they also get them healthy and well again in an active lifestyle sort of space. At the end of the program they take them on the Kokoda Track trek. It literally has transformed lives. I have spoken to a couple of those young people who have participated in that program, and they have all said it has turned their lives around and put them back on track, knowing that whatever negativity or obstacles may occur in their lives, they have got the resilience to overcome them now and have a mentor, someone supporting them and around them as they go forward in life. It is a fantastic program.

There is another thing locally in my electorate. Before I was the member, Lisa Neville was the Bellarine member, and she had created a group. I call it the bSafe group, but it was the Bellarine Community Safety Group. What that is is community representatives from each of the towns across the Bellarine come together directly with local police, and they are able to share their concerns. We talk to local police about what they are seeing and how we as a community can come together to really be in the space of preventing any crime in our area. I have continued this group, and it is absolutely wonderful to be able to have that direct line to local police and command. This group raises really important issues. I will just touch a little bit on these. Each town has unique challenges, so some have talked about road safety with police. They have talked about theft, mainly from cars, which the local police are telling us is very opportunistic. If people are not locking their cars, then unfortunately the opportunistic robber is taking things that are left in the car, and especially with tourism, down on the Bellarine we see a spike in that over the tourism season. E-scooters have been an issue for the bSafe group. What that has meant is that really proactive community initiatives have come out of this. We even had the local school put up posters around caravan parks over summer saying ‘Lock your car’ or ‘Lock your valuables’, and it is a really great message and education piece that the community are engaged in.

We also sometimes discuss the local crime data that comes out. Unfortunately in the Bellarine a lot of the crime data is related to domestic and family violence, and education is certainly a big part of that discussion. The police now are also so proactive in going out to community. They are doing scam awareness sessions, they are talking to local businesses and they are going to shopping centres. There has been a really dedicated approach by local police to go out into the community and be proactive. Talking about youth crime, they are also visiting kinders, schools and high schools in my area, which really develops that great relationship between students and police and sometimes families. I am really proud of this group. I really would like to say that I am really proud of not only that group but the local police in my electorate, and I am confident in saying that this initiative has made a difference in my electorate.

In conclusion, this is a really important bill for our state. A justice system really is designed to balance rehabilitation and accountability, but also we are there to protect the community. This reform aims to reduce offending. We do not want to see young people entering the youth justice system. We need them to have opportunities to turn their lives around. I commend this bill to the house.

**Brad ROWSWELL** (Sandringham) (16:26): I rise to address the Youth Justice Bill 2024, a bill brought to this place by the government for consideration. It is a rather large bill. This is but volume 1 of the bill – many words over many, many pages. But the fundamental question that I would like to pose to the chamber this afternoon is this: do any of these words over these many, many pages do anything substantial or substantive to keep our community safer, to not just give our community a sense of safety but protect them from crime – protect them and their families from crime – that many, many Victorians have been victim of, and more so in recent times?

At the outset I would like to say to members of Victoria Police: we respect you. We are grateful for the work that you do to keep our communities safe. We respect you and we honour you for the personal sacrifice that you make, the personal sacrifice from you and your families to do everything you can to uphold the right, to uphold the law in Victoria and to keep our communities safe. We deeply, deeply respect Victoria Police. Unfortunately I contend, and my colleagues do as well, that Victoria Police, in terms of our current situation with crime in this state, is not the problem. The problem is the system



around Victoria Police to support them to do their work, to catch the crooks, to bring them to justice and to, where found guilty, deal with them in an appropriate way – whether that be locking them up or putting them on programs – to make our community a safer place.

I fully support the member for Berwick's reasoned amendment. I think it is entirely appropriate for the member for Berwick, the Shadow Minister for Police, to bring this reasoned amendment for the chamber's consideration. It is true that in this bill, these many words over many pages, some things are simply not addressed and some things have simply not been considered. That is why the member for Berwick in his reasoned amendment is asking for a comprehensive, fully developed and fully funded program to target and divert at-risk individuals and cohorts of young people to prevent crimes occurring, for community safety concerns about the current level of youth crime in Victoria to be addressed and for there to be further assessment of and consultation on more binding powers to manage young people where it is deemed that their behaviours pose a risk to the safety of others as well. It is an eminently sensible proposal brought to this chamber by the member for Berwick, which I fully support.

Sometimes in this place, and sometimes in politics generally, we speak about numbers and we speak about statistics, and frankly, these numbers and these statistics do not lie. Crime data is quite clear – there has been a 20 per cent increase in criminal incidents by youth offenders. Aggravated burglaries increased by 18.4 per cent last year, a 146 per cent increase since 2014. What else happened in 2014? The Labor government, the former Andrews government, were elected to govern in this state, and since they were elected there has been a 146 per cent increase in aggravated burglaries in this state.

In July this year the Deputy Premier, the member for Niddrie, claimed that Victoria has some of the toughest bail laws in Australia. I challenge the Deputy Premier – respectfully, but I challenge him all the same: Deputy Premier, please come into this place and demonstrate to this place, demonstrate to the Parliament and demonstrate to the Victorian people how in fact Victoria has the toughest bail laws in the country. That is simply untrue. As we discussed earlier today in addressing the member for Malvern's bill to strengthen bail laws in this state, it is quite clear that earlier this year, in March this year, the Labor government weakened Victoria's bail laws, and frankly the state has not recovered since. We need to strengthen bail laws. The amount of crime that has occurred since the weakening of those bail laws is absolutely abhorrent.

Earlier today I drew attention in the chamber to some of the notes that I have received from constituents. I want to read into *Hansard* an email I received from Lee, and I will make it available to Hansard at the end of my contribution. Lee wrote to me:

The first attempted aggravated burglary of our residence occurred on the 9th of October 2021. Three youths came to our door at 10.50pm and attempted to enter our home through a number of entry points.

Lee says they caught them on their CCTV footage, but sadly this report was disregarded as the police felt the group were children. Lee said:

The second instance occurred on 13 May 2022 at 2.20am. Two (stolen) vehicles full of masked youths in hoodies arrived and again attempted to enter our home and vehicles. Again, we were unaware of this until the next morning.

The email goes on:

Next was the 21st of April 2023. At 2.13 am, various vehicles arrived at our house and a group of hooded and masked youths alighted, attempting entry to house and vehicles. Again, fortunately they did not persevere with their attempts and left.

...

On the 12th of June 2023 at 6.25pm ... 2 youths alighted and attempted to enter one of our cars. I spotted this immediately, and my husband went out to confront them ... He caught one of them attempting to scale a neighbour's fence. When confronted, the kid ... told him he was "just having a look" and calmly walked away.

Lee went on:

The most recent entry attempt came at 3.47 am on the 15th of February 2024 ... just a few months ago.

Two hooded, masked and gloved youths attempted to enter our house through the front door. By now we had installed new cameras with sirens, which triggered and caused the offender to flee. Unfortunately, we did not hear the siren so could not report immediately.

Lee went on to say:

... I cannot stress enough the impact that it has had on our psyche. My first act every morning is to check every camera to ensure that nothing has occurred overnight. My husband and I are hesitant to leave our children at home alone overnight ... although they are now 20 and 18 years old ... Indeed, we initially shielded our daughter (who already suffers from anxiety) from knowledge of the first few events, as we did not want her to be any more anxious. At the 3rd instance, we decided that she needed to know for her own safety.

Lee concluded by saying:

I hope that this email serves to strengthen any response to the current Government's argument that this is a non-existent issue.

In this place, in the people's house, Lee deserves to be heard. Lee and the story of her family deserves to be recorded in the *Hansard* of this place. This is why we are here. If it is not to strengthen our community safety, then why are we here? But I am sad to say that every indicator over the last 10 years, and certainly in the last few months of this year, is that the Allan Labor government really do have their head in the sand when it comes to the youth crime crisis.

Raising the age of criminal responsibility is not the answer – raising the age of criminal responsibility is not the answer. Weakening bail laws is not the answer. I encourage members of the government to stop the denial and to actually understand and listen to the community about the legitimate concerns that they have and act appropriately to deal with this. I am sad to say that the Youth Justice Bill 2024 – again, many words over many pages – does little, in my view, to address the legitimate concerns of people like Lee in my community and, more broadly, Victorians.

There is a better way. There must be a better way. There are some things that the government could be considering, some things that the government could be looking at. It could be looking at, for example, Japan, where young people diverted from the justice system can attend small-scale specialised schools where their bespoke needs are met. We have programs like the David Scott School, which does an amazing job, but they just do not get support from the government. There is the Cheshire foundation, as mentioned before, targeting the highest risk young people using departments, local government and non-profit organisations to find best options to prevent these kids entering the system. There are other options. Of course ideally young people should not enter the justice system in the first place, but frankly, until this government recognises and acknowledges that they have got to be doing more than they are currently doing to get on top of this problem, nothing will change.

**Meng Heang TAK** (Clarinda) (16:36): I rise to join the speakers on this side of the house who have previously made contributions on the Youth Justice Bill 2024. I would like to join them in supporting this important bill. This is another important bill and one that is important for many of my constituents for a whole host of reasons, which I would like to state in my contribution here today. I have a number of constituents with really strong views on this issue. Firstly, there are some constituents who have contacted me and have expressed that they do not feel safe. I want to make it very clear that that is unacceptable for me as a local representative and also unacceptable for this government. Everyone has the right to feel safe at their home and in their community, and that is what this government will deliver.

Over the past few weeks we have been in dialogue with the office of the Minister for Police and the Attorney-General in response to two incidents in our community. I am happy to hear some of the feedback following the stepping up of the patrols in the district and across the community. Police do

an amazing job and take aggravated burglary offences, especially those potentially connected with gang violence, extremely seriously, with dedicated resources and a taskforce. We are proud to be part of a government that supports and invests in our police and their work. In terms of youth crime, while Victoria has one of the lowest rates of youth offending in Australia, Victoria Police has identified a small number of reoffenders who are driving an increase of serious offences committed by young people, like we heard from the member for Bellarine in her contribution. Today represents an opportunity to make it happen. With the plans to trial electronic monitoring and other diversionary measures, we know the bill will help keep young people away from the justice system. The trial will be implemented alongside more intensive bail supervision. This will help young people with education, employment programs and other initiatives that address the underlying causes of offending.

It would be remiss of me if I did not say what I am just about to say. I came to this country at the age of 16, to Springvale. At the time, between 1996 through to mid-2000, it was a known place, Springvale. But my family and I and many of my friends who have settled in this part of the world are very, very happy. We came looking forward to a new life and to make new friends. Some friends came with smaller families and some came by themselves – a difficult path. Some may have survived many years in a refugee camp. Different neighbouring countries, Cambodians and Vietnamese, used to see each other after school every now and then back in high school, there we go, so we tended to congregate or walk in a larger group. Of course when you are in a bigger group, without intent, you sometimes fall into a difficult situation. The one thing I would like to say here is that there were many of my friends who after school did not go home. At the time I wondered why. Much later in life I realised that there was nobody home. The parents were newly arrived, and they would do whatever they could to make a living. One could work on a farm and come back home at 7 o'clock, so many of my friends would stay back and play basketball or whatever they could do at school. Then I remember one of the social workers, one of the teachers, wanted to have extra activities after class. But some other friends, like in my case, would go home straight after school because we had other young siblings to look after.

These are the things in terms of youth offending that we really have to dig into: not only the root causes but also the diversion programs into the multicultural communities. Some multicultural communities may not have the same approach or sentiment towards the diversion programs. Elders in the community may be a good contact, but for some others there is no elder in the community. In some communities there may be no role model to look up to. There may be no activities for younger kids who would have otherwise grown up to be good adults. I remember clearly one of the former police officers in Springvale said that some of the kids are not supposed to be in year 10 or year 11, because there are other places for them. For example, trade schools or other places would make them feel like they belong and could make a positive contribution to our community.

I would like to say that there are things that no-one wants to see our young children do. As a father of three I want to see our children grow up in whatever community to make positive contributions and never fall into the cracks of the justice system, so I would just like to make a note of that. Otherwise, this bill will introduce a new sentencing principle that recognises the impact on any victims and provides opportunities to address harm through justice measures. We will also recognise the need to protect our community from any reoffending by the child and expand a lot of the court monitoring to keep young people on track.

Victoria's sentencing framework for young offending will be reformed to ensure sentences and conditions can be tailored to each young person's risk and needs. We have heard the member for Geelong talk about the Koori Court. I had the opportunity two weeks ago to take my work experience students with me to visit the Dandenong Magistrates' Court. We sat there for about half an hour to observe the Koori Court, which is a fantastic court where you see the magistrate, the elders of the Aboriginal community, the police and the prosecutors sit at one long table together with the youth. I think it is a very positive outcome. That would be the place where you could encourage youth and also acknowledge the potential risks, so that youth have no doubt that for offending there will be serious

consequences. These are the programs that are really, really good and that I believe would change our justice system.

It goes without saying that the Dandenong multicultural police unit also does an amazing job in terms of engaging with our multicultural community, and this helps, I believe, to reduce the numbers of reoffenders in the multicultural community. I am not saying that the multicultural community has high numbers of youth offending, but I am just saying that this is one of the factors that could help to reduce any potential offending or reoffending. As we know, people in the multicultural community come here for a better life and want to make a positive contribution, and for them to see their brothers or sisters, their young children, go through the justice system here destroys all the hope, all the aspirations, that come with them to this country. In the case of our program here, the bill will address many of these potential issues, so I commend the bill to the house.

**Wayne FARNHAM** (Narracan) (16:46): I am pleased to rise today to contribute on the Youth Justice Bill 2024. Youth justice is always a very, very difficult space. There are a lot of moving wheels in youth justice. People react in different ways; people have different backgrounds. I know when I was a kid I was not a perfect kid by any stretch of the imagination.

**Paul Edbrooke** interjected.

**Wayne FARNHAM:** Or adult. I was an absolute ratbag, I really was. I am sure everyone can imagine that. And, yes, I did get myself into trouble as a young fella.

**Paul Edbrooke** interjected.

**Wayne FARNHAM:** I am not going to elaborate on that, member for Frankston. I think we have to appreciate that in this space every child has a different set of challenges. It is actually quite important to remember this. You can get a child that is suffering at home in a home with domestic violence. That child will be living through hell. We freely admit that. Then they leave home or they try to escape home. Most of the time they are escaping and they are acting out. A lot of the time they are acting out. I do not think any child, at 10 or 11 years old, should be incarcerated for doing dumb things. We all do dumb things as kids, and some of us continue to do them as adults as well.

I think we really have to look at this in perspective and have a look at it in the way that every individual case in youth justice comes with a certain set of individual challenges that people have to deal with and even children have to deal with. For a child at 10 or 11 years of age, I struggle with the concept when people say, 'Oh, they don't know what they've done is wrong.' I actually think they do most of the time. I think most kids by the time they are 10 or 11 years old are a pretty good judge of what is right and what is wrong, what is good and what is bad. But unfortunately in Victoria we have a problem with youth justice, and it is a big problem. In June 2024 it was reported that youth offending increased by 52.6 per cent. That is a big increase. I know the government gets up and states that we have the lowest levels of offending in Australia, but I think if you talk to Victorians they do not accept that as a great milestone. This is where Victorians are really starting to get nervous and have real anxiety about our youth justice system at the moment because night after night it is a smash-and-grab into someone's house, it is an assault or it is kids joy-riding in a car, having an accident and killing someone.

I do not think this is the time to raise the age of criminality, and I say this because we have not got it under control. This is where I am going to come to the reasoned amendment that the member for Berwick has put forward. He has done an enormous amount of work on this and an enormous amount of research, and knowing the member for Berwick he has probably read all thousand pages. I probably would have given up halfway, but I know he is very committed to this portfolio –

**Brad Battin:** 998.

**Wayne FARNHAM:** 998. And point (1) of the reasoned amendment is actually quite important. I am going to tell you why this is important. It says:

- (1) a comprehensive, fully developed and fully funded program to target and divert at-risk individuals and cohorts of young people to prevent crimes occurring is agreed to by all stakeholders ...

I can give you an example of this, of a local policewoman in my area. Paula Fowler, her name is. She is an angel to the youth in our area, she really is. We have a school out my way. It was called Blackwood Annex; I am not sure of the name now. This is a school for troubled teens. They do not fit into mainstream schooling because they are aggressive, they have committed crimes, they have done those things. So they have set up this Blackwood Annex, and these troubled teens go out there. Paula Fowler goes out there and works with these kids. Some of these kids were the worst of the worst, but Paula Fowler walks into that school and these kids run up and give her a cuddle. That is the difference in having a program to change their behaviour, and she has created more programs. She created programs for Indigenous youth. It was not government funded. This policewoman did this in her own time. She created these programs to divert the kids away from crime, and that is why point (1) from the member for Berwick's reasoned amendment is extremely important. This is where we need to be investing the money. We should not be raising the age at this point in time until we get it under control. We need to channel funding into where it is going to make a real difference.

My concern at the moment is – I know people are probably going to sledge me on this, because it is very pessimistic – I actually think raising the age gives the government an opportunity to data shift, because if the crime has not been committed, it will not get reported, and therefore the crime statistics will show that it has improved but that has not necessarily happened. When you raise the age, you get the opportunity to data shift, and I do not think it is going to be a true reflection of what the problems are in our youth criminal system or our youth justice system if we actually raise that age.

Another thing concerns me about raising the age, and this takes me to the bill briefing. I am going to use this example: if I have an 11-year-old break into my house and he is trying to steal my car, what do I do? Apparently, I cannot intervene – they are 11 years old – but I can guarantee you I am probably not going to ask for his ID. The response to this from the minister's staff was, 'Just call the police.' Well, here is the problem in regional Victoria with just calling the police: the police can be 40 minutes away – or more. For example, if I live in Rawson, which has now lost its single-man police station, and I have to 'just call the police', those police, because Trafalgar does not have a 24-hour station, have to come from Warragul. That is a good hour and 15 minutes away. So am I expected to sit back, let little Johnny break into my house, probably threaten me on his way in – I will have my partner there; she will be absolutely terrified – and say, 'Look, here's the keys, Johnny. Just watch the gear, it grinds a bit on the way through'? That is not practical.

Here is the other problem: we have victim after victim now that are really, really very nervous about what is going on. The member for Brighton touches a lot of times on what is happening in his electorate, and the same is happening in mine. I had a lady ring me the other day that wants to have a meeting with me. At her house cars have been stolen twice by the same offenders within a two-week period. This is the problem when the government softens the bail laws: it gives them literally a little pat on the bum and says 'Off you go'. We cannot have that.

The Victorian community are searching for answers to the youth justice system. I do not want to see kids locked up; I really do not. That is why I support the reasoned amendment. I do not support this bill because I do not think it does enough to protect our community. That is the problem we are having. People are so terrified now. I cannot believe this happens in my community, but people are installing security systems around their homes. We never used to have to do that. Houses are locked up like Fort Knox. We have a constant stream of youth offenders breaking into homes, stealing cars, getting tapped on the head and told 'Don't worry. Off you go,' and then they repeat the behaviour. This has been a failure of the government over the last decade. I cannot support this bill. I support the reasoned amendment because it makes sense.

**Steve McGHIE** (Melton) (16:56): Today I rise to contribute to the Youth Justice Bill 2024. I know I have only got a short period to speak on it, but firstly I note there have been many contributions on this bill from both sides. I acknowledge some of the good contributions, but I just want to raise the issue of the local members of police and the great job that they do in my electorate, but also other groups like the Centre for Multicultural Youth (CMY) and other agencies that support the youth. The African Youth Initiative do amazing work. We come in here and talk about the negatives, but there are a lot of positives going on out there in our communities through a lot of agencies. We need to continue to support those agencies. Some of those other agencies are things like local sports clubs and the things they do not only trying to keep kids involved and active and healthy but again mentoring them and keeping them out of trouble. They play an enormous role in the sports area.

The main issue that I want to talk about is alternative pathways and diversion strategies as a key initiative that I think really exemplifies our whole-of-government approach to youth justice. I want to talk about the Dex's project. That project equips young people at Parkville College, which is within the Parkville youth justice centre, with the skills and the training that they need to secure employment upon release. This pilot program aims to build strong connections with employment service providers, which is inclusive of Jobs Victoria and their mentors and other community organisations. As I said, I have already alluded to things like the African Youth Initiative and also CMY. Of course these connections are crucial in helping young individuals to transition smoothly into the workforce. They are trained through certificate courses while they are in detention or even on release from detention, and those are the positives of these projects and the Dex's project.

There are employment pathway coordinators who assist these young adults in being trained up to be provided with an opportunity to get employment. That is what we need to do with these kids through these diversionary programs. It connects those students to the most suitable employment and training services, and that is a great thing. There has been such a great success rate with that: 46 young people have secured employment after leaving custody and 55 more are currently participating in training and acquiring job-ready skills. They are the positives that come out of this whole-of-government approach. It is not just about the negative side of youth crime and youth justice. I commend that program. I really wanted to talk about that today. This is a really important bill, and I commend it to the house.

**The SPEAKER:** Order! The time set down for consideration of the remaining items on the government business program has arrived, and I am required to interrupt business. The house is considering the Youth Justice Bill 2024. The minister has moved that the bill be now read a second time. The member for Berwick has moved a reasoned amendment to this motion. He has proposed to omit all the words after 'That' and replace them with the words which have been circulated. The question is:

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

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

**Assembly divided on question:**

*Ayes (54):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, 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, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Sam Hibbins, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, 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, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, 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, Jess Wilson

**Question agreed to.**

**Assembly divided on motion:**

*Ayes (54):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, 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, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Sam Hibbins, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, 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, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, 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, Jess Wilson

**Motion agreed to.**

**Read second time.**

*Third reading*

**The SPEAKER:** As the required statement of intention has been made under section 85(5)(c) of the Constitution Act 1975, the third reading of the bill must be passed by an absolute majority.

**Assembly divided on motion:**

*Ayes (54):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, 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, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Sam Hibbins, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, 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, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, 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, Jess Wilson

**Motion agreed to by absolute majority.**

**Read third time.**

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

**State Sporting Legislation Amendment Bill 2024**

*Second reading*

**Debate resumed on motion of Steve Dimopoulos:**

That this bill be now read a second time.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

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

**Aboriginal Land Legislation Amendment Bill 2024**

*Second reading*

**Debate resumed on motion of Natalie Hutchins:**

That this bill be now read a second time.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

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

**Business interrupted under sessional orders.**

*Adjournment*

**The SPEAKER:** The question is:

That the house now adjourns.

**Drought preparedness**

**Emma KEALY** (Lowan) (17:12): (751) My adjournment matter is for the Minister for Agriculture, and the action that I seek is for the minister to provide guidance to banks and local government regarding which specific areas of the state are currently impacted by green drought conditions either through LGA, postcode or the provision of a map. I understand that the specific guidance around the formal declaration of drought conditions has not yet been met. However, we are very, very close to that period, and we are looking at a failed spring last year and a failed autumn and now we are close to that spring period. We are very fortunate in our region in that we have had some rainfall over the past week or so that has provided some relief for most farmers in terms of access to water. If you look at the paddocks through that area, you can see a tinge of green. However, it is providing insufficient feed for the livestock that that land holds. As a result it is costing an enormous amount of money for our farmers to keep their stock alive. This is having a critical impact on stock numbers through the region.

If you look through the Western District, there is an area through there which holds about 10 million head of sheep, and that production now is down by about 20 per cent, either through reduced lambing due to the drought conditions or because the landholders are sending more of their sheep to go over



the hook to reduce their numbers just to try and keep their heads above water and make sure that they are not going broke in feeding their livestock. We are in a position now where banks say that they can provide lower rates and local governments say that they can provide additional relief and additional support to landholders. We are hearing rural financial counsellors say they can provide additional relief and supports, but what they need is a level of consistency and the state to lead the discussion in this step before the formal declaration of a drought and just to basically put a line on a map.

I know this is a difficult thing for the government to do, but I do encourage the government to reach out and actually declare who is impacted by the certain precipitation rate, which is putting an enormous amount of pressure on our livestock producers in the south-west of the state. Even if it was the government working with local government and with the banks to provide an earlier parameter or a guidance over 'These are the conditions. There might be a certain percentage of rainfall when it hits this point. We are a step before formal declaration of drought,' I think this is an area where the state government must lead. Last Monday I supported our local Victorian Farmers Federation members to have a drought forum down there. It was well supported with representatives from Agriculture Victoria but also local government and of course our local farmers down there having their voice heard. I do ask the Minister for Agriculture to address these matters urgently.

### **Hoa Nghiem Buddhist Temple**

**Meng Heang TAK** (Clarinda) (17:15): (752) My adjournment matter is for the Minister for Multicultural Affairs, and the action I seek is for the minister to provide the latest update on the upgrades to the Hoa Nghiem Buddhist Temple in Springvale South. I am informed by the Venerable Thich Thien Tam that there have been some developments with the building and planning permits, and there is definitely some excitement amongst our Vietnamese community and the broader community in the south-east about what is coming next.

Our state is home to more than 120,000 people of Vietnamese ancestry. Our Vietnamese community is significant in size, but more importantly, it has made a significant contribution to our vibrant society. For many Victorians from multicultural and multifaith backgrounds, our temples and our community groups offer important connections to their culture and heritage, and these groups deserve the best possible community spaces to celebrate and share their culture and traditions. This is a significant investment and one I am really proud of: \$250,000 towards delivering upgrades to the Hoa Nghiem Buddhist Temple for Victoria's Vietnamese community in Melbourne's south-east.

In fact I am extremely proud of the government's broader investment in multicultural infrastructure in our community and across Victoria over the last few years, with \$50 million of investment to build, upgrade and renovate our new community infrastructure for multicultural and multifaith communities. We have had significant investment locally, including \$100,000 invested to help renovate the existing facility at the Hellenic Community of the City of Moorabbin Ltd, improving community spaces for our Greek community. There have been similar investments in the South Eastern Melbourne Vietnamese Associations Council so they can keep supporting the Vietnamese community across the south-east, with an \$80,000 investment to help their work, and more than \$400,000 in support for the Springvale Asian Business Association to support the Springvale Lunar New Year celebrations and our multicultural traders.

It does not matter where you are from, what you look like, what you believe or what language you speak, in Victoria we are proud of our cultural diversity. The Allan Labor government will continue to deliver investment to build, upgrade and renovate community infrastructure for multicultural and multifaith communities. I commend the work to the minister, and I am looking forward to her response.

### **North East Link**

**Matthew GUY** (Bulleen) (17:18): (753) Tonight I raise an issue for the Minister for Transport Infrastructure relating to the North East Link Program. Over a number of months now I have been in contact with residents, particularly residents abutting the Eastern Freeway, in Doncaster South on

issues around noise pollution and traffic noise and the policies of the North East Link in relation to both of those. A number of residents have researched much material on other projects around Australia, and some of those materials they have presented to the North East Link seeking clarification, particularly in relation to air pollution, on some of the guidelines they are outlining for that project – where it will go and the impact upon local schools, communities and sporting facilities, not the least of course people who will be living near the project when it is completed. The North East Link is, let us just say to be polite, highly unresponsive, despite claims otherwise, to residents in my area. When I say the North East Link, I mean the state government, because they are one and the same quite obviously. This is much to the annoyance of residents, who are simply seeking answers on a number of key points.

In relation to air pollution, I am advised by residents that the North East Link Program environment effects statement predicts PM 2.5 will increase 136 per cent on the Eastern Freeway. Nitrogen dioxide will increase by 85 per cent on the Eastern Freeway. The EES shows daily PM 2.5 limits will be breached on many occasions, when none are permitted for the NELP project. Traffic noise – the NELP's 58 decibels for night is well above the World Health Organization 2009 scoping requirements of 40 decibels at the first floor. The New South Wales policy, which the then planning minister Richard Wynne said he had regard for in his NELP proposal, was 55 decibels at the first floor. What I ask the transport infrastructure minister tonight, the action I seek from him, is to advise me and the residents that about the North East Link what the intervention action is that will protect children and adults playing sport at Marcellin, Belle Vue Primary, Carey, Trinity, Bulleen oval, the Veneto and Freeway Golf on high pollution days, and further, why is the North East Link Program ignoring New South Wales policy and World Health Organization 2009 policy and being allowed to knowingly cause harm to human health as defined by the World Health Organization for night traffic noise pollution?

#### **Footscray electorate community safety**

**Katie HALL** (Footscray) (17:21): (754) My adjournment matter is addressed to the Minister for Crime Prevention, and the action I seek is for the minister to join me at a traders meeting in Footscray to discuss some concerns with some antisocial behaviour. Local businesses are vital to the strength and diversity of our community. Multigenerational migrant-owned businesses help give Footscray its identity, and the success of our local business community is so important for Footscray's revitalisation. Our restaurants, bars, markets and cafes are some of the best in Melbourne, and the traders want nothing more than for everyone to know about it. Traders are eager to work collaboratively on a solution to increase foot traffic as well as ensure staff and patrons feel safe in the community. I look forward to meeting with the minister in Footscray to speak with traders and residents about how the Allan Labor government can help ensure not only the success of our businesses but the safety of our wider community.

#### **Berwick electorate infrastructure**

**Brad BATTIN** (Berwick) (17:22): (755) My adjournment matter is for the Premier. The action I would like to ask for from the Premier is for her to do some karaoke with me out in the Berwick electorate. We could drive around some of the areas down there and have a look at what the concerns are on the roads throughout the south-east. I thought it would be a great opportunity for us to start our morning out on Orana estate and get in the car with one of the families down there who have to take their kids to school and currently cannot go down the very short road which would go straight to the new school down in Clyde North. They have to go out on Pattersons Road, along Clyde Road, back down Thompsons Road, taking about 35 to 40 minutes.

**Pauline Richards** interjected.

**Brad BATTIN:** I note the member for Cranbourne goes, 'Great school.' I am not questioning the great school, but 40 minutes to get to the school, 30 minutes to get home and having to repeat that in the afternoon – that is over 2 hours out of the day for each of those parents picking up and dropping off their students.

Or maybe the Premier could get in the car and join me for a drive along Bells Road. Bells Road is in an area in Clyde North that is really important. It is a really important road – a connector road that this government has failed to deliver. The reason this one is important is because we have got a letter from the Minister for Transport Infrastructure to state that this road is open. When you visit the road, you cannot drive on it, you cannot walk on it, you cannot have any traffic lights at it, you cannot build on it and there are no lines on it. In actual fact they have just put the gutters on it. So for the minister to say it is already open is actually just misleading my community.

We could go from there for a drive all the way up to the Thompsons Road intersection roundabout. I know the member for Cranbourne would love the roundabout down there – the roundabout where you have to work out about 5 kilometres before getting to it which lane you want to be in so you can turn left or right. The safety issues at this roundabout have been raised for a long period of time. What is worse is the funding that is in the budget for this is to not actually do this project for about four years. So we have got about four years before the project is going to be done. Maybe start some planning down there. Whilst we are driving around we can go down Matterhorn Drive. When you are in the Matterhorn area you can go past –

**Jess Wilson** interjected.

**Brad BATTIN:** I would love to go into the songs, but I am not that good at the history of songs, I will be honest. But we could drive down and we could say, yes, there might be an ambulance station, but a police station has not been built – a police station that was promised in 2018. It was an absolute and utter furphy from this government that they were going to deliver that. It has not been delivered, and crime continues to increase. It should be where the fire station was. We have had a number of houses that burnt and there was damage through those houses, and we could not get the fire brigade to respond from the new FRV station, because this government has failed to deliver it.

The south-east communities deserve better. What they do not deserve is a Premier who is sitting in a car singing, driving on a road in inner Melbourne, rather than investing in the communities that desperately need it. They have continued to take the taxes off these people, but they cannot put in place the items to protect them in their homes, to protect them in their streets and to make sure the infrastructure is delivered.

### **Monash Medical Centre**

**Tim RICHARDSON** (Mordialloc) (17:25): (756) My adjournment this evening is to the outstanding Minister for Health, and the action I seek is for the minister to visit the Monash Medical Centre to give an update on the \$535 million that will be invested, which includes expanding the maternity care centres, new operating suites and a new intensive care unit. When it comes to health, Labor invests in our health system. When they see the operating budgets that are being delivered and see the capital infrastructure, our health professionals know that Labor backs them in. We saw just recently the support for our nurses and midwives, who do an extraordinary job across Victoria. They are the best of Victorians. We saw during the pandemic their leadership and the work that they did. They knew that an Allan Labor government would be backing them in. Yes, we have got shortages, and yes, we need to attract more people in. That is why we are supporting our nurses with degrees and through a range of different ways as well. If there is anyone thinking about a career path they want to take, nursing or midwifery is a great choice for your future. People talk about the legacy or the contributions of the Andrews and Allan Labor governments. You only have to go down the road to where a number of my constituents go: the Monash Medical Centre. It is the same with the member for Oakleigh, the member for Glen Waverley and the member for Clarinda. It is such a significant part of our community.

The Frankston Hospital redevelopment is really important for the southern part of my electorate, a \$1.1 billion investment: a new 12-level tower of clinical services; a main entrance; 130 more beds; something I am really passionate about, the new spaces for mental health and oncology services; and 12 new operating theatres. You can see this from Chelsea and Chelsea Heights. It is coming out of the

ground. You can see the redevelopment of the Frankston Hospital site. You can see delivery in our community and you can see the jobs that that is creating with the hundreds and hundreds of workers that are onsite. I want to give a big shout-out to the member for Frankston. I do not think he sleeps; he certainly skydives, and quite a bit. Goodness me, you see that he is active out there each and every day, and I know how passionate he is about delivering for his community. That project delivery benefits people in so many more electorates – in Carrum, in Hastings, in Nepean and even some legends from the member for Cranbourne’s electorate and of course in the Mordialloc electorate that I so proudly serve. I would love an update out onsite – for the Minister for Health to come out and visit, come along with some of the crew. Get the member for Glen Waverley, the member for Clarinda, the member for Oakleigh – I know he is a busy unit – and of course the member for Bentleigh, I should not forget. Get them all out. We would love to get an update out onsite and visit Monash Medical Centre.

### **Windsor Community Children’s Centre**

**Sam HIBBINS** (Pahran) (17:28): (757) My adjournment matter is for the Minister for Planning, and the action that I seek is for the minister to reject the rezoning of 131–133 Union Street, Windsor, which is home to the Windsor Community Children’s Centre, and retain the current public use zone for education. Swinburne Uni, who have been gifted the land, are trying to kick out the Windsor Community Children’s Centre. They want to rezone the land and then they want to sell the land for profit. Families at Windsor Community Children’s Centre and the wider community are rightly asking how on earth we could have a situation where a high-quality, not-for-profit provider of early education, which has been operating on the site for 27 years, where there is high demand for quality early education and young families are often desperate for a place – when the state government is touting its early education reforms to increase access to early education, and where the land in question, which was previously government owned, was gifted to the current owners in Swinburne – could be kicked off, with the land declared as excess and rezoned to allow for a commercial development.

I urge the minister to stop this plan in its tracks – to stop the rezoning of the land; if need be, exempt the land from the requirement that the public use zone needs to be removed; and revisit potential government acquisition of the land. For reasons that are very, very clear to our community, there would be significant social and community benefits from retaining the current zoning to enable access to high-quality, community-run early education. The rezoning would be wholly inconsistent with the government’s policy to increase access to early education. This rezoning, if it went ahead, would reduce access. Retaining the public use zone for education would give Windsor Community Children’s Centre the best chance of staying at the site. The site itself, which I have visited many times as a local MP – it is an inner-city oasis – gives children the opportunity to experience the outdoors and nature in ways that they just cannot at home, and it is run by wonderful, dedicated staff. These are just the sorts of places we need to be encouraging in the inner city, not kicking children and families out, rezoning to a commercial zone and then selling off the land. Common sense and community needs need to prevail in this situation. On behalf of our community I urge the minister to reject the rezoning.

### **Pascoe Vale electorate bus services**

**Anthony CIANFLONE** (Pascoe Vale) (17:30): (758) My adjournment matter is for the Minister for Public and Active Transport, and the action I seek is for the minister to provide my community with an update on the rollout of the Victorian government’s bus plan across my community of Pascoe Vale, Coburg and Brunswick West. All locals should be afforded access to sustainable and safe transport options. Along with ongoing investments and opportunities to improve the Upfield rail corridor – including through the removal of the level crossings through Coburg – the Craigieburn rail corridor, local tram routes and other road safety upgrades for local roads, streets and active transport corridors, improving our local bus connections will also continue to be an ongoing priority for my community, because buses go where rail cannot.

In our growing suburbs buses will become increasingly central to our local community's public transport network. As set out in Infrastructure Victoria's *Get on Board* discussion paper, Melbourne's bus network is actually the largest of all public transport services in Melbourne, carrying 120 million passengers per year on more than 400 bus routes through 19,000 metropolitan bus stops and operating almost 2000 buses. It is buses that are often the closest form of public transport for many Melburnians, with around 82 per cent of Melbourne's dwellings situated within 400 metres or a 5-minute walk of a bus route, compared to 30 per cent for trains and 20 per cent for tram services. However, despite this coverage, which represents around 30 per cent of funding of four metropolitan public transport operations, buses typically account for just 20 per cent of public transport commuter trips.

Across my community of Merri-bek we are serviced by well over a dozen north-south and east-west local bus routes serviced by a number of diligent bus operators. These routes are also serviced by many hardworking local bus drivers who are proudly Transport Workers' Union, TWU, members. However, whilst my community has some of the highest public and active transport take-up rates in the state, when it comes to commuting to work only 3 per cent have been reported to catch a bus, compared to 14 per cent who catch a train, 14 per cent who catch a tram and 7 per cent who ride bikes. That is why the Victorian Labor government has recognised the ongoing potential for a better bus system through the Victorian bus plan. The bus plan signals a refreshed approach to renewing Victoria's bus network, with key priorities including reforms that will help make the network simpler, faster and more reliable; introducing a cleaner, smarter and more sustainable fleet with 100 per cent electric buses from next year onwards; having better performing buses, enhancing the community experience; improving systems management; and delivering better value for money.

However, crucial to delivering on these ongoing reforms will be to ensure that we are working closely with local communities, bus operators and transport workers – namely, with the TWU. That is why today I was so proud to have hosted the first TWU parliamentary bus forum, which brought together a number of people from across the bus industry to meet MPs to discuss, consider and work towards responding to the challenges and opportunities on the horizon. Along with key operators, including Dyson Group, Kinetic, Transit Systems Victoria, CDC Victoria and Christian's Bus Company, it was a pleasure to have welcomed the Premier of Victoria; the Minister for Public and Active Transport; Mem Suleyman, the Victorian state secretary for the TWU; Dissio Markos, the TWU assistant secretary; Emily McMillan, the TWU national assistant secretary; Matt Rocks from TWUSUPER; and the many other ministers, MPs and delegates who attended. TWU hosted this forum to improve on-road facilities, design safer and sustainable timetables and create better infrastructure for drivers and transport workers and communities.

### Community safety

**Jess WILSON (Kew) (17:33):** (759) My adjournment is for Minister for Education. The action I am seeking is for the minister to deliver on this government's promise to provide sufficient security funding to Jewish schools so they can keep their students safe. According to the Executive Council of Australian Jewry, in the two months following the devastating attack on 7 October by terrorist organisation Hamas we saw a 738 per cent rise in antisemitic incidents compared to the same period last year. Unfortunately this steep and ugly rise in antisemitism has been particularly apparent here in Victoria, where we have seen protests and violence conducted in Jewish neighbourhoods and outside synagogues, designed to intimidate our Jewish community and target their faith. We have heard antisemitic chants even in this place calling for the complete destruction of Israel, and in the most hateful and intimidatory of acts we have witnessed the targeting of Jewish schools.

Mount Scopus Memorial College is a Jewish secondary school in Burwood. The college was targeted with disgraceful, hateful and antisemitic graffiti earlier this year. Because of this rise in hate and the increased security risks since 7 October, Mount Scopus is spending an additional \$40,000 per month on guarding the school and its students, both primary and secondary. To date this year the school has been forced to spend more than \$1.2 million on security costs, including a need post 7 October to

spend \$50,000 on CCTV and tracking of their school buses. If this trend continues, families at Mount Scopus will be forced to pay almost \$2000 per student for security in 2025.

We know these security concerns are being felt by all Jewish schools. Indeed concerns have been so great that at some Jewish schools students have been told not to wear their school uniforms outside school grounds, excursions have been cancelled and sporting events have been postponed due to concerns about the safety of students. We are living in 2024, not 1934. The targeting of our Jewish community is morally repugnant and has no place in Victoria or anywhere. That is why I strongly supported the government's promise in November to provide \$2 million to be shared between Jewish and Islamic schools to improve security. While a base \$20,000 was provided to each school for security improvements, most importantly the commitment included the ability for schools to apply for further funding for costs incurred for additional security measures beyond what schools generally require.

Despite the significant increase in security costs incurred by Mount Scopus since 7 October, their application for additional funding was rejected. At the same time the Allan Labor government has hit the school with its unfair schools tax and will now collect more in tax from the school than the school receives in funding from the state government. The education minister stated that it is unacceptable that students or staff feel unsafe in the schools where they learn, work and play. I could not agree more, but actions speak louder than words, Minister. It is easy to come into this place and say 'Never again', but schools like Mount Scopus are yet to receive this urgent support. I call on the minister to provide this additional security funding as a priority.

#### **Glen Waverley electorate road safety**

**John MULLAHY** (Glen Waverley) (17:36): (760) My adjournment matter is directed to the Minister for Roads and Road Safety, and the action I seek is for the minister to review the speed limits along High Street Road in my electorate between Gallaghers Road and Kerrie Road in Glen Waverley. The area around Gallaghers Road and Kerrie Road along High Street Road is highly frequented by residents of the Glen Waverley district. High Street, Highbury and Springvale roads are some of the busiest roads, with thousands of cars and pedestrians utilising them throughout the day. Currently there is a potential for confusion for drivers who turn left into High Street Road from Gallaghers Road because of a lack of clear signage which would indicate the speed limit.

This government is committed to ensuring the safety of Victorian road users so everyone can get to where they need to go whilst doing so in a safe and appropriate manner. More than 200 people lost their lives on Victorian roads in 2021, even as traffic was reduced throughout the pandemic. This horrific statistic points to the imperative for governments to act to ensure that we are on a path to eliminating such tragedies. One such program is the Road to Zero initiative, which is a free program that encourages students to explore how we can stop deaths on our roads. I strongly support this program as it targets students from year 9 onwards, the age at which many young adults start driving. Road safety education is crucial in shaping young people's attitudes and perceptions and will reduce their risks of being involved in a crash.

Further, as a member of the Legislative Assembly's Economic and Infrastructure Committee that recently delivered a report into the impact of road safety behaviours on vulnerable road users, I take pride in knowing that this government is investing to build infrastructure that will protect vulnerable road users. Whether it be upgrading signals, improving pedestrian crossings or installing speed humps, these infrastructure investments protect not only the vulnerable road users themselves but all Victorians. I sincerely thank the minister and her team for the tireless work that they do in keeping Victorians safe on our roads, and I look forward to the minister's response.

### Responses

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (17:38): Can I firstly thank the member for Mordialloc for his very kind invitation to attend with him onsite at the Monash Medical Centre and to provide him with an update on our government's commitment to build a new seven-storey tower right there at that centre. This is in addition to the very many upgrades and redevelopments we have already seen under the Allan and Andrews governments at Monash: a brand new children's hospital, a brand new emergency department, a recently opened mental health hub – all there at the Monash Medical Centre. Of course the work of that great public hospital is also complemented by Australia's first ever heart hospital, also delivered by our government. This announcement of a more than \$500,000 upgrade at Monash Medical Centre is part of our government's \$1.7 billion commitment that was made in the most recent budget to upgrading three of Melbourne's busiest hospitals: the Austin, the Northern and of course the Monash Medical Centre. As the member rightly pointed out, there are many members, including the member for Clarinda, in this place who benefit from these substantial and significant investments that are being made at Monash, so it will be an absolute pleasure to be able to join the member for Mordialloc at the Monash Medical Centre.

The member for Lowan – who had the good grace to inform me that she would not be able to stay, as she had a train to catch – raised a matter for the attention of the Minister for Agriculture, and specifically the action she is seeking is for the minister to provide guidance to local governments and indeed to banks regarding which specific areas of the state are currently impacted by green drought conditions. I am sure that the Minister for Agriculture will be able to assist the member in that way. The member for Clarinda raised a matter for the attention of the Minister for Multicultural Affairs. The member for Clarinda is seeking an update on our government's investment to support the redevelopment of the Buddhist temple in Springvale. I am sure that the Minister for Multicultural Affairs would very happily provide you with that update, noting that the state government contributed some \$250,000, which of course supports Melbourne's but in particular Clarinda's thriving Vietnamese community.

The member for Bulleen, who is no longer in the chamber and did not explain why, has raised a matter for the attention of the Minister for Transport Infrastructure. He is seeking some information pertaining to the North East Link. The member for Footscray has a matter for the attention of the Minister for Crime Prevention, and she is seeking that the minister join her at a traders meeting regarding some antisocial behaviour that is impacting on those traders. Can I say too to the member for Footscray that it was a real pleasure to be able to join the member at Footscray Market and to see what a thriving retail area they have in Footscray. The member for Berwick had a matter for the attention of the Premier. He tried to make it sound about as unattractive as he could by suggesting that the Premier might join him in driving around his electorate. However, seriously, the action the member for Berwick is seeking is that the Premier join him to consider some of his road infrastructure that he considers is not meeting the needs of his community.

The member for Prahran has raised a matter for the attention of the Minister for Planning, and he is seeking that the minister rejects the proposal by Swinburne University to rezone the Windsor childcare centre. The member for Pascoe Vale has a matter for the attention of the Minister for Public and Active Transport, and he is seeking an update on the state government's bus plan. The member for Kew has a matter for the attention of the Minister for Education, and she is seeking greater support and more security funding for Jewish schools in her electorate, but specifically she called out Mount Scopus college. The member for Glen Waverley had a matter for the attention of the Minister for Roads and Road Safety, and essentially he was seeking a review of the speed limit on Gallaghers Road and the way it intersects with other roads in his electorate.

**The DEPUTY SPEAKER:** The house stands adjourned until Tuesday week.

**House adjourned 5:44 pm.**