



# **Hansard**

## **LEGISLATIVE COUNCIL**

### **60th Parliament**

**Tuesday 29 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

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

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, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira <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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**Tuesday 29 August 2023**

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

*Bills*

**Energy Legislation Amendment (Energy Safety) Bill 2023**

**Mineral Resources (Sustainable Development) Amendment Bill 2023**

*Royal assent*

**The PRESIDENT (12:05):** I have received a message from the Governor, dated 22 August:

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

**22/2023** Energy Legislation Amendment (Energy Safety) Act 2023

I have received a further message from the Governor, dated 29 August:

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

**23/2023** Mineral Resources (Sustainable Development) Amendment Act 2023

*Members*

**Minister for Water**

*Absence*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:06): As has previously been advised to members, Minister Shing is away today, so any questions for her in her capacity or acting capacity, please direct to me.

*Questions without notice and ministers statements*

**Kindergarten funding**

**Matthew BACH** (North-Eastern Metropolitan) (12:06): (249) My question today is for the Minister for Early Childhood and Pre-Prep. Minister, local councils say that your botched free kinder funding model is causing kinder cuts and closures. A senior source from Mornington Peninsula Shire Council has raised the alarm regarding the cost imposition your reforms have placed on their municipality. They now need to stump up over \$50 million to upgrade almost 30 facilities. How many councils will require upgrades to their kinder facilities to accommodate your so-called free kinder model?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:07): I thank Dr Bach for that question. It does give me an opportunity to again outline for the house all of the different ways in which the Andrews Labor government is supporting local government and indeed the MAV as their peak body as we roll out our nation-leading early childhood reforms. Members would be aware that the previous state budget has \$1.8 billion for the rollout of the Best Start, Best Life reforms, including \$1.2 billion for infrastructure. Our government has been highly responsive to the MAV and to local government partners when it comes to increasing the funding available for local government to roll out the infrastructure that we know they will need based on the unmet demand for three- and four-year-old kinder and pre-prep right across the state.

Firstly, for new and expanded infrastructure we have significantly increased our Building Blocks capacity grants and infrastructure grants to councils. All three grant categories have increased to local government by at least 60 per cent on top of the previous rates, with some of the streams as much as

166 per cent. For instance, the state government contribution for a two-room early childhood learning facility has increased from \$1.5 million to \$4 million, and those grant amounts are scalable depending on the number of kinder rooms that are provided. We also fully deliver modular kindergartens and cover the full costs of those modular builds, and our government also continues to deliver the kindergarten infrastructure that we know we will need right across the state to the tune of \$1.2 billion, so to try to characterise this as the government not supporting local councils is, quite frankly, laughable.

Secondly, we have provided more funding to local government for planning. They can access Building Blocks planning grants of up to \$150,000, because we recognise that it takes a lot of resources for council to plan for these infrastructure projects.

**Matthew Bach:** On a point of order, President, I have been listening to the minister for some time now, and her contribution has been of interest. Nonetheless, the question was a narrow one regarding how many councils will require similar upgrades. She is providing some broadly relevant content regarding what the government is seeking to do, but she has not gone near answering that question. Time is of the essence. If she could be asked to come back and actually answer the question, that would be very useful.

**The PRESIDENT:** The minister is being relevant to the question.

**Ingrid STITT:** Thank you, President. Thirdly, we have also been assisting local government with upgrading ageing infrastructure as we roll out the Best Start, Best Life reforms. Dr Bach might actually be interested to know that there have been over 490 infrastructure upgrades delivered by our government as part of these reforms, and we are only just warming up. We have got more work to do, and we have got \$1.2 billion worth of infrastructure funding that we are rolling out together with councils right across the state.

**Matthew BACH** (North-Eastern Metropolitan) (12:10): Again I do thank the minister. Minister, how much will ratepayers have to fork out for upgrades as a result of your botched free kinder program?

**The PRESIDENT:** It is related, but I think in asking the minister about any form of increase to ratepayers, I am not too sure if that is her responsibility. I will let you rephrase it, Dr Bach.

**Matthew BACH:** Thank you, and I entirely accept what you say, President. The intent of the supplementary was to deal with the cost-shifting according to senior sources at Mornington Peninsula Shire Council that I spoke of in my first question. So perhaps I could put it that way: how many costs will be shifted to ratepayers in order to upgrade facilities due to your botched free kinder program?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:11): I take issue with Dr Bach characterising free kinder in that manner. It is an absolute game changer for families right across the state. It means that cost is no longer a barrier for three- and four-year-olds participating in kindergarten. Many of those families would not have had access to kindergarten had it not been for the government's free kinder. Can I just remind Dr Bach again, for the umpteenth time, that the free kinder levels of funding that our government is providing significantly uplift the amount of revenue available to councils by about 40 per cent on average. The \$1750 per child per year versus the \$2500 per child per year that the government is providing does actually represent a significant uplift in funding for local government. That is something they do not even argue with. This is a fantastic policy, and we are very proud to be supporting it.

### Water policy

**Sarah MANSFIELD** (Western Victoria) (12:13): (250) My question is for the minister representing the Minister for Water. The federal water minister recently announced a deal brokered between basin states which includes voluntary buybacks to meet environmental water targets. All basin states except Victoria are on board. Minister, you continue to cite the socio-economic test to



justify Victoria's refusal to collaborate. This is despite the test being widely criticised, including by the Murray–Darling Basin Royal Commission, as impractical, unworkable and completely ignoring the impacts of failing to recover water. Minister, have you assessed the long-term social and economic implications for farming and regional communities across the basin if the system is left without sufficient environmental flows?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:13): I thank Dr Mansfield for her question, and Ms Shing will be delighted to provide an answer in detail to that.

**Sarah MANSFIELD** (Western Victoria) (12:14): I thank the minister for passing on that question. This week I spoke with a Victorian farmer who wants to sell part of their entitlement to the Commonwealth, but the Victorian government refused the request based on their socio-economic test. Independent advice has determined that the socio-economic impact of the transfer would be inconsequential for the water market. In fact the farmer's proposal intends to provide positive support for the regional economy, whilst the water returned will help to save native fish and waterbird populations – a win-win. Why do you continue to oppose proposals such as this?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:14): This is a very complex policy space with a lot of diverse opinions. Ms Shing is well placed to provide you with details in relation to Victoria's strong and consistent position in relation to water policy.

#### Ministers statements: carers

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:14): I rise to update the house on our new round of the Connecting Carers in Their Community grants program. There are more than 700,000 unpaid carers in Victoria, and they provide essential and unpaid support to loved ones with care needs. Many of our unpaid carers are selflessly providing care around the clock, making it difficult to find the support they need to look after themselves. My grandmother gave up her paid work to be a full-time carer for my grandfather when he became a quadriplegic. I personally understand and know the profound impact of unpaid caring on individuals, families and communities.

As the Minister for Disability, Ageing and Carers, I am very pleased to outline in this chamber today just one of the ways in which this government is backing our unpaid carers. This government is investing \$900,000 in the Connecting Carers in Their Community grants program. The grants of up to \$40,000 each will fund projects designed to enhance social connectedness and reduce the isolation experienced by carers. This new grants round will be administered by Carers Victoria, the funded peak body for Victoria's unpaid carers, and will focus on prioritising support for carers in regional and rural areas, including First Nations carers, multicultural carers, LGBTIQ+ carers and all Victorian carers.

I would like to take this opportunity to thank Carers Victoria CEO Judith Abbott and her team for the incredible work that they do. Carers Victoria plays a critical role in assisting unpaid carers to support loved ones, including partners, family members and friends, from delivering direct support to carers through to the Support for Carers program. I would also like to acknowledge and thank our unpaid carers for everything that they do. This government knows that the carer role can be highly rewarding, but it is also difficult and it is tiring. That is why we remain committed to supporting and investing in our unpaid carers. Applications for the grants close on 15 September, and I look forward to hearing about the projects that will be funded through this program.

#### Cherry Creek Youth Justice Centre

**Matthew BACH** (North-Eastern Metropolitan) (12:16): (251) My question is now for the Minister for Youth Justice. Minister, how many detainees are in Cherry Creek today?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:17): I thank Dr Bach for his interest in our youth justice system and

for his passion. I know he has a great interest in matters in our youth justice system. Our Cherry Creek facility, as I have discussed in this chamber, is our flagship facility. It is state of the art. It incorporates the best elements from the Armytage–Ogloff review into our youth justice system in 2017. It takes a multidisciplinary approach. It provides intensive intervention, medical support and vocational learning opportunities for the young people in our custodial settings.

As such, as I announced in the last sitting of this chamber, our first cohort of young people that were planned to be transferred over have been transferred over. The goal of the system is to increase the amount of young people in a graduated approach. I think it is important to understand that with any new facility you do take a graduated approach, because then you learn – for the staff there as well – about the use of the facilities. But it is also for the young people so they can acclimatise to their new environment. For the Cherry Creek facility, as I have stated in this chamber before, initially the focus will be on 15- to 18-year-old boys, which is one of the most complex cohorts in our youth justice system, and that work is ongoing.

We are also going through a transformation and a new chapter in our youth justice system. We are going from three premises down to two, so we will have two precincts. That is the plan, with our Parkville precinct and also our state-of-the-art Cherry Creek facility. As part of that, in the medium term our goal is to increase the numbers at Cherry Creek. We will have a relatively even balance between the two facilities.

**Matthew BACH** (North-Eastern Metropolitan) (12:18): President, I am sure we could deal with this later on, but the minister did not come close to answering what I am sure is a very straightforward question for him. I do not doubt that the number is in his notes. It was: how many detainees are in Cherry Creek today? I accept the minister's commentary about the need for a graduated approach, as he says, but my understanding is that there are some detainees in there. I think it is reasonable to ask how many. I will ask a supplementary nonetheless, and we can deal with that matter anon. Of the current Cherry Creek detainees – I understand there are some at least – how many are on remand for murder?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:19): Thank you, Dr Bach, for your supplementary question. I am not going to get into that level of operational statistics for a number of reasons, including the privacy of those in our facilities. You may know we have relatively low numbers in our youth justice custodial facilities at the moment, so I do not want to compromise the privacy of those young people but also the staff as well. Because the numbers are so low, there is a risk of that happening, so I do not want to get into that operational level of detail. I will say it is a specialist facility with a mental health and vocational skills centre provided. I have also given you an answer about the make-up of our system. The relatively low numbers which I disclosed when I announced the closure of Malmsbury are relatively stable. The medium-term goal is to have a relatively balanced system between Parkville and Cherry Creek. But, like I said, the numbers are very low, and I do not want to provide that level of operational detail.

### **LGBTIQ+ community safety**

**Rachel PAYNE** (South-Eastern Metropolitan) (12:20): (252) My question is for the Minister for Equality Minister Shing, so I will ask my question to the Attorney-General today. I understand that the minister recently met with a large group of community representatives for a round table on anti-vilification and discrimination against the LGBTIQ+ community. Just this morning we saw the release of the Trans Justice Project and the Victorian Pride Lobby's new report tracking the horrific escalation of anti-trans hate nationally. The need for urgent action is clear, but concerns have been shared with us about a lack of clear commitment to action, so my question is: what measurable outcomes did the minister achieve throughout this community round table?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:21): I thank Ms Payne for her question and her ongoing interest in this really important issue, which crosses

over a number of portfolios – as well as Ms Shing’s, mine and Minister Brooks’s – in the development of a new anti-vilification approach to tackling hate and intolerance and promoting respect in Victoria. That round table – she has a lot – I think my staff went along to as well just to make sure that we are all aware of the issues that people are raising to ensure that when the consultations are completed and we get to the point where we are drafting legislation it is picking up all of the people’s views and doing hopefully what it is intended to do.

I am sure that Ms Shing can give you a bit more of an update in relation to that meeting, but lots of meetings will continue to happen, both with our representatives and leaders in the LGBTIQ+ community and with a lot of action in relation to those leaders in the multifaith and multicultural areas, to make sure that anti-vilification reforms are doing what we want them to do – that is, protect all vulnerable community members in Victoria, which is what I think Victorians expect. That work is underway; engagement has started. Consultations are really important. I think you will appreciate, and I have been on the record before saying, that a legal response is just one element of this. Continued conversations, community engagement and demonstrating that there are a lot of us that really care about this and want to get it right I think have an added benefit to just a law that, frankly, we do not really want to have to apply.

**Rachel PAYNE** (South-Eastern Metropolitan) (12:23): I thank the Attorney for her response and for passing my question on to Minister Shing for some detail in terms of the round table. By way of supplementary, I ask the minister: will you respond formally to the Victorian Pride Lobby’s report?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:23): I will pass that question on to Minister Shing for her response.

#### **Ministers statements: waste and recycling management**

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:23): Last week I had the privilege of visiting two very innovative Victorian recycling facilities which have both been upgraded as part of our unprecedented \$515 million investment into transforming Victoria’s waste and recycling system.

On Thursday, along with the Premier, Minister Plibersek, the member for Broadmeadows in the other place and representatives from Visy, we unveiled the nation’s most advanced paper-recycling infrastructure at Visy’s Coolaroo paper mill. The new paper drum pulper means that more mixed and contaminated paper and cardboard collected through Victoria’s collection system and household recycling bins can be recycled so that they can be turned into new products here in Victoria instead of ending up in landfill or offshore. The Andrews Labor government partnered with the Albanese government and Visy to co-invest \$42.5 million into this game-changing new recycling infrastructure, which will recycle an additional 95,000 tonnes of paper and cardboard each year.

Another type of waste that we are targeting as part of our overhaul of the recycling system is e-waste, one of the fastest growing waste streams on the planet. I was pleased to visit Dandenong on Friday with Minister Williams to tour the upgraded Scipher Technologies plant, where a \$395,000 grant from the Andrews Labor government has supported the local business to quadruple its capacity to recycle flat screen TVs, computers, keyboards and other e-waste.

These projects are really good news for the economy. They are creating jobs and delivering local manufacturing opportunities. It is great news for our environment, supporting our goal of diverting 80 per cent of waste from landfill by 2030.

#### **Prison programs**

**Matthew BACH** (North-Eastern Metropolitan) (12:25): (253) My question is again for the Minister for Corrections. Minister, according to the *Annual Prisons Statistical Profile* less than a third of eligible people in prison are participating in education programs. Why is the figure so low?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:26): I thank the member for his question and his interest in our corrections system. I think it is important to understand that our corrections facilities do provide a great opportunity for people to turn their lives around whilst keeping the Victorian community safe. In terms of statistics and participation in our programs, we do obviously encourage prisoners to participate in our programs because it is good for them if they participate, and obviously the lifelong learning opportunities provided are state of the art. Earlier this year I had the opportunity to visit the Loddon Middleton facility, where we have got one of our new centres of excellence where we provide opportunities for people to get skills such as tickets for warehousing work, tickets for welding and carpentry work – real-life opportunities that they can take out once they leave the correctional environment and they are back in the community.

In terms of participation in programs and why the figures are very low, they just take one statistic. But what I will say is that our numbers in our corrections systems are very low relative to other states, and that is a good outcome. I think that probably also reflects that the cohort that are in custodial settings are a relatively complex cohort. Obviously we do take an approach where we encourage people to participate in those programs, but our prison cohort is probably more complex than other jurisdictions. I do not necessarily like making jurisdictional comparisons, because there are lower numbers obviously with a higher proportion of high offences amongst those. But our programs are designed to give people the best chance. We will encourage them. We will focus on alcohol and drug rehabilitation and providing learning opportunities. Ultimately we can encourage and have those incentives in place, but it is obviously up to those in custody to take those opportunities to turn their lives around.

**Matthew BACH** (North-Eastern Metropolitan) (12:28): I do thank the minister for his response, but my understanding is somewhat different. Minister, isn't it a fact that due to budgetary constraints prisoners now have less access to educational programs?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:28): I thank Dr Bach for his supplementary question. That is just not correct. Our government has invested record amounts into our corrections facilities. I have seen some of the correctional facilities in other jurisdictions, and I can say in terms of the programs and educational opportunities they are second to none, like I said. They are state-of-the-art facilities, whether it be in warehousing programs or whether it be in construction, in welding, in carpentry and in all sorts of skills, in real-life partnerships – the Kangan Institute in Loddon Middleton is one example. But in youth justice – you talked about Cherry Creek earlier – we have got a new partnership with Gordon TAFE, for those of you familiar with Gordon TAFE and the work that they do. So we have got real partnerships and real pathways to jobs. I have talked about the Wadamba prison-to-work program. Our centres of excellence are the same – straight into a job out of custody. So I do not accept Dr Bach's assertion.

### Sex discrimination

**Maira DEEMING** (Western Metropolitan) (12:29): (254) My question is for the minister representing the Minister for Equality. The erasure of biological sex based rights in the law is impacting many vulnerable members of our community. Recently it was reported in the news that Victoria's new Pride Centre, which has held trans-only events which legally discriminated on the basis of gender, rejected an application to hold a lesbian-only event which would have legally discriminated on the basis of sex and sexuality. The Lesbian Action Group, a group of lesbians from Melbourne and central Victoria, were told by Justine Dalla Riva, CEO of the Pride Centre, that their request to hold a lesbian-only event seeks to legally discriminate against people via the Australian Human Rights Commission exemption and is inconsistent with the Pride Centre's purpose. My question is: will the minister seek to reinstate biological sex based rights into Victorian law so that, among other things, same-sex-attracted men and women do not have to apply for an exemption and be labelled uninclusive just to host their own events?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:30): I thank Mrs Deeming for her question. I will pass that on to the Minister for Equality in relation to the specifics of your question, but when you put situations that you allege have happened and you use statements from other people, it is important to note that a minister will go and make inquiries in relation to responding to that, not necessarily confirming the accuracy of such statements. But Ms Shing will provide an answer to Mrs Deeming.

**Moir DEEMING** (Western Metropolitan) (12:31): Nicole Mowbray from LGB Alliance Australia and the Lesbian Action Group said:

The irony is we can legally get married now but we can't exclusively meet in a single-sex space.

Sex, gender and sexuality are listed as separate protected attributes in Victorian law, but in practice they do not seem to be equally protected. Will the minister take action to stop the practice of unfairly and unequally applying anti-discrimination laws against females and same-sex-attracted people in Victoria?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:31): I will leave that for Ms Shing to provide an answer to. Equally some of the elements of your question could be directed to me as Attorney-General, but there are also applications of laws that could very well be a matter for those that enforce the laws, or complaints can be made to VEOHRC and the like, so there are a range of avenues to respond to your supplementary question. But I might work with Ms Shing to make sure that the relevant information comes your way.

#### **Ministers statements: timber industry**

**Gayle TIERNEY** (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:32): The Andrews Labor government is working hard to support the forestry sector through the native timber transition. We have listened to the support needs of timber workers, contractors, employers and communities, just as we said we would. We have announced an enhanced forestry transition program informed by this consultation. The first worker support payments are now in the pockets of workers. Sawmill transition packages are now open for applications. Forest contractors told us that they needed help with loan repayments for stranded equipment, and we announced that support. The community forestry sector told us how they had been impacted, and we have expanded the forestry transition program to include the sector. Timber workers told us that finding new work after the age of 45 can be a slower process, so we created a redundancy add-on payment of up to \$50,000 –

*Members interjecting.*

**The PRESIDENT:** Order! This happened last week and it really irked me. I do not think the minister is being provocative in her ministers statement, and ministers are just getting drowned out with interjections, so the rest of the statement is going to be heard in silence.

**Gayle TIERNEY:** Timber workers told us that finding new work after the age of 45 can be a slower process, so we created a redundancy add-on payment of up to \$50,000 for this age group. There will also be \$20,000 in wage subsidies for businesses to employ former forestry workers. We have also invested over \$65 million in direct grants to timber communities, including over \$8 million to workers and businesses in East Gippsland shire, \$6.9 million in Wellington shire and \$2.8 million in Baw Baw. We are also supporting employment in smaller timber communities like Orbost with a \$36 million transition fund that is now open, with grants of up to \$1 million available.

We are a government that will continue to deliver the support that workers and communities need, and can I take this opportunity to thank all those that have engaged so closely with the department and my office during this period.

### Youth justice system

**Matthew BACH** (North-Eastern Metropolitan) (12:34): (255) My question is again to Minister Erdogan, this time in his capacity as Minister for Youth Justice. Minister, an Alfred Health report evaluating the custodial forensic youth mental health service, released under freedom of information, paints a damning picture for detainees living with mental health issues both at Parkville and Malmsbury. The report found resources were limited and availability of clinicians impacted upon youths getting access to services, and staff noted that the fragmentation between the different services in centres vastly reduced their effectiveness. Minister, why is your government delivering such a poor service for youths living with mental health issues in youth justice custodial settings?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:35): I thank Dr Bach for his interest and his question in my youth justice portfolio. In terms of our system and the services it provides, I have given an example about Cherry Creek and the new model and new approach we are taking. It is a high level of service. It is intensive support and medical facilities but also looking at learning opportunities and vocational pathways to employment for the young people in custody to give them the best chance to really turn their lives around.

In terms of health services provided in our youth justice facilities, there are a range of services and partnerships in place. Obviously at our Cherry Creek facility we have got a new partnership with Barwon Health, so I think before making assertions about the system more broadly I would look and see and maybe monitor the results in the longer term. You will see that there are improvements to be made, and that is why we have a new partnership at Cherry Creek with Barwon Health, for example. But there are a range of activities and investments that we have made across the board to give young people the best chance to turn their lives around, and that means better access to primary health care.

**Matthew BACH** (North-Eastern Metropolitan) (12:36): I do thank the minister. Minister, what is the government's response to the 10 recommendations in the report?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:36): I thank Dr Bach for his supplementary and his interest in the report. In line with many of the reports we receive, I will have a close examination of the report and provide a response in due course.

### Housing affordability

**Samantha RATNAM** (Northern Metropolitan) (12:36): (256) My question is to the minister representing the Minister for Housing. Victoria is experiencing one of the worst housing crises, with skyrocketing rents, no new investment in public housing and too much housing stock locked up as short-term rentals, amongst a range of other drivers. Last week the *Age* reported on the complete failure of your government's inclusionary zoning pilot. This pilot was announced in 2017 and involved the government planning to sell off public land on the cheap to developers in exchange for a majority private development and a minimal amount of affordable housing in return. But six years later not a single home, public or private, has been built on the sites. With the government indicating that it wants to take planning controls away from local communities, what is the government going to do to practically reassure the community that any planning changes will not result in the same failure that we have seen with this pilot?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:37): Thank you, Dr Ratnam, for your question. I will be very pleased to pass that to the Minister for Housing and for him to reply in accordance with the standing orders.

**Samantha RATNAM** (Northern Metropolitan) (12:38): Thank you, Minister, for passing that on. By way of supplementary, another serious concern about the government's so-called inclusionary

zoning pilot was the use of public land. Inclusionary zoning is meant to be about creating more affordable housing on private land and asking developers to build their fair share of affordable housing. The current pilot is another example of privatisation of public assets by this Labor government. Will the government now commit to proper inclusionary zoning where at least 30 per cent of new developments are required to be public and affordable housing?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:38): Thank you, Dr Ratnam, for your supplementary question. I will be pleased to again pass it to the Minister for Housing for a response for you.

### **Ministers statements: victim and witness support**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:38): Last week I was pleased to officially open the Garragarrak victim and witness support centre. This wonderful space, funded by investments by the Andrews Labor government, is the new home of the intermediary program and the newly renamed child and youth witness service. These services play a critical role in providing access to justice by providing special support to children, young people and adults with a cognitive disability who are taking part in the court process as witnesses.

The new centre uses state-of-the-art technology to support this and provides a space where children and young people feel welcome, valued and safe. The building's fit-out has been specifically designed in a trauma-informed way, with everything from the doorways to the lighting and furnishings being especially designed to make the difficult experience of engaging with the justice system more comfortable. Having the child and youth witness service and the intermediary program located at Garragarrak will also ensure the experience of these young people is as seamless as possible.

The name 'Garragarrak' means dragonfly in the Woiwurrung language of the Wurundjeri people. The dragonfly embodies transformation, power, change and adaptability. These qualities resonate strongly with the victim and witness support centre's approach to supporting victims of crime. We are committed to a victim support system that respects victims' rights and helps them to fully participate in the justice system. Garragarrak is the latest milestone in our government's ongoing efforts to improve the victim support system in our state. I would like to express thanks for and acknowledge the work that has gone into making this project a reality, especially after hearing from the staff of the unique challenges they faced during the pandemic. It is great to see it being brought to fruition. I know that I and all the guests that were there – members of the judiciary and our support partners in Victoria Police – were all very impressed with the facilities. I look forward to its continued service to the people of Victoria.

### **Written responses**

**The PRESIDENT** (12:40): I thank Minister Blandthorn. She is going to get responses from the Minister for Housing for Dr Ratnam's questions in line with the standing orders. Also, Minister Symes had two questions for the Minister for Equality, from Ms Payne and from Mrs Deeming, and Minister Symes will get responses for both of those substantive and supplementary questions. Also, Minister Symes had a question from Dr Mansfield directed to the Minister for Water, and she will get responses from the Minister for Water in line with the standing orders. I also ask Minister Erdogan if he could give a written response in line with standing orders to Dr Bach's substantive question regarding Cherry Creek.

### ***Constituency questions***

#### **Eastern Victoria Region**

**Tom McINTOSH** (Eastern Victoria) (12:41): (365) My question is for the Minister for Treaty and First Peoples in the other place. Reconciliation with Australia's First People is at the forefront of the

whole country's mind right now. The *Uluru Statement from the Heart* is the largest consensus of First Peoples on the proposal for substantive recognition in Australian history, and it is the result of a long road of consultation and research, without even mentioning the decades of Aboriginal and Torres Strait Islander activism that came before it. My question for the minister is: how is Victoria implementing the *Uluru Statement from the Heart*? The Uluru statement calls for recognising the true 65,000-year history of our country and listening to First Nations people on issues that affect them. It will help to close the gap between First Peoples and other Australians on key quality-of-life measures, including the fact that Australia's First People die earlier and, despite their long history on these lands, are significantly less likely to own their own home. I am proud to support the Uluru statement, including the upcoming referendum, and I call on everyone in this chamber to support it too.

**Melina Bath:** On a point of order, President, a constituency question relates to somebody in your constituency. That was a general, broad-ranging question and did not relate to a constituent in Eastern Victoria Region.

**The PRESIDENT:** I was distracted. I will review that. I would warn that there has been a bit of that going on, which I have not really been too fussed about, in other constituency questions in previous weeks. I will review it, and if people want us to tighten up, we will tighten up across the board.

#### Northern Metropolitan Region

**Evan MULHOLLAND** (Northern Metropolitan) (12:43): (366) My constituency question is related to my electorate. It is to the Minister for Tourism, Sport and Major Events. On 22 June the people of Wallan were promised by the Labor member for Kalkallo that the organisers of the Wallan Winter Wonderland were to receive a \$25,000 grant under the government's small and medium events program. The local member for Kalkallo was quoted in her media release as saying this funding is 'a big win' for the community. This is quite surprising, because as was reported in the *North Central Review*, the Department of Jobs, Skills, Industry and Regions had been informed on 13 June by the organisers, prior to Ms Spence's funding announcement, that the event would no longer be going ahead. Many locals took to social media expressing their confusion, thinking the event was back on. This begs the question: why is the Labor member for Kalkallo making funding promises and press releases for event grants in the minister's portfolio that the Labor government knows are not going to happen? The Commonwealth Games is not too dissimilar – a multiyear press release campaign that never happened.

#### North-Eastern Metropolitan Region

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:44): (367) My question today is to the Minister for Transport and Infrastructure, and it relates to the opportunity to improve cycling and walking connections in Croydon as part of the Level Crossing Removal Project. Minister, there is an important link for the principal bicycle network and for people who walk or ride their bike in Croydon that could be connected during the level crossing works around Ringwood East and Croydon. The yet-to-be built shared path at Yarraduct Place could be joined with the shared path on the north side of the train line near Moralla Avenue, Croydon. To join these two routes, access across the train line will need to be built, and given there will be train line closures as part of the Level Crossing Removal Project, it would be the perfect time to also construct this connection. Minister, will you include this important cycling and walking connection as part of the Level Crossing Removal Project in Croydon and surrounding areas?

#### Southern Metropolitan Region

**John BERGER** (Southern Metropolitan) (12:45): (368) My question is to the Minister for Victim Support, Minister Erdogan. We are replacing the Victims of Crime Assistance Tribunal with an administrative financial assistance scheme built around the needs of victims. It is the most significant change for victims of crime in 50 years, and the Andrews Labor government is backing it with a \$39 million investment in the 2022–23 budget, on top of the \$54.6 million in the 2021–22 budget. The



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key takeaway is that more victims will be eligible in a system designed to minimise retraumatisation. We are expanding access to financial assistance for victims of a range of criminal offences that are not covered by existing law. This includes a whole range of new offences. This is a big deal. That is why my question to the minister is this: can the minister please provide information on how this scheme will benefit my community of Southern Metro?

### South-Eastern Metropolitan Region

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:46): (369) My question is to the Minister for Planning. I seek advice on what is going on at 154 Drysdale Avenue in Narre Warren North, the location of a proposed childcare centre development. The most recent advice I have received from local residents on 22 August is that demolition has commenced at the said property, with the windows being removed. Advice provided to a resident from a Casey council town planner on 24 August is as follows:

I understand that the property is currently being demolished. I can give you my word that no decision has been given on the application. I have not had any discussion with the applicant now for quite a while.

Yet neither the minister nor the Casey council CEO is prepared to answer my question, with the latest response from the CEO being:

Council is yet to make a decision on the Planning Application for a proposed childcare centre at 154 Drysdale Avenue Narre Warren North and once a decision has been made our office will notify any resident that has made a submission to this application.

Minister, why is the property being demolished if the planning application has not been approved?

### Western Victoria Region

**Sarah MANSFIELD** (Western Victoria) (12:48): (370) My question is for the Minister for Housing. The latest figures show that there are 6977 households in the priority 'homeless with support' Victorian Housing Register, VHR, category listed in the Barwon region's broad bands. This is a dramatic increase from previous years, and whilst families are being forced into homelessness by increased cost-of-living pressures and skyrocketing rents, they are also being disadvantaged by insufficient increases to public housing stock across the region. In yesterday's public hearing of the federal inquiry into Australia's preparedness to host the Commonwealth, Olympic and Paralympic games, G21 CEO Giulia Baggio flagged that there is a need for approximately 6000 housing units to be built across the Barwon region. How many houses will be delivered in the Barwon region as part of the legacy housing funding for the now cancelled Commonwealth Games?

### Western Victoria Region

**Bev McARTHUR** (Western Victoria) (12:49): (371) My question is for the Minister for Agriculture and concerns the Corangamite shire's roadside grazing season, which begins on 1 September and will continue until April next year. Roads should be a firebreak, not a fire wick, and grazing the long paddock reduces fuel loads, increasing community safety. It is also good for drivers where roadside vegetation impedes vision or encroaches on roads. In drought situations it can be vital for cattle. It can easily be done safely during daylight hours with temporary electric fences. The bureaucratic burden, however, means councils frequently choose to do nothing. That is not just a wasted opportunity, it could be dangerous. So I trust the minister will congratulate the Corangamite shire, and I ask: what will she do to support Victorian farmers by working with colleagues in transport, environment and local government to make roadside grazing easier and to extend it where appropriate to state-administered roads?

### Northern Victoria Region

**Georgie PURCELL** (Northern Victoria) (12:50): (372) My constituency question is for the Minister for Outdoor Recreation. Wildlife Victoria have reported a 55 per cent increase in gunshot wounding related to cases since the kangaroo harvest management program commenced in 2019. My

constituents in Bendigo, Macedon Ranges and beyond are constantly reporting illegal shooting of kangaroos and wallabies. Many are left wounded and suffering, including on Land for Wildlife properties. Last week volunteers from Central Goldfields Wildlife Rescue attended an injured mother kangaroo after a member of the public pulled her dead joey off the road. Upon further investigation it was clear she had been shot in the side of her abdomen, so not only was she hit by a vehicle and left to suffer but she was also suffering immense pain from a bullet wound. What compliance measures does the government have in place in Northern Victoria to monitor the operation of the kangaroo management program to ensure wounded kangaroos are not left to suffer?

#### **Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:51): (373) My question is for the Minister for Outdoor Recreation. As the minister would be aware, Strathbogie Shire Council is charged with the role of waterways manager for the Goulburn River from Hughes Creek to Goulburn Weir. This includes management of Lake Nagambie, a substantial body of water in the centre of Nagambie township that is a very popular tourist and recreational attraction all year round. To ensure the safety of those using the waterways, Strathbogie Shire Council employs a third-party contractor to undertake boating safety patrols, at a cost to ratepayers of between \$150,000 and \$200,000 a year. The cost of delivering this current service is not sustainable for the shire unless recurrent annual funding to meet the full cost of the waterways management role is provided. As this role is not a local government responsibility, will the minister give a commitment to provide recurrent annual funding to Strathbogie Shire Council to meet the full cost of undertaking the management of the waterways?

#### **Eastern Victoria Region**

**Melina BATH** (Eastern Victoria) (12:52): (374) My question is to the Minister for Police. Constituents are justifiably concerned that the Andrews government is looking to close 11 one-officer police stations located in my Eastern Victoria electorate. The towns of Boolarra, Briagolong, Bruthen, Lang Lang, Loch Sport, Loch, Meenyan, Mirboo North, Rawson, Stratford and Swifts Creek could all be affected by this flawed policy. The constituents worry that their safety is not a priority for the Andrews government. Our local towns need more Victoria Police staff, not less. We know that our one-officer police are trusted figures in our communities. They proactively maintain safety, they are embedded in their community, they often act as dispute resolution counsellors and they have on-the-ground knowledge. The question I ask of the minister is: will you guarantee you will not close any one-officer police station in Eastern Victoria Region?

#### **Southern Metropolitan Region**

**David DAVIS** (Southern Metropolitan) (12:53): (375) My question is for the Minister for Planning, and it concerns the government's mooted plans for stripping councils of planning powers. This would be undemocratic and would cause significant concern to a range of stakeholders, including local councils. My question is: will the minister detail what consultations have occurred in –

**A member** interjected.

**David DAVIS**: I am getting to that – my southern region, particularly the eastern group of councils including Monash and Whitehorse, which touch my electorate, and the southern group of councils including Bayside and Port Phillip – indeed, all of them – Stonnington, Glen Eira and Kingston as well and Boroondara of course. I want to know what consultation has been done. Will the minister release a schedule of the dates on which consultation has occurred and the result of that consultation?

#### **Eastern Victoria Region**

**Renee HEATH** (Eastern Victoria) (12:54): (376) My question is for the Minister for Employment. Will the minister outline what new jobs will be made available for timber and power industry workers that will lose their jobs due to the Labor government's decision? Two weeks ago the *Herald Sun* reported that since coming into office in 2014 more than 30 former Labor MPs and ministers have

been hand-picked to sit on taxpayer-funded boards with enormous salaries. This does not include the many ex-Labor staffers and factional players with similar roles. Meanwhile, Labor's war on regional jobs will destroy nearly 5000 jobs in the eastern region with the closure of the native timber industry and the closure of the power industry. Will workers in my electorate continue to have their jobs taken away? While that happens, this Labor government just keeps looking after their buddies and neglecting the Eastern Victoria Region. This must change.

### Northern Victoria Region

**Gaelle BROAD** (Northern Victoria) (12:55): (377) My question is to the Premier. Will the Victorian state government commit to implementing changes to upper house group voting to restore integrity in our electoral system before the next state election? Constituents in Northern Victoria, particularly Bendigo, have raised concerns that our current system of voting is unrepresentative, as people have been elected to hold a seat in this chamber despite receiving less than 2 per cent of the public vote. The current system enables people like Glenn Druery to manipulate the electoral outcome and receive financial payments for doing preference deals between political parties. Victoria is now the only state where group voting tickets continue to operate, as every other state and the federal government have made reforms. I note concerns were raised in the 59th Parliament following the electoral results, which were clearly unrepresentative of the public vote, and these issues were reviewed by the Electoral Matters Committee. Four years later and these matters are again being reviewed by the committee, only this time I trust that reforms will be implemented before the next state election to restore integrity in our electoral system.

### Western Metropolitan Region

**Trung LUU** (Western Metropolitan) (12:56): (378) My constituency question is for the Minister for Housing. Today I speak on behalf of one of my constituents who has been waiting over six years for a supported housing unit. This constituent is one of the most vulnerable in my community. He is 43 years of age, with cerebral palsy. He was assessed as needing priority access because of his disability, and his 76-year-old mother can no longer assist with his medications and living standards. His application for supported housing was approved back in 2017. I have a letter here from the Footscray housing office dated 8 March 2017, stating approval, with special requirements, to be placed on the priority housing register. But more than six years after being approved, supported housing has not been offered. This is unacceptable. I ask the Minister for Housing: how much longer does my constituent have to wait for a home to be approved, after six years?

### North-Eastern Metropolitan Region

**Nicholas McGOWAN** (North-Eastern Metropolitan) (12:57): (379) My question today, and I thank you for the opportunity, is actually from James Shiell. James is a student at Heatherwood School, which very unfortunately and sadly on Saturday was subjected to a fire, as I am sure many people in this place know – you included, President, with it being in our electorate. James asks the Minister for Education:

Why did my school get burnt down? Why did \$10 million building upgrade go into receivership in May? Why are students using dirty outside portal a loo that never get clean, my classroom has been school library, my sister classroom s the outside garage for year 11, this is meant to be a school it is dangerous, dirty, holes everywhere, Why can't it be a normal school that new year 7 will come to next year, the state of this school now is turning families away ...

As many in this place, I am sure, will appreciate, James speaks not only on his own behalf but also on behalf of the other pupils there, his parent Samantha and his sister Emily as well. He spoke passionately, and I would ask the minister to respond.

***Bills*****Planning and Environment Amendment (Inclusionary Zoning) Bill 2023***Introduction and first reading*

**Samantha RATNAM** (Northern Metropolitan) (12:58): I introduce a bill for an act to amend the Planning and Environment Act 1987 to introduce a mandatory inclusionary zoning scheme for residential development to increase the provision of public and affordable housing in Victoria and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Samantha RATNAM:** I move:

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

**Motion agreed to.**

**Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023***Introduction and first reading*

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:59): I introduce a bill for an act to amend the Residential Tenancies Act 1997 to provide for a suspension on rent increases for two years, to provide for a maximum rate for future rent increases, to prohibit excessive rent for premises to be rented for the first time, to remove certain grounds for notices to vacate and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Aiv PUGLIELLI:** I move:

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

**Motion agreed to.**

***Committees*****Scrutiny of Acts and Regulations Committee***Alert Digest No. 10*

**Sheena WATT** (Northern Metropolitan) (13:00): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table *Alert Digest* No. 10 of 2023, including appendices, from the Scrutiny of Acts and Regulations Committee. I move:

That the report be published.

**Motion agreed to.**

**Economy and Infrastructure Committee***Inquiry into Land Transfer Duty Fees*

**Georgie PURCELL** (Northern Victoria) (13:00): Pursuant to standing order 23.22, I table a report on the inquiry into land transfer duty fees, including an appendix, extracts of proceedings and minority

reports, from the Economy and Infrastructure Committee, and I present the transcripts of evidence. I move:

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

**Motion agreed to.**

**Georgie PURCELL:** I move:

That the Council take note of the report.

It is a pleasure to table my first report as chair of this house's Economy and Infrastructure Committee, which examined land transfer duty fees, or stamp duty as it is commonly known. I am probably stating the obvious when I say that stamp duty is a highly contentious tax. Anyone who has purchased a home, or has dreams to, knows this. It is paid by the purchaser of any non-exempt property and as a result increases the cost of buying property. Throughout the inquiry it was presented to the committee that stamp duty is inefficient, unpredictable and inequitable. However, what also came through to us was that it represents a significant percentage of the Victorian state government's budget. It is therefore difficult to eliminate without impacting current service delivery.

During this inquiry the committee heard from a range of industry and professional associations, companies, tax experts, community organisations and individuals expressing strong views and proposing different solutions to the problems raised by stamp duty. What became clear to the committee is that the question of whether or not stamp duty is the most appropriate way to tax property is very complex. Because of this, the committee did not recommend one single solution through the inquiry process; rather, we have made 11 findings and three recommendations to the government in our final report. One of these recommendations is that the government address the issue of bracket creep, which has increased the cost of stamp duty well beyond what was originally intended. We have also recommended that the government should pursue a national approach to the issue and in the meantime should investigate some state-based solutions, just as has already been done across the border. This includes the possibility of replacing stamp duty with a broad-based land tax, which we also acknowledge could come with its own set of challenges.

I would like to thank all of those who made the effort to make high-quality and thoughtful submissions and those who gave the committee their time and expertise appearing before the committee in public hearings to give evidence. I would also like to thank Mr Limbrick for referring this issue to the committee for inquiry and all of my other committee colleagues for the professional and courteous way they approached the inquiry from the start. As is often the case in this place, there were different perspectives among members, but at all times there was a collegiate approach taken, and I greatly appreciate the manner in which the committee members conducted themselves throughout the inquiry process.

Finally, I would like to thank the secretariat of the committee for the professional and exemplary support they provided to the committee throughout the inquiry. In particular I give thanks to committee manager Michael Baker, who we all hope will get well soon; inquiry officer Caitlin Connally; and the administration team of senior administration officer Julie Barnes and administration officer Jo Clifford. I am sure I speak for all committee chairs and members when I say that the committee staff make an enormous contribution to the committees' work and function, and we all very much appreciate their hard work and efforts. The committee looks forward to the government's consideration and response.

**David DAVIS** (Southern Metropolitan) (13:04): I want to associate myself with this and thank the chair for her contribution there. I want to particularly single out Michael Baker and hope that he makes a speedy recovery, because he has done an enormous amount of work on this and so many other inquiries. I also want to thank the other committee staff for their work as well. This was a difficult inquiry in the sense that there are a range of views on this. The point I would make very clearly is that

whatever the theoretical aspects of stamp duty change and reform, whatever the economic theory, our fear is that in the hands of Daniel Andrews, Tim Pallas and an Andrews Labor government –

**A member:** It will go up.

**David DAVIS:** Not only will stamp duty go up, but any plan to shift stamp duty to some other taxation arrangement will actually result in double taxation.

They have already put in more than 50 new or increased taxes, and that is our fear, and we attached that list to the minority report. So people should feel free to read that minority report and see the list of taxes. But the story in the ACT is a very clear story where the Greens–Labor government has hoodwinked the people of the ACT, and they said they would get rid of the stamp duty and replace it with a land tax – well, that has not happened. There is now land tax and stamp duty. You get the double. You get both, and that is the fear. A Labor contribution to this, a Labor decision to do this, carries the very real risk that people will end up with a tax on the family home – a land tax on every family home – and stamp duty. So you get the double; you get both under Labor. That is what makes us very, very fearful indeed. We did push for increased land supply, and there are numerous – (*Time expired*)

**Evan MULHOLLAND** (Northern Metropolitan) (13:06): I just want to make a brief contribution on this and thank the committee members, led by Chair Ms Purcell; thank Mr Limbrick for referring this to the committee and for his active participation in the committee; and of course thank my colleague Mr Davis and my colleague Mrs McArthur and of course Michael Baker as well. I was very happy to contribute to the report and contribute also to the minority report with my colleague Mr Davis. We looked at a lot of options, and I agree with Mr Davis that one thing that did come up is that no witness, expert evidence or economist could guarantee that we would not end up with double taxation in changing the model to an annual land tax. What a lot of expert witnesses, definitely those in the housing industry, brought up was the issue around supply and particularly the government's failure in adequately addressing supply issues.

Another issue that came up is the threshold for stamp duty. It is around \$600,000. It tapers to \$750,000. I know this is a problem that many in my age cohort face, and what we heard from expert witnesses was that it is creating a two-tiered housing system. In that price bracket you are either moving into a very small apartment in the inner city or moving out to growth areas, where we continue to see a lack of infrastructure and investment due to the government's botched delivery of housing estates in our growth areas, so this is creating a really big issue. One of the things that Mr Davis and I put forward is that the government definitely needs to look at increasing that threshold. It is something the opposition called for at the last election and called for prior to the state budget to give young people that relief and allow them to get into the housing market.

**David LIMBRICK** (South-Eastern Metropolitan) (13:08): Firstly, I would like to thank the chair, my fellow committee members, people who submitted to the committee and also of course the committee manager and staff, who did an excellent job, and I agree with Ms Purcell in her assessment of that.

This inquiry certainly showed some serious flaws in our current system of taxation on property in this state. One of the submissions highlighted the very outrageous state of affairs which is that the average married couple in Victoria cannot afford an average property. Also one of the other problems of stamp duty which we saw was the gross misallocation of housing stock. And one of the awful effects, which I had not deeply considered until this inquiry was underway, is that of a divorce tax: people who are undergoing terrible personal problems in their lives and split up end up having to pay tax to effectively divorce, which is an awful thing.

I agree with Mr Davis in that I am scared about double taxation if we move to a property tax system, which is why in my minority report I proposed removing stamp duty – abolishing stamp duty – and replacing it with absolutely nothing. What we need to do in this state is scale back the size of the

government, remove waste, stop wasting money and make things more efficient, but it is high time that we use this as an opportunity to wind back the size of the state of Victoria.

**Bev McARTHUR** (Western Victoria) (13:10): I was a member of this committee and I, like Mr Limbrick and others, thank Georgie for chairing it and the committee members for their contribution and the staff for their diligence. I am extraordinarily disappointed that we talked about taxation in a very narrow sense. We are in a state where we have 50 new or increased taxes, and quite frankly they all ought to be abolished and we ought to look at how we could review the entire tax system of the three levels of government and indeed the roles and responsibilities of the three levels of government, which increasingly overlap and trespass on each other's territories. Quite frankly, I am not interested in replacing one tax with another tax. I agree with Mr Limbrick: get rid of it altogether – it is an appalling tax. But we need to look at how we can do tax much better. I did think originally that the goods and services tax was there to replace all these state taxes, but they seem to be growing like Topsy, and meanwhile –

**Nicholas McGowan:** That didn't work.

**Bev McARTHUR:** We know that did not work, but it should work. That should be the way to go, and we should have a review of the entire tax system of the three levels of government and the roles and responsibilities. So I am deeply disappointed that this narrow proposal looked at one form of taxation, which definitely should be abolished.

**Motion agreed to.**

### *Papers*

### **Papers**

#### **Tabled by Clerk:**

Crimes Act 1958 – Independent Broad-based Anti-corruption Commission's Report to the Attorney-General, 1 July 2019 to 31 December 2020, under section 464ZP of the Act.

Members of Parliament (Standards) Act 1978 – Register of Interests – Returns submitted by Members of the Legislative Council – Ordinary Returns, 28 July 2023 (*Ordered to be published*).

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

Brimbank Planning Scheme – Amendment C217.

Greater Geelong Planning Scheme – Amendment C443.

Greater Shepparton, Campaspe and Moira Planning Schemes – Amendment GC173.

Macedon Ranges Planning Scheme – Amendment C150.

Mansfield Planning Scheme – Amendment C58.

Maribyrnong Planning Scheme – Amendment C181.

Mornington Peninsula Planning Scheme – Amendment C232.

Stonnington Planning Scheme – Amendment C336.

Whittlesea Planning Scheme – Amendment C245.

Wyndham Planning Scheme – Amendment C231.

Yarra Ranges Planning Scheme – Amendment C210.

Statutory Rules under the following Acts –

Charter of Human Rights and Responsibilities Act 2006 – No. 88.

Mental Health and Wellbeing Act 2022 – Nos. 87, 89 and 90.

Subordinate Legislation Act 1994 –

Documents under section 15 in relation to –

Temporary Public Interest Determination under section 39 of the Privacy and Data Protection Act 2014.

Statutory Rule Nos. 82, 83, 84, 85, 86, 87, 88, 89 and 90.

Legislative Instruments and related documents under section 16B in respect of Ministerial Order No. 1425 – Order Amending Ministerial Order No. 1228 – Victorian Institute of Teaching Registration Fees under the Education and Training Reform Act 2006.

Victorian Equal Opportunity and Human Rights Commission – 2022 Report on the Operation of the Charter of Human Rights and Responsibilities (*Ordered to be published*).

A proclamation of the Governor in Council fixing an operative date in respect of the following act:

Victorian Future Fund Act 2023 – Whole Act – 22 August 2023 (*Gazette S447, 22 August 2023*).

***Committees***

**Economy and Infrastructure Committee**

*Inquiry into the Closure of the Hazelwood and Yallourn Power Stations*

**The Clerk:** I have received the following paper for presentation to the house pursuant to standing orders: government response to the Economy and Infrastructure Committee’s report on the inquiry into the closure of the Hazelwood and Yallourn power stations.

***Petitions***

**Remembrance Parks Central Victoria**

*Response*

**The Clerk:** I have received the following paper for presentation to the house pursuant to standing orders: minister’s response to petition titled ‘Remove the Remembrance Parks Central Victoria Board’, presented by Ms Lovell.

***Business of the house***

**Notices**

**Notices of motion given.**

**General business**

**Georgie CROZIER** (Southern Metropolitan) (13:21): I move, by leave:

That the following general business take precedence on Wednesday 30 August 2023:

- (1) order of the day 3, second reading of the Human Rights and Housing Legislation Amendment (Ending Homelessness) Bill 2023;
- (2) notice of motion given this day by me on the 2026 Commonwealth Games costings;
- (3) order of the day 1, listed for a future day, resumption of debate on the second reading of the Independent Broad-Based Anti-Corruption Commission Amendment (Public Recommendations) Bill 2023;
- (4) notice of motion 155, standing in Mr Ettershank’s name referring matters on workplace drug testing and medicinal cannabis to the Legal and Social Issues Committee;
- (5) notice of motion given this day by Ms Bath on the cost of living and energy; and
- (6) notice of motion given this day by Mr Davis relating to a sessional order on the consideration of a message from the Assembly rejecting a Council bill.

**Motion agreed to.**



*Bills***Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023***Withdrawal*

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (13:22): I move, by leave:

That order of the day, general business, 7, Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023 be read and discharged and the bill be withdrawn.

**Motion agreed to.**

**Withdrawn.**

*Committees***Parliamentary committees***Membership*

**Georgie CROZIER** (Southern Metropolitan) (13:22): I move, by leave:

That:

- (1) Mrs Broad and Mr McCracken be discharged as participating members of the Environment and Planning Standing Committee;
- (2) Mrs Broad be a member of the Environment and Planning Standing Committee;
- (3) Mrs Hermans and Mr Mulholland be participating members of the Environment and Planning Standing Committee;
- (4) Dr Heath be a participating member of the Legal and Social Issues Standing Committee; and
- (5) Dr Heath be a participating member of the Economy and Infrastructure Standing Committee.

**Motion agreed to.**

*Members statements***Alexandra Park, Portland**

**Jacinta ERMACORA** (Western Victoria) (13:23): Last Thursday I represented Minister for Community Sport Ros Spence at the opening of the new Alexandra Park sports pavilion in Portland. Although I did the honours, it was Gayle Tierney MP who did the work with the Portland community to achieve this sensational facility. This completely new build will have a profound impact on the community. People and their carers can now use adult changing facilities rather than going home prematurely. Women netballers and footballers will now have change rooms of their own. Volunteers who run the canteen will now have arguably the best view on the ground. Umpires and other officials have dedicated facilities reflecting the value of their roles. Club leaders now have office and administration facilities. Club members and the broader community now have a large function room to enjoy and, very importantly, public toilet facilities that respect however you identify, whether that is binary or non-binary. I congratulate the Westerns Football Netball Club, Portland Tigers cricket club and female football, Gorae Portland Cricket Club and Glenelg Shire Council. This project is the embodiment of the phrase 'Equality is not negotiable' and the essence of the Andrews Labor government. I congratulate Gayle Tierney for achieving this transformative project for the community of Portland.

**State Emergency Service Leongatha unit**

**Melina BATH** (Eastern Victoria) (13:25): Last week I had the honour of attending the Leongatha SES annual awards to share in the celebration and acknowledge national emergency medals and years of service awards. Spend any time with the Leongatha SES unit and you can see why they are considered so highly in the Victorian State Emergency Service. They are an incredible, professional

and dedicated team, but they are also a family. For services rendered during the eastern Victoria 2019–20 bushfires, the national emergency medals were presented to unit controller Matt Saario, a brand new dad for the fourth time; Michael Grigglesstone; and Rhonda Chapman. The national service award of 25 years was presented to Stuart Hall; 15 years to Matt Saario, Ken Griffith and Judy McLeod; and 10 years to Michael Grigglesstone. A special mention to day duty officer Val Bremner, an awesome lady, for 30 years serving our community. We love you and we thank you all for the work you do.

### **Berrys Creek Gourmet Cheese**

**Melina BATH** (Eastern Victoria) (13:26): I say move over, France; step aside, Italy. It is official: Gippsland produces the best cheese in the world. Named supreme specialist artisan at the International Cheese and Dairy Awards, congratulations to Barry Charlton and Cheryl Hulls of Berrys Creek Gourmet Cheese for scoring gold for four cheeses – Mossvale Blue, Tarwin Blue, Oak Blue and Buffalo Blue – all produced in Gippsland. Deliciously, it is available at my local IGA, and I consume it in great quantities every week. Congratulations, Berrys Creek Gourmet Cheese.

### **Medicinal cannabis**

**Rachel PAYNE** (South-Eastern Metropolitan) (13:26): We celebrated National Science Week recently, and as a member of Legalise Cannabis Victoria, it will be no surprise that my love of science has cannabis at its core. The scientific research on the health benefits of cannabis is extensive, but today I would like to focus on the therapeutic benefits for those suffering from endometriosis. Many patients use medicinal cannabis to help manage their pain and other symptoms. Among other benefits, it helps with sleep, nausea, mental health and inflammation. Medicinal cannabis has also been proven to help cease or reduce opioid use, preventing needless addiction and severe withdrawal. A quick shout-out to Deakin University researchers in this space, who are currently investigating the impact of substituting opioids for cannabis on those with endometriosis and its potential to reduce emergency department presentations. I look forward to your findings in this space. The science on cannabis as a health-led alternative is sensational, so let us celebrate it.

### **Mornington RSL**

**Tom McINTOSH** (Eastern Victoria) (13:27): Mornington RSL hosted Minister Suleyman and me for an event to sign up local peninsula veterans to the new Veterans Card Victoria. Veterans across Eastern Victoria are signing up and receiving car rego discounts, free trailer and caravan rego, free public transport on Anzac Day and Remembrance Day on the trams, free boating licences and fishing licence exemptions. I am delighted we are supporting veterans and enjoyed my time at the Mornington RSL, which was established in 1922. Paul, club vice-president, was proud to show us around, and with over 100 years of history supporting veterans and their families, it did not disappoint. The Mornington RSL has a dedicated military museum, which details the service and sacrifice of Australians both abroad and on the home front during the Second World War. A lifelong collection of the RSL's secretary, veteran David Howell, contained many original uniforms and artefacts which are rarely seen outside of the Australian War Memorial. Objects included a captured Italian flag from the Benghazi town hall, a slouch hat once owned by a 16-year-old who served in Victoria's own battalion on Kokoda, an Australian Women's Army Service uniform, a photo album and, among many other thousands of items, a Volunteer Defence Corps uniform detailing Australia's own Dad's Army. The RSL are engaged not only with the wider community but with local school groups, and I thank them and their veteran members for their time.

### **Puffing Billy**

**Renee HEATH** (Eastern Victoria) (13:29): On Thursday I was lucky enough to be shown around the Puffing Billy Emerald Lake Park by Nicoleta and Peter, the CEO and the manager. I remember going on Puffing Billy as a child; it was amazing then, and it is even more amazing now. After recent improvements, there is now a beautiful museum, a cafe, art on display, a shop and function spaces.

And if the power goes out, which it often does in that area, you can go and have a shower, charge your phone and have a hot chocolate or a coffee.

I want to extend my congratulations to Peter, Nicoleta and the visionary team at Puffing Billy Railway: not only are you putting Emerald on the international map, but you are offering incredible opportunities for locals by providing them with employment and volunteering opportunities. I was delighted to meet some of these volunteers, including Don, who has volunteered for over 60 years. There are 350 active volunteers that contribute over 6000 hours per month to railway operations and programs. Puffing Billy Railway has for 60 years operated a tourism and heritage railway and in that time has carried 13 million guests. In the last year alone these volunteers have looked after 310,000 passengers – around 35 to 40 per cent of those being international guests. So to the amazing staff and the amazing volunteers I want to say: thank you; you are making our communities a wonderful place.

### **St Kilda Road bike lanes**

**Katherine COPSEY** (Southern Metropolitan) (13:31): On Sunday I attended a fantastic event, the community opening of the St Kilda Road bike lanes. This was organised by the Port Phillip and Stonnington bicycle user groups. One of the younger members of our bike-riding community cut the ribbon, opening a great piece of infrastructure enabling more people to use climate-friendly transport. Bicycle Network CEO Alison McCormack and my Greens colleague from the other place Sam Hibbins, MP for Prahran, also spoke to the crowd. While we celebrate these new lanes, what is clear is we need a better plan for what will be built next. Around 60 per cent of Victorians are interested in cycling as a form of transport but are afraid to ride alongside motor traffic. Separated bike lanes are safer for everyone – people riding bikes as well as those driving and walking – and reduce congestion and have a calming effect on car traffic, enabling vehicles to move at a safer speed for everyone. With rapidly increasing numbers of scooters and other micromobility devices as well, the need for dedicated lanes is only growing. There are many ways safe, separated bike infrastructure is a good investment for our city and across our state: better safety, better mobility around neighbourhoods, less congestion, improvements in physical and mental health and reductions in our ever-growing transport emissions through climate-friendly transport. I say well done to the BUGs for such a beautiful community-building event.

### **Croydon war memorial**

**Sonja TERPSTRA** (North-Eastern Metropolitan) (13:32): I rise to update the house on a recent visit I made to Croydon on Sunday morning. There were two benefits to my visit. One was that I was able to see the progress on the Level Crossing Removal Project that is happening at Coolstore Road, but it was also a great privilege to be able to attend to watch the removal of the war memorial. It is a strange situation in that that memorial was placed in the middle of a roundabout; the development of the road system locally around there has meant that it is now in the middle of a road and quite inaccessible. So it was a great privilege to see the care that was taken by the team who were sent to remove the war memorial, which will now progress and make its way to a new place in Croydon town square. It was great to meet with the local Croydon RSL and also veterans who came down to watch. The crane lovingly picked up the first part of the memorial, part of a granite memorial which was originally unveiled in 1919. It was a very tense operation as we were watching to make sure that that memorial was removed and placed lovingly on the back of a truck. But I can report to the house that it all went very, very smoothly. Many servicepeople came to watch and locals also came to watch. It was quite an operation to watch and we were all privileged to see it. I can update the house and say it was very pleasing to see that the memorial was removed without damage.

### **Payroll tax**

**Georgie CROZIER** (Southern Metropolitan) (13:34): I am concerned about the government's tax grab from GPs and other health professionals. This is going to have huge ramifications for Victorian patients right across the state. We all know that Victoria is broke. We all know and read with concern about the increasing debt that Victoria is in today. It is projected by Moody's that by 2026–27 – that

is just a few years away – Victoria's total debt will amount to \$226 billion. Now, these figures are huge; they are massive. But to go and hit health professionals that are looking after Victorian patients is not going to help our health system.

And I note the comments by Dr Nicole Higgins, who is the Royal Australian College of General Practitioners president, who said payroll tax was a 'tax on patients' and would lead to more pressure mounting on hospitals and ambulances as people forgo primary care. This is a patient tax. It is a health tax. It is a tax grab because Victoria is broke. It is incredibly alarming that while other states are looking at this issue and addressing it Victoria refuses to and that the Treasurer and the Premier, who have been approached by representatives and stakeholders in this area, are ignoring those pleas. It is a health tax, and it is going to lead to detrimental outcomes for Victorian patients.

#### **Rochester Football Netball Club**

**Wendy LOVELL** (Northern Victoria) (13:35): I wish to congratulate the mighty Rochester Football Netball Club on being named the Australian Football League's national Community Club of the Year for 2023. It was a pleasure to attend the club's Thursday night dinner last week, where the AFL Goulburn Murray's Shaun Connell announced Rochester had won the title from 30 other clubs around Australia. This award is recognition of the important role the Tigers play in the Rochester community and is testament to the leadership of president Justin Cleary and the club's committee. Congratulations to all at the Rochester Football Netball Club. Go Tigers!

#### **Victoria Police**

**Wendy LOVELL** (Northern Victoria) (13:36): The Andrews Labor government's attempt to remove clause 184.4 of the Victoria Police enterprise agreement, currently being renegotiated with the Police Association Victoria, is a blatant attack on the 108 Victorian communities currently protected by a one-man police station. If this move is successful, it will allow VicPol to remove a one-man officer from his station to backfill staff shortages at a 24-hour police station, leaving small communities without a police presence. This is nothing more than a blatant attempt by Labor to hide the systemic shortage of police officers throughout Victoria and their failure to adequately invest in the recruitment of new officers to Victoria Police. Worse still, the government is attempting this via the enterprise bargaining process, using community safety as a bargaining chip for officers to receive more money. The communities of the 45 one-man stations in my electorate are outraged that their safety is being attacked in this way.

#### **Alistair Urquhart**

**Nicholas McGOWAN** (North-Eastern Metropolitan) (13:37): I rise to talk today about a friend and a member of our party, Alistair Buxton Urquhart. Alistair I first got to know in 1993 or thereabouts – in fact he was our party's candidate for Jagajaga at that stage – and I was very young but nonetheless found his enthusiasm infectious. Alistair was a passionate Victorian. He was a big thinker, a loyal person and someone who loved poems and a little bit of panache. He also shared much of his life with his wife Mary, who I came to know very well over the years. In 1993, as I have said, he was our candidate for Jagajaga, but as far back as 1985 he was also our party's candidate for the seat of Bundoora, which of course was for and against John Cain at the time. It is notable also that, while picking up 2 per cent against Labor, also contesting that election was Frank Penhalluriack. Some of you might remember his name in this place from weekend trading. We all have him to thank for shopping on Saturdays and Sundays, so I make that note.

Alistair received an OAM for his work. He was outstanding when it came to supporting those with disabilities and was a key person who founded the WISE organisation in 1992. He chaired that organisation for 30 years.

Alistair sent a letter to me after the election loss we had in 1993; it is quite a humorous one. He said, in short:

Voters did not find the time to think ... or the courage to act.

Of course we lost.

Democracy has its faults – it's still better than the alternatives!!

“Fightback”, and now its fight on.

### Chris Maries

**Evan MULHOLLAND** (Northern Metropolitan) (13:38): Today I would like to devote my members statement to a dear family friend Chris Maries, who left this earth for God's eternal rest last week. Chris was a servant of his community known to many in Melbourne's north, a lifelong CFA volunteer and captain of the Doreen CFA for over a decade. His memory now lives on in the form of a heavy tanker named in his honour in 2021 when he was awarded life membership of the CFA. I am glad Chris got to see for himself the appreciation of his brigade and broader community for a lifetime of service, because it is often the case that testimonials of one's character come after they have passed, and that is still the case. So many in Melbourne's north are grieving for a real person of substance who protected us when we were in danger, especially during Black Saturday. I have seen so many tributes from CFA volunteers in the north, all remarking on how he was their personal mentor. One of his stand-out achievements at both Yarrambat and Doreen CFA was his tireless advocacy for presumptive cancer legislation for firefighters, a cause he championed before realising its personal relevance to him. He played an instrumental role in enshrining the volunteer charter into the CFA act. He gave so much more to his family and community than he ever expected in return.

I will always appreciate how encouraging he was of my involvement in politics. He even reached out to me after my maiden speech to say how proud he was. I have been fortunate to know the Maries family for my entire life. Chris was a lifelong friend and old flatmate to my dad, who remembers him as a great family man who had a great sense of humour. He was also known to me as my Uncle Chris. His wife Jenny is my godmother. I want to pass my sincere condolences to the Maries family: his wife Jenny, children Roxann, Jeremy, Jacquelyn and Nathan, and grandchildren Cassius, Archie and Ivy. Vale, Captain Chris Maries.

### Housing affordability

**Samantha RATNAM** (Northern Metropolitan) (13:41): The Greens were proud to launch our vision for the future of housing in Victoria, the Greens housing statement, in Parliament this week. This comprehensive package proposes a set of key reforms to address the worst housing crisis Victoria has experienced in decades, including a rent freeze and ongoing rent caps; a big build of 100,000 public homes; a new public builder tasked with building public homes; asking developers to build their fair share through a mandatory minimum requirement of 30 per cent public and affordable housing across the state and 50 per cent in any new special development zones; faster and better planning, creating a new traffic light system to provide quicker planning approvals for affordable, sustainable and livable homes; disincentives for poor-quality development; ending homelessness – a plan to end homelessness within the decade – and make housing a human right; freeing up empty homes through regulating short stays and imposing a 90-day cap; a housing tax system for people, not investors; stamp duty and land tax reform to reduce up-front housing costs and remove disincentives to downsize; and stronger renters rights and better rental standards. With the Victorian Labor government set to announce their own housing statement within a matter of weeks, we are urging the government to use our statement as a benchmark. Now is not the time to cave in to property developers; now is the time for courageous reform that actually makes housing more affordable in Victoria.

**Voice to Parliament**

**David DAVIS** (Southern Metropolitan) (13:42): I want to make a statement about the Voice to Parliament at a national level. Last night in my electorate I hosted a large forum, almost 200 people, with Senator Jacinta Nampijinpa Price as the guest speaker and a panel consisting of John Roskam from the Institute of Public Affairs and Louise Clegg, a barrister. There were questions, there was long discussion, there was enthusiasm. The community, in my view, do not want this Voice to Parliament. I will certainly be voting no. I should say, Senator Price was treated as a rock star. She is a person of huge integrity, huge understanding, and she has a preparedness to engage with honesty and transparency on any question that is put to her. I was proud to host the forum and proud to make the point very clearly that Victoria will be the poorer if the Voice is passed. It will tamper with our constitution, introducing a whole new chapter, a powerful new institution, that will have a tremendously negative effect on federal–state relations. As a state MP I am worried about what will happen with intergovernmental agreements on health, education and transport and what will happen with the GST, with the activities of the grants commission. Senator Price, thank you for addressing people in Southern Metro last night, and I certainly will vote no.

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

**Lee TARLAMIS** (South-Eastern Metropolitan) (13:44): I move:

That the consideration of notices of motion, government business, 63 to 171, be postponed until later this day.

**Motion agreed to.**

***Bills*****Statute Law Amendment (References to the Sovereign) Bill 2023*****Second reading*****Debate resumed on motion of Ingrid Stitt:**

That the bill be now read a second time.

**Matthew BACH** (North-Eastern Metropolitan) (13:44): It is with much relish that I rise to make a contribution on behalf of the coalition parties regarding the Statute Law Amendment (References to the Sovereign) Bill 2023. It is a bill that should have been an unremarkable bill, a bill focused on simple housekeeping. But in actual fact, President, it may not surprise you to learn this is actually quite a sneaky bill. It is a bill that should do something very straightforward. Following the tragic death of our late Queen there has been a need, of course, to make some updates to our statute book. That is all well and good. However, the government has gone further – and I will talk about this anon – in a way that I know has been described even as an effort to start a process of republicanism by stealth.

Now, I have friends who are republicans, and if they want to wilfully embrace historical illiteracy, that is a matter for them. Some of my colleagues are republicans. I know some members opposite are republicans. There are some good people who are republicans. But I would hope and presume that all colleagues in this chamber would recognise the extraordinary inheritance we have as members of the Commonwealth due to our links – our historical links and our ongoing links – to the British monarchy.

I just heard a contribution from Mr Davis about the upcoming referendum. Well, in the latter period of last century we had a referendum about whether we wished to become a republic. Strong arguments were put on both sides, and ultimately the people made a decision. I know that many within the government pine for a different system of government to our constitutional monarchy, and that is fine. They can do so. They can advocate to their federal colleagues to bring on another referendum. However, a process whereby we seek to alter our statute book to seek in some cases to sever the linkages – the very important linkages, actually – that we have to our sovereign I think is one that is

disingenuous. Like I said, my hope when I first saw this bill was that it would be a very straightforward matter of housekeeping – not so in fact.

Now, we know that the main purpose of the bill is to make changes to the Interpretation of Legislation Act 1984 in relation to references to the sovereign and also then to amend the statute law of Victoria to revise language referring to ‘the Queen’ to language referring to ‘the King’ and language, for example, referring to ‘Her Majesty’ with language referring to ‘His Majesty’. It would be remiss of me to go further without acknowledging what was acknowledged by people from right around this chamber at the time – and also people with different views about Australia’s current system of government and what that system of government should look like into the future – and that was, I think, a really deeply felt sense of grief in this place at the loss of our late Queen. That was the trigger, of course, for the need for this legislative change.

The Interpretation of Legislation Act 1984 does provide that references in legislation to the Queen, now the King, are to – I will quote that piece of legislation – ‘the sovereign for the time being’. Nonetheless, the actual wording of each statute, on its face, is now incorrect; hence the need for a change. These amendments, nonetheless, are meant to be minor and to ensure that the state’s laws remain, simply, relevant and accurate. This bill, however, goes further than that.

I seek to give you, President, and the house just a few examples – there are many, I am afraid – of this bill going further than that in a way that we on this side of the house will seek to remedy, Mr McIntosh, through some amendments that, again, I will speak to anon. Here is an example: in the Attorney-General and Solicitor-General Act – that is from back in 1972 – the bill does not replace the proper title ‘Her Majesty’s Attorney-General’ and ‘Her Majesty’s solicitor-general’ with ‘His Majesty’s Attorney-General’ and ‘His Majesty’s solicitor-general’. Now, what it actually does is to remove the references to the sovereign altogether, which means that these roles are only referred to as ‘the Attorney-General’ and ‘the solicitor-general’. In other areas there is a replacement of ‘Her Majesty’ with ‘the Crown in right of Victoria’ in reference to the functions, in this case, of the solicitor-general. That is just one example where we are not seeing a like-for-like comparison, and that is what we should have: a simple, like-for-like comparison.

I will go on to give you some further examples. By way of example, in the Crown Proceedings Act 1958 the full title of the sovereign is removed and not replaced with a reference to King Charles III. A whole host of similar examples were referenced and canvassed by not only the member for Kew, who led the debate for the opposition in the other place, but also other members, so I need not go on. I know members of the house are apprised not only of our concerns with this issue but of this issue itself and the extent of this issue across relevant pieces of legislation. It is for that reason that I am going to move a reasoned amendment. I move:

That all the words after ‘That’ be omitted and replaced with the words ‘this house refuses to read this bill a second time until the government has provided clarity on the rationale of the amending provisions.’.

**The PRESIDENT:** We will distribute that.

**Michael Galea** interjected.

**Matthew BACH:** Thank you very much, President. Mr Galea shouts out that the rationale is to move into the 21st century. However, to do that we do not have to ditch references to the King. Australia in the 21st century is a constitutional monarchy. My personal view is that that is a very good thing.

**Michael Galea** interjected.

**Matthew BACH:** Mr Galea shouts across the chamber that we are not ditching references to the King. Well, I just read into *Hansard* many examples where references to the sovereign – references to the Queen previously and to Her Majesty – are not being replaced appropriately with references to His Majesty or to the King, King Charles III as he is. I dare say this may be presented by those opposite

as a minor matter. I confess we think not. We think that, given the historical strength and the ongoing strength of our constitutional system of government and of our involvement in the Commonwealth and of all the wonderful things that that has brought us as a country – the rule of law, the separation of powers –

**Michael Galea** interjected.

**Matthew BACH:** Again, Mr Galea shouts out that this does not change that. No, it does not, but nonetheless I think if we seek to be historically literate we come to an understanding that we only enjoy the benefits of living in a thriving liberal democracy because of our connections, through our constitution, to our monarchical system. To seek to reduce, to minimise, the strength of those connections through legislation is something that we will not support. That is why I have moved my reasoned amendment. That is why a little later on I will move a series of other amendments that I might just broadly speak to now.

The purpose of the amendments that I will have circulated and then we can discuss at the conclusion of our debate is to bring the bill back to its original intent. The government said that the intent of this bill is straightforward. It is a necessary piece of legislation upon the sad death of our late Queen. The amendments seek to update the bill to reflect what should have been brought before this Parliament, and that is a simple substitution of terms, given the death of the Queen and the accession to the throne of King Charles III, long may he reign. With these amendments, the bill will be a straightforward matter of legislative housekeeping to ensure that all our laws here in Victoria make correct references to the sovereign. That will be the purpose of our amendments. I know the government has them. They were discussed in the other chamber as well.

I know many members of this place are keen to speak on this bill; I am not surprised. At the outset of our broader debate, I want to acknowledge what the member for Kew said in her contribution: that we will seek support for our amendments, and I am very hopeful of gaining support for our amendments. I urge members of the government, not just members of the crossbench, to ponder those amendments and the need for those amendments. Should, however, those amendments not be successful, then we cannot support this bill.

**Samantha RATNAM** (Northern Metropolitan) (13:55): I rise speak on behalf of the Greens on the Statute Law Amendment (References to the Sovereign) Bill 2023. The effect of this bill is to replace ‘Her’ with ‘His’ when referencing the sovereign throughout our statute books. Just like the monarchy itself, it is the Greens view that this bill is a distraction when we should be addressing the many serious issues facing Victorians at the moment. Climate change, the housing crisis and First Nations justice are ignored while this bill makes up 50 per cent of the government’s legislative agenda this week. The only reason the Greens are speaking in support of this bill is because we are informed by the Liberal Party and the monarchist league that it apparently contains a hidden plot to usurp the monarchy and establish an Australian republic by stealth – in which case, we commend the bill to the house.

**John BERGER** (Southern Metropolitan) (13:56): Thank you for the opportunity to contribute to the discussion of this bill. The bill before us today is the Statute Law Amendment (References to the Sovereign) Bill 2023. It is specifically an amendment to an extensive selection of legislation containing references to the sovereign, which for everyone’s clarification is the British monarch, who is the head of state for both the state of Victoria and the Commonwealth of Australia. As of this year, that monarch is no longer Her Majesty Queen Elizabeth II but is now her son King Charles III. Whilst the Andrews Labor government has congratulated King Charles in his ascension to the throne, it has presented an issue within the state laws, which must be addressed. The late Queen Elizabeth II reigned for a long and illustrious seven decades over Britain and the Commonwealth, a reign that saw great upheaval and change throughout the world. The world of 2023 would be virtually unrecognisable to the world the late Queen was coronated in. However, one thing has remained the same through all of those years: the wording of our legislation. That is right; several acts in force within Victoria specifically reference



the monarch, with each reference, by the way, referring to the monarch as either 'Her Majesty' or 'the Queen'. This is not reflective of reality, so we must go in and change it.

Before getting to the substance of this bill, I would just like to briefly touch on a few points. This is a very straightforward and plain bill. It has been put forward so that our legislation may reflect the reality of our state. I am sure that this chamber holds a diverse array of feelings and views on the monarchy and the monarchy's relationship with the state of Victoria. The bill does not seek to divide those views. As of August 2023, the Victorian constitution states that the monarch of the Commonwealth is the head of state. That is a written fact, and it is important that our legislation is consistent with this. To ensure that our legislation is accurate, we must amend the references to 'Her Majesty' and 'the Queen'. You would be forgiven for thinking the bill is a bit different to others, but that highlights one of the integral parts of good governance. One of our duties as a government is being responsible for ensuring that our legislation is up to date. Mostly this is manifested in reforms that reflect a change in society or societal values or when laws prove not to be effective, but that does not mean that clerical corrections do not count as an area that must be updated, and it is a responsible government that recognises this and takes the time to amend the laws.

Now, to turn to the actual contents of the bill, the bill seeks to amend 36 pieces of statute law within Victoria. The bill primarily focuses on the Interpretation of Legislation Act 1984, sometimes referred to as the ILA. The Interpretation of Legislation Act is an incredibly important part of Victoria's legal system. It gives us the guidance needed to properly exercise the laws in this state. That is an important aspect of the functioning of our community here and can mean the difference between a fair society where everyone gets a go and one that does nothing to help the people that live in it. For this reason it is essential that the Interpretation of Legislation Act be accurate and up to date. It is a good government that does this. The interpretation of legislation can define so many aspects of Victorian life. It is an integral part of Victorian law, and it deals directly and in some depth with the linguistics and wording of our legislation. It stands to reason that a bill dealing with the meaning derived from the words of legislation should turn first to the Interpretation of Legislation Act to ensure that all relevant legislation may be interpreted in a manner in line with Victorian parliamentary standards.

The other acts that this bill seeks to amend are as follows. The Accident Compensation Act 1985, which pertains to the payment of compensation to accident victims, will be amended in section 129F(8), changing 'Her Majesty' to 'His Majesty'. The Administration and Probate Act 1958, which consolidates laws relating to the administration of the estates of deceased persons, will be amended in section 84(4), with 'Her Majesty' being substituted with 'His Majesty'.

The Attorney-General and Solicitor-General Act 1972, outlining the roles and responsibilities of the Attorney-General and other relevant legislative measures, is amended in three places. In section 3 'Her Majesty's' is substituted with 'the'; in section 4, after 'Her Majesty's counsel' the bill inserts 'or His Majesty's counsel'; and finally, in section 5 'Her Majesty' becomes 'the Crown in the right of Victoria'. Next is the Bail Act 1977, which outlines laws surrounding bail in Victoria. In sections 18A and 32 'His Majesty' will be substituted for 'Her Majesty'. The County Court Act 1958, the act that outlines the laws, responsibilities and regulations of our county courts, is amended twice in section 28A, changing 'Her Majesty' to 'His Majesty'.

The Crimes Act 1958, the act consolidating our criminal law, will have several amendments, with sections 191(3), 206, 316, 404 and 405 all being updated to reflect the change in the head of state. In the Criminal Procedures Act 2009 section 327(1) will be amended to substitute 'His Majesty's' for 'Her Majesty's'. The Crown Land (Reserves) Act 1978 will have 'Her Majesty' substituted with 'His Majesty' where it occurs in sections 5, 8, 15 and 19. Then we have the Crown Proceedings Act 1958. Being proceedings relating directly to the Crown, this act will be subject to 15 amendments throughout its many sections, all to ensure that they accurately describe the current monarch.

The Drugs, Poisons and Controlled Substances Act 1981 act covers some criminal law, so there is reference to 'the Crown'. In sections 6, 30 and 83 every instance of 'Her Majesty' is substituted by

‘His Majesty’. Additionally, within the act, schedule 10 will include the words ‘His Majesty’. The Evidence Act 1958 will have its section 59 amended to feature the words ‘His Majesty’s’. In the Fire Rescue Victoria Act 1958, section 80(1)(a), the definition of ‘service’ will now include ‘Her Majesty or His Majesty’. The bill also touches on important acts that affect the very food we eat. The Fisheries Act 1995 and the Food Act 1984 both feature references to the monarch and therefore will be updated by this bill.

Other acts subject to more brief and minor alterations, in some instances just a single alteration, under the Statute Law Amendment (References to the Sovereign) Bill 2023 include, in no order, the Instruments Act 1958, the Racing Act 1958, the Sport and Recreation Act 1972 and the Unauthorized Documents Act 1958, with some more extensive amendments to be made to the Veterans Act 2005.

On the topic of laws and acts that are relevant to veterans, the Shrine of Remembrance Act 1978 also features in the amendment bill. The act pertains to one of the most iconic Melbourne landmarks, the Shrine of Remembrance, and I am glad to have the opportunity to talk about it. I am incredibly lucky to be close to the Shrine of Remembrance, and I am sure my constituents and colleagues in Southern Metropolitan share the same sense of pride in the shrine. The shrine is the most Southern Metro in all of Victoria, and it reminds us of the significance of the sacrifice that veterans have made for us. I look forward to being back there soon.

Many acts referenced within this bill relate directly to the functioning of our criminal and legal system, acts that affect prisoners such as the Prisoners (Interstate Transfer) Act 1983, the Summary Offences Act 1966 and the Sentencing Act 1991. Acts like the Public Safety Preservation Act 1958 will also be brought up to date, which is important as they directly address the safety of Victorians as we go about living our day-to-day lives in the community.

There are two acts included in this amendment bill that affect landlords within Victoria. Obviously due to the Crown’s ownership of Crown land, there are many references to the sovereign in the acts that address statute laws affecting land. The two land acts to be amended by this bill are the Transfer of Land Act 1958 and, far more notably, the Land Act 1958. Additionally, the Property Law Act 1958 will be amended by the bill. This is a very important law to every single Victorian as it addresses property protection within Victoria. As with other criminal and legal statutes, it is important that this remain up to date.

There are also instances in which this bill removes the reference to the monarchy altogether, but it is important to acknowledge and pay respect to Victoria’s head of state. The relationship that Victoria has with our sovereign has changed somewhat since the late Queen Elizabeth ascended to the throne 70 years ago in 1953. This is reflected in some of the legislation surrounding crime and policing. Unlike other amendments that have been referenced in which the feminine pronoun ‘Her’ is replaced with the masculine ‘His’ and references to the Queen are also altered to reference the King, these amendments will omit or remove references to the monarch. The last time our statute laws referencing the monarchy were subject to an amendment bill, Victorians were using pounds and shillings.

I never thought that I would have the opportunity to speak about the Canadian territory of Yukon in the Parliament of Victoria, but this bill gives me that opportunity. Yukon is the smallest and westernmost of Canada’s three territories. It is also the second-least-populated province or territory in Canada, with a population of 44,412 people – a small population – and yet the forward-thinking people of the Yukon, with the population of a single seat in the Parliament of Victoria, passed the References to the Sovereign Statute Law Amendment Act 2023 to update the legislative references to reflect the change from Queen to King and to streamline the process of similar updates in the future. Our bill takes a similar approach to this. The statement published by the governor of the Yukon explained the purpose of the bill:

In light of the passing of Her late Majesty Queen Elizabeth II in September 2022, His Majesty King Charles III became Canada’s new Sovereign and Head of State.

As a result of this transition, the Yukon's legislation must be updated to reflect the identity of the current Sovereign of Canada. This bill will accomplish this while streamlining the process for similar updates in the future.

As with other statute law bills we have passed this year and in previous years, this bill is straightforward. It does not try and change the effect of the laws or how they operate. The overarching intent of this bill is to make minimal changes to Victoria's statute book to ensure the terms remain legally accurate and the meanings and legal interpretations are preserved. If we are to look at the planned amendments to some statute laws relating to crime and policing, the Victoria Police Act 2013 will be amended to omit or remove references to the monarchy. 'Her Majesty's peace' will now simply be 'the peace' – the peace that collectively belongs to all Victorians.

We have the responsibility to ensure that every statute law in this state is accurate and up to date, and sometimes that does mean sitting down and altering nearly 40 acts. Governance is a big job with a million little jobs that need to happen under it, and in the Andrews Labor government we understand that attention to legislative detail is just as important to delivering for Victorians as big and ambitious, life-changing project goals. Additionally, it should be noted that this bill does not amend every single legislative reference to the monarch. There are many, many more references to the monarch in our state laws that read 'Her Majesty' rather than the appropriate 'His Majesty'.

I would also like to take the time to talk about and acknowledge why we need to go in to change our state law in the first place – the tragic passing of Queen Elizabeth II nearly a year ago and her heir and son King Charles III's coronation earlier this year in May. I am sure everything that could have been said about the Queen has been said, but it would be wrong not to acknowledge just how significant her 70-year reign was. It would also be odd not to acknowledge and congratulate the King on his official coronation some months ago. I would like to echo the sentiments of the Premier when addressing the passing of the late Queen Elizabeth and wish the new King Charles a long and prosperous reign.

President, if I could leave you and my colleagues in this chamber with one takeaway from my contribution, it would be that this does not affect the functioning of the statute laws that are amended. It is an amendment in principle really – the principle that the Victorian people have a right to have up-to-date, accurate laws, which is a duty that decent governments recognise. So to this effect I commend the bill to the house.

**Melina BATH** (Eastern Victoria) (14:09): I am pleased to rise today to make a brief contribution to the Statute Law Amendment (References to the Sovereign) Bill 2023. In doing so I find myself partially agreeing with the Greens, with Dr Ratnam, on the fact that this government has got a very thin, a very weak legislative platform, with two bills wandering through this place in the whole of this week. I remember back in the 58th Parliament where it would be nothing to have four to five bills in the house each week. They are going to filibuster. I am going to speak on this one; I want to put some brief points down. Then they are going to waffle on and filibuster on various motions. Their legislative agenda is a bit of a dry desert, and it is paltry. I agree with Dr Ratnam in that context, but I disagree with Dr Ratnam insofar as finding this bill appealing is concerned.

This bill should be about housekeeping; it should be about changing references and acknowledging the fact that our beloved Queen of some 70 years has passed and that the King – now King Charles – has ascended the throne and is in her place. We need to have changes to references in legislation to reflect that. That is what this bill should be about. Indeed the purpose of the bill is in relation to the Interpretation of Legislation Act 1984 to amend the statute law of Victoria in terms of language referring to the sovereign.

My colleague Dr Bach has referenced a number of sections of this bill. I will not re prosecute them all, but where I have concerns is where the government decides to overreach, as it is often wont to do. Rather than keeping within its brief to update and housekeep the legislation, it overreaches. We do have a stable democracy. I am very thankful and blessed that Australia is one of the most stable

democracies in the world. It is that not by chance but owing to the fact that we have a constitutional monarchy and that for decades and decades we have been able to self-determine and rule and positively guide our citizens through that constitutional monarchy. If this were to change – and in no way am I suggesting it should – the people of Australia, not the Premier of Victoria and his Department of Premier and Cabinet, his close inner circle, should be the decision-makers in that via a referendum. This bill is an overreach. What it seeks to do is remove certain capacities or areas where it should keep ‘His Majesty’. I will give you an example: in the Attorney-General and Solicitor-General Act 1972 this bill does not replace the formal title of ‘Her Majesty’s Attorney-General’ with ‘His Majesty’s Attorney-General’, it just trims it right back. It takes the monarchy out of these normal statute requirements, using ‘Attorney-General’. That is an example.

We on this side do not agree that that is useful. We do not want to see it watered down, even in signalling. This government is very good at virtue-signalling in a whole raft of public policies and domains. We do not want to see that happening in this bill, and we will not be supporting it unless Dr Bach’s very sensible amendments – textual amendments and amendments to various parts and sections of the bill – are supported. I ask the house to support those.

Finally in my brief contribution, I want to make reference to the fact that Queen Elizabeth was very much a guiding force. She was very stable. I am sure she could keep her own counsel and keep calm. On her passing last year, I spoke to members of my community, and they referenced her coming to Gippsland – flying into the Sale RAAF base and hopping on a train, which was on time. Indeed it was probably a special train for her. She passed through Sale and Traralgon to the Yallourn power station, as it was then, and moved on to Warragul. I remember one particular Traralgon lady – Suzanne Pinchen, who is a lovely lady – saying she was an only an infant when the Queen passed by but there was great pageantry and great celebration and an acknowledgement of this very happy event back in 1954.

We now have, I believe, a modern king: King Charles. I was at a citizenship ceremony only the other day. Once upon a time you saw a banner there with the Queen in her stately robes. Now if you go to a citizenship ceremony, there is just a modest photo of a modern king, and I think that reflects his acknowledgement of what needs to happen across the world and in terms of the Commonwealth. And yes, he has I believe quite modern views and important views to acknowledge. What this bill seeks to do is water down our constitutional monarchy, albeit subtly, but we do not need a subtle creep. We do not need a sneaky creep. I acknowledge and welcome Dr Bach’s amendments and note that if those amendments are lost, the Nationals will not be supporting this bill.

**David LIMBRICK** (South-Eastern Metropolitan) (14:16): I rise to speak on the Statute Law Amendment (References to the Sovereign) Bill 2023. With the passing of Her Majesty Queen Elizabeth II, a review of legislation containing references to the late monarch has been undertaken. These kinds of bills are generally uncontroversial and could be considered a legislative tidy-up, but somehow the opposition have managed to turn the debate into a strange proxy argument over republicans and monarchists and whether updating legislation to remove unnecessary references to the Crown is somehow an attack on the monarchy. While it is all very quaint to reflect on previous visits of the royal family to Victoria, I am not sure that other members actually had a good look at the legislation that is being amended by this bill.

There is one amendment proposed by this bill to an act which needs to be brought to the attention of the house, not just for its sovereign references but for the purpose of the section being amended. Clause 30 of the bill proposes to amend the Unlawful Assemblies and Processions Act 1958 to remove gendered references to the late monarch. Some might not be familiar with this act or the purpose of the statement containing the sovereign reference, so for their benefit I will provide some context to this. I will now literally read you the riot act:

Our Sovereign Lady the Queen doth command and charge all persons being here assembled immediately to disperse themselves and peaceably to depart to their own homes. God save the Queen.

These magical words, when spoken by a justice of the peace or magistrate at a riotous meeting, afford the powers under section 5, which I will paraphrase:

... if persons so unlawfully riotously and tumultuously assembled ... happen to be killed maimed or hurt in the dispersing ... the offenders shall be free discharged and indemnified of for and concerning the killing maiming or hurting of any such person ... unlawfully assembled as aforesaid.

I am unsure what is more concerning to me: the licence to kill without consequence provided by this act or the fact that upon review the only amendment the government felt necessary to this archaic power was omitting 'Lady the Queen' and 'God save the Queen' from the proclamation that allows murder. The opposition – or as they would seemingly prefer it, Her Majesty's opposition – have spent their review of this legislation splitting hairs over the titles of monarchs in various references and paying no attention to what this abhorrent legislation does.

In 1999 the Scrutiny of Acts and Regulations Committee completed a review of legislation at the request of the then Minister for Police and Emergency Services Mr Pat McNamara, including a review of the Unlawful Assemblies and Processions Act. Their report found the act to be redundant and called for its repeal for the following reasons:

1. The right of peaceful assembly is an important right in a modern, democratic society. The Act represents an unreasonable restriction on this right.

Indeed it does.

2. The Act reflects conditions that no longer exist in, and policy decisions that are no longer relevant to, contemporary Victorian society.
3. The Act is not part of the current practice of regulating assemblies and processions in Victoria.
4. The submissions received by the Committee, including that from Victoria Police, almost unanimously agree that the Act is redundant and should be repealed.

Hear, hear! The powers under this act have not been used for over 40 years, though they were most notably used in an attempt to disperse the Frankston riots, in my area, in 1979. I say 'attempt' as it was noted by police at the time that the noise from the crowd was so deafening it was doubtful the crowd even heard the justice of the peace read it. After the reading of the riot act to a group outside Frankston police station, police moved on the crowd, who turned and ran. Inspector Carl Mengler, who headed the police response, was quoted as saying at the time:

If they had stood their ground, it would have been very serious.

Indeed it would have been. Given what the riot act empowered those dispersing the rioters to do, the level of seriousness could have been far worse. Interestingly, John Finlayson, who was then director of the Pines Forest Community Centre, was adamant the riot erupted after a crippled man was mistakenly arrested in the belief he was merely drunk and was placed in a police van.

This act is old and outdated. It is so old in fact that a person would be mistaken in reading the amendments in clause 30 of the bill referring to the Queen as references to Queen Elizabeth II. This act's origin in Victoria dates to 1860, meaning the monarch it refers to is not Queen Elizabeth but in fact Queen Victoria. The reason we have this version of the legislation comes from events which happened only days before its royal assent on 28 August 1860. Frustrated by the lack of action by Parliament concerning land rights and land unlocking – not much has changed there – a group of unhappy protesters marched on Parliament House and demanded changes to the land allocation scheme, which this upper house was denying. This resulted in police being called to intervene, injuries to both police and protesters and bricks being thrown into Parliament, which happened to be sitting at the time. It is worth noting that Parliament business was not interrupted at all amongst the sound of breaking glass over members' statements. Today even a case of the sniffles is enough to prompt an evacuation of this building. How times have changed.

When parliamentary debate was ending over these new powers, those in opposition to the riot act cautioned the risk of misuse, stating that these powers:

... if not ... closely watched, would result in serious inroads on the privileges, and even on the liberties, of subjects in this colony.

The history goes back a little further than that, though. The words I read out earlier when I read the riot act from English legislation are over 300 years old. The words from the original riot act of 1714 are almost identical. And because I enjoy it, again I shall read you the riot act, Deputy President:

Our Sovereign Lord the King chargeth and commandeth all persons, being assembled, immediately to disperse themselves, and peaceably to depart to their habitations, or to their lawful business, upon the pains contained in the Act made in the first year of King George, for preventing tumults and riotous assemblies.

God save the King.

This act was repealed in England and Wales in 1967 and all of the United Kingdom in 1973. Our Parliament has recommended that it be repealed. Rather than updating references to the sovereign, the government should have simply repealed this act. After watching how this government has involved itself in the lives of more and more Victorians in recent years, I can confidently say the powers within this act do not belong in the hands of this or any other government so eager to establish inroads into Victoria's liberties. Any maintenance being performed on these powers calls for the question of why these powers are even being maintained in the first place. Does the government intend to use them? I hope not.

**Michael GALEA** (South-Eastern Metropolitan) (14:23): I also rise to speak on the Statute Law Amendment (References to the Sovereign) Bill 2023. I rise to speak on what I expected to be a rather mundane bill. There has been some discussion about the importance or otherwise of this bill. I think it is an important thing to reflect on our legislation and adapt it to the times, but I would agree that it probably is one of the less exciting things that we could be discussing. But apparently not, because members of His Majesty's most loyal opposition today, which is an expression we do not often use in this place – I am surprised they do not refer to themselves that way, if that is how they are asking to be referred to – have raised a number of concerns, as Mr Limbrick said, some rather bizarre concerns, about this bill, as they did in the Assembly two weeks ago. We saw this bill go to a division in the Legislative Assembly over supposedly removing some references to the sovereign through this bill.

It is quite telling that this is the legislative priority that the opposition – sorry, His Majesty's most loyal opposition – wishes to talk about in this place. There are many other things going on of course. This government is getting on with delivering, and that is both within the Parliament and outside the Parliament. A number of things are underway this week. The expansion of the casual sick pay guarantee is just one of the things happening this week. So there is certainly no shortage of things happening. But the opposition are saying, 'This is the issue. We've found it. Gotcha. This is our path to success. This is the way we're going to get the government. This is the bill. Archaic references to the sovereign are an important thing to keep – this is what we want to have a stand on.' In the contributions from some of the opposition members today we have heard 'slippery slope', 'water down', 'sneaky' – apparently this is a sneaky bill – and 'tricky'. It is not; it is actually quite straightforward. In fact the changes that are being brought into many acts under the statute law amendment –

**Matthew Bach** interjected.

**Michael GALEA**: No, I do not want to be president, Dr Bach. The changes that this legislation is bringing in are basically updating the wording to mirror what is in other legislation that we would ordinarily bring in anyway. It is actually just bringing it up to date, so it is quite bizarre again. As I said, the leader of His Majesty's most loyal opposition has obviously decided that this is the issue to go forward with. They are emboldened by their success on the weekend, winning a seat that they have held for generations. They think this is a great victory that sends a great message to Labor, even though

Labor did not run a candidate in that seat. I know it is maybe up there in importance with the display that we saw from an opposition frontbencher on Sunday with a very exciting press conference. I think the new season of *CSI: Berwick* is going to keep us all in stitches this year. But these are the priorities that the opposition brings to the house today, and these are the issues on which they say, 'No. You've got it wrong.' We have brought it to the house, and you are saying that, frankly, a straightforward piece of legislation is outrageous and you must bring in amendments and you must debate it.

**Matthew Bach** interjected.

**Michael GALEA:** I certainly look forward, Dr Bach, to committee of the whole on this, assuming that we do get to a committee of the whole, which with the way this is going it seems like we very well may. I look forward to you asking all your questions of the Attorney-General by addressing her by her formal title, which is 'His Majesty's Attorney-General'. I have not actually heard that phrase said at all this year in the Parliament – I know I have not served here as long as some others have – but I expect to hear it today. If you cannot say it on this bill, when can you? Look, all going well, this straightforward bill should go ahead, so apart from adding a bit of flair into sentences, it will no longer be necessary to address the AG as 'His Majesty's Attorney-General'. Again the priorities of the Liberal Party are slightly unbeknownst to me, but I wish them all the best with that.

I also thank Mr Limbrick for his contribution on the bill, which was very interesting about that act. I am keen to have a look at that because it does sound like quite the archaic act. I am very happy to see that we are going one step towards a more modern and reflective legislation. In no way is this a slippery slope to republicanism. Look, no doubt there would be members on my side who would be very happy if it was, but it is not. It is certainly not. I note Dr Ratnam. I thank her for her contribution. She seemed to be excited by the prospect too, but I hate to say that, look, it is actually a very, very mundane bill. It does not change our constitutional status. We are still going to be a constitutional monarchy governed under King Charles III, as we have been for some months now, and it is appropriate that we amend our legislation and adapt it to the times, including adapting to the fact that we do have a male monarch now. Frankly, that is a bit of a weird thing to say. All my life I have grown up having Her Majesty Queen Elizabeth II as my queen, and frankly so did my parents as well. They were both born during the Elizabethan era too. It actually seems very strange to be in a position to refer to 'the King' and not 'the Queen'. I know it is going to take a lot of us quite some time.

I will not go into lengthy tributes, but I do note some of the contributions from other speakers. She was a fantastic monarch, and I know we all dearly miss her. To have a queen last through such a long period of time and through so many generational shifts was quite a remarkable thing, especially in these days. I am joining other colleagues on this side in wishing King Charles III all of our support as his perhaps most loyal Legislative Council – I am not sure if that is the expression. I know that 'most loyal opposition' is more commonly used, but the government too are equally loyal to him. At some point we may yet come to having another referendum in this country on that question, and I am sure there will be many arguments made on both sides at the time, and as others have said, the Victorian and the Australian people will then decide. It is not for the state government to unilaterally declare ourselves a republic, and that is exactly what we are not doing. We are not doing that. There is no slippery slope. It is not sneaky, it is not tricky, it is not watering down. It is none of those things. Quite frankly it is a bizarre approach for the opposition to take.

Now, Mr Berger gave us a most fulsome contribution on all the very many bills that this will actually affect in very good, fulsome and thorough detail, and I appreciate his contribution for that. I cannot say there was anything particularly in there that I found all that surprising, all that terribly exciting, that we are actually going to see some major change. There is no line, 'Oh, by the way, Victoria is going to become a republic unilaterally.' That line certainly is not in there. But we are now in the third Carolean age, coming from, as I say, a very long time of having Her Majesty Queen Elizabeth as our monarch, and it is appropriate that our legislation changes with the times and that rather than 'Her Majesty' we now refer to 'His Majesty'. Again, it sounds very strange to me to say even still, and it

probably will for some time to come – and how wonderful a thing that we have had such a wonderful female role model in all of our lives for such a long period of time.

Beyond updating the references to ‘His Majesty’, the bill also amends the Interpretation of Legislation Act 1984 to clarify the operation of specific provisions and further futureproof the legislation for future demises or successions of the Crown. I note that it is, I believe, only the third time since the Parliament of Victoria first met in 1851 that we have had to change the gender references to the monarch. Again, as members would know, in the 19th century it was Queen Victoria, and it has changed a couple of times backwards and forwards since then. In all likelihood for most of our lifetimes probably, but certainly for most of the time that all of us will be here, it will continue to be ‘His Majesty’. We have got two generations below, both male. It was great to see the UK change its laws a few years ago around male primogeniture and to see a more equal system brought in so that for future generations, whichever sex a child is born to a future king or queen, they will be the next king or queen. It will not just be the first male; it will be the first child, as it frankly it should be. We may well be a republic by then; we may not be. We may well have a future king or queen, and it would be very good to see a future queen again for the United Kingdom and Australia if we are still a part of the Commonwealth and monarchy by then.

Beyond those relatively simple changes, I know Mr Berger also referred to the Canadian territory of the Yukon. I note the Northern Territory in Australia has already changed its legislation too on this very issue, and it all seems to be rather straightforward. Again, it is only the Victorian Liberals who seem to have a major issue with these sorts of relatively mundane changes. Again, it is good to add some colour, it is good to add some excitement, and I certainly appreciate that we have had that today, as I believe our colleagues in the Assembly had in the last sitting week as well.

I note that in the Assembly last week the member for Kew – and I believe these might be the same amendments that the good Dr Bach is raising today – really objected to some of the changing of phrases. Some of the phrases that are apparently so outrageous to be changing are, firstly, changing ‘Our Lord the King’ to ‘the King’; ‘His Majesty’s most loyal opposition’ to simply ‘opposition’; also, ‘His Majesty’s Attorney-General’. We have already talked about that, and I look forward to Attorney-General Symes being referred to by her apparently proper title, which is ‘His Majesty’s Attorney-General’. There is ‘His Majesty’s solicitor-general’ as well.

The other thing they say is that this is some sort of great, radical shift, that it is virtue signalling, that it is changing things by deceit, that we are sneaking stuff in there. I actually point out to members of His Majesty’s most loyal opposition that in 2002 in the United Kingdom Parliament the then Blair government made, again, a relatively procedural change in laws. I believe that it was the Police Reform Act 2002 – yes, it was, and the member for Monbulk talked about this extensively in her contribution on this bill last week in the Assembly – that actually did a similar thing: it replaced mentions of ‘our Lady the Queen’ to simply ‘the Queen’ and also removed other references to ‘Her Majesty’s subjects’ – again, not radical stuff.

The United Kingdom Parliament passed laws which had very similar effects as to what the opposition today are saying are so outrageous. They did that 21 years ago, and I do not really see a decline in the moral fervour for monarchy in the UK. We saw absolutely tens and thousands of people lining up in the streets of London for the coronation this year and even more so last year when Her Majesty did pass away, so I cannot say that the United Kingdom is a hotbed of republican activity at the moment. But according to the Liberals, 21 years after that law you would think that the United Kingdom was. You would think that they would be marching through the streets demanding a republic. Again, there are these references that they are getting so ventilated about, so excited about and having this great moral panic about, with Dr Bach’s amendments as well. Perhaps these are the most important issues in Dr Bach’s area. I suspect not. Perhaps they are the most important issues for the member for Kew, who raised similar amendments in the Assembly last week, but I can tell you that they are not the most important things for my constituents in the south-eastern suburbs.



This is a government that is getting on with the job and delivering real practical reform, real improvements and real new infrastructure and services across the fields of transport, education and health. We are addressing cost-of-living pressures. The power saving bonus is ending in two days as well, and that has been a massive boon this year. We have seen a huge take-up in the community of that \$250 power saving bonus. Again, as I say, this is a government that is getting on and delivering, including through the legislature here with bills. We have busier weeks and we have quieter weeks, but every day we are out there in the community delivering, and we will continue to do that. Meanwhile, what do we have from the opposition? We have bizarre press conferences, we have celebrations over keeping one of their safest seats and we even have today ventilating and jumping up and down saying this is outrageous and talking about references to ‘Our Lady the Queen’, all these archaic references to ‘His Majesty’ and other things as well.

This is a very, very simple bill. This is changing the law in a very simple way from ‘Her Majesty’ to ‘His Majesty’ and removing some of the more archaic parts of our references as well. I will use the expression one last time. For His Majesty’s most loyal opposition to be up and about ventilating about this today – I use that phrase with pleasure because I know if this bill does pass it will no longer be accurate to say – if this is the issue that they want to jump up and down about, by all means they can go for it. But real Victorians know that they have a government that is getting on and delivering for each and every one of them.

**Trung LUU** (Western Metropolitan) (14:37): I rise today to contribute on the Statute Law Amendment (References to the Sovereign) Bill 2023. The purpose of this bill is a legitimate one. Her Majesty Queen Elizabeth II has died. His Majesty King Charles III has acceded to the throne and now is the constitutional monarch of Australia. This means that several of our statutes that refer to ‘the Queen’ or ‘Her Majesty’ are now textually incorrect and need to be corrected to refer to ‘the King’ or ‘His Majesty’. This is proper and should be a simple task to accomplish, but it seems that the government has taken opportunity to implement some republicanism by stealth. Many of the amendments contained in this bill appear to remove references to the sovereign with no valid reason. Australia is a constitutional monarchy and will continue to be one until the Australian people decide otherwise. As long as we are a constitutional monarchy, as long as we are a government administered on behalf of the Crown, it is right that our statutes reflect this legal reality and that our statutes reflect the traditions of the language that evolved through our continual history.

Many in the other place as well as in this house have discussed several of these changes. I want to discuss one in particular which relates to the many Australians who have dedicated their entire serving lives in serving our community and our country. As a police officer of 28 years, the changes to the Victoria Police Act 2013 interest me particularly and very personally. Clause 32 of this bill amends the Victoria Police Act, Schedule 2, which contains the oath that must be sworn by a police officer when they become one in Victoria. The current oath, the oath that I made when I joined the police force, is:

... well and truly serve Our Sovereign Lady the Queen as a police officer ... that I will see and cause Her Majesty’s peace to be kept and preserved ...

This bill will amend the police oath, but not in a good way. Yes, it will keep reference to the sovereign, but where it should replace ‘Lady the Queen’ with ‘Lord the King’ it will instead simply delete the reference to the Queen and no mention will be made of the King. Where it should replace ‘Her Majesty’s peace’ with ‘His Majesty’s peace’, it will delete the mention of the Queen and simply call it ‘the peace’. Why does this matter? Let me explain very simply why it is so. It is true that it is a small change, and many others may argue so and that it will not make any legal differences, but it will make a symbolic difference, and symbolism matters in how we think about our political duties, especially for servants of the Crown, like a government minister, judge and me, a former police officer. In the words of a former Lord Chief Justice of England and Wales, the concept of the Queen’s peace is unbreakably linked with the common law. It refers to public quietness and tranquillity and the entitlement of every citizen to go about his or her lawful business without interference from any

malevolent forces. This peace is part of the common good of society, and it is the King's peace because the king is a symbol of unity and a symbol of continuity, and that lasts beyond the change of any competing political parties. The King's peace is a peace that belongs to the permanent interests of the community. It is important that when a police officer swears to keep the peace they understand their loyalty is to the people, not ultimately to the government of the day or a particular political party. Their promise is to serve the King and the people.

The reputation of the police was harmed in many ways and they lost the trust of people in many ways in Victoria owing to what happened during COVID. The Labor government asked police to enforce law that infringed on many basic civil liberties. They were told to close playgrounds. They were told to arrest women for being at the beach. They were told to arrest people for posting things on Facebook. Just think about that. They were told to fire bullets on protesters. I escaped a regime of communism and suppression. This behaviour of an authoritarian regime is not liberal democracy. Most of my former police colleagues disagreed with these rules, and many have told me they could not in good conscience enforce them, but as many do, professional officers have sworn an oath to the King and to the people to continue to carry out their duties. Perhaps some of them remember their oath – they remember that their ultimate loyalty is to the King's peace, the peace of society at large. They saw some government policy was undermining instead of serving the peace, and I know many resigned because of this. The public have lost trust in the police because of what has been done, and some of the police have resigned because of it.

It is important that when we make necessary change to our statute law to reflect the change in monarch we do not throw away important ideas without a reason. Clause 32 would remove an important idea of the police officer's oath, an oath they have sworn, to serve and protect. The idea of their promise is that we keep the King's peace. This concerns me deeply. I support the amendments and moves to improve this bill.

**Jacinta ERMACORA** (Western Victoria) (14:44): The passing of Queen Elizabeth II on 8 September 2022 was a significant moment around the world. She served as monarch for more than seven decades and was an integral figure of our times, a constant presence in the lives of multiple generations. This bill will update the language of the state of Victoria and its laws, changing references from 'Her Majesty' to 'His Majesty' and similar terms due to the passing of the Queen and the accession of King Charles to the throne.

I was in London at the time that the Queen died last year. I was there for an extended holiday. In fact I was having dinner in a restaurant in central London with a British MP at the moment that her death was announced. The discussion was all about what would happen – what the procedural and ceremonial actions were that would have to take place for her as a result of the death of the monarch, not least of which was the recalling of the British Parliament. In London over the days that followed the death, there was quite a different tone in the city. There were a lot of people just continuing on their ordinary lives, but also a lot of people wearing more black than usual. It was summertime, so black was not a normal T-shirt colour across London, but it certainly was for the couple of weeks following. My hairdresser was very keen to know if the funeral would provide her with a public holiday. Then after some discussion she realised that there were two possible public holidays – another one for the coronation of King Charles.

Then on the Saturday after the Queen's death my family, my husband and I took a train trip to Windsor. We thought we would go and have a look at Windsor. I must admit we accidentally met Harry and Megan at Windsor – it was when the four of them came out. We found ourselves behind a barrier, and the next minute we were in the crowd. That prompted several days of discussion and debate in my extended family about the future of the monarchy. There is a level of acceptance in London. There was no question – 'The Queen has died. We've got a King now.' In Australia the conversation was, 'The Queen has died. Should we still have a monarchy?' So there was a real difference across the community in that conversation.

In the end the mood in London was reflective, it was respectful and it was also disinterested all at the same time – a bit like this bill. The primary objective of this bill is to update the language of various state of Victoria statutes. The current legislation refers to ‘Her Majesty’ and includes similar terms which are no longer accurate following the death of the Queen, who was female, and the accession of her successor, who is male. It is pretty simple really.

There have only been four occasions in modern Victorian history when the gender of the sovereign has changed following the death of the monarch. Few would remember the last time this happened, when Queen Elizabeth II assumed the throne in 1952. Although the Interpretation of Legislation Act 1984 provides that references to ‘Her Majesty’ should be interpreted as referring to her successor and words importing a gender include the other gender, the passing of a female sovereign and the succession of a male one leaves the actual wording of each act incorrect. This bill aims to rectify that and ensure our laws are both relevant and accurate.

Let us be clear: there is no hidden agenda here, although those opposite would be delighted to be able to evidence one. It is intended to correct formal errors, ambiguities and omissions in the existing laws. These types of amendments are standard legislative practice and are not intended to introduce any substantive changes to the law. Further, the Scrutiny of Acts and Regulations Committee, SARC, play a role in evaluating all bills introduced to Parliament, including checks for compatibility with human rights and certain legislative norms. SARC found no issues with this bill in its August 2023 *Alert Digest* No. 8.

Other Australian jurisdictions have also made similar changes, all a little bit differently. Western Australia, the Northern Territory and of course – how could I not mention – the Canadian territory of the Yukon have passed similar legislation, aiming to keep their statutes updated in light of changes of the sovereign.

Importantly, this bill does not aim to make retrospective changes and does not amend the constitution, as such an endeavour would require additional legislative steps. The bill will update references to the sovereign in the list of specific acts, ranging from the Workers Compensation Act 1958 to the Accident Compensation Act 1985. I am sure a great deal of work and thought has gone into the overarching goal of this bill: to make minimal technical adjustments to the Victorian statute book. The aim is to absolutely preserve current meanings and legal interpretations.

I believe it is also critical to note that constitutions and legal arrangements are living documents that change to reflect the values and understandings of society at any given time. The state of Victoria is no exception and has made important changes to recognise that before kings and queens there was – and there is – in this state the oldest continuous culture on earth. I do not feel that we can talk about this issue without making that acknowledgement. We acknowledge we have a rich and ancient heritage that predates the monarch and the founding of this state in its current form. This is why in 2004 we changed our constitution by inserting new section 1A into the Victorian Constitution Act 1975 to provide that:

- (1) The Parliament acknowledges that the events described in the preamble to this Act occurred without proper consultation, recognition or involvement of the Aboriginal people of Victoria.
- (2) The Parliament recognises that Victoria’s Aboriginal people, as the original custodians of the land on which the Colony of Victoria was established –
  - (a) have a unique status as the descendants of Australia’s first people; and
  - (b) have a spiritual, social, cultural and economic relationship with their traditional lands and waters within Victoria; and
  - (c) have made a unique and irreplaceable contribution to the identity and well-being of Victoria.

It is worth reflecting that Victoria has been a pioneer among Australian states in seeking a treaty and pursuing truth with its First Nations people. The establishment of the First Peoples’ Assembly of Victoria is highly notable, with this body being both independent and democratically elected. It

represents the traditional owners of the land as well as Aboriginal and Torres Strait Islander peoples in Victoria. The ongoing treaty negotiations between the First Peoples' Assembly and the state government symbolise a sincere commitment to rectifying past injustices and building a more equitable future. Many of these past injustices initially occurred in the name of, in history's case, His Majesty the King. The aim is to reach Australia's first ever treaty with First Nations people, which will no doubt be a monumental achievement in this state's legal and social history. This represents an important change, and it is worth noting that legal systems can and do adapt to be more profound understandings of justice and representation.

In looking back over the history of the monarchy while contemplating this bill, I was struck by some of the legal complexities that have arisen throughout history with the change of monarchs. We have had multiple changes of gender over the hundreds of years – male monarchs going on and on, and then we have had several times where there has been, unfortunately, no male monarch available and only a female one. There have certainly been strong and long-lasting female monarchs. They are Elizabeth I, Victoria and Elizabeth II.

Today we are debating a bill that makes changes to legislation due to the fact that we have a new King rather than another Queen, and that is definitely no great complication for this chamber to address. There is no conspiracy afoot here either, as those opposite are desperately trying to suggest. Nothing contained in this bill undermines our national system of government; it is simply just a case of modern drafting practice. This bill does not cancel the 21st century, as suggested by those opposite, and despite how Dr Ratnam referred to it, there are no hidden meanings. But of course it is not that surprising that we would have those opposite subscribing to a conspiracy theory, because that is what has been going on over the last few months and certainly this week. It truly is an incredible stretch to argue that this procedural statute law amendment bill is a secret move by the state of Victoria to make Australia a republic. That is just simply not possible to do. If there is so much connection to the use of the phrase 'Her Majesty', or in this case 'His Majesty', as has been discussed already, perhaps the names of the parties opposite might be changed to 'His Majesty's Liberal Party' and 'His Majesty's National Party', if that would make everything a bit more comfortable for you.

These changes really are meant to align the legislation with modern standards and language, although you could argue that it is not particularly modern to include reference to a monarch in a democracy such as ours. But it does happen without affecting the underlying policy or any policies or actions of the government. Like others in this chamber today, I am a bit astonished that it is necessary to point out that the power to change Australia's status as a constitutional monarchy does rest with the federal government. Legal language does evolve to reflect societal changes, including shifts in governance, and it is standard practice for legal documents to be updated and remain clear and relevant. Clearly the passing of Queen Elizabeth II has increased debate about our ongoing connection to the monarchy, but that is not being addressed in this bill. Instead it is using clear and modern language to strengthen the effectiveness of the law and, by extension, the institutions it upholds, including in this case the constitutional monarchy. It can only be said, in conclusion, that the fears of the opposition surrounding these amendments are not substantiated by the actual content and intent of the bill.

**Gaelle BROAD** (Northern Victoria) (14:58): Today I rise to speak in relation to the Statute Law Amendment (References to the Sovereign) Bill 2023. It is strange that the title of the bill says 'references to the sovereign' and yet it actually removes them in the bill. It should be a relatively straightforward bill that seeks to update the statute law of Victoria to revise language that refers to the Queen, or Her Majesty the Queen, following her passing after a historic 70-year reign. With His Majesty King Charles III now being the head of state, updates need to be made to 38 different acts, and we certainly wish the King a very long and prosperous reign. I would particularly like to acknowledge the work of Jess Wilson, the member for Kew, who engaged with Liberals and Nationals colleagues and with the Victorian Bar association, the Law Institute of Victoria, the Australian Monarchist League, the Australian Republic Movement, the Police Association Victoria and many others when considering this bill.

The bill will update Victorian laws to replace ‘Her Majesty’ with ‘His Majesty’ and similar terms, such as ‘her’ to ‘his’, and ‘Queen’ to ‘King’, as relevant. However, there are several proposed changes in the bill that go too far by removing reference, for example, to the sovereign. While the state government has indicated that there is no intention to change the effect of these laws, the proposed amendments result in symbolic changes when we have had no change to our system of government and the ongoing connection to the sovereign as our head of state. The drafting appears to go beyond the scope of the bill, and the Liberals and Nationals have proposed several amendments that better reflect the true intention of the bill. I thank Dr Bach for putting these amendments forward in the chamber and my colleagues Melina Bath and Trung Luu, who have been contributing to the debate on this bill.

For young women across the world, the Queen demonstrated consistent leadership and respect for others regardless of their background, so she was a real role model. On her 21st birthday, 21 April 1947, Princess Elizabeth was on a tour of South Africa, and in a speech broadcast on radio from Cape Town, she dedicated her life to the service of the Commonwealth. She said:

On my twenty-first birthday I welcome the opportunity to speak to all the peoples of the British Commonwealth and Empire, wherever they live, whatever race they come from, and whatever language they speak.

She went on to say:

If we all go forward together with an unwavering faith, a high courage, and a quiet heart, we shall be able to make of this ancient commonwealth, which we all love so dearly, an even grander thing – more free, more prosperous, more happy and a more powerful influence for good in the world ...

To accomplish that we must give nothing less than the whole of ourselves. There is a motto which has been borne by many of my ancestors – a noble motto, “I serve” ...

I declare before you all that my whole life whether it be long or short shall be devoted to your service and the service of our great imperial family to which we all belong.

But I shall not have strength to carry out this resolution alone unless you join in it with me, as I now invite you to do: I know that your support will be unfailingly given. God help me to make good my vow, and God bless all of you who are willing to share in it.

Well, the Queen’s life and service honoured that pledge, and she became the longest serving monarch in British history, reigning for 70 years and living until the age of 96. The Queen was a role model for women in leadership, and I have always admired her unwavering faith, compassion and dedication to service.

The Queen visited Victoria 11 times and travelled to many places in Northern Victoria, including Tatura, Echuca, Rochester and Castlemaine. In 1954 Her Majesty Queen Elizabeth II opened the Victorian Parliament, and she came to Melbourne again in 2006 to open our Commonwealth Games. They were exciting times, but not ones that we are likely to see again under this current government. During Australia’s bicentenary celebrations, the Queen visited Canberra to open Parliament House on 9 May 1988. I was just a teenager at the time, and I remember standing outside the front of Parliament House waiting patiently to see the Queen. In her opening speech, she said:

This new Parliament House will become the workplace for the men and women into whose hands Australians choose to place legislative and executive responsibility. The chambers will become the centres for debate on all the pressing issues of government, and future generations of Australians will look to those who work here for national security, wise legislation and fair administration.

You could say that for a time I lived parallel lives with the Queen. I remember on several occasions while our family was on that trip in Canberra that our Mitsubishi van had to stop as the parade of her lovely black Rolls-Royces would go past. So yes, we certainly were living parallel lives. Every one of us has memories of the Queen, and we are fortunate to have lived during this time to see this period in history.

There are many venues across the region that remind us of the royal family. Last weekend I was at the football at the Queen Elizabeth Oval in Bendigo. Another key venue in Bendigo is the Prince of Wales Showgrounds, and that hosts events all year round. But I trust as changes are made to revise and update these acts that the memory of the Queen and her unwavering desire to see Parliament as a place of wise legislation and fair administration will always be remembered.

**David ETTERS SHANK** (Western Metropolitan) (15:04): I rise to make a contribution to the Statute Law Amendment (References to the Sovereign) Bill 2023. Given the pro-republican flavour of many of my previous contributions in this place, I suspect it is no surprise that I would jump at the chance to speak on a bill of this kind, even when it is something as mundane as basically a sort of control-F-and-replace statute amendment bill. But some here do not seem to consider this to be a mundane bill. They even appear to suggest that these amendments could be a vehicle for republicanism by stealth. Would you believe it? A statute amendment bill is going to make us a republic – if only. I wish. If it was only that easy, then we could ring up our beloved Prime Minister, Albo, and I bet he would be just thrilled to know that he need not spend millions of dollars on a republican referendum – ‘Don’t worry, Albo, the Victorian Labor government has got it sorted.’

We have heard numerous complaints in the Legislative Assembly and in this place regarding this bill, particularly those parts that opted to remove explicit references to the sovereign. One was an objection to the Crown Proceedings Act 1958 removing references such as ‘our Lady Queen’ and replacing them with ‘King’ instead of ‘our Lord the King’. It is comical, and some, including me, would go so far as to say that it is inane that in this day and age this would be a point of contention. Who in modern Australia could really relate to such a turn of phrase? If you are under 70 and you can relate to this phrase of ‘our Lord the King’, I would just have to suggest you need to stop watching re-runs of *Game of Thrones*. We have moved beyond that. We need modern language that reflects a modern Australia. We have matured as a nation, and we should use this maturity to discuss the future of our nationhood. It is my hope that this takes the form of self-determination and, better yet, a republic.

Over the last few weeks our nation has been transfixed by the spectacular efforts of the Matildas at the FIFA Women’s World Cup. Cruelly, their journey was unfortunately cut short by England’s team, but what did our next potential head of state have to say during the lead-up to this match? ‘Good luck, England.’

**Michael Galea:** Shame!

**David ETTERS SHANK:** Shame, shame. And what about us, his loyal subjects? Well, apparently nothing – nothing at all. Here we see the crux of the issue. For all our talk of everyone deserving a fair go, Australia can never have an Australian head of state. Instead we have a foreign monarch whose role is handed down within a single family generation after generation by divine providence. Empowered as they are, they purportedly represent our nation and our national identity. Pigs fly, too. Republicanism is not a political statement. It is a question of personal and national identity. It is about democracy, in terms of both participation and representation. Most importantly, republicanism is about reconciling our present and our future with 65,000 years of unceded and continuous occupancy. This, however – this bill before us today – is a simple statute law amendment bill to correct ambiguities, references and errors found in statutes by way of references to ‘Her Majesty’ and similar terms. The bill will also futureproof legislation for demises or successions of the sovereign – remember, today’s rooster is tomorrow’s feather duster.

Although Legalise Cannabis Victoria will support this bill, it is my hope that such futureproofing will become redundant. By this I mean to say that I hope that history records King Charles as the last king of Australia as it peacefully transitions to a republic and, further, that history records that this occurs but a few short years after this country constitutionally recognises 65,000 years of continuous Indigenous ownership with voice, truth-telling and treaty.

**Ryan BATCHELOR** (Southern Metropolitan) (15:10): I am delighted, absolutely delighted, to be joining this debate on the Statute Law Amendment (References to the Sovereign) Bill 2023. I think that many members in the course of this debate have made insightful contributions on firstly why it is unfortunately necessary to be attending to this in the Parliament and making updates to various pieces of state legislation to more appropriately reflect the current title of our sovereign but also our frustration and exasperation with the fact that this is still necessary in this state and in this country in this century; the fact that we are so beholden to the circumstances and twists of fate that surround a family on the other side of the world, with its curious, sometimes glorious, often ridiculous lineage; and the fact that it is still a matter that this Parliament needs to address both in today's legislation in terms of amending the terms of the various aspects of statute that require an update from 'Her Majesty' to 'His Majesty'. But then potentially, and hopefully at some point in the future, we can actually turn our minds to the more substantive question about why it is that we need in any way, shape or form to reflect that our head of state is there by dint of birth and not by dint of the will of the Australian people and why it is that they are on the other side of the world with very little engagement in the day-to-day affairs of our nation.

As Mr Ettershank so rightly pointed out recently, with respect to the achievements of our national women's football team, they do not care about our successes either, and that family, for all that it has done for so many over so many years, does not reflect the realities, hopes or aspirations of modern Australia. It is a stain on our statute books that we need to be doing this today, because the bill does need to amend references in Victorian legislation following the death of Queen Elizabeth II and on the assumption of King Charles III to the throne. And obviously as one of the realms – one of the 14 or so, I think it is, realms – of the Commonwealth of which King Charles III is the reigning sovereign, we are required to go through the process, because of that hereditary passage, to update our statutes.

It is not the first time that Victoria has had to do this. Queen Victoria, after whom the state was named, was on the throne in 1837, and we had to manage the assumption of Edward VII in 1901, just after the federation of our nation. Obviously when Queen Elizabeth assumed the throne in 1952 and now that Charles III is on the throne in 2022, we have had to go through this process of shifting backwards and forwards between Her Majesty and His Majesty – a sort of linguistic hokey-pokey it seems – to keep up to date with what is going on in that now English, once German, family.

It is important to understand that various pieces of state legislation, including the Interpretation of Legislation Act 1984, do provide some degree of coverage in respect of the interpretation of legislation in which the relevant term of 'Her Majesty and successor' operates, but it is actually the fact that we have got incorrect laws on the statute book now that we need to adopt. This is a not infrequent part of parliamentary practice and custom to ensure that our statute books are kept up to date. From time to time we have passed statute law revision bills which do this important if unglamorous task of making sure that the legislation modernises words, phrases and styles – editorial changes. They do not in any way create policy changes or substantive changes to the law, and that is not what the bill before us does. It is not, as members opposite would like to suggest, some sort of vanguard for republicanism. As I have mentioned, sadly, it is not that. It is merely a tidying up of various acts.

That is what the practice of this legislation is obviously trying to do. It is a feature common of this Parliament but also of other parliaments, and other parliaments in Australia have undertaken the task of updating various parts of their statute book. It is also a task that has fallen to various jurisdictions in other realms – I should get the terminology right, because they are not sovereign nations; strictly speaking, they are realms of the sovereign.

**A member:** We could teleport there.

**Ryan BATCHELOR:** We could teleport there. Yes, that is right. I will get to the titles later, do not worry. There is a lot that has been going on around the world, including in various parts of other federal jurisdictions, including in Canada. What the bill does do is amend references for 'His Majesty' or 'Her Majesty' to ensure that that transition has taken place. I think it is important to note that in the terms

of this legislation amendments are not being made to the Constitution Act 1975, because of the nature and the special place that that act has, and some of the special provisions in terms of manner and forms provisions that exist in the state Constitution Act would preclude that sort of simple technical amendment. So it is not making those bigger changes. It is amending a degree of acts, including the Accident Compensation Act 1985, the Administration and Probate Act 1958, the Attorney-General and Solicitor-General Act 1972, the Bail Act 1977, the County Court Act 1958, the Crimes Act 1958, and the list goes on and on.

I want to spend a little bit of time, perhaps more substantively, talking about the particular ludicrousness of our constitutional arrangements, whereby a foreign family is held up as a beacon and bastion and importantly retains so many important pieces of power over both the state of Victoria and the nation of Australia, and my discomfort with that. I think that it is time, more broadly, that Victoria and Australia took the mature step of ensuring that we have an Australian as our head of state. I do not think it should be beyond us as a nation to do that.

In the context of contemporary debates I think there are a couple of matters that are going to be before the Australian people shortly, if I can be frank, that are more important, and they are the recognition of Aboriginal and Torres Strait Islander peoples in our national constitution and the establishment of the Voice to Parliament. I will be voting yes at that referendum when it is held in coming months. I think that is an exceptionally important next step that Australia needs to take, but it cannot be the last step that Australia takes in terms of modernising our foundational documents, because I do not think that paying tribute to, recognising or supporting funding on the tours of a sovereign from the other side of the world is part of where Australia's contemporary identity is. I will quote the full title, because I think it is important to get the full extent of its ridiculousness onto the parliamentary record:

... the Most High, Most Mighty and Most Excellent Monarch, our Sovereign Lord –

King Charles III –

of the United Kingdom of Great Britain and Northern Ireland and of His other Realms –

not 'the' other realms, 'His' other realms –

and Territories King, Head of the Commonwealth, Defender of the Faith, and Sovereign of the Most Noble Order of the Garter.

That is who we, as Victorians and as members of Parliament, are swearing allegiance to. It is who we are holding up as being at the pinnacle of our governmental system. I think that anyone who thinks that that is a reflection of modern Victoria is themselves somewhat delusional in their approach.

Moving to a republic has been a topic of discussion in Australia for many years. Obviously we had a push in the 1990s, led by a Labor Prime Minister and by a Labor government, that was cruelled by the efforts of the former coalition government. We had a Prime Minister who was determined to see progress towards an Australian republic stalled and so set up considerable roadblocks and processes to prevent that from occurring. It was a sad day in 1999 when that republic referendum was defeated. Sadly, it was defeated pretty comprehensively. I think in the context of that debate, we as a nation have stewed on the fact that we did not really feel the need, and there was not a burning desire whilst Elizabeth was our sovereign, to change those constitutional arrangements. I think it is widely acknowledged that with her passing and the assumption of Charles III – Head of the Commonwealth, Defender of the Faith and Sovereign of the most Noble Order of the Garter – as our new sovereign, the mood for that is changing.

I think the mood for change in Australia will be gathering pace in coming years as a reflection of our maturity as a nation, as a reflection of where we want to be as a people, as a reflection of our aspirations, as a better reflection of the great diversity of this place and this land and its people but also as a reflection of the absolute irrelevance that this family has to our lives in any way, shape or form. They are not part of our contemporary culture. It does not really matter that he came here as a kid and



spent some time at Timbertop; it does not give him a great connection to this place – although it is quite nice that we are able to look at a procession once or twice. We have got to be better, as a body politic, than that, and we should be grander in our ambitions to be more in control of our destiny as a society. There is no need for us to continue to swear our allegiance to someone who would not know us if he tripped over us in a line-up and who does not care about our national successes when they come around and does not share our national aspirations.

We do, and we will continue to have to – maybe not for another hundred years, given the current line of succession – make these sorts of changes to our statute books. Should this sovereign transition from a king to a queen at any future point, we will have to do this all again. I only hope that before we get to that point, before we are forced to pass another one of these statute law revision amendment bills, we as a community get together and fix the fundamental problem: remove this family from their position as our head of state and finally put an Australian there in their place.

**Rachel PAYNE** (South-Eastern Metropolitan) (15:25): I rise to make a brief contribution to the Statute Law Amendment (References to the Sovereign) Bill 2023. My colleague Mr Ettershank has already discussed Legalise Cannabis Victoria's position on this bill, so there is no need for me to reiterate what he has already said, and I am very much in support of his position. Instead I would like to take this opportunity to touch on a specific aspect of this bill, namely the decision to continue to opt for gendered language. Amendments in this bill make gendered changes to the language used in various pieces of legislation, including for instance changing 'Her Majesty' to 'His Majesty'. This means that for every future demise or succession of the sovereign we may well have to go through this whole process of amendments all over again – and I do take Mr Batchelor's point that due to the succession that we are seeing we probably will not have to; however, we do not know their pronouns as yet. I too hope that we will become a republic before that time. But for now we have lost an opportunity for greater efficiency in our statute amendment processes. We have missed an opportunity for further discussions about the impracticalities and exclusionary nature of gendered language in legislation.

The push for gender-neutral language in law is not new, and the politics of it are well understood. Attorney-General Symes has highlighted the importance of inclusive language in all aspects of life, and this government requires that new legislation and amendments are written in gender-neutral terms. I thank the government for this. In our briefing with the government on this bill we did question whether they had considered a change to gender-neutral terminology for the purpose of these amendments. I understand that they did consider this issue but that gender-neutral language was not pursued further due to the additional complexity of the drafting process. I understand that reason, but I still think it is unfortunate that this government's commitment to gender-neutral language did not extend so far as to impact this bill. Although for many it may seem inconsequential, as elected representatives we can reflect our community and values through the language we use in legislation. An inclusive gender-neutral language approach to crafting legislation and amendments has much merit. For my friends in the queer community: I know this issue is important, I understand its impact and I will not stop advocating for you.

**Evan MULHOLLAND** (Northern Metropolitan) (15:27): I rise to speak on the Statute Law Amendment (References to the Sovereign) Bill 2023. I want to start by acknowledging the work of my friend and colleague the member for Kew Jess Wilson, who has done great work consulting with stakeholders and consulting with colleagues in regard to this. As many in this chamber would know, I am actually a republican, and I agree with many of the sentiments put forward by previous speakers, my colleagues, in regard to the fact that our constitutional arrangements are somewhat out-of-date constitutional arrangements. That might just be the Irish in me, but I find it quite odd that we do not have an Australian as head of state.

I have also been on the record a number of times about the Australian Republic Movement. I do not think the Australian Republic Movement is actually the vehicle that will deliver this long-awaited change to change our constitutional arrangements to have an Australian head of state and for us to

become a republic. Mr Batchelor was talking about the failed constitutional referendum to become a republic, largely because the left of politics, or the republican side, could not agreed on a preferred model. The Australian Republic Movement has aims to thread that bow by trying to be everything to all people. Last year they released their Australian Choice model. As a republican I have got to say this is an absolutely outrageous model that will lose anyone on the centre right of politics, who you kind of need to support these kinds of arrangements.

Under this model, state and territory governments will each get to pick one candidate to put up to be our head of state and the federal government will actually get to pick three candidates to put on the ballot paper. So it is basically already bypassing the usual arrangements we have in constitutional referendums – where territories do not actually contribute to the statewide portion of the vote – by including territories as equal to states, but it is also a bit of a Canberra power grab, because the federal government gets to decide three candidates.

What I have been looking at on the Electoral Matters Committee, and I am quite interested in our electoral system, is how this Australian Choice model would create an elites republic, because it completely disenfranchises a regular person, an ordinary battler, from becoming an Australian head of state. It would be an elites republic. The Australian Republic Movement is wanting an elites republic, because only people decided by a government will be able to run for president. Only people that hang out with the Premier at the Malvern Hotel will be able to actually stand to be the head of state from Victoria. That is not the kind of republic I want to see; I want to see an Australian republic where an Australian can become the head of state – an ordinary worker, maybe from my electorate.

Peter FitzSimons described this at the time, when this was announced and they pushed it out there, as being so we avoid someone like Shane Warne becoming our head of state. Now, since then he has passed on, and we are very sorry for his untimely passing, but my question is: why wouldn't we? And who is Peter FitzSimons to decide we would not want someone like that being our head of state. I reckon that would be up to the Australian people to decide. So we go, 'Oh, we don't want another Donald Trump' – again, put that to the Australian people. A character like Donald Trump is not going to get the support of the Australian people, but who are these elites like Peter FitzSimons to tell the Australian people that certain people cannot be on the ballot paper? This is our way of ensuring only those who mingle in the Sydney cocktail set, like Mr FitzSimons does, can appear on the ballot. You will never get a Chifley as an Australian head of state, You will never get someone like Anthony Albanese even. You will never get someone from a working-class background. No-one in my electorate will be able to run for president under this model, but this is the model the Australian Republic Movement – many on the other side are members – want to go forward to change our constitutional arrangements.

I was once actually a member of the Australian Republic Movement, and I did go to a couple of meetings but was very quickly put off. I tried to get involved, and I was told that the chair at the youth level – and this happens every year, apparently – only got there because there was a contest for the secretary of Young Labor and the runner-up usually gets to be the head of the young republican movement. I know Mr McIntosh knows the deal. It always happens. Certainly comrades I speak to at the Curtin Hotel and others all advise me that that is absolutely the case. So they fill the young ARM with Labor hacks to prise them out of running for things and to give basically a runner-up prize. Well, I think actually the Australian Republic Movement should not be used as a tool of the Labor Party, it should be used to reach out across the aisle and say, 'How can we go forward? Where do we agree?' I think the only way an Australian republic will ever happen is if we actually appeal to the Australian character, if we appeal to the Australian way of life and if we appeal to the characteristics of sovereignty and egalitarianism – sovereignty in that we are all Australian, we are all equal.

I know many Australians value egalitarianism. We cannot go forward with a campaign for a referendum to feel sorry and ashamed of actions of people that came way before us which we as people living in this very day are not responsible for. So I fear for a future republican referendum. I fear it will never actually be proposed, and that is because of the government insisting on pushing a Voice

referendum. I believe this Voice referendum will put a future republican question at risk, because it is quite clear that Australians do not support the Voice. And while I do support constitutional change, as you know – I am a republican – I do not support the Voice to Parliament, because Australians naturally value egalitarianism, everyone being equal under the law and everyone having equal say.

I think it is a great thing that we have about 11 Indigenous MPs and senators in our federal Parliament, which is proportionally way over the percentage of Indigenous people in Australia. I think it is great that Indigenous people punch above their weight in representation in our federal Parliament, which shows Indigenous people do have a voice in our democratic institutions. I think that is a really good thing. What I do not agree with is putting into our constitution, which is basically a rule book, a body that is institutionalised that we will never be able to turn back the clock on. I mean, ATSIC was abolished for very good reasons; let us not forget that it was a bipartisan move to abolish ATSIC.

When you look at the reality of it, the proponents of the Voice say, ‘We can’t give you all the detail because that is up to the Parliament because the Parliament is sovereign. The Parliament will actually decide after the question is put.’ But basically what they are saying is that after the referendum we are putting in a permanent constitutional change, a risky one that we can never turn back the clock on, into the hands of the Greens and David Pocock in the Senate, because if you look at the balance of power in the Senate, that is what is needed to pass a bill, and that is what will be needed to pass a permanent constitutional change.

So again, I do not oppose constitutional change, but I very much fear the risk to a future republican question because the Voice referendum has been put forward. I think proponents of a republic were too quick to back down and say the Voice needs to be done first. The Voice has only been talked about since 2017; a republic has been spoken about for quite a long time. I remember in 1999, when many on the intellectual academic left said, ‘Oh, we don’t want this model, but we can do another referendum in two years and get the one we want, so we can vote no.’ They completely made a mess of it, and we are sitting here 20-plus years later without a republic. Then proponents of a republic have just said, ‘No, others can walk through the door before us and have their referendum question first’ – on a proposal that has not been properly scrutinised and has only been around since 2017 as a brand new idea, without a constitutional convention. I mean, come on. The republican movement and leadership have put the future of a republic at risk.

I did want to speak on some of the mentions in this bill. I will say this as a republican: I would love to be changing this bill completely. I would love to be bringing in a bill saying a lot of the things that are said here in the bill – once a republic referendum has been passed, once there have actually been changes to our constitutional arrangements and we have an Australian head of state. Then that is an appropriate time as Victorians, as a government and as a Parliament, to come in with a bill like this, changing the wording and removing references to the Crown – maybe even removing the crown from the top of the little statue there. That is an appropriate time to do it. You cannot just go in by stealth and change things around and rush it through the Parliament.

I want to particularly point out the police oath. I mean, this is pretty ridiculous. The bill changes the words in the oaths of affirmation given by police officers, protective services officers and special constables as they are contained in the Victoria Police Act 2013. The bill amends all three oaths to omit references to ‘Lady the Queen’ and substitute all references to ‘Her Majesty’s peace’ with just ‘the peace’. So it is not ‘His Majesty’s peace’, it is just ‘the peace’. They even removed ‘Her Majesty’s Leader of the Opposition’ and ‘Her Majesty’s Deputy Leader of the Opposition’. It just removes the opposition in the bill; it does not even replace it with ‘the opposition’. It just deletes – delete, delete, delete. It seems to be that someone has gone through it too quickly, or perhaps the government has run out of money to pay public servants so they have tried to use an AI tool to rewrite the bill or something. Seriously, some of the changes in this bill go quite a bit too far.

As I said, as a republican I would love to come into this chamber with a Statute Law Amendment (References to the Sovereign) Bill 2026, let us say, and have all these changes in here when Australia

finally becomes a republic. And as I have said, that is not being helped by the republican movement in this country. You have got so many Labor members getting on their feet, talking about how they would love an Australian head of state and the long titles the King is referred to as, saying it is anathema to our system of government and anathema to the Australian character. What have they done about it? What did they do to actually advance the cause of republicanism, except for using the Australian Republican Movement as a sort of branch outfit of the Labor Party? What did they do to reach across the aisle to advance maybe a referendum in the last 20 years? Absolutely nothing, and as soon as another constitutional proposal comes up they just get out of the way and let it roll through the door in place of a republican referendum that has been talked about for a long time, making way for an idea that came up in 2017 that has not had a constitutional convention. I mean, this is the kind of thing we expect from those opposite.

**Tom McIntosh** (Eastern Victoria) (15:43): I rise to support the Statute Law Amendment (References to the Sovereign) Bill 2023. The name is quite a mouthful, as is the majority of the content we are talking about today: words that to most people in our community do not have any meaning. I think to give things meaning we need to simplify the conversation. I think what we do see in this bill and in this debate and in the amendments that have been put forward by the opposition – or should I call them ‘His Majesty’s opposition’, as they like to be referred to? Are we here to think about and to debate the future of this state and the future of this country that we are within, or are we here to talk about the past? I for one am here to talk about the future.

We acknowledge the past. We respect the past, and I will start from the top by respecting the Queen, who has passed. I will respect the English systems that have been shared around the world, that have enabled and supported and protected democracies, that have established good institutions that have allowed a lot of nations to flourish and that I think have made this country a great nation and this state a great state. But we also have to look at a lot of the inequalities that exist within a monarchical system. There has been a lot of talk about whether people are monarchists or republicans. I am a republican because I cannot sit with the idea that massive amounts of wealth are being held by very few for what I can see as no good reason other than the family that they were born into.

To the actual bill, the bill is quite simple. We are making amendments to a variety of acts to acknowledge the passing of the Queen and King Charles coming in and ascending the throne. This bill identifies that and makes changes, but those opposite want to make amendments. Rather than just been called ‘the opposition’, they want to be called ‘His Majesty’s opposition’. The Attorney-General – a fantastic Attorney-General who does great work, I must say – would be ‘His Majesty’s Attorney-General’. We would have ‘His Majesty’s solicitor-general’. It goes on and on. Victorians, if you go out the front and have a chat to people in the street, do not want to hear these sorts of titles – His Majesty King Charles III, by the grace of God, King of Australia and his other realms and territories, head of the Commonwealth, being Charles Philip Arthur George Mountbatten-Windsor. I think we have more important things to get on with than this sort of triteness.

Basically, we should respect people for what they bring, for what they contribute, for who they are, not a title that they are born into. The future titles that are coming are His Royal Highness the Prince of Wales, being William Arthur Philip Louis Mountbatten-Windsor, and Prince George of Wales, whose full name is George Alexander Louis Mountbatten-Windsor. There was a comment before that King Charles has done some good work, and I acknowledge that. On climate change he has been an absolute beacon, and we have seen the UK take a lot of action on that. Absolutely we should acknowledge him for his deeds, for what he has done, but we should not bow and curtsy to a title that he inherited.

I want to mention my nanna Pat – Pat O’Donnell, so you probably do not need to guess where her allegiances lay. She and my grandfather Tom were over in England back in the 1950s, and they had been over there for 12 months on a sabbatical. As they were going to leave, some pompous guy came up to her party and said, ‘Oh, it must be terrible going back to Australia. They don’t have much history, do they?’ And my nanna, always being a pretty quick wit, turned around and said, ‘Well, at least we’ve

got a future, which is more than I can say for your lot.’ And that brings it back to what we are talking about: the future. The future is what we have to have our eye on, and there have been very nice simple illustrations of the fact that we need the head of this country to have the future interests of this country and our people at mind, and it is crazy that we cannot have an Australian as the head of Australia.

Just coming back to that fundamental issue I have, it is about the sharing of wealth. I should also note that my family were arrested at Eureka in 1854. Why did those people stand together? Why did they come together and say, ‘No, we will not accept the actions of this colonial government’? It was because their rights were not being listened to. They were not being respected. That act in Ballarat in 1854 helped set up this nation, and it is something we should be very mindful of. That spirit is still strong.

There has been a lot of talk about the referendum in the 1990s, and Dr Bach talked about it being last century, which just highlights where the Liberal mindset is at – it is always last century. It does not matter whether you are talking about action on energy, it does not matter whether you are talking about how we are going to invest in our infrastructure or the social debates, the social striving that we make for equality – ‘Well, let’s just keep it in last century because we could not possibly take ourselves out of that thinking to consider new ideas.’ But again coming back to our communities, when we go outside, our communities absolutely want us to be thinking to the future, and they want it in today’s language, language that they can understand.

I think most of all they want respectful debate but also a respectful community and a respectful society. Unfortunately so much of the sort of ‘grab for a headline’ politics that we see from those opposite is just trying to find a little toehold of prejudice or a little toehold to put some doubt in people’s minds. There has been a lot of talk about the Voice, and I will come to that soon. They are examples of ‘Let’s just sow fear, doubt and division’ as opposed to leading and providing plans for our people, options for our people and opportunities for our people. Because we know how easy it is to sow fear. We know how easy it is to be negative. We know how easy it is to pit people against each other. But it is absolutely crucial that we bring people together and we set common goals. You can have disagreements on the way – that is fine – but there should be a basic level of respect and acknowledgement of people in the community.

I will come to the Voice in a moment because I do have a fair bit I want to say about that. But back to this question of airs and graces and language that nobody understands – I mean, I have only been in the chamber for a year, but half the time when Mr Davis talks I do not even actually understand what he is saying; I have to look in a thesaurus. I am getting there, but most Victorians do not understand. I just did a quick Google of the monarchs – lords, dukes, duchesses, marquises, marchionesses, earls, countesses, barons, baronesses, viscounts, viscountesses. A trillion dollars worth of wealth is floating around in those families – massive, massive estates. How is that just or fair? And how is it that we want to see a continuation of that? I do not think anybody needs a gold-plated toilet seat, thank you very much. I mean, it is nice to have a warm toilet seat, but I do not think you need to have one plated in gold.

There are so many fundamental things based on who should be our head of state but more on not having a monarchy. It is great to see Mr Mulholland – Comrade Mulholland, as we like to call him, as on some issues he is so progressive – speaking out on certain issues even though he is incredibly, unfortunately, backward on others. Things like workers rights are fundamental to equality – equality of people – and to enabling people to have good quality of life, to have good access to services and to have good access to infrastructure so their families can grow and prosper and have better quality of life than those before them, which is to me in absolute contrast to what a monarchy is. A monarchy is, you know, ‘We shall have, we shall inherit and we shall rule.’

Now to the Voice: I need to pull you up, Mr Mulholland, on a number of things you said, because I think they are incorrect. When I am out doorknocking at the moment, talking to people about how they intend to vote in this referendum, this incredibly important referendum, one of the first things I hear is, ‘You want us all to be one people,’ and, yes, we should be one people and there should be that

equality – that equality of opportunity and that shared equity. But we look at the life expectancy of our First Nations people and it is significantly lower. When we look at home ownership, whether that is a mortgage or outright ownership, new Australians have somewhere around about the 66 per cent mark of ownership and our First Nations people, who have been here for 60,000 years, are looking at around about 33 per cent. So we are dealing with two peoples facing very, very different opportunities and hurdles within their lives.

Mr Mulholland talked about a Voice to Parliament being basically at the whim of Pocock and the Greens. In Victoria we made a change to our constitution in 2004, which I will come to soon. This scaremongering is: ‘Oh, my God, we’re going to enable our First Nations people to come together and put forward their opinions on how we engage with decisions of government that affect them’ and it is somehow a scary thing. Now, the constitutional amendment will ensure that that is guaranteed, but how that body is made up can be determined or amended by governments as they go on. So to say that the Voice referendum is some sort of incredibly scary thing that people need to be fearful of – yes, again, coming back, it is an easy tactic that can be taken, but it is just low-road politics and, again, pitting people against each other.

We are doing so much here in Victoria which I think we actually need to talk more about, because I think it is easy to whip up fear for people about the unknown. We are doing so much good work here in Victoria with regard to the Uluru statement, and I think the more people see that this work that we do gets better outcomes for all of us – whether it is our First Nations Victorians or the rest of us – the more people will come to value and cherish the work that is being done. I really hope – and I am committed to doing all I can to ensure that – the Voice referendum gets a yes when it occurs later this year. I think if it does not, we are going to wake up the next morning and we are going to realise what an incredible opportunity and incredible gift have been given to us by our First Nations people. As I said before, my family came out at Eureka and my family were not so patient and so kind in their words, so I think we should appreciate the beautiful opportunity and sentiment that have been given to us in a peaceful nature as a gift that has been extended to us.

In 2004 the Victorian Constitution Act 1975 had the following inserted:

- (1) The Parliament acknowledges that the events described in the preamble to this Act occurred without proper consultation, recognition or involvement of the Aboriginal people of Victoria.
- (2) The Parliament recognises that Victoria’s Aboriginal people, as the original custodians of the land on which the Colony of Victoria was established –
  - (a) have a unique status as the descendants of Australia’s first people; and
  - (b) have a spiritual, social, cultural and economic relationship with their traditional lands and waters within Victoria; and
  - (c) have made a unique and irreplaceable contribution to the identity and well-being of Victoria.

This has gone in, the sky has not fallen in and I think with the amendments in this bill and with the Voice the sky will not fall in either.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (15:58): Look, I have been listening to everything that has been said just recently in this chamber, and I do really take issue. I want to speak on the Statute Law Amendment (References to the Sovereign) Bill 2023, and I want to remind the house that the purpose of this bill is to amend the Interpretation of Legislation Act 1984 and to amend the statute law of Victoria to revise language and references to the sovereign as a consequence of the death of Her Majesty Queen Elizabeth II.

I had the great privilege of actually meeting Queen Elizabeth a couple of times in my life, and they were tremendous privileges, things that I remember very fondly and with tremendous excitement. I do not take the point that these are things that need to be eroded or that for some reason because somebody is born royal they are of any less worth or should not be worthy of respect. I wonder whether some of my worthy opponents on the other side of the chamber would want to see their ministers lose the title

of 'Honourable', because in effect what we are saying is that anyone that has a title is therefore no longer entitled to have that title, because for some reason that makes them not worthy of the respect with which they were born. I actually do not have a problem with the monarchy. I do not share some of the opinions of some of the people on my side of the chamber in terms of us being a republic. My concerns with a republic are very much around the fact that you want to be able to trust the people that are tampering with your constitution, and I am not sure that I would feel that way about everybody that comes into government.

I want to again go back to the bill. As some people have mentioned here, it should have been a straightforward piece of legislative housekeeping, but unfortunately Labor appears to have seen this bill as an opportunity to diminish the role of the monarch as our sovereign. It should have been just a straightforward thing that we do not have to spend time on in the chamber – quite right. It is not trivial, though, and it is not time wasting to actually want to show respect to the monarchy. This was a wonderful queen that we had, the longest reigning queen in the history of the monarchy, but that is not the point. The fact that that is part of the Australian story and Australian history is not the point. It is a fact that this government thinks it can just go ahead and do whatever it likes with an air of entitlement.

They have taken a bill, and instead of just inserting, as would have been respectful, 'His Majesty', they have decided to completely take it out and to completely change it. For example, in the Attorney-General and Solicitor-General Act 1972 the bill does not replace the former titles of 'Her Majesty's Attorney-General' and 'Her Majesty's solicitor-general' with 'His Majesty's Attorney-General' and 'His Majesty's solicitor-general' respectively. In fact it removes all references to the sovereign altogether, replacing of course 'Her Majesty' or 'the Crown in right of Victoria' with references to 'the solicitor-general'. In fact this continues on so that it does not give the full title of the sovereign; that has been completely removed and is not being replaced with a reference to King Charles III. To me, this is completely disrespectful. It is not this government's business to be able to take this sort of stuff out of legislation just because they feel like it or because they are trying to turn the country into a republic without even having a debate, without having a referendum and without having a conversation. To try to do it in this way is, to me, quite deceptive and inappropriate.

If we look at the area where it talks about the Parliamentary Salaries, Allowances and Superannuation Act 1968, this bill again removes 'Her Majesty' in reference to the Leader of the Opposition and the Deputy Leader of the Opposition, where previously they were referred to as 'the Leader of Her Majesty's Opposition' and the 'Deputy Leader of Her Majesty's Opposition'. Now, this is again removing the sovereign completely from the bill. It is not just about legislative housekeeping; it is a matter of respect and a matter of historical and legal connection between the sovereign and the members of Parliament.

Who can forget that only in December we came in here and we took oaths. We took oaths in this place and we took affirmations, and we made them to the sovereign. Now we are just going to remove it. Well, I am sorry, how is that actually honouring that oath? It is not. Turning Australia into a republic might be part of the Labor Party platform, and it might be a conversation that a number of people wish to have, but doing this in this way is, to me, inappropriate, deceitful and untimely. It is not for one person to decide that they are going to redraft something on behalf of the whole of Victoria and take the sovereign out of it. Who is the person that wrote this and why do they think they have the right to make these changes without taking this to the Victorian public? I say there is no valid reason to alter or remove the references to the sovereign. Australia remains a constitutional monarchy. Any future changes to our system of government are a matter for the Australian people and not for somebody in a Labor Party department or office. It is not a matter for the Labor government to unilaterally alter all the statute books. We will remain a constitutional monarchy until the majority of Australians in the majority of states vote and express their will for a change to our system at a referendum.

The coalition will be moving a series of amendments to this bill to bring it back to its original intent and repair Labor's legislative overreach. These amendments seek to update the bill to reflect what should have been brought before this Parliament: a simple substitution of terms to reflect the accession

of King Charles III in our statute book. With these amendments the bill will be a straightforward matter of legislative housekeeping. It is just what our opponents on the other side of the house have been saying they want: a straightforward matter of legislative housekeeping to ensure that all laws in place in Victoria make correct references to the sovereign following the death of the wonderful Her Majesty Queen Elizabeth II, for whom I have the utmost respect and who I think brought a lot of unity to a lot of nations, a lot of hope to a lot of children and a lot of majesty when there were times of despair and discouragement. The relevant acts will be amended only in so far as to switch references to 'Her Majesty' and 'His Majesty', 'Queen' and 'King' – like for like. If those opposite do not take the opportunity to support these amendments, they need to ask themselves why.

Australia's constitutional monarchy is no less current or valid as a result of the passing of Her Majesty Queen Elizabeth II, which was the trigger event for the introduction of this bill. We should not shy away from the fact that Australia is a constitutional monarchy. We are in fact still part of the Commonwealth. We enjoy the entitlements of that. We enjoy the financial opportunities that that brings, along with the hope and the grandeur and the splendour that we identify with. Our system of constitutional monarchy has allowed us to maintain remarkably stable government in our country at a time when the world is full of uncertainties, full of challenges, and when we have had years of difficulties, despair and at times even a lack of hope. We should not seek to diminish this in any form.

I am very honoured to be able to have addressed this situation. I am also concerned to have to get up in the chamber and speak on something like this, because to me to do something like this is a little bit underhanded. It is inappropriate that some individual from the other side of the house, regardless of what your ideologies might be, thinks that they can take it upon themselves to completely rewrite the purpose of this, the oath that we all took in this chamber, and diminish it without so much as consulting the Victorian taxpayers, the people of Australia who should have the right to have that say.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (16:08): I also rise to make a contribution on the Statute Law Amendment (References to the Sovereign) Bill 2023. I have had the benefit of listening to many of the contributions that have preceded mine today, and I am kind of perplexed about the level of angst that seems to be coming from those opposite on what we are trying to do in regard to this statute. All we are doing is modernising it to replace references to Her Majesty the Queen with the King, in a nutshell. The conspiracy theorists opposite are alive and well thinking that we are trying to mount a rearguard action to overthrow the monarchy and to go hard at a republic. Wow. It is quite bewildering really. Anyway, I hope to bring home the contribution I am about to make, as perhaps one of the last ones, with a little bit of common sense and a reality check about what is going on. It is a weird hill that you have picked to die on over there, I must say. But anyway –

**A member** interjected.

**Sonja TERPSTRA**: I do not know what is going on over there, but certainly it is not anything that is grounded in reality. This bill will amend references in the Victorian legislation from 'Her Majesty' to 'His Majesty' and other similar terms following the death of Queen Elizabeth II and subsequently King Charles III assuming the throne. That is it in a nutshell, despite what is being said by those opposite. It is not a groundbreaking bill, but it is important to ensure that our legislation is accurate and reflects contemporary, current circumstances.

Unfortunately, the reasoned amendment that has been moved by those opposite to this very straightforward bill in the other place – as they object to the way the bill modernises languages in some acts – is very on brand for those opposite. Again it is trying to generate some angst where there is none necessary. But nevertheless I am going to get into the weeds of some of the amendments that are being made and go through some of the legislation that is being proposed.

I might just say before I do that, though, that I reflect on my earlier life in another place and space as a union official, and I remember once we were having to modernise agreements. Some of my colleagues in here might remember the days of arduous modernisation that many union officials had to



go through. One of the things that we actually did was – not remarking about the federal system but in the state system – I can remember going down to the commission and having to represent a union, and we had over 101 agreements that needed to be modernised. Some of the things that we were modernising were in fact removing language references like ‘his’ or ‘her’ and making them gender-neutral and just removing outdated and old references. I remember those sorts of days. It was tedious, it was dry and it was boring, but there was nothing else behind it other than modernising documentation to make it more contemporary so that it reflected the situation at that time. Some of these documents that we were dealing with were like 50 years old. In this current circumstance, with this statute, obviously Her Majesty the Queen passed away. We have got a new king now, and we obviously need to modernise our statute books to make sure that they reflect that circumstance. It is not groundbreaking. It is just very pedestrian and dry, but it needs to happen. It is important to make sure that when people are looking at acts of Parliament they reflect the current circumstances.

Which acts are we amending? As noted, the bill is not amending the constitution. As we know, that requires specific measures to be effective, such as a referendum. You know, we are about to be looking at a federal referendum, but that is nothing to do with this bill, just so those opposite do not get spooked by any reference to a referendum. You never know, they are all a bit flighty over there at the moment for a whole bunch of reasons. But nevertheless –

**A member** interjected.

**Sonja TERPSTRA:** I know. Talking about Warrandyte as the great victory in a one-horse race is kind of flapping around looking for some sort of relevance.

But anyway, the bill is amending references to the sovereign in the following acts, and there are a range of acts. Like I said, it is time to get into the weeds a little bit, because it is that time of the afternoon where we need to maybe pay attention to some of these things. The Accident Compensation Act 1985 – it is interesting, when you listen to some of these acts, the length of time they have been around. As we know, Her Majesty was a monarch for a very long period of time, so there are a lot of pieces of state legislation the need to be amended: the Administration and Probate Act 1958; Attorney-General and Solicitor-General Act 1972; Bail Act 1977; County Court Act 1958; Crimes Act 1958; Criminal Procedure Act 2009; Crown Land (Reserves) Act 1978; Crown Proceedings Act 1958; Drugs, Poisons and Controlled Substances Act 1981; Evidence (Miscellaneous Provisions) Act 1958; Fire Rescue Victoria Act 1958; and on and on it goes. I just have gone through almost half the list and there are loads more. As you can tell, some of these acts were made then but they have been subsequently amended through other amendment acts and iterations.

Obviously someone somewhere has taken a great deal of time to go through the list of acts and make sure that they are on the table to be amended. As I spoke about earlier, in my previous life as a trade union official I had to work through a number of awards to make sure they were gender-neutral, removing references to ‘he’ or ‘she’ and making them gender-neutral.

Similarly, in these sort of circumstances, ‘sovereign’ or a gender-neutral term like ‘the Crown’ has not been used in the Victorian bill as it would require potentially further and more detailed changes to legislation. While the terms ‘Crown’ or ‘state of Victoria’ can be used interchangeably, noting that under the Interpretation of Legislation Act 1984 ‘the Crown’ means ‘the Crown in right of Victoria’, not all references to ‘Her Majesty’ are necessarily interchangeable with gender-neutral terms. An example of this is where reference is made to ‘Her Majesty’ in a personal capacity as the head of state or the sovereign rather than as a reference to the body politic of Victoria. For instance, while the bill is not updating the constitution, as I remarked upon earlier, section 91 of the Constitution Act 1975 provides that Her Majesty is not entitled to revenues of the Crown accruing to the Crown in right of the state. Changing ‘Her Majesty’ to ‘sovereign’ or ‘Crown’ would make this section ambiguous and uncertain and may alter its legal interpretation. A great deal of thought has gone into these sorts of matters, and that is why it is necessary to get down into some of the detail of it.

The Interpretation of Legislation Act also includes references to the titles of historical offices, one being the ‘Queen’s printer’, for example, and another ‘Her Majesty’s Stationery Office’, some very important offices of –

**Ryan Batchelor:** Yes, very important.

**Sonja TERPSTRA:** A printer and a stationery office, very important in this modern age, especially in this electronic age. Nevertheless, these are things that exist or have existed, and we need to ensure that they are modernised and keep up with contemporary standards. These bodies are known by their references to the Queen or King, not the Crown, and it is therefore important to maintain consistency in these instances, so that is what we are doing. ‘The Crown’ is not always able to be used interchangeably with references to the Queen or King, as it may be, as they can include references to them in their personal capacity rather than their capacity as head of state or the state as an entity. Again, it is something that is very pedestrian, but as you can see in the instances that I have used as examples, it is important to make sure that those things are corrected and done to reflect and distinguish the different legal capacities that the Crown or the sovereign can be referred to.

I now turn to the opposition’s amendments. As I said, the bill amends some acts by changing ‘Her Majesty’ to ‘His Majesty’. The bill modernises some references to the sovereign in Victorian legislation. The opposition objects to modernising language and has circulated amendments to the bill which would ensure Victorian legislation still referenced the following examples. The reference to ‘our Lady, the Queen’ would not be changed to the equivalent wording ‘our Lord, the King’; it would be ‘His Majesty’s opposition’ rather than simply the ‘opposition’; ‘His Majesty’s Attorney-General’ rather than simply the ‘Attorney-General’; and ‘His Majesty’s solicitor-general’ rather than simply ‘the solicitor-general’. It is creating more work down the track. If there was another change to a sovereign, we would find ourselves in the same position, and we would have to go back and change all these things. As I remarked upon in my earlier example of being a union official, if you have gender-neutrality in written documents, you do not have to go back and change it every time there is a change to someone holding that position being a different gender.

In moving identical amendments, the member for Kew in the other place said that this bill ‘seeks to effect a significant shift in the way in which the sovereign is referenced in the state of Victoria’ and that, as I said, we are trying to move to some kind of republic by stealth, which again is a really, really long stretch. It is a really weird long stretch to try to suggest that somehow we want to start a campaign by stealth to overthrow the monarchy and have a republic just by modernising language. Dr Bach is laughing because he knows I am right. He knows I am right about what he is saying. Honestly, these claims are quite ridiculous. There is no basis for them in fact. I know they have got to come up with something to oppose. I know their mantra over there is ‘Oppose everything always’, but this is really quite fanciful. Nevertheless, here we are debating this very important bill.

**Matthew Bach:** Your bill.

**Sonja TERPSTRA:** Yes, it is our bill, and we are debating it because you have proposed some ridiculous amendments, and I know we are going to go into a committee stage very soon and we will get to debate it even further in committee stage, so I look forward to that process.

I think the other thing to note in the 3 minutes that I have left on the clock is that all the changes in this bill are entirely consistent with, as I have said, contemporary legislative drafting practice. There is no hidden agenda here, and there is a very healthy dose of paranoia I think on the other side of the chamber. But honestly, we have to debate these things, and I have listened to the contributions from those opposite, and there was a lot of talk about the Queen and the good old days and everything the Queen has done and where she toured and what she opened and all those sorts of things that are very nice and have nothing at all to do with the content of this bill. It is like visiting the glory days, and I get it, that is what they want to talk about, but nevertheless I have not heard anything in their contributions that actually addressed the content of this bill. For example, I have not heard one thing,

one argument from those opposite, about contemporary legislative drafting practice. I have just explained to the chamber the reason for this. The rationale is that it is to do with embracing contemporary legislative drafting practice to use gender-neutral terms. This is not a new thing, but I have heard nothing from those opposite about that being a bad thing or anything at all from them about that, other than them saying that we are trying to mount a weird campaign for a republic – again, nothing at all to do with contemporary legislative drafting practice. Anyway, that is the hill you have chosen to die on today. All right, more power to you, but your –

**David Limbrick** interjected.

**Sonja TERPSTRA:** Your hill was better, Mr Limbrick. I must agree with you, and I actually agreed again. In strange circumstances, I agreed with a lot of what you had to say today, so your contribution was very valuable.

I think there is not much more I can say. There is a long list of legislation; I went through half of the list. There are many, many more pieces of legislation that we are modernising and updating in line with contemporary drafting practice to move to having gender-neutral terminology in the legislation. The conspiracy theories abound over there, but it is nothing earth shattering. But of course those opposite want to make it that because they want to have some kind of weird relevance.

But anyway, in conclusion with the 30 seconds I have left on the clock, summing up: the bill will not change any policies in Victoria. It will not even change how the law is applied. As I said, it is important to be consistent with current modern contemporary drafting practices. We are just changing the references to Her Majesty and similar terms following the death of Queen Elizabeth II. To leave it the way that it is would be technically incorrect. As other jurisdictions are doing, we should correct this as well. I will leave my contribution there, and I commend this bill to the house.

**Bev McARTHUR** (Western Victoria) (16:23): As I rise –

**Sonja Terpstra** interjected.

**Bev McARTHUR:** I am actually going to go into some detail, and then I might give you a bit of a serve about your chip-on-the-shoulder problem with the monarchy. Anyway, as I rise to speak on the Statute Law Amendment (References to the Sovereign) Bill 2023, I should perhaps start on a positive note and state my agreement with one aspect of Minister Pearson's second-reading speech on this bill, namely that:

... this Bill, in a small way, acknowledges the Queen's legacy.

Thank you, Minister Pearson. I would like to echo that thought and pay tribute again to the extraordinary life and service dedicated by the late Queen Elizabeth to the people of the Commonwealth. While of course our federal and state parliaments have governors-general and governors to perform this role, the late Queen, with her remarkable attention to detail, considered each and every one of the bills passed by the Westminster Parliament during her reign. As such, she was no stranger to political spin, and I suspect she would not have been deceived by some of the minister's other commentary on this bill. He notes that the bill:

... will ensure that the State's laws remain relevant and accurate.

...

There is no intention to change the effect of those laws.

And that the whole exercise is simply:

... good legislative housekeeping.

This should be completely straightforward and uncontroversial, and indeed if this was simply a straightforward matter of substituting 'King' for 'Queen', I would not even be speaking on it. But unfortunately it is more than that, as is typical of this government. I do not want to overdo this. There

is no conspiracy to hide a dramatic lurch to republicanism here, but there is more than just ‘good legislative housekeeping’, and I think that should be noted.

My first observation on this is one I have not yet heard made in debate on this bill, and it is on the element of the degendering present in this legislation. A wider argument is currently going on over the impact that gender-neutral language can have. In theory, it is supposed to harm no-one, but the pernicious consequences of eliminating gender become clearer every day. Clause 23 of schedule 1 amends the Sentencing Act 1991, substituting the words ‘he or she is authorised on behalf of Her Majesty’ for ‘the Governor is authorised on behalf of His Majesty’. This removal of gender only occurs once in this bill, and I am inclined to think accidentally, but if the government genuinely believe this bill is purely about mechanical substitution – ‘legislative housekeeping’ – then this is an indication of their lack of attention to detail. And if it is a deliberate decision, then failing to reference the change is deceptive.

Earlier speakers mentioned the other inconsistencies. Clause 30 of schedule 1 of the bill, for example, in reference to the riot act, does not just swap ‘King’ for ‘Queen’, it removes reference to the Queen entirely from the act and the proclamation. Clause 32 of the schedule changes the oaths made by Victoria Police officers and special constables, again not simply substituting royal titles but entirely cutting references to the monarch and to His or Her Majesty’s peace. This is not just a cut-and-paste job; there is a difference there. It may just be symbolism, but symbolism can be incredibly powerful. The police’s duty to keep the peace without fear or favour, impartially and apolitically, is assisted, in my view, by the reference to the monarch – not the government, not the executive and not the day-to-day political operators.

I am of a similar view on the removal of references to Her Majesty’s Leader of the Opposition and Deputy Leader of the Opposition, but my concern is even stronger over the change to the title of the Attorney-General, because in this case we are talking about a government minister. The change is small, it is symbolic, but it could be powerful. Reference to Her or His Majesty’s Attorney-General emphasises that in this role he or she owes some duty not just to political masters but – impartially, apolitically – to the constitution as a whole. What we call ourselves can influence how we think of ourselves, and how we think of ourselves influences the decisions we make and take. I am sure our present esteemed Attorney-General has no anti-democratic tendencies, but who knows who a less constitutionally respectful Premier might appoint next. There is a symbolic point to the role having some distinction from simply the government of the day, the executive. It is a reminder that duty is owed not to politics or to the government but to Victoria itself and all Victorians.

One day, that might matter. Symbolism, tradition, whatever you call it, can and does have an important effect. We should meddle with it at our peril, and even less should we mess with it without mandate to do so and without need to do so. These last two are my other issues with this bill: that to go beyond mechanical substitution is taking a political decision and one which should rightly be the subject of national discussion and debate in the form of a referendum campaign, and that there is simply no need to do it. Our laws work well, as does our system, and I would warn all the republicans here that I and many others are ready to defend them very vigorously indeed. Full disclosure in this place: I am a very proud monarchist. In fact I am the patron of the Victorian Young Monarchists, and that is a huge, growing group of wonderful young people who have worked out that this democracy that we have, based on the Westminster system of government, is standing us in very good stead.

Mr Batchelor said he is voting yes to embedding division and racism in the constitution. Well done, Mr Batchelor. I am very happy to say I am voting no, because I do think we should all be equal and not be divided by the colour of our skin or any other variety. I am always struck by the chip-on-the-shoulder approach that the republicans have. Their attitude denies the fact that this nation is great. And why is it great? Because we have been a constitutional monarchy since day one. The best democracies in the world are actually constitutional monarchies. I basically have an inherent scepticism about government, as you might have noticed, and the idea that either the pollies elect some president or despotic leader –

**Matthew Bach:** President Kevin.

**Bev McARTHUR:** President Kevin.

**Matthew Bach:** President Malcolm. President Dan maybe.

**Bev McARTHUR:** Goodness me, the mind boggles, Dr Bach, at exactly who we might get. And, you know what, we are already the most overgoverned country in the world, so let us have a fourth level of government. The presidential campaign would run like this: ‘Well, I am here to promise you this, with your money, so I will tax you further.’ We are already overtaxed and over-regulated. You overly interfere in our lives on a non-stop basis. We have lost our freedom. Mr Limbrick will tell us we have got no liberties left; you took them all away.

**David Limbrick:** We’ve got a few.

**Bev McARTHUR:** We’ve got a few? Oh, good. Well, I hope they are coming back. But under a presidential operation, and that is what it would be, it would be either a president appointed by pollies – no, thank you – or else one elected, which would then need a massive campaign. Who has got the funds to run a campaign, first of all? It will not be Joe Blow from down the corner or on your union worksite. Actually we learned in our inquiry they get a lot of money, those union workers. They want to keep duck shooting, those people – it is a wonderful thing. But we would end up with a fourth level of government with you republicans, because you have just got this perpetual chip on your shoulder.

Look, for me, the monarchy is cheap, actually; it does not really cost us anything. There is a bit of a house down the road there and there is one up in Canberra, but quite frankly they opened it up to the public; you can go and wander around the garden and some of the rooms – that is lovely. But other than that, they cut a few ribbons, say nice things and travel around the country. They actually do not interfere in our lives at all, and they do not tax us – hallelujah. An organisation that does not tax us – what a wonderful thing. So, you republicans, get the chip off your shoulder and work out how we can actually do the best thing for the people, and that is not by having some fourth level of government, because that is what it is going to turn out to be.

I am a bit concerned about Mr Mulholland, actually, who announced his republican sympathies. I rather take issue with him because he did actually infer that the people of Australia probably got it wrong at the last referendum. I am full of confidence in the people of Victoria. I do think the polity usually get it right, and they will probably get it right on 14 October – they will get it right again. They know what they are doing, the polity. They are wise. I am sorry Mr Mulholland thought that the people of Australia got it wrong and that it was all because of those useless people that ran the republican campaign. I am not sure they have improved at all. The bandana has gone off the head of that fellow who was the leader. Is he the husband of some television personality or something or other? I am sorry, team, but you will not get a republic come in. The people of Australia are a wake-up to this. We just do not want more of you interfering in our lives – taxing us, regulating us, telling us how to think, telling us what we can eat and telling us what our kids can do at schools. It is outrageous what is going on here – the interference in what is happening.

But, look, you have produced a bill, quite rightly, to fix up the bureaucratic stuff that we have here all the time. Can I just make a suggestion: every time you bring in a piece of legislation, can you get rid of two other bits? We are just overburdening this system with more legislation which just adds more complexity. Poor old Joe Blow out there cannot work out how to even fill out a form. Most of you will not talk to them. I constantly get contacted by the citizenry, who feel neglected. You do not reply. They need to be looked after much better. Just answer all their queries about everything and make sure we do not fiddle around with this so that we end up without properly replacing ‘Her Majesty’ with ‘His Majesty’. That will be fine. That is all we are looking for, isn’t it, Dr Bach?

**Matthew Bach** interjected.

**Bev McARTHUR:** Yes, simple changes. Look, sorry, but you will not get a republic.

**Council divided on amendment:**

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

*Noes (22):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, David Limbrick, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Amendment negatived.**

**Motion agreed to.**

**Read second time.**

**Committed.**

*Committee*

**Matthew BACH:** I have a series of amendments. I have spoken to them already in my contribution. If they could be circulated to members, that would be great.

**Clause 1 (16:46)**

**David DAVIS:** This is in one sense a very small and narrow bill. It simply seeks to, on the surface, replace one description of the former monarch with one of the new monarch, and I wish him well. I am very happy to state openly and clearly that I am a very strong monarchist, and I think we have a very good system of government. But my concern and the reason I support Dr Bach's amendments is that what has occurred here is the government have thrown a slightly sneaky – a sleight of hand is really what it is. The government has sought to dilute a number of the references to the sovereign. Now, some are simple transpositions, and I understand that. Others, where they relate to the peace and so forth, have been diluted. It is clearly an intentional thing. I mean, many in the government are known republicans – and I understand that; these are perfectly reasonable political positions that people can hold – but they should not in this bill seek to dilute the position of and the references to the sovereign and the unique position that the sovereign holds above the political fray. In that way I am just troubled that the government has used this opportunity to weaken the position in a slightly sneaky way.

I am sure that the Attorney-General will have a response to this, and I am sure some in the government have not intended it this way, but I should say I am troubled. I will support these amendments that Dr Bach has circulated, because I think they address most of the untoward changes that are proposed that do weaken the references to the sovereign. Let us have modern legislation and modern language – I agree with all of that – but that is not what this is about. This is about diluting and weakening with a sort of soft, surreptitious republican position. They have not gone the full monty, as it were, but they could have – I accept that – but they have gone with just a little push here and there. I am sure some of the republicans inside the Labor Party are a bit happy to be pushing on this matter. But we have a good system of government. If people want to change it, there are ways forward, but the Australian people did have a chance in 1999 and they rejected the proposals that were put then. I have no doubt at some future point someone will put forward a different proposal, and that is fine, but I should say I am very prepared to stand up for our system of government, including the references that are described here.

**David LIMBRICK:** I will ask my questions – I only have a few questions – on clause 1, but they are actually all relating to clause 30, which amends the Unlawful Assemblies and Processions Act 1958. My first question I would like to ask the Attorney: was the government aware that the Scrutiny of Acts and Regulations Committee (SARC) recommended that this act be repealed in 1999?

**Jaclyn SYMES:** There is obvious merit in the question that you have raised, but I guess what I need to draw your attention to is that this bill has one intention, and it cannot be conflicted with a bill that would have a purpose of repealing other bills. Arguably you could have a separate statute law amendment bill that has a role of repealing outdated legislation, but this is just about changing references in response to the change of the sovereign and is in effect policy agnostic in relation to which bills it changes. It is basically just changing references and is not intended to have any policy implications at all, apart from updating language and ensuring that it is legally correct.

**David LIMBRICK:** I thank the Attorney for her answer. However, the government have the ability to bring in repeal bills, and it would appear that a decision was made that rather than repealing this act, the Unlawful Assemblies and Processions Act 1958, they would amend it here instead. It could have been repealed, as was recommended by SARC in 1999. Why has the government chosen to amend this act rather than repeal it? I would make the point that the reference to the sovereign is actually in the proclamation – the riot act – that could be read out during a riot, and it is my understanding it can be read out by a justice of the peace or a magistrate. It effectively immunises participants against killing and maiming – serious crimes – so this seems like something that really should be repealed, and I would be interested to know why the government has chosen to simply amend it rather than repeal it.

**Jaclyn SYMES:** Mr Limbrick, it is not that this act is amending acts per se. I take your –

**David Limbrick** interjected.

**Jaclyn SYMES:** It is not amending the impact or the effect of any act, so there was no consideration given to the impact of the changes of wording, because there is no impact. I take your point. There are a range of acts on the statute books that are no longer useful and no longer in effect, but this bill's purpose is not to be a repealing bill, it is merely changing references to the sovereign, so there was no opportunity to consider the life span of the acts that it seeks to amend. It is merely changing language.

**David LIMBRICK:** I thank the Attorney for her answer, but I would make the point that this act is still in effect, and in fact my understanding is that it could be invoked by any justice of the peace. My team has looked at what is required to become a justice of the peace, and it is not a super, super high bar. It is concerning to me that the government has clearly been looking at this act in –

**Jaclyn Symes** interjected.

**The DEPUTY PRESIDENT:** Excuse me. Mr Limbrick has the floor, please.

**David LIMBRICK:** It is clear that the government has at least looked at this in the construction of this bill, because it needed to be updated. Now, it has clearly just updated the reference to the sovereign in the proclamation that is required to invoke that special power. My question, I suppose, is: as the government are amending this act, is it their intent to keep that power?

**Jaclyn SYMES:** I think I can really only reiterate what I have said to date. There are separate processes for the identification of bills that need to be repealed. This bill has a narrow purpose. It was intentional for it not to be effecting policy change in any way other than updating references. To start making a judgement on the existence of bills that it amends was not part of its remit and was not part of that work. There are other processes in relation to identification of bills that could be repealed, and I think you have identified one that is in contention for that consideration, but it was not part of the drafting of this bill. It was not something that people were asked to draw their mind to.

**David LIMBRICK:** Thank you, Attorney, for your answer. If I accept that at face value – that this is just a technical bill that is just changing references but is nonetheless updating this Unlawful Assemblies and Processions Act – the process of updating it has brought to light that this act actually exists and it is rather concerning that it exists. Could I obtain some sort of commitment from the Attorney that when you are going through the process of determining which bills to repeal in the future, this one might be on that list?

**Jaclyn SYMES:** I think you have made a good case for that, Mr Limbrick. So yes, I will certainly have conversations with people about that.

**David LIMBRICK:** I thank the Attorney for that commitment. I have no further questions.

**Matthew BACH:** I will just ask one or two questions. I do not wish to unduly detain the house. It has been an interesting feature of this debate that those opposite have consistently criticised members of His Majesty's opposition on the basis that we are seeking to focus on this bill today, which is a strange thing to say considering that this is the first item on the government's business program today and thus we must be here talking about it. It is also a doubly strange thing to say because my understanding is we are about to adjourn without any further business to enact, thus the government has decided that we should talk about this bill. The government wanted to filibuster this bill, putting up many speakers to say the same thing over and over again, yet in doing so they consistently criticised those of us on this side of the house for having to take a position on their bill.

Nonetheless, I moved a reasoned amendment earlier, which was unsuccessful, very sadly. The point of that reasoned amendment was to seek to gain greater clarity from the government on the rationale for some of the changes in various pieces of legislation where there is not simply a like-for-like change – 'Her Majesty' to 'His Majesty', 'the Queen' to 'the King' – and I have read into *Hansard* a number of examples where that is the case. It was done in the other place as well. I do not need to bore the Attorney-General with any of those examples. So I might simply, Attorney, if it is all right, ask you broadly that question that we were seeking to gain more information regarding through the reasoned amendment. Where there is not a simple like-for-like change in language, what is the rationale for that?

**Jaclyn SYMES:** Dr Bach, I have been in back-to-back meetings today, so I have not had the opportunity to listen to a lot of the debate. However, I am pretty confident in your assessment that it was reasonably repetitive, because there is not a lot in this bill. I do acknowledge that the government business program this week is thin. We should enjoy that, because it is about to get a lot heavier. I have got some very important bills coming through in the justice space in the next couple of weeks. It is fair to say for those watching at home that the amount of speakers on this bill should not give any indication that there is more to it than what there is. It is purely updating references to the sovereign.

I have heard with great interest these conspiracy theories and suggestions that we are weakening references to the sovereign as some kind of march to a republic. I thought you guys were joking, and I still cannot work out whether you are or you are not. It is quite concerning to me that I am living a pantomime today. Nonetheless, in all seriousness, this bill is purely about creating legally sound language across a number of pieces of legislation. There are a lot of risks in doing nothing in fact, but given that we have identified a few, particularly in relation to verbal oaths, it is important to ensure that we are closing off some of those potential opportunities for questions to be raised about the status of such matters.

To bring in a bill to update incorrect legislative references is what we proposed to do, and we have taken the opportunity to ensure that any changes are modern, fit for purpose and, frankly, make sense to the average punter who would not ordinarily use the language that we are omitting. Therefore we are just catching up with 2023. It has been a while since we had an opportunity to look at a bill like this; the Queen was around for a while. We probably would have done the same thing 10 years ago. We did not do it in 1968, which was the last time these types of bills were able to be considered. Dr Bach, there is really not much to see here. There is no conspiracy. It is just being prudent and good housekeeping.

**Clause agreed to; clauses 2 to 8 agreed to.**



**Schedule 1 (17:02)**

**The DEPUTY PRESIDENT:** Dr Bach, you can either move just your amendment 1, which tests all of them, or you can move them all as a group if you wish to do so.

**Matthew BACH:** I will move them all in bulk. I move:

1. Schedule 1, line 11, omit “the” and insert “His Majesty’s”.
2. Schedule 1, line 15, omit “the” and insert “His Majesty’s”.
3. Schedule 1, line 17, omit “the Crown in right of Victoria” and insert “His Majesty”.
4. Schedule 1, page 9, line 28, omit “Schedule omit” and insert “Schedule, for”.
5. Schedule 1, page 9, line 30, after ‘Faith.’” insert ‘**substitute** “Charles the Third, by the Grace of God King of Australia and His other Realms and Territories, Head of the Commonwealth.”’.
6. Schedule 1, page 13, line 13, omit “the” and insert “His Majesty’s”.
7. Schedule 1, page 13, line 16, omit “the” and insert “His Majesty’s”.
8. Schedule 1, page 15, line 30, omit “omit” and insert “for”.
9. Schedule 1, page 15, line 30, after ‘Queen’” insert ‘**substitute** “Lord the King”’.
10. Schedule 1, page 16, line 24, omit “omit” and insert “for”.
11. Schedule 1, page 16, line 25, after “occurring)” insert ‘**substitute** “Lord the King”’.
12. Schedule 1, page 16, line 27, omit “the” and insert “His Majesty’s”.

As I said a little bit earlier, I spoke to these amendments in my contribution, and thus I do not think it is necessary to talk any further about them at this stage.

**Jaclyn SYMES:** There has been great debate in relation to why the amendments put forward by the opposition are not only not supported by the government but, frankly, are ridiculous.

**Council divided on amendments:**

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

*Noes (22):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, David Limbrick, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Amendments negatived.****Schedule 1 agreed to.****Reported to house without amendment.**

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:09): I move:

That the report be now adopted.

**Motion agreed to.****Report adopted.***Third reading*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:10): I move:

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

*Noes (15):* Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Rikkie-Lee Tyrrell

**Question agreed to.**

**Read third time.**

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

### *Adjournment*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:16):  
I move:

That the house do now adjourn.

### **Southern Metropolitan Region apprenticeships**

**John BERGER** (Southern Metropolitan) (17:16): (422) My adjournment is for the Minister for Training and Skills, Minister Tierney. The action that I seek is for the minister to join me in my community of Southern Metro and meet with the many apprentices that are building the projects of the future. We are backing our apprentices, and we need their skills, talent and energy to deliver our big and bold Big Build. From the Level Crossing Removal Project to the North East Link and Metro Tunnel, these projects are making a huge difference to my community, and that is why we are full steam ahead on making sure that no potential chippie or sparky, plumber or fitter, is held back from pursuing the career of their dreams.

Look at the success of our trade apprentice registration discount scheme. If you are an apprentice using your car for work, you may be eligible to get 100 per cent off your rego renewal, and free TAFE courses speak for themselves. From the certificate III in concreting or civil construction to a cert IV in agriculture and dairy production, we are backing in the jobs of the future, the jobs we need the most. Each year we are introducing new free TAFE courses, so this year you could be studying a free TAFE course in battery electric vehicle diagnose and repair skill set or learning about the essentials for being a mental health peer worker. We are making sure our TAFEs offer outstanding vocational education and training to support the assistance that apprentices need to get on site now. I am proud that many of these TAFEs are in my community of Southern Metro. That includes Holmesglen Institute, which has educated tens of thousands of my constituents.

Two years ago the Minister for Training and Skills unveiled the Big Build apprenticeship program. This is a great example of how the Andrews Labor government is building a workforce for the future and delivering for all Victorians, and that has played a key role in projects in my community like the North East Link, helped on by the North East Link Skills and Jobs Centre. From the \$3.2 million new Advanced Manufacturing Centre of Excellence at Melbourne Polytechnic's Heidelberg campus to the \$12 million SEC centre of training excellence, we are backing in jobs for the future. Free TAFE has removed barriers for more than 130,000 students. I will be excited to look back in 10 years and see

how much of a big difference this program has made to our state, and I hope the minister will join me in that.

### **Flood recovery initiatives**

**Wendy LOVELL** (Northern Victoria) (17:19): (423) My adjournment matter is directed to the Minister for Consumer Affairs, and the action that I seek is for the minister to extend the funding provided to Anglicare Victoria for a dedicated financial counselling service on the ground in Rochester to assist victims of the October 2022 flood event. Last week saw the commencement of the Environment and Planning Committee's inquiry into the 2022 flood event in Victoria. It was entirely appropriate that the inquiry's first hearing day was in Rochester, the community worst hit by the floods of October 2022, where 90 per cent of homes had above-floor flooding. It was both confronting and heartbreaking for me and my fellow committee members to hear firsthand accounts from victims of the impact that the flood had on their families, their homes and their community.

As victims continue to navigate the long hard road to recovery some are only now attempting to come to terms with dealing with the impact the flood has had on them, including stripping out their homes and negotiating settlements with insurance companies. I first raised the need for financial counselling services in Rochester with the minister in February this year, and during a visit to Rochester on 20 July I was devastated to hear that funding for the financial counselling service that is being delivered by Anglicare is due to expire in November. I have since spoken to the minister and also emailed him regarding the vital work the counsellors are doing and the need to extend the funding.

Currently Anglicare Victoria is funded by the state government to provide two financial counsellors in Rochester, and despite the enormous workload, these counsellors are achieving positive results for Rochester residents. For example, I have been informed that nine families received a combined total of \$500,000 in additional insurance payments due to the work of the financial counsellors. It was also reported to me that as at 20 July the two financial counsellors had assisted 158 families, with 114 of these cases still ongoing, and that around 30 families were on a waiting list to be allocated to a case worker at that date. Unfortunately, due to the current case loads of the two counsellors, the wait time is approximately nine weeks.

It is concerning that the current government funding to Anglicare Victoria for the two financial counsellors expires in November, despite there still being a huge demand from many Rochester families for the service. Anglicare Victoria have managed financial counselling for every major disaster since the 2009 bushfires. Their data from past disasters shows that financial counselling services are needed by recovering communities for around three years post a major disaster. The present financial counsellors are making a difference in flood victims' lives, and failing to continue the funding for these services past November 2023 would be a huge blow to this community, which continues to battle to recover from this devastating event.

### **Regional infrastructure**

**Rikkie-Lee TYRRELL** (Northern Victoria) (17:22): (424) The action I seek today is a request of the Minister for Regional Development. After being largely overlooked in the state budget, regional areas find themselves struggling to acquire funding for vital infrastructure upgrades. For example, one council in my region wishes to erect a roof over their livestock exchange for the wellbeing of both animals and people but is unable to find any suitable grants for which to apply. To remain competitive in this space, the Bendigo Livestock Exchange needs to be able to offer the best possible service to deliver stock in the best possible conditions. In order to do this, their facilities are required to remain at a standard that is on par with both the Ballarat and Shepparton exchanges. Noting that submissions to the Regional Infrastructure Fund under the regional economic development strategies closed in 2022, I request that the minister advocate to re-establish a similar program to support regional communities.

**Drivers licences**

**Joe McCracken** (Western Victoria) (17:23): (425) My adjournment matter is for the Minister for Government Services, and it relates to the trial of digital drivers licences in Ballarat. The action I seek is: can the minister release a report on the success or otherwise of the pilot program to date and ensure that that report is made public to the community, particularly my Ballarat community? I know that the minister was in Ballarat recently and he was there spruiking that 2500 people have become part of this trial. Just as a reminder, 2500 people represent a little bit under 2 per cent of the population of Ballarat. Now, I would have thought that that is not a great figure, given this trial has been very, very widely advertised. You would hope that it was at least maybe 5 or 10 per cent, if not more, of the population. However, I can probably understand why.

At the end of June this year a problem occurred whereby those who signed up to be part of the pilot program were actually issued with false names. As reported in the media, one woman whose surname is Steers posted a message from VicRoads on social media revealing that the agency had addressed her as 'Ms Senanayakage'. Another woman whose surname is Guna said that the last name that had been given to her was 'Car'. The poor bloke who had to come out and explain all this stuff from VicRoads had a last name of Tillotson. I think that is the correct last name at least. He blamed that on a technical error. All of these 2500 people that have signed up have had a technical error on their last name. Maybe it is an evolving promise; I do not know. We do not know what is going on.

I really need to be clear about this: I am not necessarily against digital drivers licences, but I am against them when they are botched in this way and you cannot even get someone's name right when they sign up. I would like to quote the minister when they came out to Ballarat – Minister Pearson. He said:

The pilot is going really well and we thank the residents of Ballarat for getting involved ...

How is it going really well? Minister Horne, Minister for Roads and Road Safety, had a bit to say as well, and she said:

Victorians have asked for a digital driver licence and that's why this Ballarat trial is such an important step.

They might have asked for a digital licence, but they did not ask for it to be –

**A member:** Bungled.

**Joe McCracken:** Bungled, basically. The member for Wendouree – we love the member for Wendouree – said that:

The digital driver licence will make life simpler on several fronts ...

Well, how is it simpler if you get the names of people that have signed up wrong? It just does not make any sense. I would love to see the minister actually show us this report, show us the success of this trial to date, so we can make an assessment in the Ballarat community of whether it has been right or not.

**Waste and recycling management**

**Sarah Mansfield** (Western Victoria) (17:26): (426) The action I am seeking from the Minister for Environment is to reject the proposal by Prospect Hill International to build a waste-to-energy incinerator in the suburb of Lara. Last week I attended a packed public meeting on the proposed waste incinerator in Lara. The proposed incinerator is set to be built within 1 kilometre of residential areas and will burn 400,000 tonnes of waste per year. This is despite the fact that studies have shown waste incineration is not safe, it is not clean and it is definitely not renewable.

On safety, the residents of Lara have serious concerns about the health and environmental fallout of having an incinerator near their schools and homes. The burning of waste materials such as plastic and PVC releases toxic pollutants into the air, including mercury, lead and dioxins, many of which have no safe exposure limit, and studies have indicated a range of human health impacts potentially related

to exposure to pollutants resulting from waste incineration. As representatives of these communities, we must ask ourselves: are we willing to risk this given the proximity of this incinerator to communities and key farming land?

It is also not clean. Residents are perplexed that the government is choosing to burn our waste rather than build a genuinely circular economy. For decades the government have neglected waste and recycling, and now they want to burn the problem and leave the regions to deal with the mess. It is inevitable that these incinerators will end up burning recyclables, plastic and organic waste, because there is no commitment from these companies that they will separate the waste they receive. Mass incineration is a shortcut, and over the longer term it undermines investment in alternative waste management options, as these beasts need to be fed. They operate continuously and rely on a steady stream of waste. If the government genuinely want to move to a circular economy, they need to scale up current recycling and food organics measures and enforce meaningful bans on unnecessary single-use plastics and excessive packaging. Critically, they must mandate requirements for better product design and repair and recycle content.

Waste incineration is also not a source of renewable energy. It is a highly emissions-intensive process, and that is before you consider the fossil fuels and finite resources used to make all the waste that is being turned into energy. Waste incineration is a massive step in the wrong direction, and it is not good enough that our regional communities are the ones being burdened with hazardous waste facilities. It is very clear local residents have done their homework and they do not want this project to go ahead, and it is time for the government to listen.

#### **Power saving bonus**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (17:29): (427) My adjournment is to the Minister for Energy, and the action I seek is for the minister to write to me and explain why the government set out the \$250 power saving bonus scheme the way it did. It is now apparent that what many of us suspected in relation to the government's \$250 power saving bonus is actually true – that is, it was always just an enormous data-harvesting exercise by the government. I say that because my office was recently contacted by a constituent who advised that he answered a call on his mobile telephone and the call was in fact a robocall from his local Labor MP's office. As this constituent had never given his mobile number out to this MP but had recently noted it on his \$250 energy rebate application, it is now very clear what this government is up to.

The way the entire program has been structured is completely inefficient and cumbersome. Why didn't the government just give a lump sum of money to the electricity suppliers and get them to credit each customer's bill with \$250? This would have saved a huge amount of stress, particularly for older Victorians who have been struggling to make the claims. It also would have been by far the most efficient and effective way of redistributing this taxpayer-funded largesse. But, no, this sneaky government structured it this way so they could capture the contact data of millions of unsuspecting Victorians and in turn use this data for party-political purposes, as this constituent found out recently. This is disgraceful behaviour from a government that will do anything to help itself stay in power, and I look forward to hearing from the minister regarding this important issue.

#### **Kangaroo control**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (17:31): (428) My adjournment tonight is to the Minister for Agriculture, and the action I seek is that Nillumbik shire immediately be removed from the kangaroo-harvesting program. The community in Nillumbik care deeply about their kangaroos, and they want to see these native animals protected and not killed. Over 1000 people have signed their names in support of Nillumbik being excluded from the central region of the kangaroo-harvesting program, a disturbing scheme that has commercialised the killing of our kangaroos. The community I grew up in in Nillumbik love living in the natural environment of the green wedge and they love the native wildlife that lives around them. I have heard from many community members that they are extremely distressed about the slaughter of kangaroos in their area.

This profit-focused kangaroo-harvesting program is having an awful impact on the local healthy kangaroo population, and this at a time when there are reports that the kangaroo population numbers are being overstated by the Labor government while they have increased the statewide kill quota by almost 30 per cent this year. There are appalling accounts of animals being shot and not killed, left to die a horrific death. Joeys are being orphaned and abandoned or killed. The cruelty in this for-profit program is abhorrent. I have heard that shooters are literally doorknocking and leafleting areas in Nillumbik looking for kangaroos to slaughter. This business has no place in our community. The killing of kangaroos must stop. Again I call on the minister to take urgent action and have Nillumbik removed from this cruel kangaroo-harvesting scheme.

### **Morwell National Park**

**Melina BATH** (Eastern Victoria) (17:32): (429) My adjournment matter this evening is for the Minister for Environment, in our house, and it relates to the Morwell National Park, which was severely impacted by the June 2021 storms that smashed across Gippsland and indeed the Morwell National Park. It was established in 1967 and has been expanded to its current 560-hectare size. It is widely regarded as the best habitat for the Strzelecki koala, along with rare species and threatened animals such as the brown bandicoot, the dusky and the agile antechinus, platypus, powerful owl, Gunn's tree orchid and oval fork fern. It is a beautiful place, and I have actually been out there with the Friends of Morwell National Park members. There are about 35 of them who valuably donate their time and efforts in weed eradication, track maintenance, thinning of vegetation and possum nesting box counts. I went out there doing that with them a few years ago, and it was fantastic. But what they have found is that post the storms there has been significant impact on the Stringybark track bridge, the three bridges on Billy Creek and the Kerry Road car park and picnic area.

These bridges are closed to public access, and indeed if people can go there they have to detour and walk around onto private property. It is steep and it is really unsafe for people to do that. The Kerry Road car park used to have two picnic tables and a free barbecue. They have not been replaced. It used to have notice boards and signs, but they have deteriorated. So, seriously, there are full-on upgrades required in this beautiful, beautiful little Morwell National Park. It is next to, as you would see, the Latrobe Valley – on the edge. It is a lovely place for locals to go and enjoy the outdoors, but it also attracts visitors to our region. However, the restructuring, the rebuilding and the repair are the responsibility of Parks Victoria, and they have been very tardy about it. Now, they will say that they need money and time and all of that, but the Friends of Morwell National Park know that this is a real priority for our community. The action I seek from the minister is, first of all, to provide a time line as to when those upgrades will be put into place, then to expedite the important works for the community and then to make sure there is proper funding for those full-on upgrades to come to fruition.

### **Energy policy**

**Renee HEATH** (Eastern Victoria) (17:35): (430) My adjournment is for the Minister for Energy and Resources, and the action I seek is that the minister acknowledge that banning gas will drive up emissions and fuel the cost-of-living crisis. Just weeks ago the state Labor government banned gas connections to homes from 2024 for the sake of lowering emissions, but I have pointed out repeatedly in this place that banning gas will only force Victorians onto higher emission brown coal because the renewables just do not exist yet. Labor's announcement to extend Loy Yang A's lifetime until 2035 was yet another admission by this incompetent government that its green fantasy is a sham. Labor has yet again exposed the truth that when it comes to providing affordable and renewable energy, this is nothing more than a photo opportunity.

At the election Victorians were promised cheaper energy through the SEC, yet bills have increased by 25 per cent. Ten months in, Labor has not identified any projects and no SEC funding partners have been named. This is a manipulation, and families in my electorate are sick of it. They deserve cheap, reliable baseload power. They deserve to have a real conversation on utilising Victoria's abundance of natural resources. State debt is at an all-time high, the cost-of-living crisis is out of control and I ask

the Labor government to start considering the impact that their policy will have on the average Victorian.

### **Flood recovery initiatives**

**Gaelle BROAD** (Northern Victoria) (17:37): (431) My adjournment is to the Minister for Emergency Services and relates to the significant amount of red tape surrounding disaster recovery funding arrangements that is holding up flood recovery works in Northern Victoria. Local councils like Loddon, Gannawarra and Campaspe shires experienced significant flooding, covering up to half their land area, and floodwaters destroyed roads, bridges and infrastructure. These smaller rural councils have small populations, limited rate revenue and few staff resources, yet they are being asked to provide photographic evidence of the damage, supported by engineering reports, and can only apply for up to \$500,000 at a time. Loddon shire need to submit over 90 separate claims, which will take significant energy and resources that they simply do not have.

Ten months after the floods, Loddon shire have used what funds they have to fix the roads, and they depend on reimbursement. As a result the majority of roads still need work, and local businesses that require road access to feed their stock or transport milk from the dairy are suffering. Unlike other states, Victoria only permits like-for-like funding, not betterment, so instead of rebuilding a road to a standard that can withstand future floods, councils are now rebuilding some roads for a third time. In Victoria the state government has remained focused on Melbourne's Big Build and left regional communities, like Rochester, that were devastated by the floods to fend for themselves. Over 800 homes were destroyed, and hundreds of families are still living in tents and caravans.

Queensland suffered flooding at the same time, yet the state government there has taken action. After the devastation of the floods in local communities in Queensland, the Premier appointed Major General Ellwood, a leader in the Australian Defence Force, as the state recovery coordinator to oversee and inform the state's recovery efforts. But in Victoria clear leadership has been lacking. Since the floods Queensland has been working with the insurance and building industry to develop a code of practice that prioritises the supply of building materials and tradespeople to areas impacted by natural disasters to get people back into their homes as quickly as possible. The Queensland government also secured joint funding with the Commonwealth for flood gauges and other flood warning infrastructure across the state. New cameras are being installed to monitor floodwaters remotely in real time so communities can be better prepared in future.

The upper house flood inquiry is due to report in June next year, and with water catchments at full capacity as we enter spring, locals are concerned that history could repeat itself. I call upon the Victorian state government to look to other states like Queensland and take action to assist with current flood recovery efforts and ensure that our state is better equipped to respond in a flood emergency. We need a coordinated flood response to prioritise the supply of building materials and tradespeople to areas like Rochester. We need to invest in early warning systems, rebuild levee banks and remove the barriers for local councils to access the funds needed to restore roads and infrastructure and build back better.

### **Youth crime**

**Trung LUU** (Western Metropolitan) (17:40): (432) My adjournment matter is for the Minister for Police. The action I seek is for the minister to enable police detaining power when dealing with youths aged 10 to 13 to ensure the control and security of our streets. With the age of criminal responsibility being raised to 12 and then 14 in 2027, this will strip the power of police to hold youth accountable for the rise in incidents of assaults, aggravated burglaries, aggravated robberies and other serious offences. It must be stressed this non-punitive power to detain is primarily for the safety of the public, to stop and prevent any continuation of the commission of the offence. It will also allow police the capacity to collect crucial evidence for any future prosecution.

This comes at a troubling time, when our community has experienced an increase in violent offending by youth, particularly of the ages between 12 and 13 years old. Statistics show over the past four years common assaults by 12- and 13-year-olds have risen – a grave concern – by 55 per cent to 452 and aggravated robberies have almost doubled to 133 incidents. It is unacceptable to raise the criminal age and remove deterrents for youth to commit such invasive and violent offences. The government's policy of raising the criminal age has left victims without justice for these serious criminal cases.

When we remove the police powers to hold young people accountable for their crimes, we are weakening the justice system by instilling the youth with no sense of responsibility and consequence for their actions. I ask the minister that resources and action are implemented to prevent youth crime from going rampant with our youth no longer facing responsibility for their actions. As the Chief Commissioner of Police Shane Patton said, 'This isn't about putting kids in the cells.' These powers are used in conjunction with non-punitive detention powers to keep youth in school and ensure the safety of the community and offenders. I call on the minister to provide at least an outline of these strategies to support police and provide power in deterring youth crime and keeping kids in school.

### Housing affordability

**Evan MULHOLLAND** (Northern Metropolitan) (17:42): (433) My adjournment tonight is seeking action from the Minister for Housing, and the action I am seeking is a clarification on the inclusionary housing pilot project announced way back in 2017. As recently reported by the *Age*, the Andrews government has failed to deliver any of the social or affordable housing lots that were announced back in 2017 with its inclusionary housing project. Six owned sites were announced to be sold to developers at a discount, provided they would provide 100 social houses. Three of these are in my electorate of Northern Metropolitan Region. In Reservoir, that site was set aside for development. It was actually once designated to be a highway. But the government has had it since 2017, and it has not rezoned the property so it can have any houses built on it. So not only have they not delivered the homes, they have not even rezoned it so they can kind of get underway with it. In Broadmeadows, 65 houses were proposed for the site of Nicholas Street, with Hume council stating that they know little about what is being planned or how many social or affordable houses will be built. These sites were announced for development for both public and private dwellings, and it was said construction would commence in 2018. However, nothing has happened so far. I did not see anything in 2018. I did not see anything in 2019, 20, 21, 22 or 23.

The Labor government loves to announce projects. It is like perhaps the regional Commonwealth Games: they are all about the photo op but do not follow through. These sites are on public land, and planning approvals were supposed to go through the government instead of councils, which was meant to speed up these developments. However, nothing has happened. Hopefully it is not a sign of what the government is planning with its rumoured takeover to bypass councils, because we know, through speaking to the community and speaking to people that are advocating for these projects, you are more than likely to get a longer outcome, with decisions sitting on the minister's desk, than you actually are through local government.

So the action for the minister is about a clarification on a time frame for when these sites will be built. Hume councillor Sam Misho says there needs to be more transparency and a constructive time frame. I like Cr Misho's initiative, but he is asking for the Andrews government to show transparency. I reckon he would have more luck asking for a pig to fly over Parliament House. I ask again the Minister for Housing, or I seek the action of the minister, to provide a time frame for when these developments will be built.

### Police resources

**Bev McARTHUR** (Western Victoria) (17:45): (434) My adjournment matter is for the Minister for Police and Minister for Crime Prevention and concerns the alarming news that single-officer police stations, exclusively in smaller rural communities, may soon be for the chop. Despite Victoria's ever-growing public service and spiralling spending, Victoria Police faces 800 full-time vacancies and has



another 900 serving officers absent due to workplace injuries and long-term leave. The Andrews government's failure to deal with this growing problem despite growing calls for some time now could have shocking consequences for regional Victoria.

For some time now the closure of single-officer stations has been rumoured in the media, and I was concerned to hear about the recent radio interview with the Police Association Victoria CEO Wayne Gatt. Mr Gatt noted the officers employed in the 98 one-person stations are already frequently called out to cover vacancies in larger regional centres and the cities. New enterprise bargaining negotiations seem to indicate the move could be formalised, with a consequent loss of service in smaller areas.

Regional Victoria already suffers from neglect. To pick just a few random examples, in recent years I have spoken about the lack of infrastructure spending, the state of the roads, the paucity of doctors and the withdrawal of banks. Regional police officers give outstanding service to small towns. They live and work in their communities and have deep knowledge and connections which could never be replicated by part-time officers visiting from other areas – and in terms of emergency response they are obviously on the spot. The idea that this service should be stripped away is unthinkable and would be the greatest betrayal yet of country communities by the Andrews Labor government. The solution is clear: Minister, recruit more officers, do not cut country cops. Why should our communities have to pay for your failures?

In my own electorate, shutting the stations would create vast gaps. There might be no manned stations on the 150-kilometre stretch of the Glenelg Highway from Ballarat to Hamilton and only two between Ballarat and the South Australian border. There could be just one, at Mortlake, along the 225-kilometre stretch of Hamilton Highway between Geelong and Hamilton. That is inconceivable. Minister, the action I seek is simple: an ironclad commitment to keep these stations open for good.

### Responses

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (17:48): Mr Berger raised a matter for the Minister for Training and Skills, Ms Lovell raised a matter for the Assistant Treasurer, Mrs Tyrrell raised a matter for the Minister for Agriculture, Mr McCracken raised a matter for the Minister for Government Services, Dr Mansfield raised a matter for the Minister for Environment, Mrs Hermans raised a matter for the Minister for Energy and Resources, Mr Puglielli raised a matter for the Minister for Agriculture, Ms Bath raised a matter for the Minister for Environment, Dr Heath raised a matter for the Minister for Energy and Resources, Mrs Broad raised a matter for the Minister for Emergency Services, Mr Luu raised a matter for the Minister for Police, Mr Mulholland raised a matter for the Minister for Housing and Mrs McArthur raised a matter for the Minister for Police, and I will refer them accordingly.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 5:49 pm.**