



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Tuesday 27 August 2024

Members of the Legislative Council

60th Parliament

President

Shaun Leane

Deputy President

Wendy Lovell

Leader of the Government in the Legislative Council

Jaclyn Symes

Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

Leader of the Opposition in the Legislative Council

Georgie Crozier

Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew ¹	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira ²	Western Metropolitan	IndLib	Ratnam, Samantha	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem	Northern Metropolitan	DLP
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Heath, Renee	Eastern Victoria	Lib	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tierney, Gayle	Western Victoria	ALP
Limbrick, David ³	South-Eastern Metropolitan	LP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Lovell, Wendy	Northern Victoria	Lib	Watt, Sheena	Northern Metropolitan	ALP
			Welch, Richard ⁴	North-Eastern Metropolitan	Lib

¹ Resigned 7 December 2023

² Lib until 27 March 2023

³ LDP until 26 July 2023

⁴ Appointed 7 February 2024

Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;

Greens – Australian Greens; IndLib – Independent Liberal; LCV – Legalise Cannabis Victoria;

LDP – Liberal Democratic Party; Lib – Liberal Party of Australia; LP – Libertarian Party;

Nat – National Party of Australia; PHON – Pauline Hanson's One Nation; SFFP – Shooters, Fishers and Farmers Party

CONTENTS

BILLS	
Parliamentary Workplace Standards and Integrity Bill 2024	2981
State Sporting Legislation Amendment Bill 2024	2981
Royal assent	2981
COMMITTEES	
Economy and Infrastructure Committee	2981
Reference	2981
Reporting dates	2981
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Working with children checks	2981
Windsor Community Children's Centre	2983
Ministers statements: vocational education and training	2984
Bail laws	2984
LGBTIQA+ community	2985
Ministers statements: Victorian Seniors Festival	2986
Housing	2987
COVID-19	2988
Ministers statements: kindergarten funding	2988
Port Phillip Prison	2989
Housing	2990
Ministers statements: African Youth Initiative	2991
CONSTITUENCY QUESTIONS	
Southern Metropolitan Region	2992
North-Eastern Metropolitan Region	2992
South-Eastern Metropolitan Region	2992
Northern Metropolitan Region	2992
Western Metropolitan Region	2992
Northern Victoria Region	2993
Northern Metropolitan Region	2993
Western Metropolitan Region	2993
Southern Metropolitan Region	2993
Northern Metropolitan Region	2994
Western Victoria Region	2994
North-Eastern Metropolitan Region	2994
Northern Victoria Region	2995
Eastern Victoria Region	2995
North-Eastern Metropolitan Region	2995
Northern Victoria Region	2995
BUSINESS OF THE HOUSE	
Victorian Auditor-General's Office	2996
Financial audit	2996
PETITIONS	
Corella control	2996
Little River freight terminal	2997
Community health services	2997
COMMITTEES	
Scrutiny of Acts and Regulations Committee	2997
Alert Digest No. 11	2997
Legal and Social Issues Committee	2998
Inquiry into Workplace Drug Testing in Victoria	2998
PAPERS	
Parliamentary Integrity Adviser	3000
Report 2023–24	3000
Papers	3000
PETITIONS	
Smart meters	3001
Response	3001
PRODUCTION OF DOCUMENTS	
Timber industry	3001
Health services	3001
Energy supply	3001
BUSINESS OF THE HOUSE	

CONTENTS

Notices	3002
General business	3002
COMMITTEES	
Environment and Planning Committee	3002
Membership	3002
MOTIONS	
Middle East conflict	3002
MEMBERS STATEMENTS	
Poverty	3003
Refugees and asylum seekers	3003
Jude Perera	3003
Ukraine Independence Day	3004
South-Eastern Metropolitan Region multicultural communities	3004
Horses for Hope	3005
Arif Lohar	3005
Ballarat Christian College	3005
Refugees and asylum seekers	3005
Daylesford hospital	3006
Albury Wodonga Health	3006
Delianuova Social and Sporting Club	3006
BUSINESS OF THE HOUSE	
Notices of motion and orders of the day	3007
BILLS	
Pahran Mechanics' Institute Repeal Bill 2024	3007
Declared private	3007
Second reading	3007
Third reading	3019
Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024	3019
Second reading	3019
ADJOURNMENT	
Prostate Cancer Awareness Month	3042
Land Forces International Land Defence Exposition	3042
Container deposit scheme	3043
Reset Victoria Rally	3044
Youth mental health	3044
South-Eastern Metropolitan Region schools	3045
Women's rights	3045
Metro Tunnel	3046
Economic policy	3047
Disability advocates	3047
Melton planning	3048
Land Forces International Land Defence Exposition	3048
Planning policy	3049
Video on demand	3049
Riddells Creek planning	3050
Electricity infrastructure	3050
Blackberry control	3051
Construction, Forestry and Maritime Employees Union	3051
Greenvale Reservoir Park	3053
Responses	3053

Tuesday 27 August 2024

The PRESIDENT (Shaun Leane) took the chair at 12:03 pm, read the prayer and made an acknowledgement of country.

Bills

Parliamentary Workplace Standards and Integrity Bill 2024

State Sporting Legislation Amendment Bill 2024

Royal assent

The PRESIDENT (12:04): I have received a message from the Governor, dated 20 August:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the undermentioned Acts of the present Session presented to her by the Clerk of the Parliaments:

27/2024 Parliamentary Workplace Standards and Integrity Act 2024

28/2024 State Sporting Legislation Amendment Act 2024

Committees

Economy and Infrastructure Committee

Reference

The PRESIDENT (12:04): I further advise the house I have received a letter from the chair of the Economy and Infrastructure Committee advising that on 27 August 2024 the committee agreed to self-refer an inquiry on wildlife road strike in Victoria. The terms of reference will be available soon on the website and are available from the committee secretariat.

Reporting dates

The PRESIDENT (12:04): I also advise the house that the letter further states that the committee have agreed to extend the tabling date of their inquiry into cultural and creative industries in Victoria from November 2024 to 25 August 2025.

Questions without notice and ministers statements

Working with children checks

Georgie CROZIER (Southern Metropolitan) (12:05): (629) My question is to the Attorney-General. Attorney, your department advised in a brief that around 157,000 working with children check applicants did not have their status notified to their nominated organisations due to a systems error. Of great concern is that 69 of these applicants were found to have been permanently or temporarily excluded from child-related work, yet their status was not passed on. This briefing from the department of justice states that DJCS has attempted to contact all of the 69 applicants who were subject to an exclusion, interim exclusion or suspension to ensure that they are not engaging in child-related work. So I ask: Attorney, exactly how many of those 69 people were contacted, and how many were found to be engaging in child-related work?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:06): Ms Crozier, I welcome the question – it is an important question – but at the time of the last election the MOG changes moved working with children check operations to DGS under the Minister for Government Services, so if you would like to refer that to Minister Williams, she might be best placed to respond, bearing in mind that it was with the department of justice prior, so there might be a bit of crossover. But the current responsible minister who would be best placed to answer your question is Minister Williams.

Georgie Crozier: On a point of order, President, if I could get some clarification, as it is the Attorney, the briefing from the department of justice states DJCS has attempted to contact all of the 69 applicants who were subject to an exclusion, interim exclusion or suspension to ensure they are not engaging in child-related work. Clearly it is in the purview of the Attorney if it is the department of justice, so if she does not know the answer, I am very happy for her to follow it up rather than it be redirected, given it was the department of justice who made that statement.

The PRESIDENT: I think the minister has stated that the question falls under the responsibility of another minister, and the minister is prepared to pass that on under the standing orders. Is that right?

Jaclyn SYMES: Further to the point of order, President, if I can assist Ms Crozier, I am not attempting to shirk responsibilities here. If I was briefed and I was the responsible minister, I would be more than happy to get you that information or indeed I would have that information at hand and be able to answer it, but the issue that you have raised refers to Services Victoria and their interaction with working with children checks, not the legal side of working with children checks in terms of policy. It is an operational issue. Therefore the relevant minister is Minister Williams. I note that you do not want it to be referred to her, so therefore that is my answer.

Georgie CROZIER (Southern Metropolitan) (12:08): It is incredibly disappointing, given it clearly falls within the minister's remit.

Members interjecting.

Georgie CROZIER: It is. DJCS is responsible for the administration of working with children checks. It is no wonder it has been stuffed up.

Jaclyn Symes: On a point of order, President, Ms Crozier is deliberately misleading the house. She has made a statement that the department of justice is responsible for the administration of working with children checks. I can assure her, as the minister that was previously responsible, I am very well placed to inform the house that I am no longer responsible. That has moved under a MOG exchange to the Minister for Government Services.

The PRESIDENT: There is no point of order. I think you can address the substance in the answer.

Georgie CROZIER: On the point of order, President, just in relation to the minister: I know you have ruled against the point of order, but I say again –

The PRESIDENT: There is no point in going further on a point of order that has been ruled against. Is it a different point of order?

Georgie CROZIER: I will move to the supplementary, then, given the minister refuses to take any responsibility. The brief from the department of justice goes on to state:

On a worst-case scenario, the State may be a party to a possible negligence claim ... where a child was harmed by a person who continued to undertake child-related work because their adverse WWCC outcome was not communicated to the organisation by DJCS ...

Given this government is currently seeking to limit its civil liability in relation to the Lawyer X scandal, will the Attorney-General guarantee that the government will not seek to limit its liability to any children who were harmed as a result of this appalling working with children check bungle?

The PRESIDENT: I am really struggling to see how that is supplementary to the substantive question and the answer from the minister.

Georgie CROZIER: On a point of order, President, it is directly related given that my quote from the substantive question related to the briefing from the department of justice around these 69 applicants with a working with children check. My supplementary goes to linking to that. But the question is around the liability which the minister, the Attorney herself, has responsibility for, and it

is directly related to any civil liability, given these working with children checks are incredibly important.

David Davis: Further to the point of order, President, this is a very difficult situation, because if a minister or a department has briefings that relate directly to that department and then questions are asked to the relevant minister on those briefings, the standing orders refer to a matter for which the minister is responsible or connected to. It is impossible to see how the Attorney-General is not connected, as lead minister, with justice department memos and documents.

The PRESIDENT: It has been a clear practice that a minister may say the question referred to is the responsibility of another minister and they are more prepared. The minister was prepared to pass that on to another minister. She acquitted it in saying that it is not her responsibility. It is not for me to determine who is responsible for what as far as the executive orders go.

Georgie CROZIER: On a further point of order, President, it is my understanding that under the general order dated 2 April 2024 – that is, this year – the Worker Screening Act 2020 falls under the Attorney-General’s responsibilities. The act is jointly and severally administered with the Minister for Government Services, so I am saying that my question is relevant and the minister should answer these questions as they are directly related to her portfolio.

The PRESIDENT: On the substantive question, I think the minister did respond, but I am happy to ask the minister to respond to the supplementary question.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:13): Ms Crozier, for full clarity, your substantive question referred to the operation of the scheme, which I explained to you has moved to DGS and is under the responsibility of Minister Williams. More appropriately, your second question could be directed to me, and the answer is no.

Windsor Community Children’s Centre

Katherine COPSEY (Southern Metropolitan) (12:13): (630) My question is for the minister for skills. Windsor Community Children’s Centre has been providing high-quality community-run early education to local families for nearly 50 years, and they have operated out of their Union Street home in Windsor for 27 years. Minister, why did the government give Swinburne permission to sell the land at 131–133 Union Street, Windsor, without first ensuring the future of Windsor Community Children’s Centre?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:14): I thank the member for her question. This is a matter that was raised by Mr Davis in the adjournment fairly recently. The local council have rejected the rezoning permit, and the matter is now before the Minister for Planning. In terms of allowing for or agreeing to land being proposed, there are a number of things that were put in place, one of which is that a significant amount of money needs to be reinvested back into vocational education and training at that institution.

Katherine COPSEY (Southern Metropolitan) (12:15): Thank you, Minister, for your answer. This is a government which calls this the Education State and spruiks reforms that will increase access to early education. That land was gifted by the state government, but now Swinburne wants to rezone the land so it can be used for a commercial purpose and so it can kick Windsor Community Children’s Centre out and then sell the land. Minister, local families want to know and would appreciate an update from the government. Will the government ensure common sense and community need prevail and stop this rezoning?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:15): Again, this is a matter for the Minister for Planning. The fact is that there are stipulations that the government has placed on the sale of properties that are owned by Swinburne Institute of Technology, which were actually gifted by those opposite quite some time ago, and then

of course Swinburne has turned around and has decided to sell those lands. It is now a matter for the Minister for Planning.

David DAVIS (Southern Metropolitan) (12:16): I move:

That the minister's answer be taken into account on the next day of meeting.

Motion agreed to.

Ministers statements: vocational education and training

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:16): Last week was National Skills Week, where we recognise the importance of vocational education and training in providing genuine opportunities for everyday people to get quality jobs. I had the pleasure of visiting one of our fantastic dual-sector universities, RMIT, to announce an investment of nearly \$9 million to boost skills in environmental sustainability and the clean economy. This funding will establish new clean economy skills labs at TAFE Gippsland and Melbourne Polytechnic, which will support training providers and industry to design new skills and qualifications. Skills labs are a practical way that this government is responding to the new and emerging skills needs that our economy faces, including construction and the clean energy transition. In addition, RMIT received funding to co-design these three new skill sets in sustainable building practices. Skill sets include short courses designed to meet urgent workforce demands.

During my visit to RMIT I met students who were already incorporating the new skill sets into their studies – students like Alberto, who is pursuing a sustainable construction skill set alongside his diploma of building and construction to build sustainable housing and contribute to Victoria's clean economy. I also spoke with one of the course teachers and curriculum designers, who emphasised the importance of sustainable building design in achieving our net zero emissions target. These investments are crucial in enabling world-first qualifications to be developed to put us ahead of the curve. Together we are building the skills of our clean economy workforce. So let us celebrate Victoria's world-class vocational education system during National Skills Week, every week and every year.

Bail laws

Evan MULHOLLAND (Northern Metropolitan) (12:18): (631) My question is to the Attorney-General. Attorney, failing to comply with a bail condition was previously an offence. In March this year your government removed that sanction, meaning that breaching a bail condition is no longer an offence. Despite the government's Youth Justice Bill, that position has not changed. How does Labor's weakening of bail laws do anything to keep Victorians safe?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:19): I do not agree that removing breach of bail conditions in any way, shape or form is accurately characterised as weakening bail. It is also a measure that was in the bail bill, which you guys did not oppose, and when you sought to bring it back last sitting week in the Youth Justice Bill, it was quite peculiar to me that you wanted to bring it back but exclude children from the application of it. Mr Mulholland, I challenge you to find anybody that would say that breach of bail condition as an offence in any way had a meaningful impact on reducing crime or making people accountable. What it is important to recognise is that if you are in breach of a bail condition – and this is actually what we reinforced in the Youth Justice Bill – that should be a relevant factor for revocation of bail. If you breach a bail condition, you should be able to have that bail revoked, and there have been recent public instances of just that.

Evan MULHOLLAND (Northern Metropolitan) (12:20): Attorney, previously committing an indictable offence of arson while on bail led to a much tougher test for staying on bail. In March this year your government removed that sanction, making it easier for repeat offenders to stay on bail. Despite the government's Youth Justice Bill, that position does not change. Can the Attorney explain

why under the government's bail laws setting fire to a tobacconist is treated far more leniently than actually robbing one?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:20): Mr Mulholland, you are really conflating important issues and trying to politicise issues by trying to articulate that the laws in some way would not respond appropriately to an arson incident.

Evan Mulholland: The laws exclude it.

Jaclyn SYMES: Maybe offline we can sit down and I can explain the laws to you. Maybe you could come down and talk to some bail decision makers about how the laws apply. If you do something whilst on bail that causes harm to the community, then that is a consideration for not granting bail, it is a consideration for removing bail. Your characterisation of it is ridiculous, quite harmful, to suggest in any way that somebody who sets fire to something and causes harm – that that would be dismissed as something that is not serious.

Members interjecting.

Jaclyn SYMES: I will explain. The definition of 'unacceptable risk' is it brings in harm to the community. If you are actually saying that arson does not cause harm to the community, then that is on you.

LGBTIQA+ community

Rachel PAYNE (South-Eastern Metropolitan) (12:22): (632) My question is for the Minister for Equality, Minister Shing. On Sunday the federal government betrayed the LGBTIQA+ community by confirming there would be no change to the topics in the next census. Following the last census the ABS was forced to acknowledge the hurt and distress caused by the exclusion of the LGBTIQA+ community. This announcement is directly at odds with Labor's commitment to ensure that the 2026 census gathers relevant data on LGBTIQA+ Australians. We do not know how many LGBTIQA+ people there are in Australia, and thanks to this decision, we still will not. Now, I know that there are many of your colleagues in this chamber today wearing a rainbow flag, as a sign of support one must assume, so my question is: will you lobby your federal colleagues to express your disappointment in a broken promise and urge them to count us in?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:23): Thank you, Ms Payne, for your question and for the really important advocacy that you and so many others around this chamber are providing in making sure that the presence, the challenges, the opportunities and also the gaps in systems for LGBTIQA+ people are identified, are visible and are part of the decisions underpinning resourcing and delivery of programs and supports. One of the things that I was particularly proud of was the way in which we had engaged interjurisdictionally on census questions, seeking further information about gender identity and sexuality in order to address the invisibility of our communities in relation to government decision-making. This was something which I, alongside so many others, welcomed at the time that the announcement was made. I have, following the announcement on the weekend, written to federal ministers to request reconsideration of this decision. I cannot overstate the importance of relevant and accurate data in the way in which we here in Victoria have advanced the work set out in *Pride in our Future*, the equality strategy 2022–32.

Reflecting the diversity of our LGBTIQA+ communities is really essential. It informs the way that we do shape services. There is funding that we provided in 2019, for example, for the Private Lives 3 survey – \$420,000 went towards that. There is the work that we continue to do on the population health survey, which is showing us that we have significant numbers of people who are identifying as LGBTIQA+ people across various parts of the state and that their needs are as much as anything based in age demographics and are based in the sorts of issues around employment participation; in homelessness and rough sleeping; in access to equal pay, terms and conditions; in the right to live

freely and equally; and in having access to services, whether that is gender-affirming care or whether that is Pride in ageing. So I will continue to advocate for improved data collection here in Victoria.

We have worked really, really hard, beginning under Australia's first equality minister Martin Foley and continuing now with our third commissioner for LGBTIQ+ communities Joe Ball, who was announced last week. Joe has been a fearless advocate for better data collection, having had a background in statistics. I am looking forward to continuing to partner with him and indeed working across our communities about understanding where and how within the equality space these needs arise but then also in a more mainstream setting as far as other portfolios go – mental health, health services, the work that we need to do across education and across employment. I will continue to make sure that the work that underpins Private Lives 3 and other work goes on, and I will do that hopefully with the support of communities across the state.

Rachel PAYNE (South-Eastern Metropolitan) (12:26): Thank you, Minister Shing, for your response. By way of supplementary, without this data how are the Victorian government going to ensure that they effectively target government services and policies relating to LGBTIQ+ communities? I do acknowledge that you have touched on a lot of that in your previous response, but I think the majority of stakeholders who are reaching out to me just want some assurance in that space.

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:27): Thank you, Ms Payne, for that supplementary. We have, as I was saying earlier, worked really tirelessly to improve data collection across the various parts of government to ensure that supports for LGBTIQ+ people are fit for purpose. That includes those recently introduced requirements for mandatory reporting within Victorian hospital settings on sex and gender. The Victorian coroner has begun to report on the data and LGBTIQ+ involvement and representation in situations of death involving reporting and analysis by the coroner. In 2023 the Victorian population health survey showed that 11.1 per cent of Victorians identified as LGBTIQ+, and this is likely an under-representation, which is again due as much as anything to the antiquated systems within which we are operating. Again, I would really like to see a joined-up national approach to the collection and therefore analysis of data, and I look forward to that work continuing.

Ministers statements: Victorian Seniors Festival

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:28): Spring is in the air, and that means that one of the highlights of Victoria's festival calendar, the Victorian Seniors Festival, is nearly upon us. Now in its 42nd year, the Victorian Seniors Festival returns in October this year with a huge month-long program full of free and low-cost events and activities right across our state. The theme this series is 'Explore, Engage, Evolve', encouraging older Victorians to stay connected by exploring new activities, meeting new people and changing how we think of ageing. The festival collaborates with local councils to promote local activities and events, along with community clubs and organisations such as COTA. More than 1400 events have now gone live on the Seniors Online website with more added daily, and a hard copy program will be available at Coles supermarkets across the state, so check it out.

This year's festival officially kicks off with Celebration Day, a spectacular celebration at Fed Square, from 12 noon to 5 pm on Sunday 6 October. This event will feature a line-up of live music, inspirational speakers and hands-on activities. Other highlights of the calendar include the Melbourne Town Hall dance, the aged care tour and the country concerts. You can learn to trace your ancestors with the Genealogical Society of Victoria, practise cryptic crosswords in Parkdale, try linedancing in Warrnambool or go for a strike at tenpin bowling and coffee in Morwell. The Labor government is very proud to support this fantastic month of celebration for all Victorians, including older Victorians. I hope to see you all there.

Housing

Evan MULHOLLAND (Northern Metropolitan) (12:30): (633) My question is to the Minister for Housing, Minister, over 50 per cent of Airbnb properties are located in regional Victoria. Why then are only 25 per cent of funds collected from your government's holiday and tourism tax for social and affordable housing being spent in our regions?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:30): Thanks, Mr Mulholland, for your interest in the way in which we can continue to deliver more social and affordable housing across the state. It is refreshing to see that your new-found interest in this area is arising. It is understandable really that you would seek to provide a new title to the short-stay accommodation levy and the work that we are doing to make sure that we are providing more opportunities for people to find long-term housing. Mr Mulholland, you might not like it – I am not sure how many investment properties you have got; I am not sure how many investment properties your colleagues have got – but this short-stay levy process is about making sure that we can provide more housing to people in regional areas who cannot, as childcare workers, as teachers, as aged care workers and as council workers, find rental accommodation and who are not moving to the areas where those needs in service delivery are ever more pronounced.

This is why, when being able to address a carefully calibrated balance on making sure that we are getting a setting right for short-stay accommodation of up to 28 days for a non-principal residence – again, I am not sure how many investment properties that might otherwise exclude for you, Mr Mulholland – this is about making sure we can incentivise people to be able to find permanent accommodation, because the rental yields are there. The Real Estate Institute of Victoria is very, very clear that rental yields for long-term accommodation are higher than they have ever been. Therefore we are doing everything we can do to make sure that there is more housing brought online, including in regional Victoria.

When it comes to the investments that we have made across regional Victoria, you will note, Mr Mulholland, with your new-found interest in social housing, that the Big Housing Build has \$5.3 billion as the initial investment, of which \$1.25 billion has gone to regional Victoria – that is 25 per cent. When we think about the fact that in regional Victoria we have got about 24 per cent of the population of Victoria living in that area, it stands to reason that we have a commensurate application of that levy but also the \$60 million as modelled with the carve-out of a principle place of residence and that subletting arrangement.

Members interjecting.

Harriet SHING: Ms Lovell, it would do you well to actually just listen, because you might learn something. But we are now in a position to deliver around \$60 million in social housing that will benefit the entire state, Mr Mulholland. So it is about returning that benefit to Victoria as a whole.

Evan MULHOLLAND (Northern Metropolitan) (12:33): Minister, will the holiday and tourism tax – which I note was supposedly and is claimed to have been secured by the Greens, this new tax – actually be used on social housing in regional Victoria?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:33): Mr Mulholland, when the housing statement was released just under a year ago, it did state that we would move to introduce a short-stay levy which would then enable funding of social housing. Mr Mulholland, some months after having a really intense discussion, negotiation and consultation on the terms of this short-stay levy, which the Treasurer announced this morning and which will then be the subject of ongoing discussions in this place, we have been able to secure around \$60 million, on the modelling that we have, to be able to return to social housing. That will include regional Victoria, Mr Mulholland, in the same way that the Big Housing Build includes \$1.25 billion, in the same way that the regional housing package is \$1 billion for regional and rural housing and in the same way that Minister Tierney's work across regional worker housing and accommodation –

\$150 million – is conferring that benefit. Thank you for your new-found interest in regional Victoria as well, and the answer is yes.

COVID-19

David LIMBRICK (South-Eastern Metropolitan) (12:35): (634) My question is for the Attorney-General. The last term of Parliament was dominated by the COVID-19 pandemic and the government's response to it, and those of you who were around will recall that, among other things, I was particularly focused on the impact on human rights. The government argued that these human rights limitations under the charter were justified, and I strongly disagreed in many cases. It has been a big disappointment for me that there seems to be little interest in any kind of comprehensive review to see what we got wrong and what we could do differently next time. While it is less than I would have wanted, at least the Australian Human Rights Commission is conducting an inquiry to see how people's rights were impacted during the pandemic. While it is particularly focused on the impact on individuals, the website also states that additional stakeholder and agency engagement will occur. My question for the Attorney is: has the government or have any government departments made submissions to this inquiry?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:36): I thank Mr Limbrick for his question. Not that I know of.

David LIMBRICK (South-Eastern Metropolitan) (12:36): I thank the Attorney for her brief answer. It is really quite remarkable that there seems to be such disinterest in a critical examination of what happened during COVID. If we have a severe bushfire, there is usually a royal commission or some other examination. If a major industry collapses, there is some sort of inquiry. But when we shut down the state, keep kids away from school, lock people out of the country and spend at least \$34 billion with little oversight, there seems to be a response of, 'Yeah, that was awful. Let's just forget about it.' I can understand that from members of the public who want to put the dystopia in the rear-view mirror, but from a government that is responsible for considering the response to any future pandemics it is potentially negligent. So my question to the Attorney is: what work is the government doing to improve its ability to respond to future pandemics, preferably with the least restrictive measures on rights as per the human rights charter?

The PRESIDENT: I might let you rephrase that, because I would have thought that was a question for the Minister for Health rather than the AG.

David LIMBRICK: I am specifically referring to the human rights charter, and that is the responsibility of the Attorney-General.

The PRESIDENT: The minister can answer as she sees fit within her responsibility.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:37): Mr Limbrick, you put a lot into that question and then tried to link it back to my responsibilities as the minister responsible for the human rights charter. In terms of future planning for pandemics and the like, there is a whole-of-government response in relation to making sure that we have got governance arrangements in place. I have a role more in my capacity as Minister for Emergency Services in relation to that response, so I can assure you that we learn from past experiences in any type of emergency, whether it is a pandemic or a fire, and look for continual improvement. In relation to the human rights charter, the way you have characterised the question is not necessarily the way I would explain looking at the human rights charter and its future or how VEOHRC has views in relation to ensuring that people are aware of their human rights. It is always an ongoing piece of work, and I am more than happy to have a conversation with you about that.

Ministers statements: kindergarten funding

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:38): I rise to inform the house about the recipients from the latest round of Building Blocks

capacity and planning stream grants, which I had the pleasure of announcing last week. Since Building Blocks launched in 2020 the Labor government has announced over 220 capacity and planning grants valued at almost \$200 million. This recent round of recipients will provide \$24.1 million in buildings and expanded kinders and support planning for future projects across the state. Six services across Victoria will share in over \$22.8 million to create 608 new kinder places, and the capacity stream will increase capacity across Victoria when and where it is needed, including in projects like Mernda Hills early learning centre, which will create 237 additional kinder places.

This recent announcement also includes \$1.3 million for planning kinder infrastructure projects in 10 services across the state, and the planning stream supports the roll-out of three-year-old kinder across Victoria by providing grants for planning and preconstruction work. Recently I had the opportunity to visit one of our planning stream recipients at Glenroy West Kindergarten alongside the member for Broadmeadows in the other place. During this visit I was able to hear about how they are planning to use their grant to benefit the wider community.

I am proud to stand and talk about these reforms – reforms we have introduced because this side of the house cares about creating the best future for children in Victoria. These reforms are essential in providing the best start for our youngest Victorians now and into the future. We are transforming early learning in this state by introducing free kinder, pre-prep, three-year-old kinder and funding infrastructure, including establishing 50 government owned and operated early learning centres to provide these nation-leading reforms.

The Building Blocks capacity and planning streams are open all year round, and I encourage all eligible organisations to apply and join us in creating positive change for future generations. I look forward to seeing how these grants are utilised to benefit and support children in their local communities for years to come as Victoria's early education system continues to grow bigger and better.

Port Phillip Prison

David DAVIS (Southern Metropolitan) (12:40): (635) My question is to the Minister for Corrections. It has recently been reported that G4S, the operator of Port Phillip Prison, is considering legal action after you tore up their contract only seven years into a 20-year arrangement. Given, Minister, publicly available contract information shows that G4S may be entitled to a termination payment, is this yet another example of Labor's inability to manage money?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:41): I thank Mr Davis for his question and his interest in our adult corrections system. I am very proud that as a government we have made significant investments into our corrections system and that we are making the best use of our best facilities. In relation to your specific question, I was very clear on 26 June when I announced the reconfiguration and modernisation of our corrections system that we are exercising our legal rights within the terms of that contract. You do understand that the department and Corrections Victoria are working very closely with G4S to plan for the closure of Port Phillip Prison and make sure of the safe transfer or decanting of the prisoners at that facility to some of our other facilities across the state, but members will also understand that many of these discussions have legal privilege and commercial sensitivities around them. I would not want to compromise our state's position, and so I do not intend to run a public commentary on it.

David DAVIS (Southern Metropolitan) (12:42): My supplementary is, given that response: according to the Auditor-General, Port Phillip Prison has maintained a 20 per cent lower per-prisoner cost than public prisons. Therefore I ask: has the minister sought or received any advice on how much more housing these prisoners in public prisons will cost following the closure?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:42): I thank Mr Davis for his supplementary question. Let us be very clear: we are making these changes in a fiscally responsible way. I appeared at PAEC – and

Mr McGowan was there and Mrs McArthur. We have a budget of over \$1.5 billion in our corrections system, and the changes will be within that budget process. I want to thank all the staff that work in our corrections system. We are doing that planning. We will be working collaboratively with G4S to make sure that transition is as smooth as possible, that there is continuity of care and that everyone is kept safe in that transfer.

Members interjecting.

Enver ERDOGAN: We have a \$1.5 billion budget. It is all reported in the papers.

Housing

Samantha RATNAM (Northern Metropolitan) (12:43): (636) My question is for the Minister for Housing. Minister, I have previously written to you about Iman Minas, who is a constituent of mine. Iman is currently facing the threat of eviction from a public housing home where she lives with her two sons. Her youngest son is autistic and requires intensive support. The other is just getting old enough to leave the nest but plans to return home regularly to support his mum and brother. The department has told Iman that she must move to a smaller house as one of her children is moving out, despite the fact that he may have to move back in because rental affordability is making it quite difficult for young people to live independently. They say the house is transitional housing, despite the fact that she has been living there for 13 years in a home that is managed by the Broadmeadows department of housing. Iman wants to remain living in this home, as she has built her life and community in this neighbourhood. Minister, will you intervene to ensure that Iman is not evicted from her public home in the midst of a housing crisis?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:44): Thank you, Dr Ratnam, for your case study, and therefore the details that you have outlined are not matters that I can address whilst on my feet, as they relate to a particular constituent. What I will say, though, Dr Ratnam, is that we have people – and you have raised this on your feet and in various places on a number of occasions before – with a great need for social housing across the state. We have families with multiple children who are waiting for housing of the configuration that you have just described. We work really hard alongside residents and their families to understand what people's needs are when they first make an application to the waitlist; when we understand the backdating that might well occur for those applications; and when we determine how priority applications might be triaged, including as they relate to victim-survivors of family violence, for people with specific needs and for people with those sorts of challenges around accessibility and the proximity to services that can assist, particularly when there are dependants with particular needs on access to supports which may well apply – and I do not know enough to be able to comment on this – to the constituent that you have referred to in your substantive question. Eviction is undertaken as a last resort. Eviction is not and nor should it be, as part of any part of the housing continuum, a step that is taken lightly.

Homes Victoria works really hard, and I commend their efforts and in particular the housing support officers, who every day talk with families like your constituent about their needs and about how their needs might be changing over time to make sure that the housing that is available that people are calling home is fit for purpose. On the one hand, Dr Ratnam, you are saying this is transitional housing and therefore the conclusion that you are inviting me to reach is that it should be transitional in nature. On the other hand you are saying that the constituent should not be required to move. I am very happy to work with you, Dr Ratnam – perhaps not in such a public way – to determine what supports may be available to the constituent whose needs you have outlined and also to make sure that we are placing people in housing who are waiting for housing in the sorts of configurations that you have identified. Again, where there are particular needs, we need to make sure that they are accommodated to the best possible extent within the housing stock that we have available; however, speculation about whether somebody may need to return is one of a number of factors at play that Homes Victoria considers as part of applications.

Samantha RATNAM (Northern Metropolitan) (12:47): Thank you, Minister. I am raising it today in the chamber because I have previously written to you about it and it has not been resolved, and this family is in real distress because of this prolonged waiting time. The reference to transitional housing speaks to the mismanagement by the department, because it has been 13 years. I am not sure how you classify transitional housing when someone has been allowed to live in a house for 13 years, so there is something going wrong here with the management of this situation. Because of the housing officers' threats of eviction Iman has fallen into a deep depression. She is terrified that she is going to end up homeless with a high-needs child. After I wrote to you and to the housing office Iman told me that housing workers came to her home and told her that if she did not accept alternative offers they would evict her. Unfortunately, we have been hearing of these intimidation tactics very regularly through the relocation process that is taking place at public housing estates. It happened previously at the Walker Street, Northcote, and Barak Beacon estates. Minister, will your government stop pressuring public housing residents to leave their homes under duress – which seems to be what is happening very regularly?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:48): Dr Ratnam, I have just sought some advice while I have been on my feet and while you have been asking this supplementary question. I want to correct a number of things that you have just asserted in your substantive question and in your supplementary. I am advised that the department and the transitional housing provider have not issued a notice to vacate. On 28 June staff from the department's Broadmeadows housing office spoke with Ms Minas, where she confirmed she had not received a notice to vacate from her home. Ms Minas was reassured that she will not be required to leave her home until a suitable public housing property that meets her and her family's needs becomes available. What you are asserting, Dr Ratnam, did not happen. Nobody – and I just want to put this on the record in a way that I hope will get a public airing – has told her that she would be evicted.

Ministers statements: African Youth Initiative

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:50): I rise to update the house on the important work being done by the African Youth Initiative to support young people in Melbourne's western suburbs. African Youth Initiative is a youth-led organisation dedicated to reconnecting African youth with their families, heritage, culture and community. The organisation is based in Melton, and last week I was pleased to join the local member the outstanding Steve McGhie in the other place.

Members interjecting.

Enver ERDOGAN: Yes, outstanding. African Youth Initiative was founded in response to the tragic loss of a young community member in 2020. Since then it has grown into a beacon of hope for many young people, offering a wide range of recreational, educational, sporting and cultural initiatives. We had an insightful discussion about the organisation's vision and current projects focused on providing mentorship and opportunities for at-risk young people. The Allan Labor government is proud to support this critical work through the South Sudanese community grants as part of an overall \$1.3 million investment in our young people. This investment has supported programs and mentoring that are helping to prevent youth offending and to promote positive outcomes for young people. These programs are about building a strong, resilient and safe community for all. I was particularly impressed by the dedication and passion of the African Youth Initiative team. Their unwavering commitment to making a difference to the lives of young people is truly inspirational.

The success stories emerging from programs such as these highlight the importance of community-led initiatives in addressing complex social issues. The Victorian government remains committed to supporting organisations which are creating a more inclusive and just society where every young person has the opportunity to thrive. I would like to acknowledge Robiel Abraham, co-founder and director of African Youth Initiative, as well as the entire team for their outstanding contributions to our community.

Constituency questions

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (12:52): (1046) The Jewish community in my electorate is under real threat and real attack at the moment, and in this context I draw the attention of the Premier to this plight. I notice the constant antisemitic material that is in the public domain, whether it be on schools or whether it be in a range of other places, and I therefore repeat my call for the Premier to take charge of this matter – for the Premier to actually convene a taskforce to deal with these matters. This would involve the police, it would involve the Minister for Multicultural Affairs and it would involve education – and indeed the Minister for Skills and TAFE, as we have heard in this chamber, has been reluctant to act within her portfolio. What I am asking is: will the Premier convene such a taskforce to deal with the antisemitism that impacts so directly on my electorate?

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:53): (1047) My question today is to the Minister for Transport Infrastructure. While many fungi have small, restricted distributions and specific ecological requirements that make them sensitive to ecological change, the North East Link Program's 2019 environment effects statement does not contain any reference to the fungal communities present at the Koonung Creek wetland. So I ask: how can the purported fast regeneration of biodiversity at this site be ensured when no record of the impacted fungal species has been taken?

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (12:53): (1048) My question is to the Minister for Planning, and I ask: given the community's strong support for the restoration of the historical Keysborough chapel and its potential to serve as a valuable community asset, will the government investigate potential funding options or incentives to assist in the preservation and revitalisation of this significant landmark? The Friends of Historic Keysborough Chapel group have been fighting for the building's restoration for four years now in order to host uses such as an art gallery, a cafe and a community garden. The restoration of the 147-year-old former Keysborough Wesleyan Methodist church would be a huge asset to local community and a win for everyone, including our environment and the green wedge. The group have provided an online petition to save the church, which has more than 2300 signatures, and the Friends of Historic Keysborough Chapel have been working to raise the profile of the importance of keeping the land and historical buildings as green open space where there is a new infill development.

Northern Metropolitan Region

Adem SOMYUREK (Northern Metropolitan) (12:54): (1049) My constituency question is directed to the Minister for Government Services in regard to the Connecting Victoria program. My office has been approached by many constituents in Donnybrook's new estates, complaining about their telephone reception. While I understand telecommunications is pretty much a federal issue, the state government nonetheless does have programs in place to help alleviate some of the black spot problems. Reliable phone and wireless connectivity are not just conveniences but necessities in the modern world, especially in outer suburbs. They are vital for maintaining social connections, ensuring access to emergency services and supporting remote work and education. It is just not acceptable for my constituents to drive outside of their estates at 3 o'clock in the morning to get to an area where they actually have telephone reception or reception to conduct business. So I ask the minister to take action to ensure that my constituents are connected as soon as possible.

Western Metropolitan Region

Trung LUU (Western Metropolitan) (12:55): (1050) My question is to the Minister for Transport Infrastructure, regarding train platforms in the western suburbs: can the minister please update my constituents on the plan to fix the issue with the recent upgrade of the Deer Park train station platform?

CONSTITUENCY QUESTIONS

Tuesday 27 August 2024

Legislative Council

2993

Late last year the government completed its level crossing removal at Mount Derrimut Road, Deer Park; however, the new platform at Deer Park station only extends to 215 metres. With the government's plan to run the longer nine-car train service along the Melton line, which is 225 metres long, the train can no longer stop at Deer Park station, due to the platform being 10 metres too short. With this quarter-billion-dollar debacle of the new Deer Park train station that cannot properly service its function, the people of Deer Park deserve a train service that not only stops on time but is accessible. Can the minister please update my constituents on what the Allan government plans to do to fix this issue and how much it will cost?

Northern Victoria Region

Georgie PURCELL (Northern Victoria) (12:56): (1051) My constituency question is for the Minister for Agriculture. Recently the Campaspe Shire Council announced their decision to stop providing animal adoption services at the Campaspe Animal Shelter, a decision that will no doubt impact animals, workers and the community within my electorate. In the last six months of 2023, 255 cats were admitted to the shelter but only five were reclaimed by an existing owner. Due to their rehoming capabilities the shelter found new homes for 120 of them, plus 58 dogs, but under this new plan this will no longer be possible. In the midst of a rehoming crisis and with council-operated shelters at Bendigo and Shepparton at capacity, it is volunteer foster care networks and rescue organisations that will be forced to pick up the slack, and if they cannot, euthanasia rates are bound to soar. My constituents want to know if the minister will urgently intervene to overturn this decision.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (12:58): (1052) My constituency question is directed towards the Minister for Public and Active Transport and concerns the lack of public transport links in the community of Hidden Valley in Wallan. There are more than 2500 residents in this community, with more at the local aged care residence, and they are yet to receive any bus service to connect them to the Wallan town centre or the local train station. I am advised by locals that this has been raised before with the member for Yan Yean and the member for Kalkallo to no result and that the current minister has also provided no support or assistance. My question to the minister is: can the minister advise why the people of Hidden Valley continue to be denied this most basic level of public transport access?

Western Metropolitan Region

David ETTERSHANK (Western Metropolitan) (12:58): (1053) My constituency question is for the Minister for Transport Infrastructure and concerns the West Gate Tunnel Project's new cycling infrastructure. The completed sections of the Federation Trail between Millers Road and Fogarty Avenue and the Rainbow Bridge across North Melbourne station may look fabulous but are of no use to anyone as they remain closed to the public. Cyclists have been told that this is due to contractual issues around graffiti and maintenance, and therefore they are forced to take long and dangerous detours until the entire project is completed. Just two weeks ago the coroner investigating the death of cyclist Angus Collins highlighted the tragic consequences when adequate safety measures around bikes and vehicles are not in place. My constituent asks: will the minister facilitate negotiations between West Gate Tunnel Project contractors and councils to ensure that completed paths of cycling infrastructure are opened to the public as soon as possible?

Southern Metropolitan Region

Georgie CROZIER (Southern Metropolitan) (12:59): (1054) My question is to the Minister for Multicultural Affairs, and it is somewhat similar to what Mr Davis has just raised in relation to having a taskforce set up about antisemitic behaviour. As he knows and as I know, in our electorate it is very concerning. I note that the antisemitism envoy Jillian Segal has said that Victoria is the worst state in Australia for massive increases in antisemitism, and it is very concerning. I was at a multicultural dinner on Saturday night, and the minister spoke. She did not mention the issue around the terrible

situation that has affected so many within my community, and many, many people are concerned. In fact there was a constituent of mine that was sitting at my table who was absolutely horrified. I know she has met with a number of Islamic groups, so I am going to ask: how many times has the minister met with Jewish groups that have been raising these concerns with her and the government?

Northern Metropolitan Region

Samantha RATNAM (Northern Metropolitan) (13:01): (1055) My constituency question is for the Minister for Planning, and I wish to ask again about the proposed quarry in Beveridge North West. Residents in my electorate are very concerned about the quarry proposal and the potential negative impacts on the community and the environment it will have. If approved, the proposed quarry will be located less than a kilometre from a residential area and will cause significant dust and noise pollution, reduced health and wellbeing, traffic chaos, catchment and watertable pollution and significant downstream impacts on the Merri Creek. I asked the minister over 12 months ago to make sure that they conducted a full environmental assessment of the quarry before making a decision. Since then there have been no updates about the quarry, and residents are worried you will make a decision without listening to their concerns. Minister, can I ask that you provide an update on when you will make a decision about the quarry in Beveridge North West, and will it be based on a full environmental assessment of the impacts of the quarry?

Western Victoria Region

Bev McARTHUR (Western Victoria) (13:01): (1056) My question for the Minister for Roads and Road Safety concerns the vital need to declare and duplicate Ferris Road in Melton between Bridge Road and the Western Freeway. The current short-sighted plan for a single-lane bridge over the rail corridor and the Western Freeway is already hopelessly outdated. Cobblebank is growing rapidly, with annual percentage increases into double digits. The population will triple in just 10 years. With the new town centre including a train station, a stadium, a shopping centre, a business hub and a planned new TAFE as well as a long-promised new hospital, journeys will increase enormously. Failure to futureproof the development will increase congestion, reduce safety, cut productivity and slow economic growth. Minister, will you work with ministerial colleagues to reconsider the single-lane bridge, declare the road an arterial route and commit to providing the infrastructure Melton actually needs instead of the costly Suburban Rail Loop white elephant which will do nothing for the western suburbs?

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (13:02): (1057) My question is to the Minister for the Suburban Rail Loop. All signs are showing that this project is likely to be shelved. The federal government have not provided their funding, S&P have issued severe warnings about our credit rating and the Deputy Premier is actively distancing himself from the project, and we have seen a precedent where the Commonwealth Games cancellation cost us over half a billion dollars. Local residents in my community are now worried that if the project goes ahead they will be taxed an exorbitant value capture tax, and now they are equally afraid that if it is cancelled they will have to suffer the costs of cancellation. So my question to the minister is: how much will the cost to my constituents and Victorian taxpayers be to cancel the SRL?

The PRESIDENT: My concern is that you cannot ask a hypothetical question. I will let Mr Welch, if he wants to, rephrase.

Richard WELCH: I can rephrase slightly. There are a number of organisations who are currently making contractual arrangements to relocate and adjust their businesses as a result of the planning. Will they be compensated, and what costs will they recover should the SRL not proceed?

The PRESIDENT: It is still hypothetical.

CONSTITUENCY QUESTIONS

Tuesday 27 August 2024

Legislative Council

2995

Richard WELCH: They are asking me that question I am asking. Can I ask what advice has he received?

The PRESIDENT: Yes, that is good. We can do that.

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (13:04): (1058) My question is for the Minister for Transport Infrastructure: has design of the new intersection of Bridge Inn Road and Yan Yean Road been finalised, and when will the minister make the plans public? I have been contacted by a number of local business owners who are fearful their businesses, including a childcare centre, will close and hundreds of jobs will be lost if the draft plans for the intersection are implemented. The duplication of Bridge Inn Road and Yan Yean Road will require a full upgrade and signalisation of the intersection, and Major Road Projects Victoria is working on plans that will move the intersection hundreds of metres to the east. The proposed new route would divert traffic and customers away from the business hub that sits on the current intersection, killing jobs in the area, and it would also cut through sporting fields and facilities for local kids, which the community want to keep. The minister must make the plans public and engage in genuine public consultation about the proposed route and location of the new intersection.

Eastern Victoria Region

Melina BATH (Eastern Victoria) (13:05): (1059) My question is to the Minister for Agriculture. Established in 2012, Hodge Forestry has provided occupational health and safety audit services as a direct contractor to VicForests since 2014. Trevor Hodge has not received a single cent of compensation. In his own words, he has jumped through every hoop, run around and jumped through it again, only to face additional delays and no tangible results. Able to transition to plantation, Trevor, at the advice of the forestry transition team, applied for round 3 of the Vic transition innovation fund. With significant overheads and no income, he has a provisional contract in the plantation space but must retool in order to meet those contracts. He is in limbo. Minister, will you expedite the round 3 application process so that Trevor can transition into plantations, or is he just another example of collateral damage in your flawed forestry shutdown?

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (13:06): (1060) What a joyous day it is, President. I rise to ask the Minister for Education to pay special attention to a school that is close to my heart and, I know, yours, because we share the same electorate, although yours is the North-Eastern Metropolitan Region and mine of course is Ringwood. Ms Terpstra also is not here. I am sad that she is not here, but nonetheless I will perhaps send her the transcript from *Hansard* later on. I recently had the good pleasure of meeting with the principals there, both Harold Ruff and Jeff McMillin. They took the time out to show me the real building that has occurred there, and we are still waiting for the minister, although I am sure that it is not long off now, to come and open that. We will welcome him with open arms – why not. But we would also like to see the next stage proceed with the greatest of speed, because that is obviously sorely needed. What they do have at the moment though of course is a problem with the stadium. You might have heard about this, President, as I am sure they might have even written to you as well and local members nearby. In fact part of the wall is now falling in. From Minister Carroll what I would like is an assurance that he is urging his department to do everything they can to ensure the children can have the use of that hall, including Nunawading Basketball. It is very important for all kids involved.

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (13:08): (1061) My question is to the Minister for Roads and Road Safety. I have previously raised concerns about the poor condition of roads in regional Victoria and the need for additional funding to maintain and improve the safety of our roads. The RACV recently released the My Country Road survey, with more than 7000 responses. The results identified

that the most dangerous intersection in regional Victoria is in the Premier's own electorate at the junction of the Midland Highway and Howard Street in Epsom, north of Bendigo. It is a very busy and dangerous intersection with cars, buses and trucks which has been the site of many accidents and near misses over the years, and several children have been hospitalised. Concerns have also been raised by parents of children attending the nearby Epsom Primary School. I ask the minister for an update on what urgent action is being taken to improve the safety of this intersection and access to Epsom Primary School nearby.

Business of the house

Victorian Auditor-General's Office

Financial audit

The PRESIDENT (13:09): I have received a message from the Legislative Assembly:

The Legislative Assembly has agreed to the following resolution –

That:

Under section 79 of the *Audit Act 1994*, Andrew Wehrens of Nexia Melbourne Audit be appointed for a period of four years:

- (a) to conduct the financial audits of the Victorian Auditor-General's Office for the financial years 2024–25 to 2027–28;
- (b) in accordance with the Terms, Conditions and Specifications set out in the Request for Tender issued on 11 June 2024; and
- (c) at the fixed fees of:
 - (i) \$40,000 (plus GST) for audit services for the year ending 30 June 2025;
 - (ii) \$41,000 (plus GST) for audit services for the year ending 30 June 2026;
 - (iii) \$42,000 (plus GST) for audit services for the year ending 30 June 2027;
 - (iv) \$43,000 (plus GST) for audit services for the year ending 30 June 2028.

which is presented for the agreement of the Legislative Council.

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (13:10): I move, by leave:

That the message be taken into consideration forthwith.

Motion agreed to.

Lizzie BLANDTHORN: I move:

That the Council agrees with the Assembly to appoint Andrew Wehrens of Nexia Melbourne Audit for a period of four years to conduct the financial audits of the Victorian Auditor-General's Office for the financial years 2024–25 to 2027–28.

Motion agreed to.

Petitions

Corella control

Gaelle BROAD (Northern Victoria) presented a petition bearing 497 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that a plague of destructive corellas is impacting the mental health of Bridgewater residents. Thousands of corellas are causing irreparable damage to the local community, destroying native river red gums and local crops and causing extensive damage to street lighting, powerline infrastructure and local homes. The Bridgewater community is still recovering from recent flooding events, and the constant screeching of thousands of corellas is causing angst amongst residents and driving tourists and residents away from the region.

The petitioners therefore request that the Legislative Council call on the Government to provide support to the local community to resolve the ongoing corella issue in Bridgewater.

Gaelle BROAD: I move:

That the petition be taken into consideration on the next day of meeting.

Motion agreed to.

Little River freight terminal

David ETTERSHANK (Western Metropolitan) presented a petition bearing 4822 signatures:

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that Pacific National Pty Ltd is seeking to construct a shipping container transfer hub in a designated green wedge zone, which borders the critically endangered Western Basalt Plains Grasslands, and which will impact nearby Ramsar-listed wetlands.

Green wedges support the health and well-being of all Victorians and action must be taken to protect these areas from inappropriate industrial development proposals.

The Petitioners therefore request that the Legislative Council calls on the Minister for Planning to reject Pacific National's applications to remove native vegetation and to build an intermodal freight terminal at Little River and take further action to protect green wedge areas.

David ETTERSHANK: As this is a petition qualifying for debate under standing order 11.03(10), I give notice that I intend to move 'That the petition be taken into consideration' on the next day of meeting.

Community health services

Sarah MANSFIELD (Western Victoria) presented a petition bearing 60 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the need for policies in community health care centres to ensure that next of kin are contacted if a high-risk patient fails to attend an appointment. A high-risk patient can include someone who is of an elderly age, alcohol and drug dependent (prescription or illicit), living with a disability, living alone, experiencing homelessness, from diverse cultures or showing high risk behaviours. Public health, community health and medical professionals need to take action to protect the health of high-risk patients, especially when the patient does not show up for a routine medical appointment. These professionals should call the patient and leave a voicemail. If there is no reply within 24 hours, they should contact the next of kin or emergency contact. If there is no next of kin or emergency contact, a welfare check should be conducted.

The petitioners therefore request that the Legislative Council call on the Government to ensure all community health centres have policies in place to notify a next of kin when a high-risk patient fails to attend an appointment and if, there is no next of kin documented, a welfare check must be made within three days.

Sarah MANSFIELD: I move:

That the petition be taken into consideration on the next day of meeting.

Motion agreed to.

Committees

Scrutiny of Acts and Regulations Committee

Alert Digest No. 11

Sheena WATT (Northern Metropolitan) (13:13): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table *Alert Digest* No. 11 of 2024, including appendices, from the Scrutiny of Acts and Regulations Committee. I move:

That the report be published.

Motion agreed to.

David DAVIS (Southern Metropolitan) (13:14): I move:

That the Council take note of the report.

The Scrutiny of Acts and Regulations Committee was written to by the Shadow Attorney-General to deal with a particular issue, and that is the issue of the so-called bill that we dealt with last sitting week – or did not deal with last sitting week. It was dealt with as an expeditious bill in the lower house, guillotined on the Wednesday and brought here during the week. It could not have been assessed by SARC in a timely way. This is an issue we confronted during the pandemic, where bills were brought to the chambers very quickly and passed through. Michael O'Brien as Shadow Attorney wrote to SARC and actually sought that SARC look at the particular bill in an expeditious way and advise the lower house, the Assembly, on those matters. Now, that did not occur, but I think it is worth putting on record that his correspondence, which he copied to me quite separately, is a matter of importance, and we do need to have a procedure where urgent bills that have impact on human rights are able to be considered by SARC in a timely way.

Motion agreed to.

Legal and Social Issues Committee

Inquiry into Workplace Drug Testing in Victoria

Trung LUU (Western Metropolitan) (13:15): Pursuant to standing order 23.22, I table a report on the inquiry into workplace drug testing in Victoria, including appendices, extracts of proceedings and a minority report, from the Legal and Social Issues Committee, and I present transcripts of evidence. I move:

That the report be published.

Motion agreed to.

Trung LUU: I move:

That the Council take note of the report.

Since the introduction of the Narcotic Drugs Amendment Bill 2016, which amended the Narcotic Drugs Act 1967, Victorian medical practitioners have been able to prescribe medicinal cannabis to their patients. In the succeeding years we have experienced a rapid increase in the use of medicinal cannabis. This has posed new challenges in relation to the workplace drug testing policies. In Victoria workplace drug testing is neither mandatory nor prohibited. However, the accompanying regulations specify that the mining industry must have alcohol and other drugs policies that explain when testing is required. Policies are also required by specific legislation governing several other sectors considered to require high safety standards.

The committee heard that current legislative and regulatory frameworks around workplace safety and testing practices may discriminate against employees who have been legally prescribed medicinal cannabis. While the committee fully understands the concerns raised by employees and advocates, it has to balance these with employers' legal responsibility to keep workplaces safe. The challenge comes down to how to test for impairment rather than the mere presence of drugs. Based on evidence the committee collected it appears clear that more work needs to be done to find alternative methods to test for impairment that provide a fairer picture of employees' ability or lack thereof to perform their tasks safely. The committee is aware that work in this area is constantly evolving with the aim of optimising an accepted way of testing for impairment. Until then the committee believes that the current legislative and regulatory framework should be updated to provide more specific guidelines to employers on the use of prescribed medicinal cannabis and drug testing in the workplace. The committee has made recommendations to this effect.

On behalf of the committee I would like to thank everyone who made a submission to this inquiry and spoke to us at the public hearings. The committee relied on your evidence, some of which was very personal, and your expertise to understand this complex and evolving topic of the use of medicinal cannabis and its consequences in the workplace. I would also like to thank our fellow committee members for their hard work and cooperation throughout this inquiry. Finally, I am pleased to say

thank you to the secretariat Sally Tregear, Julie Barnes, Chiara De Lazzari, Caitlin Connally and Patrick O'Brien for their support and ongoing assistance through the inquiry. I commend this report to the house.

Rachel PAYNE (South-Eastern Metropolitan) (13:19): I rise to make a contribution to the tabling of the workplace drug testing report. I want to thank my colleagues, first and foremost, who were part of the committee, including chair Trung Luu, and of course the secretariat for their unwavering commitment to hard work on the hearings and on this report. The tabled report is a reasoned and well-balanced set of research findings and recommendations that paint a picture of the current processes, practices and impacts of workplace drug testing. It was this week a year ago that Legalise Cannabis Victoria's motion to set up an inquiry into workplace drug-testing practices in Victoria was passed in the Legislative Council, and here we are a year on tabling a report that tells us exactly what we knew and what we were hearing from a lot of our people: workplace drug-testing practices in Victoria are discriminatory, disorganised and outdated and lack proper safeguards for employees. Victoria can do better, so I urge the government to action all of these recommendations in the report.

This report makes several important recommendations, but I would like to focus on one in particular. Recommendation 3 in chapter 4 recommends that the government move to amend the Equal Opportunity Act 2010 to ensure people living with a disability who are taking a prescribed medication are protected from discrimination. This is an important reform particularly for patients experiencing ongoing stigma in the workplace for simply taking their medicinal cannabis as prescribed. During my time as a member of this Parliament I have heard countless stories of people who have lost their jobs simply for trying to do the right thing and disclosing that they are medicinal cannabis patients. The findings of this report are well overdue, and I welcome them.

Ryan BATCHELOR (Southern Metropolitan) (13:21): I just have some brief remarks as a member of the Legal and Social Issues Committee in relation to this report. I just want to extend our thanks to Mr Luu, for chairing the inquiry, from all the members of the committee. I think it was a very constructive process. We all worked very well together on some challenging topics in a short period of time. I particularly want to thank the committee secretariat. The Legislative Council committee staff are doing a power of work at the moment under an enormous workload, and I want to extend my thanks for their work on this report. It was very thoughtful work and very well done. I think the issues that it raised do need to be considered carefully. We heard some very compelling evidence particularly from some very passionate members of the union movement. I particularly want to thank the members of the Australian Manufacturing Workers' Union, the Health and Community Services Union and the Mining and Energy Union for their evidence. There do need to be proper frameworks to deal with the issue of workplace drug testing. They are matters that do need to be properly dealt with in formal workplace relations settings through proper agreements. There needs to be detailed policy work, and it needs to be updated by WorkSafe Victoria. This is a very important issue, and I encourage members who are interested in it to read the committee's report.

David ETTERSHANK (Western Metropolitan) (13:22): I rise to join Ms Payne in welcoming the tabling of this important report of the inquiry into workplace drug testing. The inquiry found that while a few sectors have mandated regulations in place for workplace drug testing, most industries in Victoria operate in a relative vacuum. WorkSafe Victoria guidance on this was last updated 17 years ago – almost a decade before medicinal cannabis was legalised in Victoria.

The inquiry heard that the lack of up-to-date regulations resulted in discrimination and dysfunction and terrible outcomes for workers. Happily, this issue is addressed in the committee's first recommendation, that:

... drug testing should only occur where employers have a well-founded belief that an employee may be impaired at work and should only then occur in the context of a comprehensive, alcohol and other drug policy and accompanying support framework as agreed by employers and employees ...

In other words, drug testing should not be imposed randomly at work. When required, it must be done respectfully and with appropriate supports in place.

Further recommendations aimed at modernising existing regulations include amending the Occupational Health and Safety Act 2004 to define key principles around alcohol and other drug testing; requesting that WorkSafe convene a multidisciplinary working party to develop a compliance code to address matters like rights and obligations of employers and employees, education, model policies and practices and how to access support; a broad-based public education campaign; and a recommendation that WorkSafe investigate impairment-testing technologies for their suitability in workplace settings. Legalise Cannabis Victoria commends the report and urges the government to expeditiously give life to its recommendations.

Finally, we express our heartfelt thanks to all of those who contributed to the inquiry and to our wonderful secretariat, who so ably supported all concerned.

Sarah MANSFIELD (Western Victoria) (13:24): I too would like to thank Mr Luu, my fellow committee members, all of those who participated and gave evidence and particularly the committee secretariat for their hard work on this inquiry. It was an incredibly interesting and I think, as has been said, constructive inquiry. While it may have been triggered in part by the increased use of medicinal cannabis and the complexities that this has raised when it comes to workplace drug testing, what this inquiry actually brought to light is a much broader issue with the inconsistent and outdated workplace drug-testing practices and the lack of appropriate guidance for workplaces, and it really called on us to completely rethink workplace drug testing as a whole practice.

Workplace drug testing simply checks for the presence of certain substances, and apart from alcohol, the presence of most other substances does not reasonably correlate with impairment. That is something that came through very strongly in this inquiry. Moreover, testing does not actually test for every potentially impairing substance and does not screen for many things that cause impairment and equally, if not more, impact workplace safety. Workplace safety for workers and the members of the public that they may serve is paramount, and we should therefore be looking holistically at impairment arising from any cause, be it prescription, over-the-counter medication, illicit substances or sleep deprivation, as examples. Workplace drug testing in my view has an extremely limited application, if any, but accepting that it will be used, it must be used within a framework that respects people's rights to dignity and privacy and focuses on supporting rather than punishing workers. I think that is something that comes through very strongly in the recommendations of this report, and I commend it to the house.

Motion agreed to.

Papers

Parliamentary Integrity Adviser

Report 2023–24

The Clerk: I table the Parliamentary Integrity Adviser's report 2023–24, as required by section 4(b) of the resolution of the house on 30 April 2019.

Papers

Tabled by Clerk:

Australian Criminal Intelligence Commission – Chair of the Board of the Australian Criminal Intelligence Commission – Report, 2022–23.

Interpretation of Legislation Act 1984 – Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 55 (*Gazette G33, 15 August 2024*).

Members of Parliament (Standards) Act 1978 – Register of Interests – Returns submitted by Members of the Legislative Council – Ordinary Returns, 1 February 2024 to 30 June 2024 (*Ordered to be published*).

PETITIONS

Tuesday 27 August 2024

Legislative Council

3001

Ombudsman – Annual Plan, 2024–25 (*Ordered to be published*).

Planning and Environment Act 1987 – Notices of approval of the –

East Gippsland Planning Scheme – Amendment C168.

Greater Geelong Planning Scheme – Amendment C471.

Latrobe Planning Scheme – Amendment C142.

Melbourne Planning Scheme – Amendment C438.

Port of Melbourne Planning Scheme – Amendment C6.

South Gippsland Planning Scheme – Amendment C119.

Victoria Planning Provisions – Amendment VC262.

Yarra Planning Scheme – Amendment C286.

Statutory Rules under the following Acts of Parliament –

Health Services Act 1988 – No. 77.

Magistrates' Court Act 1989 – No. 74.

National Parks Act 1975 – No. 76.

Sale of Land Act 1962 – No. 75.

Subordinate Legislation Act 1994 –

Documents under section 15 in relation to –

Public Interest Determination, under section 31 of the Privacy and Data Protection Act 2014.

Statutory Rule Nos. 74, 75, 76, 77, 78 and 79.

Legislative instruments and related documents under section 16B in respect of Ministerial Order No. 1452 – Fees for Services Provided to Children in Government Early Learning Centres under the Education and Training Reform Act 2006.

Petitions

Smart meters

Response

The Clerk: I have received the following paper for presentation to the house pursuant to standing orders: Minister for Energy and Resources' response to the petition titled 'Allow disabling of remote function of electricity smart meters'.

Production of documents

Timber industry

The Clerk: I table a letter from the Attorney-General dated 19 August 2024 in relation to a resolution of the Council on 31 July 2024 on the motion of Dr Mansfield relating to the transition out of commercial native forest logging. The letter states that the date for the production of documents does not allow sufficient time to respond and that the government will endeavour to provide a final response to the order as soon as possible.

Health services

The Clerk: I table a further letter from the Attorney-General dated 23 August 2024 in response to a resolution of the Council on 14 August 2024 on the motion of Ms Crozier relating to the funding of Victoria's health services. The letter states that the date for the production of documents does not allow sufficient time to respond and that the government will endeavour to provide a final response to the order as soon as possible.

Energy supply

The Clerk: I table a further letter from the Attorney-General dated 26 August 2024 in response to a resolution of the Council on 15 November 2023 on the motion of Mr Davis relating to gas and

electricity supplies. The letter states that the government has identified 21 documents within the scope of the order and makes a claim of executive privilege over nine documents in full. I further table the 12 documents provided in full, together with schedules of the identified documents.

David Davis: On a point of order, President, that set of documents relates to an order of the chamber on 15 November 2023. I wonder whether the minister at the table might provide an explanation as to why it has taken so many months.

The PRESIDENT: That is not a point of order. What you can do is move a motion that the minister's letter be taken into account on the next day of meeting, if you wish.

David DAVIS (Southern Metropolitan) (13:30): I move:

That the minister's letter tabled today be taken into consideration on the next day of meeting.

Motion agreed to.

Business of the house

Notices

Notices of motion given.

General business

Georgie CROZIER (Southern Metropolitan) (13:42): I move, by leave:

That the following general business take precedence on Wednesday 28 August 2024:

- (1) notice of motion 462 standing in Sarah Mansfield's name referring matters relating to oil and gas infrastructure to the Environment and Planning Committee;
- (2) order of the day 9, resumption of debate on the second reading of the Human Rights and Housing Legislation Amendment (Ending Homelessness) Bill 2023;
- (3) notice of motion given this day by me on the Suburban Rail Loop;
- (4) order of the day 1, resumption of debate on the second reading of the Government Construction Projects Integrity Bill 2024; and
- (5) notice of motion given this day by David Davis on electricity transmission lines.

Motion agreed to.

Committees

Environment and Planning Committee

Membership

Samantha RATNAM (Northern Metropolitan) (13:43): I move, by leave:

That:

- (1) Samantha Ratnam be discharged from the Environment and Planning Standing Committee; and
- (2) Sarah Mansfield be a member of the Environment and Planning Standing Committee.

Motion agreed to.

Motions

Middle East conflict

Katherine COPSEY (Southern Metropolitan) (13:43): I move, by leave:

That this house:

- (1) notes that:
 - (a) the special rapporteur on the situation of human rights in the Palestinian territory occupied since 1967 reported to the 55th session of the United Nations Human Rights Council on 24 March 2024;

- (b) the report is titled *Anatomy of a Genocide* and its first conclusion states that ‘there are reasonable grounds to believe that the threshold indicating the commission of the following acts of genocide against Palestinians in Gaza has been met: killing members of the group, causing serious bodily or mental harm to group members and deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part. Genocidal acts were approved and given effect following statements of genocidal intent issued by senior military and government officials’;
- (2) does not support the state of Israel’s continued invasion of Gaza; and
- (3) supports calls for an immediate and permanent ceasefire and calls on the Victorian government to advocate to the Australian government that it end its support for the state of Israel’s invasion of Gaza.

Leave refused.

Members statements

Poverty

Ryan BATCHELOR (Southern Metropolitan) (13:45): We should all want to see a world free of poverty. Earlier this month, last week in fact, I attended the Sambell Oration, an annual event run by the Brotherhood of St Laurence. I want to congratulate the BSL not only for delivering great services to those in need but for maintaining thought leadership through activities such as this. This year the orator was Professor Sabina Alkire, an Oxford University professor and internationally recognised expert in poverty measurement, who shared insights into her multidimensional poverty index, a comprehensive tool for understanding poverty. 2025 will mark 50 years since the Henderson report into poverty in Australia. This landmark report sought to create the first attempt at a systematic method for measuring poverty. While much has changed since 1975, too many still live in poverty. Professor Alkire’s index seeks to create a modern and improved poverty measurement, insights from which could be used to help drive reductions in poverty both here in Australia and abroad. It is about time that Australia had a national uniform measurement of poverty. The research undertaken by Professor Alkire shows a pathway to achieve this. With better insights into poverty, governments will be better equipped to create the policy to eliminate poverty in our communities.

Refugees and asylum seekers

David DAVIS (Southern Metropolitan) (13:46): Today I want to draw the house’s attention to the extraordinary matters surrounding the ASIO director-general Mike Burgess’s comments on *Insiders* just a week or two ago and the failure of the federal government to clarify what has been said. It is clear that a large number of Gazans have been given access to Australia and that the checking and the vetting has not been up to scratch. It is also the case that this puts into Australia a concerning group of people whose background has not been adequately vetted. I notice the comments of Colin Rubinstein of the Australia Israel & Jewish Affairs Council. He said:

It seems obvious that any support for a listed, proscribed terrorist organisation in this country – including rhetorical – should be strong grounds for failing the character test essential for Australian citizenship or residency.

He went on to say:

Australia’s policy of multiculturalism, whatever rights it certainly confers, requires an overriding responsibility and commitment to uphold certain shared ... democratic values.

He said:

It’s hard to think of a more egregious violation of those shared values than supporting a group which is actually unlawful in this country because of its undoubted record and commitment to violence and extremism.

We need – (*Time expired*)

Jude Perera

Adem SOMYUREK (Northern Metropolitan) (13:48): I rise to express my condolence on the passing last month of the late Jude Perera. Jude and I were elected to Parliament in 2002, and Jude’s

seat of Cranbourne was one of the four lower house seats within my upper house electorate of Eumemmerring Province. Given that my seat was a Liberal-held marginal, I had a strong interest in keeping a watchful eye on Jude's election campaign. There was concern within the party at that stage that the demographics of Cranbourne at that time would not be receptive to Jude's candidacy. As it turned out the concerns were not warranted. Jude won the electorate, receiving a monster 10 per cent swing and in doing so exponentially increasing my chances of election. I first met Jude in the mid-1990s through Jude's activism in the south-eastern Labor Party branches. Jude was passionate about fostering civic engagement and promoting active citizenship within the culturally diverse communities. That is why Jude took it upon himself to engage and integrate his own community, the growing Sri Lankan community, into the democratic processes of their adopted country by encouraging them to participate in political activism through the Labor Party. Jude was a true migrant success story, battling the odds to achieve the high honour of being the first person from the Indian subcontinent to be elected to Parliament. I express my sincere condolences to Jude's family.

Ukraine Independence Day

Lee TARLAMIS (South-Eastern Metropolitan) (13:49): Saturday 24 August marked 33 years of Ukrainian independence, a day that honours not only the fight for freedom but also the importance of identity, unity and the celebration of culture, which are vital to sustaining Ukraine's resilience in the face of adversity. Since Ukraine's declaration of independence in 1991 the nation has demonstrated the power of solidarity and cultural pride in overcoming challenges, particularly in the ongoing struggle to defend its sovereignty against continued illegal and immoral Russian aggression, which has generated immense suffering for Ukrainians. Unity has been Ukraine's greatest strength, and the Ukrainian community have come together, joined by the global community, to form a unified front against the forces that threaten their country's freedom. This is not just unity in a military or political sense but in some other ways too. Families and communities have shown incredible resilience by supporting one another, whether by sharing resources, welcoming displaced people or preserving cultural traditions in the face of destruction. This collective spirit is a testament to the power of unity, even when the odds seem insurmountable.

Despite the challenges of war, the Ukrainian community have held on to their rich traditions, language and identity. Festivals, music and art continue to flourish, offering a sense of normalcy and pride. These cultural celebrations remind the world that Ukraine is not just a battleground but a vibrant nation with a unique and rich history and identity. By embracing and celebrating their culture Ukrainians keep their spirit alive and reinforce their commitment to an independent future, and we can all take inspiration from Ukraine's example. Supporting one another, celebrating our shared humanity and standing up against oppression are values that resonate beyond borders. Ukraine's fight is our fight, and we will stand in solidarity with Ukraine, supporting its courageous people in the defence of their country and their right to determine their own future however long it takes. Slava Ukraini!

South-Eastern Metropolitan Region multicultural communities

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:51): India has a rich history of thousands of years, and I was delighted to join my colleague Trung Luu as the only state members of Parliament speaking at a festive local Indian JET Australia Foundation celebration representing 70 Indian and Hindu organisations. I want to thank the organisers and community for their wonderful welcome and friendship. It has been wonderful to join in celebrations for the Indian, Pakistani and Afghan independence days. I was delighted to speak at an Afghan Australian Philanthropic Association event and greet people from the Afghan Youth Association Australia, and I thank them for their warm welcome. Speaking at a ladies peace symposium with the auxiliary members of the Ahmadiyya Muslim community was a highlight this weekend, and I applaud and support their wonderful educational community seminar to educate and encourage women and to create cross-faith dialogue on human rights. I thank and congratulate them for their friendship and excellent hospitality. Celebrating the Vu Lan festival with the Indochinese Elderly Refugees Association Victoria and Vietnamese Buddhists was a delight, and I was able to speak about our Liberal members and

particularly Trung Luu and his survival as a child refugee on a boat with his dad. I greatly appreciated the significance of remembering the importance of family, particularly our parents and grandparents, and I thank them for the opportunity I had to attend and speak. I also want to say how much I enjoyed making friends and greeting multicultural leaders at the recent gala dinner, and I look forward to catching up with my many new friends in the days and months ahead.

Horses for Hope

Rikkie-Lee TYRRELL (Northern Victoria) (13:53): Last week I was warmly welcomed by the team at Horses for Hope located on a property at Mooroopna North. Horses for Hope is an incredibly unique charity that was established 20 years ago. The purpose of the organisation is to provide therapy to horses that have suffered in the past, leaving behavioural issues, through working with people who have also suffered their own traumas and are undergoing therapy. The combination of both horses and people working through their challenges as one provides an environment that no other type of therapy offers. This is therapy for both horses and people in need of healing from physical and psychological traumas. The horses at Horses for Hope come from the RSPCA, from saleyards where they were rescues destined for the knackery or from private owners that wish to help their horses but do not possess the skills to do so. With 50 registered participants attending sessions at Horses for Hope, there is a waiting list of up to three months for new participants, highlighting the importance this charity offers to people. The team of seven staff include qualified counselling therapists, horse practitioners and a manager who oversees the program, all guided by an active volunteer board of directors. I would like to thank Kim, Alison, Amy, Jack and James for taking the time to explain the whole program of Horses for Hope, and I wish them all the best for the future.

Arif Lohar

Joe McCracken (Western Victoria) (13:54): Saturday night was the time to be in Ballarat if you are into Indian folk music like I am. I went along to see Arif Lohar. I do not know if you know Arif Lohar, but he is the king of folk in the Punjab province. It was an amazing performance. There was a packed house in the Wendouree Centre for Performing Arts, and he gave a whopping good performance. It was just amazing. We had lights, dancing and everything that you could think of. I want to really acknowledge the Ballarat Indian and Ballarat Pakistani communities, who all flooded the venue and were there in droves supporting Arif Lohar, who is an absolute superstar.

Ballarat Christian College

Joe McCracken (Western Victoria) (13:55): I would also like to acknowledge Ballarat Christian College, who I had the pleasure of meeting during the week. I went and spoke to the year 8 students, who were very keen to talk about civics, citizenship, how laws are made, what life is like in politics and how young people can really engage in the political process. I want to pay tribute to the teachers of Ballarat Christian College, who do an awesome job. They have been operating since 2003, so they are one of the newer schools in Ballarat. They are certainly one of the stronger and growing schools, particularly in the Sebastopol area. They have done a great job in producing really caring, thoughtful, well-rounded young students. I congratulate them on their work and congratulate the year 8 students for some very interesting questions, including a request for a prediction on the US election, which I did not have an answer for.

Refugees and asylum seekers

Samantha RATNAM (Northern Metropolitan) (13:56): It has now been over 40 days since an encampment protest began – and it continues – outside the home affairs office as thousands of people seeking asylum and refuge plead for the right to be able to live a peaceful life free from war, torture and persecution and be granted permanent visas. On Friday I joined them at another powerful rally that saw hundreds of the Melbourne community join with them in solidarity and to bear witness to their struggle. During their 40 days of peaceful protest they have also been targeted by racists and neo-Nazis. It is no wonder that the far right feel emboldened to march down the streets with posters

saying ‘Eff off we’re full’ and ‘Australia for the white man’ when the likes of Peter Dutton, the opposition leader of this country, have once again over the last weeks dog whistled to demonise and stereotype people seeking asylum and refuge as a threat. This time his target was the Palestinian people fleeing a genocide in Gaza. These are people that need safety and protection in their time of greatest need. Instead both the Liberal and Labor parties are continuing the race to the bottom when it comes to immigration policy in this country by continuing to scapegoat migrants and refugees and denying people permanency. The far-right extremist movement is on the rise across Australia. It is a reason why the Greens pushed for an inquiry into how we stop this racism and hatred, yet the Victorian government is not doing enough to implement the recommendations of that inquiry. Until the dog whistling stops about refugees and until we do more to counter the rise of the far-right extremists, these neo-Nazis are going to continue to parade down our streets and create fear and violence. We must show compassion in the face of this racist scapegoating.

Daylesford hospital

Wendy LOVELL (Northern Victoria) (13:57): The Daylesford hospital has been neglected by Labor and the Minister for Health Mary-Anne Thomas, who also happens to be their local member. In fact Labor has neglected the Daylesford hospital so badly that the community had to raise \$100,000 themselves to pay for a redevelopment master plan. That plan has wide community support and the approval of the Victorian Health Building Authority. All it requires is funding, but Daylesford hospital has been ignored in the latest budget. Last week the Minister for Health bragged about the completion of an operating theatre refurbishment that cost \$6 million. That amount is less than a rounding error on Labor’s infrastructure blowouts. Meanwhile the hospital’s roof is leaking, beds are left unused because they no longer meet infection control standards, services have to be reduced – all while demand for urgent care is going up. The Minister for Health should be embarrassed that a hospital in her own electorate goes begging for desperately needed funding while Labor are planning to spend over \$216 billion on the Suburban Rail Loop.

Albury Wodonga Health

Wendy LOVELL (Northern Victoria) (13:59): It is now 25 weeks since the motion I moved requiring the government to produce documents related to the Albury Wodonga Health redevelopment was passed, yet 22 weeks after the due date for documents to be produced the government has still not delivered anything. Why is Labor hiding these documents from the people of Albury and Wodonga, who deserve to know the truth about their hospital?

Delianuova Social and Sporting Club

Trung LUU (Western Metropolitan) (13:59): On Sunday I had the honour of joining the Italian community to celebrate the 50th anniversary of the Delianuova Social and Sporting Club. Delianuova is a province in southern Italy. The sporting club has enormously contributed to Italian communities over the last 50 years, established in 1974 to fill the gaps in the communities of multicultural engagement. I have learned that for about the last 50 years the club has assisted in organising dinner dances, Christmas dinners, local youth sporting teams and sporting and netball clubs. It has an important function keeping the community engaged and developing strong relationships within our society. The Delianuova social club showcases the power and importance of grassroots organisations to pioneer community solutions, with over 400 members at its height. It was a great honour, and I want to say thank you to secretary Joe Rechichi and president Antonio Licastro for the invitation, the warm welcome and the delicious Italian food.

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

Lee TARLAMIS (South-Eastern Metropolitan) (14:01): I move:

That the consideration of notices of motion, government business, 278 to 538, and orders of the day, government business, 1 and 2, be postponed until later this day.

Motion agreed to.

*Bills***Prahran Mechanics' Institute Repeal Bill 2024**

Declared private

The PRESIDENT (14:01): Having had the opportunity to examine this bill, I am of the opinion that it is a private bill.

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (14:01): I move:

That the bill be dealt with as a public bill.

Motion agreed to.

*Second reading***Debate resumed on motion of Harriet Shing:**

That the bill be now read a second time.

Georgie CROZIER (Southern Metropolitan) (14:02): I am pleased to be able to rise to speak to the Prahran Mechanics' Institute Repeal Bill 2024, as this institution is in my electorate of Southern Metropolitan Region. My colleague the Honourable Peter Walsh in his contribution gave a fantastic history around what the Prahran Mechanics' Institute has done over many, many years. As this bill highlights – it is a very simple bill; it is an administrative bill – the purpose of the bill is to repeal the Prahran Mechanics' Institute Act 1899; dissolve the Prahran Mechanics' Institution and Circulating Library, or the PMI circulating library, incorporated and established by the Prahran Mechanics' Institute Act 1899; and provide for the transfer of property rights and liabilities to the Prahran Mechanics' Institute's successor body, and that is the PMI Victorian History Library Incorporated, which is an incorporated association under the Associations Incorporation Reform Act 2012.

We are looking at this from legislation back in not the last century but the century before the last century, and as I said, Mr Walsh gave a fabulous account of the history around the mechanics institutes and how they came into being and what the purpose of them was. Really in the modern day they are adult education centres, and they have provided a huge amount of advice and information and education to the community during those years.

Of course 1899 was in the era of Marvellous Melbourne, when our city absolutely had developed an international reputation as one of the greatest cities in the world. It was given that title 'Marvellous Melbourne' by a very well known London journalist George Augustus Sala. He visited and saw what was happening in Melbourne, and the history around that period is quite extraordinary. And of course we are in this Parliament that was built off the back of the gold rush, when our city was great and there was an absolute boom in Victoria – quite the contrast to what we are experiencing now. And if you look at this chamber – this beautiful, ornate chamber that we have the privilege of sitting in – it was around that time that this Parliament was built, and this chamber itself is understood to be one of the most ornate and most beautiful parliamentary chambers in the world. Anyone who comes to visit our Parliament does see our Parliament and understands the history or we tell them the history around that period. It was a very important period for the state of Victoria, and it did set up an enormous amount.

As I said, we were known as Marvellous Melbourne and had that reputation of one of the greatest cities in the world. In recent years our reputation has been tarnished by us having been the longest locked down city in the world. Look at the demise that we are in given the Allan Labor government's decisions around –

Michael Galea: On a point of order, Acting President, I am sure Ms Crozier will get to it, but I would be very curious to know of what relevance this has to the bill at hand.

Georgie CROZIER: On the point of order, Acting President, as my colleague Mr Walsh was giving some history, I too was giving some context around 1899 when the actual institute act came into being and talking about how fabulous Melbourne was and what a contrast we have today. But I will return to the bill.

The ACTING PRESIDENT (Jeff Bourman): I will partially uphold the point of order. Lead speakers are given wideranging abilities, but if we could stick to the bill, that would be awesome.

Georgie CROZIER: Thank you, Acting President. I understand the government MP objecting or interjecting to the point I was making, and I think it is really relevant, as I say, in terms of this chamber and Marvellous Melbourne and the boom times we had, considering the reputation that we had then. I will return to the bill, but I just want to make this point: the reputation we had then around the world was as being one of the greatest cities in the world, and Victoria's reputation has been trashed again off the back of the Commonwealth Games decision.

Michael Galea: On a point of order, Acting President, I ask that Ms Crozier keep her remarks to the bill in line with your last ruling.

The ACTING PRESIDENT (Jeff Bourman): If we could keep it to roughly the Prahran Mechanics' Institute, that would be good.

Georgie CROZIER: I know this is an important aspect, the Prahran Mechanics' Institute. The legislation – this bill that we are discussing today – refers to the act of 1899 and how we are contemporising it and bringing it into being, as I pointed out in my opening remarks around some of the issues around this bill and what is happening and how it will be going into the successive body that will then contemporise and incorporate the requirements.

But I will go to one of the points in the bill, as I have been directed to come back to the bill. Clause 8 of the bill is around taxes. This clause prevents the requirement to pay tax or stamp duty as a result of changing from Prahran Mechanics' Institute to the PMI Victorian History Library. Of course we have had another tax introduced into Victoria today. This is about the only time I have heard the Allan Labor government not tax anything, and it is the Prahran Mechanics' Institute – they are not going to tax the assets and the transformation of the Prahran Mechanics' Institute into that incorporated association. Again I say that the Allan Labor government has got form on taxing Victorians. As the Treasurer himself has said, he has taxed businesses out of existence just about – they are nearly taxed to death – and a lot of businesses are leaving the state because of the government's taxation policy. Clause 8 of this bill –

Michael Galea: On a point of order, Acting President, I do not mean to be difficult, but what Ms Crozier just said that the Treasurer said was blatantly not true. I ask if she is going to quote members of this or the other chamber that she do so accurately, please.

Georgie CROZIER: On the point of order, Acting President, I was paraphrasing the Treasurer, but effectively he did say that he has taxed businesses enough; they could not take any more taxes.

The ACTING PRESIDENT (Jeff Bourman): I will uphold the point of order. What I will say is let us try not to paraphrase. It is a bad practice in this place as we have found out over the years. If people want to quote someone, it is safer just to quote them. We can move on.

Georgie CROZIER: I will say again: the Treasurer has made the point that he has taxed businesses, and as we understand, clause 8 of this bill says that they will not be taxed and prevents the requirement to pay tax or stamp duty. Victorian businesses, Victorian families and Victorians are being taxed by this Allan Labor government because of course we have got this extraordinary debt – a debt that is going to absolutely play havoc not on current generations but on future generations, and that is an enormous concern. We have got a Premier who herself is hell-bent on the Suburban Rail Loop, putting all her eggs in one basket into that pet project of hers, which is absolutely going to cause an enormous amount of grief for future Victorians.

As I said, this bill allows for a simple transition. It is an administrative component that we are debating today. I do want to put on the record that the Prahran Mechanics' Institute has provided an enormous amount of resources over the years. It is part of Victoria's history. It is something that I think we can all be proud of in relation to the education and the resources it has provided to communities over many, many years. Again I say that there is a lot of history involved in this institute, but we have got enormous issues in Victoria. As I said, in 1899 we were Marvellous Melbourne, and our reputation was absolutely regarded around the world. Sadly, I do not think that is the same situation today.

I do not need to say too much more in relation to this bill. It is a simple administrative bill that will bring this institution or association into the 21st century, and therefore I do not have an issue with its speedy passage.

John BERGER (Southern Metropolitan) (14:12): I will, with my presentation, certainly be talking directly about the bill, because it happens to be an institution that is only about 300 metres down from my office. I think going on a frolic with other bits and pieces about the Commonwealth Games and things of that nature is not helpful when we are talking about a bill that is pretty close to the hearts of the people that live in Prahran.

I am pleased to speak in support of the Prahran Mechanics' Institute Repeal Bill 2024, introduced in the other place by Minister Horne. The bill is a very relevant one to my community. In fact it is 300 metres, as I said before, away from my office. Its aim is to repeal the outdated act, to dissolve the Prahran Mechanics' Institution and Circulating Library incorporated established by the Prahran Mechanics' Institute Act 1899 and to provide for the transfer for the property, rights and liabilities of the Prahran Mechanics' Institution and Circulating Library incorporated to its successor, the PMI Victorian History Library Incorporated.

Situated in my electorate, in Prahran, the Prahran Mechanics' Institute was formed in 1854, celebrated its 170th anniversary this past February and has been governed by the named act of Parliament since 1899. The institute has had a long and storied history of educational contributions in Prahran. In 1908 the Prahran Technical Art School was registered with the Victorian education department after already providing art classes for almost a decade, and in Windsor a girls section of the school was introduced in 1958. The school eventually came to be known as the Prahran College of Technology and then later as the Prahran College of Advanced Education, offering TAFE courses and higher education with a focus on art and design, on which the institute still has a general educational focus today.

Prahran Mechanics' Institute through this school has worked in tandem with Deakin University and Swinburne University through the 20th century, and its amalgamation with these tertiary institutions was finalised in 1992. It provides an extensive list of historical collections for the community, including company histories, design and architecture, family history and genealogy, Indigenous Australian history, theatre and cinema, town history, transport, visual and performing arts and more. The institute is home to several special collections, including those of the Mechanics' Institute of Victoria, the Cinema and Theatre Historical Society and the Victorian Railway History Library, and in total offers over 30,000 books for loan to the community. Alongside this, they engage with the local community by hosting lectures and workshops as well as hosting exhibitions to disseminate the wide range of historical knowledge the centre holds. They can even assist people in publishing their own books of historical interest, such as histories of families or local towns, that may struggle to gain

traction in more traditional avenues of publication. This is facilitated by the establishment of the Prahran Mechanics' Institute Press in 2004, a publishing resource for writers and researchers of local and family histories, which was supported by the then Bracks government.

Mechanics institutes have a storied history on a worldwide scale, over the past few centuries having provided a means for working-class people to access education on a myriad of subjects. This legacy continues through the Prahran Mechanics' Institute of today, with most lectures and events requiring only a gold coin for entry. Some of the events they have in the works for the next few months are the annual Bruce Turner lecture, 'Melbourne's Art Deco cinemas of the Late 1930s'; 'Exodus from Vienna', discussing the Jewish communities seeking refuge overseas after 1938 and the attitudes of Australians towards this through archival records and descendants' accounts; and 'A Musical Ouroboros', on how three decades of Triple J Hottest 100 reflects and encourages the empowerment of Australian youth.

The institute covers an incredibly broad range of topics and is an integral part of the Victorian historical record, with over 4000 people having visited the centre in Prahran last year and over 510 attendees to their many events and programs. While the institute provides a critical education service for Victorians, it is highly restricted in its activities by outdated legislation that does not fit the context of a modern-day centre.

The mechanics institute is the only one of its kind in Victoria to still be governed by its own act of Parliament. Other mechanics institutes, such as those in Geelong and Brunswick, have in the past been governed similarly, but Prahran Mechanics' Institute is unique to still be so in 2024. The act in question was established 125 years ago – in a context where there were concerns about mismanagement, facilities that were unfit for purpose and a very low membership base – to provide proper administration of the centre. Yes, this bill was necessary 125 years ago, but the state of the Prahran Mechanics' Institute then is a far cry from the success of the institute of today.

The consequences of the repeal of this act are very straightforward. It is laid out in clause 6 of the bill, which says:

- (a) the property and rights that immediately before that repeal were vested in the PMI Circulating Library are vested in the PMI Victorian History Library; and
- (b) the liabilities of the PMI Circulating Library existing immediately before that repeal become liabilities of the PMI Victorian History Library; and
- (c) the PMI Victorian History Library is substituted as a party to any arrangement or contract entered into by or on behalf of the PMI Circulating Library as a party and in force immediately before that repeal; and
- (d) the PMI Victorian History Library is substituted as a party to any proceeding in a court or a tribunal to which the PMI Circulating Library was a party immediately before that repeal and which has not been finally determined ...

and it goes on.

It is untenable to continue restricting the autonomy of the organisation in a way that no other mechanics institute in the state experiences in 2024. In the present day, due to the restrictions of the act, the institute is unable to make financial decisions in the best interests of its membership, nor can it sell or purchase land or amend the composition of its committee without having to go through the entire process of amending the act in Parliament. An example of this was in 2006, when the act required an amendment to change the Prahran Mechanics' Institute's constitution in order to account for the necessary changes that the amalgamation of the City of Malvern and the City of Prahran, forming the City of Stonnington, posed for the constitution, and to allow an increase of the quorum number from three to four members of a committee. That is antithetical to an organisation that is now an incorporated association under the Associations Incorporation Reform Act 2012 and that has a constitution which guides the actions of the board to ensure compliance with their obligations.

The Prahran Mechanics' Institute library board and volunteers, both present and past, have worked tirelessly to deliver to the community what is an expansive and engaging historical library, and this bill will ensure that they have the autonomy to continue this work without facing outdated bureaucratic hoops to manage their finances or restructure their committees as deemed necessary. It importantly lays out what the outcomes are for the employees of the institute at clause 7. On the repeal of the act at subclause (1) it says that:

... a person who immediately before that repeal was employed by the PMI Circulating Library is taken on and from that repeal –

- (a) to be employed by the PMI Victorian History Library; and
- (b) to be employed by the PMI Victorian History Library on the same terms and conditions as those that applied to the transferred employee as an employee of the PMI Circulating Library immediately before that repeal; and
- (c) to have accrued an entitlement to employment benefits with the PMI Victorian History Library that is equivalent to the entitlement that the transferred employee had accrued as an employee of the PMI Circulating Library immediately before that repeal.

It is critical that the institute can adapt and modernise their funding and adjust to the needs of their ever-evolving community, and it is important that we continue with the transition with ease and efficiency. This bill was first introduced as Australia was on the road to Federation but Victoria was still a colony. A lot has changed since 1899, and that is why we need to change with it. Our statutory framework is different, and the repealing of this act will make it all that much easier for it to get on and do what it is supposed to do.

But before I finish I want to talk a bit more about what the institute gets done, because it is a lot. Recently PMI hosted a discussion by Patrick Ferry, assistant state manager of the Victorian office of the National Archives of Australia. Patrick is an author of local history books and won the Victorian Community History Award in 2020. On top of that they provide practical advice to my community on topics like researching a family tree or creating a family history journal, and they are there to help. I would encourage my community to visit their website and check out what is in store. You can make bookings online, as they are essential. There is also the PMI's monthly book club, thanks to Raymond. They meet on the first Tuesday of every month, where they choose the next book and discuss the previous ones. Make sure you visit the website to register. One of the most exciting things about the institute is that it is well and truly in the 21st century, with recordings of all their events on their YouTube channel. I would encourage everyone to check that out on YouTube @PMIVicHistoryLibrary. You can also visit their website on pmi.net.au and their Facebook and Instagram by searching the PMI library.

Well done to my great local community for getting this done. I would like to take this opportunity to thank the committee members, who for countless generations stemming back 170 years have kept this place going. It is now their chance to stand on their own feet and not be bound by the state or legislation that restricts their activities. I want to thank and wish the very best of luck to the president Ms Judith Ellis, vice-president Mr Denys Correll, secretary Mr Michael Tonta and of course certified public accountant Mr Ben Quin CPA, Dr Michelle Cleary, Ms Carmel O'Keeffe and countless more. I look forward to seeing what Prahran Mechanics' Institute achieves going forward, and I am proud to support this bill to enable them to do so in the years to come. PMI Victorian History Library Incorporated will now be guided by their constitution and rules under the Associations Incorporation Reform Act 2012, hopefully for another 170 years, maybe even more. I commend the bill to the house.

Rachel PAYNE (South-Eastern Metropolitan) (14:24): I rise to make a brief contribution to the Prahran Mechanics' Institute Repeal Bill 2024 on behalf of Legalise Cannabis Victoria. This historic bill will repeal the 125-year-old Prahran Mechanics' Institute Act 1899, the oldest piece of Victorian legislation on the books. The bill updates the governance arrangement for the Prahran Mechanics' Institute. Currently it is the only mechanics institute in Victoria governed by its own act of Parliament. Interestingly, this act's origins are as a private members bill. I would ask that you please indulge me

for a moment of nostalgia for the days when the Victorian government would pass a private members bill. History may not remember the Prahran Mechanics' Institute Act 1899 in the same way that it will remember the private members bills for marriage equality, voluntary assisted dying and compulsory voting, but all reflect an important democratic parliamentary process. It is therefore disappointing that since 1985 only two private members bill have passed the Victorian Parliament. This Allan Labor government's decision to continue the policy of not supporting private members bills is deeply troubling and undemocratic. This is a policy not shared by any other jurisdiction in Australia. In fact when my office looked at the data from other jurisdictions in Australia, we found that on average 10.59 per cent of private members bills are supported. The reality is private members are still passed in Victoria, but they are adjourned off and later reintroduced as a government bill, often with little to no change. This must be seen as a waste of Parliament's time and resources.

As we stand here and reflect on the 125 years that have passed since the Prahran Mechanics' Institute Act 1899, perhaps we can also reflect on why this government continues to waste the time and resources of Parliament by blocking all private members bills.

Sheena WATT (Northern Metropolitan) (14:26): Today we are discussing a very special bill. As Ms Payne said, it is one of the oldest pieces of legislation in Victoria, and it will finally be repealed. This is being done with the full support of the institute affected by the bill, as they are the ones who actually requested this to happen. We anticipate that this bill will meet no opposition, but it gives the government a unique opportunity to reflect on the history of education in Victoria and what this government and Labor have done to give Victorians the best possible opportunities and outcomes through the power of education.

When mechanics institutes first started here in Victoria, the word 'mechanic' meant something much broader than it does now. Back then, 'mechanic' meant an artisan or a working person in general. Mechanics institutes were community education centres where working people could come together and better themselves through formal education as well as cultural and social activities. From the mid-19th century to the late 20th century mechanics institutes spread throughout this state, often supported by Labor local and state governments, who shared their enthusiasm for vocational education and community spirit.

There is a mechanics institute building very close to my electorate office, in Brunswick, sitting just south of the historic and much-loved Retreat Hotel building and opposite the old Brunswick town hall. It is a beautiful historical building, but like many of its neighbours, it has moved along with the times. The Brunswick Mechanics Institute is now a community arts space, a beloved community arts space, partially funded by Merri-bek City Council, where I am proud to have some very, very good memories, can I just say. Despite the movement of time, the Brunswick Mechanics Institute remains a centre for community engagement and the development of artisanal skills. This is down to its willingness to be flexible and move with the needs of the community. We have introduced this bill to maintain that proud heritage of community engagement and vocational education at the Prahran Mechanics' Institute. That particular institute is currently restricted by some outdated legislation which is holding it back from reaching its full potential.

While they began as formal education institutions, many mechanics institutes gradually evolved to primarily serve as libraries and public meeting spaces. Prahran Mechanics' Institute, which was established all the way back in 1854, is now a community library which stocks over 40,000 books and facilitates history lectures for its members. It is also home to Victoria's second-oldest library, celebrating 170 years of service to the community this year. Congratulations to the library there, and I am sure everyone in this place will agree with me when I say that such longevity is quite an extraordinary achievement which deserves protection.

The Prahran Mechanics' Institute is the only mechanics institute in Victoria which is governed by its own act of Parliament, and this was enacted some 125 years ago. That was before the library on the site was even established. The act was brought in because at the time the Prahran Mechanics' Institute

was in some serious disarray and had some troubles, and Parliament felt that they needed to step in and introduce some governance controls. Among other things, these controls required the board of the Prahran Mechanics' Institute to seek approval from the Governor of Victoria when making decisions about the management of the institute. The board also cannot borrow and cannot invest money to secure their financial future. Clearly this is a fairly restrictive piece of legislation to comply with, but we know that times have changed since all those years ago.

Today the institute has largely been superseded by its floating library, which provides many of the community engagement functions which would have previously been more concentrated in the vocational education functions of the mechanics institute, some of which were discussed by my colleague Mr Berger beforehand. Can I just say that the hardworking board of the mechanics institute have reached out to us to continue the long tradition of collaboration between Labor and of course the working people's community initiatives, and they have asked us to amend the legislation before us, which governs the institute, to allow them to get on with the job of serving the community. The legislation, which has governed the institute, was first enacted in 1899, making it one of the oldest pieces of legislation on the statute books. You see, today its age is starting to show, and it is not fit for purpose.

The Prahran Mechanics' Institute library, known locally as the PMI library, which was established in 2022 as the institute's intended successor body, needs more flexibility to make decisions without seeking approval from the highest officer in the state, the representative of our sovereign here in the state. To me it seems like it has had its time. For those reasons can I say we are introducing this bill to dissolve the old mechanics institute and reconstitute it as the PMI Victorian History Library. I am very supportive of that. Can I say that this legislative change will reflect the wishes of the PMI board, who in consultation with their membership – their much-loved membership – have been actively involved in the drafting of this bill. These changes will also maintain the original spirit of the Prahran Mechanics' Institute in its new form. The library will not just offer books for the public to borrow but also continue to provide engaging vocational education on Australian history and provide a meeting space for local community groups.

More formalised education services, which would have once been provided by the mechanics institute, have largely been transferred to our state's amazing TAFE campuses. We know that there is one not too far away. The standard of education at our TAFE institutions has become the envy of other states thanks to the Allan Labor government's record funding, and in conjunction with the federal Labor government we are investing \$107 million into our TAFEs and providing nearly 63,000 extra fee-free TAFE places – and they are super exciting. This is in addition of course to the \$3.1 billion in federal education funding already secured by the previous Labor government here in this state to fund training for in-demand courses in Victoria. This is also to ensure that Victorians get the skills they need for the jobs they want. Our TAFEs, which in many ways are the successors to those mechanics institutes, are a cornerstone of this state's education system. They provide some of the most in-demand skills to Victorians young and old, from cooking to carpentry, bricklaying to beauty therapy and health to horticulture. If you want to know more about horticulture, can I recommend that you visit Queen's Hall this week.

I have also got to say that the free TAFE system is a perfect demonstration of how the state and federal governments can collaborate to make a system that does not just prepare people for work but works for them to support and nurture their education. In my recent visit to Canberra I had the opportunity to meet with the new federal Minister for Skills and Training Andrew Giles, where we discussed the numerous different TAFEs across the Northern Metropolitan Region and the benefits that these institutions bring to the local community. We also discussed the progression of the fee-free TAFE program in Victoria, and I was proud to tell him that so far free TAFE enrolments in Victoria have supported more than 13,600 enrolments in care sector courses – one that I am particularly proud of. There were of course an additional 4200 enrolments in construction sector courses, more than 2800 enrolments in technology and digital sector courses – I know that they are very popular and

continue to go from strength to strength – and more than 7700 enrolments in other areas of national and state priority. Victoria's most enrolled free TAFE courses include the diploma of nursing – unsurprising there – with 4833 enrolments; the certificate IV in training and assessment with 2426 enrolments; the diploma of community services with 2300 enrolments; the certificate IV in cybersecurity with 2200 enrolments; and the certificate IV in accounting and bookkeeping – that is always a popular one, I understand – with 2104 enrolments. When I see these numbers, I am especially reminded of the amazing work of the Victorian education institutions across the Northern Metropolitan Region, and in particular I think of the largest vocational education providers in the Northern Metro, Kangan Institute, Melbourne Polytechnic and RMIT's College of Vocational Education.

I also think about the students – the future of this state's workforce – who come from the Northern Metropolitan Region and right across the state. This government's investments in their education, made more streamlined by bills like this that we are discussing today, are saving those students millions of dollars. I think everyone here today will agree with me when I say that investing in the future of our workforce is one of the most important things that government can do. Free TAFE is a game changer across our state, with more than 152,000 students saving more than \$384 million in tuition fees since the program began in 2019. Students in the diploma of nursing could save around \$15,400. Students studying the diploma of community services, which I said is a very popular one, could save around \$7800. Those looking to build a new career through a certificate IV in cybersecurity could save just over \$3500. So there you go. These are just some of the most in-demand roles in Victoria, and this government is ensuring that we have the best workers trained for these roles regardless of their socio-economic background.

As the Parliamentary Secretary for Emergency Services, can I also say that I am particularly happy to see a number of courses being offered at our TAFEs that train students to work in roles which support the outstanding work of our emergency services. Additionally, can I say the savings generated from this government's commitment to streamlining vocational education and training in Victoria are going directly into the pockets of those that need it most – students who are learning how to serve in essential roles for the wellbeing of our state.

Part of the reason we have been able to secure Victoria's workforce in this way is because, like the mechanics institutes, we are committed to moving with the times to meet the community's needs. Where our vocational training would have once been delivered by mechanics institutes, times have changed and now we rely on our TAFEs to deliver this education. In the same way, we are introducing this legislation to allow the Prahran Mechanics' Institute to move with the times and leave behind restrictions imposed on it all the way back in 1899. The Prahran Mechanics' Institute no longer serves the community in the same way it did 125 years ago, but the PMI library continues to strengthen that community in its place. We have introduced this bill to let the PMI library get on with the job and carry on the proud legacy of Victoria's mechanics institutes by offering a community meeting place and education space. The Allan Labor government continues to play its part in maintaining the legacy of Victoria's mechanics institutes with its record funding in our TAFEs and its collaborative development of legislation such as the bill before us. I commit this bill to the house.

Ryan BATCHELOR (Southern Metropolitan) (14:39): I am pleased to rise to speak on the Prahran Mechanics' Institute Repeal Bill 2024, the purpose of which is largely administrative and relating to the operations and governance of the storied Prahran Mechanics' Institute (PMI), which has been the subject of much of the contribution on the important history that the institute has and the role it continues to play in the history of Victoria and the history of Melbourne. I am pleased as a member for the Southern Metropolitan Region, which covers the area in question, to make a further contribution to the debate.

Prahran is obviously an incredibly important part of Melbourne, land on which traditional owners have lived for thousands of years. The colonisation process began with the sale of Crown lands in 1840. Robert Hoddle, whose set squares we know did so much for the look and feel of the modern city of Melbourne, began that process in 1840, dividing this part of Melbourne into rectangular lots, as he

was so accustomed to doing, and subsequently sales took place. What is interesting in relation to this bill about that process is that Prahran was proclaimed a municipal district in 1855, a borough in 1863, a town in 1870 and a city in 1879, but the first of those proclamations, that of a municipal district in 1855, postdated the establishment of the Prahran Mechanics' Institute. It was indeed in 1854 on 1 May – an important day for those who celebrate the efforts of working people here and around the globe – that the gazetting of the Prahran Mechanics' Institute took place and it declared itself into existence at a meeting.

One thing that I suppose might appear like a quirk of history to us 170-odd years later is that the original objectives of institute were:

... the Mental and Moral Improvement and Rational Recreation of its Members, by means of Lectures, Discussions, Library, Reading Rooms, Classes, Museum, Philosophical Apparatus, &c ...

One of the founders of the PMI, George Rusden, gave a speech on the night of the gazetting on 1 May 1854, some of which was extracted in the *Argus* on 30 May 1854. In doing so he talked about why it was important that such an institute was part of the establishment of the cultural fabric of the community that they were creating. In an environment and a community which was largely filled with the residences of artisans and working people the establishment of the mechanics institute was a recognition of the importance of different kinds of learning and education to the nourishment of those who lived in the area and of the importance of working people having access to library facilities and other forms of recreation and enjoyment that enabled them to get more and the most out of their lives, which is an endeavour that we have recognised here in this great state over the course of our history.

Obviously the concept of 8 hours rest, 8 hours work and 8 hours play is embodied in the statue that sits near Victorian Trades Hall, which was secured by the stonemasons walking off the job around this same time from the University of Melbourne to secure the 8-hour day for workers here in Melbourne, which led to a movement and which led to a revolution around the world. It is the same ideals, the same ideas and the same goals for the enrichment of working people that that movement helped entrench as the cornerstone, as the foundation of the way we work today – 8 hours rest, 8 hours work, 8 hours play – that institutes like the Prahran Mechanics' Institute were established for. It was so that through the play – the 8 hours that they had carved out of their day to be able to do things and enjoy things other than simply resting and working to earn a living – they had both the time and, through the institutes, the facilities to enable that to occur.

I think it is a remarkable part of our history here in Melbourne and something that we should be very proud of that not only we did achieve the industrial purposes of 8 hours work, 8 hours rest and 8 hours play but we as a community established institutions like the mechanics institutes across Victoria – today we are talking about Prahran – that enabled that desire to occur, that enabled working people to have access to literature, to have access to art and to have access to libraries, music and learning, often for the benefit of their own enrichment as human beings rather than for any other purpose. That is a remarkable part of our history, and we should be very, very proud that our state, our city and our community is part of that.

Mechanics institutes, of which Prahran was a significant one, were basically precursors to public libraries and modern forms of adult education. We see technical colleges and we see centres for adult and further education still thriving across this state. They owe their lineage in no small part to institutes like the mechanics institute in Prahran. But also there are still around 500 mechanics institutes in Victoria, many of which remain in regional Victoria to this day.

The mechanics institute in Prahran is the second-oldest library in this state, housing a remarkable collection about the history of our great state here in Victoria and celebrating 170 years of being in existence. It is the only institute that has been governed by its own act of Parliament, from 1899. Laws on the statute books for that long are something to be remarked upon, and preparing for this speech gave me pause for thought about what might be being considered by our successors in this place in

125 years. We will all be long gone into dust, but the work that we do in some form will endure for as long as this great state stands as an entity.

The act itself was introduced after a period of tumult in the governance of the institute to address concerns about how things were working out. It is not uncommon, it seems, for parliaments to have to step in from time to time when there are issues of mismanagement and scandal that beset some institutions. Parliament put in place governance controls. The act sets out ways that the objectives of the institute are to be fulfilled. The substantive act which we are repealing enables that body to make rules and regulations for its management and control and to have a governing committee et cetera and powers to grant licences and leases and the like – the basic structures of good governance. This legislation enabled the mechanics institute then, in the century before last, to get out of a bumpy period and achieve its goals.

Methods that were obviously important 125 years ago are not so much so today. They are conflicting really with modern practices of corporate governance and in ways that are no longer appropriate for the continued existing organisation and institute, the library principally, which still functions as an important part of our state's culture. It is now more appropriate that instead of having its own standalone piece of legislation here in the state of Victoria it has a preferable governance structure and, as is being done, the governance of this institute be transferred over to the auspices of the Associations Incorporation Reform Act 2012. The PMI through its own organisational processes has voted to request that which this bill facilitates and achieves.

The repeal of the PMI act, the Prahran Mechanics' Institute Act 1899, will bring the institute itself into modern governance arrangements, but it does not affect the continued operation of the institute, and I think that is really important. The institute in its current form is the second-oldest library existing in the state – a vast resource and a vast trove of historical information that is still loved and used by members of the community – will continue to provide those library services and also a broader range of educational services to the community. This will ensure that the Prahran Mechanics' Institute can continue to operate as a community owned and run history library. It is bringing it from the 19th, through the 20th and into the 21st century, and that is probably a pretty remarkable legislative achievement for us to achieve during the course of this parliamentary sitting week.

Georgie Crozier interjected.

Ryan BATCHELOR: Well, it is important.

Georgie Crozier interjected.

Ryan BATCHELOR: There you go, Ms Crozier. I think it is a significant historical act that we have had and that we seek to modernise. I think it is something worth celebrating.

It does also, I think, reflect more broadly, to allow me to segue into the modern day, on the importance that this state places on learning, on education, on skill development and on training, supported by, yes, the policies of this government but by the policies of most of the governments that we have seen in recent history. We are focusing our efforts on ensuring that Victoria has the skills that we need, the skills mix and the skill development pathways that we need as a state to ensure we have the skills for the jobs of today and tomorrow being developed here. We have some world-class vocational education and training facilities here in this state for further education and for adult education but also for providing vocational pathways for those who remain in the education and schooling system.

I had the pleasure recently of doing a quick visit to the Youth2Industry College in South Melbourne, which is a non-government provider of vocational education and vocational pathway centred courses for young people. You could see in the eyes of the students, who were telling me about what a difference these vocational pathways are making to their lives – you can see from those experiences the importance of ensuring that our entire education and training system has within it a range of pathways to provide all Victorians with a way to get to where they want to go on their learning journey.

It is not the same path for us all. It is a different path for many, and all of them should be supported. All of the ways to increase the skills of those in our community should be supported, which is what these mechanics institutes were set up to achieve. As was said earlier, they were designed to support working people to enrich their lives and enrich their communities, to create physical spaces where that learning and further learning could occur but also to create communities of learning, and that is certainly what the PMI has done for the last 170 years. The people who devote their lives to making it a continued success should be congratulated, and I think it is appropriate that we mark their achievements and their efforts as we pass this relatively administrative piece of legislation that helps set that institute up for another great 170 years.

Jacinta ERMACORA (Western Victoria) (14:54): I too note that this bill is repealing an act from 1899, which seems to me to be a very long time ago. That prompted me to wonder what was going on for Aboriginal people in the 1800s in that area and what was going on for women and general society at that time, which forms the context, in a way, or a backdrop for the formation of the mechanics institute. The Prahran area – I did a little bit of looking into that – is located on the lands of the Wurundjeri Woi Wurrung people and the Bunurong peoples of the East Kulin nation. I wish to acknowledge the traditional owners of their lands and elders past, present and emerging and mention that I do refer to people that are no longer with us in this speech. ‘Purraran’ is believed to be a compound word of two Aboriginal words meaning ‘land partially surrounded by water’. Whilst the name Prahran is derived from the local language, I doubt that it is actually the exact Indigenous name for that place.

European settlement of the area in the early 1800s no doubt represented a distressing period of displacement and cultural attack. As recorded by historian JB Cooper in 1924 – and his book was *The History of Prahran: From its First Settlement to a City* – it was noted that in 1836 the Aboriginal people south of the Yarra River numbered approximately 350 people; however, by 1851 they were thought to have dwindled to 76. In 1860 there were reported gatherings in Fawkner Park and yearly camps in the area until about 1861. In 1863 there were only 11 Bunurong in the Melbourne district.

The Bunurong people eventually became known as the Mordialloc tribe, given a European name rather than their own. A small group of Bunurong people, mostly older, remained near the Mordialloc and Cranbourne areas. The Yalukit Willam leader Derrimut died in 1864, and Jimmy Dunbar, the last of the group, died in 1877. By the 1900s Melbourne suburbs with significant concentrations of Aboriginal families were only Fitzroy, Footscray and Northcote; Prahran and Malvern were not known for being suburbs of Aboriginal residents. I want to acknowledge just how shameful this is and ask the question: what does this mean for us today? This tragedy is in direct contrast to the optimism at this morning’s treaty and truth event hosted by the First People’s Assembly and the Treaty Authority. I was pleased to see leaders there of three parties and was honoured to hear from Aunty Eleanor Bourke, chair of the Yoorrook Justice Commission; the Premier; and other significant Aboriginal leaders in our state.

It was during that period – generally that century – that the Prahran Mechanics’ Institute was established, quite probably without any great knowledge of those who came before them. In terms of what women were experiencing, there were a number of women of note in the area. Women were known to work inside and outside the home at that time. I was fascinated to learn that there were a number of suffragettes active in the area. One of the groups advocating for women’s suffrage was the Prahran Women’s Franchise League. The league’s members included Isabella and Vida Goldstein and Annette Bear-Crawford. Vida Goldstein is memorialised with a chair in her hometown of Portland in my electorate, and Minister Tierney was involved with that. Vida was a well-known suffragette and was one of four female candidates at the first election where women could vote and stand as candidates, the 1903 federal election. Annette Bear-Crawford was a leading Victorian suffragette and lived in neighbouring South Yarra. She, however, spoke at meetings in Prahran, including at the Rechabite Hall.

Mechanics institutes were founded in Australia based on the Scottish model of free education for workers, as mentioned by my colleague Mr Batchelor – free education which included practical

education like mechanics, maths, chemistry and drawing. There were possibly a thousand mechanics institutes spread across Victoria by the 1940s. Mechanics institutes were the first adult education schools in Victoria, a predecessor to today's modern TAFEs, where I can assure you many of the courses are now free thanks to the Allan Labor government. They were the first and are the longest running libraries in Victoria. They have held the role in some cases for well over a hundred years, supplying reference and fiction collections and public reading rooms to house current journals and local Victorian, Australian and overseas newspapers. They created a cultural and intellectual climate, a common ground where all members of the community could meet.

Mechanics institutes were a place to study, attend lectures and debate topics of the day, such as federation, conscription, giving women the vote and a proposed railway network for Victoria. They provided a focus and venue for social and community activities for every phase of personal life, from weddings and farewells to entertainment and leisure. They were the original do-it-yourself project, planned, built, furnished, named, organised, financed, owned and used by each community according to their needs. Whether you were a builder in the 19th century needing to learn how to measure or you are a parent in the 21st century needing to access the internet, the roles and functions of mechanics institutes and libraries are almost identical, despite nearly two centuries having passed. Some still function as mechanics institutes; others are now halls or library sites. And the Prahran Mechanics' Institute continues to this day. It is the only mechanics institute in Victoria governed by its own act of Parliament, one of the oldest pieces of legislation in the Victorian Parliament.

The bill before us today has been requested by the Prahran Mechanics' Institute, and its purpose is to repeal the act from 1899, to dissolve the Prahran Mechanics' Institution and Circulating Library and to provide for the transfer of all of those rights and liabilities across to the PMI Victorian History Library incorporated. This transition has largely been driven by the members, and the PMI have been involved in the drafting process of this repeal bill. It ensures that the Prahran Mechanics' Institute can continue to operate as a community owned and run historical library. I wish to acknowledge and thank current and previous governing committee members and staff, who have navigated a complex statutory transition over recent years to get to this point.

The roles and functions of mechanics institutes and libraries are almost identical after nearly two centuries, as I mentioned. In my electorate a new Labor-funded library and learning centre represents a new chapter of joint delivery of TAFE library learning and municipal libraries. As I mentioned, many of the values and roles of the mechanics institutes have morphed into modern-day public libraries and TAFEs. The new Labor-funded library and learning centre in Warrnambool is a great example of this. You could even suggest that by bringing together the municipal library and the South West TAFE library it is a bit like the model is going back to the future. It is situated within the grounds of the South West TAFE and operated by the City of Warrnambool.

The library and learning centre opened its doors to the public on 13 October 2022. It is a place for community to gather, with views of the ocean, a cafe, gardens, a dedicated children's area and a reading room. There is a youth area, a technology zone and an agora staircase with space enough for seating, a band performance, lectures or debate. Like the Prahran Mechanics' Institute, the new library in Warrnambool represents all the same values and priorities, providing access to information through free internet, library collections, study facilities and meeting rooms. The new library has been fully embraced by the community and is the recipient of several architectural awards. It represents the priority the Allan Labor government places on the rights of the whole community to access information and resources as well as books and reading.

Everyone needs to be able to access the internet and source information through modern technology. The importance of investing in education, in practical skills and in community are all demonstrated by this bill and the role of the mechanics institute in Prahran. The story told today of the mechanics institute represents the core values of Labor: education for all no matter your circumstances. Learning should not just be for those who can afford it. I commend the bill.

Motion agreed to.

Read second time.

Third reading

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (15:05): I move, by leave:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The ACTING PRESIDENT (Jeff Bourman): Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill with without amendment.

Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024

Second reading

Debate resumed on motion of Jaclyn Symes:

That the bill be now read a second time.

Evan MULHOLLAND (Northern Metropolitan) (15:06): It is a pleasure to rise to speak on this bill on behalf of the Liberals and Nationals. This bill is a justice omnibus bill and covers a range of relevant issues, including crime statistics, the use of electronic signatures in criminal proceedings, allowing the ongoing use of digitally recorded evidence-in-chief in family violence proceedings, changes to defamation in relation to reporting offences, changes to defamation in relation to defences available to digital intermediaries, amending the power of the Public Interest Monitor under two statutes and a large variety of amendments to integrity agencies in Victoria.

In relation to the treatment of crime statistics, the bill provides greater access to certain court data to the chief statistician of crime statistics for statistical and research purposes. It is the opposition's view, interestingly enough, that the Crime Statistics Agency should have access to the data they need to do their job, because crime is skyrocketing under this Labor government, including across my northern suburbs electorate, particularly around the suburbs of Kalkallo, Mickleham and Donnybrook, where I am continually told horrifying stories about home invasions and the use of machetes. That kind of information would be actually really useful for authorities to have access to.

As I said, those suburbs are growing areas in my electorate and deserve to have the best information accessible. They also deserve to have a local police station actually in their area. Almost 600 residents in that area have signed my open letter to the Minister for Police calling on him to build a police station in the suburbs of Mickleham, Kalkallo and Donnybrook. There actually is not one. Recently Gurinder Singh, his mother and wife and two children were the victims of a violent home invasion. Three young offenders, one armed with a gun, ransacked his property and injured his mother. The rampage lasted 10 minutes. But the closest police stations are Wallan and Craigieburn, about 15 minutes away each, and of course they are not 24 hours. Gurinder is not alone; many community members have been exposed to a significant increase in crime in our neighbourhoods and fear for their safety and security.

To return to the Crime Statistics Agency, it is worth noting why this agency was set up and the historic precedent of the former Labor government that before 2010, aided and abetted by a politicised Chief Commissioner of Police, abused the statistics available to them and caused a complete collapse of public confidence in the use of police statistics. Because of that the newly elected Baillieu Liberal and Nationals government sought to establish a Crime Statistics Agency, independent with integrity, to

report on the true state of crime in Victoria. As the member for Malvern said in the other place – and I want to thank the member for Malvern for the consultation that he has done on this bill:

In terms of this bill, it will allow the chief statistician to seek applicable court data held in electronic form relating to applicable proceedings, and the chief statistician can seek that from the chief executives of the Magistrates' Court, the County Court, the Supreme Court and the Children's Court. Applicable proceedings include criminal proceedings, bail proceedings and family violence and personal safety intervention order proceedings as well as some other matters. There are some safeguards to try and make sure that information provided is de-identified. It is not appropriate that personal information be provided to the chief statistician, but I believe the bill provides safeguards to deal with that.

As I said, my colleague Michael O'Brien has consulted widely on this bill, as all good parliamentarians should, and he highlighted in his speech on the second reading the concerns of the Law Institute of Victoria around the breadth of definitions relating to the category of applicable court data and to the limited nature of the grounds on which the chief executive officer of an applicable court can refuse to grant access to such data. While the LIV's concerns are understandable, the safeguards are in place around the role of CEO.

The bill also clarifies the admissibility of electronic signatures in criminal proceedings. It does so by inserting a new section into the Criminal Procedure Act 2009 to permit electronic signing on all documents under the Criminal Procedure Act regardless of whether any other person does or does not consent. This is not a controversial change, and over the last few years we have seen a massive rise in e-signatures thanks to remote work and other restrictions. Technology is our friend and can make life easier. We moved on from carrier pigeons, so we can move to e-signatures as well.

The bill repeals section 387P of the Criminal Procedure Act. This is an important step. This removes the sunset provision in the act which would otherwise operate this year. It will enable the ongoing use of digitally recorded evidence-in-chief of the complainant in family violence proceedings. This is important because as much as possible the justice system should be looking to make it easier and less traumatic for survivors of family violence to engage with it, and it should be allowed to continue. Removing the sunset provision will ensure that digitally recorded evidence-in-chief in family violence proceedings can continue to be used. There are safeguards contained within the Criminal Procedure Act which must be observed before a digitally recorded statement can be admitted as evidence-in-chief, and those safeguards will remain. This does not remove the right to have the accusation tested under legislation. Even if a complainant can make a digitally recorded statement which can be used in evidence-in-chief, that person must still be available to be cross-examined.

The bill also makes two significant changes around defamation law. The first is to extend the defence of absolute privilege to matters published to the officials of Australian police forces or services who are acting in their official capacity. What this means is that the defence of absolute privilege will protect any means of communicating with state, territory or Commonwealth police, including informal reports, email inquiries or using online reporting tools. Under the law as it currently stands somebody making an allegation against another person in reporting a matter to police could use the defence of qualified privilege. This is important because if someone is aware of a crime and they do the right thing and report it, they should not have to be concerned about the potential of being sued for doing so. As the member for Malvern said in the other place:

The bill seeks to clarify the liability of digital intermediaries in defamation law, and the term 'digital intermediary' describes a person other than an author, originator or poster of the matter who provides or administers the online service connected to the publication. It includes a broad range of online functions, including internet service providers, content hosts, search engines and social media platforms.

This is different to in the United States, where these platforms have immunity and social media platforms are the carriers of the message, akin to Australia Post or Optus, and are not responsible for what people put in their envelope, to continue the metaphor. Here in Australia it is not as simple, and there are differing views amongst state jurisdictions as well as amongst the various court systems. This bill provides statutory exemptions for search engines. Search engines such as Google or Bing, if you

are so inclined, will not be liable for defamation where their automated process generates these results. This does not apply where search results are promoted or prioritised because of a payment or other benefit given to the provider on behalf of a third party.

The bill also changes the name of the Victorian Inspectorate to Integrity Oversight Victoria, which the opposition notes is supported by the CEO of the inspectorate as being an appropriate statement of their purpose and their role.

Finally, we have some concerns about the fact that this bill provides for the Premier to get advance notice of all reports to Parliament made by integrity agencies. That is right – the Premier will get a heads-up about integrity reports tabled in this place before any member of this Parliament and before anyone in the general public or media is able to view that particular integrity report. Everyone knows the obscene lengths to which this decade-old Allan Labor government has gone in its desperation to orchestrate political cover-ups of its seemingly endless disgraces. From the investigation of outright corruption by IBAC and the Ombudsman all the way through to embarrassing media scandals there is seemingly no length Labor will not go to, no bridge they will not cross, in their efforts to dismiss, diminish and distract from their shameful recidivist conduct. Let us not forget IBAC's Operation Watts, an investigation into the deep systemic corruption which was everyday business as usual for Victorian Labor. As if it is not bad enough, Labor are happy to turn a blind eye to systemic corruption, and when it finally catches up with them they are now demanding to know how much the integrity agencies have found out. They are wanting to know 'What are the details? What have you got on us?' so they can massage the media messaging, so they can find out ahead of time. Labor's political cover-up machine should have absolutely zero interaction with our integrity agencies.

If you care about integrity, if the Attorney stands here every day and claims that the integrity agencies are at arm's reach from government and she cannot direct them to do anything, then mean it. You cannot just slip into a bill that you might just be provided with advance notice of integrity reports. That to me is not arm's length. It provides an obligation for integrity agencies to give the Premier a heads-up. That is not right. That is not integrity. That is not the kind of integrity that Victorians expect from their government. This is a slippery government that has snuck this in the middle of the bill hoping that no-one would find out. This Labor government should have no interaction with the integrity oversight bodies in this place. We all remember – it was a disgrace – how then Premier Andrews described yet another IBAC investigation, Operation Daintree, into this government's shameful contempt for governance and corrupt awarding of taxpayer funds by Labor operatives to Labor-aligned unions – he said it was educational. Educational was how Daniel Andrews described it. Perhaps by educational he actually meant instructional. So shameful was the former Premier's response to yet another integrity scandal under his watch that the former IBAC Commissioner himself, Robert Redlich, addressed it, saying that Daniel Andrews:

... made much of the fact, in his long media address ... that there was no crime committed.

But regrettably, quite incorrectly, he repeatedly said there were no findings made. The whole report is about findings of misconduct, and all of those findings go to a lack of integrity in the way in which ...

the decision to fund the union was made.

What purpose exactly does the Labor Premier Jacinta Allan have for sneaking in previews of integrity reports when this is their response? All we can assume is that they want these sneak previews to get ahead of the stories and ahead of the cover-ups, to massage the cover-ups for the media spin doctors in the Labor Party, of which there are more working in the Premier's office in Victoria than work for the Prime Minister. There are hundreds of spin doctors around the state spinning for this Premier and spinning for this decade-old government, and they want to spin even further by slipping this into the bill, which would diminish integrity in this state.

I spoke about Daniel Andrews talking about how IBAC's report was educational. Imagine some of the seemingly countless scandals that we might not know about if Labor had the chance to get in ahead of time and cover them up: everything from Operation Watts to Operation Daintree to the original

infamous red shirts scandal – Labor’s gateway scandal, it seems, which gave them a taste for corruption, contempt and cover-up. It did not take the dam wall long to break after red shirts, did it? That side of the chamber would have called red shirts ‘informative’ and moved on. It is almost hard to remember every sordid scandal this government has been up to its eyeballs in and has refused to accept accountability for. ‘Educational’ – the other one would have been ‘informative’.

How can we forget Labor’s second home allowance rorts – the former Speaker and Deputy Speaker rorting taxpayers funds to live hundreds of kilometres away from their electorates? Don Nardella in his caravan rorted \$100,000 of taxpayer funds while claiming to live in an Ocean Grove caravan park that never allowed permanent residents. That side of the chamber would have called it enlightening for people that live in regional Victoria, this particular report. That is the contempt they show the Victorian people. So we have got educational, informative and enlightening.

How can we forget former minister Steve Herbert systematically using his taxpayer-funded chauffeur to drive and ferry dogs all around Victoria? We all love dogs – I certainly do – but it took a Labor minister to come up with a sense of extravagance and entitlement that would probably make the Kardashians blush and organise limousine rides for his dogs. That side of the chamber would have called it illuminating to the travel needs of pets, that particular report, had they been given this opportunity to have advance notice ahead of time to massage the media message.

This sense of entitlement and untouchability which has gripped Victorian Labor did not take long to jump from bemusing media scandals to being slammed by repeated IBAC and Ombudsman investigations, and now they want to take a step further and know ahead of time how badly they are going to get slammed for what they keep getting up to. This is not necessary and, typical of this Labor government, is a measure to put spin over substance and to give Labor spin doctors a chance to frame a report before the Parliament, before the opposition, before the media and before the Victorian people. They want a chance for their spin doctors in the Premier’s private office to massage the media message, to get it out, and we know that the PPO has on occasion briefed things on background ahead of time to massage media messages. This is a politicisation of integrity agencies. Who is to say that a very political operative in the Premier’s office would not brief out integrity reports early to diminish the press conference or release of an integrity agency report? That would be a very sad day for integrity in this state.

The Attorney says that the integrity agencies are at arm’s length from government. This is removing their ability to speak independently of government about government. At the same time they are trying to give briefings to the media on their report. If someone in the PPO has already backgrounded all of the journalists about why that integrity report is wrong, how is that fair? That is minimising the integrity agencies. We know this government has got form for this, and we have seen those attempts previously in this Parliament. That is not an arm’s-length process. That is likely, because they have got form, to be what we would see under this government. We oppose this attempt at politicising what should not be politicised, so I would like to circulate the amendment in my name.

Amendment circulated pursuant to standing orders.

Evan MULHOLLAND: The Liberals and Nationals do not oppose this bill but seek a constructive response from both the government and our crossbench colleagues on this particular issue. It is important. We want to see a situation where the integrity agencies – IBAC, the Ombudsman – are not obligated to give the Premier Jacinta Allan a heads-up. That is a politicisation of the integrity agencies. I am looking forward to hearing other Labor speakers – perhaps it might not be on their talking points – defending why the Premier Jacinta Allan should have a heads-up about what is coming, about what criticisms there are of her government. Premier Allan ought to see integrity reports at the same time as the media, at the same time as every member of this Parliament and at the same time as the Victorian people – that is only right. To insert an obligation that they do give the Premier a heads-up is to diminish the work of the integrity agencies and the important work they do. I support our amendment and call on this entire chamber to support our amendment, but we do not oppose the bill in question.

Jacinta ERMACORA (Western Victoria) (15:29): I am pleased to rise to speak on the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024. The bill contains a number of key reforms that make our legal system fairer for survivors of violence, facilitate better quality information for government and improve efficiency of the legal system. The bill contains two reforms focused on women's safety, adding a complete defence to defamation action taken over reports made to police and extending digitally recorded evidence of family violence. The bill amends the Crime Statistics Act 2014 to permit the chief statistician greater access to court data. This is to support informed government policy to better understand the impacts of the justice system, and I cannot emphasise enough the importance of evidence-based policy and program development. This bill also allows the courts to use electronic signatures, which will speed up the court processes. It is the impact of this bill on victim-survivors of sexual and family violence that I will end my focus on. Digitally recorded statements are those statements recorded by police on body-worn cameras. The bill amends the Defamation Act 2005 to deliver on the government's commitment at the Standing Council of Attorneys-General to enact nationally developed reforms.

This bill makes some minor amendments that mean very big things for women's safety. This bill will improve transparency, accuracy and reassurance for women when reporting to police or involved in a family violence incident. Firstly, it creates an absolute defence against defamation over reports to police. The defence applies to all reports made to police, and I do want to emphasise how important this is when it comes to the reporting of family violence and sexual assaults. We know that coercion and control are huge factors in these crimes and the impact that a single threat of defamation can have on someone wanting to report to the police. This amendment will empower a person to report these incidents knowing that they cannot be pursued for defamation when reporting to the police. It will build confidence for victim-survivors to report and ensure that police will be able to get a full picture of an incident where a person may have hesitated previously.

Secondly, the bill amends an important section of the Criminal Procedure Act 2009 to extend police use of digitally recorded evidence by police body-worn cameras. This is to allow continuance as evidence-in-chief in family violence proceedings. One of my staff members is a former police officer, and he has expressed to me just how vital this digitally recorded evidence is for family violence proceedings. A statement taken in video format at the time of the incident with the victim-survivor shows the true nature of their fear, the environment and the scope of the offending. It is truly a powerful image and allows the court a true picture and narrative of the incident. A victim-survivor will always have the choice of providing a written statement, but a video statement is quite often significantly more powerful. It can also mean that a victim-survivor does not need to relive their trauma through police interviews and preparation of written statements. Most importantly it means that should a victim be threatened into silence, the police can still rely on the recorded evidence to show the offending and ensure protection and justice for the victim-survivor.

Victoria is leading the nation in prevention of family violence and our focus on women's safety. I am proud of the work that the Allan Labor government has done to strengthen our laws around women's safety and family violence, holding offenders to account and continuing to lead the charge in our prevention response. Our justice system has come a long way in its response to family violence and sexual assault, particularly against women and children. But there is more work to be done. When I was a counsellor advocate with the South Western Centre Against Sexual Assault, the overwhelming majority of my therapeutic clients chose not to seek justice through the court system. They reported to me that the stress of the process did not justify the effort. Of course of those who did navigate the justice system, many reported to me retraumatisation due to the adversarial nature of our court system in Australia. The chances of having their experiences validated were also very low at that time. If I could provide a voice to my former clients, I think they would say that anything that reduces the opportunity for intimidation and aggression within the justice system will help. Women want to safely seek justice for the crimes committed against them. They want to stop the cycle of violence in their families, and they want to ensure that their abuser does not hurt anyone else. The fact that so few of my clients at that time felt that the legal system was a viable space to navigate is an indictment of our

legal system of the day and of the designers of that system – which of course was from several centuries ago in another country – who of course were all male. But these reforms show that women's safety is always on the justice reform agenda.

The bill's amendments to the Defamation Act 2005 mean that victim-survivors of sexual assault and harassment will not have the fear of defamation action being taken against them. Women will not have to fear such action taking place, as the amendment to section 27 extends the defence of absolute privilege to reports published to officials of Australian police forces or services who are acting in their official capacity. I cannot even begin to imagine what it must feel like to have your current or former partner or family member threaten to sue you if you go to the police – how trapped one must feel. Whilst this is not a deliberate tool of intimidation from the legal court's perspective, we know that abusers deliberately use that weakness in the system to abuse and intimidate women even more so they can protect themselves. It truly is as if the legal system protects perpetrators by providing them with an avenue to intimidate their partner or family member further. In this circumstance this bill provides a complete immunity and defence to a defamation claim. It will ensure that victim-survivors have greater confidence and certainty when reporting to police that they are protected from defamation suits, but more importantly, victims will be protected from further intimidation and aggression by current and former partners, and in the case of family violence it is the same. This flows through to remove one of the barriers women experience when they want to report their experiences to police and reduces the risk of retraumatisation of a victim through defamation proceedings.

This bill also amends the Crime Statistics Act 2014, permitting the chief statistician to require courts to provide certain data on request. This amendment provides for regular protected sharing of data from applicable courts to the chief statistician. The shared data will enable government to view in detail the impact of legislative reform on the criminal justice system. There are conditions set where a court can refuse to share data in a narrow set of circumstances – for example, where a fair trial of a person may be affected. With the rigorous security measures in place for data held by the chief statistician, this is an unlikely event to occur. The Department of Justice and Community Safety is working with the courts to develop data-sharing processes to ensure that the workload is minimised for the courts. Existing data security protections in the Crime Statistics Act that apply to Victoria Police data will apply to all court data as well, ensuring that it is safe and secure.

Whilst we are talking about efficiencies in our court and justice systems, the bill makes a further amendment to the Criminal Procedure Act 2009 to allow for electronic signatures, bringing us into the modern century. Currently there is some legal uncertainty around the ability for Victoria Police to obtain an electronic signature from a witness without requiring the consent of the receiving party. This amendment removes the uncertainty and creates greater efficiency for Victoria Police and other investigating agencies by expressly allowing the use of electronic signatures on court-related documents. This will streamline current procedures and allow investigators to utilise current technology, such as obtaining a witness statement on a tablet or electronic device out in the field. This will enable frontline police to dedicate more time to their core policing duties. The reform adds in the use of electronic signatures but still allows for the traditional method of physically signing the document.

All these small amendments work up to significant reforms, all of them interconnected. Through the capturing of digitally recorded statements we empower victim-survivors in the moment to give a true and free narrative of the trauma they have experienced. The same goes for absolute privilege when reporting to police. Removing all these small controls that a perpetrator may have over a victim-survivor only goes to strengthening those victim-survivors.

The sharing of data with the chief statistician from the courts will enable us as government to see how these types of reforms are working in the justice system. It will enable us to create stronger, clearer and more powerful legislation through data shared directly from the courts.

In all, these amendments create a more efficient process for statements taken electronically, paperwork that can be digitally signed and greater safety and protection for women and victim-survivors. The Allan Labor government is committed to supporting women and indeed all survivors of violence. Bias and discrimination as a dominant hegemony is gradually being pared back, bill by bill and program by program, and I commend this bill to the house.

Richard WELCH (North-Eastern Metropolitan) (15:42): I rise to speak on the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024, and like a lot of omnibus bills, there are parts that are really, really important within this bill and there are parts that are pretty mundane but sort of elevated, and it is a pity that they are co-joined in some regards. It covers a number of areas, so I will go through each of those in my time.

One thing the bill does is reform stats reporting, and that is a good thing. Obviously there is considerable public concern about the rate of crime in our community. I think the suspicion in the community is that it is, if anything, under-reported. This small reform also seems to agree with that point. Of course we have got a number of reasons to be concerned, because there are closed police stations. There are 43 stations that have got reduced hours. Some are closed for 16 hours a day – that is, they are closed longer than they are open – and so the suspicion in the community is that they are under-reported. In my community, in Box Hill, total crime is up 18.3 per cent, theft is up 28 per cent, residential burglaries are up 25 per cent and theft from vehicles is up 73 per cent. In Glen Waverley total crimes are up 17 per cent, residential aggravated burglaries are up 42 per cent and retail theft is up 31 per cent. So I would imagine that there are also a number of other bits of stats that are not captured by this particular reform. Nice to have as it is, perhaps further reform should be considered in all of this.

In terms of electronic signatures in criminal proceedings, again this is not controversial; this is very sensible. It is a little bit ‘Welcome to 2007’, because much of the rest of society has been using electronic signatures for well over a decade. This does bring a small part of the judicial system up to modern practices, but consider the amount of delays that we have in the courts at the moment. Some statistics around that are that at the beginning of this year our Magistrates’ Court criminal proceedings were the worst of any mainland state. Civil court wait times were more than 12 months. County Court criminal case wait times were more than 12 months and were the worst of any state at 26.6 per cent. Supreme Court criminal case waiting times of more than 12 months were the worst of any mainland state at 28.5 per cent. So the idea that we can actually put a little bit of efficiency into the court system is well overdue, and this is a very small, tiny piece of that. You would hope for something more ambitious given the delays we have built into our court system as it is.

In terms of amending the Criminal Procedure Act 2009 to allow video evidence, thank goodness common sense has won through and we are removing the sunset clause; I think that is extremely sensible. It is very, very important for the safety of women that they can give evidence via video, and I truly commend it. I think this is one of the truly important parts of this bill. In terms of equality before the law it still does allow for claims to be contested and for cross-examinations to take place, but the fact that we can integrate video for vulnerable people is a very important component of this bill. The extension of absolute privilege to police statements as well I think is again a sensible thing to be doing. I really commend that part of it.

The bill then strays into the topic of digital defamation, and I think this is where it should have been a separate bill, really, because it is tinkering with something it should not be and that is worthy of much more than tinkering. What we are looking at here is creating protection for platforms who do not actively publish, which, when you consider the range of digital services and the digital economy, is a sensible thing. People who are simply the purveyors or the conduits, as per Australia Post, are not liable for defamation, and it puts that obligation back where it belongs – on the individual who is actually making the potentially defamatory comments. When the platform becomes involved, I liken it to the platforms really being the road and the drivers the individuals navigating on the road: the road

cannot be held accountable for the actions of the drivers – unless of course the road is in a very bad state.

Also, when it comes to legal discovery of digital platforms and trying to unmask trolls, it is important trolls do not have the ability to hide and pump out their vile accusations, but we also do not want to put a chill on freedom of speech, and this is where I think there really should be a separate bill, because this is a complicated, vexed area of getting the balance right between ensuring people cannot defame with impunity and also making sure we maintain freedom of speech. Non-elected agencies such as the eSafety Commissioner et cetera do not have any special superpower for discerning truth from lies, and one person's truth is another person's defamation. The bill, by straying into this area, is tinkering, and maybe these things will be helpful, but I think we will be revisiting this topic very, very soon. That is my prediction, because it is far more complicated than this bill allows.

Equally, we must not leave the door open for trivial complaints and weaponising of defamation laws against the ability to discuss even the most controversial topics in the public squares. Crimes of offence and words of literal violence can be a real opponent of freedom of speech. So we must be vigilant in the application of this law that it does not actually act as a chilling factor on freedom of speech while getting the balance right and making individuals accountable for the things that they say in public.

The other point that I want to make on where it is tinkering with digital defamation is that the bill does not consider the rise of AI and its nexus with social media and digital services either, and I think that is going to be an area which will have to be re-examined when we talk about digital defamation law as well.

In terms of the amendments, I concur with my colleague Mr Mulholland: for what possible reason should any individual get an advance copy of a corruption inquiry or an integrity inquiry et cetera? Really, if you look at the track record of this government, that time would be probably spent making sure they have got the bleach out and have collectively wiped everyone's memory or aligned their stories so that they can line up in advance. Who is to say in fact the Premier could not get an injunction to prevent the publication of the findings if the findings were sufficiently adverse? It creates a perverse incentive, it is unnecessary and it is clearly inappropriate in the context of the functions of those agencies. Were there to be any goodwill on this topic, you would say the track record of the government prevents it actually, because whilst you might be able to talk about this theory, if we talk about the track record of the government and the way it has treated integrity programs, there is no good faith to be had in a clause like that. I do think the amendments are not only appropriate but also a safeguard for the future across the board. I support the amendments. We will not oppose the bill, and I will conclude my contribution there.

Michael GALEA (South-Eastern Metropolitan) (15:51): I rise to speak on the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024. This is a bill which proposes a variety of small but nevertheless important improvements for our justice system and indeed for our integrity agencies. There is not much specifically that pertains to Victoria Police itself in this bill – there are a few various points, but there is not a great deal that relates to the police force as a whole. However, just being mindful of some of the previous remarks, I will once again note this government's unprecedented investment into our police and indeed the many new and upgraded police stations. I am very excited to see the progress of the Clyde North police station in my patch as well as the new Narre Warren police station, which is going to make a significant difference. It is all part of our continued investment in ensuring that Victorians can be safe.

The measures in this bill, however, range from improving access to court data to improving the accessibility of evidence in court proceedings, improving and making some enhancements to defamation law as well as various minor and technical amendments to justice and integrity of legislation. The amendments will be made to more than a dozen pieces of existing Victorian legislation, including the Defamation Act 2005, the Criminal Procedure Act 2009 and the Crime Statistics Act 2014. What makes this bill particularly important, though, are the amendments it

introduces that will continue the work of supporting victim-survivors of family violence, helping to provide appropriate support when reporting crimes and enabling police to assist victim-survivors when they go through the process of reporting those crimes. We know that Victoria is leading the nation when it comes to the prevention of family violence and the focus that we have on women's safety. We have implemented all 227 recommendations of the Royal Commission into Family Violence, a nation-leading royal commission, and we have also dedicated more money and effort than any other Australian government has done. Nevertheless, we are under no illusion that there is no more work to be done in this space.

This bill makes two important reforms that are aimed at improving women's safety and the safety of victim-survivors – firstly, by introducing a complete defence to defamation over reports made to police. The defence will apply to all reports made to police, but the reforms were also developed to address the chilling effect that a threat of defamation can have on the reporting of sexual assault or harassment. Secondly, the bill extends the use of digitally recorded evidence by police body-worn cameras as evidence-in-chief in family violence proceedings. This will continue to provide greater options to victim-survivors. I do note as well a further reform, as noted in those comments, which was the introduction of police body-worn cameras, another initiative of this government. In fact if I recall correctly, they were being rolled out in the outer south-east in the Cardinia region back in 2018, and there is the improvement that has made as well. Body-worn cameras add to the accountability and the sense of trust in the community that they can hold in the police. Also, very importantly, we hope we will very much see improved outcomes in terms of reducing threats and assaults on police themselves when people are aware that they are or may be being recorded.

Indeed in the Legal and Social Issues Committee last week we heard from various retailers and discussed their role and the impacts and the trends regarding customer abuse towards retail workers. We actually heard from one of the major retailers that where they have implemented those body-worn cameras, just the mere presence of them, without them even being turned on in some cases, has led to a reported reduction in assaults and threats made against their staff, which is a very, very good thing to see. That leads me to a further reform which this government will be introducing, which is of course imposing tougher penalties for those who do assault low-paid essential frontline workers such as in retail, hospitality, public transport and other spaces, which is a very, very important reform that has been announced by Premier Jacinta Allan and one I am very, very proud to see made.

That is the impact of this legislation we are talking about today when it comes to the use of digitally recorded evidence by those body-worn cameras as they are worn by the police, and that relates to the family violence proceedings in order to provide greater options to victim-survivors of family violence. The reforms will help us to respond to victims when violence occurs and deliver stronger justice responses that will hold offenders to account. The Allan Labor government is committed to ensuring that Victoria continues its world-leading prevention response to stop violence before it starts. These reforms emphasise that women's safety is always on the agenda and that we will always take the opportunity to improve legislation to enable better responses to violence against women.

The bill will also amend the Crime Statistics Act 2014 to permit the chief statistician to require courts to provide certain data on request. Additionally, the chief statistician will report on criminal justice issues and trends, expanding on the current reporting function, which is limited to crime statistics. This will provide the chief statistician and the government with regular protected sharing of data from applicable courts, providing a more detailed information set on the impact of reforms that this government makes to the criminal justice system. The amendments will provide that the courts can refuse to share data in narrow circumstances, such as in the unlikely event that data sharing would affect the fair trial of a person. Identified data held by the chief statistician is subject to rigorous security measures, making it very unlikely that such circumstances would need to be accounted for.

The bill also contains amendments to the Criminal Procedure Act 2009, which is aimed at improving options for evidence in court proceedings. This includes clarifying that all documents under the act can be signed electronically and that documents to commence criminal proceedings may also be

signed electronically. This minor but efficient reform will clarify the current uncertainty regarding the ability of Victoria Police to obtain electronic signatures from witnesses without requiring the consent of the receiving party. Investigators can also use technology to streamline procedures, such as obtaining witness statements on iPads. This type of logical and commonsense modernisation is important because it allows our frontline police to use the existing technology that they have to hand more efficiently and gives them more time to focus on their core policing functions by removing any real or potential legal challenges to measures which enable them to do their jobs in a more straightforward manner.

I have already referenced the other major reform to digitally recorded evidence and how it will provide important improvements in assisting victim-survivors of family violence. The Criminal Procedure Act 2009 permits digitally recorded evidence in family violence proceedings; however, this provision in the act is due to be repealed on 3 October this year. Allowing for the continued use of statements recorded by police-issued body cameras is important, as it provides more options to victim-survivors, assists in facilitating the resolution of cases, helps hold perpetrators to account and reduces the burden on frontline police. A trial of digitally recorded evidence-in-chief was a response to the recommendations of the 2015 Royal Commission into Family Violence. The results of the trial and the positive effects that it has produced on victim-survivors have been very clear. The amendments in this bill will remove the sunset provision and enable the ongoing use of digitally recorded evidence for family violence offences and proceedings with a family violence intervention order. This is about reducing the need for victim-survivors to relive their traumatic experiences during police interviews or when preparing a written statement. It will allow the digitally recorded evidence to be the primary form of evidence used in court proceedings. Furthermore, it is worth noting that there is already some evidence that such evidence can increase the instances of accused perpetrators entering a guilty plea at an earlier stage of proceedings than they otherwise would. This shortening of the proceedings helps reduce the distress that taking part in the criminal justice system can have on victim-survivors.

In the area of defamation, this is a bill which makes a number of reforms. These include important provisions to protect victim-survivors of family violence. Primarily this is achieved through reforms to defamation defences to address the effects that the threat of defamation can have on sexual violence and harassment reporting. The bill will amend section 27 of the Defamation Act 2005 to extend the defence of absolute privilege to reports published to officials of Australian police forces or services who are acting in their official capacity. This will provide complete immunity and defence to any defamation claim. The amendment here will provide for greater certainty to those reporting matters to police that they will be protected against a defamation suit for that report, removing barriers to reporting to police and reducing the risk of costly and often retraumatising defamation proceedings.

Other areas of reform include amendments to the Defamation Act 2005 to clarify the liability of digital intermediaries when third parties use their online services to publish a defamatory matter and to extend the defence of absolute privilege to matters published to Australian police forces. Defamation law operates in an ever-changing digital and online landscape, and it is important that the law continues to be fit for purpose. This bill addresses and reforms various aspects of the act regarding digital intermediaries in extensive terms. I will also briefly reflect on the overall effect of these reforms and how they provide greater clarity on what potential liability exists for intermediaries and what responsibilities they have when something that could be potentially defamatory is published online. This is a fast-evolving area of law, and there remains a degree of uncertainty that needs to be addressed. This bill takes an important step towards providing the clarity that the law requires to function properly.

One final area of reform that I will touch on is the technical and procedural amendments to various integrity and justice acts that this bill introduces. These are aimed at improving the operation and the effectiveness of our state's integrity agencies. Under existing legislation, when a person is subject to a confidentiality notice on restricted matters, the Independent Broad-based Anti-corruption Commission Act 2011 and the Victorian Inspectorate Act 2011 allow for the disclosure of this

information to prescribed services, including Beyond Blue and Lifeline Australia, for the purpose of providing crisis support, suicide prevention and also for mental health and wellbeing support to the person subject to the confidentiality notice. The bill here before us today will allow for classes of services to be prescribed and, most significantly, remove the administrative barriers to providing welfare support services for witnesses and persons involved in IBAC and Victorian Inspectorate investigations.

Other reforms in this bill include clarifying the Public Interest Monitor's new role and the functions that have been conferred by the Terrorism (Community Protection) Act 2003 in order to streamline the notification, documentation, record keeping and security procedures under the act; providing the Office of the Victorian Information Commissioner flexibility in addressing privacy complaints by providing informal dispute resolution procedures under both the Freedom of Information Act 1982 and the Privacy and Data Protection Act 2014; as well as making amendments to the Privacy and Data Protection Act 2014 to provide for better protection of information regarding a person's sexual orientation and procedural amendments to the Freedom of Information Act to support more-expedient administration.

In terms of consultation it is worth noting as well that the Victorian Inspectorate, IBAC, the Victorian Ombudsman, the Public Interest Monitor, the Office of the Victorian Information Commissioner, the chief municipal inspector, the racing integrity commissioner, the Judicial Commission of Victoria and Victoria Police have all been extensively consulted on the integrity reforms in this bill and, as I understand, are broadly supportive.

This bill before us today, the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024, introduces reforms that will support the state's integrity agencies in operating efficiently and being adequately equipped to promote a high-performing public sector and with that the community's confidence in government and the integrity and accountability framework. It has been developed in close consultation with relevant stakeholders and seeks to implement long-term standing reforms which have been requested by the integrity agencies. It will also, most importantly, continue the work of this Labor government from its landmark, first-in-the-nation Royal Commission into Family Violence, of which all 227 recommendations have been implemented. Alongside these necessary reforms it makes more commonsense reforms to various other aspects of our justice system. I commend the bill to the house.

John BERGER (Southern Metropolitan) (16:06): Today I rise to contribute on the fantastic work of my good friend the Minister for Police in the other place, Minister Carbin, in particular on the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024. This bill will deliver critical and effective reforms to modernise and enhance our justice and integrity systems, something I am sure everyone in this place will support. We know that we need to continually modernise our justice system. It needs to be fit for purpose for the 21st century, not the 19th century.

Now to the details: the bill seeks to extend the types of evidence admissible in court to improve the legal and justice sectors' support for victim-survivors. There is currently a national conversation around domestic violence, and we know that we need to do more, so I am pleased that this bill includes this. This bill also seeks to enact nationally developed reforms by the Standing Council of Attorneys-General, the body commonly referred to as SCAG. This bill will also improve the operations and effectiveness of Victoria's integrity agencies.

Before I begin my contribution on the substance of this bill, we know there is a national conversation about family violence, particularly violence against women. This building had the privilege to listen to Rosie Batty just a few weeks ago – it was 10 years since the unforgivable murder of her son Luke. As we know, there is still a lot more to do. Everyone deserves to feel safe in their own home and in their own communities, which is why it is important that we ensure that the Victorian justice and integrity systems have a comprehensive approach to address these issues.

This bill will make amendments to the Crime Statistics Act 2014 which outline a clear framework to grant the chief statistician greater access to court data rather than limiting the chief statistician to crime statistics alone. The chief statistician will now be able to gather court data on a range of issues, including criminal justice issues and trends. This will allow the chief statistician to better understand the downstream impacts of the justice system. From the minute that person interacts with police to the moment they are at a hearing in court, the chief statistician will be able to understand the individual's journey of going through the justice system. This will allow the chief statistician to collect a range of data to mark trends in community behaviours and most importantly to see how legislative reforms are impacting the community and the criminal justice system. It will also establish a proper framework for data sharing under this bill, which will allow for more regular data sharing with the chief statistician, rather than our current system whereby courts share information ad hoc for each case.

This bill will ensure that the legal and justice systems can protect the community by implementing policies that not only support victim-survivors through the justice system but also address systemic gaps within the legal system affecting women and children. It is important to note that the chief statistician can only obtain data related to criminal proceedings, bail or proceedings under specified acts. This will ensure that the court data sharing will be protected.

We must also acknowledge that we are living in an era defined by digital technology, and this is constantly evolving. To maintain our support to victim-survivors in their pursuit of justice, we need to make sure that our justice and integrity systems adapt to the constant digital developments that surround us. We need to adapt our criminal justice system to this changing environment to ensure that it remains accessible for all Victorians and that procedures can be streamlined to reduce any backlogs. To this effect, as I said just before, this bill will introduce two important changes to the Criminal Procedure Act 2009, which will expand the range of digital evidence admissible in legal proceedings. That means digitally recorded statements can be used. That is vital, particularly in giving evidence in family violence proceedings. These statements recorded by police and issued by body-worn cameras may replace formal written statements if a victim-survivor over the age of 18 consents. I would like to underline once again that participation in digitally recorded evidence-in-chief is voluntary. It will only be used when it is required and appropriate, and this amendment will provide greater options for victim-survivors. Not only that, but it also facilitates the early resolution of cases, reduces the burden of frontline police and holds perpetrators accountable. This will go a long way to ensuring victim-survivors see justice served and victims supported, with a justice framework fit for the world we live in today, with body-camera footage and other digital forms of evidence.

Secondly, it allows electronically signed document to be admissible in criminal court proceedings. We saw how the COVID-19 pandemic changed the way the justice system operates. We know that with the way the world is changing by the day we need to keep up with how it operates, and this is part of that. In doing so, court proceedings can consider documents with Victoria Police electronic signatures. This bill will provide greater accessibility and efficiency in court processes. For instance, allowing digitally signed documents in court will make it easier for Victorians living in regional or remote communities to access and participate in legal proceedings. Victorians that may be encumbered by health circumstances and other reasons can still be supported by the justice system. This ensures that all relevant evidence and documents are considered in a criminal proceeding regardless of the mobility or health restrictions a person may face. Signing documents electronically will also allow witnesses to have a better chance to remember the events accurately. On that point, this chamber should note that this can go a long way to supporting victim-survivors, who can remotely provide relevant documentation and accounts through digital means. This bill will also alleviate burdens for Victorians in the legal system. The court and tribunal will be able to access relevant evidence regardless of whether a person is unable to provide physical copies of the documents.

Furthermore, the bill also delivers on the Allan Labor government's commitment to implement nationally developed reforms at the SCAG. Specifically, this bill includes digital intermediaries published by third-party content as potential defamatory material. The reform also extends the defence

of absolute privilege – complete immunity to matters reported by the police. What this means is that victim-survivors who choose to make a report to Victoria Police will be granted immunity if alleged perpetrators try to bring defamation lawsuits against them. A lot of victim-survivors opt out of reporting to the police because they are terrified of defamation. The proposed bill will ensure that victim-survivors are better protected and encourage them to make a report to Victoria Police. This will help us protect victims of defamation by expanding the scope of defamation material and ensuring that for crimes reported to the police they cannot be sued for defamation. Moreover, digital intermediaries will be protected from unfair defamation claims when third parties use their platform to publish defamatory behaviour.

Uniformity across Australia is crucial for effective implementation of reforms of this nature, which is why we are following New South Wales and the ACT in ensuring that digital platforms are not the subject of defamation instead of the perpetrators. This includes intermediaries such as search engines and storage devices, with special provisions for online publications. By providing uniformity and clarity on how these matters can be handled we can ensure defamation cases are focused on the actions of perpetrators and not these intermediaries, which can face implications under extended liability rulings by the High Court.

This bill also seeks to improve the operation and effectiveness of Victoria's integrity agencies. It does so by making technical and procedural amendments to various integrity and justice acts to enhance the administrative processes of the integrity system. For instance, the bill enables the Ombudsman and the Victorian Inspectorate to share information with a Victoria royal commission, board of inquiry or other commission of inquiry. The IBAC will also be given similar provisions to disclose information to the appointed commissioner of inquiry under division 5 of part 7 of the Local Government Act 2020. This amendment will assist the aforementioned integrity bodies to acquire information relevant to their role. Of course the sharing of information will only be done when it is relevant and appropriate and must not lead to the identification of a person who has made a public interest disclosure. The bill also clarifies the Ombudsman's authority to investigate an authority under public interest complaints as referred by IBAC or improper third-party conduct in relation to the authority. This ensures that our integrity system maintains the highest standards of integrity and accountability.

I am proud to be part of an Allan Labor government that is committed to ensuring that our justice system supports family violence victims and survivors. This government has a proven track record of supporting victim-survivors, and we will continue to do so. In 2019 the Andrews Labor government invested \$470,000 to fund 15 community organisations to prevent family violence in Victoria's African communities. In 2022 the Labor government invested an additional \$4.7 million to counter violent extremism through the strategic framework for countering violent extremism. And in the 2022–23 budget the Allan Labor government also invested more than \$240 million to continue our efforts to end family violence and violence against women. \$33.4 million of that investment went towards supporting sexual assault victims through specialist sexual assault services, an expanded sexual assault crisis line and interventions for children and young people displaying sexually harmful behaviours. \$18.9 million of the funding went to Respect Victoria, which has worked hard to improve crime prevention and consent education to prevent sexual violence.

However, we can do more to support those affected by family violence. In line with this commitment our 2023–24 budget invests \$925.2 million over the course of five years towards the leaving violence program. This program focuses on supporting victim-survivors to leave violent, intimidating partner relationships. It provides financial assistance for up to \$5000 for those eligible.

The Allan Labor government is also developing a First Nations plan for family safety to respond to disproportionate rates of violence against Aboriginal and Torres Strait Islander women and children. We know that Aboriginal women are 45 times more likely to experience family violence than non-Aboriginal women. That is why we are funding \$2.2 million to 44 Indigenous-led projects to tackle family violence and to respond to the disproportionate violence against Aboriginal and Torres Strait Islanders.

Last year's budget built on our efforts in supporting victim-survivors alongside this legislation before us. The budget allocated \$269 million to help prevent family violence and support women's safety across Victoria. This includes a \$42 million investment to prevent family and sexual violence by continuing to deliver timely and individualised interventions. \$24 million will go to help with information sharing between the police, the courts and the relevant agencies to keep women and children safe.

That of course goes hand in hand with the bill's efforts to close gaps in the justice system for victim-survivors. We need to address this with the care and sensitivity it demands and support women facing family violence in all communities. This bill will help victim-survivors from all walks of life to more easily access support and use digitally recorded evidence from police. Being able to use evidence such as police body camera footage as evidence as opposed to written statements will go a long way to helping the most vulnerable victim-survivors in our community.

The budget included \$16 million for culturally safe and community-led efforts to address family violence. The budget also included upwards of \$29 million to help strengthen delivery of key legal and community support and intervention services. This will help continue specialist assistance for the LGBTQIA+ community without fear of discrimination. It will help increase access to legal support for socially and economically disadvantaged women in the justice system and will also help support community legal centres to partner with maternal and children's health services, the Royal Women's Hospital and Aboriginal health organisations to reach women experiencing or at risk of family violence in a safe space. For some of the most serious and complex cases of violence against women and children we allocated \$31 million to support prosecution efforts against perpetrators.

This Labor government has a proven record not just of funding and supporting initiatives and programs that support victim-survivors but of fundamental reforms that support them. Victoria is leading the nation – and the world for that matter – on family violence prevention through reforms that encourage early interventions. We have dedicated more money and funding than any other Australian government ever, we have implemented all 227 recommendations of the Royal Commission into Family Violence and this bill only builds on that. Victim-survivors need our support, and this government is listening and acting accordingly. The critical reforms in this legislation provide more support to victims and more resources to community-led efforts and make evidence and support easier to access. Improving access is key for those victim-survivors who are socially or economically disadvantaged and struggling to get support traditionally. That is why the Allan Labor government in this year's budget provided \$76 million to continue the specialist victim support. These reforms stand out on top of the nation-leading reforms undertaken by the Allan Labor government, and I commend the bill to the chamber.

Rachel PAYNE (South-Eastern Metropolitan) (16:21): I rise to make a brief contribution to the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024 on behalf of Legalise Cannabis Victoria. I would like to focus on the parts of this bill that will make the justice system more accessible for victim-survivors, the first of which is the bill's amendment to the Defamation Act 2005 to extend the defence of absolute privilege to matters reported to police. This means that victims of sexual offences and family violence will be immune from defamation lawsuits when reporting crimes to Victoria Police. In a world where an estimated 22 per cent of Australian women aged 18 years and over have experienced sexual violence since the age of 15 and Victoria Police are responding to a family violence incident every 6 minutes, these are essential reforms. This change will encourage victims to come forward, something we know can be incredibly hard. The vast majority of Australians who are sexually assaulted never report their assault to police. As much as possible we must remove barriers to victim-survivors accessing the justice system.

Victoria Legal Aid's submission on this proposed change cited multiple cases of clients who have been the subject of defamation threats when they raised concerns about sexual harassment in the workplace. We already know that perpetrators of this kind often weaponise the legal system to further harm their victims. The Victorian Royal Commission into Family Violence suggested that vexatious

litigation – that is, legal action brought solely to harass or subdue – can share similar characteristics with violent behaviour like coercion and control. I have no doubt that the recent spate of high-profile defamation cases against sexual assault survivors will impact the willingness of other victims to make a report to authorities. It is no wonder there is a culture of fear and cynicism around reporting. In bringing forward this amendment and the surrounding discourse this government is encouraging victim-survivors to come forward, and I commend it on this.

I also commend this bill for its amendment to the Criminal Procedure Act 2009 that will enable the ongoing use of digitally recorded statements recorded by police-issued body-worn cameras to be issued as evidence in court cases involving family violence or a family violence intervention order. This was a recommendation of the Victorian Royal Commission into Family Violence and will improve victims' experiences in the system when they are required to recount their traumas. These are important reforms that reflect a genuine attempt to make our justice system a safer place for victim-survivors to be heard.

Ryan BATCHELOR (Southern Metropolitan) (16:24): I am pleased to rise to speak on the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024, which makes a range of amendments to improve justice and integrity legislation here in Victoria, including by improving access to court data and improving the accessibility of evidence in court proceedings. It makes some changes in relation to defamation law and implements some minor but technical and long-awaited changes to various parts of our integrity legislation. The most significant thing I think this bill does is continue the Labor government's commitment to ending violence against women and taking action to make sure that our laws and our systems of justice do everything that they can to support victim-survivors of family violence here in Victoria.

We have been and continue to be nation leaders in this reform space, but we have to do more, because the instances of family violence that are witnessed in too many homes across this state still need to be addressed. We have made significant changes and significant reform and I believe we are making progress, but there is much more to be done. That is why it is important that this legislation takes a couple of key steps to strengthen the legislative framework to support and protect women from violence. The first is to extend the ongoing use of digitally recorded evidence from police body-worn cameras as evidence-in-chief in cases of family violence. The provisions of the Criminal Procedure Act 2009 relating to digitally recorded evidence-in-chief in family violence provisions are due to sunset on 3 October 2024. The use of digital statements through police body-worn cameras provides greater options to victim-survivors to make sure that their evidence is recorded – importantly, not just in their own words, but to demonstrate the impact in ways that only audiovisual representations can. There are instances, of course, where video evidence – video recordings – can be much more impactful than just words on a page, and any assistance that that provides within the context of the justice system to resolve these family violence matters more efficiently and with less trauma is something that we should all support.

The provisions that will form a part of this bill will still, importantly, retain choice for victim-survivors of family violence over whether body-worn cameras are used for their statements. But we know from research and from practice that the approach works, and we know from listening to victim-survivors that they support their use. The trial of digitally recorded evidence-in-chief from body-worn cameras was introduced following the recommendations and report of the landmark 2015 Royal Commission into Family Violence, a royal commission established by this Labor government and implemented in full by this Labor government – all 227 recommendations implemented from that royal commission.

But there has been further research since 2015 to demonstrate the efficacy of the use of digitally recorded evidence and statements from body-worn cameras for victim-survivors of family violence. Criminology research released earlier this year showed support from victims of family violence whose cases involved the use of police body-worn cameras as evidence-in-chief. They trusted the use of these cameras and they believed them likely to produce objective evidence in their case. Furthermore, the victim-survivors who took part in the survey were optimistic about the potential for police body-worn

cameras to hold perpetrators accountable, enhance opportunities for prosecution and assist police in further identifying an abuser. So we see from practice and we see from research that the use of footage from body-worn cameras as evidence-in-chief in domestic and family violence prosecutions is something that is both supported and effective in criminal prosecutions. This legislation introduces that provision into law on an ongoing basis.

The second amendment that this bill proposes relating to family violence here in Victoria provides a complete defence against defamation over reports made to police. Coming forward to police as a victim-survivor of family violence is an intensely traumatic experience. The system has to ensure that victim-survivors can tell their stories without fear or threat, and one of the fears that many have had, or some have had, and the threats that some have received are of alleged perpetrators using threats of defamation action in an attempt to silence victim-survivors from telling their story. So the amendments proposed in this bill will make a complete defence in defamation law about these reports that are made to police. They arise from, again, practice and research, and a recent study showed that there are serious concerns that victims of family violence are choosing not to report crimes against them due to the fear of legal action. That report suggests that between 70 and 90 per cent of Australians who had been sexually assaulted had not reported their most recent assault to police. What we can do to make sure that people feel confident in making police reports by making it absolutely clear that they will not receive threats of defamation for making such reports to police is, I think, an important way that we can underpin principles of justice in the criminal justice system.

The other important element to this is that it is consistent with agreements that have been made to amendments to defamation law across jurisdictions. The defamation reforms in the bill have been developed by all jurisdictions represented on the model defamation law working party and approved by the Standing Council of Attorneys-General. In 2023 SCAG agreed that jurisdictions will use best endeavours to enact the reforms for commencement this year. They are a small but important step in the right direction in helping women and other victims of domestic violence or family violence and in helping bring perpetrators to justice – two important steps. We know there is more to do, and I think what you can demonstrate from the work that this Labor government has put in over the last nearly 10 years is that we will not stop until the scourge of family violence in Victoria is dealt with.

A few of the other amendments that the bill makes are in relation to some other more technical aspects of the legal system. I think one of the things that is certainly gratifying to see is that the bill amends the Crime Statistics Act 2014 to permit the chief statistician to require courts to provide certain data on request. The chief statistician will also have a further function to report on criminal justice issues and trends rather than only on crime statistics. The aim of this amendment is to provide for a regular protected sharing of data from applicable courts to the chief statistician, providing the community with much more detailed information on the impact of legislative reforms on the criminal justice system. While previously the courts had provided data to the chief statistician on an ad hoc basis, the more ad hoc nature and the lack of regular and consistent data sharing has presented and, as you would expect, presents challenges to policy development. Often those working in institutions appreciate the clarity that legislation provides. Providing a legislative framework and a legislative basis for the regular sharing of court data in a protected and confidential manner will, I absolutely believe, improve our understanding of the criminal justice system here in Victoria and of the impact that various pieces of law reform have across that as a whole.

We know that the chief statistician and the Crime Statistics Agency perform an exceptionally important function in the state of Victoria in independently reporting on crime statistics. The way that the Crime Statistics Agency within the Department of Justice and Community Safety has established its reputation for providing high-quality statistical analysis on matters related to crime data I think both speaks volumes to the work that has been undertaken by those dedicated public servants, many of whom I have had the experience of working with in the past, but also shows an appreciation that data plays an important role in shaping decision-making.

We should encourage different parts of our government, different parts of the institutions of our state, whether they be courts or members of the executive agencies, to be sharing that information so that we can learn about the impact of the policies and laws that we are passing. The amendments in this legislation have been designed to minimise any difficulties in data sharing or in requiring that things be held in an electronic format, including the requisite legislative protections and confidentiality requirements. At a practical level I am sure that the implementation as it rolls out will be done in a way to minimise the workload for courts. It builds on the way that the Crime Statistics Agency already has access to and uses data held by Victoria Police to inform its crime statistics, and it does so in a way that respects confidentiality and enables aggregation at a community level to draw insights for policymaking. We believe fundamentally that that is both a policy and a practice that can be replicated with respect to court data, and I think those amendments in this legislation will provide a lot of benefit to everyone who is interested in the development of good public policy here in Victoria.

There are some other amendments the bill will make, including clarifying matters with respect to electronic signatures so that documents under the Criminal Procedure Act 2009 can be signed using electronic means without requiring the consent of the receiving party under the Electronic Transactions (Victoria) Act 2000. The bill will also authorise the signing of documents by electronic means for the purposes of commencing criminal proceedings under the Criminal Procedure Act. There is a degree of uncertainty that exists about the use of electronic signatures with respect to certain matters that Victoria Police undertake. This bill will enhance efficiency for Victoria Police and other investigating agencies by expressly allowing the use of electronic signatures on court-related documents under the Criminal Procedure Act, allowing investigators to use existing technology to streamline procedures. The simplest manifestation of this is obviously using iPads or similar tablet-type devices in the field to collect written statements and apply signatures on them. It saves the experience I know many of us would have had of having statements taken on forms in triplicate.

There are a range of other minor matters that the bill proposes with respect to the operation of Victoria's integrity agencies. I will not go through those in any great detail other than to say that as a member of the Parliament's Integrity and Oversight Committee these are matters that we obviously keep a close eye on. The function of our integrity agencies is something that this Parliament has a great interest in through the members of the Integrity and Oversight Committee. The amendments that have been proposed in this bill will make small but important changes to ensure that those systems work more effectively, and we wholeheartedly support them. I commend the bill to the house.

Sheena WATT (Northern Metropolitan) (16:39): Acting President Galea, thank you so much for the call today to speak in favour of the bill before us, the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024. It has a number of moving parts worth noting but at its core is very simple. This bill is about ensuring that the Victorian people have the most thorough possible oversight of state powers delegated to the criminal justice system. One of the most important things we do in this place is make decisions about laws which can potentially result in a civil or criminal penalty against an individual, and it is a responsibility that I do not take lightly. I am supporting this bill before us because it gives the government more oversight capabilities and it gives the public more transparency in matters relating to civil and criminal penalties. Additionally, it gives more protection to victim-survivors of family violence, reminding us once again of the Allan Labor government's commitment to fostering safe communities for women who are disproportionately victimised by perpetrators of family violence.

Before I address the administrative aspects of this bill I want to spend some time outlining how the bill builds on the Allan Labor government's women's safety agenda, and I thank our Attorney-General, who sits with us here in this place, for her tireless work in preventing family violence. Thanks to bills like this, Victoria is leading the nation in the prevention of family violence. The Royal Commission into Family Violence made 227 recommendations to make Victoria a safe place for everyone in our community to live and grow. We have adopted every single one of those recommendations; many of the amendments in the bill are directly related to the recommendations

from the royal commission. As a result of that we have established Australia's first dedicated family violence prevention agency, Respect Victoria – and can I pay my respects to the team there for the incredible work that they do; we have opened 32 Orange Door services right across the state; and we have amended the way family violence intervention orders are managed to better protect victim-survivors. Further to that, we have introduced our tailored Respectful Relationships curriculum to 1200 schools. We have supported programs providing rapid safety planning and wraparound support to help women who are at risk of becoming homeless due to family violence.

In this bill we are amending defamation laws to protect victim-survivors from the threat of defamation when they report acts of violence committed against them. The reforms protect anyone who reports a crime, so victim-survivors of sexual assault and harassment outside of family settings will also be protected. We are also changing the way digital evidence can be used in family violence proceedings. The amendments in this bill give victim-survivors more choice in determining what sort of evidence is brought against perpetrators. The amendments in this bill are part of the Allan Labor government's much larger project to bring about the cultural changes we need to end family violence for good. Our government takes every opportunity to improve how our laws and justice systems respond to family violence.

In addition to this, we are changing the rules about how information concerning our criminal justice system is collected and shared with the government and the public. Firstly, this bill amends the Crime Statistics Act 2014 to permit the chief statistician to require courts to provide certain data on request. While the courts provide data on an ad hoc basis, the lack of regular data sharing has presented challenges to policy development by government. A legislated scheme provides a clear framework to allow regular sharing of court data in a protected and confidential manner. This change will allow the chief statistician to also have a further function: to report on criminal justice issues and trends rather than just crime statistics. This will open up a line of communication between the chief statistician and the criminal justice system, which will give us a much deeper understanding of how our criminal justice system functions. In turn, this insight will allow the government to make a more comprehensive appraisal of criminal activity within the state and it will allow our responses to be more thoroughly evidence led.

We are also protecting this amended system against mishandling. The amendments provide that courts can refuse to share data in some narrow circumstances, such as in the unlikely event that data sharing would affect the fair trial of a person. Identified data held by the chief statistician is subject to rigorous security measures, making it very unlikely that such circumstances would arise, but the amendments are there nonetheless, can I say. Additionally, Victorians have a reasonable expectation that their data will be handled securely, especially in the context of matters as sensitive as those covered by the criminal justice system. To this end the existing protections in the Crime Statistics Act will apply to ensure that police data is safe and secure. It will apply to ensure that court data is equally safe and secure, something I know many members would be keen to hear. We know that changes like this can raise some difficulties during the initial implementation phase, and the Department of Justice and Community Safety is working with the courts to develop the data-sharing processes to minimise workloads for the court as we implement these adjustments. Having been involved in this data sharing in the past I know it can be enormously complex, so thanks to all those that are about to undertake this important work. The amendments have been designed to minimise any difficulties in sharing data, such as by only requiring data that is held in an electronic format, for example.

We have taken a similar approach to amending the way documents can be signed under the Criminal Procedure Act 2009. Previously the legislation required the consent of the receiving party if a document was to be signed electronically, but our amendments in the bill before us today will remove that requirement for documents related to the Criminal Procedure Act. The previous system also created some uncertainty as to whether enforcement agencies in the criminal justice system could collect electronic signatures on documents like witness statements, for example, and our changes will enhance efficiency for enforcement agencies by expressly allowing the use of electronic signatures on

court-related documents. I will just make this very clear: this does not require signatures to be made electronically, it merely allows for their use. So for those that are more inclined to the physical signature, traditional means of physically signing a document will absolutely remain available.

We are also streamlining the use of electronic evidence in court matters relating to family violence. The bill allows digitally recorded evidence to be used in a proceeding related to a family violence related criminal charge or a family violence intervention order. This will provide more avenues for victim-survivors to present evidence in court without making oral statements, which can be retraumatising for victim-survivors; it is something we have spoken of in the past. This will also facilitate the early resolution of cases and reduce the administrative burden on the court system. I recall speaking on a bill a couple of years ago about how we can make the courts a physically safer space for victims of crime to attend, and now with this we are allowing more avenues for victims-survivors to present their evidence without making oral statements.

Can I also say that some of the measures have been in place on a trial basis since immediately after the 2015 Royal Commission into Family Violence, but these amendments make them permanent. I do remember their initial implementation after the royal commission from a position that I held before my parliamentary life. This means that victim-survivors will permanently have a choice between making their own statement or relying on state-gathered digital evidence when reporting family violence. Again, I will just repeat this: no-one will be required to use digital evidence. Traditional methods of evidence delivery will still be made available and both types can be used, even at the same time. The important thing here is that we are giving flexibility and control back to victim-survivors of family violence, and we are increasing the transparency of our criminal justice system as we do so.

As I mentioned earlier, we are changing defamation laws so that victim-survivors of family violence can report abuse without facing a chilling threat of litigation from a perpetrator – and I can only imagine what that means for family violence victim-survivors. This will mean that victim-survivors have the defence of absolute privilege from accusations of defamation when making reports to police or other relevant services. To be clear, this means that victim-survivors of family violence have complete immunity from a defamation claim in relation to their reports of family violence. We want victim-survivors to have complete trust in this state when they are reporting their experiences, and these amendments bring us that much closer to that goal.

In addition to this, we are bringing our defamation laws in line with the other jurisdictions right across the nation to clarify the liability of digital third parties in defamation cases. Back in 2021 there was a landmark High Court ruling which dramatically expanded the liability of certain parties in defamation cases. The Standing Council of Attorneys-General agreed that state jurisdictions in Australia should endeavour to make their defamation laws more uniform to give more clarity in future cases. The changes that are in the bill before us today largely accept the evidence of the Standing Council of Attorneys-General, which our Attorney-General does sit on, and follow similar changes made by both New South Wales and the ACT. The bill clarifies who is and who is not liable in defamation cases involving third-party online content. To offer more certainty for media outlets and of course also research platforms, we are introducing a liability exemption for search engines and some other conduit and storage services who unintentionally host content which is alleged to be defamatory. We are also introducing a defence for digital third parties like media companies and social media platforms who host content which is alleged to be defamatory, such as Facebook comments on an *ABC News* story, for example.

We are also introducing changes which will improve the effectiveness of our state integrity bodies and make their functions clearer to the public. For example, we will be changing the name of the Victorian Inspectorate to Integrity Oversight Victoria, which will be led by an officer called the Chief Integrity Inspector. It is important that these roles are understood by the community, and changes like this make their purpose much, much clearer. The bill also clarifies the role of the Public Interest Monitor. For those interested and listening in, the Public Interest Monitor's functions have recently been altered by

changes to the Commonwealth Telecommunications (Interception and Access) Act 1979 and the Terrorism (Community Protection) Act 2003.

Related to the data security provisions that I mentioned earlier, we are providing the Office of the Victorian Information Commissioner more flexibility to address complaints in a fair and timely manner. Relatedly, we are providing greater protection of information related to a person's gender identity under the Privacy and Data Protection Act 2014. We are also giving officers authorised by the Independent Broad-based Anti-corruption Commission the power to execute relevant search warrants. These changes will increase the integrity and transparency of our enforcement agencies and protect Victorians' sensitive data.

These reforms have been developed in consultation with many supportive stakeholders, including the Victorian Inspectorate, the Independent Broad-based Anti-corruption Commission and the Judicial Commission of Victoria. While other potential future reforms were raised during the consultative process for the bill before us, the wide range of reforms included in this bill are in most urgent need of action to allow our agencies to do their jobs as effectively and as transparently as possible. I think what we are also going to see is a range of further reforms led by the Attorney-General in time to come. Can I just say the bill allows our reporting and enforcement agencies to get on with the job of protecting vulnerable Victorians as effectively as possible. At its core it is a commitment to the principles of integrity and transparency, which Victorians rightly have come to expect from this government. With that and with the short time that I have remaining, can I say to you, Acting President, and to the chamber, I commend the bill to the house.

David LIMBRICK (South-Eastern Metropolitan) (16:54): I also rise to speak on the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024. I will start at the outset by saying that the Libertarian Party will not be opposing this bill. It is an omnibus bill that changes many areas of legislation, but I will start with some of the key ones. The first one is around our national reforms around defamation. As has been referred to in previous contributions, the High Court ruling in 2021 led to a series of severe – I would say chilling – consequences on speech on social media, especially for media outlets, news agencies et cetera online. You may notice that many of them disable comments because they are worried about getting sued for defamation. Even members of Parliament, I know, have been worried about what people might say in comments on their page and that they might be liable. This agreement and this legislation will clarify the liability and non-liability of the platform providers and who is actually responsible and what the processes are, so that is a welcome change. I hope that once again soon we will see comments enabled on news websites and news social media sites, and maybe some MPs can be not so strict with allowing commentary on their pages.

There are some other points. There were some changes recommended by the Royal Commission into Family Violence, including being able to use body camera footage for witness statements with the consent of the victim. This is an excellent reform, which the Libertarian Party supports. There are also other minor changes to integrity and oversight agencies which make some minor improvements; we support these and also updating information-sharing arrangements between the courts and the chief statistician.

One concern, which I would like to thank the Attorney-General's office for consulting with me on, around the defamation changes is that effectively the platform provider – it could be a social media company, for example – could get a complaint from someone saying that they believe a comment made about them was defamatory and then they would take that down. My concern is that this might introduce an unintended consequence where you could get vexatious online campaigns to say that things are defamatory when they are not in order to silence speech. It would be a very unfortunate consequence if that were to occur, and that is the intention of one of the amendments that I may seek to move in the committee stage, although I am still in discussion with the government about that and the best way of handling that, but that is a real concern of mine that that may happen. Nevertheless I think that in the overall scheme of things this does improve the ability for freedom of speech, because

platform providers will be able to allow discussions to happen without being concerned at being held liable for comments that others have made on their platforms, so that is a good thing.

One of the other changes is around making complaints about sexual assault and providing indemnity against defamation when you go to the police with a complaint around sexual assault. I believe that this is an excellent reform. It does help take away a barrier. There are many barriers for victims of sexual assault. Again, I am concerned about one potential unintended consequence of this though in relation to things that may happen in the workplace. Victims of minor assaults in the workplace may prefer to go through workplace processes before going to the police. I am concerned that this might set up an incentive to go straight to the police and bypass any sort of internal processes at work. I am concerned that that may be an unintended consequence of this. But nevertheless for victims to be able to be reassured that they can make a complaint to the police and not be held liable for defamation is a good thing that will hopefully help reduce barriers for people who are victims of sexual assault, because as we know there are many people who are victims of these sorts of awful crimes who are very reluctant to get involved in the justice system because they know how terrible it is and they know all the barriers, and they do not want to go through it all and they are denied justice. I am hopeful that these reforms will go a small way toward helping those people obtain justice.

With that said, I will close by saying that despite some concerns about some of the potential unintended consequences of this bill, overall it is a positive reform, I believe, and it helps both the provision of justice and also the provision of people to be able to speak more freely, especially online. For that reason the Libertarian Party will be supporting this bill.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:00): Thank you, members, for your contributions today on this important bill. It covers a lot of different topics, some of them quite complex, so I do appreciate the time that members have taken to engage with my office and the department in relation to briefings and particularly for those that have got some amendments and further questions, which we will address in the committee stage. It is a bill that is a regular opportunity to improve the operation of our justice and integrity systems. There is lots of detail, as I said, but I will seek to go through a few highlights. I also have a house amendment to move that will hopefully be available imminently or before the conclusion of my contribution – otherwise we might have to move it in committee on Thursday.

I did want to take the opportunity to give a bit of a summary. I certainly am looking forward to the opportunities for better informed policy arising from the court data reforms that are proposed in this bill. The bill includes a new framework to enable the chief statistician to require courts to provide certain data, particularly for criminal and quasi-criminal policy development. The drafting has been informed by existing provisions applying to Victoria Police data. We have not just replicated the provisions – the advice was that that would not necessarily be workable – but rather we have developed a bespoke provision for court data because courts hold different information than police. The functions of police and courts are obviously different, but we do want the data to line up. We want a clear obligation to ensure the security of such data to apply for that as it does currently apply to the provision of data from the police.

Defamation is a topic that is often boring but sometimes quite interesting, and I do not want to go into too much detail about some of the interesting political defamation matters on foot at the moment. Often defamation is quite technical and procedural. Indeed these reforms are largely just that, but I do not diminish the importance of them. They have taken some time because it has been a process that has involved cooperation with several states to land consistency. There will be the opportunity to answer specific questions in committee, of course, but I just do want to reiterate that these reforms were developed by all jurisdictions represented on the model defamation law working party under the Standing Council of Attorneys-General, known as SCAG. The working group consulted with expert reference groups on the reforms. Exposure drafts were available online and further submissions were invited, so there was extensive opportunity for people to feed their views in. Indeed there were public

and stakeholder consultations that have been picked up in formulating these model clauses that are now replicated in the bill here in Victoria.

The digital intermediaries part was led by New South Wales. New South Wales and ACT have already implemented and legislated these reforms; our bill is a direct replication of these changes. Uniformity is especially important in this space because obviously digital intermediaries and service providers operate and effectively publish material across state borders. I do note that Mr Limbrick has been in conversations with my office – constructive conversations – about some of his concerns about the workability of these reforms. We can definitely take the opportunity to explore that in the committee stage so that everyone has full clarity on why the laws are written as they are and to answer any of Mr Limbrick's concerns about any impingement on freedom of speech, which is something that Mr Limbrick is well known for – his advocacy in that space.

The absolute privilege part – I think I have got full bipartisan support in relation to this, from what I have heard. It is a complete defence to cover reports made to police in their official capacity. This is a really important reform. It is where the threat of defamation has a chilling effect on sexual violence and harassment reporting. We know that this is a real thing, and we want to ensure that this can be removed and that individuals that are victims are not concerned about threats of legal action for going to police in relation to reporting harassment and sexual violence that they have been victims of. Importantly, the bill does not extend the immunity to other statements and publications which would follow the ordinary process, such as reports in the press, for example.

We are extending the use of body-worn camera evidence in family violence proceedings – again, a rather small reform but an important reform. It provides options for victim-survivors. It has been a trial, and continuing it is something that we believe has merit on a permanent basis. We are working really closely with police on other reforms to family violence and stalking intervention orders, delivering on our government's commitment to continually improving our justice system's response to women's safety. The ability to provide evidence on a body-worn camera is something that is particularly useful to victims – it means that they can avoid the retraumatisation effect of having to repeat their story – but I do want to emphasise that it is an option, not a mandatory requirement in relation to reporting family violence incidents.

The bill does have many minor amendments that relate to integrity acts. It is mainly procedural and technical. They can be very detailed and sometimes minor, but they are useful reforms that have been directly a result of the engagement that we have had with agencies to improve their operation and effectiveness, and on that I also have a house amendment that I will be seeking to address.

The PRESIDENT: Do you want them distributed?

Jaclyn SYMES: They are on their way, I think, so we will see how we go. But I can give an overview of them anyway. I think they have been distributed informally via email, so this is no surprise to members in the chamber today.

The Integrity and Oversight Committee can accept complaints about the Victorian Inspectorate in very limited circumstances in relation to the committee's monitoring and review function, and the intention of an offence provision in our legislation is not to displace this function. To ensure that the intent of the offence is clear, however, the house amendment is, on the advice of the IOC, about amending clause 108 of the bill so that it can be made explicit to provide an exception to the offence for disclosure to the IOC for the purposes of making a complaint about the Victorian Inspectorate. The IOC can also receive, handle and investigate public interest disclosures about the Victorian Inspectorate. The Public Interest Disclosures Act 2012 is clear that a discloser is not bound by a provision of any act that imposes a duty to maintain confidentiality with respect to a matter or any other restriction on the disclosure of information. This bill does not amend those protections in the Public Interest Disclosures Act. However, we are proposing a house amendment that references the relevant rights under the

Public Interest Disclosures Act in sections 39 and 40 to put beyond doubt that that is clear. I would like to thank the IOC for their consideration and feedback on the integrity amendments in this bill.

That is pretty much the summary of what is contained in the bill, but I might take the opportunity whilst the house amendments are being printed to touch on some of the amendments that I know will be forthcoming in the committee and perhaps front foot some of that. I might spend some time, Mr Mulholland, on your sponsored amendment, which we are not in a position to support, and I can explain why. It is not an offensive amendment in any way, shape or form; I just do not think it makes sense based on practice and indeed the existing and remaining discretion of IBAC. Mr Mulholland's amendment is removing the requirement to provide advance copies of integrity reports to the Premier and instead inserting a 'may'. Existing section 162A already requires IBAC to provide an advance report to the minister, which presently is the Attorney-General. People may remember that the responsible minister prior to it being the Attorney was the Special Minister of State, which would explain why the legislation requires an advance copy to go to the minister and to the Secretary of the Department of Premier and Cabinet (DPC). With us no longer having a SMOS and with the Attorney taking back the role that they originally had in terms of having the administrative responsibility for IBAC, there is now a misalignment between the relevant minister being the Attorney and the departmental secretary being the secretary that was the SMOS's secretary, who obviously is not my secretary; the secretary that I deal with is the Secretary of the Department of Justice and Community Safety.

The government's version of the bill does insert new sections to provide that if IBAC intends to transmit a report to Parliament, IBAC must provide a copy to the Secretary of the Department of Justice and Community Safety – because, as I have just explained, as the relevant minister referred to in the act, it is appropriate that my department receive an advance copy in order to assist in briefing practices – but it also adds the Premier, which is catching up to the fact that the current legislation requires a copy to go to the Department of Premier and Cabinet, so it is effectively aligning the minister and Premier with their relevant departments. The amendment in the bill therefore is seeking to reflect proper practice and often what very much already happens, because IBAC, as I have said, has the discretion already to provide advance copies to relevant ministers at its discretion.

Those are my amendments, and then the house amendment, as I understand it, Mr Mulholland, is effectively requiring the removal of the Premier, when we are seeking to catch up to custom and practice. In one sense it is kind of a moot point, because IBAC can decide whether to do so or not. The problem with your amendment is that you are proposing to keep DPC but not add the Premier. Your amendment would make more sense to me if you had sought to remove the Premier and DPC, but effectively your amendment is saying that it is okay for the relevant minister – the Attorney-General – and her department to have a copy for the purposes of briefing, but you are also keeping in DPC but saying, 'We probably shouldn't have.' It is not an obligation; they have already got that discretion if they do not want to. There is no obligation on IBAC to give me a copy. We are trying to make it sensible by saying, 'If it's DPC, it should be both DPC and the Premier' – and similarly for me and my relevant department. The way you are proposing to do it makes it a bit clunky, in my mind. But again, it is not a die-in-a-ditch amendment. I am going to oppose it because I do not think it is proper practice. It is clunky, as I said, but again, IBAC have full discretion as to whether they want to provide advance copies or not. I think I have addressed Mr Mulholland's amendment, which we can come back to in the committee stage.

Mr Limbrick, thank you again for your consultation on your amendments. We have got a few more discussions to have, which is why it is a good opportunity to take the time and not proceed to committee this afternoon. What I will do in my last 1½ minutes is formally circulate my house amendments, please.

Amendments circulated pursuant to standing orders.

Jaclyn SYMES: As I have said, they have already been forwarded to parties for their consideration. They are a direct result of feedback from IOC. I do not think anyone will have any major difficulties with them. They are largely clarifying amendments. If anyone has issues, they are more than welcome to take them up with me on Thursday in committee.

Motion agreed to.

Read second time.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:15): I move:

That the bill be committed to a committee of the whole on the next day of meeting.

Motion agreed to.

Adjournment

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (17:15): I move:

That the house do now adjourn.

Prostate Cancer Awareness Month

Georgie CROZIER (Southern Metropolitan) (17:15): (1067) September is Prostate Cancer Awareness Month, and this is an issue dear to my heart after losing my brother to prostate cancer six years ago almost to the day. The Prostate Cancer Foundation of Australia came and met with me last week, and they are concerned around the lack of awareness that many Victorian men have around this really terrible disease. Last Thursday was Daffodil Day. It raises funds for vital research and also provides great hope and represents that hope for a cancer-free future. They do a tremendous job in raising that awareness and funds through that program. But in Australia the latest statistics are that 26,368 Australian men will be diagnosed with prostate cancer in 2024 and 3901 Australian men will die from prostate cancer this year. In Victoria in 2022 there were 5821 Victorian men diagnosed with prostate cancer, and since 2013 to 2022, those last statistics that I could find, the incidence has increased by an average of about 1.5 per cent per year. The mortality has stabilised between that period as well, so we are not really making big inroads in terms of the severity of this disease.

When I was speaking to representatives from the Prostate Cancer Foundation they were talking about the need for greater awareness, and I agree with them. I think there needs to be a much bigger emphasis on men's health and prostate cancer. We have brilliant programs around breast cancer – Pink Lady days and a range of really fabulous initiatives that raise that awareness of those suffering from breast cancer – and I would like to see the same initiative and the same emphasis and activity put into men's health and prostate cancer. I was pleased to hear that Professor Jeff Dunn, who is the chief of mission and head of research for the Prostate Cancer Foundation of Australia, said that greater awareness would be key to reducing deaths from this disease, and it would be. We need to be educating, detecting early, looking at family histories and identifying those risks so that other men do not have the same poor outcomes that we are seeing, and we need to be doing more to ensure that Victorian men, and indeed men right around the country, have a better rate of survival. There is fantastic advancement in medical technologies and treatments – there is no doubt about that – but prostate cancer takes too many men's lives each year, and the action I seek therefore from the Minister for Health is that she actually prioritises men's health and raises the awareness of prostate cancer as well.

Land Forces International Land Defence Exposition

Samantha RATNAM (Northern Metropolitan) (17:18): (1068) My adjournment matter tonight is for the Premier. Recently my Greens colleague Ellen Sandell in the other place asked the Premier if the government would cancel their sponsorship of a weapons expo here in Melbourne that will feature and promote weapons companies, such as Elbit Systems, who are providing the means to bomb

Palestinians. During the exchange the Premier said that she disagreed that war is made possible by weapons, that it is the humans who make these decisions, not the weapons. The argument the Premier used to justify Labor's support of weapons companies is the same argument used by conservatives against gun control – we have heard it before: guns do not kill people, people kill people. We know why that statement is wrong.

Our governments once cared that access to weapons purely designed to kill, like guns, caused more extreme violence and more devastating attacks, and so we as a country introduced some of the most successful gun control policies in the world – laws we are all proud of as a nation. But the Premier and Labor now deny how the continued support of companies that are manufacturing weapons that only exist for the mass slaughter of human beings just leads to more extreme violence. Instead, Labor are supporting weapons companies and are entering into an MOU with Israel because:

Globally countries are investing significant funds to protect their national interests with military capabilities aligned to this environment.

This MoU is a pathway for meaningful cooperation between Israel and the State of Victoria to capture and share these opportunities.

This is from a government document about the MOU obtained by the Greens through an FOI request. Labor saw countries investing in their military capabilities and wanted to 'capture and share these opportunities'. Weapons designed to kill which should be met with horror are instead seen as an opportunity, and Labor justify this using conservative rhetoric about how it is not actually the weapons making it possible to kill tens of thousands of Palestinians.

Right now tens of thousands of people are fleeing and sheltering, petrified for their lives in Gaza. My grandma used to talk about the sound of shells falling and the horror and fear they experienced when their towns were bombed in Jaffna in Sri Lanka. With the mind of a child, I tried to picture an empty shell – something else, something more innocuous and less harmful – in the vain hope that she was not describing an actual bomb. But I could not deceive myself or protect myself from the truth. At our primary school we did not have fire drills; we had bomb drills. Once you see the face of war, your life is never the same.

So please listen to the community. Listen to us when we plead for peace and disarmament. Premier, will you stop supporting weapons manufacturers who are profiting off the death and destruction of Palestinians and cancel your government sponsorship of the Land Forces weapons expo?

Container deposit scheme

Sheena WATT (Northern Metropolitan) (17:21): (1069) In just a couple of months we will see the one-year anniversary of Victoria's container deposit scheme (CDS) – a milestone I am very much looking forward to. Even though we have not yet had it for a year, we have had over 750 million containers returned through the scheme. I made a pretty good contribution to that number with my office –

A member: Tell us more.

Sheena WATT: Yes, I am a big fan of San Pellegrino, and there is much San Pellegrino that has been recycled through my office. There were 750 million containers returned. That is \$75 million put into the pockets of Victorians as well as saving plastic and aluminium from going into landfill, our oceans and our bushland. I recently went to my local CDS reverse vending machine on Union Street and dropped off my office's contribution to the scheme, and it was packed. There were families with their kids making some pocket money, share houses fighting over what to spend their profits on and even an older lady who had an entire trash bag filled with milk bottles. There you go. These CDS machines have really become a new staple of the everyday lives of many Victorians, and a trip to one of these machines will always give you an insight into the wide diversity of Victorians with one commonality – they all love recycling and they all love the CDS. It is a love that I share, and it is one I am sure the Minister for Environment in the other place shares. Today my adjournment matter is to

ask the Minister for Environment to visit one of my local reverse vending machines to celebrate the one-year anniversary of the scheme.

Reset Victoria Rally

Gaelle BROAD (Northern Victoria) (17:23): (1070) My adjournment matter is for the Premier following the recent Reset Victoria Rally in Bendigo last Friday. Nearly 500 people came from across the state for a very vocal and heartfelt rally at the All Seasons Resort Hotel. The rally reflected the deep level of community fury over the Allan Labor government's lack of consultation on high-voltage transmission lines planned for Victoria, along with a range of other issues. Speakers at the rally were especially upset and angry about the government's approach to implementing renewables. They believe rural and regional Victorians are being treated with contempt and have been left feeling like second-class citizens. Proposals for wind and solar projects and the potential damage that transmission lines will have on farmland and their livelihoods have left farmers feeling extremely frustrated and angry. Decisions are being made without proper consultation. Regional communities will be home to solar panels, batteries, wind turbines and transmission lines, but the Allan Labor government is taking their rights away by removing the right to appeal.

On top of this the cost of living, cuts to health services, our crumbling roads, poor education outcomes and a lack of childcare places – all of these things are hurting our communities. The government is forging ahead with its very expensive Suburban Rail Loop while country residents are feeling like the poor cousins. I attended an event at Parliament House today, and the Premier said, 'When you listen to people and understand people, you get better outcomes.' Well, the same action is what I ask the Premier to take: to extend the same courtesy and meet farmers, landholders and key stakeholders face to face to listen and discuss the direct impact of renewables in northern Victoria. Friday's rally aimed to tell the Premier that rural and regional Victorians matter, and they certainly sent that message loud and clear.

Youth mental health

Sarah MANSFIELD (Western Victoria) (17:25): (1071) My adjournment is for the Minister for Mental Health, and the action I am seeking is a commitment to developing a whole-of-government youth mental health strategy. The *Lancet Psychiatry Commission on Youth Mental Health* was published this month. The landmark global report, led by Professor Patrick McGorry, took four years to develop and was contributed to by scores of people. It paints a stark picture but should be compulsory reading for every MP.

Mental health issues now account for the greatest burden of disease and are the leading cause of death for young people in this country. Rates of mental ill health have risen steeply since the early 2010s, well before the COVID-19 pandemic hit, and it is something that I experienced unfolding in my work as a GP. Almost 40 per cent of young people now have a diagnostic-level mental illness, and for young women it is almost 50 per cent. The report delves into the drivers of this dramatic and disturbing shift, identifying several global megatrends, including neoliberalism and growing economic inequality, loss of rights for young workers, unregulated social media, job insecurity, housing unaffordability and climate change. In other words, the future for young people is currently bleak.

Addressing this monumental public health crisis should be a priority in and of itself on moral and human rights grounds, but if all you care about is economics, then this report presents just as much of a compelling case to act. Failing to act will cost us all, particularly as our population ages. We are increasingly dependent on young people to support society. On the flip side, prevention and treatment of mental ill health in young people has a potentially enormous return on investment, significantly greater than most other areas of health care, where far more money is currently spent. Unfortunately, youth mental health continues to fall down the priority list for governments. As the report identifies, only a small proportion of young people can access adequate mental health care, and primary prevention is totally neglected by governments in their failure to meet young people's needs more broadly.

We need an urgent whole-of-government response. Not only do we need a massive boost to youth mental health services to meet the needs of young Victorians, we must also address the drivers of poor mental health. This means targeting specific and well-recognised risk factors such as childhood neglect and abuse, as well as those that are more universal, like housing unaffordability, lack of economic security, lack of workers rights and, critically, the climate crisis. As the report forcefully argues, the policies that have generated this situation are the result of political and ideological choices. It is time this government made choices that value young people and protect them from preventable harms to their mental health.

South-Eastern Metropolitan Region schools

Michael GALEA (South-Eastern Metropolitan) (17:28): (1072) My adjournment matter this evening is for the Deputy Premier and Minister for Education Ben Carroll, and the action that I seek is for an update on the support provided to students in the south-east of Melbourne through the government's Building Fund for Non-Government Schools. This building fund is a \$450 million commitment to supporting low-fee independent and Catholic schools right across Victoria with essential building, expansion and other capital projects. Over the past year I have been absolutely honoured to work with one such terrific school in the area of Clyde North, and that is Clyde Grammar school.

We have an array of exciting new government schools opening in this area. Just as they are important, so too is the role of schools like Clyde Grammar in meeting the extreme demand that we have for schooling places in our growing suburbs. It is a terrific school, and I have had the opportunity to meet with them quite a few times and to meet with their students as well. I am delighted therefore to see that Clyde Grammar is one of 11 schools and has just been announced as a recipient of funding through the independent stream of round 1 of this Building Fund for Non-Government Schools with an investment of \$3.6 million by the Allan Labor government to support the school.

Why it is so fantastic is that as the suburb of Clyde North is growing, so too are great schools like Clyde Grammar. Currently they take enrolments from prep to grade 4, and they are increasing that year by year, so today's grade 4s can be next year's grade 5s and so on. This \$10.6 million project, which the \$3.6 million in funding from the state government will be supporting, is critical, because without it the school would not be able to build the facilities it needs for the current grade 4s when they reach year 7. I am very excited to see this very timely announcement by the Deputy Premier, because it is going to ensure and guarantee that these young families who have moved into Clyde North who are at this terrific school – as with our other terrific local schools – have the choice of staying at that school as their kids go through year to year.

It does come on top of unprecedented investment that we have made in education right across the state of course but particularly in the south-east. In that same suburb alone of Clyde North we already have Ramleigh Park Primary School and Grayling Primary School, which have opened in the past few years, and Topirum Primary School, which opened this year. We are currently building a new onsite kindergarten at Topirum Primary, which is going to mean that students at that kindergarten can go straight into the primary school next door. I did have the great honour of having Minister Blandthorn here joining me at that site as well. On top of that, we are currently building three more public schools in the Clyde North suburb – that is one secondary school and two further primary schools – all of which are to meet the extremely strong demand for schools in this part of Melbourne's south-east. The action that I am seeking from the minister is an update on how the Building Fund for Non-Government Schools will continue to support students in south-eastern Melbourne.

Women's rights

Bev McARTHUR (Western Victoria) (17:31): (1073) My adjournment matter is for the Minister for Women and concerns women's rights in Victoria. I attended the well-organised and impeccably behaved Women Will Speak rally earlier this month on the steps of Parliament House. I did not turn up to be provocative but simply to defend fairness, safety and respect for women – basic rights which

it still astonishes me are under attack in our state. Yet like other speakers at the rally, I was hit with eggs thrown from just behind police lines. It is beyond disgraceful. Radical trans zealots and professional protesters will go to any lengths to shut down and drown out those they disagree with. Blaring music, offensive chants, throwing eggs, placards, distraction, disruption, violence and intimidation – they throw anything but actual arguments. How appalling it is not just that hundreds of police are needed to protect a handful of women exercising their rights to free speech on the steps of our Parliament but that those police were attacked and abused by the same thugs. It was notable that the anti-women rabble were also joined by the anti-Israel Palestinian flag wavers. Of course women's rights are not high on the priority list with Hamas terrorists and many of their supporters.

That women – that is, adult human females – now have to fight even to have their basic definition recognised demonstrates just how far we have sunk in this so-called progressive state. Yet despite this, foreign minister Penny Wong last week said:

Australia condemns the Taliban's efforts to silence the voices of Afghanistan's women and girls.

...

We stand together ... in support of their human rights.

What about the rights of Australian women, Ms Wong, to safety, to toilets, to prisons, to women's refuges, to fairness in competitive sport, to recognition of our own language? Just this week in *Tickle v. Giggle* we have seen the Federal Court's ruling on the nonsensical, deeply unjust consequences of Julia Gillard's 2013 amendment. At the Women Will Speak rally we heard from the Lesbian Action Group, who next week will appeal the Australian Human Rights Commission's rejection of their application to hold women-only lesbian events.

Contrary to the lies and propaganda perpetrated by aggressive opponents, neither I nor the women's rights advocates that I know are anti-trans. I have always said people should be able to be and act as they wish so long as they respect the rights of others. This is not anti-trans, it is pro women's rights. The action I seek is for the minister to disassociate herself from the radical trans zealots who prefer noise and violence to logical argument and whose ignorant abuse can only be designed to intimidate women and to drown out their legitimate core beliefs.

Metro Tunnel

Katherine COPSEY (Southern Metropolitan) (17:34): (1074) The action that I seek this evening is for the Minister for Transport Infrastructure to deliver on the Park Street tram link and the tram network reforms that the Metro Tunnel can unlock. The *Age* recently revealed a leaked report that says:

Government has approved in-principle descopeing [of] the Park Street Link ...

This 300-metre missing tram link along Park Street, along with other tram reforms, are not add-ons that can be cancelled when they become inconvenient to the government; they are an integral part of the Metro Tunnel project. Tram reforms formed part of the original business case for the Metro Tunnel, with the choices of tunnel alignment and station locations specifically justified on the basis of relieving pressure on St Kilda Road and Swanston Street tram services, which the business case document quotes as being congested and 'currently operating close to capacity'.

This short 300-metre section of tram track on Park Street, a tiny fraction of the whole project's budget, would provide fantastic value for money and really increase the benefits to the local community and interconnected areas. It would enable tram routes from the St Kilda Road corridor to be diverted through South Melbourne to Spencer Street and Docklands, providing much-needed cross-town travel options and better connectivity to these parts of the city. This would also help trams act as feeder services to and from the new Anzac station, bolstering passenger numbers on the Metro Tunnel trains. The City of Port Phillip have also expressed their concerns about the prospect of this important link being dropped without any notice. Minister, I ask you to deliver on your government's promise to the

people of Victoria and my electors in Southern Metro by delivering the Metro Tunnel project in full, including the Park Street link and associated tram route reforms.

Economic policy

Richard WELCH (North-Eastern Metropolitan) (17:36): (1075) My adjournment matter is to the Treasurer. The economic management of this state is in freefall. We have the highest unemployment and conversely the highest inflation as well. We have businesses lost to tax, to energy costs and to regulation. We already have the highest debt in the nation, and it continues to grow. Victoria's credit rating has been downgraded twice under the Labor government, and now we have the lowest credit rating of any state in Australia. Another downgrade seems possible if not probable. These downgrades mean more money is spent servicing Labor's ever-increasing debt. At the present AA rating, by 2028 we will be spending \$26 million a day in interest. Each downgrade increases the cost to Victorians, diverting more money away from where it is needed in hospitals, infrastructure, teachers and schools.

The key question that needs to be asked is whether the government believe there will be another downgrade. Indeed, Treasurer, you yourself are wondering the very same thing, because documents obtained through freedom of information revealed that you commissioned a private credit assessment from Fitch in April 2022. The results of this publicly funded report have never been released, raising concerns about what the Labor government might be hiding. The key concern is whether a further downgrade is looming.

We already know the government's economic strategy is unsustainable and reckless. The lack of transparency about the secret credit rating assessment adds doubt and alarm to all in the state. We simply cannot continue this way. We cannot continue to watch the government push us further into debt and closer to another downgrade while propping up project after project that blows out. Victoria's future generations will inherit this mounting debt, limiting their opportunities and prosperity. How can we look our children in the eye and honestly say we are doing the right thing by them? The time for action is now, before it is too late. Will the Treasurer release the Fitch credit ratings that he commissioned, and will he guarantee that Victoria's credit rating will not fall any further on this government's watch?

Disability advocates

David ETTERSANK (Western Metropolitan) (17:39): (1076) My adjournment is to the Minister for Disability. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability highlighted the vital role that independent advocates provide for people with a disability and their families. From helping people to navigate the tortuous bureaucracy of the NDIS to supporting them to access the best educational environment for a child with a disability to advocating for housing that fits their needs, disability advocates work for the rights of their clients to live their lives the way they want to live them. For vulnerable people with a disability who do not have a family, they can rely on an advocate to support them, and this is ever more crucial.

Over the previous decade the disability advocacy sector has evolved from being largely made up of volunteers to a professional workforce. This professionalisation has been welcomed by the sector, but it does come with increased costs. Aside from wages, advocacy services must meet the costs of compliance, training and long service leave entitlements, so the annual \$3.8 million base funding the sector receives from the state government is no longer adequate. Most advocacy organisations are already working at capacity, some operating on deficit budgets. Disability Advocacy Victoria predicts that if nothing is done, two-thirds of these organisations will be forced to make staffing cuts by the end of the year.

The sector is also in a state of transition. The recent NDIS review recommends establishing a system of foundational supports. These support services for people with a disability, including advocacy support, will sit outside individualised NDIS funding. These are the sorts of supports that were funded by the states before the establishment of the NDIS, but there is some disagreement over which level

of government will now pay for these foundational supports. While the state argues with the feds over who will foot the bill, the need for advocacy support to tackle abuse, discrimination and violence towards people with a disability continues to grow. So the action I seek is for the minister to provide emergency funding to Victorian disability advocacy services until the NDIS's recommended system of foundational supports is in place.

Melton planning

Trung LUU (Western Metropolitan) (17:41): (1077) My adjournment matter is for the Minister for Planning and regards approval rates for stormwater drainage systems in the western suburbs, in my electorate. The action I seek is for the minister to commit to reducing red tape and addressing the delay in approval rates for these stormwater systems in the Melton City Council region. Recent correspondence between developers, councils and Melbourne Water concluded that several large residential properties in the outer suburbs have been delayed by at least between nine and 12 months due to Melbourne Water's backlogs in stormwater drainage system approvals and a lack of resources to properly address the queue. The government has outlined a plan to build 132,000 new homes in the Melton City Council region by 2050, and an estimated 1000 homes have already been affected by these delays. How can Premier Allan seriously deliver cheaper housing options to people in the outer suburbs when delays like these are going on? A clearer option and solution would be to cut the red tape and impose caps on the time taken to approve drainage plans. This would not only provide an incentive for Melbourne Water to reduce regulatory delay but also speed up the approval process, delivering thousands of cheaper and more accessible homes in the western suburbs, in my electorate. So I ask the minister: will the Allan government commit to reducing red tape and addressing the delay in approval rates for stormwater systems in the Melton City Council region to help deliver cheaper homes to families and make the west a more livable, affordable place for all Victorians?

Land Forces International Land Defence Exposition

Georgie PURCELL (Northern Victoria) (17:43): (1078) My adjournment matter is for the Premier, and the action that I seek is for the Victorian government to drop their sponsorship of the Land Forces International Land Defence Exposition. Land Forces is Australia's largest weapons expo, and it is coming to Melbourne for three days in September. Shamefully displayed as a principal sponsor is the Victorian Labor government. One of the exhibitors is Elbit Systems, a weapons manufacturer that not only calls Victoria home but that many of us have continuously called on the Victorian government to end its partnership with. Elbit's weapons are designed to burn human flesh off the bone. They produce projectiles designed not to penetrate the body but to pass through it. Human rights groups have long sought a ban on these projectiles due to their imprecision, and their use in densely populated areas is a breach of humanitarian law. They produce small bomblets that can kill civilian populations years after their landing. The weapons that Elbit produce cause such unimaginable cruelty that our sovereign wealth fund, the Future Fund, deemed this company to be an excluded investment. It was even Elbit's drones that were responsible for the deaths of the six World Central Kitchen aid workers. The terror caused by these weapons is very difficult to think about, even more so when you know people in Palestine are at constant risk of being killed by them each and every day.

I have told you all about Muhannad and his family and their work with Sulala Animal Rescue, Gaza's only animal welfare organisation. They are still alive, but every second of their lives is occupied by the knowledge that it could be the last, with the sound of drones constantly over their heads. The Victorian Labor government constantly claims that there is no role for them to play in ending the relentless slaughter and displacement of Palestinians by Israel. That simply is not true. This is just one meaningful action that they can take right now to ensure that Victorian taxpayer dollars are not used to fund and support the weapons companies causing unimaginable suffering to civilians not just in Palestine but around the world. I urge the Premier to drop the government's sponsorship of this event that has absolutely no place in this so-called progressive state.

Planning policy

David DAVIS (Southern Metropolitan) (17:46): (1079) My matter for the adjournment tonight is for the attention of the Minister for Planning in the other place. It concerns the government's announcement in recent days of 10 centres within metropolitan Melbourne where it proposes to strip councils and communities of democratic planning rights and to force the densification of these areas in an unrestrained way. I am thankful for the contribution of the City of Boroondara and, I might add, the City of Bayside too in recent days. The council's response to the state government's latest plan for the Camberwell Junction activity centre on the council's website has a statement from the mayor which lays out a number of the concerns:

... Council is not supportive of ... the additional 'catchment area' that extends a further 800m from the boundary of the centre and will allow for development height up to 6 storeys in heritage areas and low scale single dwelling leafy neighbourhoods. Neither Council nor the community have been consulted on this alarming new catchment area, which is illogical and representative of poor planning.

They went further to say:

This vast catchment area encompasses 4,500 heritage listed properties. It is estimated that approximately 48% of this catchment area is land currently protected by the Heritage Overlay –

and it lays that out in the maps on its site.

... Council does not support this catchment area in any way and condemns the state government's disregard for local heritage and amenity ...

Any claims by the Minister for Planning that they have undertaken consultation with Council on the latest version of their plans are completely false. Council only obtained a copy of the latest plans via the state government's website on Thursday 22 August, after media releases and announcements were made by the Minister.

This is a harebrained plan by the state government. There is no proper planning for services, for health services or for education services. Where is the sewerage plan? You are going to put tens of thousands more people into these areas. These plans are not up to scratch. They have not properly consulted with local communities and areas. More often than not, I add, the slowness in planning is not caused by councils, it is actually the minister herself and the department. More often than not, planning scheme amendments are sitting on her desk and her predecessor's desks for years in some cases as communities wait for planning approvals, often with council support. The slowness is the government and the department, not the councils. What I am seeking here today is for the minister to go and consult councils in those 10 or so areas and to actually redraw these plans in consultation with councils and communities rather than undemocratically overriding local communities.

Video on demand

David LIMBRICK (South-Eastern Metropolitan) (17:49): (1080) My adjournment matter today is for the attention of the Leader of the Government. It has been just over a year since I raised the matter of a public broadcast replay service. Here in Victoria we are currently lagging behind the federal Parliament, the ACT, Tasmania and Queensland, which all have a publicly accessible replay service to make the proceedings of those houses more accessible to the public. This change was recommended for our Parliament in September 2017. In the modern age this is a very reasonable thing for members of the Victorian public to expect Parliament to provide. Whilst the record of debates is publicly available – and I commend the staff here on the updates to *Hansard* – I think some of the changes read well, especially for recent debates. The Attorney-General's response when I last raised this matter suggested that the government is very receptive to this idea. I am not sure if any work has progressed on this and would be happy to hear an update, but my request this evening is the same as my request last year: for the Leader of the Government to adopt the second recommendation of the 2017 Procedure Committee report on video on demand and work to establish a parliamentary video on demand service for the general public.

The PRESIDENT: Mr Limbrick, it is more of a Parliament administration issue. You have got it on the public record, so we will take note of it from this side.

Riddells Creek planning

Wendy LOVELL (Northern Victoria) (17:50): (1081) My adjournment matter is for the Minister for Planning, and it concerns the draft Macedon Ranges planning scheme amendment C161, which the minister is currently considering. The action that I seek is for the minister to pause the decision-making process for this planning scheme amendment until an independent review and audit of the public submissions for the consultation and an audit of Engage Victoria's handling of those submissions have been conducted. This planning scheme amendment proposes to alter and adopt the *Amess Road Precinct Structure Plan* to enable a housing development on Amess Road in Riddells Creek. The consultation period for this amendment and permit application closes today, 27 August, after which the minister will assess the submissions and make a decision, but I am asking the minister to pause the decision-making process and start again because the local community has lost trust in the integrity of the consultation for this controversial development proposal.

The current population of Riddells Creek is about 4500 people, and this development would almost double the town's population by building 1360 homes to accommodate about 3800 new residents. The draft plan is completely out of keeping with the character of the rural town and goes against long-term planning principles adopted by the shire to preserve the relaxed and spacious feeling of its country towns. This development wants to tightly pack over 3000 people into a mid-density suburb on lots as small as 100 square metres and an average lot size of 300 square metres. Not just the density but the overall size of the development would create real problems for the Riddells Creek community. The new homes would be about 3 kilometres from the town centre and train station, which is too far for a comfortable walk. There are no bus services around the town, so new residents would have to drive to the shops or train station, overloading the car-parking capacity in a town which is already lagging behind in the infrastructure and services it needs.

Locals have repeatedly objected to the size and density of the development. 1200 residents signed a petition against it and the council unanimously rejected the *Amess Road Precinct Structure Plan*, but the developer is ignoring what the community wants and has applied directly to the planning minister through the development facilitation pathway in order to bypass community objections. During the consultation period the local Labor member for Macedon Mary-Anne Thomas told concerned locals that 118 submissions were received, but the real number was at least 1190 submissions. The Engage Victoria website has had several technical glitches when handling submissions, and this has created serious doubts among the Riddells Creek community about the transparency and reliability of the consultation process.

Electricity infrastructure

Joe McCRACKEN (Western Victoria) (17:54): (1082) My adjournment matter is for the Premier, and it concerns the planned transmission lines and other renewable energy infrastructure across the countryside in north-west Victoria. The action I seek is simple: cancel the VNI West and cancel the Western Renewables Link. Hundreds of angry rural Victorians both young and old gathered last week to demand the government halt plans to run transmission lines on private farmland. Whilst in Bendigo, presumably visiting her own electorate from Melbourne, the Premier was heckled and booed by locals as she left the rural press conference via the back door, ignoring pleas from the rural community to be listened to and heard. 'You're a disgrace,' one man yelled. Another said, 'Allan's a dud.' Protesters held up signs saying, 'The Allan ideology is destroying Victoria,' with some branding Jacinta Allan 'Joan Kirner 2.0', an embarrassing comparison. Cattle and grain farmer Jason Barratt said that Premier Allan was ignoring country Victoria and pushing an ideology on country people. He said:

We are farmers and we farm food and fibre – we don't farm electricity ...

We're sick of being pushed over by the government ...

It's beyond belief the contempt that Jacinta Allan shows for us.

In response at the rural press club Premier Jacinta Allan said she was protecting rural communities from climate change. She said:

Whether it's water, whether it's the quality of the soil ... we are the most exposed to this issue in regional Victoria and part of the answer to that is delivering more renewable energy.

What the Premier does not understand or realise is that she is destroying the very communities she is feigning concern for and pretending to protect by running massive transmission lines right through them that locals do not want. Premier, get the message: nobody who lives near them wants your proposed powerlines. Do your job and listen to the rural communities before your own party does a job on you.

Blackberry control

Melina BATH (Eastern Victoria) (17:56): (1083) My adjournment matter this evening is for the Minister for Agriculture. It could well and does well overlap with the Minister for Environment, but I will direct it to the Minister for Agriculture. The topic of my concern and my constituents' concern is the atrocious infestation of blackberries. Citizen scientists that I speak to – everyday scientists, everyday people – who live in my electorate and the northern part of the state are concerned that there is up to 1 million hectares of land covered with blackberries – that is both public and private land. There is indeed a Victorian Blackberry Taskforce that has been around for many years, with very good people on that, but the action I seek from the Minister for Agriculture is to do an audit of the blackberry program and provide additional resources, funding and personnel to actually tackle this significant environmental problem in our state.

There is huge degradation caused by blackberry infestation, and no less so than in the alpine ecosystems. As I said, the Minister for Environment has a role to play in this because blackberries do not understand land tenure and will grow anywhere and everywhere, including in our state forests and our national parks. Some of the areas that are impacted are Dargo and Woods Point, Baw Baw and Aberfeldy, Licola and Mount Skene, Avon wilderness, the Buffalo River, Dargo to Omeo, Swifts Creek, Ensay, Benambra, Mitta Mitta, Bruthen, Snowy River and the Alpine National Park bordering onto Kosciuszko National Park.

This government has been in government for 10 years, and there are many questions that are left unanswered as to why we are going backwards in this space. Indeed it is not just the infestation; it has an ecological point of view but also a social point of view. I spoke with people from Woods Point only last week, and it is as high as a horse's head walking through footpaths along the water's edge. So we have waterways and fragile ecosystems that are under threat. Sometimes in this place we hear about the threat to the environment. There is no greater threat to our public land, to our environment, than out-of-control bushfire, and if you have enough infestation of weeds, that creates fuel load, pests and weeds. This is one of the issues that is not going away. The government is losing traction on this, and I ask the Minister for Agriculture to work with her fellow minister and tackle the blackberry infestation in this state.

Construction, Forestry and Maritime Employees Union

Ann-Marie HERMANS (South-Eastern Metropolitan) (17:59): (1084) My adjournment matter is for the Premier. The action I seek is for the Premier to take effective action that ends the violence and bullying in the CFMEU and in the Victorian building industry, because this is causing extreme cost blowouts and unreasonable interference in project deliveries and contracts and is also causing the state of Victoria severe financial cost blowouts, which are destroying Victorian lives. In the building industry it is also destroying some Victorians' safety on the job and in the workplace area. The Premier has been late to the table on this, denying knowledge of the questionable practices of the CFMEU, but we know that Nine newspapers have reported that Premier Allan and Prime Minister Anthony Albanese were sent letters in 2022 warning that officials with the CFMEU were threatening violence

and black-banning firms not aligned with the union. While Victoria Police are asked to investigate the allegations – and we await the outcome of that, which should be very soon – we know that the Chief Commissioner of Police has said that ‘there’s obviously some really inappropriate, thuggish behaviour’ and we find that there is evidence as well, he says, of ‘influence potential in contracts’, but whether it is criminal behaviour is still up for investigation.

The police are going to be determining that in their investigation as they work through this material, but we are expected to infer from this that really inappropriate behaviour and thuggish behaviour are not criminal. Well, is that the case? Today the massive CFMEU protest outside in our streets of Melbourne just continually brings more cost blowouts with industrial stoppages. This is all happening because Premier Allan has lost control over her unions. Today’s protest demonstrates and highlights the power this union continues to show in this state and over this government. These unions have a stranglehold on the Allan Labor government. Today shows that this union is not afraid to tell this government what to do. But meanwhile more money is being thrown down the drain in this debt-ridden state with these stoppages, these controlled industrial actions, because they are causing further delays on the state’s projects.

I understand that people have concerns, but remember that we did ask for a royal commission, and it would have had the power to compel witnesses to produce documents and give us some truths and some transparency. But this Premier has refused that because she has been complicit with this union getting away with unacceptable behaviour. So what has the union boss negotiated? Well, we do not know. And what is happening in the workplace that is causing all of this to take place with the CFMEU? Well, we will not know, because it is not going to be transparent for us to see, and we wait and look forward to – *(Time expired)*

The PRESIDENT: Mrs Hermans, there are a couple of issues with the adjournment. If you are going to accuse a sitting member of being complicit with unacceptable behaviour, you have to do that via a substantive motion. And the action to stop the CFMEU doing anything is not in the remit of the Premier. There is actually a federal administrator. The only action I can see that you could ask for is for the Premier to advocate to the Prime Minister for your action. Other than that, I would have to strike it out.

Ann-Marie Hermans: On a point of order, President, the question, or the point I was actually asking for, was to take effective action that will end violence and bullying.

The PRESIDENT: I am still struggling with the action. The minister is not responsible. There is actually a federal administrator responsible for the CFMEU as of yesterday or the day before, and so the only action I can see that you can call for is for the Premier to advocate to the federal government for whatever action you see fit for the CFMEU.

Evan Mulholland: On the point of order, President, the Premier has made statements including in press conferences that there are capacities that are within her remit within industrial relations law –

The PRESIDENT: It is not a point of order. She is not responsible for the administration of that particular union, and as a matter of fact, the Victorian government is not responsible for industrial relations. It was ceded to the federal –

Evan Mulholland: It has acted to some extent.

The PRESIDENT: It is not a point of order. I have given the member an opportunity for how her action may be presented to the Premier, and if she is prepared to take that up, that is fine. If she is not, I am not going to put it to this minister to pass on.

Ann-Marie Hermans: Thank you, President. I will accept your offer, and I appreciate that opportunity.

The PRESIDENT: So that is the action that I mentioned.

Greenvale Reservoir Park

Evan MULHOLLAND (Northern Metropolitan) (18:05): (1085) My adjournment is for the Minister for Environment, and it concerns the Greenvale Reservoir Park. I have repeatedly raised in both constituency questions and in adjournments the long overdue need for the southern section of the Greenvale Reservoir Park to be reopened, given the dam wall upgrades which closed the park were completed six years ago.

In the minister's answers on 2 April and 16 July this year and in a media release from his predecessor, Ms D'Ambrosio, one of the upgraded amenities at the northern section of the park, which was highlighted by both ministers, was two new toilet blocks at the northern section of the park. Many community members found it quite curious that the minister was boasting about this. In fact I had the Shadow Minister for Environment and Climate Change, the member for Brighton in the other place, with me and community members at the northern section of the park last month, and what do you know? The two promised toilet blocks that had been boasted about by Labor ministers were not actually there. In the minister's most recent answer to my questions on 19 August – after he had specifically stated there were two new toilet blocks – the minister has now passed the blame onto Parks Victoria and said that they have actually clarified that these toilet blocks were not installed. What a difference a month makes.

I seek the action of the minister to advise if there were ever any plans for new toilet blocks at the northern section of the park. I note there was previously a gazebo in the northern section of the park that was enjoyed by many in the community and that has since been removed, so I also seek the action of the minister to advise whether there are any plans to rebuild it or actually to build toilets at the park. As I mentioned, the minister has advised that dam wall works were actually completed in 2018. It is a whole six years since works were completed, but nothing is ever happening.

Locals were also told in a 2017 media release by the member for Mill Park and the now member for Kalkallo, 'Revitalising valuable green space in Melbourne's north', that the \$1.4 million Melbourne Water upgrade would aim to improve the park with – and the first dot point is – 'better access at Somerton Road, Greenvale'. Well, it has been seven years since that media release promise, and the entrance at Somerton Road to Greenvale Reservoir Park is still closed – a broken promise. Over 600 people have signed my community petition on this issue, and I suspect many hundreds more will. It is time for the member for Greenvale to stand up, and it is time for the Minister for Environment to do what he can to urgently reopen the park for this community.

Responses

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (18:08): A number of members have raised matters, but before I come to those I just want to respond to Mr Ettershank's matter for me in relation to disability advocacy funding and thank him very much for raising this important issue. As Minister for Disability, I am certainly very well aware that this is a time of great uncertainty and indeed of critical importance for our disability sector as we respond to the recommendations of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and we consider the ways in which we implement those and also the national disability insurance scheme review. Indeed to attend adjournment tonight I walked out of a meeting with some of my colleagues from other jurisdictions about these very issues.

But can I also acknowledge at the outset the importance of disability advocacy groups in supporting the more than 1 million Victorians living with disability here in our state. That is the very reason why as a government we have boosted funding for disability advocacy groups by 50 per cent over the past five state budgets – to help them meet the increased demand and cost to deliver these important services. We know that advocacy is absolutely critical to people with disability, both for them as individuals and also for their families and their community as a whole. This also included \$1.9 million in the 2024–25 state budget to continue to boost the capacity of the Victorian disability advocacy program, and it builds on historic investment. Since 2017–18 we have provided \$17.5 million for

disability advocacy groups in addition to their core funding. But as I said, we know that this is a particularly difficult time for those in the disability community. It is one of the reasons why we have advocated very strongly to the Commonwealth across jurisdictions and one of the reasons why the Commonwealth are indeed looking at other ways in which they can also, as a result of that advocacy both from the disability sector themselves but also from states and territories, support disability advocacy in this uncertain time.

I would also note we are contributing more than \$3 billion towards the NDIS in 2024–25, and all levels of government, as I said, are working on the recommendations that are to be implemented. In addition, the 2024–25 budget provides \$24 million to continue to deliver the Victorian disability advocacy program, as I previously outlined, supporting Victorians with disability who are ineligible for the NDIS, autism assessment grants, family service specialist disability practitioner programs, the Steps to Confident Parenting program, the parenting children with complex disability program, and supporting children with complex disability and their families to access mainstream supports. But as I said, it is why my colleagues and I have advocated strongly to the Commonwealth that in these uncertain times further support for advocacy does need to be there. In particular, I take up Mr Ettershank's point – and I have made this point myself – that we need to ensure that these advocacy organisations are here for the long haul. Prior to the NDIS but certainly also since the NDIS, Victoria has had a strong network of disability orgs and services that have continued to provide for those with disability, and it is really critical as we step into this audit of disability reform that those organisations are there to take the journey with us. I thank Mr Ettershank for raising this important matter and agree with him that we will continue to work with advocacy groups to ensure their future and indeed their capacity to ensure the future of people with disabilities in Victoria.

Ms Crozier raised a matter for the Minister for Health, Dr Ratnam raised a matter for the Premier, Ms Watt raised a matter for the Minister for Environment, Mrs Broad raised a matter for the Premier, Dr Mansfield raised a matter for the Minister for Mental Health, Mr Galea raised a matter for the Minister for Education, Mrs McArthur raised a matter for the Minister for Women, Ms Copsey raised a matter for the Minister for Transport Infrastructure, Mr Welch raised a matter for the Treasurer, Mr Ettershank obviously raised that matter with me, Mr Luu raised a matter for the Minister for Planning, Ms Purcell raised a matter for the Premier, Mr Davis raised a matter for the Minister for Planning, Ms Lovell raised a matter for the Minister for Planning also, Mr McCracken raised a matter for the Premier, Ms Bath raised a matter for the Minister for Agriculture, Mrs Hermans raised a matter for the Premier and Mr Mulholland raised a matter for the Minister for Environment. I will refer them accordingly.

The PRESIDENT: The house stands adjourned.

House adjourned 6:13 pm.