



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Tuesday 30 July 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, Gaëlle	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

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Tuesday 30 July 2024

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

Condolences

Hon. Barry Thomas Pullen

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:04):
I move:

That this house expresses its sincere sorrow at the death on 26 June 2024 of the Honourable Barry Thomas Pullen and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Council for the electoral province of Melbourne from 1982 to 1999 and as Minister for the Arts and Minister for Agriculture and Rural Affairs in 1989, Minister for Housing and Construction from 1988 to 1990, Minister for Education from 1990 to 1991, Minister for Education and Training from 1991 to 1992 and Minister for Conservation and Environment in 1992.

On behalf of the government, I would like to extend our sincerest condolences to his family and friends and all who knew his kindness and his dedication to public life.

Mr Pullen was born in Melbourne and completed his education in the areas of Moreland and Coburg, later qualifying as a civil engineer. His foray into politics came in 1968 when he joined the Australian Labor Party. His passion for community advocacy was evident through his founding of the Fitzroy Residents Association and his tenure as a Fitzroy city councillor from 1972 to 1976. Prior to his election to the Victorian Parliament in 1982, Mr Pullen was committed to furthering the interests of those that lived in public housing in the Fitzroy area. He was inspired by seeing government policy and how it could affect those in the community in real time. He went on to serve the people in the seat of Melbourne until his retirement in 1999. Throughout his distinguished career he held various ministerial portfolios, as I have outlined. This was in the Cain and Kirner governments. His tenure was marked by his persistent efforts to advocate for the most vulnerable and to ensure their voices were heard.

Mr Pullen's impact extended beyond his official roles. He was known for kindness, decency and the joy he found in working with people towards common goals. He was a fierce local advocate whose dedication to achieving a kinder state for all Victorians never wavered, and he remained active in local initiatives and the Labor Party. His commitment to his local community and friendship to many in the labour movement will be fondly remembered by all who knew him. On behalf of the government, I do again extend our deepest sympathies to Mr Pullen's family and friends.

Georgie CROZIER (Southern Metropolitan) (12:07): I rise on behalf of the Liberals and Nationals and join with the government in speaking to the condolence motion on the late Barry Pullen. Barry Pullen was born on 1 November 1939 in Melbourne and died on 26 June 2024 at the age of 84. He and his late wife Margaret were long-term residents of Fitzroy, where they raised their daughters.

Mr Pullen dedicated much of his life to public service, from local grassroots campaigns to serving as minister in several portfolios. Before entering Parliament he worked as a draftsman and a civil engineer in Commonwealth and state public service. Mr Pullen was very active in his local communities, as has been highlighted by the Leader of the Government, as a founding member of the Fitzroy Residents Association and a Fitzroy city councillor from 1972 to 76. It was his direct involvement in fighting for local issues that set him on a path to politics, and he joined the Labor Party in 1968.

From those early beginnings he developed a lifelong passion for and commitment to being a strong voice for better amenity in the inner suburbs on a variety of issues, such as public housing, roads, parks and recreational facilities. In particular, as he recalled in his first speech to Parliament, he was instrumental in organising a community action against the housing commission's planned demolition

of houses to make way for high-rise towers. In that maiden speech I note that he asked if he could take leave to table a number of reports in which he had a direct interest – environmental and traffic issues around the freeway and the lead levels in Alexandra Parade, Hoddle Street and other areas. He was very passionate about looking at those issues that affected the local communities he lived in and was to later represent.

Barry entered Parliament as the member for Melbourne in the Legislative Council in 1982 and retired in 1999. He was a member of the ALP's Socialist Left faction, where he had obviously a great deal of support. As has been outlined by the Leader of the Government, he held a number of ministries in the Cain and Kirner governments, including housing, education and environment. These were areas he was particularly interested in, not only when coming into the Parliament but prior to entering the Parliament. His experience in local government and direct involvement in local issues served him well during his parliamentary career as a widely respected member and minister.

After retirement from Parliament Barry Pullen continued his tireless advocacy over the next 20 years as a volunteer in community organisations the Brotherhood of St Laurence, the Good Shepherd Sisters and the Victorian Council of Social Service, where he shared his extensive experience and where his wisdom was welcome. He and his late wife Margaret remained involved in the local community. From local community advocate to state government minister, Barry Pullen never lost sight of his focus and dedication to making a difference and improving the lives of others. He will also be remembered as being devoted to his family and as a beloved husband, father and grandfather. I extend my sincere sympathy to all those mourning his loss at this sad time.

Ryan BATCHELOR (Southern Metropolitan) (12:10): I am honoured to join with members in support of this condolence motion for Barry Pullen, just as I was honoured, along with the Premier, to attend Barry's state funeral held at the Fitzroy town hall on 16 July, which was a celebration of a life of service. The full house at the town hall reflected the profound impact that Barry had as a community activist, a councillor, a parliamentarian and a minister over many decades. In their joint obituary for Barry, former Deputy Prime Minister Brian Howe and the former member for Richmond Richard Wynne said:

There is no local campaign or community action in the past four decades in inner Melbourne that does not bear the imprint of Barry Pullen on it.

As has been mentioned, with his wife Margaret, Barry was a long-term resident of Fitzroy, and their joint activism, as it was – absolutely joint – was catalysed by the slum reclamation project led by the housing commission in the 1960s. They formed the Fitzroy Residents Association, and it was the first of many forays into community campaigning and activism. Barry and Margaret joined the Labor Party, which then held its branch meetings in the band rotunda of the Edinburgh Gardens. They organised the removal of portables at the local primary school, to improve the local kindergarten and more funding for the local library and for around the proposed commission towers at Brooks Crescent. He was a civil engineer, public servant, councillor, member of this place, member for Melbourne Province for an extended period of time and minister in the Cain and Kirner governments.

In his inaugural speech to this Parliament, Barry spoke about his move into state politics, stating that it was a progression from local community involvement, including in local government, to considering the larger issues and the realisation they can only be resolved at a policy level by the highest house of Parliament. Importantly – and this came through in the service – for Barry it was never about politics, it was about people. He was an advocate for his neighbours and for causes he felt passionate about. One of them, importantly – and this rated a mention extensively in the service – was when the Kennett government closed several high schools in Melbourne. Barry and Margaret and members of the community formed part of the blockade that saved the Fitzroy High School. It was the only school

closed at that time that reopened in its original form in 2004 after a change of government. Again from the Howe and Wynne obituary:

Barry took seriously the changes occurring in the inner suburbs and had a vision for transforming public spaces and improving amenities for the local community. For example, he saw the closure of the inner-suburban railway line as an opportunity to advance a range of possibilities that would advantage the community such as the creation of a green linear park where the railway had been; a pedestrian and bike path linking Fitzroy and Carlton; the conversion of a power station to residential accommodation; and accommodation for elderly public housing residents in a parkland setting ...

When he retired from Parliament, Barry knew he could not leave the community work behind. He also knew that – in his words – politics is not a perfect game. He served Victoria for a further two decades in a variety of voluntary roles, including at Good Shepherd, the Brotherhood of St Laurence and the Victorian Council of Social Service. But I think what came through at the service was his dedication to family. At the service we heard some very moving stories from his children and his grandchildren about the things that he taught them – both values but also some skills. Of note were the photography skills they learned in a darkroom he had fashioned in the laundry of their house in McKean Street, North Fitzroy.

On a very personal level, I remember Barry from Labor circles as a child out the back of his office, his bluestone office in Brunswick Street in Fitzroy. I recall listening to the drone of incessant conversations about what were clearly very important things; to young ears, they seemed less so. But it is clear that the work that Barry pioneered and the activism that he showed led to great and profound change in his community, so on behalf of my family and the Labor family I want to extend condolences to Barry's family, his daughters Naomi, Joanna and Emma and his beloved grandchildren Tashi, Milo and Dust. Vale, Barry Pullen.

David DAVIS (Southern Metropolitan) (12:14): I too wish to associate myself with this motion of condolence for the Honourable Barry Pullen. I served with him between 1996 and 1999. He was a quiet person in the chamber but would bring forward a range of different matters – local matters, matters that he wanted to pursue on behalf of his community. He was a person of merit in terms of his engagement across the chamber, a person of decency and a person whose undoubted contribution to his local community needs to be remembered.

I am not going to go through the long list of his background, but he was a significant minister. He contributed especially to the Labor Party's campaigns over so many years. I think when I came in here there were 34 Liberals and Nationals and 10 Labor, and Barry used to sit here. He was a person that you could talk to and have a civil and constructive conversation with. One of the things that is worth noting is that Barry was the victim of a stabbing in his office; people may not know that story. In, I think, 1992 a person came into the office and stabbed both him and one of his staff, so it is a reminder that there is risk. He was not freaked by that, if I can put it that way, but he was very aware of what had occurred and would occasionally talk about that. I think, though, his advocacy for local issues is what he will be remembered for.

The PRESIDENT: I ask members to signify their assent to the motion by rising in their places for 1 minute's silence.

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

The PRESIDENT: Proceedings will now be suspended as a further mark of respect, and the Chair will resume in 1 hour.

Sitting suspended 12:18 pm until 1:21 pm.

*Bills***Local Government Amendment (Governance and Integrity) Bill 2024****Sustainable Forests (Timber) Repeal Bill 2024****Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024***Royal assent*

The PRESIDENT (13:22): I have a message from the Governor, dated 25 June:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the under-mentioned Acts of the present Session presented to Her by the Clerk of the Legislative Council:

23/2024 Local Government Amendment (Governance and Integrity) Act 2024

24/2024 Sustainable Forests (Timber) Repeal Act 2024

25/2024 Victorian Responsible Gambling Foundation Repeal and Advisory Councils Act 2024

*Members***Minister for Children****Minister for Housing***Absence*

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:22): I just would like to inform the house that for the purposes of question time today I will answer questions for the portfolios of children and disability on behalf of Minister Blandthorn, and the Minister for Mental Health will answer questions for the portfolios of housing, water and equality on behalf of Minister Shing.

*Questions without notice and ministers statements***Construction, Forestry and Maritime Employees Union**

Georgie CROZIER (Southern Metropolitan) (13:23): (581) My question is to the Attorney-General. Attorney, the *Age*, *60 Minutes* and the *Australian Financial Review*'s recent investigation exposed that CFMEU officials had demanded secret commissions from building contractors in order to obtain a union EBA and operate on the Victorian government's Big Build projects. Attorney, can you guarantee that Victorian taxpayers have not funded – directly or indirectly – any illegal secret commissions to the corrupt CFMEU?

The PRESIDENT: I think obviously ministers can answer questions relating to the responsibilities of their portfolios. I am not too sure if that would fall within her remit. Would you like to try and rephrase it? Obviously ministers will answer questions as far as their responsibilities to their portfolios go on any and all stakeholders.

Georgie CROZIER: Attorney, the question is around the investigations exposed by those media outlets. Given that it took journalists to expose it and there are other integrity agencies that you have responsibility for, can you guarantee that Victorian taxpayers have not funded – directly or indirectly – any illegal secret commissions to the corrupt CFMEU?

The PRESIDENT: Minister, within her portfolio.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:25): Ms Crozier, I will attempt to be helpful. Of course where any allegations of criminal behaviour by the CFMEU, or any other party for that matter, have been raised, they have been referred to the appropriate authorities. You have asked about my involvement or my ability to give you a guarantee in relation to criminal investigations. I as Attorney-General do not conduct investigations. Any illegal activity would be a matter for Victoria Police. Any matters that allege corruption may fall within the remit of

IBAC. I do not play a role in investigations, as is appropriate. These are independent bodies, and if any matter had come to my attention that needed to be referred to them, I would have. But I will pre-empt any question in that regard: no matter has been raised with me to put me in a position where I would make such a referral.

Georgie CROZIER (Southern Metropolitan) (13:26): Attorney, you are the first legal officer of this state. You do have responsibility in the issues that I have raised around corruption. In relation to the illegal secret commissions demanded by corrupt CFMEU officials for building contractors to operate on Victorian Big Build projects, I ask: why did it take journalists to expose this illegal conduct rather than the state's integrity agencies, for which you have responsibility?

The PRESIDENT: I am concerned it is asking for an opinion –

Members interjecting.

The PRESIDENT: The minister will answer as she sees fit, within her portfolio.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:27): I am in a position to reaffirm my previous answer: it is appropriate that any criminal allegations be put to Victoria Police, and it is up to Victoria Police to conduct their work in that regard. Any allegations in relation to corruption would be a matter for Victoria Police. It would be very inappropriate for the Attorney-General to direct the operation of Victoria Police. In the way you have categorised your question, you are suggesting that as first law officer of this state I should tell IBAC how to do their work. That would actually be corrupt. I refuse to be a corrupt Attorney-General.

Drug harm reduction

Sarah MANSFIELD (Western Victoria) (13:27): (582) My question is for the Minister for Mental Health. Advocates have long been calling for a potent synthetic opioids plan for Victoria given the imminent arrival of fentanyl and nitazenes in this country. These opioids are many times more potent than heroin and in overseas jurisdictions have been responsible for catastrophic increases in the number of drug overdoses. Will the government heed this expert advice and urgently develop a potent synthetic opioids plan for Victoria?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (13:28): I thank Dr Mansfield for her question. These are really important issues and something that I have been seeking regular briefings from my department about. We are obviously all concerned to see an increase in the amount of synthetic opioids that are entering the illicit drug market here in Victoria, and that is why a number of the initiatives that we have already announced as part of our statewide action plan are so important – work that we will be getting on with without delay. That includes of course making sure that we have access to pharmacotherapy treatment across the state in an expanded sense. We will be moving to open grants for community health organisations to apply for funding so that they can increase the pharmacotherapy available to the Victorian community and in particular to what we know is quite a disparate cohort across the state.

We recently, as you would be aware, Dr Mansfield, announced that the government would be introducing drug checking at festivals later this year and also moving to set up a fixed site mid next year. I have also asked my department to look carefully at what ways we can use that opportunity to strengthen our surveillance system here in Victoria to make sure that we have the best possible system for early alerts so that we can alert the community to any particularly dangerous synthetic opioids that have entered the illicit drug market. For instance, we know that, sadly, a number of recent fatalities have been associated with nitazenes. It is something that I think is a rapidly moving situation and one that we need to take the best possible health advice around, and that is why I have asked my department to provide me with further advice about how we can strengthen our drug surveillance systems here in Victoria.

I am confident that many of the initiatives contained in our statewide action plan go to your point around the need for a policy around synthetic opioids. I expect that those issues will be fully consulted on when we consult around the AOD strategy with the sector and the community for the remainder of this year, and that is work I know that many of our drug expert organisations will be keen to be a part of.

Sarah MANSFIELD (Western Victoria) (13:31): I thank the minister for that answer. We certainly welcome a number of those initiatives particularly aimed at prevention that you outlined around drug checking and the wider availability of pharmacotherapy. However, I guess once these synthetic opioids arrive, the issue becomes what happens to deal with overdoses. Given the extreme potency of these, immediate treatment is needed, and having naloxone available immediately to save people is what is required. One of the best ways to provide this is to have medically supervised injecting rooms where injecting takes place. So my question is: will the government reconsider its position on medically supervised injecting rooms in light of the threat of synthetic opioids?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (13:32): I thank Dr Mansfield for her supplementary question. Of course the government has made its position clear around these issues. I have been on the public record most recently around the need for naloxone to be widely available. We will be introducing legislation to Parliament this year to enable us to roll out a number of naloxone-dispensing units – on top of the network of needle exchanges and other community health organisations, including the medically supervised injecting room in North Richmond – so that we can get that wide availability and education around naloxone as a life-saving reversal drug.

Ministers statements: corrections system

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (13:33): I rise to update the house about my recent visit to Recycle4Change in Bell Park along with the member for Lara in the other place. Recycle4Change is a social enterprise that helps people impacted by the justice and correctional system to turn their lives around by providing wraparound employment and training programs. I have previously spoken in this chamber about the great efforts of Fruit2Work, a social enterprise that delivers fruit, milk and pantry items to over 700 workplaces around Melbourne. Recycle4Change is a new enterprise by the same organisation, the Chance Creators group. Recycle4Change operates one recycling hub as a part of the Victorian government's container deposit scheme, covering the area from Geelong to Laverton North in Melbourne's west. In addition to helping people find jobs, Recycle4Change also helps local community organisations, sporting clubs and schools, providing convenient recycling bins onsite that are recycled at the hub. Following the success of the Bell Park recycling hub, Recycle4Change is planning to open another hub in the suburb of Point Cook.

During my visit to Bell Park, Ella George and I spoke with several employees that had found a renewed sense of purpose after working at Recycle4Change. I want to give a special thanks to the team, led by director Rob Brown and general manager Stuart Borg, for showing us their recycling hub and sharing their insights about how we can provide employment opportunities for people exiting the justice system. I also want to thank the staff there that shared their own personal experiences. It is never easy for people with lived experience of the corrections system to share those experiences with guests, but they were very open and forthright, and I really enjoyed the discussion. We know how important a job is to enhancing self-worth, reconnecting with family and enabling successful reintegration into society. Recycle4Change is a great example of how we can support the reintegration of those previously in the justice system while also working towards a more sustainable future for all.

Construction, Forestry and Maritime Employees Union

Georgie CROZIER (Southern Metropolitan) (13:35): (583) My question is again to the Attorney-General. Attorney, Derek Christopher, the man seeking to take over the CFMEU from convicted criminal and friend of the Premier John Setka, is the subject of a police corruption investigation.

Victoria Police have said that a brief of evidence is currently with the Office of Public Prosecutions, so I ask: has the Attorney been briefed about the matter?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:35): I thank Ms Crozier for her question. The answer to that is no.

Georgie CROZIER (Southern Metropolitan) (13:35): Attorney, it was reported in the media that the police investigation into Mr Christopher has been delayed because of legal issues involving the use of certain covert police powers, so I ask: do Victoria Police and our integrity agencies, for which you have responsibility, have the powers they need to investigate union corruption?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:36): I thank Ms Crozier for her question. There are extensive coercive powers that are provided to a range of bodies in Victoria. You are correct: most of them I have administrative responsibilities for. I have a very limited role in relation to how they conduct their investigations. There is nothing that has been raised with me in relation to any barriers to covert operations in the manner that you have described.

Workplace safety

Rachel PAYNE (South-Eastern Metropolitan) (13:36): (584) My question is for the Attorney-General. Over a year ago I stood in this place and asked you about the use of non-disclosure agreements in settlement of workplace sexual harassment. In many cases financial compensation is offered in exchange for silence and resignation. Current laws mean that it is the victims, not the perpetrators, being forced out of the workplace. Employers are enabling reoffending and victims are being silenced. In response to a ministerial taskforce investigation two years ago, this government announced reforms. Attorney, your response to my earlier question acknowledged this work, the ongoing discussions being had and the government's support for advancing the issue, so my question is: what steps have been taken by the Attorney-General since then to restrict the use of non-disclosure agreements in sexual harassment cases?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:37): I thank Ms Payne for her question, and it is a really important issue that you raise. As you have correctly identified, there are examples of NDAs that are not in the best interests of victims. As you have articulated, we do hear of cases where it is victims, not perpetrators, that might receive financial compensation but are silenced and moved on, and it is not necessarily about the ability to prevent further instances, so we are concerned as a government in relation to that.

You have identified the ministerial taskforce on workplace sexual harassment, which gave a recommendation to address these issues. The government accepted the recommendation in principle, noting that it is a significantly complex area to resolve. I can confirm that we continue to look at this – work is ongoing. It lies within the ministerial responsibilities of a variety of ministers. As Attorney-General I obviously have an interest. Many lawyers are very interested in this. It falls on both sides: there are some benefits and some victims that would like the benefit of an NDA, but how do you protect that right in addressing some of the negativities? That is kind of the balance that we are trying to work through. Work has started. The Minister for Industrial Relations is heavily involved in that. There is an opportunity to consult further as that work progresses.

Rachel PAYNE (South-Eastern Metropolitan) (13:39): I thank the Attorney for her response. By way of supplementary – and this may be something that is also referred to the minister for WorkSafe, Minister Pearson – I ask: when are we likely to see this reform take place?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:39): We will have more to say soon, Ms Payne. As soon as I can get you an update, I will endeavour to do so.

Ministers statements: Junior Triple Zero Hero Awards

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:39): Today I rise to speak about one of my favourite events of the year – it trumps Christmas – the Junior Triple Zero Hero Awards. It is now in its 20th year. The awards recognise young heroes who are nominated by their Triple Zero Victoria (TZV) call takers for their courage and composure in emergencies. I had the honour of presenting 21 young heroes aged between four and 12 with their medals last week. Each of them were cool, calm and clear in a really scary situation; in every instance they were just so brave.

A young man named Ace – he was four when he called 000. His mum was having a severe asthma attack. He was so cute. He had been learning about 000 calls at kindergarten, and his mum had done a great job in reinforcing those messages at home, so he knew what to do. Speaking to his TZV call taker Kate, he told her, ‘Mum’s asthma is sore and her chest is hurting.’ He remained calm, followed instructions, unlocked the front door to allow the paramedics inside to help and watched and stayed with his mum the whole time.

One of last year’s amazing winners – or heroes – that was awarded a medal, Connor, returned to share how receiving the medal had changed his life. He told us that he feels ‘way happier’, but he also took the time to remind the audience ‘You should only be calling 000 when you need really big help.’

It was a privilege to meet so many awesome young people and their extremely proud families. As I said, it is one of the best events of the year. It was attended by the emergency management commissioner, the Chief Commissioner of Police, the Fire Rescue Victoria commissioner, the chief officer of SES and representatives from CFA and Life Saving Victoria. I am not sure that we were as exciting as the chocolate fountain that the young people enjoyed, but it was such a delightful event and a really great opportunity to remind people how amazing our Triple Zero Victoria call takers are and how important their role is to helping all Victorians, including some of our smallest.

Construction, Forestry and Maritime Employees Union

Georgie CROZIER (Southern Metropolitan) (13:42): (585) My question is to the Minister for Mental Health. Minister, 18-year-old Ben was outrageously bullied to death following his first shift on a CFMEU-run government construction site. His mother Tammie has said that the CFMEU members:

... locked him in a shed for three or four hours, just a young boy with mental health issues.

Ben, a Gunditjmara teen, was relentlessly bullied because he was wearing a shirt of a small Indigenous construction firm he had previously worked for. Minister, why didn’t you intervene when this tragedy first became public?

The PRESIDENT: The minister can speak for herself, but I am struggling to relate how the question relates to her responsibility to the executive. I will call the minister, but like I said, she can speak for herself.

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (13:43): I thank Ms Crozier for that question. Of course this is a completely tragic incident, and my heart goes out to that young man’s family and loved ones. It is shocking to hear the details of what had occurred there. I think that it would not be appropriate to make any further comment about the circumstances around this tragic incident. My understanding is that this would be a matter that the coroner would be investigating, and it would be more appropriate for us to let that investigation take its course and digest and consider any recommendations that could come from the coroner’s report. The government has a very strong view about workplace safety, and it has a particular responsibility around young people. Those matters would be more appropriately directed to the minister for WorkCover. As I have said, as this is the subject of a coronial investigation, I think it is appropriate to leave my comments there.

Georgie CROZIER (Southern Metropolitan) (13:44): Evidence in the media has shown a CFMEU official abusing Ben's former boss, who was from the same Indigenous construction firm, saying:

I declared you a dog in front of the boys, what are you going to do about it?

Minister, as you said, the government says that they have a strong view on workplace safety. This is a workplace issue, it regards mental health issues and it has completely led to this tragedy. That is why I asked you the substantive question, because of your responsibility as mental health minister. So I ask, given you do acknowledge that this is a workplace issue: have you spoken to the responsible minister and demanded that WorkSafe open an urgent investigation into the toxic culture on CFMEU-run taxpayer-funded construction sites? You as minister just acknowledged that role it takes. What have you done with the WorkSafe minister?

The PRESIDENT: I am still struggling as far as whether that is under the –

Members interjecting.

The PRESIDENT: People can get frustrated, but there are many rulings from previous Presidents – ministers should answer questions if they come under their responsibilities to the executive. The minister did state in her substantive answer that she believed the issue should be directed to the Minister for WorkSafe, and I would be surprised if that would not be her answer again, but if you want to call a point of order, Ms Crozier, please.

Georgie Crozier: On a point of order, President, this issue is around bullying, around suicide – the tragic, tragic incident that happened. The young man had mental health issues. That is completely in the remit of this minister. She actually acknowledged in her substantive answer to me that she takes this issue very seriously. My question to you is: given that you know what we know around this tragic incident, around bullying, around the death of this young man, what have you done to have that discussion with the appropriate minister? Clearly nothing. Is that the issue? Is it a yes or no? All I am asking is what you have done to demand WorkSafe open an urgent investigation into it.

The PRESIDENT: Ms Crozier, that is not a point of order. I kind of got a bit lost.

Ingrid Stitt: On the point of order, President, I am trying to be sensitive here because this is a really distressing situation, and I fully acknowledge that and the government fully acknowledges that. Specific questions around workplace bullying are not within the remit of my portfolio responsibilities. That is just a fact. They would need to be directed to the appropriate minister – in this case, Minister Pearson in the other place. That is further to the point of order, but of course the government have made much broader statements and commitments through the Premier about what actions we will take in response to this outrageous behaviour.

Nick McGowan: Further to Ms Crozier's point of order, President, in essence the question was a question of the minister in her capacity, asking whether she had had a conversation with another minister. I would put it that the opposition is entitled to ask whether ministers holding their own portfolios have had conversations. How they choose to answer that question is another thing indeed.

The PRESIDENT: I appreciate the point of order, Mr McGowan. I suppose getting back to the standing orders and previous rulings, questions are to be to the ministers on their responsibility to the executive. I am not too sure if asking another minister a question falls inside their responsibilities that they have made an oath to as far as their responsibilities go. I think we will just move on.

Members interjecting.

Nick McGowan: Further to the point of order, President, it is a long-established practice in this chamber but also in the other, particularly in cases where the opposition, whoever is in opposition, may like to ask a minister whether they have had a conversation with the Premier. For example, 'Was the Premier aware that you had done this, Minister?' and so on and so forth. So it is not without some

standing that opposition members are able to ask ministers whether in their portfolio responsibilities they have had conversations with other ministers.

The PRESIDENT: I think that is a fair point. The point that you made is: did the minister have a conversation with the Premier around something that particular minister was responsible for as far as their responsibility to the executive goes? With this point of order, I think we are in a different situation. The minister has stated it does not fall inside her responsibilities.

Veterinary workforce

Georgie PURCELL (Northern Victoria) (13:49): (586) My question is for the minister representing the Minister for Agriculture in the other place. In the last term of Parliament the Animal Justice Party moved a motion for accessible vet care in Victoria. The government supported it and at the time said during debate:

We are undertaking significant work in this space.

And:

We know there is a shortage of vets across Victoria. We know that vets are suffering through mental health conditions. We know that the suicide rate among veterinarians as a profession is something that is just not acceptable.

Since then, the cost of appointments continues to soar, training and retention of veterinarians continue to plummet and clinics, particularly in regional areas, continue to close. Can the minister provide more detail on the work the government says they have done to improve vet care access in Victoria?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:50): I thank Ms Purcell for her question. It is a really important question. I am sure the Minister for Agriculture would be delighted to take you through any of the initiatives that she has in this regard, because it is an important matter that we have identified and you continue to advocate for. So we will get you an update.

Georgie PURCELL (Northern Victoria) (13:51): Thank you, Attorney, for referring that on. Veterinarians in Victoria are overworked and struggling. One proposal that has been put forward is the upskilling of vet nurses into the vet nurse practitioner model, just as has been done in human medicine to relieve the demands on doctors and paramedics. This would allow vet nurses to undertake tasks such as teeth cleans, surgery preparations and dispensing medications, freeing up more specialist vet appointments and space for emergencies. Will the minister consider implementing this proposal, which would drastically relieve the veterinarian workforce, improve work satisfaction for vet nurses and improve animal welfare outcomes?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:51): I thank Ms Purcell for her supplementary question. I wish I knew the answer, because it is an important question that you have asked. I am sure that the minister will provide you with an update.

Ministers statements: youth mental health

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (13:51): I rise to update the house on the work underway to build a new youth prevention and recovery care centre in the Barwon region, giving more young people access to treatment and care close to their home, family and loved ones. On Friday I was able to join the member for Geelong Christine Couzens and the member for Bellarine Alison Marchant to visit the site of the new YPARC centre in Geelong to mark the recent start of construction works and to reveal the design plans for the new centre. Once complete, the Geelong YPARC will support up to 200 young people in the Barwon region every year, ensuring that they can continue to attend work or school in their community while receiving the treatment, care and support they need. The centre has been carefully designed to create a safe environment to support young people and their recovery. It will feature 10 bedrooms with ensuite bathrooms, a communal kitchen, dining and living areas, breakout spaces

and outdoor garden areas, as well as plenty of room for leisure, recreation activities and visits from loved ones.

A key recommendation from the Royal Commission into Victoria's Mental Health System, YPARC services deliver community-based care for people aged between 16 and 25 experiencing mental health challenges or psychological distress. That is why we are investing \$141 million to build these centres across the state and more than double the capacity of Victoria's current YPARC network. The project will deliver five new bed centres in Ballarat, Geelong, Heidelberg, Shepparton and Traralgon and upgrades to three existing YPARC centres in Bendigo, Dandenong and Frankston. Many thanks to the Victorian Health Building Authority and Barwon Health for showing us around the construction site in Geelong on Friday.

Construction, Forestry and Maritime Employees Union

Evan MULHOLLAND (Northern Metropolitan) (13:53): (587) My question is for the Minister for Skills and TAFE. The Victorian division of the CFMEU is authorised to deliver training as part of the Skills First training program. As stated on the CFMEU website:

Skills First is a Victorian Government program that helps people access vocational education and training.

How much in funding does the Labor government provide the CFMEU every year as part of this training program?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (13:54): I thank the member for his question. He would know from previous questions that have been asked in this chamber on other occasions that the Skills First contract process is a department-run process. It is a department-run process that requires prerequisites to be met. But not only that, when an RTO is provided with a Skills First contract, the department has the ability to do spot checks, and indeed there is a blitz unit that makes sure that contracts are abided by. The fact of the matter is that there are 241 private RTOs – for-profit and not-for-profit organisations – that have got Skills First contracts, and as I said, this is a process that is run and monitored and controlled by the department. In terms of contracts that the CFMEU holds, they have had contracts for a number of years. In terms of the finer detail, I am not in possession of that detail at this point and time.

Evan MULHOLLAND (Northern Metropolitan) (13:55): Minister, given the Premier has suspended the Victorian branch of the CFMEU from the Victorian Labor Party and given the rampant criminality, corruption and toxic culture of the CFMEU, will you show leadership and suspend this rogue union from the Skills First training program?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (13:56): I answered this question in response to the substantive question. To try and connect what is being played out in the media in relation to the delivery of skills I think is just a ploy from those opposite, and I –

Members interjecting.

Evan Mulholland: On a point of order, President, it was a direct question that was not asked in the preliminary question about whether the minister will suspend the CFMEU from this training program.

The PRESIDENT: I think the minister was actually answering the question.

Victorian systemic review of family violence deaths

Samantha RATNAM (Northern Metropolitan) (13:57): (588) My question is for the Attorney-General. Attorney, I recently wrote to you – and I also note it was recently covered in the *Age* – about the underfunding of Victoria's Coroners Court, especially the Victorian systemic review of family violence deaths unit, VSRFVD. This unit examines deaths suspected to have resulted from family violence. The underfunding of this unit means that investigations of family violence matters are significantly delayed. It can take upwards of a year for proceedings to commence from the time the

matter is referred to the court. If the matter proceeds to an inquest, the timeframe for finalisation and delivery of recommendations can be blown out to several years. The delays are very emotionally distressing for families, and they have to live with the fact that the systemic failures which contributed to the death of their loved one continue to impact the community as they await recommendations from the coroner. Attorney, will the government fully and sustainably fund the review unit so that the coroner can investigate all family violence matters in a timely manner?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:58): I thank Dr Ratnam for her question and for bringing to the house's attention the systemic review unit within the Coroners Court. This is a unit particularly in relation to family violence matters that was established under the previous Labor government when I was the family violence policy adviser. Unfortunately, for four years it was removed from operation because the coalition did not see fit to have it remain in operation, and we reinstated it when we were re-elected in 2014.

It is important work that it does, but I do need to point out that it is systemic work that it does – it does not replace the coronial process for individual matters that are appropriate for the mainstream coronial process. I am in ongoing conversations with the Coroners Court in relation to their practices, this unit and indeed how it fits in with the broader government's agenda in addressing women's safety, and I will have more to say in due course.

Samantha RATNAM (Northern Metropolitan) (13:59): Thank you very much, Attorney. I appreciate the follow-up, and just noting while it is a systemic review, there are families who are awaiting the findings and recommendations of that review to pursue further action for justice. The last dedicated funding boost for the review unit was provided in 2018, where the unit's case load had doubled from 30 to 60 cases a year. In 2020 the case load was 100 deaths. The unit team has not grown since 2018, while the complexity of many of the matters has increased – it is no wonder that these delays have grown to such a dire extent. Minister, is the government monitoring the extent of the delays in investigations and the impact on families, and when can we expect investigations to begin more quickly?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:59): I thank Dr Ratnam for her supplementary question. I think I answered it reasonably directly in response to her first question. Of course we reiterate that when there are women that are dying at the hands of men, we need to do more. We know that it is increasing, and we know that as a whole-of-government approach there are many ministers that are committed to addressing this issue in our community.

I just do want to take issue with some of the information that you have put on the record in relation to declining funding to the Coroners Court, and I do want to put on record that that is not accurate. Funding for the Coroners Court has not declined. It has increased year on year since 2020. We will continue to support the Coroners Court to help families and loved ones get the answers they need in relation to untimely, unacceptable and preventable deaths in particular and identify ways to make Victorians safer.

Ministers statements: Tiny Towns Fund

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (14:01): Victoria's tiny towns are truly incredible places. Each community is unique, with its own local history and character. With strength in local community and connection, every town has its own character. That is why the Allan Labor government is backing Victoria's smallest towns through the \$20 million Tiny Towns Fund. More than 180 new community-led projects are being celebrated across our regions, and local recipients are brimming with excitement. Karen Goltz from the Macedon community house, which I visited recently, said that the community house:

... serves as a place for connection where our local residents can come together to share their skills ...

CONSTITUENCY QUESTIONS

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Legislative Council

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This can continue thanks to the Tiny Towns Fund, because it is supporting a new volunteer community gardening program. Warrenheip near Ballarat has received funding for a nature playground, with local Kelly Bevan saying:

It'll be themed around Australian animals and totems and hopefully will help families to connect ...

Debra Smith from the Simpson & District Community Centre said that she was very excited that the Tiny Towns Fund is supporting the installation of animal sculptures and cow-shaped seats she dubbed 'cowches' at Jaycees Park. These are the sorts of projects that celebrate each community's local spirit and bring more visitors to our vibrant towns.

The Tiny Towns Fund is a part of the government's record \$45 billion investment over the past decade to help rural and regional Victoria continue to thrive. I look forward to making further announcements about further rounds of our Tiny Towns Fund, which has set the whole regional community in our tiny towns on an endeavour to ensure that they have got more and more suggested projects for their local communities.

Written responses

The PRESIDENT (14:03): Minister Symes will get answers from the Minister for Agriculture on both Ms Purcell's questions.

Constituency questions

South-Eastern Metropolitan Region

Michael GALEA (South-Eastern Metropolitan) (14:03): (962) My constituency question is for the Minister for Government Services. Many times in this place I have previously raised the issue of mobile phone reception in the Clyde North area and the lack of internet and mobile services, which have been raised to me by residents, including again very recently when Mr Tarlamis and I held several mobile offices in the Clyde North area and heard once again the community's very understandable frustration about lack of progress on this issue. I am delighted to say that we have now seen the first fruits of the Connecting Victoria program, with a brand new tower at Ramleigh Park reserve opening and being switched on late last week. It should not be up to the state government to step in where the private telco market has failed, but that is what we have done – step in. We are not prepared to allow people in this area to be without mobile reception, so it is great to see this first tower up and running. My question to the minister is: what progress has been made to deliver the further and future mobile tower upgrades and new towers for Clyde North?

Southern Metropolitan Region

Georgie CROZIER (Southern Metropolitan) (14:04): (963) My constituency question is for the Minister for Police and Minister for Crime Prevention. I have raised in this place issues before about the ongoing problem of crime in St Kilda, and again I bring these to the minister's attention. Traders and local residents, especially around Fitzroy Street and Acland Street, repeatedly tell me that crime and antisocial behaviour are out of control and that there is insufficient police presence, leaving this community feeling unsafe just going about their daily business. I have seen CCTV recordings and I have seen firsthand the issues that are arising in this area. The police are doing what they can, but like residents and traders, they need more assistance on this very serious issue. This area is known as a busy and vibrant tourist precinct offering shopping, dining and entertainment, yet this image is tarnished and locals are fed up with the unabating crime happening on a regular basis in full public view on the streets, activity including assaults, drug dealing, drug use and theft. I ask the minister to address these concerns as a priority and commit more police resources and crime prevention measures like CCTV for the safety of this community.

Eastern Victoria Region

Melina BATH (Eastern Victoria) (14:05): (964) My question is to the Minister for WorkSafe and the TAC. My constituent Mr Crisdale of Hazelwood North sustained a workplace injury. He negotiated with WorkCover some eight years ago. He receives no fortnightly payments – he lives on his own superannuation and savings – but he has received firewood for the past eight years under a WorkCover order. He has a combustion heater as his only form of heating. He must have a stable and warm home. He does not and cannot collect his own firewood, but because of this government's ridiculous aversion and opposition to timber and firewood and despite the Leader of the Government in this house saying last month:

A lot of people still rely on it for their heating ...

WorkCover has banned his firewood delivery. So I ask the WorkSafe minister: will you review and rescind this ban to provide my constituent with his only source of heating?

Western Metropolitan Region

David ETTERSHANK (Western Metropolitan) (14:06): (965) My constituency question is for the Minister for Transport Infrastructure in the other place. My constituent is one of many thousands of Melbourne Airport workers living in the west who have no choice but to drive to work given the abysmal public transport options. They were thrilled to see Melbourne Airport owners Australia Pacific Airports (Melbourne) finally agree to an above-ground station as part of an airport rail link and the mediator's recommendation to continue the transformation of Sunshine into a major transport hub. Sadly, the Premier has made clear yet again that this government prioritises the wealthier and better serviced eastern suburbs over the west and will forge ahead with the SRL East instead. As the Sunshine station master plan is now a 'no regrets' initiative, what is the government committing to do to make this project a reality and by when?

South-Eastern Metropolitan Region

David LIMBRICK (South-Eastern Metropolitan) (14:07): (966) My question is for the Minister for Tourism, Sport and Major Events and is rather appropriate considering that today is the inauguration of the parliamentary friends of motorsport. Getting a drivers licence is a big moment for many young people in Victoria. Unfortunately, some young drivers get a little too excited about this and eventually get pulled over by highway patrol for speeding or erratic driving. When this happens highway patrol sometimes exercise leniency and let the driver off with a warning, saying, 'Save the racing for track day.' This brings me to the matter of Sandown Raceway. This area has recently been rezoned to prepare for the racing complex to be converted to much-needed housing. Whilst I welcome this move for more housing close to public transport, my motorsport enthusiast constituents are wondering where they will be able to practice these track days, which they have come to prefer over street racing and hooning. My question for the minister is: does the government have a plan for facilitating motorsport events previously hosted by Sandown Park at another suitable and preferably nearby location?

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (14:08): (967) My urgent request to the Minister for Local Government is that the Minister for Local Government ensures that the Victorian Electoral Commission informs the business community and nonresident voters in the upcoming council elections of the need to register. This is an unfortunate change that was made in the legislation, but the fact is that the law now says that nonresident voters – owners of businesses and the like or rental properties – need to register to vote and they need to do it by 4 pm on 7 August. The state government has run no campaign to get that message out, and the VEC has been tardy in getting this message out. Yes, there has been a news release and there has been some mail, but there has been no publicity in terms of television ads, radio ads and the like and we are at a point now where I am aware of one

municipality my area that has just seen 6 per cent of these people registered as of last week. I do not want to see a situation where taxation without representation occurs.

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (14:10): (968) My question today is for the Minister for Education. I think we all agree that reading is a fundamental skill that sets kids up for life. Fully funded public schools are definitely a key part of that equation, but I am here today to ask specifically about reading tools for the schools of my region. I know many reading advocates were very pleased to hear the announcement from this government that phonics will be taught in Victorian public primary schools. Decodable books are an important tool which helps kids to learn, to identify the sounds that make up words, so my question today is: will the schools of my region, North-East Metro, be provided with decodable books to support the teaching of phonics?

Western Metropolitan Region

Trung LUU (Western Metropolitan) (14:10): (969) My constituency question is for the Minister for Transport Infrastructure. At the moment Sunbury train station has no elevators for commuters to move between platforms. Instead it is a long, steep footbridge ramp. Accessibility for the disabled, the elderly and people with prams is a daily challenge. Could the minister please update my constituents on whether elevators will be installed between platforms at Sunbury station to provide better accessibility for commuters? With the Premier continuing to sign contracts worth billions of dollars for SRL, the Suburban Rail Loop, in the east, when will my elderly and disabled residents in the west have good accessibility at their train stations? Over a thousand Sunbury residents have signed petitions, and Hume city council supports the installation of elevators. This has been a long-running issue for years that neglects local residents, elderly and disabled residents at the end of the Metro line. It is time the Labor government stopped neglecting the west.

Northern Metropolitan Region

Samantha RATNAM (Northern Metropolitan) (14:11): (970) My question is for the Minister for Education. Coburg High School in my electorate has a vibrant and important instrumental music program that is accessed by hundreds of students every week. It provides wonderful opportunities for performance, and it nurtures students who become the artists that define Melbourne's iconic musical culture in the inner north. Sadly, the school's instrumental music funding has been lagging for years. The school has seen an exponential growth in student numbers, yet funding for the music program has seemingly only been indexed year on year. The school council has been advocating consistently to you about this, but there has been no shift in funding. It is so important that music programs are well funded, as the arts are integral to the lives of Victorians and an asset to our state, especially in Melbourne. Minister, will you properly fund the Coburg High School instrumental program so that the school does not have to pay the \$80,000 to \$100,000 gap again next year?

Western Victoria Region

Bev McARTHUR (Western Victoria) (14:12): (971) My question is for the Minister for Roads and Road Safety. An RACV survey published today finds Victorians more worried than ever by the state of our roads. The number rating potholes and poor services as the biggest safety risk leapt to 64 per cent, double the number worried by dangerous driver behaviour. It is no surprise. Last financial year the government's resurfacing spending was slashed from \$200 million to just \$37.6 million. My question relates to another serious, frankly negligent, gap. It seems unbelievable that we do not collect statistics on the number of serious and fatal accidents in which road conditions play a part. Surely understanding the extent to which road surfaces cause crashes is an essential prerequisite to allocating resources properly and cutting the death toll. Minister, when will you record, quantifiably, the impact of road conditions on serious and fatal accidents in Victoria?

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (14:14): (972) My question is for the Minister for Roads and Road Safety. When will work finally commence on the long-awaited traffic lights and upgrade of the Graham Street and Goulburn Valley Highway intersection? Goulburn Valley hospital is located on Graham Street, and the intersection with the GV highway is always busy with ambulances, patients, local residents and buses. For the smooth and safe flow of traffic, this intersection desperately needs traffic lights. In 2022 the then minister Ben Carroll said that \$700,000 was allocated to the intersection upgrade, but two years later nothing has been done. In March this year I spoke in Parliament to ask why there was such a long delay, and the minister replied that they were waiting on Commonwealth funding. \$2.2 million of federal funding was announced in May this year, so the state Labor government no longer has any excuse to delay this project. A cyclist and a bus collided at this intersection on Monday, which shows how unsafe it is. The minister must act now to get the upgrade works started as soon as possible.

Western Victoria Region

Joe McCRACKEN (Western Victoria) (14:15): (973) My question is to the Minister for Education, and it concerns the abandoned old Beaufort Primary School in Leichardt Street in Beaufort. I went and visited it recently, and there were cobwebs everywhere. It has been ransacked. There is graffiti all over the old buildings. This is the number 60 primary school in the state – a heritage-listed building – and it is there rotting. Last state election you guys over there promised \$800,000 to fix this place. Nothing is happening. I have got a very personal stake in this because this is my old primary school that I went to and I graduated from, and it is sitting there rotting because you guys cannot manage your own assets. You cannot manage money, you cannot manage projects and you cannot even manage an old school. It is just awful. I hope that the minister can actually do something to make sure that there is some life for this school.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (14:16): (974) My constituency question is to the Premier. I refer to my previous constituency question to her in May of 2023 in her then capacity as Minister for Transport and Infrastructure. In that question I asked about reports that she was warned about potential CFMEU coercion – illegal coercion – and exclusion of Indigenous firms from the state's infrastructure projects last year and subsequent reports that a Mick Gatto linked, CFMEU-backed Indigenous labour firm is now working on the duplication of Mickleham Road in my electorate. The Premier claimed at that time that industrial relations was a federal matter and the state government could do nothing about it. To my surprise now in 2024, with these allegations covered in the media, she has expressed disgust and called for an independent review. Where was the action last year when I raised these allegations with you, Premier, and why has it taken so long for you to act?

Eastern Victoria Region

Renee HEATH (Eastern Victoria) (14:17): (975) First I would just like to thank Abbie McCrimmon, who did some research in my office while she did work experience, so she did some research into this. My question is for the Minister for Prevention of Family Violence, and it concerns breaches of family violence orders in my electorate. This breach is one of the most heavily committed in the Eastern Victoria Region. Last year in Pakenham – which ranks seventh highest by the way – there were 267 breaches of family violence orders. In Morwell, which was the fourth ranking, there were 321 breaches, and in Traralgon there were 249 breaches. Only 40 per cent of these breaches have resulted in imprisonment, and the majority have been just adjourned and nothing has happened. So my question is: what is the minister doing to counteract this, and what is she doing to protect the innocent victims that are not being protected by the law or this government?

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (14:18): (976) My question is for Minister Pearson in the other place, and it relates to his transport infrastructure portfolio. In particular what I would like to know, or what the people of Ringwood and the district of Ringwood would like to know, and seek is an assurance that none of the projects that have taken place in our electorate – so Dublin Road, Bedford Road and perhaps even in the future, although there is absolutely no money whatsoever in the budget going forward for it, despite their talk, Maroondah Hospital – have actually been fleeced by the CFMEU and effectively had public funds stolen. These are significant projects. We welcome the level crossing removals themselves; however, if in the course we have lost tens if not millions of dollars, then that is a travesty. Let us not forget that in Ringwood East, at that train station, this government continue to refuse to include a toilet, despite the fact that they have spent close to \$1 billion. So while they are happy on one hand to see no evil, hear no evil – well, they are happy to let the money go out to the CFMEU on one hand – they simply cannot provide, as part of a billion-dollar project, a public toilet in Ringwood East. It is a travesty.

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (14:19): (977) My question is to the Minister for Police, and I ask: since under Premier Allan's Labor government there is a family domestic violence arrest every 90 minutes in my electorate of the South-Eastern Metropolitan Region, with police arrests in 2024 at 17 a day – one every 1½ hours – what actions are being taken by the Allan government to address this crisis? Police are to be applauded for their initiative and the amount of proactive work they are doing in the area, with their recent blitz laying over 7500 charges so far this year, but with half of their resources being used on domestic violence issues, there are not enough police on the beat for everyday policing. With five councils – Casey, Cardinia, Greater Dandenong, Frankston and Mornington Peninsula – accounting for more than 70 per cent of domestic violence incidents across the south-east of Melbourne, urgent intervention by this tired Labor government to provide more resources for police is essential.

Petitions

Smart meters

Jeff BOURMAN (Eastern Victoria) presented a petition bearing 269 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that current regulations in Victoria do not allow for the disabling of the remote function of electricity smart meters. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) advise, "There have been anecdotal reports into potential health effects of exposure to RF EME [radio frequency electromagnetic energy] from smart meters claiming of a variety of ill effects that have been generally termed 'electromagnetic hypersensitivity' or EHS." The current options to assist customers, offered by distributors United Energy and Powercor, do not address health concerns as they do not allow for the removal of this direct source of RF EME from properties. According to the Australian Energy Regulator (AER), in New South Wales, Queensland, South Australia, the Australian Capital Territory and Tasmania, "When your smart meter is installed you can ask your retailer to disable its communications functions." The AER states that, "All new and replacement electricity meters are required to be smart meters (except in the Northern Territory and Western Australia)." Regarding their digital water meter program, Coliban Water in Bendigo, Victoria, advise that because their digital data loggers do not allow for the remote function to be disabled, customers can opt out of having the device installed. The petitioners therefore request that the Legislative Council call on the Government to change regulations in Victoria to allow for the disabling of the remote function of electricity smart meters.

Jeff BOURMAN: I move:

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

Motion agreed to.

JB Osborne Theatre

Gaelle BROAD (Northern Victoria) presented a petition bearing 1021 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the strong local community support calling on the Government to fund restoration works at the JB Osborne Theatre in Kangaroo Flat. The 400-seat theatre is a community asset that has fallen into disrepair. Government funding is required to ensure full restoration takes place, including the construction of multi-purpose change rooms which can be used by both theatre artists and young female and male sporting teams as well as for education purposes. A school sporting oval is adjacent to the theatre. Once restored, the theatre could also be used for a range of other activities that would benefit the wider Bendigo community, such as events for multicultural and youth groups, and the aged. The petitioners therefore request that the Legislative Council call on the Government to provide funding to assist Crusoe College in restoring and refurbishing the JB Osborne Theatre for education and community purposes.

Gaelle BROAD: I move:

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

Motion agreed to.

Medicinal cannabis

David ETTERSHANK (Western Metropolitan) presented a petition bearing 5769 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the Road Safety Act 1986 is severely impacting thousands of Victorian medical cannabis patients. Tens of thousands of Victorian residents are prescribed medical cannabis by their doctor, but risk fines and loss of licence due to the current laws. We should not criminalise those who are legally prescribed medications, who are unimpaired and can drive safely. That is how we treat every single other prescription medicine and medical cannabis should be no different.

The petitioners therefore request that the Legislative Council call on the Government to amend the Road Safety Act 1986 to make it no longer an offence for a driver who is unimpaired to have detectable THC in their blood or oral fluid, provided they have taken their medication as prescribed.

David ETTERSHANK: I move:

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

Motion agreed to.

Winchelsea Primary School

Sarah MANSFIELD (Western Victoria) presented a petition bearing 352 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the state of Winchelsea Primary School. In parts of the school there is asbestos materials meaning that improvement works are dangerous and costly. The school faces the Princes Highway, which is a two-lane two-way Highway, and has inadequate fencing, replacing the fence is beyond the school's financial capacity. Current growth figures are showing that the school will be at capacity in three years. The school doesn't have an all-abilities toilet and shower meaning it isn't suitable for all students. Many schools in the surrounding areas have had significant improvements made in recent times. The current plan of fixing or replacing the damage in the buildings is going to cost above \$30,000 per year. This will only increase into the future. The current school site is over 60 years old and will no longer meet the requirements as enrolments increase as the town grows. In rural areas the schools are the lifeblood of the community and are seen as a gathering place for everyone.

The petitioners therefore request that the Legislative Council call on the Government to consider planning for a new school on a greenfield site in Winchelsea to cater for the current and future growth of the town and surrounding areas.

Sarah MANSFIELD: I move:

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

Motion agreed to.

Ballarat East substation

Joe McCracken (Western Victoria) presented a petition bearing 2004 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the planned building of a major electrical substation by Powercor at 203 York Street, Ballarat East.

The petitioners therefore request that the Legislative Council call on the Government to intervene and halt the planned building of a major electrical substation by Powercor in Ballarat East as it is closely surrounded by residences and request that the land be rezoned.

Joe McCracken: As this petition qualifies for debate under the standing orders, I give notice that I intend to move 'That the petition be taken into consideration' on Wednesday of next sitting week.

Bills**Charter of Human Rights and Responsibilities Amendment (Right to a Safe Climate) Bill 2024***Introduction and first reading*

Sarah Mansfield (Western Victoria) (14:24): I introduce a bill for an act to amend the Charter of Human Rights and Responsibilities Act 2006 to provide for the right to a safe climate and for other purposes, and I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Sarah Mansfield: I move:

That the second reading be made an order of the day for the next day of meeting.

Motion agreed to.

Government Construction Projects Integrity Bill 2024*Introduction and first reading*

Evan Mulholland (Northern Metropolitan) (14:24): I introduce a bill for an act to impose certain obligations on parties to construction contracts entered into by or on behalf of the Crown and on certain registered employee organisations and for other purposes, and I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Evan Mulholland: I move:

That the second reading be made an order of the day for the next day of meeting.

Motion agreed to.

Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2024*Introduction and first reading*

Sarah Mansfield (Western Victoria) (14:25): I introduce a bill for an act to amend the Independent Broad-based Anti-corruption Commission Act 2011 in relation to the meaning of corrupt conduct and for other purposes, and I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Sarah MANSFIELD: I move:

That the second reading be made an order of the day for the next day of meeting.

Motion agreed to.*Committees***Scrutiny of Acts and Regulations Committee***Alert Digest No. 9*

Sheena WATT (Northern Metropolitan) (14:26): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table *Alert Digest* No. 9 of 2024, including appendices, from the Scrutiny of Acts and Regulations Committee. I move:

That the report be published.

Motion agreed to.**Environment and Planning Committee***Inquiry into the 2022 Flood Event in Victoria*

Ryan BATCHELOR (Southern Metropolitan) (14:26): Pursuant to standing order 23.22, I table the final report and summary booklet on the inquiry into the 2022 flood event in Victoria, including appendices, extracts of proceedings and minority reports, from the Environment and Planning Committee, and present the transcripts of evidence. I move:

That the transcripts of evidence be tabled and the report and summary booklet be published.

Motion agreed to.

Ryan BATCHELOR: I move:

That the Council take note of the report.

The wettest month on record in Victoria had devastating consequences. The flood event in October 2022 was a significant natural disaster, and this inquiry by the Environment and Planning Committee was an important way to give voice to those who had lost so much. It was also an opportunity to help recommend ways that communities and government could better prepare for, respond to and recover from future flood disasters, and with 90 findings and 73 recommendations, this report does just that. It is informed by deeply impactful stories from communities and by expert evidence from emergency responders, local authorities, climate scientists, hydrologists and urban planners. It is clear that climate change is intensifying weather events and increasing the risks we all face. It is also clear that in the midst of disaster the community spirit shone through. People went above and beyond to help their neighbours, mobilising to protect their towns, reaching out and ensuring that no-one was left alone or abandoned in a time of crisis. Emergency response agencies, ably led by the VICES and local search and rescue, played an exceptionally important role.

Not all the damage done in the October 2022 flood event was caused by nature alone. The impact of the rain that fell was exacerbated by decisions made often years prior – decisions about the shape of the built environment and about new physical infrastructure made by our planning system. The committee was asked to examine several of these, and we found that the Flemington Racecourse flood wall increased the extent by 1 per cent and the depth by 2 per cent of the flood in Maribyrnong. The parts of the Rivervue Retirement Village removed from a land subject to inundation overlay were in fact flooded less than a decade later, and the releases of water from Lake Eppalock and Lake Eildon impacted local landholders and communities.

This inquiry sought answers to the same question that many in the community asked: why? The report gives a detailed account of the evidence received, and I encourage members, and members of the community, to read that detailed evidence. For example, on Rivervue the evidence we received, notably from Tony Pagone AM KC and his independent review panel, was that mistakes were made in the rezoning process. One of the most critical roles for government going forward is to accurately and honestly inform communities about risk – risk that is dynamic and not static and not fixed at a point in time. New flood modelling is being undertaken across all of Melbourne's catchments, informed this time by climate change, and this new information will inevitably show an increasing flood risk, as we saw recently in the Maribyrnong catchment and in places like Kensington Banks. Communities need to be properly supported through this process of updated risk information, and leaders in the community need to show compassion and support. For 18 months the Legislative Council Environment and Planning Committee has worked on this report, informed by 880 submissions and evidence given at public hearings in Rochester, Echuca, Seymour, Shepparton and here in Melbourne. The committee conducted site visits in Maribyrnong, Flemington, Avondale Heights and Echuca. On behalf of the committee, I would like to thank all of those who took the time to tell us their stories and who gave us the benefit of their expertise. All of this evidence was invaluable.

This final report obviously follows an interim report the committee tabled in northern Victoria during our regional sitting in Echuca in April. I would like to thank all of my committee colleagues for their diligent work and the collegiate spirit shown throughout this inquiry, especially Ms Terpstra, who served as chair of the committee until November 2023 and led the committee during the regional hearings. Inquiries owe much to the hardworking staff in the committee secretariat, led by manager Lilian Topic, inquiry officer Caitlin Connally, research assistant Adeel Siddiqi and communications adviser Ben Kimber, with administrative support by Sylvette Bassy, and the teams in Hansard and broadcasting who helped bring this inquiry to the communities most connected to our work. Please accept my sincere thanks on behalf of all members of the committee.

Nothing can bring back the homes and businesses destroyed nor the lives tragically lost in this flood event, but honest learning and a determination to enact change is a fitting and lasting tribute.

Wendy LOVELL (Northern Victoria) (14:31): Communities across Victoria, particularly in the north, were devastated by the floods that swept across our state in October 2022. Two lives were lost, countless homes and businesses were destroyed and thousands were made homeless, and communities are still recovering from the effects of the floods. The flood inquiry examined the pre-flood risk planning, emergency readiness, early warning systems, rapid response strategies and resourcing of local emergency services as well as resourcing of recovery efforts. The report makes 90 findings, and it is critical of the standard of emergency preparedness in Victoria prior to the floods. The report also makes 73 recommendations to the state government that will improve community readiness to react to imminent disasters and to respond more effectively in the wake of future disasters.

The inquiry received 880 submissions, of which 608 came from northern Victoria, and 344 of those were from Rochester alone. I would like to thank everyone who made a submission, who gave evidence at a hearing, who participated in an open mic session or even attended a hearing. I would like to thank the local government areas who went above and beyond to make way for us to have our hearings in their communities. There are 90 findings, there are 73 recommendations, and I do implore the government to implement and fund all 73 of those recommendations.

I would also like to thank the secretariat of the Environment and Planning Committee, led by Lilian Topic, who have been absolutely amazing throughout this whole inquiry, and our report is a testament to your professional standards. Thank you very much.

Just lastly, I would like to make special mention of my two constituents who died in the floods – 71-year-old Kevin Wills of Rochester and 65-year-old Bryan Hack of Nathalia – and pass my condolences to their families and friends.

David ETTERSANK (Western Metropolitan) (14:34): I would like to broadly endorse the comments of Mr Batchelor and commend the report to the chamber and to the community. I would also like to express my profound appreciation to the large number of Victorians, both city and country, who generously came forward to frankly tell their stories of the flood and its aftermath – likewise to the range of dedicated first responders, institutional stakeholders and subject experts, and our wonderful secretariat led by Lilian Topic.

The findings and recommendations contained in the final report of the inquiry reflect the overwhelmingly bipartisan approach adopted by committee members. However, Legalise Cannabis Victoria have misgivings about two matters that I would like to raise. Firstly, the terrible decision-making processes that were reflected in the approval of the Flemington Racecourse flood wall and the Rivervue Retirement Village – while there was no smoking gun of corporate interference, there are still so many unanswered questions about both of these outcomes. Secondly, in terms of the last-minute release of information from Melbourne Water with their revised flood modelling, communities along the Maribyrnong are shocked and wanting answers. They have a right to those answers, and the committee did not get the opportunity to fully interrogate the information.

In commending the flood report, we note that the forthcoming inquiry into climate change resilience and the 19 October referral to the Ombudsman can and must seek truths and must provide directions forward for affected communities. I know this is an aspiration shared both in this place and in communities across the state.

Melina BATH (Eastern Victoria) (14:35): I would firstly like to thank our Environment and Planning Committee secretariat led by Lilian Topic and all of her fabulous crew. They acted with integrity, dedication and professionalism in the face of real human tragedy, and their kindness is well appreciated. I would like to thank every single Victorian who provided feedback, made a submission and shared their pain and insights at our hearings both regionally and in Melbourne.

When the 2022 floods inundated homes, businesses, shops, schools and community infrastructure, wrecked roads and ripped through our communities, tragically taking two lives and decimating stock along the way, we saw the very best of human nature in northern Victoria and in our Maribyrnong residents as we saw them rally to help each other in a time of crisis. We saw first responders, both coordinated and spontaneous. We saw local charities and organisations. And we heard in our committee hearings the role and failings of the Victorian government and its agencies. The committee heard how residents did feel abandoned quite often by government, left to fend for themselves with inaccurate information and questioning who was in charge in the wake of this destruction. The government often spoke about continual improvement. Well, I believe the 90 findings and 70 recommendations in this report actually go very much to the pinpoint of how this government can improve and do better for Victorians, not only for our infrastructure but for our environment.

The things that most interest me of course are about the preparation for floods, the mitigation, the warnings, the recovery and resilience-building in our communities. I thank each and every one of our participants for that. I also want to thank our committee members for being collegiate in their endeavours and producing a majority report that the Liberals and Nationals felt adequately reflected the views and conditions of our communities.

Gaelle BROAD (Northern Victoria) (14:38): The purpose of the flood inquiry was to examine our state's preparedness and response to the major floods that impacted Victoria in 2022. We received 880 submissions and heard directly from those impacted. We know that precious lives were lost. We heard from elderly residents who woke up to find water coming into their bedrooms; farmers flooded by water storages released without warning, their annual crops and incomes along with livestock lost in the floodwaters; inaccurate flood warnings that caused confusion; roads and bridges torn apart and councils still waiting for funds to repair them; residents sleeping on wet mattresses; homes left gutted and people still waiting for insurance claims to be resolved 12 months on; emergency volunteers waiting up to six years to do training courses; a shortage of sandbags; critical infrastructure, such as

levies, dams and culverts, that was inadequate; online grant support offered in areas with no internet access; and businesses destroyed by floods overwhelmed by paperwork to prove it. Many parts of northern Victoria were hit hard by the floods.

I want to thank the members of the committee from all sides of politics, the secretariat especially and parliamentary staff for their work during this inquiry and for holding the hearings in northern Victoria – in Rochester, Echuca, Seymour and Mooroopna – to hear directly from those impacted. It was clear from the stories that we heard that Victoria was not well equipped to respond to a flood of this scale and there is much work that still needs to be done to help us be better prepared for the future.

The flood inquiry report is available on the Parliament of Victoria's committee website and clearly outlines the findings and recommendations of the committee. There are many key priorities. These priorities are identified in the report because people from across the region shared their stories, and I sincerely thank them for doing so. Now it is up to the government to respond to these recommendations by taking action and reporting back to Parliament on its progress.

Samantha RATNAM (Northern Metropolitan) (14:40): I rise to commend this report, and I concur with the contributions that have been made by the chair and fellow members. I firstly want to thank the community for contributing so extensively to this really important inquiry, often through ongoing pain and loss – loss of life, property and ongoing livelihood impacts. I also want to thank the secretariat and staff for the incredible work that they put in to make this very extensive investigation possible and members of the Environment and Planning Committee. I think it was an example of Parliament at its best, when we can work collaboratively across differences in the best interests of the community.

While the report is indeed extensive – as you will see with its volume – in many ways it only scratched the surface about what is going on and how we need to modernise both our planning and our emergency response systems to deal with what climate change is going to impose on our communities far and wide. This pertains, for example, to the planning system, which is a complex system but needs more transparency and accountability because of this inherent complexity within the system. We see the creep of private and commercial interests in decision-making, and when that intersects with the use of ministerial powers – we have had examples where ministerial power has led to decisions that were not in the best interests of the community – these things need to be interrogated. That pertains to the Flemington Racecourse flood wall and the Rivervue Retirement Village. Much more investigation needs to occur to give comfort, satisfaction and recourse to those residents who are now left with the impact of a broken planning system and very opaque decision-making that need greater interrogation.

We also looked at what happens when you start to outsource what were previously in-house functions of statutory authorities, and we believe that warrants further investigation – so too the planning decisions around Kensington Banks, which only came to us during the final moments of the inquiry. I commend this report to the house.

Motion agreed to.

Electoral Matters Committee

Inquiry into the Conduct of the 2022 Victorian State Election

Lee TARLAMIS (South-Eastern Metropolitan) (14:42): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table a report on the inquiry into the conduct of the 2022 Victorian state election, including appendices, extracts of proceedings and minority reports from the Electoral Matters Committee, and I present the transcripts of evidence. I move:

That the transcripts of evidence be tabled and that the report be published.

Motion agreed to.

Lee TARLAMIS: I move:

That the Council take note of the report.

Our democratic system relies on elections being conducted fairly, securely and accurately. This is not an easy task as elections in Victoria are large and complex events involving millions of people. It is important to acknowledge that the 2022 election was the largest in the state's history, with record numbers of voters and candidates. With this increasing scale came increasing complexity for the Victorian Electoral Commission and others. The VEC needs to manage time pressures, thousands of temporary workers and some very passionate participants, which is not without its challenges.

This inquiry looked specifically at the conduct of the 2022 Victorian election, including the experiences of voters, candidates, parties and other stakeholders. In presenting this report it is important to state from the outset that there is much to be proud of in Victoria's electoral system and, further, that the VEC has an excellent reputation for the way in which it delivers elections. The committee considers the 2022 election was generally conducted fairly and democratically, with all legislative requirements being met, and the committee was not presented with any evidence indicating that the election result was not correct. However, there were some areas where problems occurred and where improvements need to be made for future elections. These are outlined in detail in the report, along with 98 recommendations and 141 findings that will assist with addressing these issues.

Before I go into more detail about the report, I would like to thank the many people who contributed through written submissions, by meeting with the committee at public hearings, attending the community round tables and completing surveys. The committee received written submissions from 114 people, groups and organisations and held 27 public hearings with 52 witnesses. The information provided was crucial for us to understand what occurred at the 2022 election and how elections can be improved.

This report is divided into two volumes. Volume 1 explores the following four key areas where the committee would like to see changes: improving the election timeline, equipping the VEC with the staff it needs, managing poor behaviour by candidates and campaigners and reforming the upper house. Volume 2 explores the evidence received by the committee in detail and considers matters not covered in volume 1, assessing the 2022 election based on four fundamental questions: was the election inclusive, was the election trustworthy and transparent, did the VEC meet its obligations and was the election fair? There is a lot to unpack in this report and limited time to cover the aspects, so I will just touch on a few points.

The committee was pleased to see a higher proportion of people enrolled and fewer people voting informally than at previous elections. However, the number of people actually turning out to vote has dropped over the last two elections. In addition, although the overall rate of informal voting has reduced, there is an increased number of districts with particularly high informality. Further research is needed to understand what is driving these changes, and the VEC has already begun that process.

The committee would also like to see more done to support the participation of people with disability, including the development of a framework for improving the inclusion of people with intellectual and cognitive disability. We also recommended that the VEC return to its previous practice of mailing hard copies of the easy vote guide to households, and there are improvements that can be made to the VEC's communications with electors from culturally and linguistically diverse backgrounds.

Ensuring that all people can trust the VEC and its processes is critical to robust democracy, and the VEC increased its efforts to tackle inaccurate rumours online in 2022, which the committee supports. However, there was also published some inaccurate information about problems at voting centres, and the VEC will need to review its processes to ensure that this sort of thing does not occur in future.

Scrutineers also play a role in ensuring that vote counting is correct, and there is scope for the VEC's communication with scrutineers to be improved so that they can be present whenever counting is taking place.

Multiple stakeholders raised concerns about the way the VEC enforced rules at the 2022 election, especially with voting centres. In some cases the committee considers that legislative change to adjust some rules would be appropriate. These include rules around behaviour at voting centres, changes to certain timelines, the authorisation of electoral matter, what is permitted on how-to-vote cards and the timelines for sending out data about postal votes to parties and candidates. Unfortunately, ballot paper shortages were an issue in 2022, with a number of voting centres running out of ballot papers on election day and at least one voting centre closing early. Processes must be implemented to prevent this occurring again. The VEC has also indicated that it plans to implement electronic roll mark-off at future elections, which we welcome.

There are also structural changes proposed that are complex and require careful consideration prior to their implementation. To that end, we have recommended additional inquiries to specifically consider these changes in a more detailed way. While some of these changes would be able to be implemented in a timely manner, others may require a phased approach.

In concluding, I would like to recognise and thank the many parliamentary officers who assisted with this inquiry, including the committee's executive officer Christopher Gribbin along with Joel Hallinan, Sarah Catherall and Chiara De Lazzari, as well as the Hansard staff, the community engagement team, the graphic design team and the publishing team. In addition, I would like to thank Scope Australia and Inclusion Melbourne for their input to the surveys and Tarang Chawla from the Victorian Multicultural Commission for facilitating the committee's community round table. Finally, I would like to thank my fellow committee members for their contributions and for their collegiate approach during this inquiry. Whilst we did not always agree, we respected each other's views and compiled a comprehensive report. I commend the report to the house.

David ETTERS HANK (Western Metropolitan) (14:48): The report provides a valuable analysis of the 2022 election, and I commend it to the chamber and to the community. There are, however, a number of recommendations that for Legalise Cannabis Victoria, most of my crossbench colleagues and political activists across the state will be deeply disturbing in terms of their chilling effect on democracy in Victoria. The first are recommendations that will require parties to lodge registration six months in advance. At the same time the minimum number of members to register will increase by 50 per cent for parties, from 500 to 750, and for independents from 6 to 50. This clearly reduces the capacity of small and emerging campaigns to participate in the election process, particularly on relatively short notice.

The second relates to group voting tickets. There is broad support for reform to GVTs, and this involves two elements: the actual voting system and the structure of the regions and the number of members to be elected from each region. The recommendations in this report propose introducing a federal, Senate-style voting system but deferring consideration of the regions, in part because this will require a referendum. If adopted by the government, based on voting numbers in the 2022 election, a few more reps would be added to the government, a few more reps would be added to the opposition and the Greens would roughly double. The rest of the crossbench would be eliminated. These recommendations were supported by the old parties: Labor, Liberals, Nationals and Greens. I believe this is a shoddy cabal of self-interest that poses a real threat to the fastest growing area of electoral support – the smaller parties, the new parties and the independents. These concerns are elaborated further in my minority report. In closing I would like to thank profoundly the secretariat for their outstanding work and the members of the community who contributed to the process.

Motion agreed to.

Integrity and Oversight Committee*The Independent Performance Audit of the Victorian Ombudsman*

The Clerk: Pursuant to section 35(2)(c) of the Parliamentary Committees Act 2003, and following the release of the report on 1 July 2024, I table the report on the independent performance audit of the Victorian Ombudsman, including an appendix, from the Integrity and Oversight Committee.

Ryan BATCHELOR (Southern Metropolitan) (14:51): I move:

That the Council take note of the report.

I have just a brief contribution. This is an important report from the Integrity and Oversight Committee. One of our functions on behalf the Parliament is to act as the accountability mechanism for our integrity agencies. Performance audits of those integrity agencies were something that was introduced in legislation a couple of years ago. This is the first time the committee has undertaken a performance audit of the Victorian Ombudsman and her office. I do want to say it was a very constructive process. It elicited a series of considered recommendations that will hopefully improve the performance of the Ombudsman and her office during a period of transition between the former Ombudsman and the current Ombudsman. I particularly want to thank the independent auditors commissioned by the committee, O'Connor Marsden, for their diligent work and also the secretariat staff, led by Tom Hvala with Holly Brennan and Sean Coley, for their work on what was a very good report.

Motion agreed to.

Papers**Papers****Tabled by Clerk:**

Audit Act 1994 – Performance Audit of the Victorian Auditor-General and the Victorian Auditor-General's Office, 29 July 2024, under section 83(4) of the Act.

Auditor-General –

Access to Emergency Healthcare, June 2024 (*released on 25 June 2024 – a non-sitting day*) (*Ordered to be published*).

Managing State-significant Risks, June 2024 (*released on 27 June 2024 – a non-sitting day*) (*Ordered to be published*).

Results of 2023 Audits: Universities (*released on 28 June 2024 – a non-sitting day*) (*Ordered to be published*).

Crown Land (Reserves) Act 1978 –

Order of 8 July 2024 giving approval for the granting of a license at Alexandra Gardens Reserve.

Order of 15 July 2024 giving approval for the granting of a lease at Rosebud Public Park and Recreation Reserve.

Order of 18 July 2024 giving approval for the granting of a license at Alexandra Gardens Reserve.

Drugs, Poisons and Controlled Substances Act 1981 – Report under section 96 by the Chief Commissioner of Victoria Police for 2023.

Gambling Regulation Act 2003 – Report of Independent Review Panel: Wagering and Betting Licensing Project, under section 10.2A.11(3) of the Act.

Independent Broad-based Anti-corruption Commission – Annual Plan, 2024–25 (*released on 27 June 2024 – a non-sitting day*) (*Ordered to be published*).

Parliamentary Committees Act 2003 – Government response to the Public Accounts and Estimates Committee's Report on Gambling and liquor regulation in Victoria: a follow up of three Auditor-General reports.

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

Bass Coast Planning Scheme – Amendments C167 and C168.

Bayside Planning Scheme – Amendment C194.
Brimbank Planning Scheme – Amendment C225.
Colac Otway Planning Scheme – Amendment C124.
Glen Eira Planning Scheme – Amendment C247.
Greater Bendigo Planning Scheme – Amendment C241.
Greater Geelong Planning Scheme – Amendment C470.
Macedon Ranges Planning Scheme – Amendment C157.
Melbourne Planning Scheme – Amendments C381 and C471.
Mornington Peninsula Planning Scheme – Amendments C305 and C306.
Southern Grampians Planning Scheme – Amendment C60.
Stonnington Planning Scheme – Amendments C340 and C343.
Surf Coast Planning Scheme – Amendment C138.
Whitehorse Planning Scheme – Amendments C245, C249 and C251.
Yarra Planning Scheme – Amendments C293 and C322.

State Owned Enterprises Act 1992 – Constitution of Breakthrough Victoria Pty Ltd, under section 75(a) of the Act.

Statutory Rules under the following Acts of Parliament –

Building Act 1993 – No. 59.
Circular Economy (Waste Reduction and Recycling) Act 2021 – No. 55.
Country Fire Authority Act 1958 – No. 49.
Fundraising Act 1998 – No. 67.
Honorary Justices Act 2014 – No. 66.
Local Government Act 2020 – City of Melbourne Act 2001 – Nos. 56 and 57.
National Electricity (Victoria) Act 2005 – No. 69.
Occupational Health and Safety Act 2004 – No. 63.
Offshore Petroleum and Greenhouse Gas Storage Act 2010 – No. 65.
Petroleum Act 1998 – No. 64.
Residential Tenancies Act 1997 – Nos. 47 and 58.
Road Management Act 2004 – No. 61.
Road Safety Act 1986 – No. 60.
Sale of Land Act 1962 – No. 48.
Subordinate Legislation Act 1994 – Nos. 51, 52 and 53.
Supreme Court Act 1986 – No. 36.
Treasury Corporation of Victoria Act 1992 – No. 68.
Victoria Police Act 2013 – No. 50.
Victorian Civil and Administrative Tribunal Act 1998 – No. 54.
Water Act 1989 – No. 62.

Subordinate Legislation Act 1994 –

Documents under section 15 in relation to Statutory Rule Nos. 33, 40, 45, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68 and 69.

Legislative instruments and related documents under section 16B in respect of –

Dairy Food Safety Victoria determination of licence classes and fees for dairy businesses for 1 July 2024 – 30 June 2025 under the Dairy Act 2000.

Ministerial Order No. 1454 – Government ELC Workforce (Employment Conditions) under the Education and Training Reform Act 2006.

Notice of declaration of a kind of insurance that is excluded from the definition of business insurance under section 3(2A) of the Duties Act 2000.

Water Act 1989 –

Corangamite Catchment Management Authority by-law No. 5 Waterways Protection 2024.

Goulburn Broken Catchment Management Authority by-law No. 4 Waterways Protection 2024.

Mallee Catchment Management Authority by-law No. 2 Waterways Protection 2024.

Ministerial Prohibition Determination Applicable to Particular Place of Take Approvals that are Tagged – June 2024.

North Central Catchment Management Authority by-law No. 2 Waterways Protection 2024.

North East Catchment Management Authority by-law No. 2024/01 Waterways Protection.

Order to Amend the Trading Rules for Declared Water Systems 2023 (Removal of the Grandfathered Use Reserve from the Goulburn to Murray Trade Rule).

West Gippsland Catchment Management Authority by-law No. 4 Waterways Protection 2024.

Wimmera Catchment Management Authority by-law No. 3 Waterways Protection 2024.

Surveillance Devices Act 1999 – Inspection Report by the Victorian Inspectorate on surveillance device records inspected during the period 1 January 2023 to 30 June 2023, under section 30Q of the Act.

Terrorism (Community Protection) Act 2003 – Inspection Report by the Victorian Inspectorate on Victoria Police records for the March to August 2023 period, under section 37D of the Act.

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 –

Determination No. 1/2024 setting the value of salaries and allowances for Members of Parliament (Victoria), effective 1 July 2024, under section 26 of the Act.

Guidelines No. 1/2024, effective 1 August 2024, under section 36 of the Act.

Victorian Inspectorate –

Annual Plan 2024–25 (*released on 28 June 2024 – a non-sitting day*).

Reports on controlled operations records and reports, 2022–23, for –

Department of Energy, Environment and Climate Action, under section 74P of the Wildlife Act 1975.

Game Management Authority, under section 74P of the Wildlife Act 1975.

Independent Broad-based Anti-corruption Commission, under section 39 of the Crimes (Controlled Operations) Act 2004.

Victorian Fisheries Authority, under section 131T of the Fisheries Act 1995.

Victoria Police, under section 39 of the Crimes (Controlled Operations) Act 2004.

Special Report: Investigation of unauthorised disclosures by an integrity officer (*released on 25 June 2024 – a non-sitting day*) (*Ordered to be published*).

Wrongs Act 1958 – Notice of scale of fees and costs for referrals of medical questions to medical panels under Part VBA (*Gazette G26, 27 June 2024*).

Proclamations of the Governor in Council fixing operative dates in respect of the following acts were laid on the table by the Clerk:

Gambling Legislation Amendment Act 2023 – Division 2 of Part 3 – 30 August 2024 (*Gazette S406, 23 July 2024*).

State Electricity Commission Amendment Act 2024 – 1 July 2024 (*Gazette S319, 18 June 2024*).

Sustainable Forests (Timber) Repeal Act 2024 – 1 July 2024 (*Gazette S345, 25 June 2024*).

Transport Legislation Amendment Act 2023 – Part 5 and sections 37, 47, 49 and 55 – 1 July 2024 (*Gazette S319, 18 June 2024*).

Victorian Responsible Gambling Foundation Repeal and Advisory Councils Act 2024 – 1 July 2024 (*Gazette S345, 25 June 2024*).

*Committees***Economy and Infrastructure Committee***Inquiry into the Industrial Hemp Industry in Victoria*

The Clerk: I have received the following paper for presentation to the house pursuant to standing orders: the government response to the Economy and Infrastructure Committee's inquiry into the industrial hemp industry in Victoria.

Petitions

Cannabis law reform

Drug harm reduction

Private security

Police resources

Sydney Road tram stops

Public transport fares

Pyrenees Highway

Frankston roads

Ringwood East train station

Responses

The Clerk: I have received the following papers for presentation to the house pursuant to standing orders: responses from ministers to nine petitions, details of which have been emailed to members.

*Production of documents***Country Fire Authority**

The Clerk: I have received two returns to orders for production of documents. Firstly, I table a letter from the Attorney-General dated 23 July 2024 in response to a resolution of the Council on 19 June 2024 on the motion of Ms Crozier relating to the memorandum of understanding for the implementation of the fire medical response by CFA volunteers. The government has identified one document within the scope of the order. I further table the document provided, noting that the personal information of individuals has been redacted in the document.

Housing

The Clerk: Secondly, I table a letter from the Attorney-General dated 29 July 2024 in response to a resolution of the Council on 15 November 2023 on the motion of Dr Ratnam relating to the redevelopment of high-rise public housing sites. The letter clarifies that the response to this order tabled on 20 June 2024 was a response to categories (a) to (i) of the order, excluding email correspondence, and relates to documents in existence as at 15 November 2023. I further table a schedule of the 146 documents that the government has previously made a claim of executive privilege over in full.

Sarah Mansfield: On a point of order, President, there was a documents motion passed by this place on 15 May regarding agreements between the Victorian government and Elbit Systems and the Israeli Ministry of Defense. Those documents were due on 12 June, and we have not yet received a response.

The PRESIDENT: I will get the minister at the bench to follow that up with her colleagues.

Business of the house**Notices****Notices of motion given.****General business**

Georgie CROZIER (Southern Metropolitan) (15:11): I move, by leave:

That the following general business take precedence on Wednesday 31 July 2024:

- (1) order of the day made this day, second reading of the Government Construction Projects Integrity Bill 2024;
- (2) notice of motion 437 standing in David Ettershank's name on medicinal cannabis and driving;
- (3) notice of motion given this day by Rikkie-Lee Tyrrell referring matters relating to the government's community consultation practices to the Environment and Planning Committee; and
- (4) notice of motion given this day by me establishing a select committee on corruption and misconduct by the construction division of the CFMEU.

Motion agreed to.***Motions*****Middle East conflict**

Katherine COPSEY (Southern Metropolitan) (15:12): I move, by leave:

That this house:

- (1) notes that on 19 July 2024 the International Court of Justice issued an advisory opinion stating that:
 - (a) 'The sustained abuse' by the state of Israel 'of its position as an occupying power through annexation and an assertion of permanent control over the occupied Palestinian territory and continued frustration of the right of the Palestinian people to self-determination violates fundamental principles of international law and renders Israel's presence in the occupied Palestinian territory unlawful';
 - (b) the state of Israel's continued presence in the occupied Palestinian territory is unlawful and should come to an end 'as rapidly as possible';
- (2) further notes that the court found that:
 - (a) the state of Israel has no right to sovereignty of the territories, is violating international laws against acquiring territory by force and is impeding Palestinians' right to self-determination;
 - (b) member states are under 'an obligation not to render aid or assistance in maintaining the situation created by Israel's illegal presence in the occupied Palestinian territory';
- (3) does not support the state of Israel's continued invasion of Gaza; and
- (4) supports calls for an immediate and permanent ceasefire.

Leave refused.**Construction, Forestry and Maritime Employees Union**

David DAVIS (Southern Metropolitan) (15:13): I move, by leave:

That this house:

- (1) expresses its serious concern at the behaviour of the Construction, Forestry and Maritime Employees Union, the CFMEU, Victorian construction division officials under the leadership of Mr John Setka as outlined in the detailed recent revelations in Nine media revealing examples of standover tactics, threats, extortion, kickbacks, bribery and an extraordinary list of other illegal activities;
- (2) notes that a raft of Andrews and Allan Labor government ministers were repeatedly warned of the CFMEU's illegal activity on Victorian Big Build sites;
- (3) further notes that the CFMEU's illegal activity on Big Build sites has contributed to massive cost overruns; and

- (4) condemns the Allan Labor government and its ministers for their weak and tardy response to these chilling revelations and the earlier advice.

Leave refused.

Members statements

Stefan Romaniw

Lee TARLAMIS (South-Eastern Metropolitan) (15:14): It is with much sadness that I acknowledge the passing of Stefan Romaniw OAM on 26 June 2024. Stefan was a highly respected and revered community leader and advocate who dedicated his life to promoting diversity, inclusion and multiculturalism. His unexpected passing is a significant loss to all who knew him and the numerous communities he tirelessly served. Stefan's leadership extended to state, national and international levels, advocating for multicultural diversity in the Ukrainian community. His relentless advocacy for the Ukrainian diaspora, especially following the illegal Russian invasion in 2022, influenced government policies and provided vital support for those impacted.

Throughout his career Stefan held numerous leadership roles where he demonstrated his unwavering commitment to supporting multicultural communities. He served as the co-chair of the Australian Federation of Ukrainian Organisations and was the first vice-president of the Ukrainian World Congress and executive director of Community Languages Australia. His contribution spanned many committees and councils, including the Refugee Review Tribunal, the Australia Day committee, the Victorian Multicultural Commission and Multicultural Arts Victoria.

Stefan's contributions to language, education and cultural maintenance were remarkable. The depth and breadth of Stefan's service were further highlighted by his roles as the principal of the Ukrainian Community School in the north of Melbourne for 17 years, a chair of the Ukrainian School Council of Victoria and an inductee to St Bernard's College hall of fame. His tireless promotion of the importance of education and language learning was acknowledged with an Order of Australia Medal in 2001. Stefan's extraordinary legacy will live on through the lives he touched and the future generations he inspired. We extend our heartfelt condolences to Stefan's family and all who knew him. Vale. You will be deeply missed.

Government performance

Georgie CROZIER (Southern Metropolitan) (15:16): Under Labor, Victoria is declining into a state of disarray. As if our reputation was not trashed enough with the debacle of the Commonwealth Games under the management of the then minister responsible Jacinta Allan, now we are known as the gangster state, with corruption, bullying and intimidation. Those opposite may laugh at that, but that is what has been reported and that is what people think. You are all responsible for the corruption, the bullying and the intimidation by the CFMEU that is costing Victorian taxpayers hundreds of millions of dollars – billions of dollars – in project blowouts. It was Jacinta Allan who knew about the corruption, turned a blind eye and did nothing for over a decade. It is Jacinta Allan who is being held responsible, as the former minister and now the Premier, for this ongoing corruption. She has done nothing – turned a blind eye. Now it is the Premier who is also turning a blind eye to the health crisis, seeing funding cuts in health that are causing so much distress and so much stress in our health system, where we have got doctors, nurses and paramedics leaving the state, hospital ramping and serious issues with patients not being able to get the care that they deserve and need. It is Premier Allan who has presided over all of this chaos, corruption and incompetence, and every Victorian is paying the price.

Orange Sky Australia

Rikkie-Lee TYRRELL (Northern Victoria) (15:17): I would like to use my members statement today to praise the extraordinary efforts of Orange Sky. Last week I had the privilege of visiting the Salvation Army facility in Bendigo, where Orange Sky recently launched their new laundry pod. This \$50,000 pod, funded through tireless fundraising efforts, consists of two diesel heater dryers and two

industrial washing machines. It operates twice a week, run by a dedicated group of volunteers offering a free laundry service to local residents who lack access to such facilities. Orange Sky provide more than just clean clothes; they create a safe, positive and supportive environment where people who are often overlooked can feel seen and heard. I met Darren, a local resident who has become a regular user of the service. Darren shared how much he relies on Orange Sky, not just for clean clothes but for the human connection and the dignity it restores. Orange Sky's innovative approach extends beyond laundry. They partner with local footy teams who pay to get their jerseys washed, with the funds supporting the organisation's mission. I am excited to share that Orange Sky will be expanding their services, with a new site opening in Mooroopna this October and plans for Shepparton thereafter. Orange Sky's work is a testament to the difference we can make when we come together as a community. I encourage everyone to support and volunteer for this remarkable organisation as they continue to bring hope and humanity to those who need it most.

Lions Clubs

Joe McCracken (Western Victoria) (15:19): It was an absolute privilege to join Lions International at their district changeover 201V1-4 for Des Jones, who became the new district governor, at the Ballarat Golf Club, a couple of weekends ago. It was a great celebration of all that the Lions do in the community, and they should be absolutely commended for the support that they give. To be fair, Des is a Ballarat boy who is a member of the Sebastopol Lions. Well done to Des. I wish to acknowledge him and all the great work that he does.

Western Victoria Region citizenship ceremonies

Joe McCracken (Western Victoria) (15:19): Secondly, I went to a number of citizenship ceremonies. Melton had over 800 new citizens in one day, which was amazing, and Ballarat City Council also hosted a ceremony which had 87, so it just goes to show you where the growth is in Western Victoria. I was very pleased to be there and help present awards to the new recipients of Australian citizenship. It is something we should always encourage and foster, a sense of pride and ownership that we have new citizens coming into the country who are going to make a great contribution.

Colac Probus club

Joe McCracken (Western Victoria) (15:20): I would lastly like to acknowledge the Colac Probus club. Helen Paatsch OAM invited me to speak there recently to the women's group, and we had a great chat. I walked in and they were all wearing red coats. I thought I might have been going to a branch meeting of those opposite – but I was not – which would have been a shame. But I do want to acknowledge the great work that the Probus group do in supporting the Colac community, so thank you to Helen and the team.

Public transport

Katherine Copsey (Southern Metropolitan) (15:21): When it comes to public transport, frequency is freedom. Frequency means that public transport is a convenient option to get to work, to sport, to school and to meet up with friends. Frequency means households might not need to buy that second car or even a first one. But as a recent report from the Climate Council has shown, almost half of Melbourne does not have access to all-day frequent public transport and access is 27 per cent lower in lower income areas. This makes it harder for people in many suburbs to get around, which means they either cannot access opportunities for jobs, study or socialising or have to put their household budgets under even more pressure by paying for multiple cars, with the fuel, insurance and more costs that go with them. It also means more traffic congestion and of course more carbon emissions.

As Climateworks and other organisations have made clear, to meet our emissions reduction targets we will need to take a multipronged approach that includes giving people options to be less car dependent and take public transport more as well as switching to EVs and low-emissions vehicles. This is very achievable. Most of the holes in our timetable currently are at off-peak times, when the infrastructure

actually has plenty of spare capacity, and the Victorian Transport Action Group have recently put out a paper that lays out some quick wins where gaps could be filled very quickly and cheaply compared to infrastructure investment. It is time we had a public transport system that works for everyone, with frequent services to all suburbs at all times of the day.

Santo Varapodio

Wendy LOVELL (Northern Victoria) (15:22): On Saturday 22 June I was one of hundreds of mourners who gathered to pay their respects to a giant of the Greater Shepparton community, Santo Varapodio OAM, who sadly passed away on 16 June. Santo was born on 10 October 1935 at the Mooroopna Base Hospital, the son of a migrant family who had come to Australia for a better life. He embraced every opportunity his parents provided for him. As a child, Santo would often travel to Melbourne with his father to welcome other families from their homeland. On one visit to the wharf a customs officer observed a child who was fluent in both Italian and English and said to him, 'What is your name?' The next thing the young Santo knew, he was wearing a badge that said 'Santo, interpreter'. This may have been a sign of things to come. Santo would go on to build a highly successful business in the fruit industry and to be one of the leading citizens of Greater Shepparton, well known for his loving personality, his generosity, his willingness to always help others and his leadership and vision for our area. Santo was particularly remembered for his contribution to Rotary, for which he was awarded Rotary's highest honour, a Paul Harris Fellow, in 1996. In 2000 he was awarded a Medal of the Order of Australia for his service to the community of Shepparton and district and to the fruit industry. Santo married Teresa Conti, the love of his life, in 1959 and had two children, six grandchildren and four great-grandchildren. Unfortunately, Teresa passed away a few years ago. Santo is now reunited with her. In his later years Santo enjoyed the companionship of Anna Oliveri. I extend my heartfelt condolences to Maria and Mick, Rocky and Carolyn, his grandchildren, great-grandchildren and Anna and Santo's extended family and friends. I am honoured to have known and loved such an amazing man. Vale, Santo Varapodio.

Community safety

Samantha RATNAM (Northern Metropolitan) (15:24): Over the weekend a group of neo-Nazis gathered once again, spreading their hatred and racism with signs calling for mass deportations now. This comes after other protests by the National Socialist Network and the carrying of banners saying 'Australia for the white man'. These far-right extremists are harassing and menacing us all, but especially every migrant and every culturally diverse member of our community. For years now the Greens have been calling for the Victorian government to respond seriously to the rise of far-right extremism. We initiated a parliamentary inquiry that found there are things that governments can do now to stop this kind of racism and hatred taking a stronger hold and spreading. But instead of genuinely responding and providing proper funding for the social connection programs the inquiry recommended, we continue to see Labor wringing their hands, saying they are anxious about social cohesion and then choosing to lecture diverse communities rather than taking action against the actual threats we face.

Labor seems to think that social cohesion is when everyone agrees with them. In the face of the largest movement for peace, against the invasion of Gaza and the slaughter of Palestinians, they are asking our diverse communities to behave in the way that is acceptable to them and to stop making Labor feel uncomfortable. Well, that is not going to achieve social cohesion. It is not going to be achieved by asking people to stay silent in the face of a genocide, and it is not going to be achieved by asking people to stop protesting in the face of profound pain. Social cohesion is achieved when our diverse communities feel heard and trust our leaders to take action for them and with them.

Construction, Forestry and Maritime Employees Union

David DAVIS (Southern Metropolitan) (15:26): We have all been shocked by the revelations around the Construction, Forestry and Maritime Employees Union. Whilst we all knew and we had heard repeatedly that there were many problems, that there was much corruption, extortion and other

threats, the Channel 9 investigation has laid this out bare for the community. There has been a huge cost for Victorians, not just the individual businesses and the individual workers who have been clobbered by the CFMEU – and we saw terrible examples of individual workers who had been ostracised and seriously impacted by the CFMEU behaviour – but also the massive costs that have been laid out for the Victorian taxpayer. There has been more than \$40 billion in cost overruns on Big Build sites – massive overruns. Workers should be paid very well, but those cost overruns are much more than that. They are money that is scooped off, money that is siphoned away for corrupt purposes – for extortion – money that is siphoned away to line the pockets of crooked and corrupt people, many of whom I believe should be in jail. That is the truth of the matter. There is a weak government here in Victoria, a weak government under Premier Jacinta Allan, a weak government under Tim Pallas and a weak government under other ministers who knew but did not act. They turned a blind eye to the corruption, they turned a blind eye to the crookedness, the extortion, the threats – *(Time expired)*

Republic debate

Bev McARTHUR (Western Victoria) (15:27): Today I welcome Prime Minister Albanese's overdue admission that appointing an Assistant Minister for the Republic was a mistake. He put a brave face on it, yet his effort to rewrite history was pretty transparent. If it is really true he only ever wanted one referendum, then why should the embarrassing and expensive failure of the Voice referendum tarnish this newly minted ministry? If it has not influenced the decision, then why create the role in June 2022 and abolish it only now? Even the *Guardian* called out the PM's mistake, noting that after the referendum 'what always looked like an indulgence became a white elephant'. As a freedom-of-speech-loving Liberal, I am happy for anyone to believe and say what they like, to hold dinners and organise campaigns, but it is wrong that this one side of the debate, the republican side, was funded by the Australian taxpayer for more than two years. The republican cause has adopted many of the same divisive, self-lacerating, guilt-inspired arguments as proponents of the Voice. For the same reason, I believe they will lose. As a proud Australian, I believe all Australians will reject the assertion we are fundamentally divided, unhappy and an unequal society and that the only solution is radical constitutional surgery and the creation of a new political class.

Paris Olympics

Trung LUU (Western Metropolitan) (15:29): I would like to start by congratulating a couple of my constituents from the Western Metropolitan Region. With their dedication and hard work they have made it onto the Olympic team and are representing our country at the Paris Olympic Games 2024: Celeste Mucci from Williamstown in the 100-metre hurdles, Joseph Deng from Laverton doing the 800 metres, and two from Werribee – Amy Cashin, doing the 3000-metre steeplechase, and Bailey Lewis in taekwondo. Congratulations to those people and all the best in coming days.

Wyndham Friendly City program

Trung LUU (Western Metropolitan) (15:29): Secondly, I would like to say well done to Wyndham City Council on their endeavour to find a way to deliver benefits and opportunities to the west, especially during the cost-of-living crisis that most Victorians are experiencing at the moment, and their networking in welcoming delegates from China and signing the MOU with Changzhou as part of the Friendly City agreement program. Even though our two cities are 8000 kilometres apart, Changzhou is very similar to Wyndham, with a rapidly growing population and transforming industries. I am confident that the two cities' friendship will continue to grow and blossom, offering opportunities between the two regions to promote cultural diversity and understanding and to develop economic activities, including trade, tourism and investment. Well done to Wyndham and all the athletes in the Western Metropolitan Region.

*Rulings from the Chair***Public gallery**

The PRESIDENT (15:30): Before I call Mr Tarlamis to postpone government notices of motions, I was asked by a member to make a statement on acceptable dress standards for members of the public who sit in the gallery. It has always been the case, to some extent, that the same rules apply to members of the gallery as the chamber. For example, it is a longstanding practice that people in the gallery should not display political or offensive signs or banners or wear attire with political slogans, particularly as these are intended to distract from the proceedings. Members of the public will be asked to cover up or remove such attire, consistent with our longstanding practices. The gallery, like the chamber, is not where you conduct protests or display party-political advertising, and that has been a long standard.

In regard to other clothing, the Chair must always consider the context in which it is worn. Victoria is a diverse, multicultural and inclusive community, and I would not want to make a rule preventing any Victorian who chooses to wear their traditional dress or culturally appropriate clothing from watching proceedings from the public gallery. However, in some circumstances a different person wearing the same clothing to draw attention to an issue or make a political statement may not be appropriate.

I was specifically asked whether people in the gallery are permitted to wear the keffiyeh scarf. At this point I do not want to apply a specific restriction to people in the gallery on this particular attire. I think it would be unworkable for the staff and the Chair to enforce. I do not think it is necessary at this point. However, I ask members to carefully consider what visitors that they do bring into the lower gallery may be wearing, and if I believe that visitors are intentionally distracting from our core business by such actions, I will review this ruling.

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

Lee TARLAMIS (South-Eastern Metropolitan) (15:33): I move:

That the consideration of notices of motion, government business, 278 to 474, and order of the day, government business, 1, be postponed until later this day.

Motion agreed to.

*Bills***Confiscation Amendment (Unexplained Wealth) Bill 2024***Second reading*

Debate resumed on motion of Harriet Shing:

That the bill be now read a second time.

Evan MULHOLLAND (Northern Metropolitan) (15:33): As the shadow minister representing the Shadow Attorney-General, I am pleased to speak on this bill. I should start by thanking my colleague the Honourable Michael O'Brien in the other place for the work he has done on this bill and the consultation – the actual consultation – he has had with a range of stakeholders. The broad idea behind this bill is to create a new pathway for confiscating unexplained wealth. In fact it creates a third pathway for the government through the police and through the DPP to obtain assets from people who it believes are not worthy of them. The original confiscation pathways were established by the former Liberal–Nationals government in 2014. There are two pathways that were established to try to seek to get the ill-gotten gains of those who are serious criminal players. I do not think anyone wants to see criminals profiting from the damage they inflict on our community. Confiscating wealth acquired illegitimately reduces the incentive and makes criminals think twice about whether it is worth it.

That legislation, which was then passed with bipartisan support, provided two pathways. The first pathway can be called a person pathway. It required that a person with an interest in property valued over \$50,000 was engaged in serious criminal activity. The second pathway, known as the property pathway, was based on a reasonable suspicion that property of any value was not lawfully acquired. The key difference between those two pathways and the new, third pathway that the government is proposing in this bill is that it requires there to be a link, an actual link, to criminality. The person pathway required for there to be a reasonable suspicion the person had engaged in serious criminal activity, and the property pathway also required a reasonable suspicion the property was not lawfully acquired. This bill, on the other hand, simply says that if the police, on reasonable suspicion, believe that a person cannot explain their wealth and that there is a \$200,000 gap between the person's explicable wealth and their inexplicable wealth, then the onus reverses, and it is up to the person to justify to the court how they got their assets. There is no requirement to demonstrate any criminal activity whatsoever. This goes to the heart of the problems with this bill.

Everyone should have the right to the presumption of innocence. The presumption of innocence is a long-held principle of our legal system. It is that the burden of proof rests with the accuser, and it essentially boils down to the idea that if someone is going to make extraordinary claims, then they need extraordinary proof. The right to the presumption of innocence is not something unique to common-law systems such as ours either. It is also present in the civil law system and is derived from the ancient Roman legal system, which also puts the burden of proof on the accuser. Similarly, in Islamic law the burden of proof is on the accuser, and their suspicion must also be compelling. It is also an international human right under the UN's Universal Declaration of Human Rights article 11. If someone wants to allege that you have done the wrong thing, they need to put forward the proof. Usually it is on the balance of probabilities if it is a civil matter and beyond reasonable doubt if it is a criminal matter. And it is up to the state, the Crown and also the DPP to meet the burden of proof to that standard of proof.

What this bill proposes is different to this; it is completely different. It says that if a police officer, on reasonable suspicion, believes that you cannot explain the gap between your explicable wealth and inexplicable wealth and the gap is more than \$200,000, then you need to justify to the court what your assets are and how you got them and demonstrate how you came to them in a lawful manner. If you cannot meet this burden of proof, you are subject to an unexplained wealth restraining order, without notice, to restrain you from using your assets, even before you know there is an issue. So this is a big change, and the onus is on the government to explain this. The government says this bill is to address the issue of those that try to maintain arms-length distance from the actual crime but that direct, coordinate and profit from it. I think most people would not want people such as them profiting from their crimes. But the problem is the reversal of the onus of proof and the lack of safeguards in the bill, and this is where we think the government needs to do some work.

As mentioned earlier, my colleague in the other place Mr O'Brien has consulted with stakeholders, and it is fair to say that they were not clamouring to support this bill. Both the Victorian Bar Council and the Law Institute of Victoria have advised us that they oppose the bill, and they oppose it because they do not believe that the government has sufficient safeguards in it to protect genuinely innocent people. Mr Adam Awty, who is chief executive of the Law Institute of Victoria, wrote to my colleague in the other place that:

The LIV opposes the Bill and does not support the introduction of the proposed new, third pathway into Victoria's unexplained wealth confiscation regime.

The LIV holds this view for the following reasons:

- Firstly, the criteria for the restraint and forfeiture of wealth under the proposed new pathway would not require a nexus to criminal activity to be established, meaning that is insupportably broad;
- Secondly, and relatedly, the absence of a nexus to criminal activity means that the Bill may have unintended consequences for family members of subjects – who may have limited or no knowledge about the sources of the subject's wealth owing to the subject's control of the family's finances;

- Thirdly, the LIV considers there to be no need for the new proposed pathway in light of the existing regime, which is already adequate to secure the targets of the Bill.
- Finally, the LIV submits that each of these factors mean that the extent to which the proposed new pathway would interfere with fundamental human and property rights, protected by the *Charter of Human Rights and Responsibilities* 2006 ... cannot be justified.

These are legitimate concerns that the Law Institute of Victoria has placed on record. The summary of what the Victorian Bar has said is:

In these circumstances, the Bar does not support the additional pathway that is proposed by the Bill ...

which I understand has also been communicated to the Attorney-General.

That we have significant organisations telling us that they oppose the bill should give us pause for thought. We are not satisfied that someone who is absolutely innocent and has no involvement with criminal activity would be protected from being subject to these new laws, because there is no nexus to criminality. If a police officer believes on reasonable grounds somebody's wealth exceeds by more than \$200,000 their explicable wealth, that is the basis for an application to be made without notice to the individual concerned. That person will have to explain where those assets came from at a later time in court. There are a number of reasons why people have assets which may not be explicable to a police officer. People make money from a wide range of sources and side hustles; some of them do not want others to know about them, but they are legal.

In response to the charge that there are not safeguards in place, the government has basically said that police and DPP have their policies in terms of what they choose to investigate and prosecute respectively. We do not think that is remotely good enough. The rights of potentially innocent people should not rest with the policies of the DPP. The DPP does not have judicial power or legislative power as part of the executive, so that is not appropriate. We cannot forget that, for example, the DPP refused to allow Justice Geoffrey Nettle to bring charges in relation to the Lawyer X scandal; but we are meant to trust them now. We cannot forget also that we saw the DPP walk away from pursuing charges in relation to the over 800 deaths that we saw during the hotel quarantine scandal, so the DPP has not demonstrated itself to be the guardian of individual rights or to always act in the best interests of Victorians.

If one was to be cynical, given the state of finances in Victoria, one might simply view the bill as a desperate attempt at revenue raising – to grab some more cash for the state coffers. They are heading up to \$190 billion of debt and heading towards \$25 million per day in interest. Of course the government needs to get money from somewhere, which is why we always say Labor cannot manage money – they obviously cannot manage major projects – and it is Victorians that pay the price through higher taxes and cash grabs. As we see in the most recent budget, this state government has been desperate to get cash from any sources that it can. Even Court Services Victoria, which oversees Victoria's stretched courts, has had a cut of \$19.1 million, which is even greater in real terms, while Victoria has the worst court backlogs in the nation. We see this government continuing to take growth areas for a ride in my electorate and Mr Luu's electorate as well. It spent \$275 million on the Wyndham law courts development, but because of this cut there was no funding to operate the new courts until the new financial year. We will be moving a reasoned amendment and then moving a textual amendment in committee, but for the chamber's convenience, the textual amendment we will move simply puts in place a statutory review into the laws. I am happy for it to be distributed.

Amendments circulated pursuant to standing orders.

Evan MULHOLLAND: A statutory review is something the government has supported for several other bills and would be most sensible for the chamber to support given the grave concerns others have. On the reasoned amendment, I move:

That all the words after 'That' be omitted and replaced with 'the bill be withdrawn and not reintroduced until the government commits to –

- (1) consulting properly with stakeholders, including the Law Institute of Victoria and the Victorian Bar, to consider and address their concerns; and
- (2) assuring Victorians that the bill contains sufficient safeguards to adequately protect the rights of innocent people with no involvement in criminal activity.’

This is an eminently supportable suggestion given the comments from stakeholders that you have just heard. As I said, the government is in a disastrous financial position. It is looking for whatever way it can get money.

We are talking about unexplained wealth, so it would be remiss of me not to talk about the unexplained wealth that many CFMEU members have come into lately. They have come into a lot of unexplained wealth. I wonder whether the government could explain whether their laws might make a difference in stopping this unexplained wealth that many bikies have come across, that many corrupt CFMEU delegates have come across. In one extraordinary case in Melbourne a convicted criminal and bikie figure was appointed as a CFMEU health and safety official, earning an estimated \$250,000 in one year, on Labor’s Big Build project upgrading the Hurstbridge line and used a car assigned to them to conduct worker safety checks to engage in bikie gang activities. You would not even need this bill, because there is a clear criminal link. The government would not need the bill; they could use existing laws to investigate this stuff. I suspect they will not. The official used the rail line upgrade vehicle – which, like his salary, was ultimately funded by the Allan government – to drive himself, bleeding from a gunshot wound, to the Footscray Hospital, after which the car was seized for forensic testing by Operation Spitfire.

Underworld figures who have served as some of Australia’s highest ranking bikie bosses, including the Mongols national vice-president and two men who held the top post at the Hells Angels as chapter presidents, along with several bikie gang –

John Berger: On a point of order, Acting President, I do not see what this has remotely got to do with the bill. I think he should get back to it rather than the frivolous sidetracking that is going on here.

The ACTING PRESIDENT (Jacinta Ermacora): I will uphold that. Mr Mulholland, please come back to the bill.

Evan MULHOLLAND: I am happy to talk to the bill. I am focusing on a range of matters to do with unexplained wealth. I did discuss whether the bill would indeed cover the range of matters I am speaking to in which unexplained wealth has been come across, particularly where we have seen several cases of a self-styled CFMEU fixer offering a bribe to construction union officials to push corrupt building firms onto large taxpayer-funded projects and union officials at the CFMEU receiving kickbacks funded by the taxpayer. Sorry, this is unexplained wealth.

John Berger: On a point of order, Acting President, this is just another instance of going on and not actually speaking directly to the bill. He is again going off at a tangent.

The ACTING PRESIDENT (Jacinta Ermacora): I do ask Mr Mulholland to return to the topic of the bill rather than going off at a tangent.

Evan MULHOLLAND: The third pathway this government is proposing would not require any explicit criminal link. I was talking about kickbacks and cash payments and the use of services to redo someone’s own home, services that were being paid against taxpayer-funded projects. I understand that Mr Berger does not want to talk about CFMEU corruption going on that his ministers knew about, but I think it is related, and this government does have questions to answer about whether the bill covers it or not. I know the third pathway does not actually require any criminal link to be made for amounts over \$200,000, but in several cases, which I have repeated, the value of the kickbacks and the renovations has been over \$250,000. So I would invite the Director of Public Prosecutions to actually use the existing law, and perhaps the new law if it is passed, to go after those CFMEU officials that have received kickbacks and that have, with taxpayer-funded dollars and services that were meant to go to Big Build sites, received renovations on their own homes. That would be a good use of this

bill. That would be an excellent use of this bill. I suspect that will not happen because the Labor Party have received millions of dollars in funding from the CFMEU and are soft on the CFMEU. But I hope that in the passing of this legislation there is actually some action on all the unexplained wealth of bikies, corrupt gangsters, criminal figures and corrupt CFMEU delegates that tarnish the good names of all the workers on the Big Build projects. I hope that with the passing of this bill those people that are rorting taxpayer dollars, that are gaining a lot of unexplained wealth from taxpayer dollars and services that are billed back to the taxpayer, are held to account.

Is it any wonder we have got \$40 billion of blowouts on our major projects? Can the government explain that? It seems to be very unexplained. 'Oh, it is inflation. It is the Ukraine war. It is COVID.' No, it is these corrupt union delegates and bosses that are charging the taxpayer to redo their homes, that are taking kickbacks on the taxpayer dime.

John Berger: On a point of order, Acting President, he is not talking about the bill. He is clearly going off it again.

Evan MULHOLLAND: On the point of order, Acting President, I have made several references to the bill and how it could be used.

The ACTING PRESIDENT (Jacinta Ermacora): I have already asked you to return specifically to the bill. I ask you for the third time to keep your debate within the parameters of the bill.

Renee Heath: On the point of order, Acting President, the member is being directly relevant to the bill. This is a real-life example. He is being completely relevant.

The ACTING PRESIDENT (Jacinta Ermacora): Dr Heath, I have already ruled on the point of order.

Evan MULHOLLAND: Thank you, Acting President. In parts there might have been some flourishes, but I think everyone can acknowledge that I was talking about the application of the bill and things that it would relate to. I hope the application of the bill is fairly applied to all people in the Victorian community that come across unexplained wealth, especially given the third pathway the government is creating no longer requires a criminal connection. The application of this bill could be used for the DPP to investigate those with a criminal connection that have received unexplained wealth to a value of over \$200,000 already – like those that are taking taxpayer-funded kickbacks – and the government could and does have actually the proper legislative avenues and powers to investigate these matters.

I have been previously told in the Parliament that these matters are federal and industrial relations matters – everyone else's but their own – but the current laws as they are do allow the government to take some action. I think we would all agree that unexplained wealth of over \$200,000 or \$250,000, especially when obtained through illegal, coercive and corrupt means, particularly by CFMEU bosses and bikies, is a problem. It is a big problem, and it is something that we on this side of the chamber are pretty serious about getting on with and solving. This bill actually could be an avenue to spring the government into action in uncovering unexplained wealth and recovering unexplained wealth on behalf of hardworking Victorian taxpayers. Taxpayer money is clearly being fleeced through kickbacks. This bill could be a good way to start addressing these problems, but they will not do it because they are soft on the CFMEU.

In regard to our reasoned amendment, we are asking the government to demonstrate to Victorians that the bill contains sufficient safeguards to protect the rights of innocent people. We do not oppose this bill, but we will be placing on record genuine issues that we should all consider. We do not want to put innocent people through an unfair process and overturn long-held principles of our legal system.

I thank the chamber for its time, and I thank the chamber in particular for allowing me to go over real-world examples where corrupt union delegates have come across unexplained wealth and real-world examples of how the previous version of this legislation, which has passed, could be used

in its application to go after corrupt union delegates and bikies if the government so sought. But of course they have not, because they have been soft on these kinds of things. Maybe it is because that particular union financially donates to the Labor Party. I thank the chamber for allowing me to talk about that. It is deeply important, given the millions of taxpayer dollars that have been fleeced by corrupt union officials and bikies, so I thank the chamber for its time and I urge the government and crossbenchers to support our reasoned amendment and also support our textual amendment for a statutory review.

John BERGER (Southern Metropolitan) (15:59): Today I rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. This is an important step towards tackling organised crime in this state by disrupting criminal activity by way of seizing unlawfully acquired wealth and targeting the most senior elements of organised crime networks. I would first like to thank my good friend the Minister for Crime Prevention, Anthony Carabine in the other place, for bringing this to Parliament. This is an important piece of legislation, and I know he approaches these matters with a great deal of care and consideration, so I thank him for his hard work. I would also like to thank my friend the Attorney-General, Minister Symes, for her hard work in this area. She knows how important it is to craft bills of this nature with care and consideration, and I think this bill strikes that balance well while remaining firm and unwavering against organised crime.

The Allan Labor government is determined to stamp out organised crime from Victoria. Victorians deserve to live in a safe environment free from the effects that organised crime networks seek to impose for personal benefit. Whether it be theft, assault, drug trafficking or the many other faces of organised crime, it has no place in our society. That is why since 2014 we have invested more than \$4.5 billion through Victoria Police to make sure Victorians have a strong and effective police force that can uphold the law and chase down these criminals who rake in thousands of dollars at the expense of ordinary citizens. In that time we have spent \$214 million on training up, hiring and rolling out frontline police officers and invested \$1 billion in police station upgrades to make sure our state has the capacity, capabilities and skills needed to tackle these big issues – and these are big issues. Organised crime activity is estimated to cost Australia nationwide between \$24.8 billion and \$60.1 billion every year. The criminals at the top have been making large sums of money off the suffering of Victorians, who see the evidence of the effects of drug taking and violence, abuse and theft. Organised crime is a leech which feeds off the suffering of Victorians, and these criminals have learned new ways of dodging the law. We must better our efforts and challenge these groups.

Victoria is a community of largely law-abiding citizens. The laws of this state are in place to maintain a certain peace and order and equality with your fellow Victorians before the law. These laws exist to ensure that every Victorian is on a level playing field and is held to the same standard as everyone else. Equality before the law is crucial not just for our system of government but for our democracy and to our modern society. It is not an ideal but a basic expectation that everyone in this state is held to the same standard regardless of their background. These rules exist to protect Victorians and to protect our broad and diverse community from harm from those who think they are above the law. It stands to reason that Victorians who laugh in the face of our laws and treat their fellow Victorians with contempt be adequately punished. I am talking about criminals involved in organised crime, who benefit enormously from their shameful criminal activity. These are criminals who, unlike most Victorians, do not roll up their sleeves and get an honest day's work done. Instead these criminals try to cut corners, sidestep the law and try and make quick and easy money illegitimately and often with great harm inflicted on innocent people.

Most Victorians work each day for the wellbeing of others. Whether they are in small business, they are small business owners or they work in the emergency or public services or even if they are just starting out with their first job, they are at heart earning a living by working for the benefit, wellbeing and service of others. This is not the case with organised crime and its proponents. These are individuals who pose an active threat to the wellbeing and safety of Victorians, encouraging other dangerous forms of crime such as assault, theft or drug trafficking. By estimate drug trafficking and

other illegal activities pertaining to drugs is linked to about \$16.5 billion each year. That stands alongside \$94 million for organised fraud efforts and a further \$4.9 billion in illicit goods such as unregulated black market tobacco and vapes, and an outstanding \$2.3 billion is associated with the enablers of organised crime. This is no small task. This is a beast spread across all of Australia, and we need to do our part in stamping it out in Victoria.

Billions are made every year off the exploitation and suffering of and violence against innocents by these organised crime networks. To this effect it is important that our laws and police force are equipped to investigate and subsequently sentence those who break that expectation and earn lucrative sums off the suffering of others. An effective way to address the acquisition of wealth through illegitimate means is to investigate unexplained wealth, and that is that is what this legislation will do. The provisions of the bill will empower the relevant department, that being the Department of Justice and Community Safety, to apply for an audit into unexplained wealth if the department has reasonable grounds to suspect that the individual under the probe holds wealth that exceeds lawfully acquired wealth by \$200,000 or more. In other words, the bill will remove the requirement for police and prosecutors to demonstrate criminal means of wealth procurement in their investigations and instead will require criminals to prove that their wealth was in fact legally acquired through a conducted financial assessment. What this means is that the authorities will no longer have to comb through and search for dodgy transactions to get a lead on suspicious or unlawful acquisition of wealth.

The most senior members of organised crime networks tend to remain at arm's-length distance from the actual offending on the ground. This has until now been the work of senior bosses in organised crime, to skirt law enforcement with no direct link drawn between their vast accumulations of illegitimate wealth and their criminal conduct. This amendment means our authorities can instead issue an order for these criminals to explain their suspicious sums of money. Rather than making the state search for the direct link from the outset, these criminals will now have to show proof of legitimate acquisition of earnings for that wealth the authorities deem suspicious.

This bill also expands the scope of wealth to all owned, controlled, expended, consumed and disposed of – the latter including through gift, sale or other means – and through any service, advantage or benefit provided or requested. This is crucial to tracking down and stamping out organised crime, which passes around assets of wealth among its circles by untraceable means from the perspective of authorities. With these amendments the agencies are empowered to not just request proof of legitimacy but also follow around wealth and assets that may have been given as gifts or private sales.

Given that senior organisers in criminal networks, as I mentioned earlier, tend to keep themselves away from the actual offending acts, it is crucial that we understand how these individuals hide their wealth and trade it between themselves. This amendment will do just that, allowing the relevant agencies to pursue unexplained wealth through these transactions and trades as gifts or sales. This also gives our police and prosecutors strength and capability to target senior criminal figures who divert their finances away from their direct possession in order to evade accountability. Furthermore, the value at the time of acquisition will be accounted for to ensure that all forms of currency that organised crime often deals with will be captured in these amendments. This is important to disrupt the activities of organised crime and to ensure that wealth is acquired and managed in a legal manner.

As I mentioned earlier, around \$2.3 billion by some estimates is possibly linked to the enablers of organised crime across Australia. To tackle something of that size, even within Victoria, requires our police force and relevant agencies to be able to evaluate the scale of the criminal activity with the considerations of changing times, prices and volumes. This means that we can better tune the scope of our investigations, coordinate resources properly and make sure that we are tracking every cent of illegal activity in these networks.

On top of all of this, the Allan Labor government is continuing our long work in ensuring that no loopholes can be exploited to avoid accountability for criminal activity. These amendments are in line with the Australian Criminal Intelligence Commission's knowledge of the increasing complexity of

the activities of organised crime. We are not talking about small monetary values in this bill's proposal. We are referring to the large figures of discrepancy between known wealth and the suspected illegal acquisition of \$200,000 or more. When dealing with someone of that scale, there ought to be a legitimate explanation of where that wealth came from for every Victorian, except of course when regarding organised crime and its proponents. We are dealing with potentially billions of dollars in circulation – sums higher than \$200,000. Most Victorians would easily be able to produce proof of legitimate acquisition; criminals, however, would not be able to do that. Closing a loophole like this means we can easily catch criminals out who cannot provide the same legitimate proof, explanation of their wealth, that the ordinary Victorian can. That is what is at the heart of this piece of legislation.

I would also like to make an important point about accountability. I would like to talk about what this legislation means for ordinary law-abiding Victorians and what accountability systems are in place. In order to enter into an evaluation process to root out illegitimately accrued wealth, an order needs to be issued that there is a reasonable suspicion around someone's unexplained wealth, authorising the officers to take action. These orders are to be issued fairly and reasonably when there is a strong suspicion on the part of the authorities that the wealth of an individual – a potential criminal – has been a financial benefactor of illegal activity and would not be able to adequately explain their wealth. This bill, in order to protect ordinary Victorians, provides the courts with the power to refuse to make or reduce the value of an unexplained wealth order if it considers it unjust action. This will help ensure accountability to these new powers and that the appropriate implementation of these expanded scope orders is consistent with the community's expectations.

That ensures that whatever we do to pursue organised crime and unexplained wealth is used for that reason specifically and not used unchecked against the general law-abiding populace. These powers are to be used against organised crime to compel them to explain themselves, and these guardrails are there to make sure that ordinary Victorians are not pulled up unreasonably. Furthermore, this reversal of the onus to explain the unknown source of wealth is consistent with other jurisdictions, who have proven to be successful in tracking down wrongfully acquired wealth. This includes Western Australia, but the alterations in this bill are similar to the laws in New South Wales. New South Wales legislation also provides that police can seize or freeze assets. This bill outlines how a police seizure or freezing of assets will function under the new burden of proof, under which conditions and through which judicial and police avenues it will be done.

This bill also addresses the fact that evidence for unexplained wealth may often be found in an individual's consumption or expenditure. They might not necessarily hide their wealth away in a fleet of luxury cars or expensive planes. Sometimes we need to have a closer inspection of their spending habits. That requires a more microscopic approach to tackling these groups that existing legislation cannot adequately rise up to. The legislation has struck a delicate but good balance between empowering our authorities to look more closely at organised criminal behaviour around exchanging wealth and how it is hidden and protecting everyday Victorians from unwarranted intrusion.

These measures are an important way to ensure two outcomes. The first is to ensure that we uphold the rule of law, stamping out criminal behaviour and the attempt by organised crime to hide away their wealth and dodge responsibility for their actions. As I said earlier, it is a fundamental principle of our democracy that everyone is held to the same standard, equal before the law, and that nobody can circumvent that through sleazy or dodgy transactions. The Allan Labor government believes strongly in upholding the rule of law and supporting our police officers and courts to uphold the rule of law. The second outcome is to balance these new powers with protections for ordinary Victorians, making sure that we have a strong and capable police force that can tackle these big issues without storming people's privacy and personal rights. As organised crime seeks to further dodge and evade the law, bettering their tactics and skirting punishment, it is only natural that we modernise our efforts. We know how they are changing, and it is only fit that we rise to that by modernising the tools at our disposal. Providing the police and appropriate agencies with the power to search out these unexplained abundances of wealth and putting the onus on the criminals to explain themselves not only brings us

into line with Western Australia but also brings us into line with New South Wales and improves the police's effectiveness in stamping out crime. This is all, of course, being done while ensuring ordinary Victorians who follow and obey the law are respected and protected from unwarranted or unjustified intrusions into their privacy.

Our legal system is firm but fair. I have no doubt that the ministers involved struck the balance well in protecting the rights and freedoms of Victorians while taking a firm stance against organised crime, and it will rein in the unexplained accumulation of wealth. This is consistent with the government's agenda on addressing crime prevention, including youth diversion programs across the state as part of the \$13.6 million investment into youth crime prevention in the 2023 budget, installing new CCTV cameras in places such as Lygon Street, confirming consent laws to prevent sexual violence and expanding powers of police to investigate cybercrime. I commend the bill to the house.

Renee HEATH (Eastern Victoria) (16:13): I rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. I have to say, while there have been some lovely speeches, I cannot help but point out the staggering hypocrisy from the other side today. You are literally in the middle of overwhelming corruption, crime, bullying, intimidation – all on the taxpayer dollar – yet you are happy to pick out the plank in everyone else's eyes rather than looking at the log in your own. I have to say I find this government ironic. Thanks to recent media reporting we now understand how Labor have racked up their unexplained debt in this state. I think it is absolutely wonderful that this government is finally looking to tackle organised crime, but I would like to say as well perhaps it should start in its own backyard, because over the last two weeks we have heard a classic example of this with John Setka. I know every time my colleague mentioned him there was a point of order called because you do not like to hear about it. The fact is that under this government crime has absolutely skyrocketed. Perhaps that is because you say what sounds right about tackling crime and about doing the right thing in your speeches, but we have seen how rotten to the core things have gotten. The truth is that it is hard to stand up and stamp out crime and corruption when your political partners are neck-deep in it.

Crime is out of control in this state. We are seeing a young generation devastatingly caught up in crime. We have seen the most extraordinary rates of youth offending, and tragically we have seen young people breaking bail over and over again. Some might say, 'What has that got to do with unexplained wealth?' Well, it is very clear, really: the sooner young people get involved in crime, the harder it is for them to break out of it, and they end up in things like this. This is tragic on so many levels. It is a picture of a generation that is in distress and very disconnected, and it is being made worse by Victoria's very weak legal system. Victoria's per capita rate of youth robbery is far higher than New South Wales's. Its youth weapon offences are almost triple the levels of New South Wales. Homicide, theft, abduction and harassment rates are higher here than in New South Wales.

I spoke before about the breaching of bail. In March in this place devastatingly we saw the loosening of bail laws in this state. I will tell you what, the way to address crime is not to reduce the age of criminal responsibility so they cannot be responsible; that will not make the problem go away. It is not to make a criminal act all of a sudden legal; that will not make the problem go away. There is a proper way that we need to address things, and I believe that it comes with integrity, starting in this place. I just hope that those opposite can face up to that so we can actually make real change that is going to affect the next generation. Breaching of bail has been absolutely extraordinary over the last year: 487 offenders between 12 and 14 years old breached bail 572 times, and offenders aged between 15 and 17 breached bail 2207 times. Victoria's worst youth criminals were responsible for 300 aggravated burglaries. This is absolutely out of control. Forty per cent of Victorian prisoners will return to prison within two years. We are in a state of crisis. More than 70 per cent of young offenders return to sentence supervision within 12 months of leaving a youth justice facility. It is higher in this state than it is anywhere else in the nation. We have to remember that behind every one of these statistics is a person.

I will bring it back, for a second, to the corruption that we have seen that this government has turned a blind eye to and, I believe, has been complicit in in a lot of ways. I find it absolutely extraordinary that you can stand here and give sanctimonious lectures after we have seen the most rotten things come out in the media over the last fortnight or little while. But anyway, I will return to the bill. I will just say this: I think that your government has lost whatever moral high ground you thought you had, and you have completely smashed your reputation because of the actions that have been revealed and the multimillion-dollar fraud that has taken place on the taxpayer dime. It is an absolute disgrace.

There are a couple of concerns that I want to talk about, similar to Mr Mulholland. There are some legal principles that have really underpinned, in a sense, Western democracy and our legal system, and the first one is the presumption of innocence. This is something that has been absolutely foundational. It has allowed people to live a free life where they know that within the bounds of the law you stay free and you are innocent until proven guilty. But this absolutely flips that onus of proof and makes a presumption of guilt, and it is actually the person who is accused that has to then turn that around and prove their innocence. It might seem like something little or something technical, but this is actually a huge leap when it comes to stepping away from that foundation of the law that has kept us safe.

Organised crime is an absolutely huge issue. In fact the Australian Institute of Criminology in 2020–21 estimated that the cost of serious and organised crime was between – and there is a huge range here; it is sort of like Labor's budget predictions, but anyway – \$24 billion and \$60 billion: a huge amount of money that is caught up in organised crime. However, the scope of this operation allows that unexplained wealth restraining orders can be applied without notice and property restrained if there is a reasonable suspicion that a person's wealth exceeds their lawful acquisitions by \$200,000 or more. I hope that there will be a timeframe applied to this, just purely because of the legal principle there. The second is that there can be freezing orders. Investigative officers can apply freezing orders on accounts suspected of holding unlawfully acquired wealth. There are different legal exclusions; this bill also provides a mechanism for individuals to apply for exclusions from restraining orders. But we should not be there in the first place.

I really believe that we must have sufficient safeguards to adequately protect the rights of innocent Victorians that have had no involvement in criminal activity. With this, like many other things, we have seen a government that will not turn up to inquiries and a government that will not face up to the corruption that they have been complicit in, yet we are seeing that they are not even allowing Victorians, the people that they were put there to serve, to have the presumption of innocence. I think that is absolutely unbelievable. The threshold of order requiring only reasonable suspicion is highly subjective, especially when there is no evidence of serious criminal activity. This is a huge change from the former legal requirement of probable cause. It is a huge change. 'Reasonable suspicion' – what does that even mean? Does it mean that you have got a hunch? If that is the fact, imagine how this law could be weaponised and how abusive of the everyday citizen this could be.

Under these laws the government can confiscate assets and share financial information, even if an individual has not been found guilty of any wrongdoing. I spoke briefly about the burden of proof moving further away from the well-established and foundational legal doctrine of the presumption of innocence until proven guilty. That is absolutely extraordinary. I think we have got a long way to go here. Unfortunately, under this government crime has gone through the roof, and their response to that has been to lower the threshold of what crime is. People are feeling more unsafe. In fact a community consultation survey in Bass said people's number one concern was safety in the community because there were not enough police officers. Yet this government has either shut down or reduced the opening hours of over 50 police stations. It is a very strange reaction. The other thing is that obviously they have been caught in bed with the CFMEU, and I just find it unbelievable. But surely reversing the onus of proof and getting rid of the presumption of innocence would have to be seen as a major overcorrection.

In closing, I just want to say that I find this government's hypocrisy extraordinary. I was at a rally on the weekend hearing from women who have been subject to terrible sexual violence and are just

waiting on this government to do something, and we have not seen anything. We have seen the Premier march in a rally protesting to the government for change, yet she is the government, and there has been no work done. In closing, I am just going to say we will be supporting this bill. We do need to tackle crime, but I really believe that it has to start in Labor's own house first.

Jacinta ERMACORA (Western Victoria) (16:25): I am proud to speak today on the Confiscation Amendment (Unexplained Wealth) Bill 2024. No-one wants to see someone caught for doing something wrong but experiencing no consequences. There are a number of examples where some experience the consequence of the law very differently, often as a result of a big differential in resources to defend themselves. Some of those at the top end of town have the resources to quite legally minimise their tax burden – in some cases corporations do not pay tax at all – while most of us PAYE citizens pay full tax obligations without question. The consequence of white-collar crime, as another example, is less severe for those who have enough money to buy the best lawyers and defend themselves. In some jurisdictions being rich and famous can result in lesser convictions. In other words, some people are simply too famous and rich to be incarcerated.

The same applies to the top end of the crime world. We see well-heeled individuals involved in organised crime who sometimes do the time but subsequently live off the proceeds of their crime with no consequences whatsoever. Our community expects all of us to be treated equally under the law, and to that end this bill is part of the Allan Labor government's commitment to holding those involved in organised crime to account.

This bill amends the Confiscation Act 1997. Organised crime is insidious by nature, with the sole purpose of deceiving and creating a shield to hide its activities and to protect those higher-up crime figures from being seen as directly involved in illegal activities. All too often individuals involved in the middle and lower end of the organised crime system are identified and prosecuted. This provides cover or a screen for those at the top. The most lucrative organised crime activities can involve drugs, human trafficking, the illegal wildlife trade – hard to imagine, I know – fake medications, the smuggling of immigrants, weapons, natural resources trafficking and cybercrime.

The Confiscation Amendment (Unexplained Wealth) Bill 2024 seeks to disrupt serious organised crime groups by preventing the use and enjoyment of wealth that has not been lawfully acquired. The bill will amend the Confiscation Act 1997 to strengthen Victoria's existing unexplained wealth laws by introducing, as my predecessors have said, a third unexplained wealth pathway that better targets unlawfully acquired wealth. The bill does this by introducing a new unexplained wealth order which can be sought in relation to individuals reasonably suspected of possessing wealth exceeding their lawfully acquired wealth by at least \$200,000. Unlike existing pathways, this new unexplained wealth order does not require a connection to crime. This simplifies the process and will better enable law enforcement to target individuals, primarily senior figures in criminal organisations who seek to distance themselves from offending.

The bill also introduces a new related unexplained wealth restraining order. This is a court order that sets out that no property, or interest in property, to which the order applies is to be disposed of or otherwise dealt with by any person except in the manner and circumstances, if any, specified in that order. The effective and unexplained wealth restraining order is to preserve a person's property or interest in property while unexplained wealth order proceedings take place. When Victoria's unexplained wealth scheme was introduced back in 2014 it allowed for the restraint and forfeiture of a person's property without the need for a conviction. Two processes could be followed within the scheme to allow for the forfeiture of a person's property. The first was based on the reasonable suspicion that a person that held an interest in a property of over \$50,000 was engaged in serious criminal activity, and the second process was based around the reasonable suspicion that property of any value that was not lawfully acquired could be forfeited or restrained. This bill amends the Confiscation Act 1997 to allow for a third process. The third pathway results in an unexplained wealth order being made based on a reasonable suspicion that a person's wealth exceeds their lawfully acquired wealth by at least \$200,000.

The unexplained wealth order creates a civil debt in favour of the state. The debt is up to the equivalent value of the wealth that a court is satisfied is not lawfully acquired wealth. The amendments in this bill are designed to overcome the limitations currently found within the person or property pathways. This bill goes to the top echelons of crime; it will capture those who shield themselves from their criminal activities – those who utilise legitimate businesses, associates and junior members of a crime organisation to assume all the risk whilst they continue to enjoy an extravagant lifestyle. This is about taking down the godfathers, the capos, the lieutenants of crime, and this is another step in the Allan Labor government's ongoing charge in cracking down on organised crime and career criminals. This bill will also broaden the definition of 'wealth' to capture all interest in property owned by a person or under the effective control of a person. Importantly, under the broadened definition of wealth, the bill will also capture the wealth that has been expended, consumed or disposed of by the person, whether by gift, sale or otherwise.

We know even with robust judicial processes criminal organisations continue to expand and grow their wealth. An example of this is the Alameddine family in New South Wales. In 2022 they were brought down by New South Wales police after running a multimillion-dollar crime syndicate. \$250,000 in cash, vehicles, and jewellery was forfeited. At the time, the crime syndicate was running a dial-a-dealer operation that was netting \$250,000 per day. These are the types of crime organisations and leaders that these amendments are targeted towards.

This third option that this amendment brings in intends to disrupt the criminal activities of senior organised crime figures. These senior figures have the ability to distance themselves from crime perpetrated by the crime groups they represent. By doing this they are able to continually accrue significant wealth and financial benefits whilst not being directly implicated in criminal activities. This new process will ensure that unlawfully acquired wealth cannot be utilised for further criminal activities or used for the enjoyment of these crime figures or their associates. The wealth of organised crime figures and their associates has been under the spotlight for a number of years. This new pathway will remove the requirement for a nexus or connection to serious criminal activity. This is a particularly critical reform because it will empower Victoria Police to effectively target high-level organised crime figures who intentionally and consistently distance themselves from the criminal offending while still reaping financial benefits. This means that the substantial wealth of these high-level figures can now be scrutinised and seized where it is found to be from illegal activities. From a community perspective this is something that we all expect from our judicial system and something that holds crime families to even greater account.

This bill is a crucial step in disrupting the powerbase of organised and serious crime organisations. The bill breaks down the wall that senior crime figures have forged, removing their ability to distance themselves from organised crime activities and profit from them. It ensures that all entities involved in organised crime can and will be scrutinised through these unexplained wealth orders and their wealth forfeited if found to be illegally gained. This is a bill that will ensure the community can remain confident in the government's and law enforcement's ability to hold all levels of organised crime syndicates to account, and with this additional pathway it ensures that all levels of organised crime are accountable no matter how far they try to place themselves from the physical act of the crime. I commend the bill to the house.

Melina BATH (Eastern Victoria) (16:36): I rise to make a brief contribution this afternoon on the Confiscation Amendment (Unexplained Wealth) Bill 2024. This bill before us today is, I would say, the third pathway in a set based on the original intent and content of amendments to the Confiscation Act 1997 that came through the Liberal–Nationals coalition in 2014, which were looking to give back to the state ill-gotten gains obtained by people through criminal activity. We have heard a fairly extensive debate on this, so I will not drill down into the weeds like my very good colleague Mr Mulholland, who was the lead speaker, and indeed Dr Heath, who spoke eloquently about the CFMEU and the ill-gotten gains from corruption, from deceit and from big bosses creaming the

system, facilitated, aided and abetted by the state government, the Allan Labor government. I want to drill down into some context of the Eastern Victoria Region, but I will provide that shortly.

In the 2014 bill the Director of Public Prosecutions certainly was enabled. If there was reasonable suspicion of criminal activity and unlawful appropriation or acquiring of property, the bill provided two different pathways: one was personal and one was a property pathway. The personal was that that person had gained property of over \$50,000 in value from a suspected criminal activity, and the second one was about any property of any value that was not lawfully acquired. Victoria Police was required to provide an affidavit – so a legal document – stating their grounds for suspecting this unexplained wealth to the DPP, and the DPP would then issue an unexplained wealth restraining order to reclaim the wealth that was obtained through ill-gotten gains. If there was no clear evidence that there was ownership of that property by the said offenders, and if that could not be established within six months, then that property could be returned to the state.

This next part of that tranche is at a separate time, 10 years later, and in a separate government. Indeed that first tranche was supported by the then opposition, the Labor Party, back in 2014. This next proposed pathway relates to how the DPP can apply to the court for an unexplained wealth order if there are reasonable grounds, and we will investigate that, to suspect that a person's wealth exceeds their lawfully acquired wealth by at least \$200,000 – but they do not have to be suspected of any criminal activity. In amending the act and adding that third pathway, the government is looking to strengthen and orchestrate those laws to better target those who are involved with organised crime. As we read in the papers and see on our televisions, and if we look at the crime stats – particularly for the Eastern Victoria Region, to my interest – we can see that unfortunately the crime stats are going up, offending is going up and organised crime is a well-oiled machine under the Allan Labor government.

The Crown is not obliged to prove that there is a direct nexus between this unexplained wealth and criminal activity. We have heard Mr Mulholland go into detail about the concerns of the Victorian Bar and also the Law Institute of Victoria. Part of that concern of the law institute is that they feel that this bill's criteria are insupportably broad and that there could be unintended consequences for family members of subjects, who may have limited or no knowledge about the source of the subject's wealth owing to the subject's control of the family finances. There could be unintended consequences and indeed victims in this scenario.

Henceforth and otherwise, my colleague Mr Michael O'Brien, our Shadow Attorney-General, has put up some very reasonable amendments, one being a reasoned amendment, to allay and address the concerns of the Victorian Bar. Now, they are quite considered people. I think they may be a bit left of centre from time to time, but they are astute in their assessments. If this reasoned amendment passes, the government can actually do their due diligence, not just wander through but actually investigate with the Victorian Bar and the law institute, have those conversations and allay those concerns about this bill. It is a reasonable and appropriate measure.

Overall, we do not want to see this bill fail, but we do want those safeguards and conditions addressed, and also the Liberals and Nationals would like to see a review. Too often we have this government pass legislation and then off it goes into the ether without a fulsome, comprehensive assessment of the facts: is it picking up or collecting those criminals that it should be, is there good governance around it and how is it doing? And indeed, our textual amendment coming up in the committee of the whole will look to have a three-year review, so I ask the house to support that as well.

What we do know is that Victoria Police are often overstretched. I have spoken with police in my Eastern Victoria electorate, and the thin blue line is getting thinner and thinner every day. I mean no disrespect to our very hardworking VicPol in our regions and across the state, but I think many Victorians would be quite concerned about how thin that line is. I know I speak to members of my community in Lang Lang who are frustrated by increasing crime in their region and down the street – just regular, recalcitrant, inappropriate social behaviour as well as petty crime et cetera – and they just cannot seem to get police when they need them into their communities.

I also certainly acknowledge the fact that Victoria Police really want to look at addressing serious crime – and we do have a major crime problem in this state. Looking at those Mr Bigs and those quite often drug-related crimes, they can be the third person back on the left and really have that shield and invisible relation to those crimes because they have their minions working under them. One of the concerns I have about this government's decision – and I know they are debating it in the lower house at the moment – to raise the age of criminality is that this will only embolden those Mr Bigs, those drug barons, to get these minions to work for them further and further, to reach into youth crime and to manipulate and drive that youth crime, knowing that there is impunity if that legislation goes through. This does not serve those young people, and it does not serve the victims of crime, of which there are many and varied in my electorate.

I will look to some actual statistics coming up, but I also want to put on record my heartfelt thanks to the family of Ashley Gordon, who have had the absolute tragedy of the death of their beloved brother, son, uncle et cetera. His family come from the Latrobe Valley. The death was related to a home invasion, and again those were youths in that situation. It is not directly related, but those youths could have been working for those Mr Bigs to invade and to access valuable items and steal them as part of a bigger syndicate, and that could well have involved these unrelated criminal activities and ill-gotten gains and misappropriated gains, for sure.

In relation to my Eastern Victoria Region, there are some alarming statistics; it is going the wrong way. These are very sobering statistics from the Crime Statistics Agency. From March 2015 to March 2024, nine years under Labor, we can see that in relation to obtaining benefit through deception, and this could very much be captured by this bill – ill-gotten gains, acquiring assets, acquiring financial benefit and obtaining benefit through deception – through Cardinia, Bass, Baw Baw, South Gippsland, Latrobe Valley, Wellington, East Gippsland and Mornington, if we add them all together, there has been a 74 per cent increase in these crimes under the Labor government. Indeed it is 74 per cent across that region, but if we look at it statewide, that percentage is 33 per cent. So we are well over double those statistics, and it might point to a few things: certainly that crime is, I hate to say, blossoming in the country and also that there is desperation, that there is opportunity and that, as I said, VicPol is stretched far beyond this government's fair and reasonable protection in terms of resource management. In relation to theft, we can also see that there have been some significant increases in Cardinia – double the state average. In Baw Baw it is double the state average as well. So there is theft, and that can also be captured by this bill.

The other point that gives me no joy whatsoever is in terms of drug trafficking. We see that Wellington shire has had an increase of 73 per cent under this Andrews-cum-Allan Labor government – not a statistic that we rejoice in in the Wellington shire – and East Gippsland shire has had a 24 per cent increase over the nine years under Labor. We also see that we have fake tradies, scammers, con men – or women, as the case may be. We see fraud ever on the increase, and we have stock theft. There are thousands and thousands of dollars lost in stock theft, and that can be anything off the farm. Also certainly there is drug trafficking as well.

In conclusion, as I said, I ask the house to consider our amendments most sincerely. I think they are reasonable and appropriate. We do want to see this bill pass, but we also want those concerns about unintended consequences addressed. When we look at unexplained wealth, we can see that there have also been well and truly unexplained budget blowouts under this government. We see the Premier has been making the decisions on these key projects in central Melbourne – these digging projects, these major projects. We can see that she has been the Minister for Major Projects. She signed off on the Suburban Rail Loop, the West Gate Tunnel and the North East Link. They are unexplained and they are a burden to our communities, and they will be a burden to Victorians for decades to come when you have got \$40 billion in blowouts. If this bill will help to reclaim some of that, well and good. We also wonder very strongly about how much of that is lining the CFMEU bosses' pockets through their misappropriation of taxpayer funds. The kickbacks are enormous. As I said, please consider the Liberals and Nationals amendments to this bill.

David LIMBRICK (South-Eastern Metropolitan) (16:50): I also rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. I will say from the outset that the Libertarian Party will be opposing this bill. Let us start with what the bill does. If you look at what it claims to do under ‘Objects’, clause 5(2) inserts new paragraph (e), which suggests that one of the key aims is ‘to disrupt criminal activity by preventing the use of wealth that is not lawfully acquired in further criminal activity’. However, the powers in this bill provide that if Victoria Police suspects that someone has unexplained wealth over a certain prescribed amount, they can apply to the Magistrates’ Court to have those assets frozen, and if that wealth cannot be explained in a reasonable manner, those assets can be seized by the state. You will notice that nowhere in this process is it required to prove the criminal sources of that unexplained wealth. What is really happening here is we are creating a system for the state to seize assets which they believe are connected to criminal activity but which the police are unable to prove come from criminal activity. It is a shortcut to undermine organised crime.

As I have spoken about much recently, I am very keen to undermine organised crime, but I think that what this is doing is bypassing and ignoring the root causes of organised crime. It is looking at the consequences and not even investigating the sources of this unexplained money. It is simply applying a mechanism through which the state can seize assets of people that Victoria Police thinks might be criminals.

We only need to look at other jurisdictions to see how badly this can go wrong. The United States has absolutely terrible systems. There are countless stories about cash and assets being seized by local police with no evidence of criminal activity whatsoever. Also – I think the Greens might be interested in this – in New South Wales they have similar sorts of laws and a couple of years ago they were used to seize the car of a climate activist, who happened to be living in that car at the time. I do not believe any people would be living in cars worth over \$200,000, but nevertheless it is a good example of the types of unintended consequences that can arise from this type of legislation. This confiscation by the state without evidence of criminal activity undermines everything that we think about the criminal justice system and natural justice.

What I would prefer the government to focus on, and indeed what I would prefer the opposition and the general public to focus on, rather than playing whack-a-mole, as we are doing at the moment with this sort of random enforcement and crazy new powers, is look at the root causes of these organised crime activities. Let us have a look at some of them. Recently we have seen potential corruption in particular unions. One of the vectors for that corruption was through specialist labour hire agencies. You may wonder why anyone would need specialist labour hire agencies. It is because of government policy – government procurement policies dictate that they need certain numbers of people in terms of either race or gender in order to get government contracts, and therefore they have created a vector for organised crime to get involved. Clearly those procurement policies, however well intentioned they may be, have caused a method for organised crime to get involved and corrupt these government procurement contracts. Also, planning rules – we have seen at the local government level problems with planning. What is the incentive there? Well, if you have lines on a map that dictate how land can be used by local government or state government and they change what you can use that land for, of course it increases the value of the land. That creates, again, an incentive for corruption, for organised crime to get involved, and that is another problem that is caused by government policy itself.

Another thing that creates a vector for organised crime – we have been talking about it a lot; in fact I talked about it a lot yesterday in the media – is government policy on tobacco and vaping. The government, both state and federal, have outlawed vaping despite it being a very popular consumer product for people wishing to give up cigarettes. Of course the government’s fantasy that everyone will go to a doctor and get a prescription and all this sort of stuff has turned out to be not the case. The market is being supplied by organised crime yet again, and of course all that money needs to be laundered. This could easily be solved by the government allowing vaping for adults, legalising it for adults, as is done in far more sensible countries such as New Zealand and the United Kingdom – which do not have this problem, by the way.

Tobacco policy – again, I do not blame the state government for this, although they could be a bit louder in complaining about it to the federal government, as I have been trying to be loud in complaining about it. The tobacco excise tax is at absolutely ridiculous levels. That differential between the wholesale price and the retail price, which includes the ridiculous excise tax levels that are eye-watering and unaffordable for consumers and which means that tobacco – legal tobacco, at least – is effectively prohibited, has again created an incentive by the government for organised crime to get involved. And boy have they got involved. They have taken over. As I said yesterday to the media, the government does not regulate tobacco and vaping in this state, organised crime does, and it is a direct result of government policy. They have caused this organised crime.

Cannabis – again, we have spoken many times about this. Cannabis in Victoria I think is about a billion-dollar market – again, a billion dollars that is being washed through Lord knows how many money-laundering schemes. Again, it could be completely eliminated through legalisation. If the government changed the legal status of cannabis and made it a legally regulated product for adults, then this market would disappear from organised crime. A billion dollars would be ripped out of organised crime activity; it would not end up as unexplained wealth. It would never be a criminal activity to begin with; they would be paying taxes on it and employing people. For people that complain and say that if we legalise cannabis, there will be all of these people that would start smoking cannabis, let me tell you, I do not think that there is a single person in this state that wants to obtain cannabis that cannot get it. In fact we have one of the highest consumption rates in the world. It is absolutely crazy.

Another one, which is a more recent one and yet a new market for the expansion of organised crime in this state – possibly our fastest growing industry – is firewood. I believe Ms Bath spoke about this. Because of regulations on collecting firewood and this sort of thing, they have created another market for organised crime to get involved in, and again organised crime has been driven by government policy directly.

Historically, when we have had small-scale organised crime, they used to joke about it being laundered through fruit and veggie shops and this sort of thing. Let me tell you, the billions and billions and billions of dollars that is being generated by cannabis, vaping, tobacco and even firewood now is not going through fruit and veggie shops. I think that anyone that thinks that this industrial-scale money laundering that must be happening is not corrupting other areas of the economy and other parts of the state – in fact it is hard to think of many industry sectors that would be large enough to absorb this level of money laundering outside of construction. I think that we are going to uncover a lot of connections between what we have been seeing with corruption in the construction sector and other criminal industries, such as black market tobacco, vaping, cannabis and drugs et cetera.

Another thing – which I note the government has taken action on, and I am very happy about that – is the heroin market. It was estimated by the Parliamentary Budget Office that this market is worth about \$250 million. I note that the government has committed to the expansion of its pharmacotherapy system. One may wonder why a Libertarian is pushing for a pharmacotherapy system to be expanded. That is because every person that gets off heroin and onto pharmacotherapy is one more person out of the hands of organised crime and getting help from their doctors, families, communities and the health system rather than dealing with organised criminals, courts, police and prisons. I commend the government on this action. I would urge them, though, to accelerate what they are doing here, because as was brought up earlier today, we are in a dire situation with synthetic, very powerful opiates.

We have seen the disastrous outcomes that have happened in the United States and other countries through drugs like fentanyl and nitazenes. It is my absolute nightmare that they become widespread in Victoria. We need to act urgently on this before organised crime – which regulates this market – decides to start distributing these products. Interception will not work. You will not be able to stop it. The only thing stopping it at the moment is that organised crime does not want it. They do not want it because they have got a nice little calm market. But of course sooner or later someone will manage to bring it in, it will be a new product and it will kill people. Again, this is due to government policy.

I will say it again: the idea of the government confiscating assets from people with no proof of the criminal generation of those assets is wrong. The Libertarian Party will be opposing this bill.

Tom McINTOSH (Eastern Victoria) (17:02): I rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. The bill is a culmination of extensive work to deliver on the government's commitment in the *Community Safety Statement 2018–19* to review Victoria's asset confiscation and unexplained wealth laws. Although our existing confiscation scheme is relatively robust, there are gaps in the scheme that sophisticated senior organised crime members have continued to take advantage of to the detriment of Victorians, particularly those organised crime group members who distance themselves from direct offending but continue to play a pivotal role in the movement of funds, property and favours in criminal organisations. As a result, the new unexplained wealth pathway broadens the existing pathways in two substantive ways.

The bill amends the Confiscation Act 1997 to strengthen and improve Victoria's existing unexplained wealth laws by introducing a new unexplained wealth order that better targets unlawfully acquired wealth. The Confiscation Amendment (Unexplained Wealth) Bill 2024 is designed to disrupt the financial backbone of organised crime groups. Money – often the primary incentive for engaging in serious criminal conduct – sustains and motivates these nefarious activities. By severing the flow of unlawfully acquired wealth, we can significantly undermine the infrastructure of organised crime, rendering it less effective and more susceptible to legal intervention. One of the core objectives of this bill is to ensure the economic allure of crime is substantially diminished. By confiscating unlawfully obtained wealth, we send a clear and unequivocal message to those engaged in or contemplating serious criminal activities: Victoria will not be a safe haven for ill-gotten gains. It is not merely a matter of stripping away assets, it is about stripping away the power and influence that such wealth confers upon these entities.

Moreover, the bill aims to protect our community by preventing these funds from being reinvested into further legal activities. This initiative shows our commitment to justice and equity. By targeting unexplained wealth, we uphold the principle that no-one should unjustly enrich themselves at the expense of society. It reinforces the belief that the rule of law applies equally to all, regardless of one's position or one's resources. The community must see that crime does not pay and that the fruits of illegal activities will be reclaimed and redirected for the public good, contributing to a safer and more just Victoria.

The bill introduces several critical amendments to the Confiscation Act 1997 aimed at closing loopholes and enhancing the effectiveness of our asset confiscation regime. One of the most significant reforms in this bill is the introduction of a new unexplained wealth order. This provision allows the Director of Public Prosecutions to apply to the court for an unexplained wealth order if there are reasonable grounds to suspect that a person's wealth exceeds their lawfully acquired wealth by at least \$200,000. Crucially, this new order does not require a direct connection to criminal activity. This simplifies the legal process and broadens the scope of the law, making it easier to target individuals who have accumulated wealth through illegal means but have insulated themselves from direct criminal activities. Under the current framework, unexplained wealth orders require a connection to criminal activity. This often allows high-level criminals to evade justice by distancing themselves from that direct involvement in criminal acts. The new order will close this gap, enabling law enforcement to hold these individuals accountable based on their unexplained wealth alone.

The bill also broadens the definition of 'wealth' to include not only property but any service, advantage or benefit provided to a person. This comprehensive definition ensures that all forms of unlawfully acquired wealth, including that spent on lavish lifestyles or hidden through complex financial schemes, are captured. This broader definition is essential for targeting sophisticated criminal enterprises that use various means to obscure their ill-gotten gains. Wealth will be assessed based on its value at the time of acquisition or at the time an order is made, whichever is greater. This approach prevents depreciation from eroding the effectiveness of the law and ensures that all unlawfully acquired wealth is subject to confiscation.

Also, to ensure fairness and proportionality, the bill incorporates essential safeguards, including the court's discretion to reduce the value of or refuse to make an unexplained wealth order if it would be manifestly unjust. This provision is vital to prevent the law from being applied in a manner that results in unreasonable or disproportionate outcomes. The court's discretion acts as a safeguard against potential abuses of power and ensures that the law targets only those who truly engage in serious criminal conduct.

The bill also provides for restraining orders to prevent the disposal of or dealing with property while unexplained wealth order proceedings are ongoing. This measure acts as a security mechanism to preserve assets that may be subject to forfeiture. By restraining the property of individuals under investigation we ensure that they cannot dissipate their assets to avoid legal consequences. Restraining orders serve a dual purpose. They preserve the state's ability to recover unlawfully acquired wealth and prevent individuals from using their ill-gotten gains to fund further criminal activities. This measure is crucial for maintaining the integrity of the unexplained wealth scheme.

Also, to protect the rights of individuals, the bill includes provisions that ensure statements made or evidence given by respondents cannot be used against them in other proceedings, except in cases of perjury. This safeguard protects the right to silence and the privilege against self-incrimination by ensuring that evidence provided in unexplained wealth proceedings is not used in other cases. We encourage transparency and honesty while protecting individual rights. The Confiscation Amendment (Unexplained Wealth) Bill significantly enhances the ability of Victoria Police and the DPP to target high-level organised crime figures who have previously managed to evade justice. These individuals often distance themselves from direct criminal activities using complex financial arrangements to obscure their involvement. By focusing on unexplained wealth, we can ensure that those who orchestrate and benefit from crime are held to account, regardless of their level of direct involvement. This bill builds on previous measures introduced in the Major Crime and Community Safety Legislation Amendment Act 2022, which expanded law enforcement powers to identify and seize digital assets. The new unexplained wealth order is a natural progression of these efforts, further empowering law enforcement to combat organised crime effectively.

Extensive consultation has been undertaken with key stakeholders to ensure that this bill is both effective and fair. Consultations have included Victoria Police, the Office of Public Prosecutions, the Department of Justice and Community Safety and various legal bodies. While there has been broad support for the bill, some concerns have been raised regarding safeguards and the potential impact on legal rights. These concerns have been carefully considered and addressed within the bill. Victoria Police and the Office of Public Prosecutions are broadly supportive of the bill, recognising its potential to disrupt organised crime. Some legal stakeholders, including the Criminal Bar Association and Victoria Legal Aid, have raised concerns about the removal of certain safeguards initially proposed, such as the time limit on the calculation of wealth and the ability to access restrained assets for legal costs. These safeguards were removed to prevent the arbitrary restriction of the scheme and to ensure that unlawfully acquired wealth is effectively targeted.

It is worth noting that the concept of unexplained wealth orders is not unique to Victoria. Similar legislation has been enacted in various jurisdictions worldwide, including the United Kingdom, Ireland and several Australian states. These laws have proven effective in disrupting organised crime and recovering unlawfully acquired assets. For instance, the UK introduced unexplained wealth orders in 2018 as part of its efforts to combat money laundering and illicit financial flows. The legislation has enabled UK authorities to target individuals who possess wealth disproportionate to their known legitimate income, leading to significant asset recoveries. Similarly, Western Australia has implemented unexplained wealth laws that allow for confiscation of assets from individuals unable to explain the lawful origin of their wealth. These laws have been instrumental in tackling organised crime and reinforcing the message that crime does not pay. By aligning our approach with these successful models we can enhance the effectiveness of our efforts to combat organised crime and safeguard our community.

The evolution of asset confiscation laws highlights the ongoing commitment to combating organised crime and protecting the community. The introduction of the Confiscation Act 1997 marked a significant milestone in Victoria's legislative framework, providing authorities with the tools to seize assets derived from criminal activities. Over the years the act has undergone various amendments to address emerging challenges and close legal loopholes. The Major Crime and Community Safety Legislation Amendment Act 2022, for example, expanded the powers of law enforcement to target digital assets, reflecting the changing landscape of criminal enterprises. The Confiscation Amendment (Unexplained Wealth) Bill 2024 represents the latest step in this legislative evolution, reinforcing our commitment to staying ahead of organised crime and ensuring that our laws remain robust and effective.

The confiscation amendment bill is a crucial tool in our fight against organised crime. By targeting the financial gains that drive these activities, we can disrupt and dismantle criminal networks, thereby enhancing the safety and security of our community. These reforms represent a comprehensive and balanced approach to asset confiscation, incorporating essential safeguards to protect individual rights while empowering law enforcement to effectively combat serious crime. The passage of this bill will ensure that those who profit from crime are held accountable and that ill-gotten gains are confiscated and put to good use for the benefit of the Victorian community as a whole. For these reasons I commend the bill to the house.

Moir DEEMING (Western Metropolitan) (17:13): I rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024, and I rise to speak against it. First and foremost, the right to a fair trial is one of the cornerstones of a just society. Without fair trials innocent people are accused, they are convicted and the rule of law and public faith in the justice system collapse. I believe it is a key role of any government to maintain law and order on behalf of the whole of society. In the battle against crime, even against serious organised crime, we must not for any reason allow ourselves and our police, our judges, our MPs, our unions, any of our organisations or people, to flout and corrupt the law. We must not make special rules for ourselves even for the sake of detection of crimes and criminals. In a democratic society even the rights of the accused are sacrosanct. The right to a fair trial means that people can be sure that the process will be fair and certain, and it prevents government and police and judges from abusing their powers. The denial of a fair trial is as much an injustice to the accused as it is to the victim and to society as a whole.

We already have proceeds-of-crime forfeiture laws. The primary objective is one that we can all agree on, and we do, which is that we do not want criminals to profit from their crimes. However, unlike traditional proceeds-of-crime laws, these unexplained wealth orders mean that police do not have to prove that a person is a criminal in order to seize that person's wealth. They do not have to prove that the property in question is the instrument or the proceeds of a crime, and innocent third parties are not provided with any protections at all. They invert a fundamental principle of justice, which is the onus of proof. You have to be proven guilty to have any consequences laid out for you by the state. This is an absolute corruption of justice.

We all agree that we need to target organised crime. I mean, criminals are so organised these days that they have their own unions with official affiliations to governing political parties, where they can lobby to have the law rearranged to suit themselves. How are we even going to measure this unexplained wealth? Is it just money? Can it be measured in terms of privilege or double standards? Just imagine a person that is so inexplicably wealthy in terms of privilege that when investigated over a car crash that grievously injured a child, this person does not have to give over phone records or go under investigation, even when ordered to by judges and authorities. Or imagine an organisation so wealthy in terms of privilege and power that when they are caught stealing money – other people's money that they were supposed to be managing – and spending it on an advertising campaign for themselves, they are not deregistered, is not fined and is not made to do anything at all other than put the money back. If an election is won using the proceeds of crime, can it be confiscated? Where does this end?

The fundamental principles upon which this great society was built must not be corrupted. We absolutely do have a problem with crime. In this state it is out of control. It is out of control for our youth, our unions and our political parties. Let us not keep adding more laws to the list of corrupt tools for criminals.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:17): I will just use the opportunity to make a few remarks and circulate some house amendments. Thank you to members who have made contributions on the Confiscation Amendment (Unexplained Wealth) Bill 2024 this afternoon. Obviously, people have outlined the intention of this legislation. In summary, it is to strengthen Victoria's existing unexplained wealth laws by introducing a third unexplained wealth pathway that better targets unlawfully acquired wealth. Let us be clear, these are not laws that we just made up; these are laws that have been in development for some time and in heavy consultation with those that have sought them. And those that would seek to be the overseers and safety net providers of this legislation have been at the table.

It is a fact that our existing confiscation scheme is relatively robust, but Victoria Police have certainly identified some gaps in the scheme that sophisticated senior organised crime members have continued to take advantage of to the detriment of Victorians, particularly those organised crime group members who distance themselves from direct offending but continue to play a pivotal role in the movement of funds, property and favours in criminal organisations. This is what the bill is about. It is about closing those gaps. Just because you are intentionally three steps removed from criminal offending that leads you to a windfall does not mean that you should be free to indulge in lavish lifestyles at the expense of others taking on your risk. You may have taken steps to avoid criminal prosecution, but we want to ensure that you will be deprived of the use and enjoyment of any unexplained wealth. Crime should not pay, and these laws ensure that there will not be a payday for these career criminals.

I just want to reflect on some of the comments, particularly those made by the Shadow Attorney-General, referring to this bill as imposing a tax. Really, I think it might have been a throwaway line from the Shadow Attorney-General but an irresponsible one at that. It is not a tax. A tax applies to activity that is lawful. Organised crime is not welcome in our society, and the significant harm that it produces and the cost to Victorians is profound. For too long crime bosses have gotten away with orchestrating dodgy deals, burning down businesses and causing significant harm irrespective of those who may be caught in the crossfire. There are a number of suggestions that I would also just like to clear up. There have been a few concerns raised about who is the target of this legislation. I just want to make it really clear that we are not interested in the Uber Eats side work of a nine-to-five employee. We are not interested in going after a 20-year-old apprentice who is doing cashies on the side. We are specifically targeting senior organised crime figures who intentionally and cowardly hide in the shadows and order their minions, many of whom are vulnerable young people, to commit crimes and take all the risk while they sit back and enjoy the fruits of others' criminal labour.

This pathway requires meticulous investigations followed by a sworn affidavit from a member of VicPol detailing the evidence at hand followed by the DPP assessing the merits of the case in line with her statutory obligations. This is all before the matter even gets to court. These are not trivial investigations – they are often intensive, month-long, perhaps even year-long investigations requiring VicPol to continuously monitor and assess intelligence gathered through sheer hard work and determination. If, after all, there is a question about how you acquired such significant sums, most would agree that it is a valid question that a person who has obtained something lawfully should be in a position to answer. It is often the case that police are questioned on how they will undertake these powers – and they are significant powers, I certainly acknowledge that – but to make assertions that they would be abused by VicPol really does undervalue the critical work that VicPol do in intelligence gathering and countering fraud and combating other illicit activity.

I do want to make some comments in regard to attacks that have been made on the DPP, including by the Shadow Attorney-General and perhaps his representative in here – although I will, to his benefit, add that I did not hear it; I only had it reported to me. They were extraordinary comments – completely

unprecedented. There is a continual, baseless attack on our DPP, who let me be clear, has done an exemplary job in the face of multiple attempts to assassinate her character. It is not only an attack on the independence of the DPP but an attempt by the opposition and some others with vested interests to undermine our prosecutorial and broader justice system. It is, frankly, unwelcome, unbecoming and inappropriate. To those that make those comments: if you are an MP, you are not fit to govern, and luckily for us most Victorians already know that.

In relation to some of the issues that I will address in the committee stage through the house amendments that I will move, they are in effect a response to concerns raised by the Liberal Party. One negates the house amendment because it is the same; we did not have a problem with that suggestion. I do not have any reason to support the reasoned amendment. This is a bill that has been subjected to a lot of consultation and should not be delayed further. With respect to safeguards, the two amendments that I do intend to move include the 10-year limit on the calculation of wealth. So while the bill as introduced already contains significant safeguards, this additional protection is being introduced to respond to the concerns about safeguards to ensure that people are not subject to unexplained wealth action for historical wealth that they might not be able to account for.

The first amendment places a 10-year time limit on the calculation of wealth under the new unexplained wealth pathway. The reform will mean that wealth acquired more than 10 years prior to the application for an unexplained wealth order is considered to have been lawfully acquired. The amendment adds to existing protections in the bill relating to the existence and use of the production of evidence other than documentary evidence that the court may accept as evidence. The 10-year time limit also intends to provide an additional safeguard to ensure that the new unexplained wealth orders apply only to the most serious examples of serious and organised crime where significant unexplained wealth has been accrued in a confined time period. It will also maximise the chances of primary documents revealing lawful acquisition being available and provide certainty to the community that they will be not called to account for a lifetime of earnings.

As I have indicated, a statutory review provision is being proposed requiring the operation of the new unexplained wealth pathway to be reviewed three years after commencement. The review will ensure that the new unexplained wealth pathway is appropriately targeted, proportionate and effective, while providing an avenue to identify opportunities to further make improvements to the pathway as they become evident. The review into the operation of the new unexplained wealth pathway will be conducted three years after the bill has commenced. With that, I am happy to enter the committee stage to discuss those amendments and any other matters that members would like to discuss. Prior to that I will formally circulate the amendments to be discussed.

Amendments circulated pursuant to standing orders.

The ACTING PRESIDENT (John Berger): The question is that the reasoned amendment moved by Mr Mulholland be agreed to.

Council divided on amendment:

Ayes (15): Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Evan Mulholland, Rikkie-Lee Tyrrell

Noes (20): Ryan Batchelor, John Berger, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Amendment negatived.

Council divided on motion:

Ayes (33): Ryan Batchelor, Melina Bath, John Berger, Jeff Bourman, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Tom McIntosh, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt

Noes (2): Moira Deeming, David Limbrick

Motion agreed to.**Read second time.****Committed.***Committee***Clauses 1 to 23 agreed to.****Clause 24 (17:36)**

Jaclyn SYMES: It is good to be back in the chair. Luckily for me, I outlined these amendments in my summing-up. I move:

1. Clause 24, page 24, after line 8 insert –
 - “(4) For the purposes of an assessment of a person’s wealth under this section –
 - (a) property acquired more than 10 years prior to the application date is taken to have been lawfully acquired; and
 - (b) a benefit derived more than 10 years prior to the application date is taken to have been lawfully derived; and
 - (c) a service or advantage obtained more than 10 years prior to the application date is taken to have been lawfully obtained.
 - (5) In this section –

application date, for a person whose wealth is being assessed, means the date on which an application is made for an unexplained wealth order to be made against the person.”
2. Clause 24, page 24, after line 32 insert –

“Note

A respondent’s wealth is taken to have been lawfully acquired if the wealth was acquired more than 10 years prior to the date on which an application is made for an unexplained wealth order to be made against the respondent – see section 40ZAAC(4).”

Evan MULHOLLAND: We will not be opposing these amendments, and we will not be opposing the additional amendments as well. I thank my colleague Michael O’Brien for working constructively in the formation of both amendments in regard to this.

Amendments agreed to; amended clause agreed to; clauses 25 to 45 agreed to.**New clause (17:38)**

Jaclyn SYMES: This is the review clause that I outlined in my contribution and I believe Mr Mulholland outlined in his contribution, so they effectively achieve the same thing. Echoing Mr Mulholland’s comments, despite some unwelcome commentary, the Shadow Attorney-General has engaged very constructively with me and my office on this bill. It is good that we have reached agreement on the majority of it, including the amendments, and it has led to the efficiencies of today. I move:

3. Insert the following New Clause to follow clause 45 –

‘45A New section 148 inserted

After section 147 of the **Confiscation Act 1997** insert –

“148 Review of introduction of new unexplained wealth pathway by Confiscation Amendment (Unexplained Wealth) Act 2024

- (1) The Attorney-General must cause a review to be conducted of the operation of Division 1A of Part 4A of this Act and any provisions of this Act that support the operation of that Division.
- (2) The review must be commenced no later than 3 years after the commencement of section 24 of the **Confiscation Amendment (Unexplained Wealth) Act 2024**.
- (3) The review must be completed no later than 12 months after it commences.
- (4) The Attorney-General must cause a copy of the review to be laid before each House of Parliament as soon as practicable after receiving it.”’.

New clause agreed to; clauses 46 to 48 agreed to.

Reported to house with amendments.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:40):
I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:40):
I move:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The DEPUTY PRESIDENT: 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 amendments.

Adjournment

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:41): I move:

That the house do now adjourn.

Ballarat City Council

Joe McCRACKEN (Western Victoria) (17:41): (994) My adjournment matter is for the Minister for Local Government, and it relates to integrity matters at Ballarat City Council. The action that I seek is for the minister to direct the local government department to investigate some of the actions that have been occurring in the Ballarat City Council in terms of the governance that has been happening. A big problem that has happened recently in Ballarat City Council is that recordings of meetings have been tampered with by council officers without councillors being informed. This happened at one of the City of Ballarat’s most recent meetings. In the recording of the public meeting there were some words that were redacted in the sense that they were blurred out. They were muted, and you could not hear them on the public recording, which is extremely concerning.

When public recordings go up on a website, they should be a fair, true, accurate record of what happens at a council meeting. That means that we can see things in full context, but this was not the case in

Ballarat. Council officers have, of their own accord, unilaterally stopped this happening, and there was no permission sought from councillors either before or even afterwards. It has taken a number of attempts by councillors to even bring this to light so that it becomes public knowledge. This is a circumstance which is quite worrying, because it is not up to an unelected council officer to be making these sorts of changes to what should be an accurate record of a meeting of a council. It is not up to any unelected official to be doing that. Councillors themselves are the ones responsible for approving minutes of previous meetings.

I hope that by bringing this to light we can have some reflection and indeed perhaps the local government minister will look into the actions of Ballarat City Council to make sure that these things are not redacted. One particular councillor was speaking, and it was his words that were blurred out in relation to quite a topical local issue. I think residents have the right to know what was said, regardless of what their opinion was on this matter. I urge the local government minister to have a very serious look into this so that we do have transparency and integrity in local government, which is, I am sure, what we all deserve and need.

Water policy

Wendy LOVELL (Northern Victoria) (17:44): (995) My adjournment matter is for the Minister for Water, and it concerns the state's constraints measures program. The action that I seek from the Minister for Water is a guarantee that the Victorian government will not use the state's power to compulsorily create flood easements in order to inundate private land without consent as part of its constraints relaxation policy.

Farmers, landholders, residents and stakeholders in northern Victoria are still reeling from the Commonwealth government's announcement that it will purchase entitlements for a further 70 gigalitres of water from the Murray–Darling Basin. Despite an earlier commitment that water recovery would exclude irrigators, Tanya Plibersek has broken her word with an open tender that deliberately targets irrigation districts in northern Victoria along the Murray River that are socio-economically vulnerable to buybacks. This is a shocking betrayal. Victoria has already done more than its fair share of recovering water for environmental use, having contributed 440 gigalitres more than South Australia and 170 gigalitres more than New South Wales.

The new buybacks planned by the federal Labor government will take water entitlements from irrigators out of the pool used for productive irrigated agriculture and transfer those rights to the Commonwealth Environmental Water Holder. But the government is currently unable to deliver all of the environmental water it already holds because of constraints measures and the river operating rules that govern flows. These constraints limit the amount of water that can be released into the river without causing flooding of public and private land. In order to deliver more environmental water, these constraints would need to be relaxed. Relaxing these constraints and increasing river flows will lead to flooding of land along the river, including private land owned by farmers and graziers that is used for productive agriculture. The assumption in the constraints relaxation program is that payments will be offered to landholders to compensate them for damage and lost economic activity if they consent to inundation of their property.

Recent reports suggest that while the Commonwealth pushes ahead with its water buyback policy, the states are falling well behind in their negotiations with landholders, with around 6000 properties nationally still waiting for flood easements to be arranged. But experience shows that many landholders will not agree to having their land flooded. The recently published feasibility study into the Victorian constraints relaxation program notes that while a voluntary agreement between the states and landholders is the preferred form of flood easement, existing legislation does enable the Commonwealth and state governments to create flood easements by compulsory powers without the agreement of the landholder. There is a genuine worry in the community that if the Commonwealth is aggressively buying water entitlements, it intends to release environmental water whether landholders like it or not. If the Victorian government cannot manage to negotiate flood easements with private

landowners, they will have to acquire those easements with compulsory powers in order to allow higher river flows.

Solar for Apartments program

Sheena WATT (Northern Metropolitan) (17:47): (996) My adjournment matter today is for the Minister for Energy and Resources in the other place. Where you live absolutely should not restrict your ability to be part of the renewable revolution, and the Allan Labor government is ensuring that everyone can access cheap solar energy, slashing their energy bills each and every day. Even on the top of my electorate office in Brunswick we have got some solar panels. You can too, through the Allan Labor government's Solar for Apartments program. In my electorate of the Northern Metropolitan Region, where we have so many people living in apartments – most especially renters, can I say – I have had so many locals raise with me the challenges of installing solar on apartment buildings. This program, Solar for Apartments, slashes the up-front costs and streamlines the installation process, making cheaper energy bills accessible to them.

From February to May this year the first round was open for applications, and can I just say it was so very good to see the demand. It was quite incredible in this first round; the application period actually was extended. We will see the second round open very soon – in August in fact – which is great news for those that were not able to apply earlier this year. I know that it is something that has been the topic of much conversation in the Northern Metropolitan Region. So my matter for the minister is to ask her to join me in visiting some of the successful applicants in Northern Metro to see the benefits of the panels firsthand, not just on the rooftops but maybe they could share the impact of those savings on their bills as well.

Health services

Georgie CROZIER (Southern Metropolitan) (17:49): (997) My adjournment matter this evening is for the attention of the Minister for Health, and it is in relation to releasing the report on the priority primary care centres review. At the Public Accounts and Estimates Committee this was raised at that time in relation to the establishment of the PPCCs and what they were supposed to do. The PAEC report on the 2021–22 and 2022–23 performance outcomes actually went to the crux of this. It states:

... it remains unclear whether PPCCs are meeting their overall aims. While patients are being diverted from EDs, available data related to EDs that may be impacted by the operation of PPCCs for the four quarters September 2022 to September 2023 show mixed results.

And it goes on to say how they are underperforming the target.

A Victorian Auditor-General's Office report that has been tabled today is a scathing report on the access to emergency health care in this state. It just shows the decline in health and how it is deteriorating – through no fault, I might say, of those that work within our health services. It is all around the government's management. The VAGO report highlights the issues around the number of patients staying in the ED. They talk about 2013–14 and then go on to say that since 2017–18 there has been a gradual decline in the number of patients, and that means that those numbers of patients have increased. In 2013–14 there were just 518 patients who stayed in the ED longer than 24 hours per 100,000 population. But in 2022–23 that increased to a staggering 11,363 – a 2094 per cent increase. This is post COVID. The issue was happening prior to COVID. As I said, in 2017–18 it started to go off the cliff – and it has certainly gone off a cliff all right. But it also goes to this issue around the PPCCs and this review, because there is a recent briefing from the department that the evaluation of the PPCCs was very limited, that it did not go into them to the extent that it should have and that we really need to sort of see what that review was.

The action that I am asking is that that review be made available, because Victorians deserve to understand what is in the review, what is in that report, what the recommendations are and how on earth the government is going to fix it, because all we get is spin and cover-up and absolute rubbish

from the government about how well they are doing. In actual fact the VAGO report today shows how bad it is, and we cannot even get the reviews that Victorians deserve to see.

Wildlife crime

Georgie PURCELL (Northern Victoria) (17:52): (998) My adjournment matter is for the Minister for Environment, and the action I seek is for the reporting mechanisms and responsibilities of Crime Stoppers, Agriculture Victoria, RSPCA and the Victorian Conservation Regulator in dealing with reports of wildlife crime to be reviewed.

Crime Stoppers has a new campaign which says, 'Wildlife Crime: It's Your Call,' except those calls have been coming in in the thousands for years and nothing has been done. The community is not to blame for the lack of prosecution on wildlife crime. For decades wildlife rescuers have been begging authorities to take their complaints seriously, pursuing all the reporting avenues to have crimes heard. Crime Stoppers itself has released that it received an 88 per cent increase in reports in the past year to wildlife authorities, yet it seems they continue to do nothing about it.

I have had countless constituents reach out to me filled with hopelessness after their reports of cruelty are handballed between Department of Energy, Environment and Climate Action, Crime Stoppers, RSPCA and Agriculture Victoria – all refusing to accept responsibility. For example, my constituent was seeking to report the use of illegal fruit netting and was first told by DEECA to report it to Crime Stoppers only to then be told by Crime Stoppers it is the RSPCA's responsibility and that Agriculture Victoria would refer it on to them. The RSPCA then told her that they had no record of any complaint at all. With persistence the constituent, after re-reporting it to the RSPCA, found that the matter had been finalised, yet no action had been taken, and the illegal netting was still there in its place. This then sparked the constituent to lodge a freedom-of-information request into the number of complaints received by the RSPCA of illegal residential fruit netting since the introduction of the offence in 2019. She was told that they do not collect data on this at all. Again with resilience, my constituent lodged a new FOI request and was eventually provided with 13 recorded reports of illegal residential fruit netting, including dead and trapped-alive birds in the nets. No action was taken on any of these reports and no infringement notices have been handed out, despite the evidence of illegal activity.

The problem is not that the public are not reporting wildlife crime and need to be encouraged to do so. The problem is that the various agencies cannot work together and have no idea who is responsible for what when it comes to wildlife welfare. I hope that instead of blaming the community the Minister for Environment can ensure Crime Stoppers Victoria and the conservation regulator recognise their roles in wildlife crime and review this reporting process and the level of prosecution.

Energy policy

David DAVIS (Southern Metropolitan) (17:55): (999) My matter for attention tonight is for the Minister for Consumer Affairs but will be of considerable interest to the Minister for Energy and Resources too. It relates to the regulatory impact statement (RIS) regarding the proposed regulations for rooming houses and rental properties and some of the new proposals that the government has brought forward under its *Gas Substitution Roadmap*. The *Gas Substitution Roadmap* is a plan to ban gas effectively in all circumstances, right across a whole front. But this narrow part here actually seeks to ban gas and has a number of other impacts in a series of aspects of rental properties and imposes a set of obligations and requirements on landlords.

The government has produced a regulatory impact statement, and I must say I am shocked at how poor the regulatory impact statement is. It is actually a shoddy piece of work. I want to be quite clear: I do not think it is up to scratch. It makes calculations, for example, that the cost in 2025 of imposing these matters is about \$5519, and yet there are other calculations out there that show that the cost is much greater – up to \$35,000 in fact for properties under the Frontier Economics work that has been done by Gas Appliance Manufacturers Association of Australia. So these are very significant differences, and the impacts are also quite severe when it comes to outcomes for the community.

For example, with a gas appliance – a heating system that might do five or six points in a three-bedroom house in the suburbs, that model – if that gas appliance breaks or for whatever reason needs to be replaced, you will not be able to replace it with a gas appliance again. You will have to put in a reverse-cycle air conditioner, but you will be allowed to put in one, just in the lounge. You will not get heating in the bedroom; you will be back to the 1960s with chilly, frozen bedrooms where kids will have to be wearing layers and layers of socks and extra layers because they will be so damn cold. That is not modelled in this RIS. It is a weak RIS. It is a RIS that is not up to scratch, and there is a real question about how this RIS process is operating here.

What I am seeking from the minister today, and the minister for energy would also have some views on this, is to release the modelling behind the Deloitte calculations – the modelling has not been released – and because of the shoddy nature of the RIS to pause the RIS and stop this process so that there is proper examination. This has been rushed. The government is in a headlong ideological rush. They need to pause it. They need to release the secret modelling behind the Deloitte work. I have written to the ministers and sought that modelling, but they are yet to provide it.

Medical research

Michael GALEA (South-Eastern Metropolitan) (17:58): (1000) My adjournment matter this evening is for the Deputy Premier in his capacity as the Minister for Medical Research. The action that I am seeking is an update on support being provided for medical research projects in Victoria. I recently had the pleasure of joining Minister Carroll and my colleague Lee Tarlamis at the formal opening of the Medicines Manufacturing Innovation Centre at Monash Clayton in the south-east suburbs. We also had the opportunity to tour the facilities and meet with the director of the MMIC, Professor Michelle McIntosh, the director of the Monash Institute of Pharmaceutical Sciences, Professor Chris Porter, and the vice-chancellor of Monash University, Sharon Pickering.

The MMIC helps Victorian medicine manufacturers invest in research and development, create new products and develop skills. The centre's new purpose-built facility is dedicated to helping industry solve technical challenges, develop new product formulations and encourage investment in life-saving therapies, thanks to a dedicated team of scientists. The expansion was made possible by the Allan Labor government's investment of over \$16 million in the Monash technology precinct. I think it bears mentioning at this point that, as we see at Monash and as we see at other points around Victoria, Melbourne is actually one of the top three cities in the world for medical research. We have got Boston, we have got, depending how you define it, London or Oxford in the UK and then we have got Melbourne. That is a significant group to be a part of. That is a very good standing that we have. That is a very exciting industry that we have in Victoria, and it is one that this government has been very proud to support. I am very excited to see the continued support and development of this wonderful sector that we have.

Later that same morning I had the opportunity to visit the Victorian Heart Hospital, just across the road from the MMIC. Again, it was fantastic to see such a world-leading – nation-leading certainly – hospital, which opened just over a year ago. The Victorian government has delivered this state-of-the-art hospital in partnership with Monash Health, Monash University and John Holland. This is a hospital that will be servicing heart-related issues across the Monash Health region – the majority of my electorate in fact is in the Monash Health area – as well as providing those specialist cardiac services for the entire state. We are again very blessed to have such an asset in Melbourne, particularly in Melbourne's south-east. Amongst these projects, the action that I am seeking is an update on the support that is being provided for medical research projects in Victoria by the Allan Labor government.

Education system

Ann-Marie HERMANS (South-Eastern Metropolitan) (18:01): (1001) My adjournment is for the attention of the Minister for Education. The action I seek is for this Labor government under Premier Allan to significantly reduce student absenteeism rates in Victorian schools by addressing the needs

and causes of student disengagement and the increase of teacher stress in our school system and demonstrating how they are meeting these outcomes. This includes actioning the *Department of Education Strategic Plan 2023–27* objectives, which are (1) to raise the development of three- and four-year-old children prior to attending school, (2) to raise learning, development, engagement and wellbeing outcomes for all Victorian students and (3) to provide equitable and inclusive schooling for all – not just some of the loud lobby groups, but all Victorian students. I note that with this plan the Labor government has irresponsibly put out a non-environmentally-friendly and expensive glossy 20-page outline on education in Victoria. While the paper looks very pretty, it can be a little bit convoluted and confusing, because how these objectives are going to be directed and measured is very unclear.

Minister, we know that the Victorian Department of Education has confirmed that Victorian years 7 to 10 students lost an average of 29.2 school days across 2022–23, while students in years 11 and 12 lost an average of 23.4 school days over the same period. The Department of Education data confirms – and this is quite a staggering figure – that 1,136,946 days of school were missed by year 7 students across Victoria in 2023. I would have to say that this is a significant failure of this Labor government. This is an increase of almost 41 per cent compared to 2019. In my electorate in Casey there has been a dramatic increase in student absenteeism. In fact it is up 53.8 per cent since the 2019 figure in Victoria. Yes, we have to acknowledge that the COVID lockdowns in Victoria – in fact Melbourne was the most locked down city in the world under this Labor government – had a massive impact on the mental health of our students, but questions arise in this whole blame game for this undisciplined Labor government about how it is going to fix this. With 40 per cent of 16- to 24-year-olds in Victoria reporting a mental health disorder – 50 per cent in the three years from 2021 – this government has a problem, and this needs to be fixed.

Health services

Sarah MANSFIELD (Western Victoria) (18:04): (1002) My adjournment matter is for the Minister for Health, and the action I am seeking is for improved access to publicly funded outpatient and community health services across Victoria. Many Victorians know firsthand that the cost of health care has been steadily increasing for decades. GP and specialist fees, medications, procedures, radiology, pathology, allied health, dressings and aids – the out-of-pocket costs for these are on the rise. Meanwhile private health insurance premiums and gaps are growing despite multibillion-dollar taxpayer subsidies to the industry, and many services are not actually even covered by private health insurance. The fact is that despite the buck-passing both levels of government, state and federal, are failing to protect people from the rising out-of-pocket costs required to maintain good health.

In Victoria the state is responsible for community health services which provide public primary care, but the state government has been reluctant to increase funding or expand these services, meaning access for most people is very limited. Public specialist outpatient services are patchy. Wait times for many specialties are shamefully long. Appointments to see an ear, nose and throat specialist, ophthalmologist or dentist stretch into the years in some areas – and that is if the services are available at all. The lack of meaningful access to public health care leaves many forking out financially crippling amounts in terms of out-of-pocket costs to get private care, delaying care or forgoing it altogether.

Over a third of those on low incomes spend more than 10 per cent of their household income on health care and have to choose between paying for medication and putting a roof over their heads. Evidence has shown us that when people experience a health shock this leads to a financial loss that persists and worsens over time. This was shown most recently in a Productivity Commission report released only last month. But the biggest catch for many people is that delaying health care leads to more severe problems down the track. Young people, those on low incomes, those in rural areas and those living with chronic health conditions are all more likely to delay or forgo care due to cost. These are the sorts of issues that we associate with countries like the United States, while we proudly boast about our so-called universal public health system when in fact we are dangerously close to heading in the same direction.

Reducing out-of-pocket costs for Victorians, particularly during a cost-of-living crisis, should be a priority for the state Labor government. Strong publicly funded health systems that focus on keeping people out of hospital are cheaper in the long term and help to build healthier and more equal societies. Access to high-quality public health services, regardless of your income or postcode, is a cornerstone of a healthy, more equal and productive society, and the Greens will continue to advocate for this to be a priority.

Tourist visas

Evan MULHOLLAND (Northern Metropolitan) (18:07): (1003) My adjournment matter is directed towards the Minister for Multicultural Affairs. Given that we have got a new federal Minister for Immigration and Multicultural Affairs, after the last one was shuffled out, I am hoping we will get a new approach. So I seek the action of the minister to contact the new federal Minister for Immigration and Multicultural Affairs Mr Burke advocating on behalf of Victoria to address the growing number of tourist visa refusals.

The refusal of short-term tourist visa applications has an enormous impact on communities and migrant communities in my electorate of Northern Metropolitan Region who would like to have family members and friends come to visit them even just for a few weeks. This has been a massive issue for my Indian community in the northern suburbs. It is flat-out discrimination against the Indian community; that is what it is. I have had countless members of my community reach out and tell me that their siblings have been knocked back for two-week visa applications for birthdays; that their mothers, wanting to visit for a couple of weeks upon the birth of a new grandchild, have been knocked back; and that family members have even been refused visas to come over and attend funerals. That is what we see being done to the Indian community here in Victoria.

Recently a local resident shared a story that resonated with me. Her elderly parents applied for a short-term visa to visit and support their daughter upon the birth of their first grandchild. Despite all their efforts in providing assurances of their return, their visa application was knocked back for absolutely no reason whatsoever, and of course that caused much emotional distress not only for their immediate family but their broader family and the community as well. How can you do this to a young family? These refusals are having a profound negative impact on my community in the northern suburbs. One example is Kali Mata Mandir, a Hindu temple in Craigieburn, which has been having countless issues just getting singers to visit their temple from India. We know that they have had previous singers. In fact I was there last month with my colleague Mr Welch in front of 3000 people where they had singers that came out and then returned to India, but now they are just being flat-out refused. This is ridiculous. The minister does need to intervene and needs to speak to the federal minister on behalf of Victoria so that we can sing with one voice and say 'This has got to stop.' It is flat-out discrimination against the Indian community, and they should be able to have family come over to visit.

Decriminalisation of public drunkenness

Trung LUU (Western Metropolitan) (18:10): (1004) My adjournment matter is for the Minister for Police and follows the tragic death of one of my constituents in Wyndham Vale as a direct result of the reforms decriminalising public drunkenness under Premier Allan's government. The action I seek is a review of the policy regarding Victoria Police's authority over public intoxication. The Allan Labor government's decision last year to strip Victoria Police of the power to arrest and detain those endangering themselves or others due to intoxication has had dire consequences. This government bears full responsibility for the inevitable tragedy and must take swift action to prevent future loss of life.

The current system is not effective. Evidence clearly shows that sobering facilities and staff are not equipped to handle various situations when dealing with the intoxication of at times violent and uncooperative clients. Premier Allan has ignored warnings about the risks of decriminalising public drunkenness from experts and people who have been dealing with such situations in their professional lives for years, so now we are witnessing the consequences. The refusal of external agencies like the

Cohealth sobering centre to admit an intoxicated client with a violent history due to safety issues is nothing new. This is why police are so important when dealing with intoxicated individuals. They are the safety net. Taking away this safety net despite previous issues has resulted in fatal consequences. The Police Association Victoria has also called for a safety net when the healthcare system falls short. Police must have the necessary power to detain individuals for their safety and the safety of the community when the sobering centre turns away those in need.

Lastly, my condolences go to the family of the deceased and to the driver involved in this tragic incident. Their lives have forever been altered due to this incident. We must be clear on this and resolve the misguided legislation put in last year. I call on the minister to review this ridiculous legislation and deal with it swiftly.

Councillor conduct

Bev McARTHUR (Western Victoria) (18:13): (1005) My adjournment matter for the Minister for Local Government again concerns the Local Government Act 2020. Last sitting week I noted the political intimidation of conservative councillors in local government. While I thank the minister for her speedy reply, her response, explaining how bullying is serious misconduct, misses the point. Ideological councillors silence their opponents by cynically weaponising complaints procedures. In so doing they are simply following the rules, so they are safe from charges of bullying. Ironically, they often accuse their targets of intimidating others. The intent is what matters. There is no real interest in informal discussion or mediation to improve councillor behaviour. Instead, these ideologues employ cynical ambushes to single out those they disagree with. The new act not only fails to address this problem but worsens it.

Tonight, however, I will go further. The politicisation of local government has accelerated in recent times. Candidates are now frequently political party members, activists and officers. Councillors are not just upstanding local citizens giving public service to their communities, they are political animals, often fighting wider party political or ideological battles. In this context the unprecedented power awarded to the minister to sack individual elected councillors is alarming. What if a minister's political associate had brought a complaint or a factional ally richly deserved sacking? How can we guarantee fair process with this unprecedented anti-democratic power? We know that with the appointment of council monitors, the minister is anything but open to outlining who asked for them and the detail of why they are appointed, and the process of sacking whole councils has been sprung on this house sometimes with days notice. Do we trust this new process to be more open? Why not leave it in the hands of local voters or, for the most serious cases, VCAT or the courts?

I will end with some examples for Minister Horne. Social media shows her supporting candidate Rayane Hawli for Hobsons Bay, and council declarations show the minister donated \$500 to both Ross Alexander in Hobsons Bay and Michael Clarke in Maribyrnong. Minister, is it appropriate that you, as local government minister, endorse local government candidates and support them financially? Isn't this an obvious conflict of interest? Does your endorsement for a Hobsons Bay candidate break section 287(1) of the Local Government Act 2020 in relation to authorising statements? How many other candidates have you supported financially or provided endorsement for? Minister, the action I seek is an answer to the above questions but also a review of whether it is ever appropriate for politicians to exercise disqualification powers over their political enemies and fund campaigns for their party-political friends?

Probationary driving age

Gaelle BROAD (Northern Victoria) (18:16): (1006) My adjournment is for the Minister for Roads and Road Safety to lower Victoria's probationary driving age in line with other states. Victoria is the only state in Australia that still requires probationary drivers licence holders to be aged 18 or over. Young people, especially those living in rural and regional areas, are at a disadvantage by not being allowed to access their provisional licence at the age of 17. People who live in rural areas like

Wychitella North in my electorate do not have access to public transport to help them access jobs and apprenticeships.

I was contacted by a mum whose son Lachie would love to start looking for an apprenticeship or a school-based apprenticeship, but he is unable to do so in this state until he is 18. If he were living in Melbourne, he would have a much better chance of pursuing this avenue of employment and training due to the accessibility of public transport. His mum already drives a thousand kilometres weekly to provide her kids with a fraction of the opportunities that city kids get.

It is time that the Victorian government stops disadvantaging our country kids and aligns with the rest of Australia regarding licensing rules. All Victorian 17-year-olds should be allowed the opportunity to drive with a provisional licence provided they have met the necessary requirements. If they have completed their 120 hours of driving, passed the hazards test and the P-plate test and have proven themselves to be safe drivers, then they should be allowed their drivers licence. The Nationals have been strong advocates for reducing the driving age. Back in 2006 the Victorian Nationals launched a youth policy in Bendigo which included lowering the state's driving age to 17. The Liberals and Nationals also took the policy to the most recent state election in 2022. I call upon the minister to lower Victoria's probationary driving age to reduce the impact of isolation and disadvantage for young people living in regional areas. It is a simple, commonsense change that will make it easier for young people to access work and educational opportunities and will bring Victoria into line with the rest of Australia.

Responses

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (18:18): There were 13 adjournment matters this evening to 11 separate ministers. Those matters will be referred and written responses sought in accordance with the standing orders.

Just in relation to Mr Mulholland's matter to me as multicultural affairs minister, I will acquit that one now. Mr Mulholland is correct that visa matters are the responsibility of the Commonwealth, and I certainly think that we are on a bit of a unity ticket when it comes to supporting our diverse communities and multicultural communities across our state in having the ability to have strong family reunion. And of course I am looking forward to engaging with the newly appointed federal minister the Honourable Tony Burke. I would also note that the newly appointed assistant minister Julian Hill, the member for Bruce, has been recently appointed as the multicultural affairs and citizenship assistant minister to Minister Burke, and I do not know that I can think of a stronger advocate when it comes to issues around visas and family reunion. Julian Hill has been campaigning on these issues for many years, so he will be a fantastic advocate for our multicultural communities here in Victoria. I am certainly looking forward to working closely with him.

If Mr Mulholland wants to bring to the attention of the federal assistant minister any particular cases or particular examples of where he thinks that the visa system has not had the desired outcome, then indeed my office would be happy to facilitate those matters being referred to the Commonwealth.

The PRESIDENT: The house stands adjourned.

House adjourned 6:20 pm.