



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Wednesday 16 August 2023**



# 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

Matthew Bach

Member	Region	Party	Member	Region	Party
Bach, Matthew	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, Nicholas	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 <sup>1</sup>	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 <sup>2</sup>	South-Eastern Metropolitan	LP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Lovell, Wendy	Northern Victoria	Lib	Watt, Sheena	Northern Metropolitan	ALP

<sup>1</sup> Lib until 27 March 2023

<sup>2</sup> LDP until 26 July 2023

### 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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**Wednesday 16 August 2023**

**The PRESIDENT (Shaun Leane) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.**

*Papers*

**Papers**

**Tabled by Clerk:**

Auditor-General – Cybersecurity: Cloud Computing Products, August 2023 (*Ordered to be published*).

*Business of the house*

**Notices**

**Notices of motion given.**

*Members statements*

**Australian National Veterans Arts Museum**

**John BERGER** (Southern Metropolitan) (09:40): I rise to update the house on the work the Andrews Labor government is doing for veterans. Last week I visited the Australian National Veterans Arts Museum with my good friend in the other place the Minister for Veterans Natalie Suleyman. We had the opportunity to discuss their priorities: the 2024 Veterans Art Festival and the rollout of the Veterans Card. Thank you, Mark and Tanja, for your great work. I encourage everyone in my community to take the time to visit them at 312 St Kilda Road, Southbank, on a Tuesday or Thursday.

**Sir John Monash**

**John BERGER** (Southern Metropolitan) (09:41): On Friday it was my pleasure to represent the Premier and the Minister for Veterans at this year's Sir John Monash commemorative service. It was great to join my colleague in the other place the member for Greenvale Iwan Walters there as well. Every year the Spirit of Australia Foundation holds a commemorative service for Sir Monash. We all know that name, but do you know the history? Sir John Monash was the leader of the Australian Corps during World War I, head of the SEC and vice-chancellor of the University of Melbourne. I was proud to see two schools in my community, Bialik College and Scotch College, taking time out from their busy studies to pay their respects. Well done to Mr Rosenberg and the organising team for putting on such a great event.

**Electricity infrastructure**

**Joe McCRACKEN** (Western Victoria) (09:42): I would like to acknowledge the dedication, hard work and perseverance of the team of farmers and rural advocates who tirelessly fought to save prime agricultural land where the government is trying to bulldoze their way through and put communities, people and lives at risk by building a big transmission line. Glenden Watts, Billy Baldwin, Jason Barrett, Cate Langshire, Vicki Johnson, Hayley Plageman and Marcia McIntyre are champions of their communities and have been integral in ensuring the rally yesterday was a roaring success and that country voices are heard loud and clear. The message is a very simple one: do not ignore country people, do not ignore the bush and do not try to destroy country communities and country livelihoods, because country people matter. Communities along the route of the VNI West provide some of the best quality products in the country. Merino wool, grains, legumes and wine are some, but there are many, many others as well. All this is at risk because the government just do not seem to care. The process has been riddled with poor consultation, hopeless engagement and a dismissive attitude. The rally out the front yesterday sent a message loud and clear to the government: start listening, show you care and cancel the VNI West.

**United in Compassion conference**

**Rachel PAYNE** (South-Eastern Metropolitan) (09:43): Over the weekend I attended the United in Compassion conference in Brisbane. Of particular interest were investigations into the impact of cannabis on driving ability and measurements of impairment. Dutch Professor Jan Ramaekers has been assessing the impact of cannabis on driving performance for 25 years. Jan indicated that data from the World Health Organization highlighted that international rates of car accidents are 100 times more likely to be caused by alcohol than by cannabis. A recurring theme was that those that consume cannabis feel the effects quickly and adjust their behaviour accordingly. This argument has evidential support. Jan produced evidence from six studies that measured the standard deviation of lateral position. The findings included that lower doses of cannabis are comparable to a blood alcohol concentration of .04, which is lower than the legal limit for driving in Australia; impairing effects are gone after 4 hours of consuming cannabis; CBD did not produce any impairment; and residual levels of THC can be detected in saliva for days and weeks in blood samples.

Closer to home, research from a clinical trial conducted by Dr Tom Arkell from Swinburne University found: impairment with THC containing cannabis at 40 to 100 minutes is equivalent to impairment associated with .05 blood alcohol concentration; impairment is marginally greater when CBD is combined with THC, which is most medications; minimal impairment at 4 hours; and no impairment with CBD products. The research is clear, and the debate is over and internationally recognised. It is time for patient-led legislative reform.

**Sonja Terpstra**: On a point of order, President, there is a lot of noise in the chamber. I cannot actually hear what is being said over there, and I think conversations might be better off being had outside rather than in the chamber. I just cannot hear.

**The PRESIDENT**: I apologise for the noise. Ms Payne, I think you got on okay.

**Indian Independence Day**

**Michael GALEA** (South-Eastern Metropolitan) (09:45): This week marks the 76th anniversary of India's independence. 15 August is an important day for our Indian community in Victoria, as it is for Indians worldwide. I am proud to represent a region with a thriving and growing Indian–Victorian community, and I will go as far as to say that the south-east is one of the strongest centres for Indian culture in Australia. Since being elected I have been delighted to support, engage with and meet with Indian Victorians across the state. The Indian–Victorian community is such an important part of broader local communities across my region. Their organisations and volunteers have given so much back to their community and to our state. I have had the fortune of attending numerous events hosted by and celebrating the Indian culture in my region, and I look forward to many more meetings and many more events this year and beyond. I want to give my best wishes to members of the Indian community that I have had the privilege of representing in Melbourne's south-east and extend those wishes to Indian Australians across Victoria and beyond.

**Eastern Dandenong Ranges Association**

**Michael GALEA** (South-Eastern Metropolitan) (09:46): On another matter, I also wish to report on my attendance last week at the Eastern Dandenong Ranges Association for business and tourism, a fantastic local group, where I was able to speak to them at their AGM. Their work covers a wide area, including Upper Beaconsfield in my region. It was a privilege to speak to them, and I also wish to pass on my congratulations to re-elected chair John Wall, secretary Lynne Trensky and treasurer Gerry Breukers.

**Budj Bim**

**Sarah MANSFIELD** (Western Victoria) (09:47): Last week I visited the extraordinary cultural landscape of Budj Bim in Gunditjmara country in south-western Victoria. It reflects an intimate understanding of what it means to be inhabitants of our earth. The area is covered with extensive



ancient aquaculture systems. Eels, a key food source for Gunditjmara people, were trapped through careful arrangements of channelled rock and stored in freshwater pools, or natural fridges, until they were ready to be smoked, eaten or traded. During our tour of Kurtonitj and Tae Rak, Gunditjmara guide Braydon invited us to pause, take in the landscape and notice what was taking place around us. Where were the large grasses growing that indicate permanent pools of water? Observe the shape of the land and vegetation: how does water flow through there? He encouraged us to let go of arbitrary calendars and seasons and instead respond to the changes we see in our environment in real time. For example, when the flies start buzzing around your face it means waterholes are starting to dry up and you need to prepare for creeks being at their lowest. It was an experience I will always carry with me. It was a reminder to take the time to listen deeply to nature, to our First Peoples and to all of the intricate relationships present in the world around us and to respond and act with care and respect.

### Garfield tree planting

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Equality) (09:48): I want to talk today about the thousands of trees that have been planted across a really important biolink in Garfield. It was a joy to join so many people over the course of the latest community tree-planting day on the weekend. Cardinia Shire Council's deputy mayor Jack Kowarzik was there along with the Bunyip Landcare Group, the Westernport Swamp Landcare Group representatives, Intrepid Landcare and Western Port Catchment Landcare Network, as well as Windana and Bessie Creek and Labertouche groups and others. To see the work that is being done and helping to plant a few of the plants myself and to get in some of the *Melaleuca ericifolia* was a joy. We are seeing long-term multiyear work, and I want to congratulate everybody, in particular Pam and Gerry and all of the volunteers, for making this happen, alongside the magnificent Sikh Volunteers and the Rotary Club of Drouin, who put on the barbecue.

### Wear It Purple Day

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Equality) (09:49): On another matter, Wear It Purple Day is 25 August. I send my love, my recognition, my respect and of course my ongoing commitment to young LGBTIQ+ people all around Victoria. We see you, we support you, we recognise you and we value you exactly as you are.

### Government performance

**Rikkie-Lee TYRRELL** (Northern Victoria) (09:49): Each sitting week I try to focus my members statement on something positive that I see or experience in my line of work as a member of the Victorian Parliament. Unfortunately, this week I cannot stick to that trend. The Andrews Labor government believe themselves to be full of wonderful ideas, committing to grand gestures, outrageous projects and clever schemes. But, alas, this is all at the expense of the Victorian taxpayer and at the sacrifice of our children's financial futures and furthermore their children's economic stability. You see, with Victoria's current debt at \$116 billion and predicted to increase to \$234 billion within the next decade, I cannot hold my tongue on the matter any longer. The Andrews government's money management skills are so feeble that they could not sell a bucket of ice filled with beer to an Aussie on a 45-degree day, let alone come up with a viable strategy to start chipping away at this astronomical bill we are faced with. This state needs a government with real-world experience, a government that knows and respects the value of a dollar, a government that has not been suckling from the taxpayer teat for its entire existence and a government that is not afraid to roll up its sleeves and actually put some hard work into repaying its dues.

I ask that you forgive me for my sassy little outburst, but as you can see, my passion on this matter is but a mere whisper of what everyday Victorians are telling me constantly. These are the people that are the key to saving their state. I demand that the Andrews Labor government start paying heed to their constituents – all of them, not just their band fans. (*Time expired*)

### Melba College

**Sonja TERPSTRA** (North-Eastern Metropolitan) (09:51): I rise to update the house on a really exciting project that I have been working very hard on, and it happened last week when we were very fortunate to host the jobs, skills and training forum at Melba College. It was great to see so many school leavers who were seeking jobs and their parents come along to the forum. We had a number of government employers there but also employers from private industry, and I was very pleased to learn that Sheen panels, who came along, were promoting their Women in Collision initiative as they try and attract more women to come and join them and work in the automotive industry but more specifically in panelbeating. So I was really excited to hear about that initiative.

Also, there were plenty of other employers who have also got initiatives about attracting women and young school leavers into their workforce. This included Yarra Trams, for example. Yarra Trams are always on the lookout for tram drivers. All you need is a drivers licence, and they are always encouraging women to apply as well. The conditions are excellent, and also, if young school leavers are looking for well-paid, secure work, certainly that sort of job is a great start to their career while they think about whether there are any other things that they might want to do in terms of skills and training. So it was great to see them come along as well.

There were plenty of other training providers there, like TAFEs – we had Holmesglen TAFE – and some private registered training organisations as well. It is good to hear that some of the traditional trades jobs are also seeing an uptick in the number of school leavers that are coming along. It was a real pleasure to host that evening, and I look forward to doing that again with Melba College.

### Pigeons

**Georgie PURCELL** (Northern Victoria) (09:53): You may not have heard of the term ‘rock dove’. It is the correct name for a pigeon. They are yet another beautiful but misunderstood animal, so I want to take some time to tell you all about them today. Pigeons are incredibly complex and intelligent, yet they are continuously perceived as disease-ridden and filthy. But they are actually very clean animals, and so much more than that too.

My mates the rock doves are one of only a small number of species that can recognise their own reflections. They can also recognise each letter of the alphabet, differentiate between photographs and even distinguish different people within a photograph. They are simply amazing, and we get to live amongst them each day and even see them outside of this very building. As highly sociable animals, pigeons mate for life, and they are a true representation of equal caring responsibilities, with both female and male pigeons working together to raise their young. We could all certainly learn a lot from pigeons. Pigeons are renowned for their outstanding navigational abilities and are still raced at around 20 clubs across Victoria. As you will all know by now, I do not condone the toxic combination of animals and racing, and the rock dove is certainly not exempt from this advocacy.

So today I just wanted to remind everyone in this place about just how great pigeons are and why when we see them on the street, we should appreciate them, not demonise them.

### Vinnies Kitchen

**Tom McINTOSH** (Eastern Victoria) (09:55): Last week I visited Vinnies Kitchen in Rosebud and saw firsthand the delicious healthy lunches served by Vinnies Kitchen volunteers to locals in need. The cheerful and hardworking volunteers are in six days a week, making a difference on every one of those days. Vinnies Kitchen provides takeaway meals for members of the community who are doing it tough. The meals are warm, nourishing and delicious.

Last week I joined volunteers as they served a healthy veggie soup. President Ann-Maree Townsend and volunteers, including Debbie on her first day, Rita, Graeme, Joan, Lyndel, Michael, David and Jan, made everyone feel welcome and made people’s day. So much goes into getting this food prepared and ready for the community, and it includes stacks of generous donations such as those from

Jim Cochrane Farms, who donate heaps of fresh veggies; Rye Woolies; Bakers Delight Dromana; SASI, Statewide Autistic Services; and Ark Foods, who help cook and prepare some of the meals. Vinnies Kitchen also runs a van with a chill fridge to get meals out to people who may not be able to make it, which is kindly supported through donations from Sargents Pies. There has also been a significant donation from Rosebud football club for the takeaway containers.

It is so incredible to see members of the community out in force making a real difference for those in need. I could not speak any more highly of the volunteers at Vinnies Kitchen. This is the generosity of the Mornington Peninsula community in action. Everyone should have a meal when they need it, and it is incredible that Vinnies volunteers have done it here for 30 years.

### **West Footscray Neighbourhood House**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (09:56): I rise today to update the house on my visit to West Footscray Neighbourhood House last week with the member for Footscray in the other place. West Footscray Neighbourhood House offers so much to communities in the electorate of Western Metropolitan, and I was pleased to hear about and see all the ways that the neighbourhood house supports the community through playgroups, community child care and leadership initiatives which empower local people to make a difference. Their toy library was particularly impressive, as was Lily Torcello, who has run the occasional care centre at the neighbourhood house for a very long time across generations of families, she told me. The neighbourhood house is also very committed to better connected services with other child and family services, and it was great to see this firsthand.

It was also delightful to see the work that the neighbourhood house put into other initiatives, such as their community pantry and their community clothing library. The neighbourhood house provides direct assistance to community members in need through donation drives and other supports, kindly restocked by members of the community both in terms of the food and in terms of the clothing. Another interesting initiative that this neighbourhood house is offering many in the community in Western Metro is a date night childminding service to give parents who do not have access to other childminding the time to reconnect and spend quality time together. This is particularly popular.

I would like to take the opportunity to thank Marianne and everyone else who makes the wonderful work of West Footscray Neighbourhood House possible and in particular to thank the member for Footscray for her advocacy for this great neighbourhood facility.

### ***Bills***

#### **Independent Broad-based Anti-corruption Commission Amendment (Public Recommendations) Bill 2023**

##### *Statement of compatibility*

**David DAVIS** (Southern Metropolitan) (09:58): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

One of the primary objectives of the Independent Broad-based Anti-corruption Commission (IBAC) is to educate the public sector and the community on the detrimental effects of corrupt conduct and the ways in which corrupt conduct can be prevented.

IBAC is currently constrained in its educative role by section 159(2) of its Act which states: “A recommendation ... which is not contained in a report must be made in private”.

Formal recommendations can be disclosed in either IBAC’s Annual Report, or in special reports such as those prepared after major investigations.

However, the majority of IBAC’s work involves investigations that do not warrant a special report and that do not comply with the annual reporting requirements specified in the IBAC Act.

This means that many institutional recommendations made by IBAC are known only by IBAC and the institution in question.

The bill would give IBAC the discretion to better realise its objectives by publishing recommendations currently required to be made in private, provided it publishes a statement of reasons why it considers publication is in the public interest.

The bill states: “*if the IBAC considers it is in the public interest to do so, the IBAC may publish on its website in whole or part a recommendation ... which is not contained in a report, insofar as the recommendation relates to matters of an institutional nature and does not contain a comment or an opinion which is adverse to any person*”.

Given IBAC may only publish recommendations of and institutional nature and will be required not to publish a comment or an opinion which is adverse to any person, in my opinion the proposed powers afforded under clause 3 do not impose limitations on Charter rights with respect to privacy.

David Davis MP  
Shadow Special Minister of State

### *Second reading*

**David DAVIS** (Southern Metropolitan) (09:58): I move:

That the bill be now read a second time.

One of the major objectives of the Independent Broad-based Anti-corruption Commission Act 2011 is that the work of IBAC be educative. As objective (c) of the IBAC act states, one of the objectives of IBAC is to:

- (c) facilitate the education of the public sector and the community about the detrimental effects of corrupt conduct and police personnel misconduct on public administration and the community and the ways in which corrupt conduct and police personnel misconduct can be prevented ...

As prescribed by its act, IBAC is to report on, and make recommendations as a result of, the performance of its duties and functions. In addition to its high-profile public hearings, IBAC also examines and makes recommendations in relation to systems and practices in the public sector, public sector legislation and the public sector.

IBAC is currently constrained in its educative role by section 159(2) of its act, which states:

A recommendation ... which is not contained in a report must be made in private.

Formal recommendations can be disclosed in either IBAC’s annual report or in special reports such as those prepared after major investigations.

However, the majority of IBAC’s work involves investigations that do not warrant a special report and that do not comply with the annual reporting requirements specified in the IBAC act.

This means that many institutional recommendations made by IBAC are only known to IBAC and the institution in question.

Esteemed former Court of Appeal judge and former IBAC Commissioner the Honourable Robert Redlich AM KC publicly reiterated his views in relation to section 169(2) of the IBAC act as recently as 31 July 2023 at a hearing of the Victorian Parliament’s Integrity and Oversight Committee (IOC).

His view, as presented to the IOC on 31 July, is:

... there is currently a deficiency in the IBAC Act ... in that the only recommendations of IBAC which can be published are those which are made in a special report which is tabled in Parliament. IBAC does not table more than two or three reports a year, but we write countless outcome letters to councils and departments at the end of an investigation, in which we identify failings and we set out recommendations. It would be really important that the legislation is amended to reflect the need to be able to publish those recommendations. I do not suggest, if we are talking about recommendations concerning individuals, that recommendations should be published. I am talking about recommendations that identify institutional failings. It makes I think good sense that the community should be alive to recommendations that address institutional failings and are aware of them, and that encourages in turn public discussion about those sorts of things.

This bill is simple and straightforward and has as its sole objective of inserting after section 159(2) of the IBAC act the following:

- (2A) Despite subsection (2), if the IBAC considers it is in the public interest to do so, the IBAC may publish on its website in whole or part a recommendation under subsection (1) which is not contained in a report, insofar as the recommendation relates to matters of an institutional nature and does not contain a comment or an opinion which is adverse to any person.
- (2B) If the IBAC publishes a recommendation in whole or part under subsection (2A), the IBAC must also publish on its website a statement of the reasons why it considers publication is in the public interest.

This bill would give IBAC the discretion to better realise its objectives by publishing recommendations currently required to be made in private, provided such recommendations are of an institutional nature and do not contain a comment or an opinion which is adverse to any person and that it publishes a statement of reasons why it considers such publication is in the public interest.

In doing so, the bill would address one significant deficiency in the current IBAC act identified by Mr Redlich. It would permit IBAC to make public more of the results of its important work, namely its recommendations, where it judges doing so to be in the public interest and in the furtherance of its objectives, in particular its responsibility to educate the public sector and the community on the detrimental effects of corrupt conduct and the ways in which corrupt conduct can be prevented.

This bill will improve the IBAC act and the operation of IBAC. I commend the bill to the house.

**Lee TARLAMIS** (South-Eastern Metropolitan) (10:03): I move:

That debate on this bill be adjourned for two weeks.

**Motion agreed to and debate adjourned for two weeks.**

### **Firefighters' Presumptive Rights Compensation Legislation Amendment Bill 2023**

#### *Statement of compatibility*

**Samantha RATNAM** (Northern Metropolitan) (10:03): I lay on the table the statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter, I make this statement of compatibility with respect to the Firefighters' Presumptive Rights Compensation Legislation Amendment Bill 2022 (the Bill).

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

#### **Overview of the Bill**

The Bill extends presumptive rights for firefighters for the purpose of claiming compensation under the **Workplace Injury Rehabilitation and Compensation Act 2013**, to include to the existing schedule an additional nine forms of cancer, each with respective qualifying periods, in the **Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019** and the **Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Act 2021**.

#### **Human Rights issues**

Besides from extending presumptive rights to include additional forms of cancer, the Bill does not seek to change the operation of, and therefore, the respective Charter rights applicable to, the existing firefighters' presumptive rights compensation scheme provided under relevant legislation.

Therefore, in my opinion, the human rights under the Charter that are relevant to the Bill are:

- The right to equality and protection against discrimination under section 8.

For the reasons outlined below, I am of the view that the Bill is compatible with the Charter because, to the extent that some provisions may limit human rights, those limitations are reasonable and demonstrably justified.

Section 8(3) of the Charter provides that every person is equal before the law and is entitled to equal protection of the law without discrimination, and has the right to equal and effective protection against discrimination.

'Discrimination' for the purposes of this right is defined under section 7 of the **Equal Opportunity and Human Rights Act 2010** to include direct or indirect discrimination on the basis of an attribute, including a person's age, gender identity and sex, and race.

The Bill seeks to further improve access to compensation benefits based on emerging evidence that attending fires is associated with an increased risk of developing certain cancers. Specifically, by adding three forms of cancer: cervical cancer, ovarian cancer and uterine cancer – the Bill seeks to more equally recognise female firefighters in Victoria, by providing easier access to compensation for female-specific cancers.

The proposed provisions may limit the ability of some firefighters from accessing a right to compensation by virtue of these additional scheduled forms of cancer being specific to a certain sex. However, I consider these limitations to be reasonable and consistent with other sex-specific cancers within the existing presumptive rights scheme.

### *Second reading*

**Samantha RATNAM** (Northern Metropolitan) (10:04): I move:

That the bill be now read a second time.

It is with great pride today that I introduce this important bill, the Firefighters' Presumptive Rights Compensation Legislation Amendment Bill 2023, into the Victorian Parliament.

The bill proposes to expand the firefighters presumptive rights compensation scheme that currently covers 12 forms of cancer by an additional nine forms of cancer, each with respective qualification periods of service.

The additional cancers and respective qualifying periods are as follows: primary site lung cancer, 15 years; primary site skin cancer, 15 years; primary site cervical cancer, 10 years; primary site ovarian cancer, 10 years; primary site uterine cancer, 10 years; primary site penile cancer, 15 years; primary site pancreatic cancer, 10 years; malignant mesothelioma, 15 years; primary site thyroid cancer, 10 years.

The bill is straightforward. Besides including these additional nine cancers, it does not seek to alter existing eligibility or the operation of the current scheme in any other way.

It simply proposes that personnel employed by Fire Rescue Victoria, the CFA and Forest Fire Management Victoria should now be eligible under the presumptive rights legislation to apply for compensation under Victoria's workers compensation scheme if they are diagnosed after 1 June 2016 with one of 21 cancers, without having to prove that firefighting is the cause.

Extending the scheme to include these additional cancers is backed by science and will make Victoria's legislation comparable to the schemes currently operating in other Australian states, as well as internationally.

Moreover, in adding eligibility for three cancers – cervical cancer, ovarian cancer and uterine cancer – the scheme will more equally recognise female firefighters in Victoria by providing them with presumptive rights to compensation if they are diagnosed with one of these diseases.

Presumptive compensation for firefighters is an issue of special significance to the Greens.

Federal Greens leader Adam Bandt first fought for cancer compensation for firefighters when he was an industrial lawyer before entering politics.

And he successfully took this fight to Canberra when he passed the Federal Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Act in 2011, thereby establishing the first presumptive compensation scheme for firefighters in Australia and providing the model for subsequent schemes in many states.

While we are of course extremely proud of Adam's work in establishing presumptive cancer compensation for firefighters in Australia, we recognise too that this is an issue that should always be above politics.

And, thankfully, recent history has indeed proved this to be one of those very rare issues, because while it was a Labor government in Tasmania that first followed the Commonwealth in passing state laws in 2012, it was also the Rockliff Liberal government that moved to expand those laws to include more forms of cancer earlier this year.

It was also a Liberal state government that passed the laws in New South Wales in 2018, while the Andrews Labor government did so in Victoria in 2019.

Further illustrating the non-partisan nature of the issue, I recognise the Hinch party introduced a bill to expand the Victorian scheme to cover the additional three female-specific cancers in 2022, which the current Victorian government announced that it would do this year.

I also recognise the Shadow Minister for Emergency Services and other members of this place's genuine interest in this issue.

Even back in 2011, when Adam Bandt introduced the first Commonwealth bill, it was co-sponsored by both Russell Broadbent of the Liberal Party and Maria Vamvakinou of the Labor Party.

Therefore, it is in this spirit of multipartisanship that I can also inform the house that I will be writing to both the Minister for Emergency Services and the shadow minister this week to invite them to join me in co-sponsoring this bill.

I believe that we must continue to put politics to one side on this issue, as has been done in the past, to give the bill the best opportunity to pass through both houses of Parliament without further delay.

It may well be the case that such rare cooperation in Parliament can only occur when we are required to support the bravest members of our community that risk their lives to keep us safe. If this is true, I trust we will stand united in considering these proposed laws such an instance when we all must be able to summon sufficient goodwill to show we can work together.

Because we should all commend a fairer compensation scheme for Victorian firefighters, we should, therefore, all be commending this bill to the house.

**Lee TARLAMIS** (South-Eastern Metropolitan) (10:09): I move:

That debate on this bill be adjourned for two weeks.

**Motion agreed to and debate adjourned for two weeks.**

### **Nuclear Activities (Prohibitions) Repeal Bill 2023**

#### *Statement of compatibility*

**David LIMBRICK** (South-Eastern Metropolitan) (10:09): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

#### *Opening Paragraph*

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, I make this statement of compatibility with respect to the Nuclear Energy (Prohibitions) Repeal Bill 2023.

In my opinion, the Nuclear Energy (Prohibitions) Repeal Bill 2023, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter Act. I base my opinion on the reasons outlined in this statement.

#### *Overview*

The Bill will remove restrictions to the energy market concerning nuclear energy and nuclear resource extraction undertakings.

#### *Human Rights Issues*

These restored liberties do not cause limitation to, or loss of any rights within the charter.

I consider that the Nuclear Energy (Prohibitions) Repeal Bill 2023 is compatible with the Charter Act because it does not raise any human rights issues.

*Second reading*

**David LIMBRICK** (South-Eastern Metropolitan) (10:09): I move:

That the bill be now read a second time.

On behalf of the Libertarian Party I am proud to put forward a bill to repeal the antiquated restrictions on nuclear activities in Victoria.

In particular, this bill seeks to repeal the Nuclear Activities (Prohibitions) Act 1983 and amends other references to this act.

We are at a crossroads. This bill could go one of two ways.

It could be that we repeal these laws and send a massive signal to the rest of Australia and the world that we believe climate change is a serious issue and we should use everything at our disposal to decarbonise.

It could be that we open the door for a way to make Victoria the most reliable producer of clean energy in Australia and a magnet for manufacturing.

It may be that we allow the communities of the Latrobe Valley to flourish and keep everyone's lights on, even after the coal-fired power stations are switched off. During the inquiry into nuclear prohibitions that I established in 2019, we found plenty of community support for this, including from the Australian Workers' Union.

It could be that we open the way for Victoria to lead Australia for low carbon emissions, like several other countries around the world that use nuclear energy.

It could be that by repealing these laws we allow ourselves to take a piece of the \$300 billion AUKUS submarine deals and our universities can start to train the hundreds of engineers and physicists Australia will need for this project.

And it could be that Victoria becomes a major hub for mineral sands mining and processing so we can produce the rare earths we need for the magnets in wind turbines and the glass we need for durable solar panels.

Of course, it could go the other way. If you think the attitudes that existed at the time *BMX Bandits* was released are still relevant, then you may vote to keep the prohibitions.

You can hope that Victoria can decarbonise using weather-dependent technology even though scientists expect weather to become more extreme.

You can hope that Victoria achieves its aim of producing 95 per cent of its energy through weather-dependent technology by 2035 without one of the few proven methods of decarbonisation.

I am prepared to bet that Victoria will not achieve this by 2035 and it won't even be close.

I invite people in 2035 to watch this speech – even if they are doing it by candlelight and with 5 per cent charge on their phone – and see if I'm wrong. But here is how I know.

Firstly, no country has successfully achieved these kinds of targets without a lot of help from either hydro or nuclear technology.

Secondly, the government seems to be in denial about the actual costs of building the infrastructure, both financially and environmentally. I can see a time in the near future when environmentalists and traditional owners see the plans and make it extremely difficult.

If we fail to pass this legislation, someone looking back at this from the year 2035 might wonder how they came to be in this situation. Germany provides an example of how badly this can fail. As they have transitioned out of producing nuclear power, their carbon emissions and energy prices have both



risen. Their neighbour France, who embraced nuclear technology in the 1960s, continues to produce clean and reliable power.

I would suggest that the reason is performative politics – politicians who claimed climate change was an emergency, but not more urgent than upsetting some of their members. I also think every politician in this chamber is confident they won't be here in 2035 and won't be held to account on this.

I know we will hear from some members who claim nuclear technology should be prohibited because it is expensive, but that is ridiculous. It is not a genuine argument. If it were, Snowy 2.0 would be against the law and so would chocolate bars at convenience stores.

And if those who oppose nuclear technology are truly worried about money, then they would immediately end the prohibition of activities that would allow Victorians to win contracts for the AUKUS deal.

As possibly the only person in this chamber who studied physics at university, I am happy to say that I think nuclear power is amazing. It creates enormous amounts of energy with very little waste. In fact, it is the only energy source where the waste is completely contained. Nuclear power plants are safe, clean and quiet. I think the best time to build a nuclear power plant was 20 years ago, but the second best time is today.

But as a fan of free markets, I am not here to suggest taxpayer funds be spent on nuclear technology either. Repealing the nuclear prohibitions will cost us absolutely nothing. Keeping them could cost us billions.

There is no excuse for anyone who believes in science or thinks climate change is an important issue to oppose the legislation before you today.

I believe repealing the nuclear prohibitions would create a fantastic message to the rest of Australia and be a big shot in the arm for the scientists and manufacturing industries of Victoria. We can be bold. We can demonstrate to Australia and to the world that we are not afraid to embrace innovation and we can step firmly into the 21st century. On behalf of the Libertarian Party, I commend this bill to the house.

**Lee TARLAMIS** (South-Eastern Metropolitan) (10:14): I move:

That debate on this bill be adjourned for two weeks.

**Motion agreed to and debate adjourned for two weeks.**

**Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022**

*Second reading*

**Debate resumed on motion of David Davis:**

That the bill be now read a second time.

**John BERGER** (Southern Metropolitan) (10:15): Today I rise to speak on the Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022. This bill is being introduced by my colleague opposite, Mr Davis, and from what I understand Mr Davis introduced a bill with the same provisions this time last year. In fact on 7 June 2022 Mr Davis introduced a bill where the first reading passed. A day later the statement of compatibility was tabled and the second reading moved. Then on 22 June debate on the bill resumed and the second reading passed. On that day, 22 June, the bill went into the committee of the whole, which was completed without amendment, and just a short while later – I do not know how many hours or perhaps minutes or maybe even seconds – the third reading was moved. The bells were rung, the doors were locked and the third reading was defeated.

I was not a member of the Parliament at the time. I was still representing transport workers and contributing to the broader union movement at that particular time. But I was around for something else. It was only 181 days later when something remarkable happened. On my first day of school – the first day of class, as some would call it – when I was job fresh and was ready to go and my family was here, Mr Davis introduced the bill again, this time to the Parliament that had just overwhelmingly rejected the party and voted for a bright, bold and optimistic vision presented by the Andrews Labor government – a government that will fight for the SEC and deliver; a government that cares about workers, their safety, their dignity, their rights and their job security; a government that builds things and makes things here; and a government that invests in the things that matter, whether it be education, transport, jobs, infrastructure or much more.

President, it might shock you to hear this again, but from my understanding, as was highlighted at the time in the previous debate, in public and more, there are serious holes in the drafting of this bill and its predecessor. Anti-corruption watchdogs are the backbone of any democratically elected government. We have had to bear witness to the damage that the absence of an anti-corruption watchdog did at the Commonwealth level throughout the Morrison government, so this side of the chamber takes anti-corruption bodies seriously and we properly support them. But we cannot in good conscience, and I cannot in good conscience, support a bill that was not well thought out.

As I often say and detail during second-reading debates on significant work that we have put into drafting our legislation, whether it be large, nation-building, comprehensive reform, building things that matter or creating the renewable economy of the future, or if it is the regular statute law amendment bill to ensure the good governance of the law, we take great care in drafting legislation. These proposed amendments have not gone into this level of detail.

Clause 6 of the bill, inserting proposed section 162AA, seeks to allow IBAC to publish reports that contain material that is being challenged in court. Now, I am not a lawyer. I am from the shop floor. I work for a living, Mr Davis, but as a unionist, a union official, a delegate and a representative of workers, I got to learn a little bit about the law. One could say I got to learn about the law, and I reckon this smells like a lack of procedural fairness for subjects.

Last night I had the unfortunate opportunity to visit the Victorian Liberal Party's website. I had the chance to take a look at the Liberal Party's platform, its fundamental values, and let me read some of them to you:

- 11: We believe in parliamentary democracy, democratic participation, the Constitution, the rule of law and honest, accountable government that respects the interests of all people.
- 12: We believe that democratic, broad-based political parties that represent the interests of a wide range of people are critical to effective parliamentary democracy and stable, consistent government.
- 13: We believe in the distribution of government power and decisions being made closest to those they serve.
- 14: We believe in equality before the law, and in providing equal opportunities for all people to live in an accepting, tolerant and diverse society.

Yet I reckon none of these values align with this bill and the lack of procedural fairness it would award the subjects.

Let me repeat what clause 6 of the bill, proposed section 162AA, seeks to do. It seeks to allow IBAC to publish reports that contain material that is being challenged in court. This is remarkable as we know that an IBAC report can have serious ramifications for individuals identified in these reports. It can be life-changing stuff, and this mob opposite is not taking it seriously. For the public to have confidence in IBAC, in IBAC's findings and in the whole process, there must be equality before the law as section 14 of the Liberal Party's values states. Individuals subject to investigation must be given an appropriate opportunity to respond to any allegations levelled at them. This is democracy. That is the rule of law as mentioned in section 11 of the party platform of those opposite, which they claim to support.

Natural justice and the associated processes in the Independent Broad-based Anti-corruption Commission Act 2011 provide important protections for individuals that are subject to adverse comment in the public report. The IBAC act balances the role that the IBAC has in undertaking investigations and exposing corruption and misconduct with the rights of the individual – those rights of the accused, the rights of individuals – to be able to review and provide comment on adverse findings – adverse findings that IBAC may consider applying before the material is made public. This ensures that IBAC processes are fair and that findings in IBAC reports are made with all available evidence. The opposition's proposed provisions under section 162AA genuinely may cause all sorts of drama and unintended consequences, and I think it is reckless and dangerous of those opposite that 162AA may undermine the ability of subjects to an investigation to challenge the actions of IBAC. It potentially removes the ability of the Supreme Court to determine whether they have been provided natural justice or procedural fairness.

Can someone tell me how this adheres to the Victorian Liberal Party's values? The IBAC act balances the role that IBAC has in undertaking investigations and exposing corruption and misconduct with the rights of the individual – the rights of the accused, the rights of individuals – to be able to review or provide comment on adverse findings – adverse findings that IBAC may consider applying before the material is made public. This ensures IBAC processes are fair and that findings in IBAC reports are made with all the available evidence. The opposition's proposed provisions under section 162AA genuinely may cause all sorts of drama and unintended consequences.

The existing provisions and protections laid out in section 162(5) of the act are vitally important due to the extraordinary powers provided by IBAC. Mr Davis has set out in 162AA:

**Special report may be transmitted regardless of court proceedings**

The IBAC may cause a report to be transmitted to each House of the Parliament under section 162 despite any proceedings that are pending in a court in relation to –

- (a) the subject matter of the report; or
- (b) any other matter or thing that may be relevant to the report.

Let us consider a scenario where the proposed provision could lead to a case where IBAC publishes a report and the Supreme Court finds later that the subject that had adverse findings made against them has not been provided the appropriate opportunity to respond. This is a mouthful, but my staff say to me this is a legitimate exercise that might occur in law school. In this scenario it is not clear how the Supreme Court may grant an effective remedy. And why is that? Because it could be too late to provide that person, or that body or organisation or entity, the appropriate time to respond to the adverse material.

Let us move on to 162(5) and why it is a contradiction. The bill's provisions appear to contradict section 162(5) of the IBAC act. Why? Because it prevents IBAC from including in its report any information that could or would prejudice a criminal investigation, criminal proceedings or other legal proceedings. If the IBAC knows about criminal investigations, criminal proceedings or other legal proceedings in relation to a matter or person included in the report under this section, the IBAC currently must not include in that report any information that could prejudice the investigation. That goes for any criminal investigation, criminal proceedings or any other legal proceedings. If you read these together, section 162(5) with section 162AA, they create uncertainty, ambiguity and confusion as to how the IBAC could proceed in an investigation in circumstances where legal proceedings are pending. If IBAC were to proceed to table a report in Parliament, that could potentially then prejudice legal proceedings. It could undermine the integrity of the court processes and the rights of individuals to seek an effective remedy in court. There is also a risk that contempt of court proceedings could apply if IBAC tables a report to Parliament that could prejudice a legal proceeding.

I also want to address the timely reporting and applications for privilege in this piece of legislation. The bill proposes a three-month time line for individuals to respond to adverse findings in an IBAC report, proposed in clause 5, which substitutes section 162(2). Rather than resulting in something that

could result in more timely reporting, there is a risk that the time lines could result in longer delays. This three-month time line is longer than IBAC currently provides for responses to adverse findings. The proposed time frame could actually work dangerously. The time lines could actually increase some public reporting time frames. Given that in complex cases longer periods may be needed, the bill does something else poorly: it does not set out how to resolve disagreements on the need for longer time frames. It seeks to have applications for determinations of privilege dealt with more effectively, quickly and expeditiously, but the drafting of the provisions in those opposite's bill does not achieve its purpose or its aim. In fact these provisions are likely to have no practical effect on the determination of privilege.

At the beginning of this speech I talked about the importance of anti-corruption integrity agencies. Our government continues and will continue to give IBAC broad powers to conduct and hold properly conducted hearings and support the resources it needs to do its work. Our government, particularly in the 2022–23 state budget, invested a further \$32.1 million over four years, including additional funding to IBAC on top of its annual base funding – record funding of \$61.9 million in 2022–23. By the end of the forward estimates IBAC's funding will be double what it was when we came to government in 2014.

Funding for IBAC in proportion to the public sector workforce they hold to account is higher in Victoria than in other states. The budget boost to the IBAC provided funding equivalent to \$217.30 per Victorian public servant in 2022–23 compared to \$78.40 per public servant for the New South Wales ICAC whilst undertaking a similar number of investigations. We will continue to work with IBAC and other integrity agencies, stakeholders and the wider community and consider their suggestions to create the best system possible, because we want to make sure we have what we need to do the important work.

To wrap up my remarks, we are committed to working with the integrity agencies to improve their legislation and the resources to support them.

**Tom McINTOSH** (Eastern Victoria) (10:27): I rise to oppose the private members bill moved by Mr Davis, and I follow on from the contribution of Mr Berger. I did actually pick up that he had the misfortune of reading the Liberals website last night. My ears actually pricked up more at the fact that they had a website. I was talking in my contribution yesterday about how they do not generally want to do anything that did not occur in the 1950s on that side, so having a website must have really blown their socks off. But congratulations to them and commiserations to you, Mr Berger.

Last year Mr Davis introduced a bill which contained the same provisions and that the Scrutiny of Acts and Regulations Committee, SARC, raised serious and significant concerns with. Through the committee stage it was also evident that there were significant gaps in Mr Davis's understanding of how this proposed bill would work, the constitutional impact on the independence of the Supreme Court and the impact on procedural fairness. These are concerns that have not been addressed. These are serious concerns, as they may breach charter rights and natural justice and potentially prejudice future judicial proceedings.

Timely reporting undoubtedly helps to improve transparency, provide public confidence and ensure swift action can be taken on its findings. The government recognises the importance of IBAC being able to publish its investigatory reports in a timely manner. However, the publication of reports must be properly balanced with provisions that appropriately protect individuals' rights to procedural fairness and to seek effective remedy from the court. These principles are critical in our state, which places a high value on the rule of law. These are the principles that those opposite and Mr Davis are seemingly happy to disregard.

We canvassed the relevant issues with that bill back in June 2022, when it was voted against. What this bill proposes is identical. Mr Davis has previously stated in this place that this was not a bill that had been arrived at casually or lightly. Mr Davis stated that this bill was well thought through. In light

of these previous statements, it is simply breathtaking that, with all the due consideration Mr Davis stated was given to this bill, the opposition is serving up the same offering, albeit with some amendments, which I will speak to shortly.

As was noted in this bill's previous debate, the government does not consider that the opposition's proposed amendments to the Independent Broad-based Anti-corruption Commission Act 2011 effectively strike the balance between the publication of reports and individual rights. It is clear that Mr Davis has again been very lazy and very sloppy with the drafting of the bill, and he has no idea of the impact or the effect of what he is proposing to the house. Not only does this bill create significant concerns for procedural fairness, it raises issues such as increasing reporting time lines as well as creating conflicts with judicial proceedings. I note that in his response to SARC previously he said:

There is a risk that whilst appropriate rights must be preserved, legal machinery can be used to unreasonably delay the tabling of critical IBAC reports.

While there is always a risk people may misuse the courts, we would characterise this process as the application of the rule of law, procedural fairness or natural justice. The last time this bill was debated Mr Davis noted that he relied on 'legal people' for his advice and guidance but did not clarify who had advised him or how thorough this advice was. It is not clear what he means by 'legal people'. Perhaps given the gaps in the bill, he simply consulted Google.

As I alluded to before, I just want to raise some amendments that have been proposed to the bill by those that have moved the bill. Just let me get these; they have just come to my attention. Clause 5, 'Special reports', just to give you the context I will give you subclause (1), which substitutes 162(2), and there are some other amendments further down. So:

(1) For section 162(2) of the Principal Act **substitute** –

...

- (a) the IBAC must give the relevant principal officer of that public body an opportunity to respond to the adverse material within 3 months or the later time agreed with –

and the amended version replaces 'agreed with' with 'determined by' –

the IBAC; and

- (b) if the relevant principal officer responds within the time referred to in paragraph (a), the IBAC must fairly set out each element of the response in its report; and
- (c) if the relevant principal officer does not respond within the time referred to in paragraph (a), the IBAC may transmit the report to the Parliament regardless.”.

Under subclause (2) there is also another amendment. This starts off:

(2) For section 162(3) of the Principal Act **substitute** –

“(3) If the IBAC intends to include in a report under this section a comment or opinion which is adverse to any person –

- (a) the IBAC must give the person an opportunity to respond to the adverse material within 3 months or the later time agreed with –

where 'agreed with' has been deleted and 'determined by' has been inserted –

the IBAC; and

- (b) if the person responds within the time referred to in paragraph (a), the IBAC must fairly set out each element of the response in its report; and
- (c) if the person does not respond within the time referred to in paragraph (a), the IBAC may transmit the report to the Parliament regardless.”.

So on these amendments it is not clear whether IBAC has been consulted in development of the proposed time frame of three months, which IBAC may consider excessive. It is also unclear if any of the organisations subject to IBAC's jurisdiction – Victoria Police, the Police Association Victoria on

behalf of its members, government departments and others – have been consulted on the three-month time frame. Given historical matters, the Department of Justice and Community Safety is aware more complicated matters may take longer than three months for organisations or individuals to respond, and such a limit will be opposed. It is also unclear what mechanism is available in the bill to resolve any disagreement on the need for a longer time frame. It is likely that individuals or public bodies subject to adverse findings by IBAC will seek the maximum time for providing a response, which may lead to delays in IBAC publishing special reports, contrary to the bill's intention to enable more timely reporting of investigations. So if we want to get that timely reporting of investigations, this will actually be a hindrance to that.

The amendments proposed by Mr Davis to his past amendments in this bill specify that the time will be 'determined by' the IBAC rather than 'agreed with' the IBAC. Mr Davis's amendments propose an amendment that does not address the above issue – that individuals or public bodies are likely to always respond at the latest permissible time, being three months, even when the relative complexity and volume of the adverse findings and associated materials do not warrant it. In the event that the principles of procedural fairness would reasonably allow for a shorter time frame, this could lead to delay. This could result in inadvertent delays in IBAC finalising investigations and publishing reports. Also, procedural fairness requirements are an important protection of a person's rights, given the impact that adverse findings may have upon their reputation, health and wellbeing. It has been noted that the Supreme Court has found that IBAC has not afforded procedural fairness in *Operation Sardon* by not providing Mr Woodman with footnotes relevant to the evidence against him.

On the procedural fairness for subjects, clause 6 of the bill – that was clause 5 that I went through – proposes that section 162AA seeks to allow IBAC to publish reports that contain materials being challenged in court. IBAC reports can have serious ramifications for individuals identified in those reports. For the public to have confidence in IBAC's findings and in IBAC, individuals subject to investigation must be provided with an appropriate opportunity to respond to IBAC's findings and to challenge those findings they consider are inaccurate. The natural justice and associated processes in the IBAC act provide important protections for an individual subject to adverse comment in a public report. The IBAC act balances the vital role that IBAC undertakes in investigating and exposing corruption and misconduct, with the rights of individuals to be able to review and provide comment on any adverse findings which IBAC considers may apply to them before that material is made public. It is critical that judicial oversight supports procedural fairness requirements in ensuring that people are given a reasonable opportunity to respond to adverse material. These requirements ensure that IBAC's processes are fair and that findings in IBAC reports are made with all available evidence.

The opposition's proposed provisions under section 162AA may undermine the ability of subjects of an investigation to challenge the actions of IBAC and have the Supreme Court determine whether they have been provided natural justice or procedural fairness. These existing protections in section 162(5) are critically important due to the coercive powers provided to IBAC. As set out by Mr Davis in 162AA:

**Special report may be transmitted regardless of court proceedings**

The IBAC may cause a report to be transmitted to each House of the Parliament under section 162 despite any proceedings that are pending in a court in relation to –

- (a) the subject matter of the report; or
- (b) any other matter or thing that may be relevant to the report.

It is not far fetched to imagine a scenario where the proposed provision may lead to a case in which IBAC publishes a report and the Supreme Court later finds that the subject of the adverse findings was not provided an appropriate opportunity to respond. In this scenario it is not clear how the Supreme Court could grant an effective remedy, as it will be too late to provide the person or body with the appropriate time to respond to the adverse material.

The proposed provision also appears to contradict section 162(5) of the IBAC act, which prevents IBAC from including in its reports any information which would prejudice a criminal investigation, criminal proceedings or other legal proceedings. If the IBAC is aware of a criminal investigation or any criminal proceedings or other legal proceedings in relation to a matter or person to be included in a report under this section, the IBAC must not include in the report any information which would prejudice the criminal investigations, criminal proceedings or other legal proceedings. Read together, section 162(5) and section 162AA create uncertainty about how IBAC is to proceed in circumstances where legal proceedings are pending. If IBAC proceeds to table a report to Parliament that may prejudice legal proceedings, this undermines the integrity of the court process and the right for individuals to seek effective remedy from the court.

There is also a risk that contempt of court proceedings may apply if IBAC tables a report to Parliament which prejudices a legal proceeding. A person subject to an IBAC investigation may be successful in procedural fairness proceedings. Under the proposed amendments, a report could be published under Mr Davis's proposed section 162AA despite the fact that a person is later found not to have been afforded procedural fairness. The subsequent remedy of the court would be rendered futile and undermine the practical protections of procedural fairness. The proposal to enable IBAC to publish reports that contain material that is the subject of a court proceeding may create inconsistency with other provisions in the IBAC act and may place IBAC at risk of being in contempt of court if it transmits a report that prejudiced a court proceeding.

To expand upon this point, I would like to remind the house of the current provisions that exist. In reference to clause 4 of Mr Davis's bill, IBAC currently has sound provisions for how to apply to the Supreme Court to determine secrecy or privilege requirements. These procedures are well established and set the appropriate precedent that the Supreme Court is the superior court of Victoria with unlimited jurisdiction, as is established in the Victorian constitution. If the house will indulge me, and for the benefit of Mr Davis, the relevant provisions contained in the IBAC act are sections 59L to N, sections 100 to 101 and sections 146 to 148, which provide for the process of applying to the Supreme Court to determine privilege or application of secrecy requirements and how such claims are to be determined by the court or applied to an examination.

**Sheena WATT** (Northern Metropolitan) (10:42): It is good to take a moment today, before I begin my remarks on the Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022 that we have got before us, to say that this seems a little familiar. I join with my colleagues in speaking in opposition to the bill introduced by Mr Davis. I am going to take a moment – probably more than a moment, if you can indulge me, Acting President Terpstra – to remind members of this chamber that this is not the first time that Mr Davis has introduced a similar bill. I, like you, Acting President, have discussed this at SARC, the Scrutiny of Acts and Regulations Committee, which has indeed considered this bill from time to time in its various forms. I will say that this is very similar to those introduced earlier. Mr Davis in fact introduced a bill with the same provisions just last year, and I am trying my best to recall whether or not I made a contribution on that. I have indeed made a contribution on a number of bills that speak to integrity and the integrity agencies in our state. Of course there are some pieces that speak directly to this bill before us, but whilst I will get to those in a moment, I will just say that this is mighty familiar.

As I have highlighted in previous contributions to previous iterations of this bill, there are some serious flaws that have gone into its drafting, flaws that have been circulated through this chamber from time to time. I know that I and other members on this side of the chamber have considered this bill a great number of times and have looked at those flaws and really highlighted them to the chamber – any bill that goes to integrity matters in this state is worthy of this, because the Andrews Labor government does take integrity matters so very seriously. The IBAC act in fact balances the vital role that IBAC does play in investigating and exposing corruption and misconduct in our state with the right of individuals to be able to review and provide comment on any adverse findings which IBAC considers may apply to them before that material is made public. It is critical that judicial oversight supports

procedural fairness requirements to ensure that people are given a reasonable opportunity to respond to adverse material, because that is indeed the right thing to do. Of course these requirements ensure that IBAC's processes are fair and that findings of integrity agencies such as IBAC are made with all available evidence.

The proposed provision under new section 162AA may undermine the ability of subjects of an investigation to challenge the actions of IBAC and have the Supreme Court determine whether they have been provided natural justice or indeed procedural fairness. The existing provisions in section 162(5) are critically important due to the coercive powers provided to IBAC. As set out by Mr Davis in 162AA:

**Special report may be transmitted regardless of court proceedings**

The IBAC may cause a report to be transmitted to each House of the Parliament under section 162 despite any proceedings that are pending in a court in relation to –

- (a) the subject matter of the report; or
- (b) any other matter or thing that may be relevant to the report.

It is not far fetched that a scenario may come to be where the proposed provision may lead to a case in which IBAC publishes a report where the Supreme Court later finds the subjects of the adverse findings were not provided with an appropriate opportunity to respond, and as I said earlier, that is quite critical. In this scenario it is not clear how the Supreme Court could grant an effective remedy, as it would be too late to provide a person or a body the appropriate time to respond to the adverse material. The proposed provision also appears to contradict section 162(5) of the IBAC act, which prevents IBAC from including in its reports any information which would prejudice a criminal investigation, criminal proceedings or other legal proceedings. If the IBAC is aware of a criminal investigation or any criminal proceedings or other legal proceedings in relation to a matter or person to be included in a report under this section, the IBAC must not include in the report any information which would prejudice their criminal investigation, criminal proceedings or indeed any other legal proceedings. If that were to happen, of course we would have serious jeopardy of procedural fairness. This is a real concern and is worthy of consideration in this chamber. I thank the members, including Mr McIntosh, who outlined some of the impacts of that to the chamber earlier, and of course I know that there are other members of our side that really want to highlight just how significant this is.

Read together, section 162A and new section 162AA could create uncertainty about how IBAC is to proceed in circumstances where legal proceedings are pending, and that indeed can happen. If IBAC proceeds to table a report to Parliament that may prejudice legal proceedings that undermine the integrity of the court processes and the rights of individuals to seek effective remedy from the court, there is also a risk that contempt of proceedings may apply if IBAC tables a report to our Parliament which prejudices a legal proceeding. Let me say it again, because it is worthy of being repeated: the proposal by those opposite would enable IBAC to publish reports that contain material that are the subject of court proceedings, that may create inconsistencies with other provisions of the IBAC act and that may place IBAC at risk of being in contempt of court if it transmits a report that prejudices a court proceeding.

It is worth reminding the chamber before us of the current provisions that exist. In reference to clause 4 of Mr Davis's bill, as we are discussing here, IBAC currently has sound provisions for how to apply to the Supreme Court to determine secrecy or privilege requirements, and they certainly may and do come up from time to time. These procedures are well established and set the appropriate precedent within the Supreme Court. The precedent is that the Supreme Court is the superior court of our state here in Victoria with unlimited jurisdiction, as established in the Victorian constitution. These provisions are worthy of significant reflection. The amendments provided by Mr Davis seek to insert 'determined with as much speed' into three of the sections I have mentioned. That is – and I am just repeating them for you in case – I would like to draw attention to relevant provisions that I think should probably be read. They are section 59L to N, sections 100 to 101 and sections 146 to 148. These three



provisions provide for the process of applying to the Supreme Court to determine privilege or secrecy requirements and how such claims are to be determined by the court or applied to an examination. As I said, we really do need to consider the intersection with the Supreme Court because I am not convinced that advice has been received that indicates whether or not these amendments to the IBAC act would actually increase the speed at which these matters are heard. This bill does not make any reference to altering section 85 of the constitution, so therefore how would the bill make any changes whatsoever to the powers of the Supreme Court?

The bill before us – and Acting President, it is good to see you again – also provides a three-month time line to respond to adverse findings in an IBAC report, which is proposed in clause 5 for section 162(2). Unfortunately, it seems that rather than resulting in more timely reporting, there is a risk that the time line might in fact result in longer delays, and that is not what we want to see. The bill proposes a three-month time line, but for many investigations three months is longer than IBAC currently provides for responses to those adverse findings. Therefore we run the risk of actually increasing some public reporting time lines, and as per usual, we have seen a really significant need for some much more considered and substantial amendments in the bill.

But what does this bill say on the matter of more complex cases, where a longer time might be required – those really complex ones? Well, it says nothing. You heard that right – it does not set out how to dissolve any disagreements on the need for longer time frames when they are indeed required. It is clear that although this bill seeks to have applications for determinations of privilege dealt with more quickly, the drafting of the provisions in the opposition's bill, approached in their half-hearted and ill-considered way, may not achieve this intended purpose.

We have a really strong record here in the Andrews Labor government of strengthening IBAC and integrity agencies through legislation and support, and we will continue to give IBAC broad powers to conduct its investigations and the resources it needs to support its work. It is worth highlighting – and I believe I did speak to this in a previous contribution to a bill on this matter – that the state budget 2022–23 invested \$32.1 million over four years in additional funding to IBAC, on top of its annual base funding, with a record \$61.9 million in the year 2022–23, and by the end of the forward estimates IBAC funding will be double what it was when we came to government in 2014. I have recalled a number of contributions made during question time by the Attorney-General in outlining the significant budget commitments made by the Andrews Labor government to IBAC for it to continue to do its good work, and it has featured very prominently in question time.

Funding for IBAC in proportion to the public sector workforce it holds to account is higher in Victoria than that of other states. Let me take a moment to reinforce that in this state the funding for holding Victoria's public sector workforces to account is higher in proportion to other states. The budget boosts to IBAC, those that I have just spoken about, provide funding equivalent to \$217.30 per Victorian public servant in 2022–23, compared to a New South Wales figure for their equivalent body, called ICAC, of \$78.40. Yet it is worth noting that those two agencies conduct a fairly similar number of investigations through their work, and that is year by year.

We will continue to work with IBAC here in the team of the Andrews Labor government to consider their suggestions and to make sure they have what they need to continue to do the important work they do supporting the integrity of our state. Of course the government is entirely committed to working with our integrity agencies to improve legislation so that it supports their important work.

There is of course more to be done and the government is happy to consider that, but when it comes to what is before us the amendments put forward by Mr Davis do not achieve their purpose. They would introduce potential inconsistencies into legislation and erode protections for natural justice that are afforded to those under investigation by IBAC. It is for these reasons that the government will not be supporting the amendments before us today.

There is of course more that I could say, but I know that there are in fact other speakers keen to join me in making a contribution on the IBAC timely reporting bill before us today. Thank you very much for the opportunity to make a contribution on the Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022, and I reaffirm that the government's position is to not support it today.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (10:57): I also rise to make a contribution on this bill brought by Mr Davis, the Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022, and I rise to make a contribution in opposition to this bill. The government does not support this bill, and I encourage all in this chamber to also oppose this bill. I have had the benefit of listening to other speakers' contributions on this bill, and I think the thing that is really apparent with this bill is that Mr Davis did introduce a bill with the same provisions last year. It was highlighted in the previous debate that there are serious holes in the drafting of these bills, so I seek to highlight some of those, and I know my colleagues who have also spoken on this bill have done similar things.

Before I begin, I note Mr Davis's interest in this issue. It is something that he has championed throughout the course of the last Parliament and of course this Parliament, but obviously a bill of this nature and the area that Mr Davis has an interest in is an area that is very technical. In particular, the legislation that he brings, as I said, does have holes in it. It is something that I note Mr McIntosh talked about: you might have a great idea, but bringing a bill that is ill-conceived and I guess sloppy in its sort of –

**A member:** Very concerning.

**Sonja TERPSTRA:** Yes, it is very concerning, because it does not actually achieve what is stated and in fact can cause more issues than it seeks to resolve, and I will get to those issues in a moment.

Nevertheless, before I begin, the government recognises how important integrity agencies are, and they have an important role to play. The government continues to give IBAC broad powers to conduct its investigations and the resources it needs to support its work. I know this has been commented upon before in this chamber: whenever IBAC has asked for further funding from this government, this government has given it funding. The state budget 2022–23 invested a further \$32.1 million over four years in additional funding to IBAC on top of its annual base funding, with record funding of \$61.9 million in 2022–23, and by the end of the forward estimates IBAC funding will be double what it was when we came to government in 2014. There can be no question and no doubt at all about this government's support for IBAC to continue to do its good work. It is something that we take very seriously over here on the government benches.

Funding for IBAC in proportion to the public sector workforce, which they hold to account, is higher in Victoria than in any other state, and you can see that support for it is demonstrable by this government. The budget boost to IBAC provided funding equivalent to \$217 per Victorian public servant in the 2022–23 budget compared to \$78.40 per public servant for the New South Wales ICAC while undertaking a similar number of investigations. So you can see that we have absolutely provided the resources and the support that that agency needs.

We will continue to work with them and consider their suggestions to make sure they have what they need to do their important work. There is a very well known saying: when good people do nothing, evil flourishes. That is why we make sure we fund these agencies and give them the support they need. When you talk about some of the stuff that has happened in the past – I could mention Ventnor, for example, and the land redevelopment deals of those opposite – we can only just imagine what it would be like if those opposite were in government. You could only imagine, because it will be a long time before they are on this side of the chamber, I can tell you that. Nevertheless it always gets a rise out of them over there when I remind them of the things that they have done in the past. I could also mention –

*Members interjecting.*

**The ACTING PRESIDENT (John Berger):** Order! Ms Terpstra to continue without interruption.

**Sonja TERPSTRA:** Thank you, Acting President. You have drawn the ire of the Acting President over there on the opposition benches. Again I could certainly go on and talk more about some of the things that happened when those opposite were in government. We know that some of the legacy issues that continue to be determined have come from those opposite, let me tell you.

But I will get into one of the issues that I touched on before: Mr Davis's ill-conceived and sloppy approach to these sorts of things. One of the things that is critically important, and this has been something that has been the subject of commentary in the media as well, is procedural fairness for subjects. Clause 6 of the bill seeks to allow IBAC to publish reports that contain material being challenged in court. IBAC reports can have serious ramifications for individuals identified in those reports, so this raises issues of procedural fairness to that person being named by an agency. I think anyone who is named as part of any investigation that agency might do should have the right to respond to those things. That is effectively what procedural fairness is: if an individual has perhaps been implicated in some kind of investigation, they should have the right to respond to those sorts of things. We have seen some of those things play out in recent events with very serious and dire consequences. Nobody wants somebody to be adversely impacted. There are issues of reputation and standing in one's community, and these things need to be balanced.

For the public to have confidence in IBAC, individuals subject to an investigation must be provided with the appropriate opportunity to respond. Like I said, it is a very challenging but necessary balancing act. There is a right for the public to know and understand what is being investigated, but also a person has a right to privacy. I must say, as a member of the Scrutiny of Acts and Regulations Committee, one of the things that we did recently was a human rights analysis. The job of SARC is to review legislation against the charter of human rights, and for another bill, which will be coming to this chamber later on, we did a recent human rights analysis, but it is the same principle. People have a right to privacy, so often you have got to balance legislative powers against somebody's right to privacy as a human right. I know Mr Limbrick in this chamber has a keen interest in human rights in this chamber, so I will be very interested to hear his views on these bills.

**Tom McIntosh:** It's a bit lost on those opposite.

**Sonja TERPSTRA:** Yes, absolutely right, Mr McIntosh. Again, these are very serious matters and that is why it is important to make sure that the legislation that is being contemplated absolutely gets right the balance for these people.

The natural justice and associated processes in the Independent Broad-based Anti-corruption Commission Act 2011 provide important protections for individuals against adverse comment in a public report, and IBAC balances those roles, as I said. It is something that they need to do in their decision about whether they publish information and the like, so it is critical that there is judicial oversight that supports procedural fairness requirements to ensure that people are given a reasonable opportunity to respond to adverse material. That does not necessarily mean adverse findings; it could be anything. 'Adverse material' is much broader, and a person should have the right to respond. These requirements ensure that IBAC's processes are fair and that findings in the IBAC report are made with all available evidence. So the opposition's proposed provision under section 162AA may undermine the ability of subjects of an investigation to challenge the actions of IBAC and have the Supreme Court determine whether they were provided natural justice or procedural fairness. That is a very serious matter, and I note that is something we on this side of the chamber take very seriously. As I said earlier, we recognise that IBAC has a critically important role in investigating corruption, but they have got very important considerations to balance as well.

The existing provisions in section 162(5) are critically important due to the coercive powers provided to IBAC. It is set out by Mr Davis in proposed section 162AA, and I will not bother to read that out; I think Mr McIntosh went through that in detail. Nevertheless it is not out of the realms of possibility to

consider a scenario where the proposed provision may actually lead to a situation where IBAC publishes a report and later on the Supreme Court finds the subject of adverse findings was not provided an appropriate opportunity to respond.

We have seen similar circumstances, not particularly on procedural fairness, in other jurisdictions in Australia where the Supreme Court has overturned corruption findings – in New South Wales, for example, with ICAC. Again, it is acknowledging that the Supreme Court has an inherent jurisdiction to review these matters, and that is important. So what Mr Davis is bringing in is not really going to address that. It is not clear how the Supreme Court could grant an effective remedy, as it would be too late to provide the person or body the appropriate time to respond to the adverse material. It is like the horse has already bolted. This provision does not address that. The denial of procedural fairness has already occurred for that person, and that is the problem. That is why this provision is ill conceived.

Clause 4, ‘Determination of claim’, inserts an amendment after section 59N(6) of the principal act, and it says:

It is the intention of the Parliament that an application under section 59M be determined with as much speed as the requirements of this Act and the proper consideration of the application permit.

But it is not clear, again, whether the insertion of this provision will have any practical effect on the speed with which the Supreme Court considers applications to determine privilege, for example. There has been no consultation with the Supreme Court to determine the effect of any attempt to expedite these applications. I am not sure whether there has even been consultation with relevant stakeholders, like the Law Institute of Victoria and other people in the legal community, on their views about these sorts of provisions.

**Matthew Bach** interjected.

**Sonja TERPSTRA:** I am going to ignore that interjection. It was pretty rude, Dr Bach. Given my former profession as a lawyer, I think that is highly, highly offensive.

**Matthew Bach** interjected.

**The ACTING PRESIDENT (John Berger):** Order! Dr Bach!

**Sonja TERPSTRA:** Thank you, Acting President. Again, section 85 of the Constitution Act 1975 vests the Supreme Court with unlimited jurisdiction. To the extent that Parliament wishes to limit, alter or vary this jurisdiction, it is required by section 85(5)(a) to explicitly reference that section. The proposed amendments under this bill do not explicitly reference an intention to alter or vary the Supreme Court’s unlimited jurisdiction. Under section 85 of the Constitution Act, the Supreme Court may not support an attempt to alter or vary its jurisdiction without explicit reference to section 85, and in any event may be concerned about any attempt that may appear to limit the Supreme Court’s inherent jurisdiction to manage its own procedure. Again, it is ill conceived and poorly thought out, and the bill and these provisions do not go to these issues. I consider that what is potentially going to be created would be a legal minefield.

Despite IBAC’s public commentary that matters are being delayed due to court proceedings, recent published decisions, such as *Woodman v. IBAC*, 2022, appear to show that the courts are expediting these matters, with matters listed for substantive hearings within approximately four weeks of the application being lodged and judgement within approximately four months. The courts are busy places. We recognise that one of the really critical pillars of our legal system is access to justice, but the courts are busy. Certainly what we see with the sorts of provisions that are being proposed by Mr Davis’s bill is that they are not going to address any of these problems, and in fact I would submit to the chamber that this bill is going to make them worse and potentially create more legal problems.

On the issue of the rule of law and the unlimited jurisdiction of the Supreme Court, just one final point on that, because I know the clock is going to beat me shortly –

**Matthew Bach:** Praise God!

**Sonja TERPSTRA:** I am going to take up that interjection that Dr Bach made, and I ask that he withdraw that comment. It was offensive, and I ask that he withdraw.

**Matthew Bach:** I seek your guidance, Acting President. The expression I used was 'Praise God'. If the member is offended by that for some reason, I would like to know why.

**Sonja TERPSTRA:** He is using the Lord's name in vain for his own purposes.

**The ACTING PRESIDENT (John Berger):** Ms Terpstra, can I ask you to continue your contribution.

**Sonja TERPSTRA:** I ask the member to withdraw.

**The ACTING PRESIDENT (John Berger):** Dr Bach, I agree that the member takes offence to that remark, and I ask you to withdraw.

**Matthew Bach:** Thank you, Acting President, and of course I abide by your ruling. But is that how this chamber normally operates, that any statement –

**Sonja TERPSTRA:** This is not a matter for debate. You have issued a ruling that the member withdraw, and I would ask that he withdraw without qualification.

**The ACTING PRESIDENT (John Berger):** I have asked the member to withdraw. Dr Bach, will you withdraw?

**Matthew Bach:** I withdraw, of course.

**David Davis:** On a point of order, Acting President, I think this might be a case where what was said was not objectively offensive, and whilst the member may be slightly offended, it is not quite enough that anything that she feels –

**Sonja TERPSTRA:** Further to the point of order, Mr Davis –

*Members interjecting.*

**The ACTING PRESIDENT (John Berger):** Order! I have issued an instruction for Dr Bach to withdraw his remark – he has – and as such I ask Ms Terpstra to continue.

**Sonja TERPSTRA:** Thank you, Acting President. I think the clock has beaten me. I conclude my contribution there.

**David DAVIS (Southern Metropolitan) (11:12):** I want to make a couple of brief points here. This is an important bill. It is a bill that helps to enable IBAC to better function. It is true that in May last year, 2022, the then IBAC Commissioner Robert Redlich wrote to both me and the Attorney-General the Honourable Jaclyn Symes pointing out a number of difficulties he was having. This bill did come out of that, and I make the point that it is directly responsive to the concerns and issues that IBAC has been facing. Equally, in the series of steps that we went through with this bill, including the Scrutiny of Acts and Regulations Committee's examination of the bill and a formal discussion between the crossbench, the opposition and the former commissioner the Honourable Robert Redlich, a set of suggestions were made, including, I might add, by the Centre for Public Integrity. I am going to read some of the correspondence that I have put to SARC, which I will quote directly. In my letter to SARC in May I said:

Since the Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022 was tabled, I can indicate that significant consultation has occurred with colleagues ... and other experts in the field, including the Honourable Robert Redlich AM KC ...

I also noted the comments made by the Centre for Public Integrity, where they said:

We agree unreservedly that some change is required in order to facilitate timely reporting, but in our view the language used is apt to create difficulty. Is it possible to have the phrase “*as agreed with the IBAC*” be changed to “*as determined by the IBAC*” ...

And then they went on to say:

If these particular amendments were able to be achieved, that would obviate the need for the proposed s 162AA. In our view, this would be far preferable because the inclusion of that section as currently drafted could create real difficulties ...

and so forth. I quote my letter to SARC:

We have accepted this advice and the words “agreed with” ... will be replaced with the words “determined by” ... and the Bill’s clause 6 would be omitted. Consequently, a new section 162AA would not be inserted.

We corresponded with SARC to that effect in its *Alert Digest* No. 5 of May 2023 and circulated the amendments at the time, so those amendments are available. The community that I have spoken to on this matter, a range of people both in the integrity community and elsewhere, have agreed that this –

**Jaclyn Symes:** The integrity community?

**David DAVIS:** Yes, I think there are people who are interested in greater integrity in government, which certainly does not include the current government, I might add. Leaving that aside, we have sincerely listened and put forward a set of modifications, amendments, that address, we believe, the points. Certainly in the discussion that was held between the crossbench, the opposition and indeed the Honourable Robert Redlich, this was regarded as a better and satisfactory way forward. So they are the points.

It is something where a balance has to be struck. It is a matter where IBAC needs to be able to do its work. Obviously, people who are reflected upon need to have the opportunity to respond to that in a timely and reasonable way, but ‘timely and reasonable’ does not mean endless procedures in the Supreme Court. It does not mean endless occasions. And I will just knock this on the head: clearly, as one of the government speakers said, if you want to limit the jurisdiction of the Supreme Court, you need to amend section 85, and we do not seek to do that. It does not actually limit the jurisdiction of the Supreme Court in any way. It sends a clear signal, and the Supreme Court can of course take steps as it sees fit on any particular point.

I want to be quite clear; this is a modest bill. It gives a little bit more clarity and a bit more strength to IBAC to move forward. We have listened to the points made by the Centre for Public Integrity, Robert Redlich and others, and we have indicated a preparedness to modify the bill, hence the circulated amendments. I would urge people to support the bill.

**Motion agreed to.**

**Read second time.**

**Committed.**

*Committee*

**Clauses 1 to 4 agreed to.**

**Clause 5 (11:19)**

**David DAVIS:** These amendments come from the discussions that have occurred since the bill was introduced. There was a forum, which had a range of crossbench members, members of the opposition, the Centre for Public Integrity and others, including the Honourable Robert Redlich AM KC. There was a discussion on this and a series of other integrity matters. We have indicated, in response to that

and the Centre for Public Integrity's views, that we would change the bill. I will quote what the Centre for Public Integrity said in their formal correspondence. They said:

We agree unreservedly that some change is required in order to facilitate timely reporting, but in our view the language used is apt to create difficulties. Is it possible to have the phrase "*as agreed with the IBAC*" be changed to "*as **determined** by the IBAC*" (because getting IBAC and any party the subject of a proposed adverse finding to 'agree' on anything might prove impossible)?

If these particular amendments were able to be achieved, that would obviate the need for the proposed s 162AA. In our view, this would be far preferable because ...

and they go on. We accept the advice from the Centre for Public Integrity, we accept the advice from some on the crossbench and we accept advice from others in the integrity community, including the Honourable Robert Redlich.

In that circumstance, I move our amendments 1 and 2:

1. Clause 5, line 34, omit "agreed with" and insert "determined by".
2. Clause 5, page 3, line 19, omit "agreed with" and insert "determined by".

As I have indicated, and as was indicated by the Centre for Public Integrity, this would then obviate the need for that further clause.

**Jaclyn SYMES:** Thanks, Mr Davis – a bit of déjà vu here. You will recall we had a bit of an exchange in relation to this clause and how –

**David DAVIS:** But not our amendments.

**Jaclyn SYMES:** Well, it is just one word, and I do not think the word changes the fundamental flaws with the clauses proposed. The principle of timely reporting – sure, we can all support something like that. But you have got to have a bill that is remotely workable. My advice is that, given historical matters, the Department of Justice and Community Safety is aware of more complicated matters that often take greater than three months to respond to for organisations and individuals, so the three-month limit is a bit of an issue. The starting-of-the-clock issue is not resolved by virtue of this amendment. It is likely that individuals or public bodies that are subject to adverse findings would always seek to use the maximum time – we know that by different organisations that may be attracted to litigation – and seeking to use maximum time, if it is available, is something that would often be exercised. We think that this would just lead to further delays, because you would just have to keep starting the three months once somebody received a report that contained adverse findings.

I acknowledge that you have changed the term to 'determined'. I am wondering if you could explain what happens in the event that there is a disagreement on that determination. Is that a mechanism that could then be brought to the Supreme Court under a separate cause of action when somebody wanted to challenge that? I am a little bit unclear about that. Again, it just stands that individuals will still seek to respond at the latest permissible time, being three months, even when the relative complexity and volume of the adverse findings do not warrant it. It does not seem to facilitate timely reporting, it actually seems to create a mechanism where somebody could keep leapfrogging every three months.

**David DAVIS:** I do not pretend, as I did not pretend previously, that this bill will solve all of the problems here. That is neither the intention nor feasible. As you correctly outline, certain parties will seek to drag proceedings out in every way they can. This does send the message and does give greater authority to IBAC to move forward. 'Agreed with' being replaced by 'determined by' gives IBAC a clearer head of power. That is the first point I would make.

The second point, when viewed with the removal of clause 6 and new section 162AA not proceeding, would lead to a position – yes, it is true, IBAC would not be able to just table peremptorily. Nonetheless it still gives them a greater authority to go forward and sends a signal. As I said in my summing up, one of the Labor members made the point that to limit the jurisdiction of the Supreme Court would require a section 85 statement. There is no limitation of the jurisdiction of the Supreme Court, so we

are clear about that. We are attacked for limiting the jurisdiction of the Supreme Court and then attacked for not limiting the jurisdiction of the Supreme Court. What we have done here is made a very modest bill to give a little bit of extra leverage to IBAC to table and to move forward. That is all it is. It is not going to change the world.

As you recall, the genesis of this bill is the letter that came to you and me last year. It was clearly a plea from IBAC asking the chamber and the Parliament to provide some additional signal that timely reporting is important, and this bill provides such a signal and provides a slightly stronger mechanism. I am not going to say it is going to provide all mechanisms. We cannot improve the law to perfection in one small bill, and that is not what this seeks to do. It is just a signal and a slightly stronger position for IBAC. Removing clause 6 means that there is no question of the Supreme Court's jurisdiction being limited in any way, so it is just that signal. It is not perfect; I accept that, but it is better than what we have got, somewhat.

**Jaclyn SYMES:** Thank you for that explanation, Mr Davis. I am not satisfied of the merit of your bill, but I am satisfied that the amendments are seeking to improve it slightly. I do not oppose the amendments.

**Amendments agreed to; amended clause agreed to.**

**Clause 6 (11:28)**

**David DAVIS:** I think I have covered the matters around this. It does seek to amend the Independent Broad-based Anti-corruption Commission Act 2011 to enable IBAC to table a special report despite pending court proceedings, but we would not proceed with that. That will be dealt with, as I understand it, with the question that clause 6 stand part of the bill.

**The DEPUTY PRESIDENT:** That is correct. Your amendment seeks to omit the clause. Those who are supporting your amendment should vote against the clause.

**Clause negatived.**

**Clauses 7 and 8 agreed to.**

**Reported to house with amendments.**

**David DAVIS (Southern Metropolitan) (11:30):** I move:

That the report be now adopted.

**Motion agreed to.**

**Report adopted.**

*Third reading*

**David DAVIS (Southern Metropolitan) (11:30):** I move:

That the bill be now read a third time.

In doing so I thank honourable members for their contributions. I want to thank the Scrutiny of Acts and Regulations Committee, the Centre for Public Integrity, the Honourable Robert Redlich AM KC and colleagues on both sides of the house who have made sensible and practical comments. We have responded to improve the bill, and I hope that people recognise that. We think it is a sensible, balanced bill that helps lead to a better outcome for IBAC and for the prevention of corruption in this state.

**The PRESIDENT:** The question is:

That the bill be now read a third time and do pass.



**Council divided on question:**

*Ayes (22):* Matthew Bach, Jeff Bourman, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, David Ettershank, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Rikkie-Lee Tyrrell

*Noes (14):* John Berger, Lizzie Blandthorn, Enver Erdogan, Jacinta Ermacora, Michael Galea, Shaun Leane, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Question agreed to.****Read third time.**

**The PRESIDENT:** Pursuant to standing order 14.25, the bill will be transmitted to the Assembly with a message requesting their agreement.

***Motions*****Inclusive education**

**Matthew BACH** (North-Eastern Metropolitan) (11:38): It is good to commence debate on this motion. I move:

That this house notes that:

- (1) the Andrews Labor government is set to cut over 80 teachers who support children with disabilities;
- (2) approximately 4000 children with disabilities will lose services;
- (3) this is despite previous assurances from the Andrews Labor government that no frontline educational services would be cut;

and condemns the Andrews Labor government for these callous cuts.

We all know that under Labor Victoria is broke, so the government, because of its ongoing financial mismanagement, is desperate to try to find savings, but please, children with disabilities and children with illnesses that are often life-threatening must not be the ones to pay the price for the economic incompetence of the Andrews Labor government.

So many people could not believe it when the government recently announced that it was going to cut the so-called visiting teachers program – 117 teachers in all are going to be cut. These are specialist teachers that do a huge amount of work one on one with children with disabilities and life-threatening illnesses. They have got a particular focus in our regions, and something that I think all members in this place are aware of is the massive inequality in Victoria, educational inequality, between metro Melbourne and our regions. It is huge on any metric you look at, whether it is educational attainment or whether it is student wellbeing, so this is particularly cruel. The minister has said she has an alternative program that she says will be rolled out by 2025 to send coaches to some schools. Her alternative will not provide one single teacher. She is talking about coaches to go to schools to work with principals and other teachers, apparently.

On this side of the house, numerous members have been teachers. Mrs Hermans was a teacher before coming into this place, as was I, as was Ms Bath and as was –

*Members interjecting.*

**Matthew BACH:** Yes, of course, Mr McCracken. On this side of the house, many of us have been teachers –

*Members interjecting.*

**Matthew BACH:** And, well, there are some members of the Labor Party, one or two, that have previously been teachers. As teachers we all worked really hard. We all worked really hard to engage in professional development to seek to support every single child in our classrooms. But I do not mind saying, on a personal level, as a teacher I had no idea how to support children who were blind, how to support children who were completely deaf. It is not possible to expect our fabulous teachers to do that work. That is the minister's alternate model.

I think in these discussions the most important thing is to listen to children with disabilities and to listen to the parents of children with disabilities. Over the last few days that is what I have been doing. That is what Ms Lovell, Mrs Hermans and a whole range of people on this side of the house have been doing. Many groups have reached out to the minister; however, she has not spoken to any of them – surprise, surprise. She admitted when it came to the schools tax that she had not consulted with one single school. You will remember the amazing moment at the Public Accounts and Estimates Committee hearings when Mrs McArthur asked her which schools she had consulted with. There was a pause of 15 seconds. But when you talk to parents –

**Bev McArthur** interjected.

**Matthew BACH:** She went to a dinner, says Mrs McArthur. I was at that dinner too. It is true she did not talk to one single school. And the minister's proposition that we can scrap visiting teachers and scrap these specialists for kids with disabilities, because the program was instituted a long time ago, is so demonstrably silly. Of all the parents of children with disabilities who have spoken to me over the last few days, every single one of them has sung the praises of this program and sung the praises of the visiting teachers who have done so much for their children. Many of these parents have gone on the record. Many will continue to go on the record over the coming days, much to the minister's chagrin, I am sure.

Some already have – for example, Rachel Schmidt from Yarra Junction. She has a daughter called Makayla, and she had a visiting teacher during a time when young Makayla suffered from a brain tumour. Her mum said this:

Makayla had missed so much school because of radiation and chemotherapy and because of this it was really important that we had the visiting teacher ...

The visiting teacher would come out every week and her assistance was extremely valuable for Makayla's education.

She said these cuts will affect the core learning of the most vulnerable students, and that it is 'disastrous'.

I do not need to read into *Hansard* the thoughts of every single parent who has gone on the record or who has contacted me, other members on this side or many members opposite as well, but the story of young Makayla is a common theme.

I met with a large group of parents earlier this week whose children are blind, and they spoke to me about the massive impact of visiting teachers. I have met with parents from various different groups, many of whom have children who are deaf. And we know of course that no mainstream teacher – I say this as a former mainstream teacher myself – no matter how well prepared, how well trained, can adequately support children in their classrooms who are deaf.

We must have these ongoing supports, and so I plead with the government: cutting 117 jobs, cutting 117 frontline teachers, will not even make a dent when it comes to the budget bottom line. I have lost track of how much debt Victoria is in. I know we have more debt than New South Wales, Queensland and Tasmania combined.

In talking to the mother of one child who has a disability just yesterday, who has benefited greatly from a visiting teacher, she told me that she had been onto the minister's office, and the message that

came directly from the minister's office, I am told – and we will read more about this over the coming days – was that the cuts need to come from somewhere.

The minister has shown a propensity to back down over recent weeks. The government has had so many different positions on the schools tax, for example, so I would say to the minister: please do not be too proud to listen to these parents. Please do not be too proud to ultimately do the right thing. On this side of the house we will only commend you for doing so. If we together listen to the many voices, especially from parents of children who have very significant disabilities, I would welcome an opportunity to discuss with the minister and her office other potential savings measures even across this portfolio that on this side of the house we could support to suck the politics out of these discussions, because we know from parents of children with a disability that these cuts are going to lead to really significant negative impacts for them. That is what so many parents say. That is what the head of the Victorian branch of the AEU says.

I am very concerned about the teachers of course, the jobs of the 117 teachers that will go, and they have been advised, 'Oh, well, they can just apply for different positions.' I understand why that is the government's position. Yesterday there were 2144 teaching vacancies across Victoria. The teacher shortage has doubled since the start of this year, so the minister is failing there as well. But the way to try to get more teachers into classrooms cannot be to cut specialist support for children with significant disabilities.

Really, in the short time I have today I just want to plead with the minister and to plead with members of this government. We can work with you. We can support sensible savings measures in the education portfolio, not to frontline teachers. When cuts in the Department of Education were announced some weeks ago the government assured us there would be no cuts to frontline staff, but every single one of these teachers is a frontline specialist teacher providing essential one-on-one support to vulnerable children. But we can work together. We can find savings in the education department, I am sure, that total more in monetary terms than these cuts that everybody can support, that protect teachers' jobs and that first and foremost protect services to vulnerable Victorians. My door is very much open, as is the door of others on this side of the house, to work with the government. There is still time to reverse this decision. On that note I would urge members of the house to support this important motion.

**Lee TARLAMIS** (South-Eastern Metropolitan) (11:47): I move:

That debate on this motion be adjourned until later this day.

**Motion agreed to and debate adjourned until later this day.**

### *Bills*

#### **Operation Daintree Implementation (No. 1) Bill 2023**

#### *Second reading*

#### **Debate resumed on motion of David Davis:**

That the bill be now read a second time.

**Georgie CROZIER** (Southern Metropolitan) (11:48): I rise to speak to this important item that we are debating today, the Operation Daintree Implementation (No. 1) Bill 2023, which has been brought into the house by my colleague Mr Davis, who has pursued these areas around the government's integrity – or the lack thereof, I should say – and in particular the important elements around the IBAC report relating to *Operation Daintree*. This report, which was tabled just a few months ago, in April 2023, is a scathing report. It actually demonstrates the extent of what this government and especially what the Premier will do to ensure favouritism and allow bad outcomes for Victorian taxpayers, and I want to go through that in some detail. The report, as I said, was scathing about the findings after a whistleblower bravely came forward and provided information to the integrity agencies around a contract that was awarded on the eve of the 2018 election. As Victoria was going into caretaker mode

prior to the 2018 election, the Premier's private office, together with the Minister for Health's office, awarded this –

**Melina Bath:** Dodgy.

**Georgie CROZIER:** very dodgy contract, Ms Bath, and that is the issue around corruption and why corruption matters, because it is taxpayers money here – \$1.2 million that was awarded to the Health Workers Union (HWU) to undertake some training on occupational violence in the workplace, and I will return to that matter in a moment. That is taxpayers money, and that idea that was cooked up in the Premier's private office, that was given to the union as we were going into caretaker mode, demonstrates the extent of what this Premier and his government will do to ensure that they have control and power and make decisions that are not always in the interests of Victorians. That is why we are incredibly concerned about the findings of the IBAC report.

The report itself finds that staff in the health minister's and Premier's private offices, as I have mentioned, breached their ethical obligations by pressuring independent bureaucrats to award a contract to the Health Workers Union – and that contract was provided to them. It goes on to state that there were so many concerns that were raised around what had occurred. We know that in early 2018 the Health Workers Union began lobbying the Victorian government on the issue of getting additional training in hospitals and other health services around occupational violence. That in itself is not a bad thing, because we do know that that is a very big concern for so many health services. The issue around the increase in occupational violence remains very, very concerning and the government have promised to do something when in actual fact they have failed to deliver on that as well, but I will not go into that at this point in time.

What the HWU did do was submit an unsolicited proposal to the Minister for Health's office in June 2018 for its related and recently established entity, the Health Education Federation (HEF), to develop and deliver the program. Then, when the caretaker mode period for the election of 2018, as I said, was to commence at 6 pm on 30 October, this contract was awarded. That says it all – that they were willing to do this on the eve of caretaker mode as we were going into an election period. What we did find was so many allegations around that awarding of the \$1.2 million contract that was entered into. According to the whistleblower and others and what subsequently IBAC found, the procurement process for the contract constituted 'serious corrupt conduct', and I am quoting from the IBAC report here:

The anonymous source alleged that:

- (a) the contract value was more than the \$1 million, but no competitive process was followed
- (b) the project was awarded to a single provider, HEF, which:
  - was newly formed and had no relevant experience
  - at the time of engagement was not a registered training organisation ...
  - was not financially established and thereby posed a risk of non-delivery
  - did not have sound governance arrangements in place
  - had directors with executive officer positions at the HWU
- (c) HEF was not on the training panel and would have been unlikely to qualify for inclusion
- (d) a partial upfront payment was approved prior to delivery of any training, despite the finance department of DHHS advising to the contrary –

here you have a department saying do not do this, yet the Premier's private office and the minister's office themselves initiated this and ensured that it went through –

- (e) the contract was awarded less than a day before the government caretaker period commenced in 2018.

We know this government has form around corruption. We know this government has little regard for due process. We know that the Premier himself has been before IBAC on many occasions, including

around this particular issue and *Operation Daintree*. One of the recommendations that the IBAC report makes is recommendation 4:

That, in line with other Australian jurisdictions, the Victorian Government develops and introduces legislation to clarify and formalise the employment arrangements for ministerial staff, in order to strengthen transparency and accountability.

Options to consider include:

- (a) clarifying employment responsibilities, such as:
  - designating the minister to whom the staff are assigned to be their employer, or alternatively, vesting employer responsibilities in the minister to whom staff are assigned, once they have been employed by the Premier

It goes on with various other aspects, including:

- (c) providing for the making of codes of conduct by the Premier to be observed by staff in performing their functions ...

I raise these issues in light of what we have discovered over the last 24 to 48 hours in relation to the very serious concerns that are coming out of Minister D'Ambrosio's office.

**A member:** It is outrageous.

**Georgie CROZIER:** It is outrageous, the extensive corruption that has occurred in the Premier's own faction, the Socialist Left faction, where he is protecting his minister over behaviour that was undertaken in her own office. And why this is not being referred to IBAC to consider, as was done under –

**The PRESIDENT:** Ms Crozier, I will just pull you up there. It seems to me that you are making a serious accusation against a sitting MP. I think you know that you can only do that by substantive motion, and I understand Mr Davis put one of them on the notice paper this morning, so you can maybe hold until then.

**Georgie CROZIER:** Thank you for your guidance, President. I was referring to the minister's office. I made that point because of the recommendations that have been put forward by the IBAC in relation to *Operation Daintree: Special Report*, because it does talk about accountability and transparency of ministerial offices. Although that was an electorate office I was referring to, it goes to the conduct of ministers in this government, and clearly there is form to corrupt the system and to abuse the system. And why does that matter? Because it is taxpayers that ultimately miss out in terms of having proper process and trust in government. I think that is a very important element of what we are talking about here, because there have been so many issues where the Premier himself has been before IBAC, and this was an abuse of process. There was a lack of integrity and it was abuse of a power, as I said. Providing that contract on the eve of going into caretaker mode demonstrates the extent that this government will go to. It is clear. There is no doubt that the Premier's private office, as was highlighted in here, were looking after their own union mates. They have a very clear habit of doing this, and on so many occasions we have seen them do it – time and time again.

We have seen it in recent days – again, the Premier looking after his mate Minister D'Ambrosio. So when you have got that breakdown in trust and the lack of accountability that I spoke of earlier, then Victorians have every right to ask what on earth is going on. And that is why this bill is important, because it is providing that degree of understanding about what happened with this contract, what the government did and the lack of accountability, the lack of responsibility, the lack of due diligence and process in awarding that contract in the way it was done. That centralisation of power in the Premier's private office is clear from these findings from the commission. And I have to say the Premier's comments around it, saying it is just an educational report, were absolute –

**Melina Bath:** What a cop-out.

**Georgie CROZIER:** Well, it was a cop-out. It was another dismissal by the Premier – understanding that the man is so arrogant. He has checked out, he is on his way out – we all know that – but the level of arrogance and the display of disregard for proper process is astounding. And Victorians have quite frankly had a gutful of it, and they understand that this is wrong. The grey corruption that has gone on here – it is corrupt behaviour. It is corrupt behaviour, and we do need to do more to strengthen IBAC. The Ombudsman came out this week, not that she is in IBAC, saying that she needs more money to do the work that she needs to undertake.

**Melina Bath:** Yes, she does. She is highly frustrated too.

**Georgie CROZIER:** She is highly frustrated because of the lack of accountability, transparency and resources. Again, with IBAC we have constantly said that we need to strengthen it and we need to provide the additional resources that it requires, and the government keeps fobbing that off. Well, Robert Redlich, a man of great distinction, who has been absolutely ridiculed by backbenchers of this government – well, not ridiculed, he has shown them up for their ridiculous and appalling behaviour in how they conducted themselves over recent days in committee hearings, which demonstrates the extent this government will go to.

**Business interrupted pursuant to sessional orders.**

*Questions without notice and ministers statements*

**Electoral reform**

**Samantha RATNAM** (Northern Metropolitan) (12:00): (233) My question is to the Leader of the Government, representing the Premier. Once again the Electoral Matters Committee has been overwhelmed by submissions calling for group voting tickets to be abolished, including from all serious political parties, every eminent psephologist and every voter that cares about the state of democracy in Victoria. Despite this growing momentum, when asked last week, the Premier seemed to reveal his cynical strategy for delaying reform once again by this time proposing an unnecessary referendum. We all know that the stain of group voting can be fixed in this term of Parliament without a referendum. Given even the Labor Party now supports the abolition of undemocratic group voting tickets, will the government finally commit to doing the right thing and abolish them in this term of Parliament?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:01): It is not lost on me that you have got no friends today, Dr Ratnam. Where are they all? You have directed your question to the Premier with a bit of commentary, and you have referenced the Electoral Matters Committee. I believe that the committee should be allowed to freely do its work, and I think that political interference and commentary in relation to that work are probably unhelpful. However, you have asked a specific question of the Premier. Although responsibility for the Electoral Act I think sits with the Minister for Government Services – it is probably not really for the Premier – I will refer it in any event.

**Samantha RATNAM** (Northern Metropolitan) (12:02): Thank you, Attorney, for being willing to refer that on. This government has a very poor record of ignoring parliamentary committee reports and centrally controlling the government-dominated committees. Given that the government-controlled Electoral Matters Committee for all intents and purposes misled witnesses in order to stall reform on group voting tickets in the last term, is the government intending to once again aim to mislead, obfuscate and distract in order to stall group voting reform yet again on this issue in this term?

*Members interjecting.*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:02): Dr Ratnam, I will pick up the interjections of my colleagues, who inform me – I think one might be on the Electoral Matters Committee – and assure me that the make-up of that committee is four Labor members out of nine. To refer to that as a government-dominated committee I do not think is an

accurate portrayal at all. I also take offence at your description of a government that ignores reports. There is some really important work that parliamentary committees have completed that has informed government policy. I have been involved in committee work, and I found it invaluable, particularly as a first-time MP. Some of that work has resulted in assisted dying reform and safe-injecting reform, so that is not an accurate reflection of a government that puts reports on the shelf. I am answering your question, but I will refer it to the Premier, with your first one.

### Ministerial conduct

**Georgie CROZIER** (Southern Metropolitan) (12:04): (234) My question is to the Attorney-General. Attorney, it was reported yesterday that branch-stacking activities within the Labor Party in Mill Park involved forging the signatures of dead people. Will the Attorney advise the house what the maximum penalty in Victoria is for falsifying documents in the name of dead people?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:04): You can look it up; it is pretty easy to find. Actually, the last time I had to look it up was in relation to a member of the opposition's conduct, and he was actually charged with this offence. My recollection is that under the Crimes Act it comes with a maximum penalty of 10 years.

**Georgie CROZIER** (Southern Metropolitan) (12:05): It is my understanding that the penalty is 10 years.

*Members interjecting.*

**Georgie CROZIER**: No, no. I wanted the Attorney to tell the house. That is the point. Will the Attorney-General take action to refer reports of potentially criminal conduct associated with Labor branch stacking to Victoria Police?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:05): Ms Crozier, no.

### Ministers statements: Australian Grains Genebank

**Gayle TIERNEY** (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:05): I am pleased to update the house on how the Andrews Labor government is supporting our agriculture sector to meet the challenges of a changing climate. Recently I had the pleasure of being in Horsham to announce a \$30 million co-investment between the Labor government and the Grains Research and Development Corporation. This government's \$15 million contribution is supporting the Australian Grains Genebank to modernise its work, which means that farmers will have access to new varieties of key crops sooner.

The Australian Grains Genebank, located at Agriculture Victoria's Horsham SmartFarm, is truly world class, and it is a project which catalogues grain varieties from around the world and adapts them to provide farmers with high-yielding, adaptable and profitable grain crop varieties. I cannot overemphasise the importance of this work. It means that new crop varieties can more quickly be developed and provided to farmers, which incorporate improved disease, heat and drought resistance. This work is crucial to ensuring that Australia's \$40 billion grains sector can continue to be productive and sustainable and indeed feed us as it adapts to climate change. To quote John Woods, the chair of the Grains Research and Development Corporation board:

This is a fantastic opportunity ... to ensure that we have got the best varieties coming into growers' hands ... so that when climate adaptation issues come along we are well positioned to ensure that our varieties are bang-on fit for purpose.

I would like to extend my thanks to the Grains Research and Development Corporation board for their support and congratulate our expert scientists at Agriculture Victoria for their outstanding contribution to the Australian Grains Genebank.

### Animal welfare

**Georgie PURCELL** (Northern Victoria) (12:07): (235) My question is for the minister representing the Minister for Medical Research. The forced swim test is exactly as the name suggests. Mice and rats are trapped in a deep cylinder of water with no escape, and the amount of time is measured until they give up or perform only the necessary movements required to keep their heads above water. The test was designed as a screening test for antidepressant drugs. However, since then, many have described the inhumane test as irrelevant to examining depression in humans. Despite new technologies being developed overseas that could eliminate the need to use animals in depression studies, near-drowning experiments are not only still legal in Victoria but undertaken across a number of locations. Can the minister provide a list of facilities that still use the cruel forced swim test in Victoria?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:08): Thank you very much for the question for the Minister for Medical Research, and I will be very pleased to pass it to her.

**Georgie PURCELL** (Northern Victoria) (12:08): Thank you, Minister, for referring that on. In 2022 a New South Wales parliamentary inquiry recommended that the test be phased out, and in 2020 the University of Adelaide stopped using this test altogether. Will the minister acknowledge the inherent cruelty involved in these tests and commit to banning the forced swim test here in Victoria?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:09): Again, I thank the member for her supplementary question and will be pleased to pass it to the minister.

### Kindergarten funding

**Matthew BACH** (North-Eastern Metropolitan) (12:09): (236) My question is to the Minister for Early Childhood and Pre-Prep. Minister, from January 2025 Knox City Council is closing the doors of its kindergartens to over 1100 students, leaving 120 staff in limbo. The mayor of Knox has said, 'Funding has not kept up with the cost,' blaming Labor's so-called free kinder policy for the closures. What guarantee can the minister give Victorian families that there will be no more kinder cuts or closures due to Labor's botched program?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:09): I thank Dr Bach for the question, and it does give me the opportunity to set the record straight. There has never been more investment in early childhood education and care in our state's history, including the support that we are providing to local government. Local government has a long and proud history in terms of delivering kindergarten programs to communities right across the state, so I am very disappointed in the decision that Knox City Council have made to divest of a number of kindergarten services.

I do not accept the premise that the funding is not adequate. In fact I will just take you through a few facts and figures, Dr Bach. Prior to free kinder being introduced last year by our government, Knox were charging families \$1750 per enrolment per child. Our free kinder funding is \$2500 per child per year, so that is a significant uplift in the amount of funding available to Knox for the delivery of kindergarten services. I might add that on top of that free kinder funding there are a range of other funding –

**Matthew Bach:** On a point of order, President, we have heard time and time again from this minister about the great merits of this program. I asked a specific question: can she guarantee no more Labor cuts and closures to kindergartens? She has been speaking for some time. She has not come close –

**The PRESIDENT:** She has still got 1 minute and 37, and she is being relevant to the question.



**Ingrid STITT:** For Dr Bach to represent this as cuts and closures is an absolute misrepresentation of the decision that has been made here. Knox City Council have made a decision to divest of kindergarten services. Ultimately that is a decision that they will have to be held accountable for by their community. The Victorian government will be focused on making sure that the community of Knox has quality kindergarten programs available to every three- and four-year-old child in the municipality. I am disappointed that Knox have decided to walk away from the provision of kindergarten, but I can tell you one thing: my department will be solely focused on making sure that those kindergarten services are available.

There has never been more support for infrastructure and service provision in our state's history in early childhood education and care – \$1.2 billion of investment in this state budget alone for infrastructure support, a doubling of the capacity grant support for local government and also modular builds delivered fully funded by the Victorian government. I can assure those opposite that we will continue to focus on our nation-leading reforms so that every child, no matter where they live in our state, can access quality free kindergarten for both three- and four-year-olds.

*Members interjecting.*

**The PRESIDENT:** There is way too much yelling. Save it for the football.

**Matthew BACH** (North-Eastern Metropolitan) (12:13): I note the minister's failure to provide that guarantee to Victorians of no more cuts or closures. Minister, councils on the Mornington Peninsula are now assessing the viability of their kindergartens. They also cite your botched free kinder program. Can the minister guarantee there will be no kindergarten cuts or closures on the Mornington Peninsula?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:14): I thank Dr Bach for his supplementary question. I did have the opportunity to recently meet with Mornington shire and talk about what their infrastructure needs are in their community, and it was a very positive conversation about what the needs of that council are. We talked through the many increased funding streams that are available for them to deliver the infrastructure that is going to be required for our nation-leading reforms, where we will see the doubling of the number of hours available to each three- and four-year-old across the state. My department have been in active discussions with Mornington since that meeting occurred a couple of weeks back, and they will continue to work closely and work on all of the ways in which our government can support that council in the delivery of services in their municipality.

#### **Ministers statements: youth justice system**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:15): In my youth justice portfolio our core commitment is keeping the community safe while helping young people turn their lives around. But as a government we are focused on preventing young people from coming into contact with the criminal justice system in the first place. That is why we are investing in the community to provide healthy activities and safe places for young people before they enter the youth justice system.

Last week I had the pleasure of announcing \$500,000 in grants across six community organisations as part of our partnership with Victoria's South Sudanese community. This builds on our government's ongoing investment in early intervention and diversion programs. These programs deliver opportunities for young people so they can live happy and successful lives as part of Victoria's multicultural community. By partnering with community and culturally and linguistically diverse groups, we are investing in programs and ideas informed by what communities need. These grants support the work of the South Sudanese–Australian youth justice expert working group. We know that these investments and programs mean young people are less likely to come into contact with the criminal justice system. We will continue to invest in projects with the support of the South Sudanese community and help their young people turn their lives around and be positive and vibrant out in the community.

The next round of community grants are open, and I recommend to people in South Sudanese community groups and other not-for-profits that have targeted programs to apply. Our government is focused on preventing young people from coming into contact with the criminal justice system in the first place. We are not just talking about, we are acting on it. We are doing what matters.

### **Inclusive education**

**Matthew BACH** (North-Eastern Metropolitan) (12:16): My question now is to the Minister for Disability, Ageing and Carers. The state disability plan assures Victorians that the government will ‘meet its obligations under the United Nations Convention on the Rights of Persons with Disabilities’. Numerous stakeholders, however, argue that the government’s cuts to specialist teachers of children with disabilities are in breach of this convention. Are they wrong, Minister?

**The PRESIDENT:** Dr Bach, would you like to rephrase the question so it is not asking for an opinion?

**Matthew BACH:** Thank you, President. I confess I did check that. On a number of occasions in this house this exact question has been asked, most recently on 31 May. I am advised it has never been ruled out of order previously, so, President, based on that research – that I had undertaken, I confess – I did feel that, because on the many occasions this question has been asked it has always been deemed to be in order and has never been asked to be rephrased before, it would be an appropriate way to ask my question.

**The PRESIDENT:** ‘Are they wrong?’ sounds like asking for an opinion to me. I will do something I do not usually do, and I will refer to the boffins on this one.

It is probably good that I went to the VAR. I was prepared to actually let it go through and then speak about it later, but the issue is that we have got the anticipation rule where there is a motion that was postponed till later this day on this exact topic. I am not going to take a question away. I will not knock a question out; another question can be asked later.

### **FIFA Women’s World Cup**

**Jeff BOURMAN** (Eastern Victoria) (12:19): (237) My question is for the minister representing the Minister for Tourism, Sport and Major Events. It could be anyone. Minister, for the World Cup quarterfinal on Saturday night your government provided a live site at the Rod Laver Arena, saying:

... the energy in the city will be electric and the benefits will flow on to local businesses.

For Wednesday’s semifinal the government will open AAMI Park, with the Premier stating:

Big game needs a bigger stadium.

Can the minister advise the house what live sites the Victorian government has set up in Gippsland, Shepparton, Ballarat, Bendigo, Geelong or Mildura?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Equality) (12:20): Thank you, Mr Bourman, for that question. I will refer that to the Minister for Tourism, Sport and Major Events, but as a gratuity, Mr Bourman, you may not be aware that there are numerous live sites where this evening’s game will be broadcast. ABC Gippsland has in fact published an online list of sites where that game will be live streamed, and there are many, many places around rural and regional Victoria where this extraordinary game will be coming alive, including at sporting facilities and clubs.

I also just want to take this opportunity to say: go the Matildas! This is something which has united the Parliament and indeed the nation. I wish every player the best of luck, from Kerr to Fowler, to Raso, to van Egmond. We have so many talented players doing the most extraordinary things. My favourite, Cortnee Vine – it is just about ready to be Vine time again – is going to be absolutely amazing. I wish them well. Mr Bourman, I would hope too that you will be watching along with the

game this evening as we take it up to the Lionesses and show them who is boss. Perhaps I might see you later on to share a moment with a green and gold scarf and to celebrate just how far we have come with the Matildas progressing further than any other football team in history.

**Jeff BOURMAN** (Eastern Victoria) (12:21): I thank the minister for her referral and her answer. I know there are a lot of sites that are open in regional Victoria by private individuals, so it is specifically what government sites are open. I will just say I have noted that the minister himself has jetted off to Sydney to watch the semifinal. Some local councils have stepped up, which is great, and also local pubs and clubs in regional Victoria are providing places to come together, but that is not suitable for many families. Minister, just weeks after breaking regional Victorians' hearts by cancelling the Victorian games, why did the government again forget regional Victorian families when it comes to cheering on the Matildas – and the government, not private people?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Equality) (12:22): Again, I will refer that to the minister, but I would also say, Mr Bourman, that I was cheering along the Matildas from regional Victoria in the most recent game and indeed the games before that. I am not sure whether you were in the region that we share for those games, but the sentiment and the support is absolutely palpable around the state. I was thinking earlier about the work that has happened to provide opportunities for people, many from regional Victorian communities, many from regional sporting communities, where as you know, Mr Bourman, we punch well above our weight. We have elite champions, world champions, that hail from regional Victoria. I watched those games from there; I hope that you will too. I cannot wait to see the Matildas storm through to victory in what promises to be an extraordinary event this evening.

### **Bushfire preparedness**

**Wendy LOVELL** (Northern Victoria) (12:23): (238) My question is for the Minister for Environment. Minister, last week in question time the Minister for Emergency Services said:

We work hand in glove with Minister Stitt's area of responsibility in Forest Fire Management Victoria in relation to preparedness for emergencies. That work is always ongoing, and I can point you to many activities around the state.

Minister, in relation to those activities, what is the percentage of backburning targets for this current year that have been met in areas that were affected by the 2009 Black Saturday bushfires?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:24): I thank Ms Lovell for her question. It is an important issue and something I know that the team within DEECA in the forest fire management area are really focused on, as you would expect. I would also like to acknowledge the incredible work that they do across the state in conjunction with our other emergency services agencies in Ms Symes's portfolio. We are one of the most bushfire-prone places on the planet, so this is a key focus for them. As you may be aware, Ms Lovell, there is a risk-based approach that is taken to bushfire risk and fuel load, and when it is safe and effective to undertake those fuel management programs across the public land estate and of course on private land and roadsides, it is a really important tool to address bushfire risk.

I can report that in the 2022–23 period over 92,000 hectares were treated through fuel management, and this included 234 planned burns, treating just under 76,000 hectares, and almost 17,000 hectares of mechanical fuel treatment, and 462 hectares have already been treated this financial year, including 18 planned burns. In June 2022 the interim statewide risk figure was published in my department's annual report, and the risk figure was 62 per cent, which is well below the 70 per cent statewide target for risk.

Of course we know that we have had three years of La Niña weather patterns, and it is looking increasingly likely that we are going to be moving into a much drier period, and the Bureau of Meteorology will obviously be close to declaring whether or not we are going to be returning to an El Niño condition in the second half of this year. We are actively monitoring the seasonal outlook, and

we are going to be continuing to ensure that those preparations are rolled out across the state based on the science, world-leading modelling, which I have just had the opportunity to be briefed on. It is quite impressive what our FFMVic teams can actually now predict in terms of bushfire behaviour in a changing climate. I want to commend them for their work, and I look forward to providing more details as they become available.

**Wendy LOVELL** (Northern Victoria) (12:27): Minister, on Friday on Melbourne's 3AW the former mayor of Murrindindi shire and member of the Black Saturday stakeholder reference group Lyn Gunter said that fuel loads are massive and there has been no burning around towns in the area that was so significantly impacted in the 2009 Black Saturday bushfires. Minister, is she wrong?

**The PRESIDENT:** I am kind of stuck on if that is asking for an opinion. Ms Lovell, do you want to rephrase it?

**Wendy LOVELL:** Minister, why have you failed these communities?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:28): I have already taken the house through some of the statistics that actually go to the very question that Ms Lovell is trying to get at, and that is: has there been adequate preparedness in the lead-up to this particular bushfire season? This is a dynamic situation across the state, and it is a risk-based approach that FFMVic and indeed those other agencies, like the CFA, will take. I am very confident that the skills and expertise of our FFMVic personnel in all parts of our state are such that they will take an approach that keeps communities safe. We will never be able to stop bushfires in our state from occurring, but what we can do is make sure that if there is a bushfire there are the appropriate resources in place to address the risk to communities and to our public assets.

#### **Ministers statements: LGBTIQ+ community safety**

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Equality) (12:29): I rise today in my capacity as Minister for Equality to talk about a round table that occurred last week at the Victorian Pride Centre. This was a really important further conversation about the impact of vile, bigoted and targeted harassments, threats, discrimination and just awful, awful conduct from a very small but very vocal minority and the damage that they are causing, as well as the work that we are continuing to do around the development of legislative protections as well as building on the work within the operational space and with resourcing to community organisations to deal with the inevitable uptick in violence and in perceptions and realities of threats and intimidation against LGBTIQ+ people and those who love and care for us and want to see us able to participate in community life. The work that came to this table was informed by many decades of lived experience that harassment and discrimination are an endemic part of seeking to be visible and to be recognised.

I was very grateful for the opportunity to join member for Albert Park Nina Taylor, who is also the Parliamentary Secretary for Justice, to talk through the priorities and concerns and the opportunities for suggestions and for input presented by this group. People from the Pride Centre, from Switchboard, from Libraries Victoria, from the Melbourne Queer Film Festival and from so many other parts of Melbourne but also from further afield in rural and regional Victoria – and I am indebted to LINE Wangaratta and the Gippsland Pride Initiative for also attending and making that trip to Melbourne – were part of understanding for us the work that needs to go on to make sure that LGBTIQ+ people are seen, respected and reflected in legislative reform. This is difficult work and it is intricate work, and we are determined to make sure that when and as it is developed we do so in a consultative fashion and a way that is fit for purpose.

#### **Cape-to-cape resilience project**

**Melina BATH** (Eastern Victoria) (12:31): (239) My question is to the Minister for Environment. A \$13.66 million expansion to the Inverloch RACV resort and the jobs it will create are in jeopardy

because the West Gippsland Catchment Management Authority and your government's planning department are refusing to give the green light for the 44-room development. The authority is objecting to the proposed development until such time as the cape-to-cape resilience plan is released and clearly outlines an agreed set of actions to mitigate and manage the risk of inundation to the Cape Paterson-Inverloch Road. Minister, when will you sign off on the cape-to-cape resilience plan, which the community has been waiting for for over three years?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:32): I thank Ms Bath for her question. I think the first element of her question is a matter that is more relevantly directed to the planning minister. However, I can indicate that there has been work undertaken through that cape-to-cape project, an important project in terms of addressing some of the critical coastal erosion issues driven by climate change, I might add, and also impacting on a number of our coastal communities throughout the state, including Inverloch. The cape-to-cape work is a fantastic model because it has involved much deep consultation with the communities that are impacted by that coastal erosion. I am very pleased to advise the house that I understand that that report will be released quite soon. I think that it has been really good to see how much engagement there has been with not only the local councils down in that part of the state but also a number of other land committees of management and also of course local residents who have got a big stake in making sure that we tackle coastal erosion in a way that is sustainable into the future.

**Melina BATH** (Eastern Victoria) (12:33): I thank the minister for her response. The Inverloch surf club, the foreshore dunes and residential homes are at serious risk of falling into the sea without significant erosion mitigation through the outlined draft of the cape-to-cape resilience plan. You have mentioned 'quite soon'. Why do you refuse to give this community certainty about futureproofing this beautiful coast, which is at risk due to your government's inaction? When is soon? What is the date, Minister?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:34): I have to say I reject the premise of Ms Bath's supplementary question. To suggest that the government has not taken seriously these issues that are impacting the Inverloch community just does not really stack up against the facts. In fact, Ms Bath, you would be aware that we have already invested \$1.5 million into the coastal erosion mitigation work down at Inverloch, including an additional \$850,000 to ensure that the RASP was able to undertake its important work. So I am confident that when the report is released it will reflect what the aspirations of that community are and it will address the issues that are often very difficult issues to resolve. Climate change is not going away any time soon. Coastal erosion is something that we all need to grapple with around our coastline, and the government is getting on with that work.

### Emergency warning system

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:35): (240) My question is to the Minister for Emergency Services. Given the royal commission into the Black Saturday bushfires made several recommendations, including recommendations around communication, have those recommendations been implemented and have they contributed to improvements for liaison between the various telecommunication carriers regarding EMV alerts?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:36): I thank Mrs Hermans for her question. It is a very broad question. It would be easier for me to respond to an example of a specific recommendation that you are particularly interested in, because there are a range of advancements and changes in communications both at the state level and more importantly at the national level. There is now an agreed framework of risk assessment and communications for various responses. You would recognise that the coloured arc is now a national approach, which is really good for our border communities, for example, so emergency alerts are much more streamlined across the nation. In relation to the carriage, the channels and the like, that is a matter that NEMMM is currently prosecuting. There was an issue with the former federal government selling off a channel

that would have been more appropriately used for communications for emergency services, and that is a matter that the new federal government is taking seriously. It is on the agenda for next week I think NEMMM is, so I will be able to give you an update in relation to the national approach after that meeting.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:37): I thank the minister for the response. We are looking forward to getting an update. That will be great. Thank you very much. Minister, the latest IGEN report states –

**Jaclyn Symes:** Which report? Sorry, which one?

**Ann-Marie HERMANS:** The latest one, the most recent IGEN report:

Other initiatives such as installing back-up telecommunication sites and planning for future emergencies through emergency evacuation exercises are necessary advances in future-proofing our communities for emergencies and building community resilience.

So I ask: could you provide an update on the backup telecommunications sites?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:38): It is a little unclear the specific information that Mrs Hermans is requesting, but I am more than happy to take that on notice and get back to her. The title of the report would probably be a good indication. It is information that I am more than happy to obtain. It is not something that I have in my folder available, so I will get her –

**Ann-Marie Hermans:** On a point of order, President, it was not difficult to look up the date. The date of the report is 20 July 2023. That is the most recent report, the IGEN report.

**The PRESIDENT:** There is no point of order. The minister has offered to take the supplementary question on notice for further detail within the standing orders.

#### **Ministers statements: Healesville Sanctuary**

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:39): I feel confident that everyone can get around this issue. It is about the Healesville Sanctuary's new world-class purpose-built raptor rehabilitation centre, which will give injured native birds – I am looking over to my right – a second chance at survival in the wild, assisting in the recovery of a variety of raptorial birds, including wedge-tailed eagles, hawks, falcons and owls. This has been made possible through a \$3.2 million investment by the Andrews Labor government, including from the Regional Tourism Investment Fund, and the very generous support of the zoo's anonymous donors.

Flight fitness is an essential part of rehabilitation processes for raptors as they need to be able to catch their prey midair and swoop down onto the ground. The raptor rehabilitation centre is an incredibly impressive piece of infrastructure, and it will replace a temporary flight tunnel to provide a safe, peaceful environment for birds to build up their flight fitness with a continuous flight path so that they not only survive but thrive once they return to the wild.

I am really proud of the incredible work that the whole team at Healesville Sanctuary's Australian Wildlife Health Centre do every day to support our precious native bird species. This is just one of the amazing conservation works that Zoos Victoria do across the state in addition to their wider wildlife rescue and response work, captive breeding programs, threatened species recovery programs and research projects. I cannot wait to see the raptor rehabilitation centre – it is a tongue twister – in action.

#### **Written responses**

**The PRESIDENT** (12:41): Minister Symes is going to get a written response to Mrs Hermans's supplementary question. Minister Shing is going to get Mr Bourman answers from the minister for sport within the standing orders; Minister Blandthorn from the Minister for Medical Research to Ms Purcell's question; and Minister Symes for both of Dr Ratnam's questions to the Premier.

*Constituency questions*

**Southern Metropolitan Region**

**John BERGER** (Southern Metropolitan) (12:42): (340) My question is to the Minister for Veterans in the other place Minister Suleyman. Last week I joined the minister at the Australian National Veterans Arts Museum, who do amazing work supporting veterans and their families. We know that over 100,000 veterans call Victoria home, yet many of them are not linked to a concession service. At the last election the Andrews Labor government committed to introducing a veterans card, and now we have delivered. This card will deliver a \$100 discount on registration and renewal fees, a free marine licence, fishing licence exemptions, free public transport on Anzac Day and Remembrance Day, access to dedicated employment programs and much more. This is one of the many ways that we are supporting the veterans community. That is why my question is this: how can residents in my community of Southern Metro apply for the veterans card and access the benefits?

**Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:43): (341) My constituency question is for the Minister for Roads and Road Safety, and it concerns the current condition of the road surfaces of two VicRoads-controlled roads in my electorate. The A300 Midland Highway between Shepparton and Benalla carries a large volume of traffic each day. It has been reported to me by a constituent that the surface of a particular section of the road near Stewarton is in terrible condition and is a hazard for all road users. Also, it has been reported to me that the road surface of the C355 Echuca Road near the intersection of Ryan Road at St Germain's is in a disgraceful condition, with the road littered with so many potholes the thoroughfare is a danger to road users. Will the minister order the immediate repair of the road surfaces of the A300 Midland Highway near Stewarton and the C355 Echuca Road, St Germain's, near the Ryan Road intersection?

**South-Eastern Metropolitan Region**

**Michael GALEA** (South-Eastern Metropolitan) (12:44): (342) My constituency question today is for the Minister for Corrections, Minister for Youth Justice and Minister for Victim Support. My question relates to the \$500,000 being invested towards grants to six community programs to support our young South Sudanese Victorians. Minister, how will these grants support the South Sudanese community in Victoria and particularly programs being funded in the South-Eastern Metropolitan Region? I welcome the announcement of the funding and the announcement too that applications for an additional \$400,000 round of community grants have also opened. I was pleased to see the Andrews Labor government supporting the ongoing work of the South Sudanese Australian Youth Justice Expert Working Group. I applaud the \$100,000 in funding that will be going towards the Stand Out Basketball program, which will be run by the Stand Out youth empowerment group in Dandenong and in Clyde.

**Western Victoria Region**

**Joe McCRACKEN** (Western Victoria) (12:45): (343) My question is to the Minister for Police, and it relates to an incident that was reported in the Ballarat *Courier* on 10 August in an article titled '\$100,000 burglary shocks victims'. My question relates to my constituents Alistair and Felicity Stewart of Buninyong, who suffered greatly at the hands of criminals. They are still living in a caravan and feeling violated after coming home from New South Wales and finding their house ransacked. Over \$100,000 worth of items were stolen, most importantly precious World War II medals that had been family heirlooms. Other items taken include identity documents and personal effects – even items such as a rack of lamb, a tin of biscuits and a car fridge full of fishing bait. Even the roof of the toilet system was ransacked and checked through, according to the paper. I contacted Alistair and Felicity last week and passed on my support and well wishes, and all they said they want is for the criminals to be caught and for justice to be served.

### South-Eastern Metropolitan Region

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:46): (344) My question is to the Minister for Planning. Minister, I have had a number of concerns continuously raised about the proposed childcare centre at 154 Drysdale Avenue, Narre Warren North. I was advised by Casey council over three weeks ago that a decision was pending. In fact every time we contact the council they say we will have a decision in a couple of weeks, and that has been going on for many weeks now. A search of the council's website indicates that as part of the application process both VicRoads and the CFA were asked for information on 4 April 2023. Minister, can we get an answer on whether this site is proposed to go ahead, since the application was lodged in September 2022?

### Northern Metropolitan Region

**Samantha RATNAM** (Northern Metropolitan) (12:47): (345) My question is for the Attorney-General. Recently several constituents have contacted me regarding unreasonably long delays with Births, Deaths and Marriages Victoria. Andrew is a constituent of mine from Docklands who recently lost his mother. His mother's death certificate had a typo, which Andrew has been told will take three months to rectify. A delay on a death certificate is not a small inconvenience; it delays every other task that needs to be done after a death. Without a valid death certificate Andrew has not even been able to redirect his mother's mail. Andrew's experience is not unique. Another constituent of mine, Hussam from Craigieburn, is expecting a child with his wife. Upon contacting the registry, he was told there is no guarantee his newborn would be issued a birth certificate within six weeks, meaning Hussam will need to cancel a trip to visit his in-laws and introduce them to their new grandchild. People are being forced to put their lives on hold waiting for simple documentation. Attorney-General, why are there still such extreme delays at Births, Deaths and Marriages Victoria?

### Eastern Victoria Region

**Renee HEATH** (Eastern Victoria) (12:48): (346) My question is for the Minister for Transport and Infrastructure. Earlier this year my constituent reached out to the member for Bass about the need for a replacement bus shelter in Pioneer Bay. In April she received a response confirming that the member had made a request to the Department of Transport and Planning for the replacement and it had been approved. She said that usually it is about two months from submission to construction. However, there has been no sign of works taking place, despite it being well beyond the time frame. Pioneer Bay is a gorgeous town located on the Bass Coast, and like many communities in the Eastern Victoria Region, public transport infrastructure is either non-existent or in desperate need of upgrade. The urgency for the community was emphasised recently when a 70-year-old woman passed out waiting for the bus because there was nowhere to sit and she had no shelter. So my question is: when will it be built?

### Northern Victoria Region

**Gaelle BROAD** (Northern Victoria) (12:49): (347) My question is to the Minister for Education regarding the urgent need to review and update the *Bendigo Education Plan 2018*. Bendigo Senior Secondary College is the only public school for students in years 11 and 12 in Bendigo and already close to capacity with over 1700 students. In Bendigo the four public schools only offer years 7 to 10, with more than 3500 students enrolled – that is Eaglehawk Secondary College, Bendigo South East College, Crusoe College and Weeroona College. Bendigo is a growing regional city with more than 120,000 people, and we need more places for students in years 11 and 12. The Department of Education website states that the strategies and actions in the plan would be reviewed regularly since 2020 and include community consultation, but I visited Bendigo Senior Secondary College recently with Dr Matthew Bach, the Shadow Minister for Education, and it appears that no such review has taken place. Given the need to expand senior secondary education in a growing city like Bendigo, can the minister please provide an update on this review and community consultation?



**Samantha Ratnam:** On a point of order, President, I would like to redirect the constituency question that I just asked to Mr Pearson, who is the responsible minister.

**The PRESIDENT:** Absolutely. All good.

### **Eastern Victoria Region**

**Melina BATH** (Eastern Victoria) (12:50): (348) My constituency question is to the Minister for Roads and Road Safety. My constituent writes to me out of frustration with the ever-deplorable state of our regional roads. This particular road is in Bass Coast and indeed on the wonderful Phillip Island. Road resurfacing seems to have ground to a halt in their opinion and maintenance has gone by the wayside. It is highly frustrating that cars are often damaged – broken rims – and it is even potentially more dangerous than that. Major collisions can happen. My constituent labels the Rhyll-Newhaven Road as indeed ‘quite dodgy’. The question I ask on behalf of my constituent is: when will the minister prioritise roads on Phillip Island and specifically the Rhyll-Newhaven Road for maintenance?

### **Western Victoria Region**

**Bev McARTHUR** (Western Victoria) (12:51): (349) My question is for the Attorney-General and concerns the recognition and settlement agreement she signed in October last year with the Barengi Gadjin Land Council, representing five traditional owner groups. The text of the agreement has been belatedly released but is frequently redacted and contains no detail on the funding to be provided to the land council. No detail is given on the one-off initial payment, the monies on trust, the funding to support the corporation or the funding to support the natural resource agreement at clause 6.2, nor is the minimum annual funding agreement revealed in clause 6.3 or the joint management funding in clause 8.1, yet the Taungurung RSA signed in 2018 contains all these figures. On what grounds, Minister, have you now chosen to redact this information?

**Sitting suspended 12:53 pm until 2:02 pm.**

### ***Bills***

### **Operation Daintree Implementation (No. 1) Bill 2023**

#### ***Second reading***

**Debate resumed.**

**Jacinta ERMACORA** (Western Victoria) (14:03): This bill does very little more than critique the government, without actually doing anything productive. What this bill fails to do is put in the hard yards of policy review, analysis and consultation. It merely reads the findings of the *Operation Daintree* report and transcribes it into a few clauses to amend a couple of acts, in the hope that that will work. This bill is nothing more than an opportunity to criticise and whinge, and it will make not one iota of difference to the people of Victoria.

We are grateful for the work IBAC conducted through *Operation Daintree* and the recommendations made in the final report. It would be a disservice to the work of IBAC to misrepresent the report and allege that corruption occurred, because that is not the case. The final Daintree report outlined a number of issues, none of which met the threshold definition of ‘corruption’, which is why not one of the recommendations in the report suggests action against any individual person.

The government did not shy away from the recommendations, instead agreeing that there is more that can be done to provide greater clarity and transparency around the working arrangements between departments and ministerial officers. Each of the recommendations is being carefully considered as part of the usual process. In July this year the government announced sweeping reforms, currently in the pipeline, to the integrity system, which will include working with Parliament, including representatives of the opposition and crossbench, to establish an ethics committee comprised of equal numbers of members from the Legislative Assembly and the Legislative Council, which satisfies recommendation 1. It will also include developing legislation to establish a parliamentary integrity

commissioner. The commissioner will be armed with robust powers and resources, including the power to recommend sanctions, which satisfies recommendation 2. The government have also gone further and announced that the parliamentary integrity committee will be able to receive and investigate complaints about possible misconduct from MPs and examine the behaviour of MPs, including bullying, harassment, sexual harassment and victimisation, providing a crucial avenue for complaints to be heard and investigated.

The government is committed to ensuring that workplace safety is non-negotiable and is therefore committed to establishing the new parliamentary integrity framework as recommended by *Operation Watts*. A part of this includes \$8.52 million towards the Department of Parliamentary Services to support implementing recommendations from the *Operation Watts* final report.

The Andrews Labor government is committed to delivering integrity reforms, and this is proven through a number of initiatives to this end. The government has legislated for stronger powers for IBAC and our integrity bodies by broadening IBAC's responsibilities to investigate all corrupt conduct, including police corruption and misconduct in public office, as part of their corrupt conduct jurisdiction and also providing IBAC with significant coercive powers and unbinding them from the rules of evidence. There are also strong protections on the use of IBAC's investigative powers to ensure that a balance is maintained between IBAC being able to do its important work and the proper protection of individuals' rights and their welfare.

This government is also committed to ensuring that IBAC can continue to weed out corruption without being encumbered by financial barriers. Since coming to office the government has delivered record funding to IBAC, and by the end of the forward estimates IBAC's funding will be double what it was when Labor came to government in 2014. In addition to that, the Victorian budget 2022–23 invested \$32.1 million in additional funding for IBAC as well as a further \$8.6 million in its annual base funding, which in proportion to the public sector workforces they hold an account for, is higher in Victoria than in any other state.

The government has also implemented tough and more transparent political donation laws – in fact the toughest in Australia. This has resulted in a drastic reduction in the size of donations and provides transparency to Victorians so they can be certain of who makes and receives donations as they happen. The donation reforms are currently the subject of a legislated periodic review, and a report should be provided to the government imminently. These legislated periodic reviews ensure the donation laws remain fit for purpose over time. The government has also implemented major reforms to freedom of information by creating a single body to oversee Victoria's FOI public sector privacy and data protection laws, making it easier to access government information.

The information commissioner also has more investigative powers than its predecessor and has introduced faster response time frames for all FOI applications. This has been a great success. According to the Office of the Victorian Information Commissioner's 2021–22 annual report, of the 43,978 freedom-of-information access decisions made across government, nearly 80 per cent of FOI requests were processed within the time lines required by the FOI act.

Regarding the Ombudsman, the government have expanded the authority for the Ombudsman to take complaints over the phone rather than only in writing and reduced the barriers to information sharing between the Ombudsman and other integrity bodies. This allows all Victorians to contribute to contacting the Ombudsman and expressing their concerns, whether they can write down their concerns or whether they can only do it orally.

The second-reading speech delivered by Mr Davis, who has just come in, bluntly states:

The clauses in this bill do not deal with all of the issues raised in *Operation Daintree* ...

As I said earlier, this bill simply reads selected findings of the *Operation Daintree* report and transcribes them into a few clauses to amend relevant acts. This bill desperately tries to squeeze

controversy out of the Daintree report. The bill ignores the parliamentary integrity commission and parliamentary ethics committee that we have committed to establishing. The bill also gives a role to the Privileges Committee in preparing and issuing guidance on ministerial accountability, despite that committee not featuring in the report recommendations.

It surprises me that those opposite want to score political points on integrity in light of the latest IBAC inquiry in *Operation Sandon*, which I must say only commenced because of the corruption of Liberal party councillors' sophisticated arrangements to circumvent donations laws and bags of cash being given to Liberal Party councillors. IBAC's inquiry contained revelations of an intercepted phone call between Mr Woodman and the Liberal Party fundraising arm, Enterprise Victoria, in which Enterprise Victoria sought to illegally launder money through the federal Liberal Party. This appears on page 146 of the *Operation Sandon* report, where IBAC writes:

Enterprise Victoria's Executive Director assured Mr Woodman that the amended donation laws had a 'loophole', whereby donations could be made to a federal account subject to the federal disclosure limit, which was \$14,300 – higher than the Victorian limit, but could be diverted to Enterprise Victoria. During examination, the Executive Director asserted that the meetings they had offered did not take place.

So I would suggest that those opposite are quite brazen to stand in this chamber and place this integrity bill before us for debate in light of what has happened in recent weeks.

In conclusion, I oppose this bill because it is a political stunt. This bill is poorly drafted, without foresight for the practical aspects of implementing these recommendations. It does no more than copy and paste and constitutes lazy governance from those opposite. This government is proud to have increased funding to IBAC. This government is proud to take action to strengthen integrity frameworks. This government is not shy about improving the way things are done. What this government is not doing is using legislation as a topic heading and using legislation as an excuse to talk inaccurately about the work of the independent IBAC.

**Evan MULHOLLAND** (Northern Metropolitan) (14:13): I rise to lend my support to this bill, and in doing so I would like to thank Mr Davis for his hard work in ensuring that we have some semblance of integrity in this state – not something, unfortunately, with sadness, that we hear from the other side of the chamber. This bill is indeed vitally needed to ensure integrity in Victoria by ensuring that all the recommendations from *Operation Daintree* are implemented in full and enshrined in legislation. This is important because of what *Operation Daintree* actually found. The investigation ultimately interviewed Premier Daniel Andrews, former health ministers the Honourable Jenny Mikakos and the Honourable Jill Hennessy and ministerial staff working in the offices of these ministers and the Premier. Department of Health and Human Services (DHHS) employees and Health Workers Union officials were also interviewed.

While the investigation found the conduct did not reach the very high threshold of corrupt conduct as defined in section 4 of the Independent Broad-based Anti-corruption Commission Act 2011, it did make serious findings of fact. The investigation substantiated factual allegations in the original complaint. It also substantiated the suspicion in the Ombudsman's notification that a ministerial adviser working in the health minister's office exerted pressure on DHHS staff to award the contract to the Health Education Federation. It also found that an adviser in the office of the subsequent health minister and an adviser in the office of the Premier, acting through the health minister's office, intruded into DHHS's management of the contract in ways favourable to the HEF and against the public interest, which of course is a shocking scandal. While not meeting that higher threshold, I do believe unethical practices have occurred.

The need for integrity to be improved in Victoria has been actually demonstrated once again by the Labor Party in a turn of events this week that will shock no-one. We have seen past IBAC reports like *Operation Watts* detailing systemic branch stacking going on within the Labor Party. A lot of systemic branch stacking and corruption going on with the Labor Party seems to be directed at Victoria's vibrant multicultural communities. I tell you what, I am getting pretty sick and tired of the Victorian Labor

Party using and abusing multicultural communities for their own grubby factional purposes. It is wrong and it needs to stop.

As revealed in the *Australian*, we have seen serious allegations that a Labor branch in the northern suburbs has been forging signatures and renewing the memberships of dead people, and allegedly some of that may have taken place in an electorate office. Many of them actually were elderly members of my community in the northern suburbs, the Italian community. Tom Donato, whose father Antonio died in 2017, said that he was shocked to learn and not aware of him actually being a member of the Labor Party. He said:

‘I’m shocked. I wasn’t aware of him being a member of the Labor Party. He wasn’t that way inclined. He wasn’t an Australian citizen, so he couldn’t vote ...

He said he was aware that Ms D’Ambrosio would often speak at the Italian club with which his parents had been involved. What I want to know is: how do you go from speaking to a member of an Italian club to their becoming a paid-up member of the Victorian Labor Party without them even knowing about it?

Mary, the daughter of another man who had his membership fees paid for posthumously, Celestino Nigro, said:

I cannot believe that the Labor Party would go to the extent of forging my deceased father’s name to use that for their party benefit. If they are capable of doing this, what else are they capable of?

It also appears that some members used to be under the impression that memberships to the Labor Party were free, despite them never being free. One such example is a constituent of mine actually in the electorate of Thomastown, an 83-year-old woman who had become a member of the Labor Party before the member for Mill Park entered Parliament. She said that neither she nor her husband had ever paid for a membership and that it was Lily D’Ambrosio, the lady who is a minister now, who had signed them up. In fact leaked records show that 86 per cent of that particular branch were paying concession rates and all membership fees were paid by non-traceable means, also known as cash. Now, I understand the Italian community, being half Italian myself. Many Italians in my electorate love using cash. They still use cash to this day. But you actually have to pay yourself, being aware of what you pay for and actually be alive for a transaction to occur.

Tom Donato said the member for Mill Park would often speak at the Italian club with which his parents had been involved. In March I had the great pleasure of speaking at the opening of new sporting facilities at the Casa D’Abruzzo Club in Epping actually alongside Ms D’Ambrosio. For too long those opposite have been going to community facilities like the Casa D’Abruzzo Club and taking advantage of members of our multicultural communities, particularly elderly members of the multicultural communities, for their own factional power and their own political benefit. It is funny that with the South Lalor branch they did a review and it went from 132 members to just 13 once they tried to clean up all the mess they were making. You had IBAC look into one faction and not another faction; that is a whole other story. It is clear that the signatures of Mr Donato and Mr Nigro were forged on membership forms, which represents a falsification of documents under the Crimes Act 1958.

I also want to know: what role did possibly the member for Scullin have in all of this? Was he aware of systemic branch stacking going on within his own electorate and was he actually comfortable with it because it is his own Socialist Left faction? It is easy for a reasonable observer to draw parallels with the sort of behaviour which was uncovered by IBAC and the Ombudsman’s *Operation Watts* investigation. The report described forging of signatures as ‘obviously serious misconduct’. Following that investigation, Mr Somyurek resigned and ultimately Robin Scott, Luke Donnellan and Marlene Kairouz were all disendorsed as part of a stitch-up to allegedly rid the Labor Party of its ills, but it is interesting to see now there is a difference in treatment of those on the right of the Premier and those that are in the same Socialist Left faction as him.

We saw the Premier: ‘There’s nothing to see here. The member is a person of integrity.’ I do not think Victorians want to hear that kind of assessment of what look like very, very serious allegations. There is a common thread with all of these cases: using and abusing our multicultural communities for their own political ends. Our multicultural communities deserve to be treated with respect, deserve to be appreciated, deserve to be embraced for the significant value they provide our society, not just as a means to the Labor Party’s ends, not just for their own factional benefit to pump up their numbers at Labor’s conference, which they are all planning on going to this weekend. That is the means to the end of what they do when they sign people up with cash, forge the signatures of dead people in my electorate and keep renewing them for years after they have died. Mr Donato had been diagnosed with dementia about seven years prior. This is the kind of activity that is going on on the other side.

I note I saw just earlier today from an interface councils meeting comments from the Labor mayor of Hume City Council earlier this year, Joseph Haweil, who recently told the *Age*:

Internally within the Labor Party, multicultural communities have been used as electoral fodder for decades and for factional reasons.

I agree. Labor opportunistically uses our multicultural community for their own political purposes. I understand from Labor staffers that whisper a lot around the Parliament that the mayor of Hume was actually called into Labor Party head office and warned for that comment. ‘How dare you tell the truth! Never do that again,’ he was probably told. But it is the truth, because we see it all the time, and I am here to warn the Labor Party, the Victorian Labor Party, I am not going to let this go. I am not going to abide while I see my community in the north, the Italian community, used by Labor for their own factional purposes. They should be ashamed.

And do not think I do not hear the conversations from members of my multicultural community and what they say they hear from figures within the Labor Party: ‘Wink, wink, nod, nod. You’ll get this multicultural grant if you play ball with us, if you support us.’ That is no way to treat our multicultural communities. It is an outrage, and what we have seen recently is an outrage. Multicultural communities are not the sole property of and owned by the Victorian Labor Party to branch stack, forge signatures and continue to renew memberships after they have died. What an insult to the families. What an insult to our multicultural communities in the northern suburbs. It has got to stop. It has to stop. The Premier has presided over a government that is riddled with corruption and which IBAC report after IBAC report has condemned. Recently he described a report which found government staff pressured the health department to award a \$1.2 million contract as ‘educational’. He described Robert Redlich, an eminent Victorian, former Supreme Court judge and former head of IBAC, as some bloke:

... who used to do a job [who has] written a letter that apparently says a whole bunch of stuff ...

and sent his lackeys into a committee hearing in an absolutely disgraceful attempt to discredit him. I will tell you what: members of the press gallery, eminent Victorians, people in the law and I think a majority of this chamber were watching that and there were only four people that were discredited in that hearing, and those were the members of the Labor Party in the Integrity and Oversight Committee (IOC) that discredited themselves. If there is any justice, that disgraceful act will follow them for the rest of their careers – an absolute smear against an eminent Victorian like Robert Redlich, which is what we saw.

**Georgie Crozier:** No apology.

**Evan MULHOLLAND:** Still no apology. But we have seen that before with the IOC, when presumably the Premier’s private office gave the lackeys on the committee instructions to smear, to put unsubstantiated allegations to someone like Robert Redlich. This is the kind of thing we see over and over again.

I tell you what, the Victorian people are seeing through this. You go through corruption scandal after corruption scandal and try to shrug it off. The Victorian people have had enough of this. The Victorian people have had enough of cancelling the Commonwealth Games and not giving proper explanations.

The Victorian people have had enough of cancelling train lines and not giving proper explanations, cancelling the airport rail and not giving a proper explanation as to why. But this is what we get. This is the kind of integrity the Labor Party values – the integrity of just not saying anything and trying to move on to the next story.

I urge the house to support this bill. We need to come together as sensible, mature elected representatives to act on the *Operation Daintree* report by supporting this bill, and we need the Premier, I believe, to make another IBAC referral, as he did with Mr Somyurek. We must rid Victoria of the government's cancerous corruption, and I commend this bill to the house.

**Samantha RATNAM** (Northern Metropolitan) (14:28): I rise to speak on this private members bill introduced by the opposition, the Operation Daintree Implementation (No. 1) Bill 2023. *Operation Daintree* was an investigation by IBAC highlighting how improper influence compromised the procurement process for a \$1.2 million contract and compromised the management of the contract. To quote former IBAC Commissioner Redlich, in *Operation Daintree*:

... we found serious misconduct at every level of executive movement which led to the granting of a contract which should never have been made, and which didn't serve the public interest. That's corruption.

As the house is aware, the Greens share the opinion of the former commissioner. Daintree did find corruption, which is why the Greens have introduced our Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023 into the house, which we will be debating a bit later on, so I will not anticipate it.

Turning to this bill from the opposition, it is one of a number of integrity bills that the opposition have introduced. The Greens position on these bills has been consistent: that we will support these bills despite the fact that they are not perfect, that they are piecemeal and that they often do not prioritise the most important integrity reforms we desperately need to clean up state politics in Victoria. Take clauses 5 and 6 of this bill, which propose making small improvements to the development of the ministerial code of conduct. We recognise these are small improvements, but looking at the bigger picture we could ask: what good is having improved ministerial codes of conduct if IBAC or another independent authority does not have sufficient jurisdiction to investigate these and expose breaches of the code and, if necessary, call it out as corruption? I would refer the house and opposition to our Anti-corruption and Higher Parliamentary Standards (Strengthening Integrity) Bill 2022, which proposed, amongst other things, to legislate the code of conduct for ministers, impose real sanctions for breaches, expand the jurisdiction of IBAC and create a parliamentary integrity commissioner as an example of what is really required if we are genuine about improving the conduct of members, ministers and governments.

As I have said already many times, the government can critique these integrity bills from the opposition on similar grounds to what I just have, but it is on their watch that integrity standards have fallen and they are the ones that have failed to act by failing to introduce any meaningful reform in close to a decade. The Greens and, I must say, most of us in this house appear to be in agreement that some progress on integrity and anti-corruption legislation, imperfect as it may be, is a better option than the tumbleweeds and the 'Nothing to see here. Who cares about corruption when I get stuff done?' attitude from the government. That is why we are supporting this bill.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (14:31): I rise to make a contribution on the Operation Daintree Implementation (No. 1) Bill 2023. I oppose this bill as a government member and obviously encourage others to oppose this bill, and I know government members will be speaking in opposition to this bill as well. I have had the benefit or otherwise of listening to the contributions of those opposite on this, and I know they have used it as an opportunity to really highlight everything that has been in the paper in the last couple of days. But really *Operation Daintree* was actually about something else. It was certainly about the questions that remained around a procurement process and the awarding of a contract. Really, the contribution from Mr Mulholland was completely irrelevant to

the point and the contents of this bill. I know it might be easy just to read articles in the *Herald Sun* for your contribution, but it really missed the mark in terms of the actual content of this bill.

I will go through and outline what the government has actually said in response to this bill. As the government has said, we thank IBAC for the *Operation Daintree* report, and we again note that there were no findings of corruption against anyone in this report, despite the line that those opposite want to run. I might remind Mr Mulholland that we were again returned to government just recently, no more than about eight or nine months ago, with an increased majority. So to say that the community are sick of all manner of things is such a stretch and an exaggeration, but that is what we get from those opposite, because they just like talking to themselves on this sort of stuff. Again, there were no findings of corruption against anyone in this report. The issues outlined in this report did not meet the threshold for corruption, and that is why there were no recommendations in this report for action against any individual.

If you look at the history of this report, it was referred to IBAC originally. They dismissed it, saying that it did not meet the threshold. Then it went to the Ombudsman; they found something, and then they referred it back to IBAC. They are the facts and the truth of the matter, despite what those opposite might actually want to say. IBAC originally dismissed it. The interesting thing is that if you want to have a debate about these sorts of things, the issue really is about the threshold for investigating corruption, if those opposite want to have a proper conversation about it. IBAC has a threshold for investigating matters, and some of these matters that the Liberals opposite talk about are matters that did not meet the threshold. Again, there were no findings of any corruption against anyone in this particular report, and some of the other reports also have not had any findings of corruption against people. There are issues that IBAC wanted to point out and raise because they thought this might be something that people might find interesting and that should be talked about, but the fact of the matter is if it does not meet the threshold, it does not meet the threshold, no matter how much you wish it would or would like it to. The threshold is the threshold. You can talk about it all you like, but the bottom line is there were no findings of corruption against anybody. The bottom line was, again, the report was released and our government said, 'Thank you very much for your report.' We noted there were no findings of corruption. The issues outlined in the report did not meet the threshold, and that is why there was no recommendation in the report for actions against any individual. Again I make that point.

As we said when the report was released, there are ways in which we can do more to clarify working arrangements between departments and ministerial officers. That is something that we said that we would look at. Those staff who were referred to in the report are no longer working for the government, and they have not done so for many years. The two ministers who were the subject of the report are no longer in the Parliament, so if things are highlighted to this government we are very happy to take action to ensure that these things do not happen, and we are considering the 17 recommendations as part of the cabinet process. Again, it is something we take very seriously, and in an earlier contribution on another matter in this chamber today I noted that the government have made considerable funds available to IBAC so that it can undertake its important work. We continue to fund it at record levels because we know how important the work is that IBAC does, because rooting out systemic public sector corruption is in everyone's interests to make sure that that does not proliferate.

I think I remarked in my earlier contribution that when those opposite were in government they were famous – I think it was the Ventnor land deal. And I will talk about Ventnor all the time, because with Ventnor it was a disgrace what happened there. So we know what would happen if those opposite ever got into government. I do not think IBAC would receive the funding that it receives under this government, and again they want to cast aspersions on us. Nevertheless I think our credentials in this area are beyond reproach when we talk about the levels of funding that IBAC got –

**Georgie Crozier** interjected.

**Sonja TERPSTRA:** You would defund them straightaway, Ms Crozier, and you know it. You know it, and you can throw insults from the cheap seats all you like, but the record speaks for itself when we talk about the record levels of funding that this government gives to IBAC to make sure that it does its important work, and that is ensuring that public sector corruption is investigated. As I said, when recommendations are –

**Georgie Crozier** interjected.

**Sonja TERPSTRA:** You should be careful not to cast aspersions on the public service too, Ms Crozier, because again you are –

**Georgie Crozier** interjected.

**The DEPUTY PRESIDENT:** Order! Ms Terpstra, without assistance.

**Sonja TERPSTRA:** Thank you, Deputy President. Again, with the record funding levels that this government commits to IBAC, we know it is important work that they need to do, and again, I really distance myself from the interjections of Ms Crozier opposite making out that there is widespread public sector corruption throughout the public service. The public service is a very important institution.

**Georgie Crozier** interjected.

**Sonja TERPSTRA:** The public service is a very important institution, and I completely reject Ms Crozier's interjections saying that –

**Georgie Crozier** interjected.

**Sonja TERPSTRA:** I reject those assertions from Ms Crozier saying that there is widespread corruption, because if there was IBAC would certainly find it, because that is what they are actually tasked to do. That is what they are tasked to do, and they are funded appropriately to do that. As I said, this report was targeted at an interaction and a very finite interaction – it was about a procurement process. So as I said, we are considering the 17 recommendations carefully as part of the cabinet process. As part of our response further to this, to *Operation Watts* in 2022, we announced sweeping reforms to our integrity system. So when things are brought to our attention by the relevant bodies – not those opposite, who want to carp on about imaginary things – we consider those recommendations, and we will make changes where we can and where required to. We take those recommendations very seriously. As I was saying, after *Operation Watts* in 2022 we announced sweeping reforms to our integrity system, including developing legislation to establish a parliamentary integrity commission and a parliamentary ethics committee to implement recommendations 1 and 2 of *Operation Watts*. So when things are brought to our attention we make sure we implement them.

As I have said, workplace safety is also not negotiable, and we have committed to establishing the new parliamentary integrity framework, including in legislation, which will acquit a major recommendation of *Operation Watts*. We have provided \$8.52 million to the Department of Parliamentary Services to support implementation of the *Operation Watts* recommendations relating to the Parliament, and that work is happening now. So there is a lot of work to do. We are not wasting a minute. We are getting on with it, and we have funded the Department of Parliamentary Services to support the implementation of the recommendations of *Operation Watts*.

I will go on as well to outline the government's record on delivering stronger powers for IBAC and very important integrity reforms, because as I said, we know what would happen if those opposite ever got into government. We know that they would defund IBAC, and we would have a very different landscape. So in terms of IBAC, we have delivered stronger powers for our integrity bodies and we will continue to work on ensuring that IBAC and other integrity bodies have very strong support from this government so they can do the important work that they need to do. In 2016 the government broadened IBAC's responsibilities to investigate all corrupt conduct, including police corruption and



misconduct in public office, as part of their corrupt conduct jurisdiction, again recognising that we need to make sure that the public service are supported to ensure they have the best environment they can work in and that, where people want to report issues of corruption or concern, they are able to do that.

IBAC has significant coercive powers and is not bound by the rules of evidence. Earlier today we had an interesting debate in this chamber about aspects of procedural fairness relating to an earlier bill that Mr Davis brought to this chamber. Again we know that procedural fairness, when you balance it with some of the coercive powers that IBAC have, is something that needs to be taken very seriously and that a person who may be the subject of an investigation has a right to procedural fairness. But as we have seen, there have been some fairly dire consequences as a result of some other investigations, and we want to make sure that that balance is the right balance for people who may be subject to an investigation. As I said, the balance is about ensuring that IBAC can undertake the important function that it needs to whilst balancing proper protection of individual rights and witness welfare. We will continue with IBAC and consider their suggestions to make sure that they have everything they need to do their important work. As I said earlier, we understand how important it is to make sure that the integrity framework is an appropriate one. It allows IBAC to do the work that they need to do whilst supporting witnesses who may be the subject of an investigation and protecting their rights as well.

In terms of donation law reform, the government has implemented the toughest political donation laws in Australia, and our reforms have drastically reduced the size of donations and made sure Victorians know who makes them and who receives them in real time. Anyone can go to the Victorian Electoral Commission website and look at that in real time if they want to have a look – and I think, if memory serves me correctly, there were some questions about some donations to those opposite in the last election campaign; I am not sure where any of that got up to. Certainly because of that transparency people are able to ask questions, and appropriately so. These reforms are currently the subject of a legislative periodic review, and the government looks forward to receiving a report about that in due course.

In terms of freedom of information we made major reforms to freedom of information in 2017, and thanks to that work we have a single body now to oversee Victoria's FOI, public sector, privacy and data protection laws, making it easier to access government information. We gave the information commissioner more investigative powers than its predecessor and introduced faster response time frames for all FOI applications, and what we see is this system is working. According to the Office of the Victorian Information Commissioner's 2021–22 annual report, of the 43,978 FOI access decisions made across government in that period, more than 96 per cent were granted access to documents in full or in part and less than 4 per cent of all decisions were denied access in full. Nearly 80 per cent of FOI requests were processed within the time lines required by the Freedom of Information Act 1982.

I have about 2½ minutes left on the clock, so I might just skip to the funding for IBAC, because I think it is more relevant to this bill. I did mention the FOI commissioner, but I think some of this is more relevant in terms of IBAC. As I said, the 2022–23 budget was \$61.9 million – I said this in my earlier contribution – and then the 2023–24 budget is \$62.2 million. That is an increase of \$300,000. The actual spending for IBAC in 2022–23 was \$62.9 million, which is \$1 million higher than their budget. In the Victorian budget 2022–23 we invested \$32.1 million in additional funding for IBAC as well as a further \$8.6 million in its annual base funding. So funding for IBAC in proportion to the public sector workforce they hold to account is higher in Victoria than any other state.

I might leave my contribution there. I know Mr Galea has a very good contribution he wishes to make on this bill as well. But as I said at the commencement of my contribution, I speak in opposition to this bill, and I also encourage others in this chamber to oppose this bill.

**Michael GALEA** (South-Eastern Metropolitan) (14:44): With that encouraging introduction I also do rise to speak on the Operation Daintree Implementation (No. 1) Bill 2023 and in doing so also affirm that I will be speaking against the bill introduced by Mr Davis. Unsurprisingly, the opposition

does not seem to take these matters very seriously. They do not consider it important to introduce a bill based on good policy work or detail, or to take any other balanced considerations into account – the policy work that any well-crafted bill would have if it were introduced by someone with a serious desire for reform and an idea of what reforms are needed. This bill is unfortunately not a serious bill seeking to implement earnest reforms. As with previous IBAC-related bills and motions introduced by the opposition in this place, this is yet another political stunt, primarily concerned with garnering column inches in tomorrow's newspaper. I wish them all the best with that.

The bill seeks to commence the implementation of the recommendations made by IBAC, the Independent Broad-based Anti-corruption Commission, in the *Operation Daintree: Special Report*, including by amending the Public Administration Act 2004 and the Parliamentary Committees Act 2003.

In previous debates on other matters the opposition all got the same false talking points out – that is, the lack of consultation, not enough consultation and the scope of the consultation was too narrow. Of course these talking points either ignore the extensive consultation or wilfully do not consider the further consultation that has taken place, which is often part of the reforms introduced by government. I make this point because consultation is important in reforming and updating legislation. We have had some very interesting pieces of legislation through this chamber already in this term and what you could perhaps call, not to be too uncharitable, some relatively dull pieces of legislation too. But whether dull or exciting, everything that is put through this place is for a particular reason. As I said in a contribution on a different bill yesterday, it is important that our legislation is at pace, keeps pace, and reforms with our state and its changing needs. I spoke at great length yesterday about the energy field in that respect, and so it is today as well. It is important for this legislation to be put through properly, but it must be done in a considered manner. Implementing reforms requires consideration, deliberation and planning. With any reform, various processes should be followed, with factors considered and taken into account, including how those reforms could impact other aspects of government or related policy arrangements. You cannot rush into these changes because it is politically expedient to do so.

All that those opposite want to do is to attack their political opponents. They are only concerned about getting that so-called fabled win. And wasn't the Leader of the Opposition so excited about his so-called win the other week, when he appeared on ABC radio crowing on Virginia Trioli's show about how for the first time the crossbench was united against the government. The only problem is he actually got the vote wrong. He said the crossbench was united on the government's proposal to refer the Commonwealth Games investigation to the Victorian Auditor-General's Office. It actually was a vote much later in the day when the crossbench voted as one. We know that Mr Pesutto, the Leader of the Opposition, is not good with his numbers, and we know that for a fact because Mrs McArthur seems to be excellent at outwitting him at every opportunity. The Warrandyte preselection was another example of that too. The Leader of the Opposition blatantly made a false statement on radio, crowing about his so-called win, but he could not even do that right because he got the actual vote wrong. So I would suggest to the perfidious Mr Pesutto that he check his facts next time before he goes off making such statements. It is another example of why you need to take these things seriously and take them into proper consideration, rather than just focusing on the wins you can get and then mucking them up when you go on Virginia Trioli's show to talk about them as well.

**Matthew Bach:** Like free kinder.

**Michael GALEA:** I would be more than happy to debate free kinder with you, Dr Bach – I am not sure if I would be pulled up on relevance for that – and the atrocious actions of one of the councils in my region, Knox City Council, despite all the reforms made by Minister Stitt in that field. We have had other councils absolutely excelling in expanding their services, so I am very disappointed in the City of Knox.

But for the purpose of relevance, I will return to this bill. I know the opposition might not be interested in hard work, but this government is, and it has repeatedly proven that it is committed to doing the hard work and doing what matters in the integrity space and in other areas as well. Clearly Mr Davis has not done the legwork, nor does he desire to take the necessary steps to implement the recommendations of a report in the proper manner. Looking at the proposed bill, you can see that:

The clauses in this bill do not deal with all of the issues raised in *Operation Daintree* ...

As has been pointed out, you cannot implement a report, such as the one on *Operation Daintree*, by simply inserting the recommendations into a bill. Frankly, this should be very clear to a member who has been in Parliament since 1996, when I was four years old – a member who will have been in Parliament for more than 30 years by the end of this Parliament. Implementing the recommendations requires more than just inserting the report and copying and pasting it word for word into a bill. It requires proper hard work, proper consultation and proper policy work, the rigour of which we absolutely do not see in this bill put to the house today. Unfortunately, as I say, it is emblematic and a bit of a pattern with a number of these bills which are put to the house as well.

The bill entirely ignores some of the aspects of the *Operation Daintree* report because they relate to matters the government is working on now already, such as the parliamentary integrity commissioner and the parliamentary ethics committee, which we have already committed to establish. The bill will also give a role to the Privileges Committee in preparing and issuing guidance on ministerial responsibility despite the committee not featuring in the report recommendations. Instead the report recommended that the parliamentary ethics committee, when established, prepare guidance about the current scope of the convention on ministerial accountability and its application to Victorian government ministers.

To go a little bit further into *Operation Daintree*, I also do wish to reiterate the fact that no corruption findings were found in this report against anyone. The subject of the report did not meet the threshold for there to be recommendations in the report for actions to be taken indeed against any individual. I am aware that the staff referred to in the report have not worked for the government for several years since, and that is also true for the two ministers, who are no longer in Parliament. Of the recommendations in the report on *Operation Daintree*, the government is currently actively considering all 17 recommendations carefully as part of the cabinet process and indeed as recommended by the report itself. I do note that the deadline for a government response is still some months away too, and that is a deadline that was actually initiated and recommended by IBAC's report in the first place. This process aligns with aspects of the Victorian government's response to *Operation Watts* in 2022. In the government's response sweeping reforms were announced to our state's integrity system, including developing legislation to establish a parliamentary integrity commission and a parliamentary ethics committee to acquit recommendations 1 and 2 of *Operation Watts*.

The government's commitment to integrity goes further, with a decision announced that the parliamentary integrity commission will be able to examine the behaviour of MPs, including bullying, harassment, sexual harassment and victimisation, providing a crucial avenue for complaints to be heard and investigated. The government is committed to the principle that workplace harassment is never appropriate. This is a principle that should apply to us equally in Parliament, our departments, the public service and indeed all workplaces across Victoria. I also believe that this extends to harassment at the workplace that comes from outside the workplace – from customers, from clients and other members of the public, who are not part of the internal workplace structure. Whether you are a paramedic or a retail worker, you deserve never to be harassed, bullied or assaulted at work. All workplaces should be a safe place for workers. In my previous career in the Australian trade union movement, which, Acting President McArthur, I know you are so fond of, one of the most meaningful aspects of the role that I got to undertake was to support people going through awful and traumatic experiences when they had been the victims of such harassment or bullying. I hope to achieve lots of things in this place, but being able to be there for someone and to support them throughout that process is something that is indeed quite special and probably very, very unique as well. I reiterate my support

for those tougher penalties that we did bring in for assaulting emergency services workers in this state, and it will also be good to see further action into the future in other critical industries.

As I say, we have committed to establishing this new parliamentary integrity framework, including in legislation that has already been before this chamber, which will acquit a major recommendation of *Operation Watts*. We have also provided \$8.52 million to the Department of Parliamentary Services to support the implementation of the *Operation Watts* recommendations relating to Parliament. It is worth reiterating that the Victorian government has consistently supported IBAC, including through funding support and increases and by delivering more substantial powers for IBAC and our various other integrity agencies. In 2016 the government broadened IBAC's responsibilities to investigate all corrupt conduct, including police corruption and misconduct in public office, as part of their jurisdiction. Strong protections on the use of IBAC's investigative powers ensure that a balance is maintained between IBAC being able to do its important work and the proper protection of individuals' rights and welfare.

We will continue to work with IBAC in appropriate means to consider their suggestions to ensure that they have the resources they need to continue their important work. Since coming to office this government has delivered record funding to IBAC so it can do its important functions. By the end of the forward estimates, IBAC's funding will be double what it was when we came to government in 2014. In IBAC's 2022–23 budget it was \$61.9 million, with the current forward estimates putting it up to \$62.2 million for this financial year, an increase of \$300,000. The actual spending for IBAC in the last financial year was \$62.9 million, with \$1 million allocated to them above their budget. The Victorian budget of last year also invested \$32.1 million in additional funding for IBAC and a further \$8.6 million in its annual base funding. So in proportion to the public sector workforces they hold to account, funding in Victoria to our integrity agencies, as I have said in other contributions, is indeed higher than it is in other states.

Of course we have brought in nation-leading donation reforms as well. I know some in the media political establishment have not been big fans of that, but it is really important to have these caps in place to enable a fairer democratic process, and I note that it has also been well received by a large number of Victorians. We also made significant reforms to the Freedom of Information Act 1982 in 2017, gave the information commissioner more investigative powers than their predecessor and introduced faster response time frames for all FOI applications. I note that in the information commissioner annual report two years ago, of the 43,978 FOI access decisions made across the government in that period, more than 96 per cent granted access to documents in full or in part, with less than 4 per cent of decisions denied access in full. Nearly 80 per cent of FOI requests were also processed within the time lines as stipulated by the FOI act.

We have also bolstered the Ombudsman. We have permitted the Ombudsman to take complaints over the phone – previously it was only allowed in writing – and reduced the barriers to information sharing between the Ombudsman and other integrity bodies. Regarding the Auditor-General, we have reduced the barriers to information sharing between the Auditor-General and other integrity agencies as well.

So I do not support this bill, for the reasons I have detailed during my speech and also for the reasons that other members have gone over in their contributions. This motion frankly, as we know, is a political stunt. In introducing this bill the opposition has not done its work. The bill is essentially a copy-and-paste job from recommendations in a report with no due diligence, no consultation and no real work or policy rigour behind the creation of this bill. It is not real reform. It is not even half-baked, it is barely in the pan.

I do want to pick up on something from Mr Mulholland's speech, I believe it was, earlier, again pushing the limits of relevance for what is a bill about *Operation Daintree*. He launched a further extraordinary attack against certain members of the Integrity and Oversight Committee. I have got to say I am not a member of the committee, but it is appalling to see members criticised for doing their job. It is not the role of committee members to say, 'Here's a witness. You've got carte blanche to say

whatever you want.’ It is the responsibility of every member of a committee to ask rigorous questions. To see a censure motion attacking them in the other place is appalling – attacking them for basically doing their jobs. It is quite frankly a disgusting thing that demands a rebuttal. So even though it is not relevant to this bill, if Mr Mulholland saw fit to mention it I think that deserves a response. In closing, with my final few seconds, for the reasons I have outlined in the previous minutes of this debate I will not be supporting this bill.

**Joe McCracken** (Western Victoria) (15:00): I move:

That debate on this matter be adjourned until later today.

**Motion agreed to and debate adjourned until later this day.**

**Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023**

*Second reading*

**Debate resumed on motion of Samantha Ratnam:**

That the bill be now read a second time.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (15:00): I rise today to speak on behalf of the Greens in support of our Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023. Corruption in our political system and in our state has real-world consequences for the people of Victoria. It is insidious, and this toxic culture runs through both major parties in Victoria. Nepotism is rife, public money is routinely misused and too often big donors, corporate lobbyists and party powerbrokers have more of a say than the rest of us. It can mean that decisions are made to benefit cronies instead of communities. Why else would this government send a military-style invasion to lock down public housing towers while at the same time leaving only Crown Casino’s towers open during the early stages of the pandemic; or suddenly shelve a levy to build more social and public houses, which we all agree are desperately needed, because the kinds of people who pay \$10,000 to eat with the Premier at the Flower Drum do not like it; or give jobs automatically to political mates instead of running an open recruitment process to choose the best candidate, a process that occurs in literally every other corner of society outside of media oligarchies, crime syndicates and apparently Victorian politics?

You will note that these examples I have provided may not constitute crimes, but they do nonetheless hurt our community badly and erode trust in our politics. That is why the Greens have introduced this bill. It strengthens the powers of our anti-corruption agency IBAC, gives it more teeth to investigate all forms of corrupt conduct from politicians and brings Victoria up to the minimum integrity standards of other states and the recently opened National Anti-Corruption Commission.

Our bill removes the requirement that IBAC may only investigate matters where the conduct would constitute a criminal offence. Not all corruption involves a criminal offence, and this bill would allow for IBAC to investigate the conduct of public officials in cases such as inappropriate appointments to public positions, the awarding of non-competitive tenders, pork-barrelling and serious breaches of the codes of conduct by MPs or ministers. These types of offences may not be criminal, but they are still corrupt, and it is critical that IBAC has the power to investigate them.

Let us be honest: so far in this Parliament barely a week has gone by without evidence of why we need IBAC to have these powers. True to form, two days ago we had allegations made against an Andrews government minister – serious allegations – of fraudulent branch stacking and misuse of electorate office resources, allegations that reportedly have been now referred to IBAC by the opposition, allegations that however serious may not be investigated by IBAC because it does not have the jurisdiction to do so because this bill has yet to pass. This needs to change if standards and behaviour of members in this place are ever going to be lifted from the gutter. The only standard that members of Parliament are required to hold themselves to is to not commit a criminal offence. Imagine starting

a new job and being told that the appropriate standard of behaviour was, 'Do anything you want, as long as you don't break the law.'

When the Premier commented on the findings of *Operation Daintree*, he did just that – he said everything was okay, no crime had been committed. Everything is not okay, and that is why we need this bill. The Premier went on to say that ordinary Victorians were not concerned about this lack of integrity because he gets things done. What a disgrace! Not only is he dismissing the concerns of the community by suggesting that Victorians do not care about dodgy deals being made without their best interests in mind; he is also feeding the community's lack of trust in government by failing to take these issues seriously. Victorians need a Premier and a government who can act with integrity and who can provide our anti-corruption agency with the powers required to hold our public officials to a higher standard. We need more checks and balances to restore trust in governments. IBAC needs more power to hold decision-makers to account.

A true measure of good government cannot, as this government currently believes, simply be the number of level crossings it removes; it must also be accountable and transparent to the community it serves so that the community can be assured it is always acting in their best interests and not just its own. I commend this bill to the house.

**Matthew BACH** (North-Eastern Metropolitan) (15:05): It is good to follow Mr Puglielli on this important bill. I find myself, and on this side of the house we find ourselves, agreeing with much of what he says. I too have been troubled over recent days at continuing to hear the rhetoric out of the government that, 'Well, we get things done' – as if somehow acting in a way that is corrupt and having a finding against you that you have behaved corruptly no longer matters because you have removed some level crossings. I would note that the government increasingly is not getting things done and the list of Labor cuts and closures is growing longer and longer, whether it is the Western Rail Plan, whether it is airport rail or whether it is now cuts and closures to kindergartens. So I would even question that narrative. I agree with Mr Puglielli and I agree with the Greens party when they assert that just because you get some things done, that should not mean that it is okay for you to act in a manner that is corrupt.

We agree that IBAC should have increased powers. We heard in the most recent debate continued overtly politicised attacks on the opposition. Of course, when we were in power for just four years, we put in place the Independent Broad-based Anti-corruption Commission. Since then we have learned so much about corruption in government, and Mr Puglielli is right to point to very serious allegations against Minister D'Ambrosio that, I understand too, have been referred to the Independent Broad-based Anti-corruption Commission. Those opposite may wish to make light of serious allegations of the misuse of electorate office funds – of signing up dead people for the purposes of branch stacking. These things are very, very serious, and we should all view them as very, very serious. That is why I was pleased that all members of the crossbench saw fit to support the opposition bill earlier today, Mr Davis's bill. I think it is right to continue in this place to have ongoing discussions, whether those discussions are led by Mr Davis, whether those discussions are led by members of the crossbench or whether those discussions are led by the Greens party, because despite manifest differences on other matters, we should surely all be able to agree on the great importance of integrity in government.

I perhaps do agree with the Premier's political calculation to date that as long as he continues to be seen to be removing level crossings – debt be damned – then some people may not focus on integrity matters, some people may not focus on the government's corruption to the extent that I would like them to and clearly Mr Puglielli would like them to. However, there is a real cost to corrupt behaviour. There is a cost in terms of a dollar value to corrupt behaviour. There is a cost to having senior ministers of the Crown allegedly behave corruptly – and I am talking about Minister D'Ambrosio of course.

We know that there have been serious findings. Despite what the Premier has said, we know there have been serious findings of corrupt conduct against other members of this government, especially at a time when Victorians are experiencing a cost-of-living crisis. Mr Puglielli refers in particular to

housing, and again I agree. There should be a huge focus on housing affordability, on housing supply – and yet, clearly, the focus of far too many members of this government is on covering their tracks regarding their corrupt conduct.

So there is a cost to the Victorian community in terms of pure dollars, and that is really important when here in Victoria we currently have more debt than New South Wales, Queensland and Tasmania combined and when so many services are being cut or closed – kindergarten services, rail services, for example. There is a broader cost to us as a previously I think very well functioning democracy, renowned for having a strong integrity apparatus and renowned, until quite recently, no matter who was in government, for having leaders who acted with integrity. Famously Mr Cain the younger always refused to even accept a cup of coffee.

Historically, we have been able to agree on much in this chamber and in the other place too when it comes to integrity. That has been harder recently. So I want to thank Mr Puglielli for bringing forward this important bill. We find ourselves agreeing with him on much regarding this broader matter.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (15:10): Acting President McArthur, I might just give a little shout-out to you, soldiering on today. I know it has been really tricky with your voice today, so well done.

**The ACTING PRESIDENT (Bev McArthur)**: I am taking one for the team.

**Sonja TERPSTRA**: You certainly are always a team player, Acting President, and well done – always a team player.

**Enver Erdogan** interjected.

**Sonja TERPSTRA**: That is right, and we like team players. I rise to make a contribution in opposition to this bill. It should come as no surprise to anyone here that the government does not support this bill. I speak in opposition to the Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023 brought by the Greens. I thank the Greens for their interest in this matter, and of course today there has been a bit of a theme in here. We have been speaking about corruption I think for just about the whole day – IBAC, integrity, all those sorts of things.

**Enver Erdogan**: The buzzwords.

**Sonja TERPSTRA**: Yes, but here we are. We find ourselves here again. The government opposes the private members bill moved by Dr Ratnam, and I will go into the reasons in a moment – there are a number of reasons why – but I will also talk about some of the hypocrisy that we see. We have called it out on the side of the opposition, but I will also talk about that on the side of the Greens in a moment. But what I want to do is just highlight again for the record in the context of this bill some of the things that the government has been doing.

The government has publicly committed to sweeping integrity reforms. They have been in much of the contributions that I have made today in regard to these bills that have been before the Parliament and in our chamber. We have publicly committed to introducing sweeping integrity reforms as part of a significant overhaul of parliamentary oversight in this country. We have supported and committed to implementing all 21 recommendations from IBAC's report into *Operation Watts* to ensure that Victorians can be confident in the integrity and ethical conduct of all MPs, ministers and their staff.

We will be creating a parliamentary integrity commissioner with powers to receive and investigate complaints about possible misconduct from MPs. The commissioner will be armed with robust powers and resources, including the power to recommend sanctions. We recognise that this is a workplace like any other workplace really, but of course MPs are not employees; they are obviously recognised in a different way and in different legislation. You know, workers have different rights and are recognised under different pieces of legislation – they have rights to bullying protections, harassment

protections and the like – and of course we find ourselves in this environment and these things do not really apply. But that does not mean that we cannot improve on protections for people who work in this environment, and that is exactly what we are doing. As I said, the commissioner will be armed with all the necessary powers that they need to be able to investigate things, and it is important because we need to recognise that, whether you are an MP or an employee, it is important to have protections in the workplace and it is important that we ensure that we find ourselves working in an environment that is not toxic.

In a previous life I have been somebody who has represented workers over many decades in fact, and it saddens me, as someone who has worked in both private legal practice and the union movement representing people, that what is happening now is that you find that people who are accused of bullying often weaponise that and make it about them rather than the bullying that they do on others. So it is important that we recognise that toxicity can exist on all levels and it can take various forms, and some who might like to say that they are perhaps the subject of bullying can in fact turn that around when in fact they are the bullies. There has been a lot of work done in regard to bullying in other jurisdictions to look at those sorts of things, and I know that any commissioner will have the necessary powers to be able to investigate these things and obviously look at, as I said, robust powers and resources, including the ability to make recommendations and sanctions. So any investigation process is a very important part of that.

We will also be working across the chamber both here and in the other place to establish a joint parliamentary ethics committee with membership from both houses. Both the commissioner and the ethics committee will play key roles in promoting and supporting an ethical culture in this Parliament, which is critically important. We will also establish a parliamentary integrity adviser to provide confidential advice – I know we have already done things like that, there already is an adviser that people can go to here, but this is a further step – and create proactive advice on integrity and ethical best practice to all members of Parliament. I have had previous discussions with the clerks on this. I think with the previous Clerk who was here, Andrew Young, we were talking about the cut and thrust in this particular chamber, for example, and we were comparing it in comparison with other jurisdictions around the world. I think Mr Young was saying that he thought that our chamber was particularly robust in comparison to other jurisdictions. However, I myself have not had the opportunity to observe any of those sorts of things at any great length, but I will take his word for it if that is the case.

We have also got to be cognisant of the fact that we have people who work in this chamber with us who are employees – like the clerks and their assistants and the aides, the Hansard reporters, the attendants – so it is a good thing for us all to be mindful of the fact that we work with a whole range of people in this precinct that make it possible for us to do what we need to do. Treating people with respect is critically important, but also I myself have found that if you treat people with respect you generally get that in return. But, again, I am seeing changes in behaviour of people who might seek to weaponise complaints processes, and those people should be condemned for doing that, because these processes are put in place to protect people and ensure we have an appropriate workplace environment.

We have already updated the ministerial code of conduct, which is now publicly available online, and we will be updating the ministerial code of conduct. We will be clarifying that ministers are responsible for ensuring that public resources made available for the performance of their duties are not used for party-specific purposes, we will ban MPs from employing close family members in their electorate offices and we will be looking at conflict-of-interest controls for both ministers and ministerial staff. For when the issue arises, we will create pathways for people to raise complaints other than with a Presiding Officer. We are also looking at electorate officer recruitment, management and supervision and grants administration to ensure greater transparency and better processes across the board. All these things are critically important as we walk on the pathway to improving integrity measures. It is all about transparency rather than opaqueness. These changes will be supported by careful consideration of related issues and appropriate supporting reforms to make sure that the reforms



achieve their purpose of bolstering our integrity system, and that includes considering the structure and operations of the parliamentary privileges committees to improve transparency and accountability as well.

On top of all of these reforms that I have just highlighted, which have been recommended by IBAC, the government will go further. There will be three additional changes to further strengthen public trust and lift standards across the administration of all political parties in Victoria. Major political parties will need to fulfil minimum requirements of party administration to qualify for public funding. These will include requiring that party memberships are paid by traceable means, mandatory photo ID checks for new members joining a party, proof of eligibility to hold concessional memberships and measures to ensure compliance in using the electoral roll. A lot of these reforms have also been talked about in the Bracks and Macklin review, and some of them have already been implemented by the party. Of course these are matters that are relevant for party administration, but it is necessary and appropriate to highlight them here.

These safeguards will be applied to parties that meet a minimum threshold in terms of size and reflect the high degree of responsibility that major established parties have in ensuring the absolute confidence of all Victorians in their conduct. These new rules will not be applied to small parties so as to not disadvantage any new or small minor parties from being established, because we recognise that some of these requirements might be particularly onerous from an administration point of view, and these new parties particularly may not have the infrastructure necessary, and we do not want to make it more onerous than it might already be. These changes are about making sure that larger and more established parties are held to the standard that Victorians rightly expect from publicly funded organisations.

We will also extend the parliamentary integrity commissioner's powers beyond considering possible breaches of an MP's code of conduct. We will enable the commissioner to examine the behaviour of MPs, including bullying, harassment, sexual harassment and victimisation, providing a crucial avenue for complaints to be heard and investigated. Employment arrangements for ministerial staff will also be codified consistent with Commonwealth arrangements under the Members of Parliament (Staff) Act 1984 to clearly set out the structure, terms and conditions of employment. Work on all of these reforms will begin immediately, and as per the recommendation in *Operation Watts*, the government will work towards the full establishment of a new parliamentary integrity framework, including in legislation, by June 2024.

As you can see, there is a fair bit of work that needs to be done in preparation whilst we work on these recommendations, and we are working really hard on doing that. It is not something that can be implemented immediately, because we need to make sure we have the appropriate mechanisms and framework in place in order to properly implement these recommendations. As I touched on earlier, I note that the Department of Parliamentary Services have also received funding from the government to help them implement the reforms that were recommended by *Operation Watts*, so we have looked across what we need to do in a range of settings that are affected in this Parliament to ensure that we implement these important reforms.

As you can see, the work of strengthening Victoria's integrity system is not simple – it can be quite complex – and we will be working and consulting closely with all members, regardless of their party or the house they sit in, to make sure we get this right. Similarly, we will work closely with our integrity agencies to make sure any broader changes we make to the integrity system are sensible, effective and actually work to improve accountability and transparency. That is just the framework and the stuff I wanted to highlight.

I just want to touch on some of the things that I mentioned earlier about some of the other behaviours that we have seen in public life as well, and some of these things have been reported in the papers. I think this bill that has been brought before the house contains only one really substantive change, and that is amending the definition of 'corrupt conduct' to remove the requirement that it constitute a

relevant offence. Something that I spoke about earlier – I think it was on Mr Davis’s bill – is the jurisdiction of the Supreme Court. It has an inherent jurisdiction to be able to review these things and to overturn things, so again, I am not sure that this bill would necessarily stand up to that level of jurisdictional scrutiny. I said the same thing in regard to Mr Davis’s bill, that sometimes in trying to address one problem you might be creating a whole new set of problems. We have seen in other jurisdictions that some findings have been overturned by the Supreme Court, and I think there was a notable one in regard to a former Liberal Premier of New South Wales, Nick Greiner.

When we think about corruption, no matter where it might exist, it requires a continued effort, a constant effort. You cannot ever just say ‘We’ve made a reform’ and then stop. You have got to keep looking at the sorts of behaviours that occur, because things often come to light through investigative processes that need a different approach. It is plain that this government is committed to the integrity of this Parliament, the executive government and the public service. It is essential to ensure public confidence in our parliamentary democracy, and Victorians rightly expect and deserve the highest level of integrity from their elected representatives. We on this side, as I have highlighted and gone through earlier, are absolutely committed to ensuring that we get this right, and we are doing the work, as I have outlined, to deliver on that expectation.

I think what you see in this bill is that the Greens are positioning this as some kind of silver bullet that will end political corruption. It will not. Like I said earlier, we have got to make a continual effort to end corruption and have appropriate responses and appropriate frameworks when we find it. I think this bill is a tokenistic approach that really is about the Greens cutting deals with the Liberals and the Nationals, working hand in glove with the Liberal–Nationals to concoct a show of integrity that we are debating today whilst glossing over the conduct of some of their own members – and let us face it, some of those things have been reported. So perhaps these sorts of stunts might give a bit of a sugar hit and a social media grab, but really there is a lot more detail, and we just find that some of these things are quite simplistic. Trying to say that there is a silver bullet again is very simplistic. It is not going to end political corruption unless everybody involved in the political system makes a concerted effort to ensure that they comply with the highest standards of integrity and honesty in the Parliament and continue to work on it.

What we saw with the Greens as well included a decision by the Greens to use a parliamentary adviser employed by a Greens MP to promote the Greens City of Yarra councillors. These are parliamentary advisers, as we know, who are taxpayer-funded employees employed to support members of the Parliament and who the public no doubt expect to work on issues pertaining to their MP. Yet a decision was made by the Greens to use their parliamentary adviser to further the Greens party agenda through the promotion of Greens councillors with media releases. This is despite the City of Yarra having their own media team. This is exactly the kind of conduct that the Greens want to call those on the government benches out about. But if you are going to do that, you have got to have clean hands, and of course we know that they do not. This behaviour went on for over a year after the November 2020 local government elections, according to reports in the *Age*, conveniently in the lead-up to the 2022 state election. The Victorian Greens in the state election championed themselves as the party of integrity and placed political righteousness at the heart of their election campaign. However, this was not practised. In practice, they did not practise what they preached. They used their parliamentary adviser to spruik a Yarra councillor and then the mayor of Yarra council, who was also a candidate and is now the member for the seat of Richmond in the other place.

It does not stop there. The Greens, who preach transparency, good governance and anti-corruption, are quick to condemn but fail to reflect on their own conduct and own example. We are talking about the same Greens who are quick to ignore due process or consider any findings and recommendations from the party’s own internal misconduct panel. These are the same Greens who deemed a decision made by their own misconduct panel to carry no weight. To add insult to injury, as reported in the *Age*, the Greens then went another step further and sacked their internal misconduct panel for that

unfavourable finding. If I can quote from the sacked misconduct panel chair David Eldridge, who articulated what the real issue is with the Greens, in his view:

... the confidence they have lost is not in the capacity of the panel to apply the rules fairly, it's in the capacity of the panel to apply the rules with results that suit them. Disciplinary tribunals aren't impanelled to suit the professed needs of a particular body.

So how can we trust the Greens or, more importantly, how can the Victorian public trust the Greens on any matter of integrity when their own behaviour, their party processes or lack thereof and their own integrity is in question? Who are the Greens to be the moral guardians when they cannot get their own house in order?

We see these examples time and time and time again. Whilst they will try and bring this bill up, as I said, it is really about a sugar hit, it is really about the social media grab – 'We can stand up there and say we've brought this bill on integrity.' But again, those on the government benches know and understand that it takes more than posturing, it takes more than a social media grab, it takes more than a stunt, it takes more than standing out the front of Parliament waving a placard and saying 'The Greens the pure', because we know it is a lot more than that. There needs to be integrity and frameworks.

I have gone to great lengths today in my contribution to outline all of the work the government are doing and how seriously we are taking the recommendations from *Operation Watts*. I might just again for a moment – and I did this earlier, but I am going to reiterate this point because it is important – talk about our record. We have a record of working on these things. I know, Acting President McArthur, you are enjoying this contribution – I know! We have a proud and strong record of all the actions that we are taking. Again, the 2022–23 budget was \$61.9 million and the 2023–24 budget is \$62.2 million. That is an increase of \$300,000. Then, actual spending for IBAC in 2022–23 was \$62.9 million, which is \$1 million higher than their budget. So in 2022–23 we invested \$32.1 million in additional funding for IBAC as well as a further \$8.6 million in its annual base funding. So funding for IBAC in proportion to the public sector workforce they hold to account is higher in Victoria than in any other state, because when we are asked to help our integrity agencies – because they come to us and they say, 'We need more funds to do our job properly' – we respond and say, 'Yep. Here's some more money.' That is what we do over here.

When we get reports from IBAC – and again, I talked about this in my contributions earlier today – those reports that have been undertaken by IBAC with recommendations, none of them have found adverse findings on government members over here. None of them have found adverse findings. So again we continue to –

**David Davis:** On a point of order, Acting President, the member needs to be truthful and not mislead the chamber. The fact is these IBAC reports have been replete with negative findings about the government – shocking findings.

**The ACTING PRESIDENT (Bev McArthur):** This is debating, Mr Davis. There is no point of order.

**Sonja TERPSTRA:** Thank you very much, Acting President. I appreciate your ruling. It is a very wise ruling indeed. As I was saying, there were no adverse findings in any of those reports. There were no adverse findings against individuals, Mr Davis. You can sit there and heckle as much as you like.

**David Davis:** On a point of order, Acting President, the member knows that what she is saying is not true. There were negative findings about Theo Theophanous and his misbehaviour.

**The ACTING PRESIDENT (Bev McArthur):** Mr Davis, I have just ruled on that. There is no point of order.

**Sonja TERPSTRA:** Thank you, Acting President, again, for your very wise and informed ruling on that non point of order. I shall continue. Again, we know over here that it is important. As I said

earlier, this area is never static. It evolves. Behaviours evolve. People will look to try new things and new ways to subvert.

**David Davis** interjected.

**Sonja TERPSTRA:** Well, Mr Davis, I can take up your interjection and talk about Ventnor if you like. What about when you guys were last in government? Do you want to talk about Ventnor and Matthew Guy as the planning minister in the other place? Would you like me to talk about the windfall gains that came out of the rezoning of land?

**David Davis** interjected.

**Sonja TERPSTRA:** Acting President, I take offence at Mr Davis pointing his finger at me, and I suggest he not do that.

**Enver Erdogan:** On a point of order, Acting President, could we please speak through the Chair? Could everyone just be a bit more respectful? I am struggling to hear Ms Terpstra's important contribution to this debate.

**The ACTING PRESIDENT (Bev McArthur):** You are probably struggling to hear me, too, are you, Minister? Through the Chair, Mr Davis.

**David Davis:** Acting President, we are responding to provocations.

**The ACTING PRESIDENT (Bev McArthur):** I do not need Mr Davis's intervention.

**Sonja TERPSTRA:** I know it provokes ire from Mr Davis to actually hear the reality and the actual details of what has happened. I know he wishes that it were different. If it was not for wishing, he is trying so hard to wish that these things were different, but they just are not. It does not matter how many *Herald Sun* articles or *Sky News* talking points or after dark talking points get written for you guys over there. I know you keep banging away and you just wish it might be different, but all I can point to is the fact that at the last election, I think eight or nine months ago, we were returned to the government benches with an increased majority. So despite you over there on the opposition benches wishing it was different, it just is not.

Nevertheless, having said all of those things, when we talk about integrity, I can again raise Ventnor and Matthew Guy, the former planning minister, rezoning land that benefitted some of your Liberal mates.

**David Davis:** On a point of order, Acting President, the member well knows that she is not entitled to attack sitting MPs other than through substantive motion.

**The ACTING PRESIDENT (Bev McArthur):** I uphold that point of order. Ms Terpstra, please stick to the knitting.

**Sonja TERPSTRA:** Thank you, Acting President, and I do apologise because I know I am making you talk a lot, and I know you need to save your voice. However, again, on this issue I think we all agree in one respect – that we all need to work harder at ensuring that we have a strong, robust integrity system so that we can root out corruption.

The debate in this chamber today has been a little bit concerning to me, because I note that there were some strong contributions made by Mr Puglielli around this. What we do not want to do is cast aspersions around the public sector in saying that there are really deep systemic issues of corruption in the public sector, because we know our public sector is a very important institution and body that does a lot of good work in supporting the work of government. Let us face it, the public sector and the public service are there to actually carry out and implement the policy of government. They have roles, there are departments, they have functions to play and a lot of our public servants work incredibly hard at doing that as their job. I thank them, actually, for their contributions to public life, because we know sometimes being a public servant is not easy. They work incredibly hard.

I do not think it has been quite right today to cast aspersions on many of our hardworking public servants in the public sector. What I can say is that, when integrity agencies have drawn something to our attention and recommendations have been made – noting that there were no adverse findings made against anybody – we look at the recommendations and we work on them. As I said, in my contribution today I have gone to great lengths to outline all of the work that this government is doing to set up the framework so that we can fully act and fully implement those recommendations. It is really critically important to make sure that parliamentary democracy is upheld. Victorians need to have confidence in our systems of democracy, and they deserve the highest level of integrity from their representatives who are elected to this place. As I said, we are doing a lot of work on this side of the chamber to make sure that that is a reality.

I note the member's interest in this particular area, and I acknowledge Mr Davis's interest in this area as well. I think everyone has some kind of obviously political agenda with these sorts of bills, and that is fine. We are in politics, and that is what it is. But realistically, some of these bills have been ill conceived. I said the same thing in regard to Mr Davis's contribution, and I think it is the same with Dr Ratnam's bill that she is bringing in this chamber today.

**Enver Erdogan:** Why didn't they merge the motions?

**Sonja TERPSTRA:** Exactly, we have got competing bills here. As I said, you cannot do what the Greens are suggesting, because it is not actually going to really achieve an ultimate end to any political corruption. I highlighted this earlier around things like the inherent jurisdiction of the Supreme Court. In fact doing these sorts of things might actually create unintended consequences and create further problems. I touched on Mr Davis's bill earlier. A person has a right to privacy, and that is actually a human right.

We see that those opposite and the Greens are kind of on a unity ticket. The Greens work with the Liberals quite often on a whole range of things. We talk about transparency and talk about making sure that the Victorian public and voters have transparency, a line of sight on the actions of their elected representatives. The Greens often work with the Liberals on a range of things to try and implement their particular agenda, whatever that is. Again, the changes that will need to be supported need careful consideration and appropriate supporting reforms to make sure that we can achieve the proper purpose of bolstering our integrity system. I do not think that the bill brought by the Greens will actually do that. I think, as I said, there will be some unintended consequences. It does not really add anything.

What we are doing is looking at the reports that have been delivered by IBAC in terms of the investigations that they have had, and what we are seeing is that the government has carefully considered those. I have outlined them. We have undertaken a range of measures to make sure that we can implement the recommendations.

**David Davis** interjected.

**Sonja TERPSTRA:** I will talk about Ventnor again if you like. Make it the third time. Honestly.

**David Davis** interjected.

**Sonja TERPSTRA:** Ventnor, Ventnor, Ventnor. We can talk about Ventnor as much as you like. You have got no credibility, Mr Davis. You made the point of order to me, and I will make this comment to you as well: if you want to make an accusation about a member, you do it by substantive motion. The Acting President has ruled on these interjections from you as well, so I think in the last minute that I have left I would like to continue on without your assistance, if you do not mind, because I will keep mentioning Ventnor if you keep it up.

Anyway, as I said, we have looked across a range of things to do with this bill, and we are responding to the reports that have been delivered by IBAC, noting there have been no adverse findings against people. They have made recommendations, noting that some of these investigations have in fact fallen

well short of the threshold for IBAC to investigate. Nevertheless when recommendations have been made by reports, we have acted on them.

Acting President, I think I will leave my contribution there. I thank you for your patience and your very wise determinations in regard to points of order during this debate. As I said, I encourage members in this chamber to also vote against this bill, which the government opposes.

**David DAVIS** (Southern Metropolitan) (15:40): I am pleased to rise and make a contribution on this Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023. This is part of a constellation of bills. Let us go directly to the attack made just now and explain to the chamber and the community precisely what is going on here. We actually have a long-term tired and corrupt Labor government. It is crooked to the core, and there are incredible problems with the behaviour of this government.

There are undoubted weaknesses that have developed over time in the Independent Broad-based Anti-corruption Commission Act 2011, and I am proud to have been part of the government that brought the IBAC act in. There was no IBAC act under the previous government, and the Brumby government would not bring forward an IBAC act. They would not bring IBAC into existence. The Baillieu government did, and it was a strong act, but that is not to say that it was not beyond improvement.

The IBAC has brought forward a series of reports to this chamber over recent times. Last year and this year matters have been raised by IBAC both in reports and in correspondence, and I think it is important for people to understand precisely what is occurring here in the chamber. The Greens have made a significant contribution, and I am happy to put that on record and to say that they are concerned about corrupt government behaviour and they want a better system. We in the opposition, the Liberals and Nationals, are also concerned about corrupt government behaviour, and we want to strengthen the system. We want IBAC strengthened, and we want it to have the powers to root out corruption, to stop corruption to the maximum extent possible.

Let me be clear here. Why is this important? It is important because we know from international groups, Freedom House and others, that have assessed the levels of corruption around the world that between 3 and 10 per cent of transactions have some level of corruption involved. If 5 per cent of this government's transactions were in some way tainted or corrupt, that is an enormous amount of money. It is government resources, thereby community resources and taxpayers resources, that we want to make sure are applied for the proper purposes. We want lower taxes, and we want proper services that are supported by contracts and procurement that is clear and clean of corruption. So these things do matter. They have real-world consequences, and it is a fact as well that we all want a system that is as pristine as possible. Clearly it is impossible to have a perfect system, but we can make it better than it is now.

I am just going to step through this quickly. The Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022, which was passed by the chamber today, came about directly from communication from Robert Redlich AM KC, the then Commissioner for IBAC. He wrote to Jaclyn Symes and me as the, at that time, Leader of the Opposition in the chamber and said there is a problem with the ability of his organisation, IBAC, to get reports through to the Parliament because of misuse and misbehaviour in effect – and I am paraphrasing him here – in the Supreme Court and a number of people, on whom negative reflections were made, using legal shenanigans and procedures to block the tabling of reports. That bill, including the modifications that I made at the behest of others in this chamber and beyond, was a sincere attempt to help with that problem. It was carried in this chamber by the crossbench almost in its entirety – and the opposition – and I thank them for that support. It went downstairs at 12:30 today and was crushed without debate. The lower house under Labor with its jackbooted approach would not even debate it – would not allow it to be read. How undemocratic is that? So that is the timely reporting bill.

The Independent Broad-based Anti-corruption Commission Amendment (Public Recommendations) Bill 2023 – that is the bill that was second read today and will lie over for two weeks – is again

following the advice of Robert Redlich and others that there be the ability for IBAC, where they see it as appropriate, to actually put in place a system where they table or on their website release some of the individual reports to agencies when they are not big enough to make a full report about but there is useful material in there that is educative in its function and also helps the implementation. Tabling those or putting them on the website is a sensible way to go, again in response to Robert Redlich's recommendations.

The Operation Daintree Implementation (No. 1) Bill 2023, which we were just debating earlier, is an important bill. It actually picks up many recommendations, but not all. That is why it is Daintree number 1. It does not claim to do everything about Daintree, but it picks up the sensible, easily implementable recommendations that the IBAC made in the Daintree report. I mean, that report would make your hair curl. Let us be clear what was going on here: the awarding of a well over \$1 million contract to a union, a mate of the government, without a proper process and without proper procurement, giving them money – and nobody in the public service thought they were capable of delivering the services that they were being paid for. So it was like a straight suck: more than \$1 million paid to the union without a proper process. It was crooked to its bootstraps. There were negative findings in that. It was crooked. It was corrupt. Let us be clear: corrupt is what it was. We say it should not happen like that. We say that that was wrong. We say that that needs to be dealt with. The recommendations in the Daintree report were pulled back, and many of them were put into that bill.

With the Independent Broad-based Anti-corruption Commission Amendment (Restoration of Examination Powers) Bill 2022, people in this chamber had different views on the changes that should be made to IBAC's powers, and this bill from the Greens addresses part of that. But the earlier bill also addressed that, and that is at the Integrity and Oversight Committee for examination now.

The *Operation Clara* report is a very small report but an important one, because it points to corrupt behaviour – let us be clear what it was – of former Labor MPs and others in the planning area. What was occurring was that Theo Theophanous was sitting on the board of the Victorian Planning Authority. He was making planning decisions. He had a client over here and he was a lobbyist as well. He had two hats: he was a lobbyist and he was actually lobbying on behalf of his client to the body that he sat on the board of. And he went further. He actually collected corruptly – let us be clear what was going on here – money for his daughter's election campaign. The thing was crooked to the core. It should not have occurred. Clara had four sensible recommendations. That bill was passed through this chamber with the support of every single member of the chamber other than Labor, and then it went downstairs to be crushed by the government with its majority down there, without debate. They would not even look at it – would not even entertain it. How undemocratic was that? They just used their jackboot numbers in the chamber to crush a very sensible bill that was based entirely on the four recommendations that were made.

The other thing I want to draw the chamber's attention to is the attacks on the former commissioner at that hearing of the Integrity and Oversight Committee. I think that was appalling. I do not recall seeing such scandalous attacks of that type on someone of Robert Redlich's background and esteem, and I think that the three Labor members involved did themselves no credit. I think it was wrong. I think the committee tried its best, but the fact is the Labor members of the committee did not do the right thing. I for one stand with Robert Redlich on this rather than with the Labor members of the committee with their behaviour.

I want to talk about this bill very directly after having talked about that context about where things are.

**Jaclyn Symes:** Context!

**David DAVIS:** I was directly responding to some of the points that were made by a Labor member, and actually you do not doubt that. I did. I directly responded to her complaining about the number of bills on corruption and the number of bills on IBAC – the number of bills trying to deal with this – to explain why. Perhaps it was helpful for her and others to understand that.

But in the context of this bill, we do not agree with every aspect of the way the Greens have presented this bill. I will be quite clear on that. We would probably tweak this in a number of ways. But we think it is a sincere attempt to get in place a better system to give IBAC the increased powers that it needs. We think it is too narrow now, and we think there needs to be improvement in the way the IBAC powers are construed. In that circumstance we are not going to oppose the bill. We are going to say actually it is important to go forward on this at this time. Again, we have a corrupt long-term government that needs as much scrutiny in this field as possible, and this bill will assist with that matter.

Widening the definition of what IBAC can investigate, the definitions will be amended. Clause 4, under the definition of ‘corrupt conduct’, says:

**omit** “being conduct that would constitute a relevant offence ...

as defined by section 4(1) of the IBAC act. Clause 3 says:

In section 3(1) of the –

IBAC act –

... the definition of *relevant offence* is **repealed**.

So this makes it wider. There is a context to this, a national context, and again I am conscious of time. The national context is that a number of different regimes operate around the country. The new national body, the National Anti-corruption Commission, has a wider definition than Victoria’s and allows a wider range of investigation. The New South Wales ICAC has a wider definition that enables a wider set of investigations to occur and more in the way of public hearings. We accept that the widening is right in direction, and we accept that the national and New South Wales models have much to commend them.

All these things are a balance. I will go on and say the amendments will have the effect of removing the current requirement that corrupt conduct must also constitute an indictable offence or a specified common-law offence. That is the current situation, but they will open that to a wider set of investigation. Daintree is a case study where it was too narrow and they could not make a number of the recommendations that they would have liked. I might say that in New South Wales there would have been public hearings on something like Daintree.

Andrews has been to IBAC four times that we are aware of, either as a witness or as a person of special interest. We do not know in a number of these cases. We know Operation Richmond is still at large, still being slowed down in the courts, we hear, but Andrews, the Premier, has been off to IBAC again and again and again and again. I will just say this: if a Liberal Premier had been at IBAC four times, they would have been hounded out of office. There is an uneven application on these matters. A Liberal Premier would have been hounded out of office, but a Labor Premier four times has been at the anti-corruption commission. Understand what we are talking about: Daniel Andrews has been to the corruption commission four times, and he should have been hounded out of office. He should have gone a long, long time ago.

This is a sensible step, a sensible direction that the Greens are wanting to go. The former IBAC Commissioner Robert Redlich has recommended a change of this nature to be made. The Centre for Public Integrity has made recommendations that a change of this nature be made. We are open to the steps here. That is why the Independent Broad-based Anti-corruption Commission Amendment (Restoration of Examination Powers) Bill 2022 was here in the first place. It was a more modest bill – we accept that – and that is why we were open to sending that to the Integrity and Oversight Committee, because we think there need to be steps.

The case has become stronger since then as more reports have been tabled in this place – more reports that would make your hair curl, more reports that would make any reasonable person conclude that this long-term, tired, corrupt government has got to go. But there have got to be greater teeth to get in there and actually root out the corruption that is part of this government. It is a shocking government,



it is a crooked government and it is rotten to the core, and the votes that these Labor members undertake in this chamber are to oppose reform on every turn. They oppose every reform. They have these long arguments. We see them reading from their cheat sheets that are provided from central casting. They all read the same thing. Some of them do not even understand it. We saw a Labor member yesterday read their cheat sheet for the wrong bill. Leaving that aside – I am not having a go at that person in particular – I am just saying that on this corruption matter it is not good enough. For bills that have been passed by this place to go to the lower house and be crushed instantly before they are even read is wrong, and that is why we will not be opposing this bill.

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (15:55): I just have a few remarks, really, to make in relation to the bill. I know that there has been a lot of commentary. It is always everyone getting up and about a bit when it comes to integrity, but I will leave that for others. I was just interested in discussing the bill and some of the other initiatives that the government has underway and giving some context as to why we do not think this bill is a good step forward. We think it has got some problems. Of course calling something ‘ending political corruption’ – sure, it sounds good, doesn’t it? I wish it was that simple. That would be great. There are lots of titles for legislation that I could dream up, if only it was that easy. But in substance this bill really only contains one solitary, substantive change, and that is to the definition of ‘corrupt conduct’ – and as I said, it is appearing to claim that that definitional tweak will end political corruption. I have some concerns with the bill. The intentions are fine, but it is not going to achieve that in the way that the Greens have outlined.

I do want to at the outset make it very clear that the government is committed to integrity: integrity of every member of Parliament, integrity of the government and integrity of the public service and our agencies. Integrity of course is critical to ensuring public confidence in democracy, and Victorians rightly expect the highest level of it from their elected representatives. We are certainly as a government doing the work to deliver on that expectation – delivering real accountability through a range of mechanisms.

As I said, it would be lovely if it was just simply that three pages could bring about substantive change in any event, but that is sadly not the case. Changing just a definition is in our view not going to achieve any real, meaningful change in the way the Greens have articulated it. Certainly a simple definitional change is a bit simplistic. To bring about real change you need nuance, balance and careful consideration. You need meaningful consultation with integrity bodies, and you really need to understand the operational impacts of such reforms.

Our commitment to a range of reforms is well known. That is why we delivered the Victorian Independent Remuneration Tribunal in the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019. It is why we have committed to implementing all 21 recommendations in the IBAC and Victorian Ombudsman’s joint *Operation Watts* investigation report in line with their recommended time line of June 2024, and it is why we have actually gone further than *Operation Watts*, further than what was recommended by those integrity agencies, and committed to implementing three additional measures to further strengthen public trust and lift standards across the administration of all political parties in Victoria.

We do recognise that there is more to do. There is always more to do. We will keep listening, and we will continue to make sensible improvements across the board when there is merit to do so. What we certainly do not want to do is just come charging in and claim that we are ending political corruption with one definitional change.

Clause 4 of the bill is effectively the substance of the bill. It removes the requirement that conduct must constitute a relevant offence under the act. And it is proposed that the amendments take effect retrospectively so that conduct that occurred before the commencement of the amending act can also be investigated without the requirement for a relevant offence. It proposes to remove the reference to a relevant offence in the definition of ‘corrupt conduct’ in the Independent Broad-based Anti-

corruption Commission Act 2011. But this definition of ‘corrupt conduct’ is not in isolation in that act, which is one of my concerns about the operability of this bill if it were to become law, because the definition of ‘corrupt conduct’ is used in other acts, including the Ombudsman Act 1973 and the Public Interest Disclosures Act 2012. When you start tinkering with definitions, it can have consequences and impact the jurisdiction of other agencies, and it may well lead to unintended consequences that you really should ensure that you have examined before you proceed with a bill of this nature.

Expanding the scope of an integrity agency or indeed any agency without talking to them about how it will impact them as an agency, how it will work in reality, how they will resource it and how it will impact their staff and operations is not the way you should bring about legislation. You also should not reform something as complex as an integrity system like it is paint by numbers – one colour, one change, at a time. As I said, it is a complex system. It interacts with other agencies, and you really need to take a global view of these things to ensure that any changes bring about your intended impacts.

Any amendments that we make, such as those that we have committed to following *Operation Watts*, for instance, should be considered when we make these other amendments. It is why we are also considering the *Operation Daintree* recommendations and what they could look like. We are doing that in conjunction with our development of the commitment to implement the *Operation Watts* recommendations, because you do not want to start one that then disrupts the other. There is significant work underway as part of the government’s integrity reform agenda. We have a commitment to appoint a parliamentary integrity commissioner, whose remit as recommended by IBAC and the Ombudsman would directly compete with the additional jurisdiction that the Greens are proposing for IBAC. So we would urge consideration of how it would be envisaged that those two work together if this bill were to proceed. It is why we take time. Time can be frustrating; you want changes quickly. We are politicians; I know we are all impatient, I get that. But I also see the consequences if you get it wrong, and that does not serve anyone’s purpose, particularly not those Victorians that rely on us to do our job properly. It is why we as a government consult thoroughly and carefully with our integrity agencies to determine the impact of proposals before we introduce them and to make sure that they do not introduce inconsistencies, and we are already seeing a few red flags in this bill.

That is fundamentally why we are not in a position to support this bill. We do acknowledge the intention behind it, and we commend the aspirations of anyone that claims that they can end political corruption with the stroke of a pen. I think there is more work to be done, and I have certainly outlined our commitments in that regard. The work of strengthening Victoria’s integrity system is certainly not simple. I wish it were; it would make my job a lot easier. But it is a complex space. There is continual work underway, and this bill is not helpful in that regard.

As I said, we will continue to work closely with all of our integrity agencies to make sure any broader changes that we make to the system are sensible, effective and actually work to improve accountability and transparency. We are certainly not in a position to support a bill that is really just a three-page catchphrase that has some consequences that I do not think the Greens have thought through. The government commends the title – not the bill, though.

**John BERGER** (Southern Metropolitan) (16:04): I rise today to speak on the Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023. This is a bill that seeks to amend the Independent Broad-based Anti-corruption Commission Act 2011. These amendments are entirely inappropriate to the functioning of the IBAC. I too will not be supporting this bill, and I encourage others not to support it as well. The IBAC was established to prosecute serious corruption in public bodies. At this stage, it does just that. It does competent and effective work in that field, and everyone who works for it and has assisted in any IBAC investigation should be commended for the important work they do for this state.

It is of utmost importance that the public have confidence in their Parliament and government, and that is the role the IBAC executes in Victoria. I am very proud not only to live in a state with such a robust anti-corruption commission but also to be a member of a government that is committed to

empowering and supporting said IBAC. The government has made countless commitments not just to implement the recommendations put forward by the IBAC's *Operation Watts* report but to go beyond to ensure that Victoria's integrity agencies are as robust as they can possibly be. However, this bill flies in the face of what IBAC was established for. It flies in the face of our integrity bodies altogether. I believe the Attorney-General is on the record in *Hansard* countless times outlining the nature of the government's relationship with the IBAC as mediated by the role of the Attorney-General. Where fit, IBAC makes recommendations to the Attorney-General, and we will always consider them. Most importantly, when implementing recommendations we will take our time to ensure that, in a legislative sense, we get it right.

These are not trivial matters that my colleague is dealing with. My colleague claims that her bill does one thing, essentially, in altering the definition under the Independent Broad-based Anti-corruption Commission Act for the key focus of both the act and the relevant commission. This definition being amended is that of corrupt conduct. My colleague has proposed amendments that would alter section 3(1), that being the definition surrounding the term 'corrupt conduct'. This is a three-page bill, and the massive, complex issue of combating political corruption is a closed book. This is not an example of good legislation reform; it is an attempt to draft an amendment bill with a flashy name.

The definition of 'corrupt conduct' that may be prosecuted by the IBAC covers conduct that if found to be true could lead to criminal prosecution and charges. This is in reflection of the seriousness of the cases and complaints that the IBAC was established to investigate. The bill seeks to seemingly indefinitely extend the umbrella of conduct that would cause one to be investigated under IBAC. Should we extend IBAC's jurisdiction to the standing orders? Should an MP be prosecuted by IBAC for a failure to wear a tie in the chamber? Does that seem like the worthwhile use of one of the most essential institutions in our state?

But no surprise, the government is committing to addressing all holes in our system that allow an individual to act with disregard for our important conventions and laws – disregarding this oversimplified approach to a problem that is anything but simple. It is indicative of the fact that it is only the Andrews Labor government that is fit to address the maintenance and support of IBAC in Victoria. I wonder if in writing this bill any thought was given to the unintended consequences that would have come of this. It should come as a shock to no-one that the term 'corrupt conduct' appears several times in our state's legislation. This includes but is not limited to the Ombudsman Act 1973 and the Public Interest Disclosures Act 2012. Whilst this bill suggests that it is only amending the Independent Broad-based Anti-corruption Commission Act, it will have a ripple effect that will run the risk of completely altering the structures of our integrity agencies. Our integrity agencies conduct work that is complicated and intertwined. When reforming our integrity agencies, it is essential that the possible flow-on effects be considered.

Additionally, this bill has clearly not considered the huge amount of work being done by the government. We are working on the implementation of the 21 recommendations of the *Operation Watts* report delivered by IBAC. We cannot run the risk of ruining the outcomes of these. The recommendations will introduce a series of reforms, all with the express purpose of upholding the ethical standards and conduct expectations of anybody and everybody. This means everyone in the Parliament of Victoria, this precinct, including members of Parliament, ministers, ministerial staff and electorate officers. Some of the recommendations are as follows: the creation of a parliamentary integrity commissioner equipped with all the robust powers and resources necessary to investigate complaints against MPs, and the establishment of a parliamentary ethics committee that will be filled by members of both houses across party lines.

The parliamentary integrity commissioner and the parliamentary ethics committee will each be integral in the support and promotion of the ethical culture in the Parliament and in ensuring confidence in their Parliament. Members of Parliament will also have a point of call if they have any inquiries. The parliamentary integrity adviser will be established to give MPs confidential advice on the best practice model for MPs. The Andrews Labor government is right in the middle of reforming

and updating several codes of conduct. The ministerial staff code of conduct now published online has already undergone several changes, and the ministerial code of conduct has been examined and made up-to-date. These reforms include clarifying their responsibilities surrounding the use of public resources and a specific focus on ensuring that use be non-party specific. There will also be reforms to conflict-of-interest and employment guidelines. We are also examining electorate officer recruitment, management and supervision and grants administration to promote transparency surrounding exactly where public money is going. The Victorian people deserve no less.

The Andrews Labor government is not stopping there. We are going beyond the recommendations of the *Operation Watts* report to ensure that we can further promote public trust and confidence in the political parties that ultimately end up representing them. This is how you fight political corruption: with careful, considered and informed measures. The Andrews Labor government is introducing four key reforms that directly affect the conduct of political parties and their membership processes, to acknowledge the importance of transparency. They apply directly to major political parties, and breaching of these requirements may affect the parties' eligibility for public funding. The first reform is the requirement to present a physical ID when an individual joins a political party in Victoria. The second reform is the requirement to use traceable payments when paying for membership. The third reform is the requirement to present proof of eligibility to hold concessional membership cards.

An additional measure is to ensure that compliance with procedures is observed by all major political parties when using the electoral roll. This only applies to parties that meet certain size requirements. This is not to discourage the establishment of smaller parties in Victoria whilst also acknowledging the responsibility that major parties in Victoria share to uphold integrity within the democratic system in this state. We do not want to discourage the establishment of small parties because it is essential that every Victorian can exercise their democratic right in a way that is fair and representative of the people. This is because the Andrews Labor government takes fairness and integrity very seriously. You need only look at recent history to see that the Andrews Labor government is a government that is committed to supporting, endorsing and promoting our integrity agencies. It was the Andrews Labor government that introduced the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019. A huge amount of work has been undertaken by the government, and it is effective work, unlike this bill.

As is so clear, this bill is inappropriately being introduced to the house and is not necessary for the mission the Victorian government is undertaking to ensure that we have the most robust and strong integrity agencies in Australia. Because of these facts I cannot support this bill, nor can I endorse it to my colleagues. To be so brazen with our state's integrity laws is no way to strengthen the integrity agencies. Carefully informed reform: that is how you get it done and how you get it done right. I urge my colleagues to vote against this when it comes to a division.

In concluding today, we are strengthening Victoria's integrity agencies. We will be working to strengthen them. We will be consulting carefully with all members, regardless of their party or the house in which they sit, because we want to get this right. My door is always open as a member of the government. If someone wants to come in and chat to me in a meaningful and constructive way about strengthening our integrity agencies, feel free. Similarly, we work closely with our integrity agencies to ensure any broader changes we make to integrity agencies are sensible, sound, serious, effective and efficient and work to improve accountability and transparency.

We are not here to rush a few pages into legislation in the Parliament and call it a day. I reiterate the Andrews Labor government's stance in doing so and urge the members of this house not to support the Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023.

**Rachel PAYNE** (South-Eastern Metropolitan) (16:14): I rise to make a contribution on this Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023. I will say at the outset that Legalise Cannabis Victoria will be supporting this bill. As

members of this Parliament we have been afforded the great privilege by the people of Victoria to serve them and represent them. Public trust in our democracy is low, with a perceived lack of integrity across the board in Australia's political and bureaucratic processes. Good governance and integrity are important to the people who have elected us. In polls taken prior to last year's election, integrity in politics and governance was ranked as one of the three major issues of concern for voters. Voters want to see transparency and governmental accountability in decision-making processes at all levels of government. This bill before us would expand IBAC's jurisdiction by broadening the definition of 'corrupt conduct'. Currently a relevant offence is defined as an indictable criminal offence as well as certain common law offences. This bill would give IBAC the ability to identify, investigate and expose allegations of non-criminal corruption in our public sector, conduct that might include, for example, the awarding of non-competitive tenders for government contracts.

This legislation would bring Victoria into line with other corruption agencies across Australia, including the new National Anti-corruption Commission which features the ability to investigate conduct that is not unlawful but corrupt conduct. It is sensible reform in the public interest. We in Victoria have led the country in progressive reform like medicinal cannabis and voluntary assisted dying and there is no reason why we should not lead in terms of integrity, transparency and accountability.

We could not only expand the reach of IBAC, but we could consider broader integrity reform measures also, like a hard cap on electoral spending and open ministerial diaries. Corruption of whatever hue, if it occurs, only leads to bad policy outcomes, poor planning decisions, mismanagement of services, wasted taxpayer funds and the stifling of innovation and competition. If we put measures in place that would prevent future officials from straying across the line, then it is Victoria that benefits. It is a problem that has been a long time in the making and is not specific to this state of course. As we heard from the former IBAC Commissioner in the public hearings a fortnight ago, and I am paraphrasing, it is not one specific government; it has been 40 years of systematic erosion of integrity standards. As the Victorian Ombudsman has articulated about our integrity frameworks:

We have fallen behind in not having enforceable standards, transparent, accountable, enforceable standards for people in public life when it falls short of that high threshold for criminal conduct.

Not all corrupt conduct reaches the high benchmark of criminality, but it is still wrong and should be investigated. This reform would help IBAC fully realise its core function of preventing and exposing public sector corruption in Victoria if and when it occurs. Transparent and enforceable standards can hold our elected representatives and public sector to account.

Legalise Cannabis Victoria is supportive of any measure that advances Victoria's integrity system and strengthens our political institutions. As legislators and public office holders we need to ensure public administration is conducted in a manner that is transparent and supports the interests of the people of Victoria. We are supportive of any steps towards enhancing integrity, so I commend this bill to the house.

**Samantha RATNAM** (Northern Metropolitan) (16:18): I welcome the opportunity to make a very brief contribution in summary. I want to thank every member for their contribution to this debate. It is a really important and long overdue debate and just for context, given the breadth of the contributions that have been made so far today, I think it is really important to go back to first principles and why this bill is before us here today and why we felt it was of such urgency that we needed to do everything that we could to advance it and progress it through the Parliament as quickly as possible.

This was a recommendation made by the former IBAC Commissioner Robert Redlich, who for years governed and had oversight over Victoria's integrity system through his role at IBAC, a really significant body in terms of our integrity framework here in Victoria. Not just Robert Redlich, who has made an incredible contribution, but he has been joined by so many other experts in the field who have urged us year after year to improve the health of Victoria's integrity system. We are a laggard when it comes to integrity compared to the rest of Australia. We have states across Australia who are

now into the second and third iterations of their integrity laws. They are so advanced and we are so well behind that we have to do everything that we possibly can now to catch up if we ever want to hold ourselves up as being the standard for integrity right across Australia. We are so far from that goal. But we should not give up on that goal, because the integrity of our political decision-making systems goes to the heart of whether the community can have trust and confidence in the people they elect to represent them day in and day out. We are trusted with such an important role in their lives. If they do not have faith and trust in the integrity of our decision-making, what do they have left? We have seen year after year over the last few years scandal after scandal. Even within this term of this newly elected Parliament not a few months can go by without another scandal breaking, with a headline saying 'Integrity issues' or 'Corruption issues now plague the Victorian Parliament'. Even if it is happening within one political party, it is a blight on all of us, because we are all tarnished with the reputation that you cannot trust politicians.

Politics should be a place that people can have absolute trust and confidence in. It is essential for any healthy democracy to have places of decision-making, whether it is local government or state and federal parliaments, that the community can have absolute trust and confidence in. We saw at the last federal election an election waged around the strength of our integrity systems – so much so that we had a really significant change at our federal level based on what different representatives were putting forward as their plans to strengthen integrity, which was woefully inadequate at the federal level. As a result of that, we have had a federal ICAC now progress through the federal Parliament after years and years of inaction. Victoria cannot rest and say, 'Oh, we've got these things that we did decades ago' or 'We've got some plans coming sometime in the future' and hope that no-one will pay attention to the big gap that is left in between.

This bill might seem simple at the outset, and it is modest in some ways in terms of how much it attempts to change the legislative framework. It is critical as a foundational principle to get this right, after which you build the rest of your integrity system. If you do not get this definitional work right, the rest of it does not matter, as we outlined in a number of contributions we made during the day. It is really important that we think about the definition of 'corruption'. We have had integrity agencies tell us and tell this Parliament – plead with this Parliament – to pay attention to the fact that our definition of 'corruption' is just so limited. We are seeing so much misconduct, misbehaviour and corruption occurring under the watch of this Parliament that cannot be investigated by our integrity agencies because our laws are so restrictive. Our integrity agencies are pleading with us to expand this definition to bring us into line with what is happening in other states and now in the federal jurisdiction so that our community ultimately can have confidence that if people do the wrong things they will be appropriately investigated and sanctioned. Without those consequences we are going to have what is happening right now in the community. You ask people about what they think about politicians and Parliament, and they are like 'Can you trust any of them?' because all they see is scandal after scandal.

I find it really disappointing particularly to hear the government be so flippant about what has been put forward today, because they know, and I know that they know, this very well. If they are serious about actually bringing some integrity reforms down the line, which they have been promising for months on end now, if they are actually doing that work, they know exactly what this bill is about. They are looking at this very change, I am sure, if they are being genuine about their pursuit of integrity reforms. This is a foundational principle upon which the health of the rest of the integrity system is dependent, which is why we have to get it right and why we have to do it first.

I think we cannot rest any longer on promises until we see action from the government. We have seen today four integrity bills being either introduced or debated on one day of non-government business. That is more bills than the government is debating entirely this week in the chamber. The fact that they are all focused on integrity I hope sends the government a really strong message, and I hope it sends the community a really strong message – that this Parliament, those of us on the non-government side, are really united and committed in interrogating how we can improve the health of Victoria's integrity system. It is actually now beyond a partisan issue when you have got this kind of unity, and I hope we

will get support for this bill growing, as we saw in this chamber with another anti-corruption bill passing earlier in this day. It should be a wake-up call to government that this Parliament wants stronger action and it wants it more urgently. We have month after month put different reforms on the table, a range of bills, a range of motions, and those in the rest of the chamber are doing the same. We are really urging the government to not be flippant about the really serious work that a number of us are doing for the sake of Victoria's integrity system and the future health of Victoria's integrity system.

These are not trivial matters. These go to the heart of whether people can trust in us, and the scandals that we are seeing and the reports that we are seeing from IBAC should trouble us so very deeply. We have got acts of misconduct and corruption that have gone unpunished. We have people who are still presiding over really serious decision-making, who have governance over huge quantum of funds, who have not been appropriately investigated, and how can we hand on heart tell the Victorian public we have done everything that we can to make sure that we have as healthy an integrity system as possible if we do not pass bills like this today, if we do not get the foundational principles right? I urge everyone to support this bill.

**Council divided on motion:**

*Ayes (23):* Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, Katherine Copsey, David Davis, Moira Deeming, David Ettershank, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Rikkie-Lee Tyrrell

*Noes (14):* John Berger, Lizzie Blandthorn, Enver Erdogan, Jacinta Ermacora, Michael Galea, Shaun Leane, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Motion agreed to.**

**Read second time.**

*Third reading*

**Samantha RATNAM** (Northern Metropolitan) (16:33): I move, by leave:

That the bill be now read a third time.

**The PRESIDENT:** The question is:

That the bill be now read a third time and do pass.

**Council divided on question:**

*Ayes (23):* Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, Katherine Copsey, David Davis, Moira Deeming, David Ettershank, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Rikkie-Lee Tyrrell

*Noes (14):* John Berger, Lizzie Blandthorn, Enver Erdogan, Jacinta Ermacora, Michael Galea, Shaun Leane, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Question agreed to.**

**Read third time.**

**The PRESIDENT:** Pursuant to standing order 14.25, the bill will be transmitted to the Assembly with a message requesting their agreement.

I mention that former member Bill Forwood is in the gallery with us.

**Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022***Assembly's rejection*

**The PRESIDENT** (16:36): I have got a message from the Assembly:

The Legislative Assembly informs the Legislative Council that the Assembly has rejected 'A Bill for an Act to amend the **Independent Broad-based Anti-corruption Commission** –

*Members interjecting.*

**The PRESIDENT**: Very rarely do I stand on my feet, and that is how I maintain looking as good as I do. But I am going to do this while I am on my feet, and no-one is going to say anything. After that, you can have a go. I have got a message from the Assembly:

The Legislative Assembly informs the Legislative Council that the Assembly has rejected 'A Bill for an Act to amend the **Independent Broad-based Anti-corruption Commission Act 2011** to facilitate timely reporting by the IBAC'.

**David DAVIS** (Southern Metropolitan) (16:37): I move:

That the message from the Assembly be taken into account on the next day of meeting.

**Motion agreed to.**

*Motions***Inclusive education****Debate resumed on motion of Matthew Bach:**

That this house notes that:

- (1) the Andrews Labor government is set to cut over 80 teachers who support children with disabilities;
- (2) approximately 4000 children with disabilities will lose services;
- (3) this is despite previous assurances from the Andrews Labor government that no frontline educational services would be cut;

and condemns the Andrews Labor government for these callous cuts.

**Wendy LOVELL** (Northern Victoria) (16:39): I rise to speak to Dr Bach's motion 156 regarding the visiting teacher program and the cruel, cruel cuts by this government to this important program. In commencing my contribution I thought I would just inform the chamber of the role of the teachers from the visiting teacher service, as taken from the Andrews government's very own schools.vic.gov.au website, in the government's own words:

Visiting teachers are specialist teachers with expertise and experience in specific disabilities and impairments. They give schools and teachers guidance in supporting engagement and participation of students with disabilities and additional needs.

What a farcical piece of spin from a government and a minister who with a stroke of a pen recently sacked 85 of these same vital teachers from the visiting teacher service – no mention of that. But Victorians should be familiar with the form of the Andrews Labor government when they say one thing and do the complete opposite.

These teachers are highly trained professionals. They are teachers of the deaf – and teachers of the deaf actually require a masters degree – they are teachers of the blind, they are teachers of students with disability. They work with around 3500 Victorian students who are blind or have low vision, are deaf or are hard of hearing, are both deaf and blind or have a disability. The visiting teachers provide essential support to the regular teacher who has a child with a disability in their classroom. They are instrumental in helping students with disabilities to engage in learning and develop skills that prepare them for their future careers. The decision to cut 85 teachers from the service will result in just



32 teachers left to service the educational needs of over 3500 students statewide – 3500 students with disabilities and special needs. This is unacceptable and of course it is unsustainable.

Recently I have been meeting with visiting teachers and also with families of students who access these services, and parents have spoken to me of the difficulties that they already face in actually getting their child enrolled into a mainstream school. They fear that without the visiting teachers there to support the schools, to support the classroom teachers and to support their own children, these schools will be even more reluctant to take their children into mainstream education. Parents fear for their child's ability to gain an education in the future if this service is scrapped by the Andrews Labor government.

Parents have spoken of the additional barriers that their kids already face in actually gaining an education. As I said, they face a barrier to getting into a school in the first place. But before these children can even learn, they have to do additional learning. For a child who is deaf to actually be able to learn the curriculum, they first have to learn Auslan. Their teachers also have to learn Auslan to be able to teach them. For a child who is blind, they need to learn braille before they can actually learn the curriculum, and their teachers also have to learn braille so that they are able to teach them. This means the teachers have an additional workload. It means extra preparation for those teachers to conduct their inclusive classes, and parents are really fearful that this will make it just too hard and schools will end up rejecting their children from participating in mainstream education.

Parents of some blind children spoke to me the other day about their hopes and aspirations for their children. They told me that currently around 70 per cent of people who are blind are unemployed. However, they spoke about how they had been so hopeful – so hopeful – that this was the first generation of blind children who would go on and have a true future: prospects for employment and independent living. In fact they said that they felt there was no better time for a child to be blind than the current time. They truly believed this. They truly believed that through mainstream education their children were being treated as equals, that they were being included in society and that they would have really good outcomes in life. Now they fear that their children are going to be rejected again.

Governments have to deinstitutionalise. It is the right thing to do. But we need support programs to continue to support these children so that they can get the education that they need to go on and gain long-term employment and independent living. Without this program, that is taken away from them. There is nowhere for these children to go. There is no blind school anymore; they cannot go back there. And parents are fearful. Where will their children end up if mainstream schools reject them? Does this mean homeschooling will be the only option for them? They do not want that, because they want their children to be included in society. Teachers also fear that the only support that these children are receiving will be cut off. Particularly in regional areas teachers are fearful that the support that will now be given by the education department will just be a phone call to the principal: 'How are you going with that child?' 'Oh, that's all right, that's good; we've consulted' – no further assistance given to that child, to that teacher or to that school. This will not provide the direct student contact that is necessary for disabled children to survive.

The government has said that visiting teachers will be replaced by a new program but that it will not provide direct support to students and that it will be replaced by 2025. What we heard the other day is that teachers are already being offered packages to exit this year, 2023. What is going to happen between now and when this new program – that will be inadequate, we know – starts in 2025? We still do not know what that post-2025 program will look like, and now we know because of these exit packages that there is a risk in 2024 of students actually getting inadequate support next year as well.

I am informed that the visiting teachers program perform most of their work in rural and regional areas, and this is another concern because students and families in rural and regional areas have less services than those in metropolitan Melbourne now. If this service is to be lost to them, it is going to be absolutely devastating for families in rural and regional Victoria.

The minister's actions have actually been slammed by disability advocates and impacted teachers as well as parents of children with special needs, who now feel they will be unable to cope without this vital education support. This is a very, very bad decision that the minister has made. Cutting staff from the visiting teachers service will directly impact some of our most vulnerable students, and I urge the minister to immediately reverse this senseless and cruel decision and reinstate these vital teachers.

**Michael GALEA** (South-Eastern Metropolitan) (16:47): I also rise to speak on the motion introduced by Dr Bach regarding the visiting teachers service. I do want to start out by saying that the Victorian government is committed to inclusive education. We have not only talked about it but we have invested resources, time and effort to make it a reality for every child in the state. There have been considerable and transformative reforms and support in the education sector since 2014, including financial investments, reforms and other mechanisms to ensure that no child has been left behind. Our success is measured in the life-changing experiences of thousands of students who feel seen, heard and valued.

The Andrews Labor government has not just made verbal commitments; we have taken the considerable and important action to support and achieve greater disability inclusion in our educational framework. Our pledge has been quantified, with a groundbreaking \$1.6 billion investment in disability inclusion. This investment by the government is a clear indicator of our dedication to reshape the educational landscape, ensuring that every student gets the rightful attention, resources and environment to thrive that they deserve.

The transformative commitment and the policy focus on disability inclusion is about yielding real and substantial inclusivity and educational outcomes. The government has projected that 1730 jobs will be created in the area of inclusive education thanks to this investment. These roles are tailored to meet the specific needs of our disabled student population, ensuring they get personalised attention, better resources and a conducive learning environment. The government is committed to inclusive education in all schools, ensuring that all students get the support they need to thrive. Disability inclusion is being progressively rolled out across the state over a five-year period, reaching all Victorian government schools by 2025. These reforms will increase the number of students supported by additional, targeted funding to more than 130,000, or around 21 per cent of students.

This investment in disability inclusion includes funding for 82 new inclusion outreach coaches, who will work in tandem with the educators to support students with a disability, which has been an important component of visiting teachers' work in schools. The Andrews Labor government has undertaken first-in-the-nation investment to support disability inclusion for Victorian students. The \$1.6 billion is a truly transformational investment, unmatched in its scope and ambition. Furthermore, in aid of our goal of ensuring institutions are well equipped and our educators well supported, the government is injecting \$203 million over four years into specialised programs. This financial boost will help to ensure continuity of progress, futureproofing our dedication to disability inclusion.

The government have successfully overseen the transition of 850 schools to the reformed, inclusion-focused infrastructure. These schools now stand as luminous examples of what a genuine commitment to inclusive education looks like, impacting thousands of students and setting standards for others to follow. To bolster this workforce and ensure regional disparities are minimised, we have introduced 25 additional regional disability support roles. These individuals are champions of our mission, bridging the knowledge and practice gap and making inclusion not just a word but an everyday reality in Victorian schools.

The former federal coalition government gives us an insight into what the Liberal Party's form is really like in this space. It is impossible to overlook the evident mismanagement of the NDIS rollout under the Liberals. Unfortunately the cost of that failure, which members in this chamber are all too aware of, is felt in the lives of people living with a disability across Australia. The scheme was fraught with delays and budget overruns and consigned too many kids with a disability to be numbers lost in a system that left their families exhausted. The opposition here was silent on the failure of their federal

colleagues in supporting people with a disability. In stark contrast, this state government's approach to supporting people is carefully planned and executed and is designed to ensure that promises translate into tangible and timely results. On this side of the chamber we are prioritising fairness and inclusion in our decisions, especially when it comes to the wellbeing of individuals with disabilities.

At the heart of this approach is the unwavering commitment to student-centric support, recognising the unique learning curves and needs of every child. Through the policy framework established to implement disability inclusion, the Andrews Labor government is tailoring to each child irrespective of their challenges, recognising they deserve the right to flourish in an environment that is both nurturing and adaptive of their needs. Understanding the multidimensional aspects of learning, the Diverse Learners Hub has been instated with a clear aim: to holistically address the myriad learning styles and to support requisites of our students. It is more than just an institution.

Deafness should not translate to dearth in educational opportunities. Our services for deaf students are manifold, from specialised training for educators and adaptive classroom strategies to cutting-edge technological assistance. Our facilities ensure that the deaf student's learning journey is unimpeded and empowering. Vision challenges can indeed also be a barrier. But with our blind and low vision education supports, it is a hurdle that we are still determined to overcome. From braille textbooks, tactile learning tools, specialised training sessions all the way through to environmental adaptations, we have left no stone unturned to ensure the world of learning remains vibrant and accessible.

In this year's state budget, the 2023–24 Victorian budget, we confirmed \$203 million over that four years, as I outlined, to provide even more support for students with disability attending Victorian government specialist schools. The initiatives being delivered by the Department of Education include: \$121.7 million over four years to continue and expand high-intensity OSHC, outside school hours care, at Victorian government specialist schools; \$21.2 million over four years for NDIS navigators based at these specialist schools to help families navigate the still complicated and challenging NDIS system; \$6.3 million over four years to improve access to a broader range of extracurricular activities for students in specialist schools; a \$25 million fund for specialist schools to apply to install hydrotherapy pools; \$4.8 million in the 2023–24 financial year to facilitate organisations to train more therapy animals to enhance the learning, health and wellbeing of students with disability; \$100,000 for specialist schools to access alternative or augmentative communication software, such as Proloquo2Go; \$460,000 over two years for a review into the current eligibility processes for specialist schools. As you can clearly see, just in the budget and the measures announced in this year's state budget alone, there is an incredible amount being invested into this space, as it rightly should be. The Victorian government values the role of specialist schools in our education system and will continue to ensure that they get the support they need in the classrooms and the facilities that they deserve.

The visiting teacher service has undergone substantial reforms. These reforms are about recalibrating the service's operation in a way that truly resonates with the needs of our students in our current educational system. These reforms underscore our commitment to progress and innovation in education. Visiting teachers are more than just educators. They are specialists with a unique skill set and are adept at managing diverse classroom challenges and ensuring that every student's individual needs are met. Their roles are pivotal in driving forward the mission of inclusive education.

Reaffirming our dedication to this essential service, I note that the minister has clearly iterated that the visiting teacher service will continue to run in each of the four Department of Education regions. This is not just a token commitment but a tangible promise to keep our educational landscape diverse, inclusive and adaptable.

The Andrews Labor government has been a tireless champion for disability inclusion. Our \$1.6 billion investment is more than just financial backing. It represents our unwavering commitment to creating an environment where every student, no matter their challenges, can thrive. While numbers can be powerful, it is the stories behind them that truly matter. The faces, the names and the transformative

journeys are the embodiment of the real change that we have initiated. Every policy, every initiative and every fund is evidence of our pledge to make Victoria a model for inclusive education. On this side of the chamber we believe that students need understanding, compassion and the right resources. True leadership is about making the right choices, not necessarily the easiest ones.

The opposition struggle with programs like the NDIS, that was botched by their federal colleagues, who even refuse to acknowledge it, whilst we remain steadfast in our commitment to serve the best interests of all our students. This government's dedication to an inclusive, empowering and supportive educational landscape remains unyielding. Our journey is fuelled by integrity, purpose and the hope of creating a brighter future for every student. For those reasons I will not be supporting the motion introduced by the good Dr Bach.

**Melina BATH** (Eastern Victoria) (16:57): I rise today in full and passionate support for the motion put forward by Dr Bach, 156 on the notice paper, that the Andrews government should be condemned for callous cuts to over 80 frontline teachers who work with disability students in classrooms, supporting the students, the teachers, the schools and ultimately also the parents. Approximately 4000 of these fantastic children with disabilities across Victoria and heavily noted in regional Victoria will miss out.

I have had some significant emails from and discussions with parents about this loss – and it is a cut, it is a loss. We heard just before the platitudes of a member reading what he was informed to read about what the Andrews Labor government is doing. I will share with you my experiences from one of my constituents from Eastern Victoria Region, in fact from Eagle Point. She was blindsided by the fact that her school informed her that the visiting teacher that she had for her deaf child, who is now in year 8, would be cut. That visiting teacher had provided nuanced and special services to that child for over six years, since early primary school. She spoke to me and related the importance of that teacher in terms of advice, information and making the journey of education with a hard of hearing or deaf child so very much the focus.

What we have heard from the government here is, 'Don't worry. It's all right.' Well, many, many parents feel that it is not all right. Many elements, whether it be the blind or the deaf or the hard of hearing in our society, are very concerned about this. They are concerned that the government's definition of 'consultation' is actually just notification. They are concerned that the consultation is lip-service. They are concerned that whilst they reach out and request advocacy from the Andrews Labor government, they get turned away or at the very least get a platitude.

**Matthew Bach:** They didn't talk to one parent of a kid with a disability.

**Melina BATH:** Correct. They didn't talk to one parent of a kid with a disability before cutting this service. I will reiterate those very wise words.

Part of our role in here is to learn, to connect and to understand and then to advocate. The other day it was very pleasing to have a very fulsome meeting with the deaf community from not only Victoria but interstate, from a deaf parent, from a child – a young man – and also from Indigenous deaf advocates and people doing fantastic work in the country. It was startling. Their passion and disappointment at the current status quo from the Andrews government was palpable. I wanted to drill down and understand. Had they been consulted? No, they had not. It was lip-service. I asked them, 'What is on your wish list? What do you want to see?' 'We want deaf children to have deaf mentors. We want to have early intervention. We want to have deaf teachers not only in the city but also very much in the country, and we want those mentors to be across the school supporting teachers and parents.'

When we talked about specifically the visiting teacher program, they said it is not perfect, but they absolutely endorsed its continuation. It was an important part of them and their child negotiating the way through a mainstream school. We heard discussion over there about special development schools – that is not what this topic is about. It is about providing the service to children with a

disability in that classroom scenario, and this government is cutting it. It is cutting it, and the government is saying, 'Don't worry, we've got the disability inclusion policy, and we're rolling it out.' Well, to my understanding so far, it has been rolled out in three pilot programs, and they are saying it is rolling out in other areas. I know in outer Gippsland, in far East Gippsland, it is not going to be rolled out until 2025, and I also know that it will not add one extra in-the-classroom teacher for that vital support.

**Matthew Bach:** No teachers.

**Melina BATH:** No teachers. Some of the things that I learned the other day I will be very keen to advocate for in the future. In terms of deaf children, we have got 2500 deaf students across Victoria, and those numbers are growing every year, naturally. But also they are in mainstream schools. They need real support, they need to be bilingual and they need for our schools to offer Auslan, and the importance of that came through very clearly in our discussions. Otherwise you are going to end up with language deprivation; otherwise you are not going to have that future goal of learning and creating.

They related a story to us where a young man – a fantastic young kid who was doing so well in the school – was unable to keep going because he did not have deaf teachers in his school, and there was no capacity for that where he was. He then took up a plumbing apprenticeship. Now, we need plumbers – plumbers are fantastic – but we also need deaf students to go on to university and become those huge deaf advocates. The same goes for those in the blind category as well. It is very important.

With that, I think it is disingenuous of the government to say to people, 'We have got you covered.' Parents listening to the government side in this debate will not grow confident from those discussions around the measures that the Minister for Education is supposedly increasing and improving. You should not be withdrawing one service and replacing it with something that does not suit the mould. The jury is still out, to be honest. The Victorian Auditor-General's Office report still says that one of those pilots was working well in the disability inclusion pilot program and one was adopting it early, but it is only as good as the people on the ground. The other two, while they had merit, were still not moving forward at a pace that I think the VAGO would see as reasonable.

Again I go back to the 4000 students and 85 specialist teachers, and they are being cut. This is unacceptable. Every student who goes to school, with or without a disability, deserves the very best education that any state government can offer. When you have got budget blowouts in the magnitude of black holes, what is this government looking to do? It is looking to find money from areas where children are most vulnerable. We know that on any given day, when parents get up they have a struggle. No matter how wonderful that student is, they have a struggle to make the rest of the world understand their student's issues, their student's difficulties and their student's pathway to success. Cutting these visiting teachers will not support that. I certainly do appreciate – and I felt quite moved by them – the parents that came in and the deaf advocates that came in and shared their stories with us.

Again, removing these sorts of fantastic frontline teachers is only going to put more and more pressure on our already overstretched classroom teachers, particularly in regional Victoria. Victoria now has over 2000 vacant positions for classroom teachers. How much pressure is that putting on classroom education in the state of Victoria? How much pressure is that putting on principals who are absolutely under the pump? Not only are they having to do administrative work and all of the rest that goes with being a principal, they are also having to go into classes. Removing these vital services is contraindicated to the health and wellbeing of these amazing young people. We need to be supporting them, and I totally endorse this motion before the house today.

**John BERGER** (Southern Metropolitan) (17:08): Today I want to speak to motion 156, moved by Dr Bach. I got involved and decided to run for politics for a few reasons. I hope the chamber will indulge me today, as I believe this is relevant to the case. This motion has three parts, and I will not

repeat them because I do not agree with them. It is safe to say that the Andrews Labor government does not cut frontline educational services, and it is safe to say that we do not cut support from students who need it the most. We all remember the Liberal's track record on cuts. In the 1990s Kennett cut everything – and I know. It gets talked about a lot in this chamber because it is true. Our government, the Andrews Labor government, believes in education. I ran for politics for a few reasons. Everyone knows that I spent my life representing members of my trade union, the Transport Workers' Union, in industry and beyond. I fought for workers rights, and I deeply care about the dignity of work and its ability to support a family, raise kids and build a life for your future and yourself. We also believe in doing the big things like the Big Housing Build. I was pleased to visit Bangs Street yesterday with the Prime Minister and Premier to speak about the transformational 445 new homes that we are building there. And of course there are our transport infrastructure projects, the Level Crossing Removal Project and the Metro Tunnel.

I also got involved in politics because I believe in the power of education. I care deeply about what school my children attended. Remember, I have six kids, so I have seen my fair share of it. That is why I have made it a priority to visit as many schools as possible since being elected. I have not just visited schools that are large, fancy, big and well known and I have not just picked and chosen schools based on some political equation. No, I have picked the schools that have often been overlooked, the schools that need a voice and the schools that need a champion. Camberwell Primary School, with their incredible principal Janet Gale, is one of the few schools in our state that is truly bilingual – in this case, French. And the Belmore School is more modernised as part of the Andrews Labor government's \$9.6 million capital works project. When I visited in May I was taken aback by the incredible staff – led by principal White and the amazing school captain Livian – who literally teach student by student.

I visited Andale School in March, long before they were in the news, and there I spoke to the principal Justin Walsh and the teachers about their work. For over 40 years they have nurtured an inclusive and collaborative environment. We know that sometimes your child cannot attend mainstream school, and schools like Andale back students like them in. So I am incredibly proud that our government has a history of record spending on education, and I am committed to ensuring all students get the support they need. No state government in the history of our state – yes, the history of our state – has committed to and generally done the hard policy work to deliver wholesale and transformational change to improve the lives of Victorian children with a disability, so we are opposing this motion because it ignores the hard work we are doing each and every day and it is insulting to the many hardworking people who are getting this done.

The Andrews Labor government is delivering a record \$1.6 billion investment into disability inclusion. This includes delivering better support to students with disabilities in every Victorian government school. When that is fully rolled out, these reforms will create 1730 new jobs. Despite what those opposite say, we are not cutting jobs. We are creating additional teacher support staff and professionals with formal training – no less inclusive training. Disability inclusion is being progressively rolled out across the state over a five-year period to reach all Victorian government schools by 2025. These reforms will increase the number of students supported by additional targeted funding to more than 130,000, or 21 per cent of the students. This is a massive, transformational increase when compared to the current program for students with a disability, which currently supports around 29,000 students. That is an almost five times increase, and that is a big deal.

The investment in disability inclusion includes the funding of 82 new inclusion outreach coaches. These coaches will develop the capacity of the school. They will work with and support students with a disability, which has been an important component of visiting teachers work in schools. Under these reforms all you will need to do is complete a new disability inclusion profile and you can determine your eligibility for individual support. This will involve a student, their family, specially trained school staff and other experts meeting to discuss the student's capabilities and what they need to do to make the most of their school time. Following the profile, schools can receive student-level funding for staff

and resources to deliver the support they need. I reckon this is a great innovation that is going to change lives.

Despite the noise and despite what some may say, as part of this process we are upskilling hundreds of teachers. Part of disability inclusion is a master of inclusive education, and graduate certificate initiatives are there. It provides hundreds of teachers with the chance to upskill at mainstream, specialist and supported inclusion schools. This will ensure deeper levels of support, knowledge and understanding and the capacity to include, motivate and challenge students with disabilities and additional learning needs by focusing on their strengths.

As I have limited time today I want to take the opportunity to list some of the figures and statistics that demonstrate what we have been doing for students with a disability and how we are supporting teachers that support these children. First, we have invested \$1.6 billion in disability inclusion reforms to massively increase the levels of funding and support for all students with a disability as well as for those who have additional needs in Victorian government schools, and we have invested \$203 million over four years to deliver Fighting for Students with a Disability and their Families. This package will support students with disabilities at Victorian specialist schools. Our inclusion reforms include the recruitment of 82 inclusion outreach coaches, who are specialist schoolteachers that build the capabilities of mainstream schools, and of course the recruitment of 25 additional regional disability support roles and dedicated regional implementation teams. In this year's 2023–24 Victorian budget –

**Business interrupted pursuant to sessional orders.**

*Statements on tabled papers and petitions*

**Development Victoria**

*Report 2021–22*

**John BERGER** (Southern Metropolitan) (17:15): I rise to speak on Development Victoria's annual report 2021–22, and it is with great joy that I do this as the news within this report is fantastic. Melbourne has recently overtaken Sydney as the most populated city in Australia. Some might say it is an accounting error; I say it is about time. This means that a massive weight lies on the shoulders of development in our city and across the state.

Development affects many aspects of our life. Often the word 'development' causes one thing to jump to our minds – residential property. That is a very important kind of development, but there is so much more to nation-building. Civic, cultural and commercial development are key to cities growing fast, as Melbourne is.

Development Victoria is working hard to deliver important projects both within metropolitan Melbourne and across regional Victoria. Development Victoria describe their purpose as to:

... translate policy into the built-form environment: places where people live, work and thrive.

Development Victoria is guided by five policy pillars: housing, economic development, urban renewal, value creation and capture, and social and economic infrastructure. Underpinning these pillars are the values of collaboration, innovation and delivery.

Development Victoria works hard with its partners to deliver complete and innovative solutions to address modern issues in new and groundbreaking ways. As a renter, I know the importance of this. With rental vacancies in Melbourne at a record low we must turn our attention to addressing the supply of housing. Development Victoria is ensuring that we are doing our part to manage the supply within the Victorian housing market. From Werribee to Officer, houses are on their way.

Yesterday I joined the Premier, the Prime Minister and the Minister for Housing at the Bangs Street project, a massive project in my community of Prahran in Southern Metro that will boost supply. Two weeks ago I visited Bills Street in my community of Hawthorn, another project of Developing

Victoria. I am proud that we have strong statutory bodies that are supplementing the great policy and infrastructure projects that the Andrews Labor government is getting on with delivering.

Thousands of homes highlighted in this report are in the pipeline for delivery. Development Victoria seeks under-utilised government-owned land and converts it into much-needed diverse housing. This is an important role for government, stepping in to make sites fit for purpose and taking the time to remediate. This is critical, because government is about long-term solutions to difficult problems, not just trying to turn a quick profit, like some unscrupulous developers might.

Riverwalk in Werribee, which is well under construction, will provide sustainable communities in Melbourne's growing west. Some 2600 homes will be built for some 7300 residents after Development Victoria has revitalised these vacant lots in partnership with Melbourne Water for people wanting to build their own homes. It is already home to some 2500 residents. The community will feature parks and activity-orientated facilities such as basketball courts and bike trails.

Officer town centre will be redeveloped to be more appropriately fitted for the centre of activity that Officer is expected to become. This development will feature infrastructure for retail, office spaces and a wide range of service providers along with housing facilities, all conveniently located near the Officer train station or Princes Highway. Development Victoria is ready to get on with the next stages of the project, with early foundations already laid, including a rail underpass, key road connections and a large stormwater tank.

Development Victoria also is delivering important civic infrastructure like government hubs. These house local and state government workers and services in two of the biggest regional cities, with Galkangu being Victoria's largest timber-framed building, delivered on behalf of Regional Development Victoria. It is a great program that is being delivered by the Minister for Regional Development Ms Shing.

Closer to home, Development Victoria is working hard on delivering Melbourne's arts precinct on behalf of the Melbourne Arts Precinct Corporation. Well done to Minister Dimopoulos in the other place and his team for getting this done. This \$1.7 billion investment will feature many upgrades, possibly the most notable of which is a brand new branch of the NGV, also known as the Fox, which will include a purpose-built gallery for displaying contemporary works by artists from all over the world. Thanks to Development Victoria, we can be sure that Melbourne's reputation as the arts capital of Australia is secure. This report shows us that the ball has just started rolling for this exciting new addition to the NGV, with the winner of the design competition announced last March.

Well done to the team as well on being recognised in the Commonwealth government's climate action initiatives as contributing towards building a renewable future, and their work was highlighted by the gender equality commission for moving towards fighting gender inequality. I look forward to working with them and meeting them soon to see how I can contribute to sustainable development in my community. I commend the report to the house.

### **Parliamentary privilege**

*Right of reply: Greyhound Racing Victoria*

**Evan MULHOLLAND** (Northern Metropolitan) (17:20): I am very pleased to speak to what was tabled the other day in the right of reply from Terrie Benfield from Greyhound Racing Victoria. I know some people opposite claim to support the greyhound racing industry, but their support seems to be very half hearted, frequently bordering on being apologetic for that support. Racing and punting, in particular greyhound racing, is a cultural pastime and has long been accessible to ordinary working people. Ms Purcell, who the right of reply was in response to, boasts of her links to the union movement and her solidarity with the union movement and activism for working people but seems to loathe all of the hobbies and pastimes of working people. I think if one was to enthusiastically support



a pastime of working folk, it would be quite the opposite, but alas they no longer care about those who put in a hard day's work.

I want to go to the right of reply. It points out a whole bunch of stuff, accusations that have already been put into *Hansard* about Greyhound Racing Victoria. It accuses them of a whole bunch of things, including baiting greyhounds, in particular with possums, drugging dogs and live baiting. It makes a whole bunch of very serious accusations in this house. Their right of reply says:

Ms Georgie Purcell in the Legislative Council on 30 May 2023 made statements that "*GRV have confirmed that they will not be following up on this matter, simply because Mr Borda is from South Australia and also registered there.*" GRV did not make these statements to Ms Purcell.

The person referenced by Ms Purcell, is the Owner of the greyhound and is registered in South Australia, not with Greyhound Racing Victoria. If the breach of the Rules of Racing occurred, it occurred in South Australia, not Victoria. Given this, Greyhound Racing Victoria does not have jurisdiction to act against the Owner in relation to these offences.

Greyhound Racing South Australia ... is responsible for the investigation and any prosecution deriving from that investigation. However, because both of the Owner's greyhounds were last trained and raced in Victoria, the GRV Greyhound Racing Integrity Unit ... have assisted GRSA by making inquiries with the trainers who are registered in Victoria. Should GRSA bring charges against the Owner, those charges will be heard and determined in South Australia.

If not appropriately clarified, the statement by Ms Purcell that GRV stated that GRV will not take action adversely impacts on public confidence in GRV which adversely impacts on GRV's statutory functions.

I think it very clearly makes the case for a misleading statement to this house.

I think all members of this house should support our flourishing greyhound racing industry. I am very, very fortunate that my electorate is home to the Meadows greyhound track in Broadmeadows in the Northern Metropolitan Region. I was actually really delighted to attend the Phoenix greyhound race last year, which some might not be aware in this chamber is actually the world's richest greyhound race, right in the northern suburbs, right in the heart of Broadmeadows.

I would like to acknowledge the chairman of Melbourne Greyhound Racing Association Barbara Backhoj and vice-chairman Terrence Davies. I would also like to acknowledge Peita Duncan, the chair of Greyhound Racing Victoria, and Jack Blayney, the deputy chair, and thank them all for the important work that they do.

As I said, I was pleased to go to the Phoenix last year. I even bumped into the former Premier of Victoria Denis Napthine, who of course as we all know takes a very strong interest in racing and in working people and, as a former vet, the welfare of these animals. He obviously takes a keen interest.

There are terrific events hosted at the Meadows, with jumping castles, kids' stalls and activities that make the greyhounds a really fun family-friendly event. The community definitely benefits from greyhound racing. I know they do a lot to support the community in the northern suburbs. They host community groups in Broadmeadows in the northern suburbs quite regularly at the Meadows. They provide community meeting places, but it also contributes a very big economic benefit. The *Size and Scope of the Victorian Racing Industry* report said that greyhound racing has an economic contribution of \$643 million, which is great news for all Victorians and why all members of this house should support the greyhound racing industry.

### **Victorian Auditor-General's Office**

#### *Cybersecurity: Cloud Computing Products*

**David DAVIS** (Southern Metropolitan) (17:25): I am pleased to rise and make a contribution to this report section of the day's proceedings and note today that the Victorian Auditor-General's Office tabled a report *Cybersecurity: Cloud Computing Products*, August 2023, an independent assurance report to Parliament. I do want to compliment the Auditor-General's office. This is, in a sense, a non-partisan contribution because I think they have done excellent work. This is a complex area. I do not

claim to be an expert on these IT matters. As anyone who knows me will know, I have never claimed that. But I again want to put on record my thanks to the Auditor-General and his office for the work that they have done here.

This, it seems to me, is leading-edge stuff. The Auditor's office is ahead of auditors' offices around the country on these matters, and they have done a significant audit. I am going to quote from page 4:

This section summarises our key findings. Sections 2 and 3 detail our complete findings ...

**Why cybersecurity is important**

They talk about data breaches. We have seen a lot of those recently, with disruption of communication networks, shutting down water, health and other critical facilities. We have seen serious data breaches in health services and others. There is every reason for us to think carefully about these matters.

They put their findings into three key areas:

- 1 Overall, audited agencies do not have fully effective Microsoft 365 cloud-based identity and device controls.
- 2 Not all audited agencies properly understand and oversee cybersecurity services delivered by third-party providers.
- 3 The public sector does not use its size and economy of scale to address cybersecurity risks in a coordinated way.

So these are findings that are significant and they are a wake-up call. I asked the President about the Parliament. The Parliament should, if these recommendations are adopted, be in a position to look at the frameworks that are put in place. But there are a series of recommendations that are made to government, seven of them – some to the Department of Government Services, others to the Office of the Victorian Information Commissioner. Most have been accepted and most are thoughtful:

Work together, in consultation with other relevant agencies, to issue non-overlapping guidance ...

...

The guidance should mandate:

- conditional access policy and device compliance policy configurations
- additional technical control configurations consistent with the maturity model in this report
- an issuer of device security configuration baselines.

This mandate should apply to all classes of identities and devices used to access public sector resources ...

It goes on:

Extends the cyber hubs and the security operation centres to:

- maximise the number of Victorian public sector agencies protected
- include protection services against cyber attacks ...

It goes on, and I urge the minister and the Department of Government Services to pay heed to these sensible recommendations.

The list of agencies audited is significant. The variety of agencies is significant. The advice is thoughtful and balanced. It is leading-edge advice. There is a challenge, I think, in the interrelationship between the Department of Government Services and the Office of the Victorian Information Commissioner, and I draw attention to the response of OVIC. I pay tribute, I might say, to Sven Bluemmel, the information commissioner, noting he is going to bigger and further fields as the Electoral Commissioner. But he has done a very good job on freedom of information and as the

government's information commissioner and his again balanced contribution is seen in the correspondence to the Auditor-General at appendix A-21:

... OVIC is concerned that a shift to "compliance" thinking will undercut the extensive work that has been done to spur better risk assessments ... We appreciate your comment that adoption or rejection of M365 controls needs to be assessed in the context of properly documented risk assessments.

OVIC aims to conduct another review of the Victorian Protective Data Security Standards ... and their elements should Government provide funding in the future. In the interim, consistent with current legislation and appropriate consultation, OVIC will continue to evolve the Framework and Standards ...

They have got to do that, enmeshing with the Department of Government Services. I pay tribute to this audit team for the work they are doing, which is thoughtful, balanced, looking to the future and taking in the information. Their response to that is that it does not diminish the risk assessment but actually complements it – having a proper framework in place.

### **Department of Treasury and Finance**

#### *Budget papers 2023–24*

**Wendy LOVELL** (Northern Victoria) (17:30): I rise to talk on the state budget 2023–24, which raises the homelessness budget in Victoria. As everyone in this chamber would be aware, last week was national Homelessness Week. We recently had figures released from census night 2021 that just show how badly this government is doing in the delivery of services to those people who desperately need them: the vulnerable in our community who are homeless and who need access to social housing. Social housing waiting lists under this government have exploded. We know that. Social housing waiting times have exploded. Those on the priority list – people who are escaping domestic violence, people who are living with a disability, people who have special housing needs and people who are deemed to be in need of housing immediately – are waiting longer than ever under this government. We know that people who are escaping domestic violence have to wait 20.2 months to get access to housing. That is just the average; some of them are waiting a lot longer than that. For those in the other categories, it is 16.5 months.

What we have seen recently is the data released by local government area for homelessness in Victoria. In northern Victoria there were some really startling results. In Swan Hill the percentage of people on the homelessness list increased by 139 people to 234 people, an increase of 146.31 per cent, which was actually more than six times the state average, of 23.3 per cent and 28 times the national average, which increased by 5.2 per cent. That is a dreadful figure. In Mildura the figure increased to 348 people who are homeless. That was an increase of 98.85 per cent, which of course is more than four times the state average and 19 times the national average. In Greater Bendigo there was a staggering increase of 276 people, making it 571 homeless people, an increase of around 94 per cent, which was four times the state average of 23.3 per cent and 18 times the national average of 5.2 per cent. In Wangaratta we saw an increase of 50 people, bringing their homeless population up to 125 people, a 66 per cent increase, which was nearly three times the state average and also nearly 13 times the national average. In the Macedon Ranges we saw an increase of 24 people, a 40 per cent increase – higher than the state average, nearly twice that, and also nearly eight times the national average. In Wodonga there was an increase of 47 people, bringing it up to 215 people, an increase of 28 per cent – higher than the state average and of course five times the national average. In Greater Shepparton, where we actually knew that there were already the most homeless people in the state, they saw an increase of another 63 people, bringing it to 418 people who were homeless on census night in 2021 – a percentage increase of around 18 per cent, which was more than three times the national average. In the Strathbogie shire there was an increase of seven people, which is 26 per cent higher than the state average – again, multiple times the national average.

This government is failing people when it comes to the provision of social housing and it is failing people when it comes to keeping them safe and warm and in a home. This government need to realise that their policies are actually making it harder for vulnerable Victorians, not easier. They like to stand

up and spruik about big housing builds, but the reality is: more people than ever are homeless under this government; more people are waiting longer than ever before for access to social housing.

### Department of Treasury and Finance

#### *Budget papers 2023–24*

**Melina BATH** (Eastern Victoria) (17:35): I rise to speak on the budget 2023–24. In doing so I would like to talk about budget paper 3 and the section on the Latrobe Valley Authority (LVA) that received \$7.2 million in the said budget. When you go to the budget paper it says under ‘Latrobe Valley Authority’:

... supporting the management of economic transition in the region.

For anyone who is not aware, the Latrobe Valley is certainly a place of huge transition at the moment, some of it forced upon it by policies of the Andrews government, and we are really in a difficult position moving forward.

So what did the LVA do? It put out a discussion paper in January, and after six and a half years of being in operation – over \$300 million – it put out another, ‘plan’. It is the *Latrobe Valley and Gippsland Transition Plan*. It is just astounding. It is not a plan. It talks about a lot of motherhood statements. It has an introduction: ‘What is this plan?’ It talks about: ‘How can the plan be used?’ It talks about focus areas – and these things I think are certainly of value to focus on – and the transition path: education and training; employment; the economy; livability; and coordination, collaboration and shared leadership. It talks about measuring the plan, but what it does not do is define the plan. It talks around everything else without giving the people of the Latrobe Valley a firm road map. It talks about a road map, it just does not give them a road map into the future – \$300-plus million, six and a half years, and this is what we are left with.

It also talks about guiding principles. It talks about 52 recommendations. Let me just read a couple of random ones that I have here from the report:

Increased workforce participation through accessible employment pathways and inclusive employment practices

This is just one. This is one of the 52:

Design focused programs to increase workforce participation and remove barriers to employment.

Did that take a number of people – there are around 30 people working in the LVA – six and a half years to come up with that one? What about:

Continue investment in services, infrastructure and amenities that will attract and retain sufficient skilled workers in the region.

That is a recommendation. I cannot say rude words here, but it is like: what is going on? Another one:

Improve the built environment to provide attractive, easily accessible and safe public spaces for community gathering.

Like, yes, fine. But what is this report for? It talks about a blueprint, but it is not a blueprint. It has not had any prefeasibility studies about potential industries that should move in. There is not a graph or a time line of expectation where you can have an accountability level. If it is for investment, there is nothing there for investment to hang its hat on. It references other strategic plans – okay. It references one that I totally oppose, which is the forestry transition program that is just nonsensical and is not supported, overwhelmingly, by the people in the valley. Thank you very much, Mr Martin Cameron, for coming in and providing that sensible balance.

It mentions TAFE and Fed Uni. We need all of those, but where is the plan? There is a section that I agree with entirely from EnergyAustralia. They are about to close their Yallourn power station, by 2028, only a few years away. It says:

Energy Australia estimates that each Yallourn Power Station worker generates an additional 4 to 5 jobs in the region.

Well, they are going to close. Where is the direction from the Andrews government, from the Latrobe Valley Authority, which was paid a lot of money to come up with a very nice reference book that is aspirational but not directional. I absolutely condemn the Andrews government for this. There was an opportunity to provide that purpose for this very important region. It has failed to do so. It has given us SEA Electric and taken it away, it has given us the Comm Games over there and taken them away. It is talking about the SEC, which it references, but where is the direction? It does not exist.

### *Adjournment*

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (17:41): I move:

That the house do now adjourn.

### **Southern Metropolitan Region multicultural communities**

**John BERGER** (Southern Metropolitan) (17:41): (395) My adjournment is for the Minister for Multicultural Affairs in the other place, Minister Brooks, and the action that I seek is for the minister to update me on what actions the Andrews Labor government is taking to support multicultural communities in my community of Southern Metro, specifically in the electorate of Hawthorn.

The Andrews Labor government has a proud tradition of supporting our multicultural communities here in Victoria. That is why we have introduced the multicultural festivals and events program. This program funds multicultural and multifait community organisations to hold cultural festivals and events for their local communities. Funding was offered in three streams and funds events held between 1 July and 31 December. Through this round of the grant program a massive 346 organisations will be sharing in more than \$1.3 million of allocated funding, and I am excited to say two of these organisations are in my community of Hawthorn. First, the Ashburton Chinese Senior Friendship Association received \$2000, and the Monash Chinese Senior Friendship Association will also receive \$2000 to help organise this festival.

The Mid-Autumn Festival is a traditional festival celebrated in Chinese culture and marks the end of the autumn harvest. You may know of the festival from its prominent display of lanterns of all shapes and sizes and of course the consumption of mooncakes, which I am excited to eat again, and with 3.1 per cent of the electorate of Hawthorn speaking Mandarin at home and a significantly larger population of Australians with Chinese ancestry residing in my community of Southern Metro, this festival is an important time of the year for my community. I want to thank both organisations for taking the time to apply for this program and their commitment to celebrating and promoting multiculturalism in Victoria.

Our government will always support multicultural communities in Victoria, as will I. I look forward to working with Vivienne Nguyen AM, chairperson of the Victorian Multicultural Commission, recently appointed to strengthen these bonds. I also encourage my community to nominate people or organisations for the 2023 Victorian Multicultural Awards for Excellence, which are now in their 22nd year. This year's categories include arts, business, community innovation, education, emergency services, health, justice, local government, media, police, refugee advocacy, sport, youth leadership and the Premier's Award for Community Harmony, but get in soon, as nominations close on 3 September. To wrap up, I am excited to attend the mooncake festival and more multicultural events supported by this side of the chamber.

### Northern Victoria Region ambulance services

**Wendy LOVELL** (Northern Victoria) (17:43): (396) My adjournment matter is for the Minister for Ambulance Services regarding the concerning code 1 response times recently released for quarter 4 2022–23, particularly in Northern Victoria. The action that I seek is for the minister to immediately allocate additional paramedics and any other necessary vehicles or equipment to ensure Ambulance Victoria response times for code 1 incidents in Northern Victoria can be met.

In medical emergencies the time it takes for a patient to receive treatment is critical to their health outcome. That is why Ambulance Victoria use two official response time targets to measure their service performance, both involving attendance time to code 1 call-outs. The targets are that Ambulance Victoria respond to code 1 incidents within 15 minutes for 85 per cent of incidents statewide and within 15 minutes for 90 per cent of code 1 incidents in centres with populations greater than 7500 people.

The code 1 response time data recently released by Ambulance Victoria shows that the service is currently failing to meet these targets, with the worst results occurring in regional Victoria. In five regional local government areas, three of which are in my electorate, less than 30 per cent of calls of a code 1 medical emergency received an ambulance within 15 minutes. In Strathbogie shire only 25.5 per cent of code 1 calls received an ambulance within 15 minutes. That means almost 75 per cent of call-outs failed to reach the patient within the target time. In Indigo shire just 26.9 per cent of code 1 calls received an ambulance within the target response time of 15 minutes, meaning more than 73 per cent of call-outs failed to meet the target time for attendance. In the Murrindindi shire only 27.7 per cent of urgent calls arrived within the target time frame, meaning more than 72 per cent failed to meet the target for attendance. The Pyrenees shire recorded the worst response times in Victoria, with just 23 per cent of code 1 calls receiving an ambulance within 15 minutes, and in Golden Plains the result was just 24 per cent for these communities. Up to 77 per cent of all call-outs failed to meet the target. Considering the response targets for code 1 calls are 85 per cent statewide and 90 per cent in centres with a population greater than 7500 to actually meet the target of 15 minutes, this latest data highlights the epic failure of the Andrews Labor government to adequately resource our regional ambulance services.

Ambulance Victoria boasts the most highly trained and dedicated paramedics in Australia, but the simple fact is our paramedics are overworked and under-resourced. Only last week I was contacted by a constituent, who reported that her husband was forced to wait an hour and three-quarters for an ambulance after suddenly collapsing at home. *(Time expired)*

### Australian Labor Party

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (17:46): (397) My adjournment matter is for the Premier, and the action I seek is for him to listen to the Victorian community and take its concerns to the Labor national conference. This weekend is the Labor national conference, as I think everyone in this place would be aware. The conference is described on Labor's website as playing 'a defining role in the future of our party and our nation'. We know that the policies agreed upon at this conference will influence the Labor initiatives that will come from our state and federal governments. These policies have real-world impacts for our community. What members in this place might not be aware of is that a range of organisations are planning to protest this event. Housing organisations, renters, queer groups, people living in poverty and many different people will be holding demonstrations during the conference, and their sentiments are shared by the broader Australian community.

I want to talk about some of the reasons why people are planning to protest Labor's event. Earlier in the year Labor released a draft of the policy platform to be agreed upon at the conference. Queer members of the community were horrified to learn that commitments to expand anti-vilification laws for queer people had been removed from this proposal. Last year it was there, but in this draft this year it is gone – at a time when the queer community is under attack from the far right and needs expanded anti-vilification laws more than ever. Labor needs to do better.

Premier, we are in a cost-of-living and housing crisis, and renters are feeling abandoned by the Labor government. Labor is selling off public housing stock to private developers, investing in the failing private housing market and providing no hope to the growing cohort of renters who will never be able to afford a home of their own or have housing security, doomed to age in insecurity and forced to move home every few years and relocate their entire lives whilst the private sector enjoys billions in subsidies. Labor is walking away from renters. Premier, \$313 billion is being handed to the most wealthy in this country despite Labor's own acknowledgement that stage 3 tax cuts are a slap in the face to anyone who is not rich – tax cuts that will increase wealth inequality. It is a hard pill to swallow for the people in housing stress or for the over 70 per cent of people who are cutting back on groceries because the cost to eat is too high. These are just a few reasons why people are choosing to protest Labor's national conference, so I ask you, Premier: with the opportunity you have, do something.

### **Rural and regional roads**

**Joe McCracken** (Western Victoria) (17:49): (398) My adjournment matter is to the Minister for Roads and Road Safety in the other place, and the action I seek is to undertake a review of the condition of roads in country Victoria, not inside Melbourne, including an assessment of the impact of road surfaces on driver safety, and to commit to funding that review as soon as possible but at the latest time in the next state budget. I have got to say, even driving on the Western Highway – not just a back road, the Western Highway – this week I was faced with what was really almost like an obstacle course of potholes on the road. Although there were signs slowing people down to sometimes 80, sometimes 70 and sometimes 60 and there were signs up saying that there were roadworks – I did not see any roadworks – there was no actual solution in place. Nothing was actually being done. I am one of hundreds if not thousands of people that travel that road each and every single day, and nothing is happening. I do not know if anyone has seen, but it was on the news on Monday night that the state's potholes have gone up from a reported 3000 on the app called Snap Send Solve to almost 9000. That is unbelievable, and it just goes to show the state of our roads; they are in terrible condition. There were just over 3000 potholes reported on Snap Send Solve in 2021–22. They have nearly tripled.

**Bev McArthur:** But they rejected an inquiry.

**Joe McCracken:** The inquiry has been rejected. You are right, Mrs McArthur. I do not understand how we can have all this talk about how we spend so much money on regional roads. The truth of the matter is half of the money is actually spent on the maintenance of wire rope barriers that do not actually go in any way towards fixing the roads. Victorian Transport Association CEO Peter Anderson said:

Some of those potholes aren't just potholes, they're ... the size of a kitchen table.

**Bev McArthur:** Craters, Mr McCracken.

**Joe McCracken:** Craters, as Mrs McArthur says. I think I am going to have to get not a car but a moon buggy to try and navigate around Victoria. That is how bad it is. Maybe the government might want to help us by subsidising moon buggies. That might be a great way to help regional Victorians, because the roads certainly are not getting the maintenance they well and truly deserve.

### **Anti-vilification legislation**

**David Limbrick** (South-Eastern Metropolitan) (17:52): (399) My adjournment matter this evening is for the attention of the Attorney-General and is related to the consultation process for proposed changes to anti-vilification laws. I am going to do something this evening that is perhaps a little bit unique for me and talk about the proud history of the Victorian labour movement from the early 20th century on the matter of free speech. The right to free speech is absolutely critical to a free society. With this right adequately protected all other freedoms can be won. It is probably why the famous slavery abolitionist Frederick Douglass described it as 'death to tyrants'.

I recently ventured out of my electorate into Brunswick to visit the only monuments to free speech I am aware of in Victoria. In the early 1930s workers and the unemployed were on the streets in a battle for their right to free speech. The public square really was the public square, not like Twitter and things these days. Police had been breaking up public meetings and sometimes quite violently. There was an artist named Noel Counihan who was selected to protest for free speech rights by climbing into a large steel cage that he would be bolted into so that he could speak without being arrested. There is a monument outside the Brunswick Mechanics Institute on the corner of Sydney Road and Glenlyon Road to this brave protest in defence of free expression. Just down the street, outside Jewell station, is a monument to James Jewell and his passion for free speech. Outside the station on the Sydney Road side, just off the walking path, is a quote from Mr Jewell that says:

I will go to gaol in defense of freedom of speech.

Mr Jewell was a member of this Parliament's Legislative Assembly for 39 years and was widely respected. In relation to the free speech battles of Brunswick and elsewhere he stated:

It does not matter to me whether the men are Communists, Nationalists, or followers of Labour. I believe that every man, so long as he behaves himself, has the right to put his political views before the people.

If only the current members of the Labor Party shared the passion of their predecessors. Attacks on free speech are neither recent phenomena nor isolated to Victoria or Australia. A couple of years ago the Scottish Parliament debated their hate crime and public order bill. Its structure was very similar to proposals for reform to anti-vilification laws being considered in Victoria at the moment. When submissions were sought at the initial stages, many organisations wrote thoughtful submissions, and a large number came from individuals. Consultation is currently open on the [engage.vic.gov.au](https://engage.vic.gov.au) website for proposed anti-vilification laws. My request for the Attorney-General is to join me in promoting the Engage website for the proposed bill to ensure that a wide range of views are taken into account.

### Wild dog control

**Melina BATH** (Eastern Victoria) (17:55): (400) My adjournment matter this evening is for the Minister for Agriculture, and it relates to the wild dog action plan. I am pleased that she is at the table so that she can hear this, and I am sure she will know what is coming. The action I seek is for the minister to agree to the continuity of the effective wild dog control program that really has, over a number of years, reduced the negative impacts on private land, national parks and state forests.

Classified under the Catchment and Land Protection Act 1994, the feral and wild dog populations and hybrids have certainly had a significant impact and stress upon farmers and upon rural communities and the Victorian economy. Indeed if you have ever witnessed a wild dog attack or part thereof or the leftover from an attack on a lamb or sheep, it is a horrendous sight. The wild dog program uses a range of methods, such as baiting, exclusion fencing, trapping and shooting. The program employs, as the minister would know, 20 wild dog control staff. The key thing about this is the 3-kilometre protection zone, which is applied to public land on the edge of private property. I know the people who I have spoken with highlight the importance of keeping this exclusion zone to be able to mitigate the effects of losses of stock and not only stock but indeed native animals as well.

It was introduced in 2013 under a Nationals and Liberals government. From that time, it has had a 75 per cent reduction in stock impacts on properties adjoining public land in the east and the south-west of Victoria. One of my constituents, a fantastic gentleman, a Bendoc farmer – and that is about as far north-east as you can go in my electorate – Eddie Sellers, certainly endorses the use of permitted, regulated and department-specified 1080. He has actually gone to great lengths to put up cameras to see how, under that use, quolls have actually come back to the edge of his property. He has got records of that. He knows the devastation that wild dogs can cause – he understands, as do many others. I have been contacted by those who are entirely in favour of this wild dog management program; they feel that it is currently at risk. I would really appreciate, on behalf of Victorian livestock farmers, to be able to put it to bed and commit to this ongoing program once and for all.



### Homelessness Week

**Rachel PAYNE** (South-Eastern Metropolitan) (17:58): (401) My adjournment matter is for the Minister for Housing Minister Brooks. Homelessness Australia's Homelessness Week was last week – a time when homelessness services and community groups seek to engage and advocate. This year's theme was 'It's time to end homelessness'. To mark this week, I would like to shine a light on a book titled *H: A Love Story*, which was recently launched at the Richmond Library. This book tells the story of Cheryl and Troy, a couple who have been married for more than 25 years and spent 10 of those living on the streets of Melbourne addicted to heroin. Their story is one of many. The 2021 census data for Victoria showed a 24 per cent increase in those without a home, rising to more than 30,000 Victorians. Given the difficulties in collecting data of this kind, the actual figure is likely to be much higher. Nearly a quarter of those people experiencing homelessness are aged from 12 to 24 years, with young people aged 19 to 24 experiencing the highest incidence of homelessness. We know that for those who experience prolonged youth homelessness there is strong evidence they will experience homelessness later in life and require more intensive supports. This is why early intervention is incredibly important. We must shift from a crisis-oriented response.

The Victorian government is not ignorant of this issue, but we need urgent investment and support. In the meantime, thousands of Victorians needlessly suffer. They go without a home, and homelessness services are forced to turn people away. So the action I seek is that the minister specifically consider how resources, funding and early intervention can be targeted to meet the needs of young people experiencing homelessness and fund projects accordingly.

### Cost of living

**Renee HEATH** (Eastern Victoria) (18:00): (402) My adjournment matter is for the Treasurer, and the action that I seek is for him to outline what measures are being undertaken to reduce the cost-of-living crisis Victorians are facing. Despite Victorians paying the highest taxes of any state or territory in Australia, Victoria has the highest level of debt of any state or territory in Australia. Something is not working. You cannot tax your way into prosperity. No government ever has and no government ever will. Prosperity follows governments that get out of the way and allow individuals to thrive. Prosperity follows a government that allows its people to use its resources and get the most out of them. This state has natural gas, and Labor will not let us use it. This state has coal, and Labor will not let us use it. This state has timber, and Labor will not let us use it. Victorian families are feeling the heavy weight of financial pressure. This government is placing pressure on small business, which is the engine room of our economy. It is placing pressure on parents who want to send their kids to a non-government school. It is placing pressure on home owners and rental providers. Since coming into government, this government has slugged Victorians with more than 49 new or increased taxes, so we know what you are doing to increase the cost-of-living crisis, but I want to know: what are you going to do to decrease it?

### Electricity infrastructure

**Bev McARTHUR** (Western Victoria) (18:02): (403) My adjournment matter is for the Minister for Emergency Services and concerns the threat to Victoria's firefighters as new high-voltage transmission lines crisscross the state. At yesterday's magnificent tractor rally protest against the Western Renewables Link and the VNI West project, I was handed letters that eight CFA brigade leaders have written to CFA chiefs and to Daniel Andrews. Volunteers from Mymiong, Coimadai, Ballan, Blackwood, Mount Wallace, Wallace, Leonards Hill, Millbrook and Bungaree declared they will not respond to fires on, above or around the proposed 500-kilovolt powerlines. This is due to the high risk as well as the unknown hazards of working around this type of infrastructure. 'We do this to ensure the safety and wellbeing of our members,' they said. Forest Fire Management Victoria place Darley in the highest risk category for the region and Coimadai on the high-risk list. According to the government's own climate change projections, decreased rainfall and increased summer heat can only worsen this. Powerlines obstruct firefighting, prevent activity in proximity to towers and impede

strategies to fight growing fires. Nearby fires can produce electrical arcs, damage wires and tower structures and cause supply blackouts.

The catastrophic threat to CFA operations which has driven these dedicated volunteers to threaten to refuse to operate is all the worse when we consider how unnecessary it now is. The plan B proposal delivers more than the Australian Energy Market Operator's proposed capacity increase far less invasively and at a significantly lower cost. The minister should also be aware that it is significantly more disaster resilient. It has zero single points of failure, vital for infrastructure of this significance. In comparison, AEMO's proposed single tower 500-kilovolt lines have more than 1000 single points of failure. In firefighting terms, AEMO will ultimately create more than 1250 kilometres of new easements, many double-circuit 500-kilovolt lines with 80-metre-high towers. Plan B in contrast uses existing or spare easements already in the operational plans of local brigades, reinforcing and augmenting 220-kilovolt lines with 41-metre towers and a small length of single circuit 500-kilovolt line with 48 towers, which will create nothing like the destruction of AEMO's 80-metre towers. Regional Victoria will not soon forget AusNet's role in catastrophic bushfires, and many will look to government agencies to manage the risk.

Minister, please respond to the heartfelt plea of these dedicated CFA volunteers and commission an analysis of the relative emergency management merits of AEMO's transmission network upgrade versus the plan B proposal. Please include too an assessment of the relative merits of undergrounding versus overhead power with respect to firefighting operations.

#### **Building system review**

**Samantha RATNAM** (Northern Metropolitan) (18:05): (404) My adjournment matter tonight is for the Minister for Planning, and my ask is that she publicly releases the report of stage 2 of the building system review. The building system review began after years of documented failures in our building system in Victoria. There have been far too many unsafe and substandard homes built across the state in the last decade. We have heard too many stories of owners who have purchased an apartment only to discover that their roof leaks, their balcony is cracking or their building is covered in dangerous combustible cladding. Developers have been cutting corners and constructing homes on the cheap in order to maximise their own profits, and our regulatory system, which should provide the oversight and rules to prevent the bad behaviour, has simply allowed it to happen.

The Victorian Building Authority has made headlines in recent months for a series of regulatory failures, including conducting plumbing audits remotely via iPhone and allowing inspectors to assess the quality and safety of roofs from the ground. And while the flammable cladding crisis has been the most public failure of our building system in recent years, it is just the tip of the iceberg. My office regularly hears from owners who in the process of arranging cladding removal discover multiple additional faults in the buildings that need to be fixed before the cladding removal can even begin. The *Age* recently reported that out of the 339 buildings that have government funding to remove cladding, half had other faults and defects and one in four had balcony defects. Many of the defects related to insufficient waterproofing, and for some the situation is so bad that black mould has spread into the timber and insulation. These homes are literally rotting away. For owners the cost of fixing these defects can cost into the hundreds of thousands. Owners are facing significant debt trying to navigate complex legal proceedings, chasing down builders who have long gone out of business and managing lengthy rectification works while living in homes that are falling apart, all through no fault of their own.

We must do better. If this government is about to introduce sweeping changes to our planning system to increase the supply of housing, it must also ensure these new houses are homes that people actually can and want to live in – well designed, built to a high standard and at the very minimum structurally sound. It is clear major reform is needed in the building industry before we can have confidence that our regulatory and oversight systems are capable of delivering these high-quality homes. We need to do more to stop developers shirking regulations and rules to maximise profits, and the building system

review is the perfect opportunity to embark on this reform project. The review, which is led by an expert panel, is being conducted in three stages. Stage 1 has been completed. Although the government has committed in principle to all of the 16 recommendations, many are yet to be implemented. Stage 2 has been completed and handed to the minister, yet the government is yet to release the report or announce the recommendations that will be implemented. I ask the minister to release the report of stage 2 of the building system review.

### **Kindergarten funding**

**Nicholas McGOWAN** (North-Eastern Metropolitan) (18:08): (405) My adjournment matter tonight is for the Minister for Training and Skills in this place, and it relates to a subject that was raised earlier today, and that is the kindergartens in the City of Knox. I have had the great fortune of living in a number of states in this country of ours, and I think something that I have come to admire and love about Victoria is the great tradition we have of community- and council-based kindergartens, so it was with some alarm, not only this week but in fairness over the last few months, that the council has begun to indicate that the changes in policy – that is, the changes in the government's policy – might result in a reduction in and in fact in this case almost entire withdrawal from the kindergarten space. We learned just on Tuesday of this week that the council now intends to no longer operate 21 of its 23 kindergartens, commencing in 2025. That has very serious ramifications for some 1100 kindergarten children – very young children, three- and four-year-olds – in the suburbs of Bayswater, Boronia, Ferntree Gully, Knoxfield, Rowville, Wantirna South, Wantirna, The Basin and Scoresby.

These changes – that is, the free kindergarten that has been introduced – are all good and well. This side of politics has long supported kindergarten, as has my good colleague here Wendy Lovell, who did a sensational job when she was the minister herself. However, sadly, there is a very significant threat to these 21 kindergartens. I would ask that the Minister for Training and Skills pick up the phone to Knox council and speak with them, because very clearly, as in a quote that was given by the mayor of Knox City Council just two days ago:

... certainly the changes of the state government's decision to increase hours and make kindergarten free and that second year have very much been a part of our decision-making.

What is clear to me is that these changes will result in the council now transferring – in essence really privatising – kindergartens and having the private sector come in and perform that function. That can only mean one thing; that will mean higher fees. That will mean greater costs on families at precisely the time they can least afford it. Perhaps what is more concerning, if that is not concerning enough, is that you actually might have the contrary outcome that the policy is seeking to address. That is, you might actually have fewer three- and four-year-olds attending kinder because their parents simply cannot afford it. I would have thought that this was a perverse outcome. I would encourage the minister to pick up the phone and to negotiate, to speak and to understand best what has come into this decision and try the very best to make sure that in actual fact this is not the case and that the council continues to play its role.

### **City of Melbourne parking**

**David DAVIS** (Southern Metropolitan) (18:11): (406) My adjournment this evening is for the attention of the minister for transport. It concerns the decisions that have been made recently by the City of Melbourne, which closed down parking options, closed down movement options, in the city. In recent days I have had cause to park in a number of these locations, including near the Arts Centre, near Federation Square and so forth. Particularly after-hours parking has become very difficult and costly. Where previously parking after 6:30 would be free, they have now put in 2-hour parking. In some places it is 1-hour parking and in some areas there are quarter-hour arrangements, quite short-term lengths of parking.

The consequence of this is quite severe. For example, if you are a family wanting to come in for dinner in the city, you would be limited with the 2-hour parking. It would be more costly. Previously you could have parked at 6:30 and parked till 9 o'clock or 10 o'clock. You could have had dinner, had a short pretheatre dinner – I am conscious of the arts sector; I represent the arts and creative industries sector – and you could have gone to a show. Now you will be clobbered with additional parking costs and you may be limited by this 2-hour time period. So you could not as a family come in, have dinner, go to a show and then go home. This is all the decision of the City of Melbourne. Before they made this decision I did write to them with a submission to lay out some concerns that I had and the impact that was likely on the arts and creative sector, but I think it is much bigger than that. It is right across a whole series of people who will be directly impacted by this.

It is a revenue grab. Let us be clear: they will be grabbing more revenue. Some of the signs are actually quite deceptive at the moment. When you look at the sign, it says – and I have looked at this a few times in the last week or so – ‘We’re improving the signage.’ Well, no. They are not actually improving the signage. They are actually increasing the fees, clobbering families, clobbering motorists, clobbering people who are parking there. It is a grab for cash. That is what is going on.

I am asking the transport minister to look at this and to look at what powers they may have to intervene, to overrule the City of Melbourne with its extraordinary set of decisions. I do not lightly come to the position where I think a council needs to be overruled – in fact I tend to default the other way – but on this occasion it is a central city impact. Many of our main institutions are being impacted, families are being impacted and it is an ideological grab for cash by the City of Melbourne.

#### **Northern Victoria Region roads**

**Gaelle BROAD** (Northern Victoria) (18:15): (407) My adjournment is for the attention of the Minister for Roads and Road Safety, and the action I seek is for the minister to prioritise the repair of flood-damaged, potholed and crumbling roads across northern Victoria. On the Bendigo-Sutton Grange Road in Elphinstone, a popular road that connects Bendigo to the Calder Freeway to Melbourne, a stationary traffic light has been positioned to facilitate a single lane of traffic to cross a bridge damaged in the floods last October. It is one of many spots across northern Victoria still waiting for roadworks to be done. As I drive across the region there are still many uneven roads with deep potholes in need of repair, and the only work done in the past 10 months has been to put up signs reducing the speed limit to 40 and advising ‘Rough surface’.

Victorians are expected to drive roadworthy vehicles, and a record \$2.5 billion was collected from vehicle registration in the past year, so we expect the state government to provide roads that are safe to drive on. Hidden bumps and potholes are extremely dangerous for motorcyclists. In the last five years almost 200 motorcycle riders and pillion passengers have been killed on Victorian roads – 78 per cent were in regional Victoria. At a meeting of the Loddon Campaspe group of councils last week a point was made that just one overpass built in Melbourne would be enough to repair flood-damaged roads across the whole of the Loddon shire.

During the Public Accounts and Estimate Committee hearings my Nationals colleague Danny O’Brien rightly pointed out that two major state government road programs worth more than \$750 million will only roll out in Labor seats. The road blitz to get families home sooner and safer scheme and delivering the better local roads program will provide some nice upgrades for motorists, cyclists and pedestrians in Melbourne, but in regional areas road upgrades are a necessity. Everywhere I go in regional Victoria residents raise concerns about the poor condition of the roads, yet Labor has cut the road maintenance funding by 45 per cent since 2020. Only \$165 million was provided in emergency funding to repair flood-damaged roads across the state, and when you consider the damage to bridges and roads across the region, it is simply not enough.

Regional roads are the lifeblood of our state. Victoria needs a great road network to connect our state, transport food supplies to the city, deliver feed to stock, enable businesses to operate and get employees to work, our kids to school and families home safe. It is nearly 12 months since the floods,

and while the state government power ahead with their level crossing removals in the city, regional areas are still waiting for basic repairs to flood-damaged roads. I ask the minister to prioritise repairs to flood-damaged roads and to allocate more funding for road maintenance in rural and regional areas.

### **Donnybrook Road, Kalkallo**

**Evan MULHOLLAND** (Northern Metropolitan) (18:17): (408) My adjournment is directed to the Minister for Roads and Road Safety, and it concerns my community in Kalkallo, particularly in the Cloverton estate along Donnybrook Road. This is something I have done lots of adjournments on in the past, lots of members statements on in the past and lots of constituency questions on in the past. I am seeking action from the minister to come out with me at peak hour in the morning so I can show her the traffic congestion in Kalkallo on Donnybrook Road. I also seek the action of the minister to give me some sort of explanation about when the slip lane out of Dwyer Street onto Donnybrook Road onto the Hume will be completed, because it has been almost a year since the re-election of the Andrews government and locals are telling me that they have not actually seen a shovel hit the ground or seen any consultation regarding this slip lane.

I was actually at Kalkallo on Donnybrook Road at 6 am yesterday to see for myself the traffic congestion, and I will tell you the cars in the Kalkallo estate were stretching back over 1 kilometre bumper to bumper. People are literally waiting an hour and a half just to get onto a main road because the Andrews government has played the worst game of *Sims* ever. They have completely botched the delivery of growth suburbs. You hear it in my electorate, you hear it in Wyndham, you hear it in Werribee and you hear it in Clyde – people not being able to get out of their own housing estates because the government has not made the necessary investments to cater for growth.

I am seeking the action of the minister to investigate and propose a business case for the duplication of Donnybrook Road, because if the minister goes out there herself she will actually see that a slip lane will do nothing. It will put people bumper to bumper onto the Hume, and it is just moving the problem further down. What we actually need is a duplication of Donnybrook Road. The government has approved all these precinct structure plans. They have taken all the stamp duty revenue, spent it in the inner city and not duplicated Donnybrook Road, where there are tens of thousands of houses going in. It is still basically, in some sections, the equivalent of an old farm track, which is what it was before Justin Madden moved the urban growth boundary. I am urgently seeking for the minister to prioritise the duplication of Donnybrook Road.

### **Responses**

**Gayle TIERNEY** (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (18:21): There were 14 adjournment matters raised this evening. Can I request, President, that you consider the matter that was raised by Mr McGowan that was actually directed to me as Minister for Training and Skills. It was a matter that deals with kindergartens and has very little to do with my portfolio.

**The PRESIDENT:** Can I ask that you direct that to the Minister for Early Childhood and Pre-Prep, Minister Stitt.

**Gayle TIERNEY:** Sure, okay. The other matter that was directly raised with me was from Ms Bath, and it was in relation to wild dogs. The answer that I will give is the same answer that essentially I gave another member who asked me this question in question time some weeks ago, and that is that the government is more than aware of livestock predation. We know that it is a significant issue, particularly for producers in the north-west, the north-east and of course Gippsland and East Gippsland. I also am absolutely aware that this government is committed to continuing to work with farmers and other private landholders to appropriately balance the protection of livestock production and dingo conservation as well. Through existing programs and regulations we are building farmers' capability to apply best practice management, including the integrated and targeted deployment of lethal and non-lethal control techniques to prevent livestock predation. I am also aware of recently

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published research on a whole range of things, and of course the government, as well as the scientific community through peer research assessment, will consider a whole range of things. We are in a situation where the government will continue to consider relevant evidence and research, and that will inform policy and planning on these important issues. I thank Ms Bath for raising this matter this evening.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 6:23 pm.**