

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-NINTH PARLIAMENT

FIRST SESSION

TUESDAY, 17 MARCH 2020

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

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Deputy Premier and Minister for Education	The Hon. JA Merlino, MP
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Minister for Energy, Environment and Climate Change, and Minister for Solar Homes	The Hon. L D'Ambrosio, MP
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Cabinet Secretary	Ms M Thomas, MP

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FIFTY-NINTH PARLIAMENT—FIRST SESSION**

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Deputy Speaker

Ms JM EDWARDS

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Mr Edbrooke, Mr Fregon, Ms Kilkenny, Mr McGuire, Ms Richards, Mr Richardson, Ms Settle, Ms Spence,
Ms Suleyman, Mr Taylor and Ms Ward

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The Hon. DM ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

The Hon. JA MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition

The Hon. MA O'BRIEN

Deputy Leader of the Parliamentary Liberal Party

The Hon. LG McLEISH

Leader of The Nationals and Deputy Leader of the Opposition

The Hon. PL WALSH

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Leader of the House

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Heads of parliamentary departments

Assembly: Clerk of the Legislative Assembly: Ms B Noonan

Council: Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young

Parliamentary Services: Secretary: Mr P Lochert

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FIFTY-NINTH PARLIAMENT—FIRST SESSION

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Allan, Ms Jacinta Marie	Bendigo East	ALP	McCurdy, Mr Timothy Logan	Ovens Valley	Nats
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Angus, Mr Neil Andrew Warwick	Forest Hill	LP	McGuire, Mr Frank	Broadmeadows	ALP
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Blackwood, Mr Gary John	Narracan	LP	Merlino, Mr James Anthony	Monbulk	ALP
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Edwards, Ms Janice Maree	Bendigo West	ALP	Sheed, Ms Suzanna	Shepparton	Ind
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Kairouz, Ms Marlene	Kororoit	ALP	Ward, Ms Vicki	Eltham	ALP
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Kennedy, Mr John Ormond	Hawthorn	ALP	Williams, Ms Gabrielle	Dandenong	ALP
Kilkenny, Ms Sonya	Carrum	ALP	Wynne, Mr Richard William	Richmond	ALP

PARTY ABBREVIATIONS

ALP—Labor Party; Greens—The Greens;
Ind—Independent; LP—Liberal Party; Nats—The Nationals.

Legislative Assembly committees

Economy and Infrastructure Standing Committee

Ms Addison, Mr Blackwood, Ms Connolly, Mr Eren, Mr Rowswell, Ms Ryan and Ms Theophanous.

Environment and Planning Standing Committee

Mr Cheeseman, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Mr Morris and Mr T Smith.

Legal and Social Issues Standing Committee

Ms Couzens, Ms Kealy, Mr Newbury, Ms Settle, Mr Southwick, Ms Suleyman and Mr Tak.

Privileges Committee

Ms Allan, Mr Guy, Ms Hennessy, Mr McGuire, Mr Morris, Ms Neville, Mr Pakula, Ms Ryan and Mr Wells.

Standing Orders Committee

The Speaker, Ms Allan, Ms Edwards, Ms Halfpenny, Ms McLeish, Ms Sheed, Mr Staikos, Ms Staley and Mr Walsh.

Joint committees

Dispute Resolution Committee

Assembly: Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.

Council: Mr Bourman, Mr Davis, Mr Jennings, Ms Symes and Ms Wooldridge.

Electoral Matters Committee

Assembly: Ms Blandthorn, Ms Hall, Dr Read and Ms Spence.

Council: Mr Atkinson, Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell and Mr Quilty.

House Committee

Assembly: The Speaker (*ex officio*), Mr T Bull, Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.

Council: The President (*ex officio*), Mr Bourman, Mr Davis, Ms Lovell, Ms Pulford and Ms Stitt.

Integrity and Oversight Committee

Assembly: Mr Halse, Mr McGhie, Mr Rowswell, Mr Taylor and Mr Wells.

Council: Mr Grimley and Ms Shing.

Public Accounts and Estimates Committee

Assembly: Ms Blandthorn, Mr Hibbins, Mr Maas, Mr D O'Brien, Ms Richards, Mr Richardson, Mr Riordan and Ms Vallence.

Council: Ms Stitt.

Scrutiny of Acts and Regulations Committee

Assembly: Mr Burgess, Ms Connolly and Ms Kilkenny.

Council: Mr Gepp, Mrs McArthur, Ms Patten and Ms Taylor.

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Tuesday, 17 March 2020

The SPEAKER (Hon. Colin Brooks) took the chair at 12.04 pm and read the prayer.

Announcements

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (12:05): We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

Members

ASSISTANT TREASURER

Absence

Mr ANDREWS (Mulgrave—Premier) (12:05): I advise the house that the Assistant Treasurer will be absent from question time this week and that the Treasurer will be answering in his place.

SHADOW MINISTRY

Mr M O'BRIEN (Malvern—Leader of the Opposition) (12:05): Speaker, a happy St Patrick's Day to you and to all members, particularly the Minister for Consumer Affairs, Gaming and Liquor Regulation, looking resplendent in green today.

Members interjecting.

The SPEAKER: Order! Does the Leader of the Opposition have something to advise the house?

Mr M O'BRIEN: I do. I rise to inform the house of changes to the shadow ministry. I am pleased to advise that the member for Murray Plains and Leader of The Nationals is also now the Shadow Minister for Bushfire Recovery; the member for Gembrook is now the Shadow Minister for Roads (Metropolitan) and Shadow Minister for Road Safety and the TAC; the member for Mornington is now the Shadow Minister for Finance, Shadow Minister for Fishing and Boating and Shadow Minister for Ageing; the member for Evelyn is now the Shadow Minister for Environment and Climate Change and Shadow Minister for Youth Affairs; the member for Ferntree Gully is now the Shadow Minister for Emergency Services; and the member for Sandringham is now the Secretary to Shadow Cabinet. And in the Legislative Council I advise that Gordon Rich-Phillips is now the Shadow Minister for Innovation, Jobs and Trade; Shadow Minister for Training and Skills; and Shadow Minister for Higher Education.

Announcements

COVID-19

The SPEAKER (12:06): I thank the Leader of the Opposition for that update on positions in the opposition. Before calling for questions, there are two matters.

First, I wish to update the house on the measures that Parliament's incident management team have put in place for this sitting week in light of the most recent advice from the chief health officer about the COVID-19 global pandemic. As we advised through email yesterday, only passholders will be allowed in Parliament this week. This includes the accredited media. This means no public or school tours, visitors or the public in the galleries, and no events or functions. The President and I realise these are significant steps for a Parliament that prides itself on being open and accessible to the community. I want to thank both the Leader of the House and the Manager of Opposition Business for their cooperation through the process over the last couple of weeks.

Members, including ministers who wish to have a non-passholder attend the precinct, must first seek approval from the President or me. The vestibule will be closed from today until further notice. Access to Parliament House will be via the back entrance only. Extra staff have been rostered there to help you.

Members are requested to reduce the number of staff they bring to Parliament House. The parliamentary departments have shut down some activities not essential to the sitting of the houses this week to reduce the number of staff in the precinct. Other staff are working from home. There will be increased cleaning of surfaces in key areas within the Parliament this week. We ask all members and staff to continue to practise the hygiene advice that has been circulated. We remind members and staff that the chief health officer has advised people who feel ill to stay at home.

The COVID-19 situation evolves daily, and we must act on the most up-to-date advice. On behalf of all members, I thank our hardworking public health officials and medical teams. We know that the hardest days are yet to come, and we will work together as a community to manage the effects as best we can.

Rulings by the Chair

QUESTIONS WITHOUT NOTICE

The SPEAKER (12:08): Further, members, I want to rule on a point of order that was raised by the member for Warrandyte at the completion of the last question time, on the Thursday of the last sitting week. The member raised a concern that members were not immediately resuming their seats when points of order were taken during question time. I do ask members to raise points of order in relation to the order and conduct of the house immediately and not to hold them over. However, as I indicated at the time, there are aspects of the last question time that concern me, and I uphold the point of order and warn all members that when a point of order is taken, the member with the call is to cease their remarks and sit down until the point of order is dealt with.

As I indicated when the point of order was taken, there were several aspects of the operation of question time that were unsatisfactory. A number of members rose to take points of order and then proceeded to debate an answer, repeat a question or make a statement. Some did not even attempt to make a genuine point of order. I warn members today not to abuse the opportunity to raise a point of order.

Furthermore, the level of interjections and hectoring of members who were speaking was not in order, and I ask all members, and those at the table in particular, to set a good example for the rest of the house. Last of all, members should remember to address their remarks through the Chair and not directly to each other.

Questions without notice and ministers statements

COVID-19

Mr M O'BRIEN (Malvern—Leader of the Opposition) (12:09): My question is to the Premier. The Premier has stated that it is not a matter of if schools will close due to the coronavirus but when. Premier, what is the criteria that your government is using that will trigger the closure of all Victorian schools?

Members interjecting.

The SPEAKER: Order! I have just warned the house about interjections. This is a serious matter, a legitimate question. I ask the Premier to address the house.

Mr ANDREWS (Mulgrave—Premier) (12:10): I thank the Leader of the Opposition for his question. In the first instance there is a protocol that operates at any Victorian school regardless of who runs the school—private, denominational or a public school. There is a protocol that relates to any school where there is a positive test or where there has been close contact between someone who has tested positive and that school. It is that protocol that has seen, for instance, Toorak Primary School

close today and has seen a number of other schools close in recent weeks. That protocol, in direct answer to the Leader of the Opposition's question, was developed by the Victorian chief health officer. That protocol is also consistent with the determinations of the collective—that is, all chief health officers and the commonwealth chief medical officer, Professor Brendan Murphy.

The second point to make is in relation to a broader approach to schools, criteria or advice to take further action beyond closing a specific school with a specific positive case or close contacts thereof, that will be on advice, and that is a dynamic set of circumstances. That may change. In fact it will, I think, on the advice of our experts, need to change at a point in time. When that time comes it will not be for me or for anyone else who is not clinically trained to make that judgement for the whole system. That will be a judgement that is made appropriately by those who have statutory obligations, years of clinical training and lived experience and a very acute appreciation of the epidemiology of this virus globally and how it is presenting in different groups of people—children, young people—and in different places across our state and indeed across the globe. In other words, those criteria to this point have been determined by experts; they will continue to be determined by experts, as is appropriate.

Mr M O'Brien: On a point of order, Speaker, I appreciate the Premier's answer, but the question is: what is the criteria that the government—and I say the government broadly, including the chief health officer—is using that will trigger the closure of all Victorian schools? The house and the community are after some clarity in terms of what is the criteria that is being used that will determine at some future point if all schools have to close. I would ask the Premier to answer that question: what is the criteria?

The SPEAKER: Order! The Premier has been relevant to the question asked. I understand the genuine interest in the answer, but I have just warned the house about repeating the question through a point of order.

Mr ANDREWS: For all public health responses, all health responses, the first criteria is safety. The next criteria is about being proportionate to the risks that you face. The third criteria is having due regard for the consequences of actions you might take or advice you might give. I think it is pretty clear that the chief health officer and many others have made the point. Their advice to me—their advice to all first ministers, all premiers and the Prime Minister—is that closing schools en masse at this point in time might do more harm than good. So that is part of the criteria.

These judgements are made by public health experts. I will have no hesitation in following that advice if it changes, and it seems certain that it will at some point. I understand that I have organised—in fact I can confirm that I have organised—a briefing for various members opposite I think at about 5 o'clock today and a full briefing at 5.30 pm by one of the deputy chief health officers. *(Time expired)*

Mr M O'BRIEN (Malvern—Leader of the Opposition) (12:14): I ask the Premier: what arrangements are the government putting in place to ensure that frontline health workers who have school-aged children will still be able to attend work when schools have closed?

Mr ANDREWS (Mulgrave—Premier) (12:14): I just want to stress again for anybody who might be watching these proceedings that no decision to close schools en masse has been made. That may be something that we have to deal with. Some would say it is a certainty, but Andrew Crisp, the emergency management commissioner—

And part of stepping this up to the state control centre and part of the emergency declaration that I made yesterday and other arrangements put in place last week mean that all powers that are available, all consistency and central coordination that is required are being brought to bear on that task, as outlined by the Leader of the Opposition, and many other tasks. It will be a key challenge. Child care, general health—there will be many, many challenges that will see critical staff absent from their place of work. That is going to be a big, big challenge for us, and an enormous amount of planning is going on right now. That no doubt will be one of the many topics that will be covered in the briefing provided to the Leader of the Opposition later today and as often as he sees fit to seek such a briefing.

MINISTERS STATEMENTS: COVID-19

Mr ANDREWS (Mulgrave—Premier) (12:15): I rise to update the house further on the ongoing impact of COVID-19 right across Victoria. The World Health Organization has declared a global pandemic. The numbers are indeed overwhelming. In just a few short months we have 162 100 confirmed cases and tragically 6300 confirmed deaths. These figures have almost doubled since I last updated the house just two weeks ago. That is the nature of global pandemics. The mathematics is undeniable. We will see more and more patients and therefore more and more pressure on our health system unless we take quite dramatic steps, unprecedented steps, around distancing and doing everything we can possibly do to flatten that curve, to reduce the total number of people who become infected with the virus and to slow the pace at which new cases become apparent. It is very, very important. Otherwise we will simply have our health system overwhelmed, and that is not just a big problem for those who need critical care as a result of COVID-19.

Each day—each and every day—our critical care elements of our health system, our emergency departments all the way through to ICU beds, treat patients who have strokes, have heart attacks, need urgent cancer surgery, have motor vehicle accidents. The list goes on. For their sake and the sake of those who will become critically, gravely ill as a result of COVID-19 we are asking Victorians to do things they have never been asked to do before. This is unprecedented. This is unmatched. This is the biggest public health event that any of us have seen in our lifetime. Together though, with a plan and with hard work, we will come through this—of that I am certain. Victorians will show common sense, compassion and kindness. The government has a plan. The government is working hard, and with the help of Victorians we will get through this together.

COVID-19

Mr M O'BRIEN (Malvern—Leader of the Opposition) (12:17): My question is again to the Premier. On Sunday the Premier announced funding for an additional 7000 elective surgeries. However, in the six months to December 2019 elective surgery waiting lists blew out by an extra 11 000 people. Will the Premier now commit the extra resources needed to completely clear the 11 000 additional Victorians that were added to the elective surgery waiting lists over the past six months?

Mr ANDREWS (Mulgrave—Premier) (12:17): I thank the Leader of the Opposition for his question. I want to explain for the Leader of the Opposition's benefit and all members' benefit exactly what the origins of Sunday's decisions were. We are going to get to a position in Victoria where all elective surgery will be cancelled—that is where we are going to get to, so the Leader of the Opposition can talk about lists and look back at those lists. The fact of the matter is—and no-one is pleased about this—the sickest patients must be treated quickest. The Leader of the Opposition is keen on criteria; well, there is one for you—right now and every day the sickest patients will be treated quickest. That will mean that we will ask of many, many patients and their loved ones to postpone and delay their surgery to a point where I think it is almost certain that all elective surgery other than borderline emergency surgery—so the most urgent of elective surgery—will be cancelled.

It makes perfect sense to try and get as much done as we can before that point. That is why \$60 million in additional funding was provided on top of additional money we had provided to the system only a few months ago, particularly in response to flu last year—a top-up to do even more surgery. I do want to make the point, though, that this has been developed in consultation with hospitals, in consultation with doctors and others, to make sure that of those 7000 surgeries they will be in general terms—I do not want to be too specific, but I can say to the Leader of the Opposition—patients that could perhaps wait a few weeks but would be best clinically if they did not wait months.

They are going to be given priority, and I think that is the appropriate thing to do. I do want to make it clear as well, though, that if at any point the delivery of that additional activity, the conduct of that additional activity—the performance of those surgeries—becomes a strain, if that sees critical resources that need to be reserved for COVID-19 patients used, then of course doctors and hospitals

will be free to make different judgements, but it is our aim to get on and get those more urgent elective surgery patients treated—

Mr M O'Brien: On a point of order, Speaker, I appreciate the Premier's answer; however, the question was: will the Premier commit the resources needed to completely clear the 11 000 additional elective surgery people on the waiting list? The Premier has not advised the house. He has not answered the—

Members interjecting.

The SPEAKER: Order! When the house comes to order. Order! The Leader of the Opposition has the call.

Mr M O'Brien: The Premier has not answered the question or even gone to the question of whether he will commit the additional resources required to address the 11 000 backlog as opposed to just the 7000.

The SPEAKER: Order! I am aware of the question that was asked by the Leader of the Opposition. The Premier is being very relevant to the question asked, and I remind members not to repeat the question when raising a point of order.

Mr ANDREWS: The advice I have is that it is only a matter of time before we have to completely cancel all elective surgery. I think that answers the question that the Leader of the Opposition has put to us.

Members interjecting.

Mr ANDREWS: Well, they are the facts. The best of advice has been provided that we do have an opportunity to get these patients the surgery that they need before there is a massive disruption to that part of our health system. I would have thought that was something we could all unite behind. Again, the government will push forward to do that work regardless of the views of others, because it is based on clinical advice, it is based on common sense and it is the right thing to do.

Mr M O'BRIEN (Malvern—Leader of the Opposition) (12:21): On Sunday the Premier reannounced \$30 million for the Casey Hospital, a project which has been delayed twice by his government and is now running more than 18 months late. At a time like this in particular Victorians need facts, not spin. So instead of passing off old money as something new, what genuinely new investment will the Premier now provide to assist our public hospitals to cope with the challenges of the coronavirus?

Mr ANDREWS (Mulgrave—Premier) (12:22): On Friday, when there was a meeting conducted with a considerably different tone to question time today, national leaders on behalf of their communities made a commitment that we would sign onto. I on behalf of all Victorians—even including the Leader of the Opposition—signed onto a historic bipartisan agreement to share the costs of COVID-19, the burden that that will place, the big demand, the unprecedented demand, that that will place on our health system. Over and above those arrangements we have also brought forward, because commissioning new hospitals—something that I am pleased to say this side of the house knows one or two things about—does take time, but it is going to be done much quicker, and that is why additional funding was made available to open those beds ahead of time. There are choices to be made in this debate, and I choose to follow the advice and to act in a bipartisan way.

MINISTERS STATEMENTS: COVID-19

Mr MERLINO (Monbulk—Minister for Education) (12:23): I rise to update the house on how the Victorian education system is managing the COVID-19 pandemic that we are all facing. Firstly I want to acknowledge and thank the fantastic efforts of all of our school leaders, our teachers and support staff. They are ensuring that students keep learning and that school communities are kept informed and calm about changes at schools that are happening right now and preparations being put in place for what

may happen in the future. I acknowledge that there are parents, staff and students who are of course concerned about coronavirus and particularly about school closures. Every decision we are making is based on the recommendations of health experts. It is the only responsible course of action.

The current advice from the chief health officer here in Victoria and the commonwealth chief medical officer is that mass school closures are not needed at this stage. Indeed the chief health officer has advised in his statement yesterday that pre-emptive school closures are not likely to be proportionate or effective as a public health intervention to prevent community transmission of COVID-19 at this time. He went on to say in his latest advice that school closures may be considered in anticipation of a peak in infection rates. Any decision to close a school will be made on the recommendation of our chief health officer, which will be communicated immediately to all parents, students and staff at affected school or schools.

Finally, in terms of preparation, the department has developed a range of online and offline delivery options aligned to the Victorian curriculum and adaptable to individual schools and age groups, and that was developed in consultation with and working with the Victorian Curriculum and Assessment Authority, Catholic Education and Independent Schools Victoria. We are ready if and when schools are required to close.

COVID-19

Mr M O'BRIEN (Malvern—Leader of the Opposition) (12:25): My question is to the Minister for Public Transport. Given open-air major events such as the grand prix and AFL matches have been cancelled or closed for community safety, what additional protocols has the minister issued for travel on Victoria's overcrowded public transport system, which involves close contact with others in an enclosed environment for more than 15 minutes?

Ms HORNE (Williamstown—Minister for Ports and Freight, Minister for Public Transport) (12:26): I would like to thank the Leader of the Opposition for his question because there has been an enormous amount of planning that has gone into public transport with the department. In fact yesterday the Department of Health and Human Services via the chief health officer gave us a series of protocols for appropriate actions under transport, which include things like additional cleaning measures, public health information, the promotion of sanitisers for use on entering buildings where available and making sure that people can actually stagger their travel and advise people when they can do that.

Mr M O'BRIEN (Malvern—Leader of the Opposition) (12:27): What advice can the minister provide to Victorians who may be confused by the government suggesting that close contact on enclosed public transport for prolonged periods is safe but attending an open-air sporting event is not?

Ms HORNE (Williamstown—Minister for Ports and Freight, Minister for Public Transport) (12:27): I thank the Leader of the Opposition for his question. We follow the advice of the chief health officer, who has advised that we adopt—

Members interjecting.

The SPEAKER: Order! The question that has been asked is a legitimate question; it is a good question and the minister is providing an answer. I need to be able to hear the answer. I warn members to maintain a level of decorum that this situation would demand.

Ms HORNE: As I was saying, we follow the advice of the chief health officer and we are working with our operators to ensure that those protocols are adopted.

MINISTERS STATEMENTS: COVID-19

Mr FOLEY (Albert Park—Minister for Mental Health, Minister for Equality, Minister for Creative Industries) (12:28): I rise to update the house on the health portfolio on behalf of the Minister for Health in the other place. Yesterday the Premier and the Minister for Health declared a state of emergency in Victoria due to the COVID-19 virus. The state of emergency began at midday yesterday

and will be in force for the next four weeks to assist with measures designed to give our health system the best chance of managing this virus and to flatten out the COVID-19 curve of infection. This will help provide the chief health officer with the powers he needs to enforce 14-day isolation requirements for travellers entering Australia and to cancel non-essential mass gatherings of more than 500 people, as agreed by the national cabinet over the weekend.

Let us be clear: this is the biggest health challenge we have faced in our lifetimes in this state. We are seeing large increases in cases in Victoria. Overnight there were 23 new cases alone. That is why it is so important that we have the right tools at our disposal to minimise the impact of this virus. Under the state of emergency authorised officers can act to eliminate or reduce risk to public health by detaining people, restricting movement, preventing entry to premises or providing any other direction that an authorised officer considers reasonable to protect public health. The first direction from the chief health officer under these new powers includes banning non-essential mass gatherings of over 500 people such as cultural events, sporting events or conferences. I want to thank the communities and organisations who have already taken steps to reduce or cancel events in the lead-up to that official direction: groups like the AFL, who have closed games, events such as the Melbourne International Comedy Festival and other organisations.

These are strong and unprecedented measures, but we need to manage the spread of the coronavirus. We will do whatever it takes to keep Victorians safe, and I want to thank, on behalf of, I am sure, all the Parliament, our frontline health workers for the efforts that they have shown to date and the efforts that they will bring in the weeks and months ahead.

COVID-19

Mr NORTHE (Morwell) (12:30): My question is to the Premier. Premier, obviously the impact of COVID-19 is causing enormous concern across many communities, including in the Latrobe Valley. In the last 48 hours I have been contacted by a number of small and medium business owners who are extremely emotional and anxious about their futures. For example, the Premier Function Centre in Traralgon yesterday received 12 event cancellations. Without this income the owners, Celeste and Danny, face an uncertain future, particularly given that there are still bills and wages they have to pay. Premier, I know that this function centre is not the only business going through similar challenges. Are you able to advise what financial and taxation supports and assistance will be available to Victorian small and medium businesses throughout this crisis?

Mr ANDREWS (Mulgrave—Premier) (12:31): Can I thank the member for Morwell for his question and his obvious concern for the small businesses and families across his electorate. I would say the first thing that is available is obviously the various provisions that were outlined by the Prime Minister and others in the federal government and strongly supported by other first ministers last Friday at COAG. The stimulus package, together with the health package I mentioned only a few moments ago, is a very important series of measures as we see a really big hit to economic growth right across our state and the nation—

A member interjected.

Mr ANDREWS: and the world indeed. None of us are immune from the business and economic impacts of this global pandemic. There are a number of specific measures that are targeted to small business and larger businesses, but certainly small businesses have been a focus of the national government, and in that the national government has our full support. I am more than happy to provide further information to the member after question time in terms of specifics. They are developing and changing. There are elements of that package that still have not passed the federal Parliament, but I think it is pleasing to see that there will be bipartisan support offered at a national level, and I would hope that those measures can be passed and enacted and those payments can be made as quickly as possible. That is the sort of approach that all of us need to employ, I think, and I would hope that commitments to that end are delivered in Canberra when they sit next week.

The federal government have also made it clear that they are working on a further package, the exact nature of which we will have to wait and see. These matters will I think be discussed in some detail if not at the national cabinet meeting via secure video hook-up this evening then at a future meeting of the national cabinet. They will be occurring very, very frequently.

I am more than happy to get some further advice for the member for Morwell as to how small businesses in his community can access the national government's package in the first instance. Beyond that, we are all I think unified in trying to work together in the development of that second national package, whenever that might be.

I do not often do this, but I do want to thank the banks, for instance, for passing on the full 25 basis-point rate cut just recently. I do want to thank the banks and other financial institutions. Again, I hesitate to praise the banks—it is not something I have done very often or have needed to do very often—but they are in business lending, in lots of different ways I think, doing the right thing by those who have got zero cash flow through no fault of their own. There are many others in the community that are reaching out and trying to play that constructive role.

Beyond that, I can confirm for the member for Morwell that the Treasurer, myself and other senior ministers are looking at all the options that we might employ at the appropriate time, and we will make announcements to that end. We will stick with everyone impacted by coronavirus.

Mr NORTHE (Morwell) (12:34): Premier, the Traralgon Vineyard also informed me this morning of eight event cancellations due to COVID-19 concerns in the last few days, which has placed enormous strain on the viability of their business going forward. They are one of many businesses who are already experiencing a downturn in their operations. Part of the issue for many business owners is knowing how they are going to survive the looming economic disaster, and it is imperative that the business community is aware of any government information and assistance in this regard. Premier, will the government consider establishing a business hotline for those businesses impacted by COVID-19 so that they can relay the real issues they are experiencing and also receive accurate and up-to-date advice on how they can be supported through this crisis?

Mr ANDREWS (Mulgrave—Premier) (12:35): I thank the member for Morwell for his question, and I am certain that some arrangements have been put in place in terms of direct support and information for Victorian businesses. However, as I have often said, common sense is the best guide in these things. That is a very sensible idea. I am more than happy to, after question time, check that those arrangements have been put in place. If there is more that we can do to provide that—

Mr Pakula interjected.

Mr ANDREWS: The Minister for Jobs, Innovation and Trade informs me that that is well under development and it should be available tomorrow, so we are as one, I think, in the fact that common sense is the best way to provide support to people—clear and direct information. If there is anything further we can do, I am more than happy to have somebody in my office speak with the member for Morwell. I am happy to support him, all members and their constituents in any way in which they are impacted by such a significant and disruptive public health emergency. Public health is our number one priority, but there are many other impacts and we are here to provide support as best we can.

MINISTERS STATEMENTS: COVID-19

Mr WYNNE (Richmond—Minister for Housing, Minister for Multicultural Affairs, Minister for Planning) (12:36): I rise to advise the house of how our government is supporting our multicultural communities through this COVID-19 challenge. Issues of social isolation—access to language, health and welfare information—will be the highest priority for multicultural communities in the coming months. Widespread misinformation and unknown source of truth is deeply concerning to our multicultural communities. The multicultural portfolio, along with the Victorian Multicultural Commission, is briefing community and faith leaders to convey the government's health message.

The Victorian government is providing fact sheets in 15 languages, including obviously ways to reduce the risk of infection.

The multicultural affairs portfolio has provided grants to more than 190 multicultural events that have been scheduled between March and June 2020. Most of course will exceed the public gathering threshold and therefore will have to be cancelled, along with a number of events that we were hoping to celebrate in the last few days. I have asked my department to be proactive with event organisers to exercise flexibility with funding agreements to ensure community celebrations that are postponed will still be funded.

The Parliament of course will also note the Victorian government launched the Stronger Together campaign to show support for our Victorian Chinese community to combat some of the challenges arising from the COVID-19 outbreak and to urge Victorians to continue to band together and support one another. These are testing times for our multicultural communities, and we as a Parliament, on a bipartisan basis, will continue to stand together with respect to work through this health crisis.

BUDGET

Ms STALEY (Ripon) (12:38): My question is to the Treasurer. The federal government has announced an \$18 billion stimulus package, with a further package to come, designed to put more money into the pockets of households, pensioners and small businesses to protect jobs in the face of the coronavirus. By contrast, the Treasurer has promised \$4 billion in budget cuts and a new \$1 billion bin tax. Will the government guarantee that the state government will not increase taxes and charges, taking federal stimulus money from the pockets of Victorian households, pensioners and small businesses?

Members interjecting.

The SPEAKER: Order! The member for Oakleigh is warned. The member for Bentleigh is warned. Members will come to order.

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (12:39): I thank the member for Ripon for her question, and I make the point that this government is and remains committed to assisting the community in what will be a very difficult time. Let us make no mistake: this is probably the greatest material risk to the wellbeing, the health and indeed the lives of more Australians than has occurred in the history of this country. So far as this government is concerned our number one priority—our number one priority—is the health and the wellbeing of Victorians, and what that will mean is that the government will be putting a very sustained, consistent and substantial investment in making sure that our health effort is profoundly well resourced.

This will go on for months, as the Premier rightly says, and this government will be here every day of that effort. But in addition to that let me be clear that we are constantly monitoring the efforts and the activities, which we welcome, of the federal government with regard to their stimulus package. Today we know that the RBA have indicated that they will once again be considering what actions they can do, and we know that the commonwealth has again foreshadowed that it will be doing further actions around the stimulus package.

Ms Staley: On a point of order, on relevance, Speaker, I did not ask the Treasurer to talk around the issue. I asked specifically about the upcoming budget and charges and whether there would be any.

The SPEAKER: I thank the member for Ripon for raising that point of order in the correct fashion. The Treasurer has been relevant to the question. The question related to the \$18 billion stimulus package, and I ask the Treasurer to continue his answer.

Mr PALLAS: Let me be very clear that we as a government stand ready to help and are looking at the best options that we can put in place, but it would be foolhardy for anybody to suggest that what

we should be doing is bowling out a package of initiatives without appropriately monitoring what is actually happening at a federal level. Essentially we have two substantial packages—one already in place, a second to come. The last thing we would want to see is duplicated effort, confusing activity.

Members interjecting.

The SPEAKER: Order!

Mr PALLAS: And indeed it seems the greatest health issue that confronts this nation is a laughing matter to those opposite. Well, we take our job seriously, and we are attending to these matters diligently. Can I be very clear: we stand ready to assist Victorians in a timely and efficient manner, and we will work in cooperation with all other tiers of government that are prepared to put politics behind them and the national interest in front of them.

Ms STALEY (Ripon) (12:42): The Western Australian government has announced a \$607 million stimulus package for households, small businesses and seniors. The package includes a freeze on electricity, water and motor vehicle charges, public transport fares and the emergency services levy until at least mid-2021, and a doubling of the energy assistance payment. Why hasn't the Andrews government announced a similar package for Victorians?

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (12:43): It is largely because we are not Western Australia, and the material circumstances that impact upon Victorians—

Members interjecting.

The SPEAKER: Order! Order! The Treasurer to resume his seat. I need to be able to hear the Treasurer's answer. I ask members not to shout across the chamber.

Mr PALLAS: We will take appropriate steps and appropriate measures when it is apparent what the collective effort is. But let me be very clear: the principal effort of this government will be focused on the health and welfare of Victorians. We will not be using opportunities in this place to effectively spread fear and havoc in the community, and ultimately the choices we will make will put the wellbeing of Victorians first. We will monitor what is going on at a federal level and we will respond appropriately at an appropriate time.

MINISTERS STATEMENTS: COVID-19

Mr PAKULA (Keysborough—Minister for Jobs, Innovation and Trade, Minister for Tourism, Sport and Major Events, Minister for Racing) (12:44): COVID-19 has already caused substantial damage to the tourism sector around the globe and neither Australia nor Victoria is immune from that effect. The cancellation of major events, the ban on mass gatherings and the global restrictions on air travel and border entries is having and will continue to have a major impact on airlines, the airport, tour operators, hotels and other accommodation providers, and the convention and business events sector in many regional towns already affected by bushfire.

With the halting of most global movement, the restriction imposed by the commonwealth at the border and the impact of the ban on mass gatherings, these effects will not be ameliorated for some time. This week I met with leading players in the sector—representatives of Visit Victoria, our overseas trade network, the Melbourne Convention and Exhibition Centre and the Melbourne Convention Bureau, Melbourne Airport, the university sector and the Victorian Tourism Industry Council. There was a powerful sense of unity and purpose in the room, a recognition that whilst this situation is dire and that around the world the tourism sector will look quite different at the end of this crisis than it did at the beginning of it, it is temporary. Global travel will recommence, conventions and business events will recommence, live shows and sporting events will recommence and students will once again pursue their education overseas. When that occurs the race will be on. Jurisdictions around the world will be racing to secure the same events, the same students, the same travellers and the same markets.

Advantage will lie with those countries and regions which have deep relationships that are more than merely transactional, that have maintained their brand by the way they have responded to this disease, that have a proven record of delivering events well and that provide high-quality service to students and tourists.

On all of those measures we are well placed. Our sector has a profound unity of purpose and confidence in its future. They have all undertaken to work together to provide the government with the best information about how we collectively hit the ground running at the right moment. *(Time expired)*

Mr T Bull: On a point of order, Speaker, I have a number of unanswered questions which, in the current climate and with our certainty of sitting a little bit unsure into the future, I would like to be answered promptly. The first one is question 1620, asked of the Premier in November last year around hardwood timber plantations. It is very important, given the uncertainty of the industry in East Gippsland. The other unanswered questions are numbered 1377, 1378, 1489, 1676, 1719, 1847, 1848 and 1849 to various ministers.

The SPEAKER: I thank the member for Gippsland East for raising that matter.

Ms Vallence: On a point of order, Speaker, I would like to have followed up constituency question 1831. It is to the Minister for Roads and Minister for Road Safety and the TAC. With the budget approaching it is particularly important for my community because it is seeking the government to commit funding for the dangerous stretch of Warburton Highway in Seville East. If you could follow that up, that would be great.

The SPEAKER: I thank the member for that point of order. I will raise that matter.

Mr Wells: On a point of order, Speaker, I have a couple of unanswered constituency questions as well: 1807 and 1685. One, 1807, was asked on 5 February and the other one, 1685, was asked on 27 November, can you believe it, last year. Both are to the Minister for Police and Emergency Services. They are both very important for my electorate of Rowville.

The SPEAKER: I thank the member for raising that point of order. We will follow the matter up.

Constituency questions

ROWVILLE ELECTORATE

Mr WELLS (Rowville) (12:48): (2039) The question I wish to raise is for the Minister for Roads. Minister, what does the government plan to do regarding the terrible traffic congestion on Stud Road from Timbertop Drive in Rowville to Wellington Road? A constituent of mine has reported that every morning she waits for up to 10 minutes to turn left from Timbertop Drive into Stud Road. Despite there being a keep clear section at the intersection, many drivers refuse to let traffic in from the side road. Once in Stud Road she is faced with bumper-to-bumper traffic through the Bergins Road intersection to Wellington Road. The bus lane in Stud Road only makes the traffic worse. My constituent believes that removing the bus lane or using it as a shared bus lane with motorists until they can merge right would ease traffic. Another solution would be to have an additional left-hand turning lane into Wellington Road. This would certainly improve the congestion on Stud Road.

NORTHCOTE ELECTORATE

Ms THEOPHANOUS (Northcote) (12:49): (2040) My constituency question is to the Minister for Disability, Ageing and Carers, and I ask: what is the latest information on what the state government is doing to support people with disabilities to access local parks? Our local parks are becoming more and more valuable, but they must be accessible to everyone. In Thornbury the local community have worked very patiently and constructively with Darebin council in order to see upgrades to Penders Park. The Penders Park project group were established in 2018 to help council create a masterplan with an inclusive vision. The masterplan includes provision for a new all-abilities

play space and accessible toilet facilities. I commend the council for funding the new playground, but sadly the toilet block has not been funded. My community quite rightly are concerned that without a Changing Places accessible bathroom the new upgrades will still be out of reach to too many families. In 2017–18 the Andrews government funded 26 facilities across the state, generally at tourist hotspots, that included public toilets with full-sized change tables and hoists. A facility at Thornbury would make a huge difference.

GIPPSLAND EAST ELECTORATE

Mr T BULL (Gippsland East) (12:50): (2041) My question today is to the Premier, and the information I seek is the detail around the bushfire recovery that is being undertaken by Grocon in East Gippsland. Around four weeks ago I received a briefing from Grocon that said there would be 25 work crews in the area at different properties by mid-March. We are now in mid-March, and one crew started on Friday. I subsequently had another briefing from Grocon about 10 days ago, and I was told there would be 21 to 22 crews working by the end of this month. The trouble is, when I talk to representatives from the government I get a different story: that there will only ever be nine or 10 crews working in the region. What the people of East Gippsland want to know is how many crews there will be, when they will be on their property to clean it up and the date on which property clean-ups will be finished. And I ask the Premier to provide this information to the people of East Gippsland.

SUNBURY ELECTORATE

Mr J BULL (Sunbury) (12:51): (2042) My question is to the Minister for Tourism, Sport and Major Events. Minister, what is the latest information on design and construction at the \$1 million upgrade of Langama Park in my electorate? This is a terrific local sports area. We see cricket, soccer and rugby played at the reserve. There are currently two sports pavilions that operate very busily with all of that sport played in the precinct. They are of quite an age; both pavilions were constructed in the 1970s. It was terrific to be able to confirm the \$1 million commitment for the redevelopment of both pavilions, and again I ask the minister for the latest information on design and construction time lines.

RIPON ELECTORATE

Ms STALEY (Ripon) (12:52): (2043) My question is to the Treasurer. Will the Treasurer consider expanding the HomesVic shared equity initiative to assist older Victorians in country towns to access suitable housing? I have a number of constituents who own their own homes, but their homes are not worth enough to buy into a retirement village and because they are elderly they cannot get a mortgage. I am wondering whether there is an opportunity under this scheme to expand it in a way that would allow them to have some sort of reverse mortgage, effectively, to get them into housing that is more suitable for them as they age. We have a number of people that live in pretty substandard housing, but they do own it. And this to me seems one way that we could perhaps get people in country towns into better accommodation. Thank you.

CARRUM ELECTORATE

Ms KILKENNY (Carrum) (12:53): (2044) My question is for the Minister for Housing. Minister, I have been contacted by a number of my constituents who want to know what is happening to assist and support homeless people or people at risk of homelessness in our local area, particularly older women and women with children who have been living in their cars in the Seaford and Carrum Downs area. I know many of my constituents are passionate about this issue. They understand that having safe, secure and stable housing is just so important for people's health and wellbeing. So, Minister, what options are there for tackling homelessness in my local area?

BRUNSWICK ELECTORATE

Dr READ (Brunswick) (12:54): (2045) My constituency question is to the Minister for Public Transport. Several women in my constituency tell me they are concerned about their safety when walking to and from public transport. I am particularly concerned about one incident involving the

58 tram. It is a route that normally terminates in Pascoe Vale South, but late one night last month it terminated prematurely in Royal Park, forcing passengers to trek home in the darkness—apparently so the driver could catch up to the schedule. I ask the minister what specific resources and procedures are in place so that if people are forced to alight trams prior to their stop, particularly in isolated areas such as Royal Park, they are not put in a position where they fear for their personal safety.

BROADMEADOWS ELECTORATE

Mr McGuire (Broadmeadows) (12:54): (2046) My constituency question is to the Minister for Roads and Minister for Road Safety and the TAC. What information can the minister provide on work to improve road connections between Broadmeadows and Campbellfield? Key infrastructure is required to unlock the development potential between Broadmeadows and Campbellfield, one of the biggest areas of industrial manufacturing and employment in Melbourne's north. Connections need to be improved between the Broadmeadows town centre and the Northcorp industrial area, and the rest of Campbellfield, which of course was the home of the Ford Motor Company and where we have attracted a \$500 million investor for new industries and jobs crucial for the potential of these communities. The presence of Pascoe Vale Road and the two railway lines act as a barrier between the east and the west of Broadmeadows. These connections deliver infrastructure that enables employment, and the proposed Merlynston Creek road crossing, linking the old industrial areas with the new, through Belfast Street, Broadmeadows, would be ideal for this proposition.

WARRANTYTE ELECTORATE

Mr R Smith (Warrantyte) (12:55): (2047) My constituency question is to the Minister for Energy, Environment and Climate Change, and I ask it today on behalf of Andersons Creek Landcare. Andersons Creek Landcare are extremely concerned about this government's inability to release the final Victorian deer management strategy—a strategy which was due over a year ago—and are further concerned by the serious flaws in the draft strategy which raise serious environmental concerns. There have been some very sensible and considered suggestions made by Andersons Creek Landcare by way of the strategy submission process, and I urge the minister to look at these and incorporate these commonsense points in the final iteration. With the departmental website saying simply that the final strategy will be released in 2020, I ask: in what month of 2020 will we see the response to the urgent and growing problem of deer numbers being released?

TARNEIT ELECTORATE

Ms Connolly (Tarneit) (12:56): (2048) My constituency question is for the Minister for Education. Minister, we know breakfast is such an important part of the day, especially for the growing minds of our little ones. However, this can be hard for families doing it tough. Since the expansion of the school breakfast clubs program, increasingly more students in my electorate—and most certainly across Victoria—are getting the nutrition they need to learn, grow and play at school. And I am very pleased to hear that we are expanding this program to school lunches as well. So, Minister, my question is: which schools in Tarneit are currently taking part in the breakfast club program and which schools will be joining up later this year?

Mr R Smith: On a point of order, Speaker, I just want to draw your attention to the contributions by the members for Pascoe Vale, Sunbury and Carrum. Constituency questions are characterised by asking for specific actions. The member for Sunbury asked for further information, the member for Carrum asked generally what options were available—neither of which are particularly specific in their asking—and the member for Pascoe Vale's contribution seemed more suitable for an adjournment debate rather than the opportunity to ask a constituency question. I just ask you to look at their suitability and whether the sessional orders are being adhered to by those members.

The Speaker: Just to clarify the point of order, the member for Pascoe Vale I do not think asked a question.

Mr R Smith: Did not ask a question at all?

The SPEAKER: I do not think so. You might be meaning somebody else.

Mr R Smith: Sorry. Who is—

The SPEAKER: The member for Northcote.

Members interjecting.

The SPEAKER: Order! I just need to clarify. I listened very carefully to constituency questions. I find that they were all in order. I do remind members to be cautious when framing constituency questions to make sure that they relate specifically to an issue in their electorate. Some of the constituency questions came close to not being relevant constituency questions, but I find that they were all in order.

Mr R Smith: A point of clarification just so I am aware for myself, and other members might also be unaware from what you are saying, we can ask for just general things now? I thought, as I said, the characterisation of constituency questions was they asked for specific outcomes in the way that questions on notice are framed.

The SPEAKER: That is not a point of order. It is a question. I am happy to answer the question.

Mr R Smith interjected.

The SPEAKER: Order! I am happy to answer the question in the correct format. We now move to—

Mr R Smith interjected.

The SPEAKER: Order! I ask the member for Warrandyte to come to order.

Bills

CONSTITUTION AMENDMENT (FRACKING BAN) BILL 2020

Introduction and first reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (12:59:16): I move:

That I introduce a bill for an act to amend the Constitution Act 1975 to constrain the power of the Parliament to make laws repealing, altering or varying certain provisions that prohibit hydraulic fracturing and coal seam gas exploration and mining and for other purposes.

Motion agreed to.

Mr R SMITH (Warrandyte) (12:59): I am very glad the Treasurer has adopted coalition policy, and I wonder why it has taken so long to actually introduce the bill. Can the Treasurer please give a brief explanation of the bill?

The SPEAKER: Order! I warn the member for Warrandyte. If members wish to seek a brief explanation, they can do so. If they wish to make a speech, they will not be heard.

Mr M O'Brien: On a point of order, Speaker, while the convention of the house may be that on the first reading there is a very brief debate, there is nothing actually in the standing orders which requires that and it is actually open to any member to engage in a substantive debate. In those circumstances I would suggest that the member for Warrandyte was not out of order.

The SPEAKER: I would advise the Leader of the Opposition that on the question of the first reading the member may ask for a brief explanation, but debate is not allowed under standing order 61. I will ask the Treasurer to provide the house with a brief explanation.

Mr PALLAS: Consistent with our commitment before the last election, which was that we would amend the Constitution Act 1975 in order to introduce a bill to entrench the current prohibitions on

fracking and coal seam gas, mining or exploration within the Victorian Constitution Act 1975, that is exactly what this government is doing: living up to our commitment to the Victorian people, and, might I say, entirely contradictory to what those opposite proposed. They did not at any stage propose a constitutional amendment to give effect to this prohibition in perpetuity.

Read first time.

Ordered to be read a second time tomorrow.

PETROLEUM LEGISLATION AMENDMENT BILL 2020

Introduction and first reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (13:01:48): I move:

That I introduce a bill for an act to amend the Petroleum Act 1998 and the Offshore Petroleum and Greenhouse Gas Storage Act 2010 and for other purposes.

Motion agreed to.

Mr R SMITH (Warrandyte) (13:02): I ask the Treasurer for a brief explanation of the bill.

Mr PALLAS: I thank the member. The bill will amend the Petroleum Act 1998 to enable the restart of the onshore conventional gas industry on terms that will enhance community confidence in that industry. The bill will also amend the Offshore Petroleum and Greenhouse Gas Storage Act 2010 to prioritise any new gas from future offshore production licences for domestic users.

Read first time.

Ordered to be read a second time tomorrow.

CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2020

Introduction and first reading

Ms HENNESSY (Altona—Attorney-General, Minister for Workplace Safety) (13:03:02): I move:

That I introduce a bill for an act to amend the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 to implement recommendations of the Victorian Law Reform Commission arising from its review of that act, to amend that act and the Mental Health Act 2014 to transfer functions of the Forensic Leave Panel to the Mental Health Tribunal, to amend the Disability Act 2006 in relation to custodial supervision orders, to consequentially amend other acts and for other purposes.

Motion agreed to.

Mr SOUTHWICK (Caulfield) (13:03): Could I ask the Attorney-General for a brief explanation of the bill?

Ms HENNESSY: I would be delighted to. The bill in responding to various recommendations of the Victorian Law Reform Commission codifies the common-law definition of mental impairment. It provides some clarifying language around the tests that are used in respect of evidence and declarations of an unfitness to be tried. There are various court process improvements that are contained in the bill. The bill also seeks to provide and improve the system, acknowledging the difference between those that might be intellectually disabled offenders from those that are mentally ill. It also improves the recognition of victims' interests—for example, through allowing victim reports to be read in court—and provides for improved victim notification.

Read first time.

Ordered to be read a second time tomorrow.

LOCAL GOVERNMENT (WHITTLESEA CITY COUNCIL) BILL 2020*Introduction and first reading*

Ms KAIROUZ (Kororoit—Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Suburban Development) (01:04): I move:

That I introduce a bill for an act to dismiss the Whittlesea City Council and to provide for a general election for that council and for other purposes.

Motion agreed to.

Read first time.

Ms KAIROUZ: Under standing order 61(3)(b) I advise the house that the other parties and Independent members have been provided with a copy of the bill and a briefing. I therefore move:

That this bill be read a second time immediately.

Motion agreed to.

Statement of compatibility

Ms KAIROUZ (Kororoit—Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Suburban Development) (01:07): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Local Government (Whittlesea City Council) Bill 2020.

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the ‘Charter’), I make this Statement of Compatibility with respect to the Local Government (Whittlesea City Council) Bill 2020.

In my opinion, the Local Government (Whittlesea City Council) Bill 2020 as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The proposed Local Government (Whittlesea City Council) Bill 2020 (Bill) proposes to dismiss the Whittlesea City Council (Council) and provide for the appointment of administrators for the Council. This follows the recommendations in the report of the municipal monitor, Yehudi Blacher, who I appointed to the Whittlesea City Council under section 223CA of the *Local Government Act 1989*. The report recommends the dismissal of the council for a period ending no sooner than the 2024 Council elections.

The municipal monitor provided me with his report on 11 March 2020. The municipal monitor states that, based on his observations, council governance has collapsed at the City of Whittlesea. The report notes that the Council’s deep factional divides and personality conflicts have rendered it dysfunctional and that behaviours both in the council chamber and outside it have undermined good decision making.

The municipal monitor concludes that the present council cannot deliver the good governance needed by the City and its administration and that there needs to be an extended period of administration to enable good governance to be restored.

As such, I seek the dismissal of elected councillors at the council to enable the administrators to develop, implement and publicly report on an action plan to embed good governance at Whittlesea City Council.

The proposed Bill dismisses the Council until October 2024.

Human Rights Issues*Human rights protected by the Charter that are relevant to the Bill*Taking part in public life

Section 18 of the Charter establishes a right for an individual to, without discrimination, participate in the conduct of public affairs, to vote and be elected at periodic State and municipal elections, and to have access to the Victorian public service and public office.

Clause 5 of the Bill clearly engages and purports to restrict the right under section 18 of the Charter.

The limitation appears to be reasonable and demonstrably justified in a free and democratic society under section 7(2) of the Charter Act.

The right to participate in the conduct of public affairs broadly relates to the exercise of governmental power by all levels of government, including local government. The right to be elected ensures that eligible voters have a free choice of candidates in an election and, much like the right to vote, is not conferred on all Victorians, but is limited to eligible persons who meet certain criteria. The processes for the appointment, promotion, suspension and dismissal of candidates and councillors are objective, reasonable and non-discriminatory.

In this case, the purpose of the limitation is to enable the restoration of good government at the council.

As a result of a recommendation by the Chief Municipal Inspector, I appointed Yehudi Blacher as a municipal monitor to the council on 13 December 2019. He was required to monitor the council's governance functioning, processes and practices and report to me.

In summary, his report found that council governance has collapsed at the City of Whittlesea, along with its reputation. The Council's deep factional divides and personality conflicts have rendered it dysfunctional, the Council's behaviours have undermined good decision making and these behaviours collectively have been damaging and harmful to the Council's administration and the City's reputation. The monitor found that the present Council cannot deliver the good governance needed by the City and its administration.

Accordingly, the municipal monitor recommends that the council be dismissed and administrators appointed for a period ending no sooner than the 2024 Council elections. This can only be achieved through legislation.

The serious nature of the monitor's findings justifies the dismissal of the elected councillors. In addition, the municipal monitor notes that there needs to be an extended period of administration to enable good governance to be restored.

Removal of an elected council is always a matter of last resort and undertaken only in the most serious of circumstances. While it is regrettable that this is necessary, the Government has a responsibility to protect communities from governance failings by their local representatives.

The Local Government Act provides a less restrictive and more immediate measure, namely suspension pursuant to section 219(1). However, section 219 is not appropriate in this case because it provides for suspension for a maximum period of 12 months, indicating the provision is intended for circumstances in which a short interruption to elected representation will be sufficient to overcome the failures identified.

However, as the municipal monitor's report demonstrates, the circumstances require the removal of democratic representatives beyond the general council elections in October 2020. This is to enable a thorough embedding of good governance policies and procedures at the council, and the development, implementation and reporting on an action plan to embed these processes.

In response, the Bill dismisses the Whittlesea City Council and provides for a term of administration until the next general election for the Council in October 2024.

Under the Local Government Act, general elections for local government occur every four years in October. Despite this, the period of administration under the Bill is considered reasonable. This is in order to give effect to the monitor's recommendation in relation to the period of dismissal to enable administrators to effectively address the governance failings identified by the monitor.

Importantly, the period of administration enables the council to return to democracy in line with the statutory timing of the next general elections for local government after October 2020, provides a full four-year term for the next group of elected councillors and is balanced against the community interest in having democratically elected representatives.

Privacy and Reputation

Section 13 of the Charter provides that a person has the right not to have his or her privacy, unlawfully or arbitrarily interfered with, and not to have his or her reputation unlawfully attacked.

Clause 5 of the Bill provides for the dismissal of the elected councillors, and therefore purports to restrict the right under section 13 of the Charter.

Any interference with a person's privacy and reputation is lawful and not arbitrary in this case. The decision to remove the councillors from office follows the recommendation from a municipal monitor.

The serious nature of the issues identified at the council by the municipal monitor, as identified above, clearly warrant the immediate removal of the councillors.

The Hon Marlene Kairouz MP

Minister for Consumer Affairs, Gaming and Liquor Regulation

Minister for Suburban Development

Second reading

Ms KAIROUZ (Kororoit—Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Suburban Development) (01:07): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

This Bill will dismiss the Whittlesea City Council and provide for the appointment of an administrator or panel of administrators in response to the recommendations of the report from the municipal monitor appointed to the Whittlesea City Council.

The municipal monitor, Yehudi Blacher, was appointed on 13 December 2019 under section 223CA of the Local Government Act 1989 (the Local Government Act) to monitor the Whittlesea City Council's governance functioning, processes and practices. This appointment was in light of concerns raised by the Chief Municipal Inspector about the activities and actions of the councillors at the council and their ability to provide leadership and good governance for their community.

In accordance with the municipal monitor's terms of reference, Yehudi Blacher was required to provide an interim report by 27 March 2020 and a final report by 30 June 2020. However, due to the urgency identified by the municipal monitor for a final report to be submitted sooner given the 'collapsing governance' of the council, I have accepted and tabled the monitor's final report to ensure full transparency of the monitor's findings and process.

The monitor's report raises serious concerns about governance at the council. Mr Blacher reports that the council has been broken by years of internal division, factionalism and personality conflicts. According to the report, the division between councillors runs so deep that there is little prospect of ever resolving these differences, and as a result the council's governance has irretrievably collapsed and the council has been rendered dysfunctional.

Mr Blacher further notes that some councillors appear to be comforted by the fact that, notwithstanding their endless feuding, the council continues to meet its service and statutory obligations. This, according to the report, is largely due to the resilience and professionalism of the council administration and councillors ignore the damage to the good governance of the council and reputation of the City of Whittlesea.

The monitor also notes that the council has had five Chief Executive Officers in five years and that this has been destabilising for the council. The monitor notes that the recent dismissal of the former Chief Executive Officer of the council, Mr Simon Overland, has had considerable impact on the administration. During his tenure, Mr Overland introduced a revised Protocol for Councillor and Council Staff interaction designed to stop inappropriate councillor interventions and interactions between councillors and staff. According to Mr Blacher, from the perspective of staff the Protocol created a safe place to work, however for several councillors, it was seen to restrict and delay the timely provision of information. A recently completed survey of the organisation shows that staff morale is at a very low ebb.

Mr Blacher also points out that in an eleven-member council, with factions split six to five, it takes but one councillor to change sides for power to shift from one faction to the other. He also states that there is a single-minded pursuit of the mayoralty given the factional ascendancy that goes with it, further damaging good governance at the council.

An independent report completed in November 2019 by a consultancy firm commissioned by the council, identified many instances of lack of professionalism by councillors both inside and outside the council chamber, including threatening and aggressive behaviour, stonewalling, shaming, insulting and manipulative behaviour. According to the monitor, the behaviour became commonplace, and continued unabated, highlighting the failure of councillors to use the systems available to them to hold each other to account to the statutory standards of conduct required of them.

These behaviours of councillors and the erosion of governance at the council has also come to the attention of the Local Government Inspectorate, who has a number of active investigations relating to the council underway.

The monitor's report concludes that there is little prospect that the behaviours of the majority of councillors can change. The deep factional divides and personality conflicts that have long beleaguered the council have rendered it dysfunctional. Councillors' behaviours both in and outside the council chamber continue to undermine good decision-making, and have been damaging and harmful to the council's administration and reputation.

Accordingly, the monitor recommends dismissal of the council and the appointment of administrators for a period ending no sooner than the October 2024 general elections for local government, to enable good governance to be restored at the council. Mr Blacher has also recommended that the administrators develop and publicly report on an action plan to embed good governance at the council during this period.

The Bill provides for the next general election for the Whittlesea City Council to be held in October 2024. This period of dismissal:

- gives effect to the monitor's recommendation in relation to the timing of the next election of the council;
- enables the council to return to democracy in line with the statutory timing of the next general elections for local government after October 2020;
- provides a full four-year term for the next group of elected councillors; and
- provides sufficient time for the administrators to implement the monitor's recommendation to embed good governance at the council.

Dismissing a council by Parliament is the most extreme intervention by the state and is only undertaken in the most serious cases of governance failure. It gives me no pleasure that there is evidence that this is the current situation at the Whittlesea City Council.

Without this Bill, there is risk of further deterioration of the governance at the council and the probity, integrity and accountability expected of local government.

I have stated before and I remain resolute that the community and Parliament expect the highest standards of governance, probity and representation from their councillors and council staff. This Bill will ensure good governance, and confidence, is restored at Whittlesea City Council.

I commend the Bill to the house.

Mr T SMITH (Kew) (13:07): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Business of the house

NOTICES OF MOTION

The SPEAKER (13:08): I wish to advise the house that notice of motion 40 will be removed from the notice paper unless the member wishes their notice to remain and advises the Clerk in writing before 2.00 pm today.

Petitions

Following petitions presented to house by Clerk:

MUNRO STREET, COBURG, SIGNAL BOX

To the Legislative Assembly of Victoria

This petition of those opposing the demolition of the landmark Munro Street Coburg railway signal box draws to the attention of the House that the 1928 locally heritage significant signal box can be retained and reused. The petitioners therefore request the Legislative Assembly of Victoria take action to ensure the retention of the signal box either by its relocation to a nearby site, but still within the Upfield Railway Line Precinct or by changes to the rail bridge plans to raise its height or change the location of its supporting pylons.

By Dr READ (Brunswick) (237 signatures)

EUROA IMAGING SERVICES

To the Legislative Assembly of Victoria

The petition of residents of the Euroa electorate draws to the attention of the House the urgent need for new x-ray and ultrasound machines to reinstate imaging services at Euroa Medical Family Practice.

The petitioners therefore request that this calls on the Andrews Government to provide immediate funding for new imaging equipment to ensure local residents have accessible imaging services in Euroa.

By Ms RYAN (Euroa) (44 signatures)

COUNTRY FIRE AUTHORITY STRATHBOGIE STATION

To the Legislative Assembly of Victoria

The petition of the residents of Strathbogie and surrounds draws to the attention of the House the urgent need for funding to upgrade the Strathbogie Fire Station.

The petitioners request that the Legislative Assembly of Victoria urge the Andrews Government to fund a new station to provide the space brigade members need to serve the community.

By Ms RYAN (Euroa) (2189 signatures)

FIVE WAYS INTERSECTION, WARRANDYTE

TO THE LEGISLATIVE ASSEMBLY OF VICTORIA

The Petition of

Residents in the Warrandyte electorate draws to the attention of the House

That the government has neglected to maintain and upgrade the dangerous and congested intersection of Croydon Road, Brumbys Road, Ringwood-Warrandyte Road and Husseys Lane in Warrandyte South—locally known as Five-Ways.

The petitioners therefore request that the Legislative Assembly of Victoria

Ensure that the Andrews Government takes urgent steps to ensure the Department of Transport begin the process of improving this extremely dangerous intersection before a fatal accident occurs.

By Mr R SMITH (Warrandyte) (54 signatures)

Tabled.

Ordered that petitions lodged by member for Euroa be considered next day on motion of Ms RYAN (Euroa).

Ordered that petition lodged by member for Warrandyte be considered next day on motion of Mr R SMITH (Warrandyte).

Documents

WHITTLESEA CITY COUNCIL

Municipal Monitor's Report on the Governance and Operations of the Whittlesea City Council

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (13:10): I table, by leave, the *Municipal Monitor's Report on the Governance and Operations of the Whittlesea City Council*.

Ordered to be published.

Committees

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 4

Ms KILKENNY (Carrum) (13:10): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 4 of 2020, on the following bills:

Disability Service Safeguards Amendment Bill 2020

Education and Training Reform Amendment (Regulation of Student Accommodation) Bill 2020

Family Violence Reform Implementation Monitor Amendment Bill 2020

Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020

North East Link Bill 2020

Sentencing Amendment (Emergency Worker Harm) Bill 2020

together with appendices.

Ordered to be published.

Documents

DOCUMENTS

Incorporated list as follows:

DOCUMENT TABLED UNDER ACTS OF PARLIAMENT—The Clerk tabled the following document under Acts of Parliament:

Crown Land (Reserves) Act 1978—Order under s 17D granting a lease over Mt Buninyong Scenic Reserve

Financial Management Act 1994—2019–20 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2019

Interpretation of Legislation Act 1984—Notice under s 32(3)(a)(iii) in relation to Statutory Rule 116/2019 (*Gazette S118, 11 March 2020*)

Members of Parliament (Standards) Act 1978—Register of Interests—Returns submitted by Members of the Legislative Assembly—Ordinary Returns 28 February 2020—Ordered to be published (two volumes)

Public Health and Wellbeing Act 2008—Report to Parliament on the Declaration of a State of Emergency

Statutory Rules under the following Acts:

County Court Act 1958—SR 16

Drugs, Poisons and Controlled Substances Act 1981—SR 15

Members of Parliament (Standards) Act 1978—SR 17

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 13, 14, 15, 16

Documents under s 16B in relation to the *Service Victoria Act 2018*—Identity Verification Standards.

PROCLAMATIONS—Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Environment Protection Amendment Act 2018—Remaining provisions—1 July 2020 (*Gazette S104, 3 March 2020*)

Land (Revocation of Reservations) Act 2019—Whole Act—17 March 2020 (*Gazette S122, 11 March 2020*).

Bills

ROAD SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2019

Council's agreement

The SPEAKER (13:12): I advise the house that I have received a message from the Legislative Council agreeing to the Road Safety and Other Legislation Amendment Bill 2019 without amendment.

LOCAL GOVERNMENT BILL 2019

Council's amendments

The SPEAKER (13:12): I have received a message from the Legislative Council agreeing to the Local Government Bill 2019 with amendments.

Ordered that amendments be taken into consideration later this day.

ROAD SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2019*Royal assent*

The SPEAKER (13:12): I inform the house that the Governor gave royal assent to the Road Safety and Other Legislation Amendment Bill 2019 today.

NORTH EAST LINK BILL 2020*Appropriation*

The SPEAKER (13:12): I have received a message from the Governor recommending an appropriation for the purposes of the North East Link Bill 2020.

Motions**STANDING AND SESSIONAL ORDERS**

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (13:13): I desire to move, by leave:

That:

- (1) this house notes that as we move to slow the spread of COVID-19 and reduce its impact on elderly and vulnerable Victorians, workplaces across Australia are changing the way they work. Therefore in the current circumstances this house should only be dealing with essential matters of business.
- (2) so much of standing and sessional orders be suspended immediately to allow:
 - (a) the order of business this week to be:

Tuesday 17 March 2020

Question time

Formal business

Government business

Adjournment (4.00 pm)

Wednesday 18 March 2020

Formal business

Government business

Question time (11.00 am)

Government business *continued*

Adjournment (3.00 pm)

Thursday 19 March 2020

Formal business

Government business

Question time (11.00 am)

Government business *continued*

Adjournment (3.00 pm).

- (b) there to be no adjournment debate under standing order 33.

Leave refused.

Ms ALLAN gave notice of motion.

Business of the house**PROGRAM**

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (13:14): I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 3.00 pm on Thursday, 19 March 2020:

Assisted Reproductive Treatment Amendment Bill 2020

Disability Service Safeguards Amendment Bill 2020

North East Link Bill 2020

Sentencing Amendment (Emergency Worker Harm) Bill 2020.

I would like to make some comments on the government business program that I have moved, some additions to that government business program and the intention of the government on how it wishes to see the Assembly run for the remainder of the week.

There are four bills on the program. There are a lot of important policy issues to consider in the four bills that are available to the house for debate over the course of the week, covering important policy matters for Victorians. Also, as we have just seen, the government has first- and second-read a local government bill in relation to the removal of the Whittlesea City Council following the monitor's report which raises a number of real concerns about the administration in Whittlesea. I would be optimistic that we can move this bill quickly through this place and head it off to the Council very soon after this government business program motion so they can also move that bill through their place and these arrangements can be in place ideally from the end of today.

It is disappointing that once again we have to consider one of these bills; there have been a couple in short succession. But I have appreciated the way on previous occasions the house has cooperated in dealing with these matters. I am optimistic that that remains in place for the Whittlesea bill.

We also have to deal today with the Local Government Bill 2019 that was returned from the Council with amendments. It is the government's intention that that also be expedited through this place.

I now want to make some observations about how the remainder of the sitting week will work, because keen observers will have noted that the time for the government business program guillotine I have set in this motion is 3.00 pm on Thursday. That is consistent with the motion I endeavoured to move by leave—leave was rejected by the Liberal-Nationals coalition opposition—and also the motion that I intend to move first thing tomorrow morning and have debated in this place. Again, with at least the support of government MPs, I am optimistic that those arrangements will be in place for the balance of the week.

Can I thank members for the conversations I have had with the crossbench and the Greens members of Parliament. We have talked through the issues around why the government has moved in these quite unusual times, quite difficult times, to amend the operation of Parliament in this way. It is not something that we take lightly. The Premier declared, if I remember correctly, at 8 o'clock yesterday morning that Victoria would move into a state of emergency, ensuring that the government, through its various emergency management protocols, has the powers in place to enforce some really difficult decisions that are being made here and around the country and around the world based on the best medical advice. It is likely that this will change. The national cabinet is meeting later this evening. It is a really important forum, as we heard the Premier talk about during question time, where leaders around the country are coming together, getting the best advice and then looking at what needs to be put in place in their own local communities to respond to these really difficult issues we are working together on as a community.

Can I acknowledge the conversations that I have had with the Manager of Opposition Business, which have been cordial. It is no reflection on the Manager of Opposition Business to say that they have not been productive. They were cordial. There was an understanding, I felt, from the Manager of Opposition Business as to why the government was doing this. We made it very clear that we saw that the Parliament had as a priority the scrutiny of government, which is why the maintenance of question time is contained in the motion, and also a focus on legislation. As I have said, there are four bills on

the program this week, and our focus has been to pass those four bills through this place and have the mechanism to hold the government to account.

Mr Angus: No rush!

Ms ALLAN: I take up that interjection that there is no rush. That shows a complete and utter failure to understand the extraordinary circumstance we are in, which is why the government is wanting to put in place very similar arrangements to what I believe is happening at the federal Parliament. The Prime Minister himself yesterday made it very clear to the Australian community that the federal Parliament is putting in place scaled-back arrangements, and they are doing so and working through these issues in a bipartisan way. Similarly, the Queensland Parliament are doing so. I am deeply disappointed that we have not been able to reach an amicable agreement on this matter. I had much higher hopes that now of all times we would be able to achieve this sort of bipartisan approach. I note that we have a pairs agreement in place and a quorum agreement in place, but sadly no agreement on how this house will operate this week.

Mr WELLS (Rowville) (13:20): The Liberal-Nationals opposition will be opposing the government business program, and let me set out why we will be opposing the government business program. In a time of crisis people expect leadership, and they expect leaders to stand up and lead and be accountable for their actions. Yesterday the Leader of the House said that the Premier had banned mass gatherings and non-essential meetings and announced certain measures to curtail the spread of the coronavirus. We understand that. And quite rightly, Parliament was exempt from that list of mass gatherings. People of Victoria expect Parliament to continue making decisions and leading, but to be accountable. So reducing the time of the sittings from an adjournment at 7 o'clock on a Wednesday and 5 o'clock on a Thursday to 3 o'clock on Wednesday and Thursday means that we are reducing the ability for the opposition to scrutinise the government.

It is interesting, I have to admit, that when the leader of government business was talking about and outlining what they expected to achieve this week, it was all about the government program. Not once did I hear the leader of government business refer to members statements. Members statements for the opposition are important for when we want to get up and talk about representing our electorates. On the issue of putting the axe through grievances, we have already had this situation. In the end the opposition agreed when we had the situation of the condolences for the bushfires and the condolences for former Premier John Cain that grievances on the Wednesday would not be addressed, and we lost that right to participate in the grievance debate. But now the government is wanting the same thing to take place, that there will be no grievances for this week.

When we are talking about accountability, it makes it really hard to believe what the government is saying when we are only going to focus on the four bills and the four pieces of legislation that they want to put forward, shut down the opposition in regard to the adjournment debate, shut down grievances and not even be able to raise members statements. It means that we are losing the ability to be able to keep the government to account. Democracy is grinding to a halt this week, and the government is using the coronavirus to cover up a whole heap of issues—

Ms Allan: On a point of order, Deputy Speaker, I would encourage you to ask the Manager of Opposition Business to come back to the government business program. In my contribution I did touch on the arrangements that I wanted in place for this week but I did not exclusively focus on that matter. I would suggest that you ask him to come back to addressing the issues that are on the government business program. I would also suggest that I am making this point of order in the hope of saving the Manager of Opposition Business from himself.

Mr WELLS: On the point of order, Deputy Speaker, the manager of government business referred to her own motion. Now, by doing that in regard to the government business program it allows those of us on this side to be able to refer to her motion, so I would ask you to rule her point of order out of order.

The DEPUTY SPEAKER: I do not uphold the point of order but I do ask the member for Rowville to speak directly to the government business program.

Mr WELLS: We will be opposing this government business program. We understand that it will come in as a motion for tomorrow, but at least today we will be able to follow the proper process of Parliament and be able to have our members statements, be able to debate and raise issues and be able to raise adjournment items on behalf of our electorates. As members of Parliament, that is what we are here to do—to do the work to represent our electorates, not see democracy shut down.

Mr CARBINES (Ivanhoe) (13:25): I am pleased to make a contribution in support of the government business program. Firstly, I would like to just start with the business of the house in relation to legislation this week. The Assisted Reproductive Treatment Amendment Bill 2020 is a bill that seeks to add further to much of the work that has been done by this Parliament and certainly this side of the house. In the past, as a member of the Law Reform Committee, I can say that there have been changes in legislation for all donor-conceived people and their access to information in this place. There has been some significant work done by the Parliament. There was significant work through election commitments made by our government directly from the Law Reform Committee recommendations previously, and the work of that cross-party committee was led by former member for Prahran Clem Newton-Brown. I look forward to further work and debate in relation to those matters. They are very important matters, particularly around not just some of the other commitments our government made at the last election but also in relation to the privacy and the ongoing availability of access to information for donor-conceived people.

As Parliamentary Secretary for Carers and Volunteers and Parliamentary Secretary for Health I am working with the Minister for Disability, Ageing and Carers particularly on the Disability Service Safeguards Amendment Bill 2020. Significant work has been done in that area of policy, and I look forward to discussion and debate on it.

The North East Link Bill 2020 of course is very significant in my community. It is a project that was affirmed overwhelmingly at the recent election right through that corridor with the member for Bundoora, the Speaker. It is very significant work we are doing every day with local communities to push that project and get it moving for the benefit of our communities.

Not only that but there are other bills listed, such as the Sentencing Amendment (Emergency Worker Harm) Bill 2020 and also the bill in relation to the Whittlesea local government area, which is to the north of my electorate in the northern suburbs. It is a very significant piece of work that we need to deal with. That is also most important.

Can I say also that I do support the motion of the Leader of the Government for which those opposite did not grant leave and which will be incorporated in the business program in relation to the changed arrangements for the Parliament for the next couple of days. Obviously there will be further debate on those matters tomorrow. We are already aware, through the work of the chief medical officer in Canberra and the discussions that are going on there, of the changed arrangements that have been put in place for that Parliament, which does not have to sit for another couple of weeks. We are also aware of the changed arrangements for the operation in this place today in relation to access to the Parliament for the public and non-essential staff.

Not only is this a workplace for parliamentarians but it is also a workplace for other staff of the Parliament, the staff of members of Parliament and the support staff that are required to be here and to set the tone and the example across the community by not only taking the advice of the chief health officer here in Victoria and the chief medical officer of the commonwealth but also to demonstrate to the community that not only are we dealing with a range of legislation and several bills in this sitting week but we are also providing the opportunity for our Parliament to demonstrate, to reflect and to set the example of how we want workplaces to be operating in the community. It is very important that

we are in step with community attitudes, that we are leading from the front in relation to those matters and that we are taking advice on the way in which we should be proceeding.

I find it an outrageous slur that the Manager of Opposition Business tried to make the point, as he did, that somehow the government is trying to cover over matters in relation to COVID-19. That is an outrageous slur and not only says much more about those opposite and their lack of willingness to cooperate in the running of the Parliament in changed circumstances but it also goes very much to the nature of conservative parties who just have a lack of capacity to adapt to changed circumstances and changed situations or to demonstrate to local communities that the Parliament is not cast in stone, that the Parliament is able to be nimble and adapt and reflect changed practice in workplaces right across the state, right across the country and right across the world.

I commend the motion that has been incorporated in the government business program and that we will be debating in greater detail tomorrow. I commend the work of our government to make sure that we are acting on the best advice and in the best interests of both the Parliament and the people of Victoria and to reflect that in our policies and practice in this place. Those opposite stand condemned for opposing the government business program and opposing the changed circumstances and the best arrangements for the safety and the best interests of all Victorians.

Mr D O'BRIEN (Gippsland South) (13:30): I am pleased to say a few words on the government business program. I am disappointed in the member for Ivanhoe. He normally makes a bit of sense, but the member for Ivanhoe has just argued a completely illogical argument with respect to the suggestion that the Parliament needs to be curtailed this week, and we will have more to say about that tomorrow.

Among the bills that are on the agenda this week are some important pieces of legislation. Indeed I look forward to the debate on some of them, in particular the Assisted Reproductive Treatment Amendment Bill 2020—the issue with respect to police checks for people going through assisted reproductive treatment. I think it is a very important one to deal with, and I strongly support the intent of the legislation.

We have the Disability Service Safeguards Amendment Bill 2020, which again has some important aspects. It is a very small bill and has a very minor number of things to it.

The North East Link Bill 2020 is a decision of the government that we will have a debate on. Indeed the opposition would like the opportunity to go into consideration in detail on that particular piece of legislation given how significant this project is to the state budget and to the future of Victoria. But at the end of the day it is six years at least before there will be tolls on the North East Link, so this is not exactly urgent and pressing business.

Finally, on the Sentencing Amendment (Emergency Worker Harm) Bill 2020. I do not think anyone would oppose legislation that has the intent of trying to protect emergency workers from harm, but this is a particular area where the government has messed up several times already and this is an attempt, belatedly, to try to fix it.

The point I make on all of those is that none of them are particularly urgent this week. While I would be very happy in normal circumstances that we are debating them, there is no reason why we cannot do the usual business of Parliament. If we are to be here for a sitting of Parliament, then there is absolutely no reason that we cannot continue with all the other things that members of Parliament have the opportunity to address the chamber on. This is, after all, the people's assembly. As one former member used to say to me, 'Parliament is the pressure release valve for society'. It is not just about question time and not just about the opportunity for the opposition to ask questions of the executive. It is actually about the opportunity for elected members of Parliament to stand up and raise issues of concern to their electorate, and there are a number of ways we do that.

What the Leader of the Government has foreshadowed for tomorrow is to remove those opportunities for all members of Parliament, whether it is members of the opposition, whether it is the three members of the Greens, whether it is the three Independents, at least two of which are not here today, or whether it is government backbenchers. There are members statements, there are grievances, there are adjournments—these are all things where we take the opportunity. Unlike government members, who have direct access to ministers from day to day, those of us in opposition look forward to these opportunities. We cherish the chance we get to raise an adjournment matter, to raise a constituency question, and they should not be taken away lightly.

If the government thinks that we must reduce the length of the sittings, firstly, and I say this to the member for Ivanhoe for his comments before, show us the evidence or the advice from the chief medical officer that says we need to do so, because if there is such advice, why are we even sitting? If it is that important, then we should not be sitting. Secondly, if it is important to reduce the time that we are debating and sitting here in the chamber, let us have an agreement that we reduce the number of speakers on each bill. It would be quite simple to do one or two speakers on each bill, but instead, as we know, on government legislation we will have 20 government backbenchers get up and read the same government notes about the particular piece of legislation. The government members will all get their say, but those of us who really look forward to the opportunity to raise matters on behalf of our constituency will lose that opportunity.

So I foreshadow, as the Manager of Opposition Business has, and I look forward to the debate tomorrow on the motion that the Leader of the House has foreshadowed. It is a blatant and direct attempt to avoid scrutiny and to avoid allowing the Parliament to do its job of representing the people that we are elected to represent here. I am very happy to have the discussions on the other bills, but I see no reason whatsoever why the Parliament should not operate as normal, if it is to sit at all.

Ms THOMAS (Macedon) (13:35): I welcome the opportunity to speak on the very full government business program and to support the Leader of the House in her commonsense suggestions as to how we can, as one house, work to minimise the impact of coronavirus, not just of course on ourselves but importantly—as the member for Ivanhoe pointed out—on the many staff who are required to be here to support the running of the chamber and, unlike ourselves, do not have the opportunity to move in and out of the chamber but are on duty as their shifts require.

I also wanted to make a comment on the member for Gippsland East's new-found enthusiasm for the parliamentary—

A member interjected.

Ms THOMAS: Gippsland South, I am sorry—the member for Gippsland South and his new-found enthusiasm for spending time in the chamber, perhaps on behalf of his colleagues. Because I well recall—unfortunately I cannot remember the exact day—when I was sitting in here recently for members statements and they did not even put enough people up to take their full opportunity to speak on members statements. Let us not also forget of course when we had the Gender Equality Bill 2020 being debated in this place. They had two speakers only, and indeed there have been many, many occasions on which the very minimum number of people—

Mr Blackwood: On a point of order, Deputy Speaker, this is about this week's government business program. It is not about other bills that have been debated at other times, so I ask you to call the member back to today's government business program.

The DEPUTY SPEAKER: I uphold the point of order. I do ask the member for Macedon to speak to the government business program.

Ms THOMAS: Thank you very much, Deputy Speaker. Can I just say: I look forward to more than usual numbers of members of the opposition participating in our debates this week. We have, as I said, a very full business program and one that I think really reflects so much of what the Andrews

Labor government is about. We have the Assisted Reproductive Treatment Amendment Bill 2020. I really look forward to speaking on this bill later today. This is a bill that goes to removing current discriminatory clauses in that act, and that is very important.

The Disability Service Safeguards Amendment Bill 2020 is a bill that looks to protect the rights and interests of some of the most vulnerable members of our community. I know that there are so many in this house, but particularly on this side of the chamber, who are very passionate about the rights of people living with disability in our community, particularly at this very challenging time when the federal Liberal government is refusing to pass on the money that is needed to ensure that the national disability insurance scheme (NDIS) operates successfully in this state. Instead of that, they are using it to underwrite their surplus. We will see how that continues to travel for them. But I say to them: hands off the NDIS funding. Put it in the hands of people living with a disability as it was intended.

The North East Link Bill 2020 is yet one more of our signature infrastructure projects—the work that this government has done in delivering the much-needed infrastructure our community needs, and with that of course creating jobs. Never, I think, given the extraordinary times in which we find ourselves, have these job-creating projects of the Andrews Labor government been more important. Let there be no mistake: we are in for extremely challenging times, but I know that this is a government that will continue to lead and continue to ensure that we are delivering as much as we can the projects that will keep our economy going.

Of course there is the Sentencing Amendment (Emergency Worker Harm) Bill 2020. I listened to the crocodile tears of those on the other side in relation to our emergency services workers. As I did, I was looking at the member for Melton. The member for Melton will, I am sure, be speaking on this bill, and he will do so with relish.

Finally, we have a bill to dismiss the Whittlesea council. We must stand up for competent and accountable representation in local government. While I will not be speaking on that bill, I look forward to the contributions of others who are more connected with that council. It is an excellent government business program. I support the Leader of the House, and I commend this— *(Time expired)*

Mr BLACKWOOD (Narracan) (13:40): I stand as the deputy whip for this week, filling in for—

A member interjected.

Mr BLACKWOOD: Acting whip? Always acting.

I understand that the Manager of Opposition Business did request for us to go into consideration in detail on the North East Link Bill 2020, and that was denied—I believe denied in a very unceremonious fashion in terms of—

Members interjecting.

The DEPUTY SPEAKER: Order! The member for Narracan, you have the call.

Mr BLACKWOOD: I guess that is one very important reason why we will be opposing this government business program. It is very important for us to be able to go into consideration in detail on important bills such as the North East Link Bill. There is a lot of concern about the North East Link. The impact that will have on the community out in the north-east is extensive, and going into consideration in detail is an opportunity for us to seek questions on how those impacts will be handled by the government.

We get to what has been proposed in terms of changes to the government business program for this coming week, and I get back to leadership and the importance of each of us being able to represent our communities when we come to this place. That is our primary role, and I really think that shortening the sessions tomorrow and Thursday is going to have serious impact on that. It will curtail opportunities for members to provide members statements, who in that context express concerns from

their community about a whole range of things—not just coronavirus but other things that are of concern to the communities that they represent.

The grievances, for example—if we do not get to speak on the grievances. There are a number of issues as well as coronavirus that are impacting on our communities. I touch on a couple: the recent bushfires and the bushfire recovery. We need to ensure that we as members are able to articulate the concerns of our community through that process of bushfire recovery. The timber industry: the way that it is being treated at the moment, and the impending closure of that industry. There are enormous concerns—indeed there are even serious mental health issues—in that timber industry community because of what the government plans and because of the answers they cannot get in the short term. It is extremely important that we have that opportunity this week.

I guess the other bills on the program are of relevant importance, but I do not think that they are that important that they should be promoted as more important in terms of status than members statements, adjournment matters and the grievances debate. With those few words, I intend to oppose the government business program.

Ms SANDELL (Melbourne) (13:43): I will be very brief, but I just wanted to put on record that we have supported a lot of the government's initiatives around increasing social distancing and dealing with the coronavirus—these are very, very important initiatives that the government has taken—but in this instance we will be opposing the government business program, primarily for the reason that we have consistently opposed the guillotine. Victoria is one of the only jurisdictions that still imposes a guillotine of this nature, and I just wanted to put it on record that that is the reason that we will be opposing it this week.

House divided on motion:

Ayes, 48

Addison, Ms
Allan, Ms
Andrews, Mr
Blandthorn, Ms
Brayne, Mr
Bull, Mr J
Carbines, Mr
Carroll, Mr
Cheeseman, Mr
Connolly, Ms
Couzens, Ms
Crugnale, Ms
D'Ambrosio, Ms
Dimopoulos, Mr
Donnellan, Mr
Edbrooke, Mr

Edwards, Ms
Foley, Mr
Fowles, Mr
Green, Ms
Halfpenny, Ms
Hall, Ms
Halse, Mr
Hennessy, Ms
Horne, Ms
Kairouz, Ms
Kennedy, Mr
Kilkenny, Ms
Maas, Mr
McGhie, Mr
McGuire, Mr
Merlino, Mr

Neville, Ms
Pakula, Mr
Pallas, Mr
Pearson, Mr
Richardson, Mr
Settle, Ms
Spence, Ms
Staikos, Mr
Suleyman, Ms
Tak, Mr
Taylor, Mr
Theophanous, Ms
Thomas, Ms
Ward, Ms
Williams, Ms
Wynne, Mr

Noes, 25

Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T
Guy, Mr
Hibbins, Mr
Hodgett, Mr
Kealy, Ms
McCurdy, Mr

McLeish, Ms
Northe, Mr
O'Brien, Mr D
O'Brien, Mr M
Read, Dr
Riordan, Mr
Ryan, Ms
Sandell, Ms

Smith, Mr R
Smith, Mr T
Southwick, Mr
Staley, Ms
Vallence, Ms
Wakeling, Mr
Walsh, Mr
Wells, Mr

Motion agreed to.

Members statements**ESSENDON RSL CENTENARY**

Mr CARROLL (Niddrie—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (13:49): On Sunday, 15 March, I joined members of my community at Windy Hill to celebrate the centenary of the Essendon RSL, a wonderful celebration in the company of the mayor, Cr Samantha Byrne; the state president of the Victorian RSL, Dr Robert Webster, OAM; the president of the Essendon RSL, Mr Ange Kenos; the secretary, Kaye Truscott; the treasurer, Denise Denny; longstanding Keilor East local John Griffiths and many members of our community to celebrate this important milestone, the centenary of the Essendon RSL.

The First World War officially ended on Monday, 11 November 1918, but its impact was long-lasting on the local Moonee Valley community. Soldiers returned home, bringing with them the Spanish flu, and many contracted it. Schools were closed and people wore white masks in public. In 1919, as a result of the outbreak, the former Essendon High School became an emergency hospital, accommodating 100 patients.

By 1919 many of our war heroes had returned. On 1 January 1920 the Essendon RSL was born. The Essendon RSL has spent over 100 years looking after our returned soldiers but also looking after their dependents and supporting them and helping them with their struggles whenever they need to. We have a very proud history in Moonee Valley, whether it be Sandy the war horse located in Maribyrnong at the former defence site, or whether it be the many streets located around our municipality named in honour of our war heroes. I want to congratulate the Essendon RSL for their fine work over 100 years. *(Time expired)*

ONSHORE CONVENTIONAL GAS

Mr WELLS (Rowville) (13:51): In this statement I would like to acknowledge the many constituents who have contacted my office raising their concerns over increased power prices. Therefore it is pleasing that the Liberal-Nationals have announced that they will lift the suspension on conventional onshore natural gas in Victoria.

Labor's failed energy policies have led to widespread blackouts. Victoria is often unable to meet its own energy needs, especially during summer. Energy prices have increased dramatically since Labor was elected in 2014, which is putting added financial stress on families. Victorians are now being forced to pay amongst the highest power prices in the country, with wholesale electricity prices almost tripling since 2015.

It is time for Victorians to benefit from our own natural resources. Opening up clean, onshore natural gas will reduce emissions and support jobs while taking the pressure off power bills and supporting families struggling with the high cost of living. This will be done while maintaining the ban on fracking. This policy ensures that Victoria can produce its own reliable power supply, while also protecting landowners who will be given the right of veto over conventional gas exploration and extraction on their land. The natural gas will also be quarantined for domestic use and not be available for export to ensure downward pressure on local gas prices.

Labor's last-minute decision to keep pace with the Liberal-Nationals is desperate and clearly lacking in originality, simply following in the footsteps of the Liberal-Nationals.

BAYSWATER NORTH BALLAST STORAGE SITE

Mr TAYLOR (Bayswater) (13:52): It is fantastic to announce, after listening to residents over the last few months, that works on the ballast storage site on Bungalook Road East, Bayswater North, will finally be phased out over the next three to six months, with works outside of hours stopping immediately. I know for residents in the local area this has been a frustrating sticking point for them with all the noise and dust that has come from this site, but this is something that I have worked on closely with the Minister for Public Transport. I thank her for her work. Residents can be assured that

works will be phasing out on this site over the next three to six months. I have also sent out a letter notifying those residents.

BAYSWATER SOUTH PRIMARY SCHOOL

Mr TAYLOR: It is also fantastic to once again let the people of Bayswater South Primary School know how proud I am of works currently going on there at the moment. Last year I proudly announced the 50th anniversary of Bayswater South Primary School with \$39 000 for an outdoor learning space. It is going to be fantastic for the kids there. They are a really, really unique school—a bilingual school. I am looking forward to getting back out there and working with that school community over the course of the journey, and planning for that project is now well underway.

BODY-WORN POLICE CAMERAS

Mr TAYLOR: I went out recently to visit Boronia police, where we see that the rollout of body-worn cameras is now complete, and I had a chat with the Boronia police, where the rollout is complete within the Knox community. We have rolled out thousands of these. They are commonplace across the world. They have really made interactions between police and the community a lot safer and are being used for evidentiary purposes. This is part of the Andrews government commitment to keep backing in police.

BORONIA TRAIN STATION

Mr TAYLOR: In quick bragging rights—Bayswater station at number eight. Thank you, RACV and consumers.

BUSH NURSING CENTRES

Ms KEALY (Lowan) (13:54): Bush nursing centres are the lifeblood of some of the smallest communities in rural and regional Victoria. I have got four bush nursing centres—in Balmoral, Harrow, Dartmoor and Lake Bolac—and they all do an amazing job in being critical providers of health care in those local communities. As we come to this outbreak of coronavirus, there is no doubt that people will rely heavily on our bush nursing centres, whether it is about providing information and advice on what they need to do in the event of an outbreak or whether it is about providing supportive care, and particularly out in the communities, making sure that our elderly and most vulnerable residents are helped out when it comes to the provision of food, support and even toilet paper. That is why I am concerned about a big question mark around funding for bush nursing centres into the future.

It was fantastic to see that the government has finally agreed to extend the funding for primary care partnerships until the end of the year. We know that everybody who works within that PCP sector does an amazing job. They save lives, and they are there for you in times of crisis. They are brilliant in times of drought, through the locust plagues we have seen in the area in the past and floods, so let us make sure we support our PCPs but ensure their funding goes well beyond the end of the year. But let us also make sure we support our bush nursing centres. If we do not continue the funding for bush nursing centres, there are critical areas of Victoria where Victorians will not have an alternative for health support. We must support our bush nursing centres.

ST FRANCIS XAVIER PRIMARY SCHOOL, BALLARAT EAST

Ms SETTLE (Buninyong) (13:55): Last week I had the absolute pleasure of welcoming year 6 students from St Francis Xavier Primary School to a tour of Parliament House. They were an extraordinarily curious bunch of students, and there were lots and lots of questions.

St Francis Xavier Primary School is a co-educational school under a joint sponsorship with the Institute of Sisters of Mercy of Australia and Papua New Guinea, and the Ballarat Catholic Education Office. In 1902 the Sisters of Mercy in Ballarat East purchased Fortune's Folly and the grounds at Mount Xavier. This beautiful home and its surroundings were established as the Villa Maria Convent

and evolved into a small farm to supply primary produce for the community of sisters and the boarders at nearby Sacred Heart College. In 1914 the sisters registered and opened St Francis Xavier Primary School as a boys boarding school at the convent. The school grew to include day students in 1960 and it became co-educational in 1974. The school is growing today, with a target of 500 students by 2022. Last year I had the pleasure to announce that the Andrews Labor government would deliver a \$2 million fund injection to build six new classrooms at St Francis Xavier Primary School. As the school gets closer to reaching its capacity, the funding has been committed under a \$402 million four-year state government commitment to non-government schools.

It really was a pleasure to have the children here. We sat in the house, and it was wonderful to explain to them about representative democracy.

WARRANDYTE ELECTORATE BUSHFIRE PREPAREDNESS

Mr R SMITH (Warrandyte) (13:57): In November last year along with my colleagues I received a briefing about the upcoming 2019–20 fire danger period from the emergency management commissioner and departmental staff. After raising concerns directly with the commissioner and requesting information about the level of preparedness in the Warrandyte electorate in particular, Mr Crisp said that he would have a response emailed through. After numerous emails I was finally sent these two lines of barely relevant information, which said, and I quote:

We are also working closely with local government, partner agencies and private landowners to reduce bushfire risk in Warrandyte. Much of the risk profile is situated on private land, and requires collective effort to address. In the Warrandyte area, 66 hectares of annual fuel break and roadside slashing is conducted annually and 10 planned burns have been undertaken in the last 5 years.

In response to these two lines I requested greater clarification, to which I have yet to receive any response despite repeated requests over the course of the entire fire season. I am not getting any response through writing directly, so I will ask them here. In what way are you working with local government, partner agencies and private landowners? Who are the partner agencies and what is their role in reducing bushfire risk? What collective effort is required to mitigate the risk profile on public land and what oversight is there to ensure this is being done? Where and when, specifically, have the 10 planned burns over five years been done? And over what area were these planned burns done, both in hectares and as a percentage of the public land within the Warrandyte electorate?

All I am seeking is clarity on these statements that were made by the department itself. For my community, who lives with the threat of fire every summer, it is simply not good enough to give them a couple of baseless media lines and be arrogant enough to say that that is enough.

DEBNEY MEADOWS PRIMARY SCHOOL

Mr PEARSON (Essendon) (13:58): I was pleased to recently visit Debney Meadows Primary School and witness firsthand the quiet revolution that is currently being unleashed. Debney Meadows Primary School is incredibly well led by principal Rachel Rasmussen, and the results are starting to be realised. From 2014 to 2018 there was a 10.8 per cent increase in the year 5 NAPLAN results, and I have every confidence things can only get better. There is a dynamism in the school that is clearly apparent. There is a real confidence that can be seen in the eyes of the children. It makes me proud that the government has invested in the school and in its students. Rachel is an outstanding principal, and I look forward to watching Debney Meadows Primary School prosper and flourish.

LESLEY MCCARTHY

Mr PEARSON: Lesley McCarthy is a local community champion who has worked tirelessly for my community as president and a member of the Rotary Club of Flemington Kensington. Lesley is a fair, decent person who is incredibly compassionate towards others. Lesley has an enormous capacity for work and good deeds, and my community is all the richer for her labours and endeavours. Lesley, thank you so much for everything that you have done for our community.

CHRISTCHURCH MOSQUES TERRORIST ATTACK ANNIVERSARY

Mr PEARSON: On the weekend I was honoured to represent the Premier and attend the first anniversary of the Christchurch massacre, which was organised by the Islamic Council of Victoria. The event had a wide cross-section of the community represented, and now more than ever we need to promote tolerance, harmony and respect right throughout our community.

COVID-19

Mr PEARSON: Finally, these are uncertain and challenging times, and I hope that we can all be a little kinder and gentler to those in our community in need. These times will pass; our community will emerge from this crisis. I hope it is a community that we all can be proud of.

EVELYN ELECTORATE TRANSPORT INFRASTRUCTURE

Ms VALLENCE (Evelyn) (14:00): Roads and road safety, traffic congestion and public transport are top priorities for local residents and businesses in my electorate. In last year's state budget sadly the Andrews Labor government did not allocate one cent to road projects in my electorate—no commitment and not one cent to duplicate the rail line between Mooroolbark and Lilydale as part of the Level Crossing Removal Project and not one cent on upgrading the road network in Mooroolbark, Chirnside Park and Lilydale to cope with growth.

The government is installing sky rail stations at Mooroolbark and Lilydale but has failed to engage the community and is not spending one cent to relieve traffic congestion or improve train reliability. Boom gates will be replaced with traffic lights, with the government failing to show how traffic congestion will improve. The Lilydale train line has failed punctuality targets now for 14 months in a row, and only duplicating the line will address that. Also, at the new Kinley estate around 8000 new residents and around 6000 new cars on the road are expected in that area that is already very congested, and the government must not continue ignoring this.

With the state budget approaching it is now time for the government to take transport infrastructure in my community seriously and allocate sufficient funds to duplicate the rail track between Mooroolbark and Lilydale, build a new train station at Kinley, increase car parking at the Lilydale train station and fix the rail bridge and single-lane traffic bottleneck at Mooroolbark and Hull roads at Mooroolbark.

COVID-19

Mr RICHARDSON (Mordialloc) (14:01): The outbreak of coronavirus COVID-19 sees us in unprecedented times, requiring extraordinary actions by governments and our communities to keep us safe. In dealing with COVID-19 we need to do everything we can to reduce the rate of infection and the expansion of this deadly disease. We need to act on the best advice of chief health officers here in Victoria and indeed nationally and all work together to protect our communities. As we have seen across the world, this matters in saving lives.

However, we also need to pause for a moment and reflect on how we can support each other as a community and those that are most vulnerable and less fortunate. From checking in on our elderly neighbours to taking what is necessary from the shops—not panic buying, which we have witnessed across communities. Following from the love, support and compassion that we saw in dealing with the bushfire crisis across Victoria, we need that beautiful Victorian community spirit again. We are on this journey together. Let us pitch in together, following the advice of medical experts, including what staple foods we need and non-perishable items we need to have to hand, and the practices of social distancing and the range of measures that might be announced in times to come.

Across the Mordialloc electorate and my electorate office we will keep operating, even if it is going online for a period of time. And we are always here to support one another, our beautiful community, even if it is just for a chat and some advice at these difficult times, because as Victorians, and indeed as Australians, we are stronger when we work together and we will always pitch in together to get through times of crisis and in times of need.

OVENS VALLEY ELECTORATE FUNDING

Mr McCURDY (Ovens Valley) (14:03): As the 2020–21 budget is just around the corner I continue to seek very important upgrades for the Ovens Valley electorate—\$15 million is needed for the second stage of the Yarrawonga College P–12. In 2014 the Liberal-Nationals provided \$7.6 million to give this much-needed school the start it needed. Cobram District Health is in desperate need for an upgrade to remain capable of servicing the growing needs of Cobram. Our community is seeking funding for a master plan so that Cobram can begin the long journey to develop its hospital. Community contributions take years to muster, so it is vital that we give the Cobram community the vision for the future.

Recent bushfires in the Ovens Valley demonstrated the urgent need for a dedicated incident control centre for our region. The current Ovens Department of Environment, Land, Water and Planning office is clearly unsatisfactory for such large-scale emergencies. Floods, fires and storms are a part of life, and we must offer our first responders and incident controllers the very best facilities. The Wangaratta-Whitfield Road continues to be the highest priority for our road upgrades in 2020–21. I have been calling for this much-needed investment for some years. The Victorian government must look beyond the tram tracks of Melbourne in the 2020–21 budget.

The north-east trains have continued to be unreliable and well past their use-by date, as recent breakdowns have demonstrated. The north-east passengers need to see some evidence in the 2020–21 budget of real investment—not just the same old Bendigo, Ballarat and Geelong.

A multisport facility is needed in Yarrawonga for basketball for both men and women, and this facility can be used by so many others in this community. Yarrawonga is growing at lightning speed, and we need to keep pace with these facilities. A 24-hour police station is well overdue in Cobram to keep our community safe. Other projects include the Myrtleford scout hall, the Yarrawonga canoe club, the Myrtleford Savoy Soccer Club change room and kitchen facilities, and female change rooms for AFL footballers in Bright, Yarrawonga and Cobram.

CHILLOUT FESTIVAL

Ms THOMAS (Macedon) (14:04): This year's ChillOut Festival was a huge success, including the brilliant parade and the formation of the record-breaking human rainbow, the largest ever in Australia. Each year ChillOut brings thousands of visitors to our region to celebrate diversity and LGBTIQ pride. Those visitors also experience all our beautiful region has to offer, including restaurants and pubs, creative and wellness experiences and abundant natural beauty. To all our visitors: we love seeing you at ChillOut and we hope to see you again soon. Congratulations to festival director Michele Bauer, the committee and ChillOut's many volunteers on a truly spectacular event.

INTERNATIONAL WOMEN'S DAY

Ms THOMAS: To celebrate International Women's Day, Hepburn Shire Council inducts notable women across the community into the Heather Mutimer Women's Honour Roll. Congratulations to this year's inductees, Daylesford's Dallas Kinnear and Loretta Little, and Arlene Geoffrey. And can I also acknowledge the posthumous induction of the late Sarah Glenny. Each of these women has made an incredible contribution to life in Hepburn, and we thank them for it.

LANCEFIELD AND MACEDON RANGES RELAY FOR LIFE

Ms THOMAS: This year the Lancefield and Macedon Ranges Relay for Life raised an incredible \$58 312 for the Cancer Council. This amazing effort brings the total raised by the Lancefield and Macedon Relay for Life to almost \$1.6 million over the 18 years the relay has been running—a truly staggering amount. Thank you, Kathy Lakey and Lancefield and Macedon Relay for Life committee, for your efforts and incredible contribution to fundraising.

COVID-19

Mr HIBBINS (Pahran) (14:06): I rise to speak on the COVID-19 pandemic. We are all in this together, and so I urge the government to put in place urgent measures to care for people experiencing homelessness. People experiencing homelessness are not only sleeping rough but are in unsecure and/or overcrowded, substandard accommodation, making it near impossible to practise social isolation or quarantine themselves if need be. They are also more likely to have additional health conditions that could exacerbate the impact of the illness.

The government must immediately make available self-contained accommodation to every person experiencing homelessness, using the now excess capacity in our hotels and motels. This would minimise the risk of infection and make it easier for people's health to be monitored. The government must also ensure that no people are made homeless because of this crisis by putting a moratorium on rental evictions. So many people with insecure income—people who are working casually in hospitality or retail, or artists—are renters, and they are at risk. Their housing stability must be guaranteed. Similarly, a moratorium must be put on the disconnection of essential utilities: electricity, gas, water, phone and internet.

ONSHORE CONVENTIONAL GAS

Mr HIBBINS: I condemn the state government's decision to allow for conventional onshore gas drilling. To deal with the climate crisis, fossil fuels need to stay in the ground, full stop. Onshore gas drilling is devastating for our climate, is bad for the environment, is bad for farmers and stands in the way of getting to 100 per cent renewable energy, and it is a cynical move to announce it now.

COVID-19

Mr CARBINES (Ivanhoe) (14:08): The Austin Health coronavirus hotline is available on 9496 6606, seven days a week from 8.00 am to 5.00 pm. Please call the hotline if you are unsure about your symptoms or need advice about when to visit the hospital. The call operator will go through a checklist of criteria with you to determine the best course of action you need to take. The Victorian Department of Health and Human Services also has a self-assessment tool available regarding COVID-19 at www.dhhs.vic.gov.au.

The commonwealth chief medical officer, Professor Brendan Murphy, is well known in my community as the respected past CEO at Austin Health for a decade. He is providing sound leadership and advice, as too is Dr Brett Sutton as chief health officer here in Victoria. To all our clinicians, health workers: as Parliamentary Secretary for Health I want to thank you for your dedication, your commitment to fellow Victorians—particularly at Austin Health, Mercy Health Heidelberg, Warringal Private Hospital, the Heidelberg Repatriation Hospital, Banyule Community Health service and our ambos locally. They are under great pressure, and they are doing great work in our community.

I would ask all residents to check on your neighbours, the vulnerable, the aged and the isolated in our communities to ensure their welfare is our priority and every support can be offered to them and their families. My electorate office does remain open to support my constituents. There will be social distancing measures in place. Please call and email—drop in if you need to. That is encouraged. We want to offer you every support. And also, a shout-out to our public housing tenants, many of whom are isolated in the community—and they have our full support.

CHRISTCHURCH MOSQUES TERRORIST ATTACK ANNIVERSARY

Mr ANGUS (Forest Hill) (14:09): Last Sunday was the first anniversary of the terrible massacre at two mosques in Christchurch, New Zealand. I was honoured to attend the commemoration event organised by the Islamic Council of Victoria to remember this dreadful atrocity. I thank the ICV president, Mohamed Mohideen, and his colleagues for the invitation to attend and for organising this important commemoration.

COVID-19

Mr ANGUS: In the midst of the very challenging and uncertain times that we are all facing as a result of the coronavirus outbreak, I would encourage Victorians to check on their friends and neighbours, especially at-risk ones, to ensure they have the basic food and medical requirements they need. I would also urge all Victorians to only purchase the food and supplies that they need and to resist the temptation to panic buy. Together we can all get through this very difficult time.

BUDGET

Mr ANGUS: The release of the Victorian budget 2019–20 midyear report last Friday has finally revealed some truth in relation to the condition of Victoria's finances. The result for the first six months is disastrous, with a deficit of \$1.146 billion recorded. It is important to note that this appalling result is even before the inevitable detrimental financial impact from the sum of bushfires and the coronavirus have been recorded in the financial statements. This result, coupled with the staggering increase in net debt of \$10 billion, a 25 per cent increase in six months, shows just how out of control the finances are here in Victoria. We can now clearly see why the state Treasurer said recently that he would be cutting May's state budget by \$4 billion.

Labor has lost control of its spending, which is evidenced by the \$25 billion in waste and budget blowouts on major projects. After recklessly spending taxpayers money for the last five years, the day of reckoning is now coming. In typical Labor form, the answer to the self-inflicted financial mess created by this financially irresponsible government is to introduce 28 new or increased taxes, thus hurting all Victorians. Instead of easing cost-of-living pressures for Victorians— *(Time expired)*

INTERNATIONAL WOMEN'S DAY

Ms CONNOLLY (Tarneit) (14:11): This month I hosted my second annual International Women's Day morning tea. Women and young girls from across my electorate of Tarneit gathered at the Little Growling Cafe, where we drank our coffee and ate delicious food. We laughed, we shared stories together and we reflected.

I spoke about my own experiences: my experience as a daughter of a nurse who gave up her career to stay at home and take care of us when we were kids, as a young law graduate starting her career in a heavily male-dominated industry and as a mother going back to work for the first time since having my kids, not being taken seriously and having to juggle my career as a working mum—to becoming the member for Tarneit and being part of this Parliament, which has a cabinet with an equal number of women and most certainly a Labor caucus of almost 50 per cent women.

At this event there were mums, grandmothers, students, carers, small business owners—so many women from all different walks of life. We celebrated the contributions that our gender has made to our local community and the challenges and road ahead to achieve equality not only here in Victoria but across our country.

I also had the wonderful staff and students from Truganina South Primary School attend on the day, who told me that they were going to host a Girls Night In to celebrate our government's initiative of putting free tampons and pads in schools. It filled me with great pride to see how these initiatives are being welcomed and celebrated by our community. Thank you to all the fabulous women and girls that attended.

COVID-19

Mr HALSE (Ringwood) (14:12): I would like to record my absolute appreciation for the work being undertaken by individuals in my community in light of the COVID-19 outbreak. On the weekend I visited a number of supermarkets and grocers in my area to get a sense of the situation. I witnessed the professionalism of retail workers who under considerable stress were going out of their way to assist older Victorians, those with a disability and pregnant women. I would like to thank every retail worker in the district of Ringwood for their calm and professional response.

I would also like to record my admiration for the thousands of health and hospital workers in my district who are working amid an unprecedented set of circumstances. To hospital workers, personal care attendants, nurses, doctors, mental health practitioners, paramedics and all who intersect with our local health system, thank you. To our aged-care workers, thank you. Your days ahead will be challenging, but know that I stand in solidarity with you today and always. We are all in this together, and we will get through this together.

COVID-19

Ms CRUGNALE (Bass) (14:13): I stand to speak to my electorate and our broader community. I know people are scared and anxious about the impact COVID-19 may have on them and those they love. Words like ‘fear’, ‘panic’, ‘stockpiling’ and ‘fighting’ overflow our media sources daily, but we cannot let this define us. This is not who we are. The recent bushfires showed us who we are as individuals, neighbours and communities: we are caring, we are compassionate, we are cooperative. It is new territory. Please listen to our chief health officer and the health departments and put into practice their very sensible recommendations. We do need to cancel gatherings and restrict some practices. We need to think about why we do things and act appropriately.

Equally importantly, we need to thank all our health workers and support staff who are working around the clock to protect us. We must care for those who care for us. We also need to acknowledge and thank all those who worked so tirelessly for the many events that either have been or will be cancelled or postponed. The Pakenham Show, the Yakkerboo Festival, the Phillip Island Nature Parks Community Day, Keeping Kids on Track and markets are just some recent examples.

And we must not forget that we live in a country with clean air, clean water and where our primary produce is globally envied. We have plenty for all; there is no need to panic. It is a difficult time, it is disruptive, but together we can adjust. We are at our best when we walk together, so I stand to remind us all— *(Time expired)*

DOUGLAS THOMPSON WALPOLE

Mr McGHIE (Melton) (14:15): On 15 March the Melton community and the Labor Party lost a great champion. Douglas Thompson Walpole was born in 1942 in Leeds and migrated to Australia in 1955. Doug was truly a Labor man in the Labor Party and a true westie, having studied at Sunshine Technical School and Footscray Technical College and then started his career as an A-grade electrician. In 1969 he joined the Labor Party. He was an organiser with the Electrical Trades Union and president of the Bacchus Marsh branch of the Labor Party, as well as an executive member of the Ballarat federal electorate committee.

In 1992 Doug Walpole was elected to the other place as a Labor member for Melbourne Province. In his inaugural speech Doug commented about his previous run when he contested the then East Yarra Province in 1982, a very safe Liberal area until recently. The Labor Party was desperate for a candidate to run. He asked his Labor Party colleagues, ‘Can you guarantee me that I will not win?’. Things changed and Doug found himself elected to the other place in 1992. His inaugural speech highlighted many issues that would not be out of place today: industrial relations, unsafe work practices, workers affected when working in bushfire emergencies and even the need for recycling practices and the concern of supermarket packaging.

After Parliament, Doug moved to Tasmania with his partner, Jo, and ran a small business. They returned to Victoria and Melton in 2014. In 2011 Doug was diagnosed with frontotemporal dementia, which over the years robbed him of his memory and personality. He will be greatly missed by us all.

FIRST NATIONS WOMAN IN COMMUNITY LIFE AWARD

Ms COUZENS (Geelong) (14:17): Over the past few years I have been very pleased to provide the International Women’s Day First Nations Woman in Community Life Award in Geelong. This award is a great opportunity to acknowledge the great work that First Nations women are doing in the

Geelong community. This First Nations award acknowledges women elders of the past who have not received the recognition that they deserve—the beautiful women warriors of the past. This award becomes a record of the history of First Nations women in our great city, something that has been sadly lacking not just in Geelong but across this country. I thank the Women in Community Life Advisory Committee for organising this annual event where we can recognise and pay tribute to the many great women in our community.

It was a great honour to announce the 2020 winner as Marsha Uppill. Marsha has worked tirelessly for many years, raising awareness and understanding about Aboriginal culture. Marsha has recently ventured into her own business and continues her passions for gender equality, mentoring young women, leadership and democracy. Marsha has been focused on closing the gap and on gender inequality. Her work in the field has been done with overarching humility, generosity and a personal sense of giving back.

INTERNATIONAL WOMEN'S DAY

Ms COUZENS: It was also great to attend the Geelong Trades Hall women unionists network International Women's Day breakfast on Saturday, an annual event for working women that has been running for many years. I want to acknowledge and thank Jacki Kris, Adele Welsh and Nada Iskra for their ongoing commitment to working women in Geelong.

COVID-19

Ms ADDISON (Wendouree) (14:18): It is important that the Ballarat community continue to support each other, support our local businesses and support local jobs during this crisis. Sadly, casual employees at Sovereign Hill are already severely impacted by the economic downturn caused by the coronavirus, and many other workers across different industries will also be affected over the coming months. We need to keep the doors open of our local businesses and protect local jobs. Commerce Ballarat's Now is the Time campaign is encouraging us all to spend locally because we are all in this together. Please shop in Ballarat. Please spend your money in Ballarat. Please support our local businesses, suppliers, service providers, cafes and shops. Please care about Ballarat businesses and their workforces. By doing this you are supporting your neighbours and our community.

We also need to care for our carers and health workforce. The Committee for Ballarat is urging us to share the care by supporting our frontline health workers: the nurses, doctors, cleaners, caterers, allied health professionals and everyone else who works for our health services. If you know someone who works in our health services, please offer to give them a hand so that they can help out others. By supporting one another everyone in our community will benefit and we will get through this together.

Business of the house

NOTICES OF MOTION

Mr CARROLL (Niddrie—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (14:19): I wish to advise the house that we do not wish to proceed with the notice of motion, government business, today and request that it remain on the notice paper.

Bills

LOCAL GOVERNMENT (WHITTLESEA CITY COUNCIL) BILL 2020

Second reading

Debate resumed on motion of Ms KAIROUZ:

That this bill be now read a second time.

Mr T SMITH (Kew) (14:20): I rise to support the Local Government (Whittlesea City Council) Bill 2020, which is a bill to dismiss the Whittlesea City Council. The opposition supports the

government's bill today and wishes to see this bill speedily passed through this chamber and the other place so that royal assent can be granted as quickly as possible to see that rogue and dysfunctional council dismissed forthwith.

It is a rogue and dysfunctional council, and there are too many rogue and dysfunctional councils around Victoria. It feels somewhat like a bit of a habit now: we come to Parliament and sack another council. The minister and I have a similar view on this matter, which is that if councillors are going to engage in conduct that is totally unacceptable, totally beyond the expectations of local ratepayers and residents, then they ought to be dismissed by the state government. I have, and indeed the opposition has, very firm expectations as to the role of local government, and the community is tiring of seeing councillors behaving in a way that is contradictory to community expectations.

The City of Whittlesea has been a notorious local government area for literally decades. For as long as I have been involved in politics, I can recall Labor Party factions fighting at the City of Whittlesea. The monitor's report into the City of Whittlesea is a good document. We were advised this morning in a briefing—and I thank the government for providing me with that briefing this morning—that Mr Blacher was to present an interim report in March 2020 after he was commissioned in December last year. As it turned out, a final report was prepared by March for the council to be sacked today. I can only imagine that the reason for that was the monitor found that the council were so bad, were so far gone, that they ought to be dismissed. I hope there are no other motivations, and I have been assured that there are not. If I could quote from the monitor's report, on page 9, to begin with, the monitor wrote:

I have come regretfully to the conclusion that there is no prospect that the mindsets and behaviours of the majority of Councillors can change. The factional—

and I repeat this for Labor members of Parliament—

The factional and personal antagonisms that have long bedevilled good governance at Whittlesea Council, whilst not openly exhibited by all Councillors, are nonetheless deeply embedded and intractable.

I refer to page 14 of the monitor's report:

The principal protagonists appear both unwilling and incapable of finding common ground that could bring some greater measure of civility, respect and consideration to their Councillor relationships. Some Councillors have expressed dread at the thought of attending Council meetings. Another described the prospect of continuing in office as akin to being “dragged into the mud with warring pigs”.

That is quite extreme language, and I am pleased that the monitor has quoted an unnamed councillor there, because it just shows you how dysfunctional the whole place had become.

The mayoralty was described at interview by one Councillor as the “golden ticket” with a salary in excess of \$100,000 in addition to the prestige of the office. There can be little doubt that the single-minded pursuit of the Mayoralty and the factional ascendancy that goes with it—

‘factional ascendancy’, I remind Labor members of Parliament—

has damaged good governance in the City of Whittlesea for much of the last fifteen years.

That is my recollection of the City of Whittlesea for my entire time, as I said earlier, in politics. The City of Whittlesea has been the battleground for Labor factional blood letting for the entire time I can recall in terms of my time in local government and indeed in politics, and it is to that point why it has taken so long for this Labor government to sack the City of Whittlesea. This should have happened years ago. It is, I think, to the regret of a lot of people in Whittlesea that they will now not have elected councillors until 2024, the next round of council elections after October this year. Had that council been sacked much earlier, there could have been an opportunity for governance reform both in the organisation and at the councillor level so that by October 2018 they could have been ready for council elections. Because the government sat on its hands—I suspect for a number of internal and factional reasons—and did not do what it should have done years ago and sack this wreck of a council, we now are in a situation where the ratepayers of Whittlesea will have to wait until October 2024 to have a say as to who sits around the council table at Whittlesea.

I would like to quote from page 16 of the report, because this is very, very serious:

In all there are currently over twenty active investigations, the majority by the Local Government Inspectorate, relating to Whittlesea Council—

20!

One Councillor, who figured prominently in my interviews with staff for his bullying and aggressive behaviours, was scheduled to appear before a Councillor Conduct Panel following an application from the Chief Municipal Inspector ... for a finding of serious misconduct against him. However, he resigned ...

I have made two further referrals arising from my investigations: the first to the Chief Municipal Inspector ... and the second to the Independent Broad-Based Anti-Corruption Commission (IBAC).

There is a referral to IBAC by the monitor on an issue which has not been disclosed, and nor will it—a serious matter, clearly. It is a very serious matter of alleged corrupt conduct by someone at the City of Whittlesea referred to IBAC. Obviously we have seen the Casey debacle continuing at IBAC. Now Whittlesea is heading in that direction to be investigated by IBAC, and I just think that is a very concerning development. It is new information that has come to light today through the monitor's report. It is good to see that integrity bodies are taking a good hard look at local government, because the community are very concerned about what they have seen at Casey and all the stories that they have heard about dysfunctional councils like Whittlesea.

I am also concerned. I have received correspondence from the mayor. I was not aware of this, but because the mayor—and I am quoting from *Neos Kosmos* here—took a vote for the mayoralty to help elevate her to the helm of Whittlesea council she got kicked out of the Labor Party. I mean, this is the sort of behaviour of Labor councillors that saw Brimbank dismissed all those years ago for an extraordinary period of time because Labor councillors used local government as a factional battleground. This mayor was booted out of the Labor Party for taking a vote for the mayoralty from a non-Labor member. There has been a number of disputes, and Labor's dispute tribunal sat a number of times to deal with claims of alleged disloyalty. It is this sort of caucusing by Labor councillors across Victoria, particularly across inner Melbourne, that certainly annoys and distresses many ratepayers, because councillors are acting not necessarily in the best interests of their local communities and the council but of the Australia Labor Party; but also, particularly under the Planning and Environment Act 1987, this most probably contradicts the Winky Pop decision and is most probably unlawful.

I think for Labor to be seriously considering endorsing candidates for the council elections this year, in October, and then for that level of caucus discipline to exist at a council I believe is unlawful, I believe is wrong. Labor's Minister for Local Government, Mr Somyurek, in the other place said exactly that during the debate on the Local Government Bill 2019, and I agree with him wholeheartedly. There is no place for overt partisan party politics in local councils. Of course people come to local councils with a set of views and values. A lot are members of political parties; that is appropriate. But for that level of caucus discipline to exist on a local council, where someone gets booted out of a political party because they accepted a vote of someone not from the Labor Party to get the mayoralty I think is, frankly, wrong and bizarre. But on that, I am very happy to support this bill. I do not expect any other speakers from the opposition, and I hope that it can be in the Legislative Council this afternoon with royal assent hopefully sometime tomorrow. I thank the house.

Ms GREEN (Yan Yean) (14:30): It is a very grave matter to sack a council, and it is deeply regrettable that we have seen this two out of three sitting weeks. That this should come in any way as a surprise to any councillors in the City of Whittlesea simply beggars belief. That they would be so unaware that this could be a possibility given the litany of their abrogation of responsibility and failure to deliver for this disadvantaged and rapidly growing population just beggars belief. It has continued to go on.

The member for Kew, I was really pleased to hear him say that the opposition will be wholeheartedly supporting the removal of this council. Although I do take issue; he referred to the monitor,

Mr Blacher, who is a very well-regarded former senior public servant who has served both sides of politics without fear or favour and was appointed by the minister to be a monitor. It seems from the monitor's report tabled today that that was an opportunity. When the monitor was appointed, that was the warning. The minister was saying, 'Pull your heads in, actually start working in the interests of the community and pay some attention to governance—pay attention to the fact that you've caused enormous disruption to your staff'. Six CEOs in five years! How anyone, let alone a councillor in the City of Whittlesea, would think this would survive the pub test beggars belief.

I did want to take up something from the member for Kew. He said he was supportive of this and he mentioned Mr Blacher and then said he hoped there were no other motivations. I think that that is an unfair aspersion on Mr Blacher's integrity.

Mr T Smith: On a point of order, Acting Speaker, I do not mean to take up the house's time on this, but I was not referring to Mr Blacher at all in my remarks—it was a reference to the government.

The ACTING SPEAKER (Ms Ward): I ask the member for Yan Yean to continue, referring to—

Ms GREEN: Thank you for that clarification, member for Kew. I think that was a really important inference to not have stand on the public record.

Mr Blacher's report, tabled in the Parliament today, references a report by the consultancy firm Beyond Excellence in November 2019:

... interviewed all Councillors and designated Council staff, described:

"countless examples of a lack of professionalism by individual councillors. This covered a wide gamut of behaviours and actions, which were described as threatening and aggressive, stonewalling, shaming, insulting and manipulative, not attending or walking out of meetings, media leaks, crying and litigation to name a few. These are seen to be deliberate and menacing through to staged performances and theatrics."

That is quoting from the Beyond Excellence report. Then the monitor goes on:

Such behaviours have been commonplace, readily observable and frequently reported in the media. They have continued unabated during the time I have been Monitor.

A couple of paragraphs on:

A number of Councillors seemed either not to understand or chose to ignore that their responsibilities did not encompass operational management and decision-making or that abusive behaviours towards staff and each other were an unacceptable breach of the Councillor Code of Conduct and normal civil behaviour. Staff reported numerous examples of how some Councillors pressured them, on some occasions abusing and swearing at them, if they did not get their way.

As the member for Kew mentioned, there are some 20 active investigations:

... the majority by the Local Government Inspectorate, relating to Whittlesea Council. One Councillor, who figured prominently in my interviews with staff for his bullying and aggressive behaviours, was scheduled to appear before a Councillor Conduct Panel following an application from the Chief Municipal Inspector (CMI) for a finding of serious misconduct against him. However, he resigned and the CMI withdrew the application the following day which dissolved the Panel.

I am not going to name that councillor, but that councillor actually chased me down the street threatening to hit me. If a councillor who had been a mayor did that to me, an elected public official, in front of children, what on earth was that councillor and others doing behind closed doors? Yet they could not even amend that behaviour when they had a monitor.

One of the other references in the report talked about strategic planning done in late November 2018. All the work that council officers had put in for a forward strategic plan about the direction of the City of Whittlesea, future directions, and the monitor says four councillors did not even attend—did not even attend—to adopt that. And then once the balance of power changed again that strategy was ignored. There was no strategy there. This council has been led by a heartless, clueless crew of clowns who have also behaved in an aggressive and appalling way.

The officers at the City of Whittlesea mostly live in the City of Whittlesea, and in my 17 years in Parliament I have found them to be incredibly professional. They have never once leaked to me anything about any councillor, despite being pressed by some of the poor behaviours over the years, until the recent change in balance of power and the appointment of a new inexperienced mayor, which then saw yet another CEO pushed out the door whilst on sick leave. So the monitor's report says that staff morale completely collapsed and the staff were unable to do their jobs. They contacted me deeply distressed. They were suicidal. I mean, it is just unconscionable that these councillors continue not to take responsibility for their behaviours.

And what did we see yesterday? Aren't they thinking, 'Oh, maybe there might be an interim report; there is Parliament this week'? They were supposed to have a meeting last night to adopt the budget. This Parliament and the Parliament in Canberra and every Parliament in Australia is having to deal with an unprecedented disaster that is afflicting people worldwide at a time when every tier of government should be looking to their responsibilities and thinking how they can support their community through the COVID-19 pandemic.

This council, instead of pulling up their big girl pants and saying, 'We've got to pass the budget, we've got to send a strong message to this community that we care about what's happening, we care about their health status and whether or not they're feeling safe in the middle of this pandemic'—it was a meeting to adopt the budget—they did not pull up their big girl pants and take up the baton of leadership and actually work with the officers to deliver to the community; no, they got under the doona and said, 'Let's cancel the meeting. Oh, we're afraid, we're afraid!'. But they have certainly got enough time to send off another letter to another lawyer, to send goons around to a monitor's private house. I mean, it beggars belief. It means that you have got no respect for any principles of government.

I want to thank the staff that have put up with this over a very long period of time and I want to thank the community that have put up with this. The highest rate of heart disease in Victoria, one of the lowest rate bases per capita, and these clowns have been asleep on their watch. 'We want a Mernda aquatic and recreation centre'. I am the Parliamentary Secretary for Sport. I pleaded with them: 'Put in some money for planning. The time for talk is over. You can do the detailed planning, then you can submit subsequent applications through our aquatic fund, through the major stadiums fund'. But they did not do any of that, it was just talk. And then when I asked them about it they wanted to blame officers and said, 'Someone's arse needs to be kicked for that', and I said, 'No, there's been quite enough of that'. There has been absolutely enough of that. This council should go. I want to thank the councillors that did pay attention, the Labor councillors and Cr Joseph—I am sorry that they are being sacked—but I commend this bill to the house.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

The ACTING SPEAKER (Ms Ward): The bill will now be sent to the Legislative Council and their agreement requested.

LOCAL GOVERNMENT BILL 2019

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 2, page 2, line 12, omit "42" and insert "43".
2. Clause 2, page 2, line 17, omit "Division" and insert "Divisions 6 and".

3. Clause 2, page 2, line 30, after “45,” insert “45A.”
4. Clause 2, page 2, line 31, after “63,” insert “63A.”
5. Clause 2, page 2, line 32, after “69.5,” insert “70A.”
6. Clause 2, page 3, line 11, omit “42” and insert “43”.
7. Clause 2, page 3, line 12, after this line insert—
“(ca) section 52;”.
8. Clause 2, page 3, line 28, omit “to” and insert “, 2, 3, 4, 5, 7 and”.
9. Clause 3, page 8, line 17, after “committee” insert “, other than a Community Asset Committee.”
10. Clause 13, page 30, line 3, omit “divided.” and insert—
“divided; or
(c) subject to subsection (5A), an equal number of Councillors elected to represent each ward into which the municipal district is divided.”.
11. Clause 13, page 30, line 9, after this line insert—
“(5A) A Council must not be constituted in accordance with subsection (4)(c) unless, by notice published in the Government Gazette, the Minister specifies that the Council, or a Council that is a specific type of Council, may be constituted in accordance with subsection (4)(c).”.
12. Clause 15, page 31, line 34, omit “district.” and insert—
“district; or
(d) if a notice has been published in accordance with section 13(5A), specifying—
(i) the specific Council or the specific type of Council to be constituted in accordance with section 13(4)(c); and
(ii) the number of wards; and
(iii) the number of Councillors that are to represent each ward.”.
13. Clause 16, line 11, omit “or (c)” and insert “, (c) or (d)”.
14. Clause 16, page 34, line 31, after this line insert—
“(ca) subject to the Minister first publishing a notice under section 13(5A) in relation to a Council, or a specific type of Council, whether the municipal district of the Council should be constituted in accordance with section 13(4)(c);”.

NEW CLAUSES

15. Insert the following New Clauses to follow clause 20—

“20A Office of Deputy Mayor

- (1) A Council may establish an office of Deputy Mayor.
- (2) If the Council has established an office of Deputy Mayor, the provisions of this Act relating to the office of Deputy Mayor apply.
- (3) If a Council has not established an office of Deputy Mayor, section 20B applies.

20B Acting Mayor

- (1) A Council may appoint a Councillor to be the Acting Mayor when—
 - (a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
 - (b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
 - (c) the office of Mayor is vacant.
- (2) An appointment under subsection (1) must be for a period specified by the Council.
- (3) If—
 - (a) an appointment has not been made under subsection (1) or has expired; and
 - (b) any of the circumstances specified in subsection (1)(a), (b) or (c) apply—

the Council must appoint a Councillor to be the Acting Mayor for a period specified by the Council.

(4) An Acting Mayor—

(a) must perform the role of the Mayor; and

(b) may exercise any of the powers of the Mayor—

until the circumstances specified in subsection (1) no longer apply or the period of the appointment expires, whichever first occurs.

(5) If an Acting Mayor has been appointed, unless inconsistent with the context or subject matter, a reference in this Act (except in sections 20 and 23, Division 4 of this Part and sections 61(6) and 236(4)) to the Mayor includes a reference to the Acting Mayor.”.

16. Clause 43, page 55, lines 23 and 24, omit “and member of a delegated committee” and insert “, member of a delegated committee and member of a Community Asset Committee”.

17. Clause 60, page 71, line 25, after this line insert—

“(da)the appointment of an Acting Mayor;”.

18. Clause 224, page 196, line 18, after “made” insert “in respect of a Councillor to which paragraph (b) applies”.

19. Clause 224, page 196, lines 21 to 23, omit “the subject of the complaint specified in paragraph (b)”.

20. Clause 224, page 196, lines 25 to 27, omit “the subject of the complaint specified in paragraph (b)”.

21. Clause 224, page 196, lines 30 to 32, omit “a Councillor the subject of the complaint specified in paragraph (b)” and insert “the Councillor”.

22. Clause 224, page 197, lines 4 and 5, omit “the subject of the complaint specified in paragraph (b)”.

23. Clause 224, page 197, lines 6 to 8, omit “a person has made a complaint to the Minister in respect of a Councillor that alleges” and insert “the Minister has reason to believe”.

24. Clause 224, page 197, lines 18 to 21, omit all words and expressions on these lines.

25. Clause 225, page 197, line 22, omit “**complaint**” and insert “**Councillor**”.

26. Clause 225, page 197, lines 24 and 25, omit “complaint specified in section 224(1)(b)” and insert “Councillor to which section 224(1)(b) applies”.

27. Clause 225, page 197, line 29, omit “complaint” and insert “Councillor”.

28. Clause 225, page 197, lines 32 and 33, omit “or the complaint under section 224(1)(b)”.

29. Clause 226, page 198, line 4, omit “referred complaint” and insert “referral”.

30. Clause 226, page 198, line 6, omit “complaint” and insert “referral”.

31. Clause 226, page 198, line 17, omit “referred complaint” and insert “referral”.

32. Clause 226, page 198, line 22, omit “complaint” and insert “referral”.

33. Clause 226, page 199, line 1, omit “complaint” and insert “referral”.

34. Clause 226, page 199, line 8, omit “complaint” and insert “referral”.

35. Clause 226, page 199, line 25, omit “complaint” and insert “referral”.

36. Clause 227, line 6, omit “complaint” and insert “referral”.

37. Clause 256, page 234, line 15, omit “(c)” and insert “(b)”.

38. Clause 256, page 234, line 24, omit “(c)” and insert “(b)”.

39. Clause 262, page 240, lines 18 to 20, omit all words and expressions on these lines and insert—

“(b) attendance voting.”.

40. Clause 326, page 294, line 14, after “including” insert “the fixing and payment of any fees by candidates and”.

41. Clause 363, page 317, line 2, after this line insert—

“(1A) In section 181A(1) of the **Local Government Act 1989** after “that rateable land” insert “, including climate change adaptation works on the building”.

(1B) After section 181A(1) of the **Local Government Act 1989** insert—

“(1A) For the purposes of subsection (1), *adaptation* and *climate change* have the same respective meanings as they have in section 3 of the **Climate Change Act 2017**.”.

42. Clause 363, page 317, line 3, omit “(b) and (c)” and insert “(a), (b) and (c) and (4)”.

43. Clause 363, page 317, line 30, after this line insert—

“(5) Section 181H(2) of the **Local Government Act 1989** is repealed.”.

44. Schedule 1, page 340, line 18, after this line insert—

“45A Gender Equality Act 2020

45A.1 In the heading to Division 1 of Part 9, for “**Local Government Act 2019**” substitute “**Local Government Act 2020**”.

45A.2 In section 55, for “**Local Government Act 2019**” substitute “**Local Government Act 2020**”.

45. Schedule 1, page 345, line 18, after this line insert—

“63A Local Government (Casey City Council) Act 2020

63A.1 In section 3, after “**Local Government Act 1989**” insert “and the **Local Government Act 2020**”.

63A.2 In section 10, after “**Local Government Act 1989**” insert “or section 257(1) of the **Local Government Act 2020**”.

46. Schedule 1, page 345, lines 21 and 22, omit all words and expressions on these lines and insert—

“64.1 In section 3, after “**Local Government Act 1989**” insert “and the **Local Government Act 2020**”.

64.2 In section 10, after “**Local Government Act 1989**” insert “or section 257(1) of the **Local Government Act 2020**”.

47. Schedule 1, page 347, line 12, after this line insert—

“70A Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020

In section 3, in the definition of *Council*, for “**Local Government Act 1989**” substitute “**Local Government Act 2020**”.

Ms KAIROUZ (Kororoit—Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Suburban Development) (14:41): I move:

That the amendments be agreed to.

I would like to commend the bill as amended by the Legislative Council to the house. The government welcomes the opportunity to make changes to the bill that reflect the views of members of the Legislative Council. The bill as it stands will enable the government to meet its commitment to improving democracy, accountability and service delivery in the state’s 79 councils. I would like to take a moment to outline for the house the amendments made to the bill since it was passed here. The amendments to the Local Government Bill 2019 can be grouped into two sections: technical amendments and clarifications and then changes which respond to the debate in the Legislative Council. I would like to take a moment to acknowledge my colleague the Minister for Local Government, Adem Somyurek, in the other place, who stood on his feet for 25 hours and who took questions, comments and observations from a range of colleagues that helped put these amendments together.

The technical amendments include changes to improve the administration of environmental upgrade agreements by councils, cross-referencing and ensuring regulations relating to electoral matters allow the fixing of fees for nominating as a candidate for a council election.

The second set of amendments include the removal of the requirement for councils to have a deputy mayor, the expansion of the electoral structure types for councils to include uniform multi-councillor wards in areas outlined in regulation, an amendment of the power of the minister to recommend a councillor be stood down to remove the condition that a complaint also be made to the minister, the removal of the power of the minister to determine that a voting system be by a means other than postal voting or attendance voting, and the provision of an indemnity for members of community asset

committees along the same lines as the indemnity provided to councillors and members of delegated committees.

In conclusion, I would like to note that it is just over 31 years since the 1989 act was presented to this place, and it is clearly time for a new set of laws that reflect the current practice and provide a better basis for this important tier of government to serve its community over the next decades. Many of us in this place were elected under the 1989 act and served in local government under the 1989 act, and during—

Mr D O'Brien interjected.

Ms KAIROUZ: Well, we were not born then, but we certainly worked under the 1989 act. We have seen lots of changes being made over the course of the last several years when amendments have been made. During my time as Minister for Local Government I heard firsthand from the local government sector how confusing the Local Government Act 1989 was to read, to understand and to navigate. There had been hundreds of amendments made and nobody really understood what those amendments meant, so hopefully now under this new act we can finally get a better understanding of how it works and community leaders and members elected by the community to become councillors can navigate their way through it.

On behalf of the minister and myself, as a former Minister for Local Government, and on behalf of another former minister, the member for Sydenham, who all had carriage of the legislation over the last four years, I would like to thank the team in Local Government Victoria for their enduring work. There were lots of discussion papers out there, there was lots of consultation going on out there and everybody had a range of ideas, so I am pleased to see that we have all come together and all agreed on a piece of legislation—of course with the assistance of the upper house, who helped us navigate through this complicated piece of legislation—and finally come to something that we all agree on. I would like to thank the local government sector as well for their advice and their ideas and the community of Victoria for their involvement in the Local Government Bill 2019. I commend the bill to the house.

Mr T SMITH (Kew) (14:46): I rise to also support the amendments to the Local Government Bill 2019. I do so largely because most of them are ours, and it was a very good exercise in the Westminster system working as it ought to, with suggestions back and forth with regard to the best way forward with the bill as first brought to this Parliament, which the Liberal-National opposition voted against because there were some obvious shortcomings in it. We were happy to provide our advice as to how it could be bettered, and we did that through the usual mechanisms of amendments in the Legislative Council.

Some of the glaring issues were around indemnity for members of community asset committees and indeed audit and risk committees. I want to put on record that I am still concerned that members of audit and risk committees for local governments around Victoria will not be indemnified. I think they ought to be, because I am not reassured that these people cannot be sued if their advice is relied upon by councils and incurs loss for others. But I am very happy to see that community asset committees are now indemnified.

I am very happy to see that there is no compulsion for councils to elect a deputy mayor. I know my country colleagues on behalf of their local councils were very concerned about that impost on small country councils.

I was concerned that clause 262 of the unamended bill was going to give the minister the power to determine the voting system by any other means in addition to postal and attendance voting. That raised some serious alarm bells with me and a number of my colleagues. I want to thank Mrs McArthur in the other place for raising that issue with me. I refer members to *Hansard* and the upper house debate. I was in the advisers' booth for the entire debate. We went until 3.30 in the morning I think on the Wednesday of the previous sitting week and then 10 o'clock on the Thursday. I have to say that

was just ridiculous. I have heard the crossbench described in a number of very unfavourable ways. I can only say with the greatest respect that some of them proved some of the less than flattering observations that members on both sides of this place have made of them in the spectacle that they undertook in terms of ensuring that this bill went way into the night against the wishes of the government, the opposition and most other rational observers. There is a point at which you need to give up and realise that you do not have the numbers. For whatever reason, that did not occur, so the staff had to remain there until 3.30 in the morning. It was completely ridiculous.

I am pleased to see that the government at the very least has accepted some of our concerns around compulsory single-member wards in rural councils. I note my two National Party friends and colleagues at the table, the members for Lowan and Gippsland South, and obviously Liberal Party colleagues from the bush, did lobby me and indeed the minister most vociferously with regard to the inappropriateness of a compulsory single or no-ward structure on small country councils, because frankly, comparing the cities of Boroondara, Stonnington, Casey and Maribyrnong to Buloke, South Gippsland, Hindmarsh and Ararat is not comparing like with like. They are fundamentally different in size, scope, budget and population in particular, and when you have a number of very different population centres, as we said all along, having compulsory ward structures and the like is not something I support. I very much support it in metro Melbourne—having single-member wards—which I think is the most appropriate and accountable way for councillors to be elected. And that is where I agreed with Minister Somyurek from the outset because I do believe as someone who represented a ward with two other councillors who were elected by proportional representation that it is a very unsatisfactory way of electing councillors and ensures that some councillors do work and others do not, particularly where some councillors are elected with literally two men and a dog supporting them—or two women, can I say.

It is a good thing that this bill is going to pass. It is a good thing that the Legislative Council, in its role as a house of review, improved the bill with suggestions from the Liberal and National parties. We support the bill as amended. I repeat that we voted against it in this place when it was initially introduced because we thought that there were some serious defects in it. They have been improved, so as a consequence we are happy to support it. On that note, I will sit down.

Mr HIBBINS (Pahran) (14:52): The Greens will not be opposing the amendments put forward by the Legislative Council. We supported all but one of the amendments. The one amendment we did have concern with was around the provision of multimember wards only now being made available to rural and regional councils and not being applied to metropolitan councils. It seems to me that the fix is in, and I think it is very instructive that these amendments are coming just after we have dealt with the business of having to dismiss yet another council. This is around the fourth or fifth council that has been dismissed in my time here in this Parliament. In one of the councils that we dismissed, Geelong council, specifically one of the reasons that contributed to the poor governance and the reasons behind that dismissal was single-member wards. It creates an atmosphere of parochialism where councillors are not making decisions for the whole of the council but are making parochial decisions that lead to poor decision-making and poor governance and, ultimately, in the case of Geelong council, the dismissal of Geelong council.

The evidence for proportional representation for multimember wards in terms of greater representation and greater diversity has been made over and over again, yet the minister has dismissed all the evidence before him. It is also incredible that we have recently just dismissed Casey council, where you have got a developer running absolutely riot out there between councillors, using finance and influence to influence that council. Yet this bill is coming back without any amendments to do with banning donations, limiting donations, banning donations from property developers or the gaming industry or even just replicating the sorts of donations reform we have at a state level. The fix is in. Labor and Liberal, the government and the opposition, have teamed up to have this fix. They have brought back a bill, brought back amendments and have ultimately seen through a bill that will go forward. We have dismissed councils multiple times now in this Parliament and in the previous Parliament, and I suspect

if we go down the track of having single-member wards and without donations reform there are going to be many other councils that are going to be back here again being dismissed by this Parliament because this reform simply is not up to scratch.

Motion agreed to.

The ACTING SPEAKER (Ms Ward): A message will now be sent to the Legislative Council informing them of the house's decision.

ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2020

Second reading

Debate resumed on motion of Mr FOLEY:

That this bill be now read a second time.

Ms KEALY (Lowan) (14:56): There is a level of discomfort that I have in speaking on this bill, the Assisted Reproductive Treatment Amendment Bill 2020. That is because so many friends who I know have tried so hard to have a child, have been through the experience of assisted reproductive treatment, have spent an enormous matter of money and still at the end of it have been unable to have a viable pregnancy. For those reading *Hansard* in the future, I am standing here with a great big belly and a little baby in there at 30 weeks. I know for some people who might be watching the footage today, given there is no-one in the gallery, there may be a level of envy and discomfort that they would love this to be them one day. I also realise that there are many people out there who will be watching this who have participated successfully in assisted reproductive treatment, and for those women I share your joy in looking forward to what life will be like with a little one in your arms. I do wish everyone who is on the journey of going through IVF or who is trying to have a baby in their own right every single success. It is one of the great blessings that you have in your life to have a little one kicking away in your stomach and be thinking about what might be next for you and your family. But, as I said, I do acknowledge that it is not an easy journey for some. For women in particular, I think it is a big struggle for us in terms of how we measure our own success. Most of what we are taught when we are growing up—and it starts from sex education in school—is that you need to be careful that you do not get pregnant, and so much of our discussions focus on basically—

A member interjected.

Ms KEALY: Yes, that you do not get pregnant. It is basically that you sneeze and you can all of a sudden have this baby in your life. That simply is not the case for so many women, and it puts pressure on us as individuals. It puts pressure on you when you make that decision that you want to have a child. You might take yourself off contraception and then you are not pregnant one month in, and it might be then six months down the track that you are not pregnant. It might be then a year or five years, and then you start to ask the question, 'Well, I've been told my whole life that it's so easy, but why can't I do it?'. That is where it is very, very difficult for women from a psychological perspective to get their head around what it is like not being able to have a child. Through that questioning and through that growth there is no doubt there is an enormous amount of mental pressure on individuals, on women. There is also a lot of pressure on men if they, I guess, have a low sperm count or if their swimmers do not swim in the right direction, as I would say in my previous life in pathology. I have certainly been involved in a lot of semen counts in my time, and it is sometimes a difficult process for the men to go through as well—to think that they are not as manly because they cannot contribute to a viable foetus.

So this is a very, very important bill because it goes much beyond just having a baby. It goes towards really the psychological pressures and cultural pressures that we put on ourselves to be successful parents, to be successful in just our gender stereotypes of being a mother or a father but also obviously in terms of what our roles might be in the future and whether we can reproduce or not—which is crazy, and it is not right for everybody; I absolutely accept that. I know that many women and men make the

choice not to have children. I respect their right to do so and I congratulate them. But for those that want to have children, it can be hard. The Minister for Women, who is in the chamber—I do want to acknowledge her because she has been enormously courageous in sharing her story, and it is so important that we do have role models like the member for Dandenong stand up and share their story so that other women who go through a similar journey know that they are not alone. I wish her every success in the future if she continues down that pathway.

In relation to this bill, the focus of this bill is really on something that seems probably quite a small amendment in the scheme of things, but again it goes to the psychological pressures that are put upon individuals who already are feeling that they lack a level of success because they cannot fall pregnant naturally and that they have to go through an artificial process—through IVF or other alternative interventions. Then they are confronted with the fact that they need to provide a criminal history and have a police check done, which is some sort of a test over their worthiness to be a parent. There is far more to having a child and your eligibility to have a child than having a clean police check. It is not a standard that we apply in everyday life, and I cannot understand why it is a standard that we would apply for any level of pregnancy, however that is developed, and of parenthood as well. There are already existing guidelines to protect children. In many ways we cannot predict what will happen in the future, but we can put good parameters around that. The requirement to have a police check for women and their partners, if they had one when they were accessing IVF treatment, was an enormous barrier for so many people involved in the IVF process.

It provided not just that psychological barrier but in some instances it was a barrier that could not be overcome for reasons out of their own control. I have been speaking to a former Shadow Minister for Health, David Davis, who shared an experience that he dealt with in the time that he was Shadow Minister for Health. A couple were trying to access IVF here in Australia, but they had lived in Spain, I believe it was, for over 10 years. Because they had had that long period of time overseas and because at that stage the Spanish police check system was not at the standard that perhaps it is now it made it exceptionally difficult, and in this case impossible, to be able to provide a clear police check. That prohibited that couple from being able to access IVF. Removing this requirement through legislation will mean that people like that, who actually have clean criminal histories but are unable to produce evidence of their clean criminal histories, are not precluded from that opportunity of trying IVF.

We also need to take account of the huge amount of money that is involved in this. There are already so many barriers for people who are unable to conceive naturally to go down alternative pathways to be able to conceive and to look at having a baby in their life in the future. To think that one of those, I guess, checkpoints or gates that you have to go through is around a clear police check seems unnecessary and does not add at all to having safe, caring and loving homes for babies into the future so that they can grow into adults and be the future leaders of our country.

I would like to cite *Hansard* from when this bill was first debated back on 30 October 2008, where the then Shadow Minister for Health, David Davis, opposed the introduction of these checks, and I quote:

I want to put on record in strong terms my concerns about the Attorney-General's decision to impose a criminal records check or a child protection check on certain procedures. There is a requirement that before I want to put on record in strong terms my concerns about the Attorney-General's decision to impose those procedures can proceed a records check be carried out. This is an unfortunate decision because it colours the decisions MPs must make about this bill. There are a few good reasons for introducing this concept. I understand that over time one or two cases where a better outcome for children may be provided might be detected. But it would also put a barrier in the way of people accessing assisted reproductive technology and assisted reproductive treatments of various types.

It is concerning to me to see that medical and health procedures have been linked in this way with checks on criminality or on other matters. Medical procedures, as a matter of general principle, should be available to people in the community and should not be subject to checks on a person's background as such. A very unfortunate principle is being established by the Attorney-General's inclusion of the criminal records check or child protection check as a procedure limiting access to assisted reproductive treatment. Children are born to parents every day in a range of ways, and it is a strange idea that criminal checks should be required before

that can occur. I am not sure why the Attorney-General felt it necessary to include that in this piece of legislation.

Here we are, some 12 years later, in a positive step, finally removing this additional barrier for people to participate in IVF, and I think that is an exceptionally positive move.

We have consulted widely around this bill, and there is enormous support for it. I think particularly so for women and their partners who have entered into the IVF process and who have then been told, 'Well, you need to provide a police check'. There is a level of feeling that that in some way is questioning their ability to be a parent and the danger that they may put their child in when all they really desperately want is to love and care for a young one in their life. I think it is quite clear that this is an amending bill that should be supported—it should be supported widely in both chambers by all members of Parliament. There is no doubt that it will take an enormous amount of pressure off a lot of women and their partners who are already under an enormous amount of pressure and experiencing varying hormonal levels, which can wreak havoc on your emotional feelings as well. We need to provide more support to women in those environments, not put these additional burdens on them which are completely unrelated to someone's worthiness of being able to conceive or to bring a child into the world.

When you are pregnant there are many challenges, and there is no doubt that women who have gone through IVF probably feel even more pressure to carry a child to full-term pregnancy. In these uncertain times I have had many people contact me with concerns around coronavirus. We know that there is limited defined information about coronavirus in our community and about what the impacts are for pregnant women and particularly for midwifery services. This is something that is an unknown in terms of us not having enough cases of coronavirus in the worldwide population to understand what the risk is to the foetus and what the risk is to mothers to bring on labour in a preterm period. We have had one instance, recently reported in Italy, where a newborn was diagnosed with COVID-19 and the mother as well. There is still that uncertainty of whether it is something that the mother passed on in utero or it is something that was transmitted when they were just born or in the days following.

As a woman who will be delivering her own child, hopefully with no side effects, in late May, I know that I am going to have a baby during peak coronavirus period. This is very concerning for me. I am otherwise having a very healthy pregnancy, but I can understand for women who conceived through IVF that it would be an even more stressful period of time, particularly with what we hear in the media around the shortage of health staff that we are going to have in our communities and in our hospitals. How can we be assured that there will be midwives available and obstetricians available to us when we are going in to have our babies? Is it a fact that we will have to perhaps have some sort of support over the phone? Maybe we just need to make sure that we have got the phone number of our local friendly ambo, emergency nurse or someone who is a midwife who can come around and help us out at home if we get to that point. It certainly is not clear at the moment how we are going to manage separately some of those ongoing support services for healthy people in the community and significantly unwell people in the community too, so people on chemotherapy. How do we protect our midwives, who are generally female, who are generally younger and are mums themselves? How are we going to make sure we support that workforce to be able to support women through that big, testing time of bringing that unborn foetus into the world safely and make sure they are protected from coronavirus?

It certainly is a challenge, and I know that there is massive work being done within the health services. I have been in touch with all of my hospitals locally. There are so many steps being made towards trying to ensure that those sort of essential health services, whether it is midwifery, whether it is about chemotherapy services, whether it is about dialysis or any sort of regular health treatments, are segregated and isolated in some way or protected in some way to ensure those essential health services can continue. However, we do need some clarity around that. We need to have some guarantees in place and we need to make sure that it is a priority for this government to make sure that we do not have a period where we are so busy, because we know that the health system is going to be

overwrought with coronavirus, that everybody is so heavily overburdened with the virus and that as it presents, particularly in our more vulnerable people in our community, we forget about the people who need the everyday treatment.

We also need to make sure there is enough funding around for hospitals, because there will be staff that will be working enormous hours. There are going to be staff that do a huge amount of overtime. It is a problem anyway in our region. Wimmera Health Care Group have spoken out a lot recently around their inability to fund some of those core services, whether it is support services or even that expectation that you can access a midwife 24/7 and that we can cater for the number of births that we do have in the Wimmera region. They need to make sure that they have that core base funding available, not necessarily even the extras to pay for the throughput of the number of women who have a baby there or the number of people who are in hospital.

There is an expectation in our regional hospitals that they do provide a broad minimum base of services, and they may not have the throughput that attracts sufficient funding to make these services viable. Year on year at Wimmera Health Care Group in particular we have seen a letter of support from the government. We might see some money follow through towards the end of the financial year. That is going to be harder to deliver this year. We already know that we have been confronted with bushfires. We are now dealing with coronavirus, and the Treasurer, even before coronavirus, said there would be \$4 billion worth of cuts in the budget that will be handed down on the first Tuesday in May. So I do ask the government to make sure that, particularly for midwifery services and in terms of women who have gone through that additional step of accessing IVF, sometimes for extraordinarily long periods of time—10 years or more—these women are supported to safely deliver their newborn into the world, particularly over the peak period that coronavirus will hit.

The other aspects of supporting women and their partners who are accessing IVF is to make sure those services are available in rural and regional Victoria. It is very, very difficult to get the timing right for collection of eggs or semen to make sure that how everything comes together is done in a safe and an efficient way, and there are very short windows of time to be able to achieve that, and when you live a long way from your nearest IVF service this can put an additional burden particularly on women who are working. They often have to step back from their duties for a period of time. It is just another layer of pressure. So if we can look at expanding somehow the access of IVF across the state to make it a bit easier for people who live in the country to be able to successfully access IVF, I think that would be a very positive step forward.

As I said earlier, there really are no areas of concern around this amendment bill. It is something that the Liberal-Nationals flagged back in 2008, and it is very positive to see that this amendment is likely to go through both chambers without too much concern or debate around it. It is a straightforward amendment to the principal act. It will remove an unnecessary barrier for women and their partners when accessing IVF treatment. This bill removes requirements for women undergoing IVF treatment to obtain child protection orders and criminal record checks. However, the guiding principles of the act ensure that IVF treatment providers retain the right to evaluate the wellbeing of a child born of the procedure and can deny treatment if they believe the child may face abuse or harm. This is a sensible amendment, and I trust that this amendment will pass both chambers, but in doing so I hope that it does provide some psychological relief for the many couples and individual women who are accessing IVF at the moment. I do hope that perhaps it is the one change or alleviation of pressure that perhaps will make the difference between a positive phone call from your doctor or one where it has not worked this time around and where you have to try again.

So I do wish all women well who are accessing IVF at the moment—and every success in their near future. I hope that they are able to conceive and to hold a little one in their hands about 40 weeks later. I also would like to wish every woman out there who is currently carrying a child well, whether it was conceived naturally or through IVF—it does not really make any difference. I know that you will give all the love and support that that little one needs throughout your pregnancy, throughout the delivery. Despite the expectations on so many women, on what you have to do in order to be a good mum—

and a lot of those expectations are set upon ourselves—we all do it in our own ways. We all do what is right for our own child, and I think we can all pat each other on the back and say, ‘Look, we tried our best’. No matter whether we end up conceiving or not, if we can carry a pregnancy to full term or not, whether we can get through those sleepless few periods, whether it is weeks or months or years, we all do our very, very best—whether we become a mum or a grandmother or whether we just become a supportive friend to the others around us who are trying to bring a little one into the world. I wish this bill a safe passage.

Ms WILLIAMS (Dandenong—Minister for Prevention of Family Violence, Minister for Women, Minister for Youth) (15:17): It is wonderful to follow on from that contribution from the member for Lowan, particularly given she is currently 30 weeks pregnant, and that is such wonderful news and something that we should always celebrate in the lives of others, even if we cannot get there ourselves. That will be largely what my contribution on this bill today is focused on, and I want to recap on a comment that the member for Lowan made around the societal expectations and assumptions that underpin so much of how we carry out our lives and our own personal expectations in our lives. That assumption—a very heteronormative assumption, I should say—that you partner up and then you have a child and then you raise that child and that is a significant part of your life, is certainly the story of my mother, and it has certainly been the story of my three big sisters. But sadly, for too many, including myself, it has not been the case for us.

In my case, I was diagnosed at 19 with polycystic ovarian syndrome, a diagnosis which has itself been questioned from time to time—three diagnoses over about 15 years—and there is still some level of uncertainty around it, but what I do know is that I cannot fall pregnant naturally, for whatever reason. So about three years ago I embarked with my then husband on the assisted reproductive path. It is a trajectory. It often does not start straightaway at IVF. In my case we went from the use of Clomid, a drug; to intrauterine insemination, IUI; and finally to IVF. This is not a journey for the faint hearted, and I do not know that we always adequately acknowledge that. So many women in particular go through this journey silently and with a feeling that it is not something they can share, particularly in workplaces. So I do count myself as incredibly fortunate that in this workplace I am able to share it, and that, when I have chosen to share it, it has been received with such good grace on all sides of this chamber, and I want to acknowledge that as well.

I say that this is not a journey for the faint hearted, and that is for many reasons. The odds are not great. Two-thirds, we know roughly, of people that go through this will not come out with their desired outcome, that being a child. The cost is enormous. For many people they have to save and save and save and budget, and when that money runs out, that is it, that is their shot. The rollercoaster of hope and despair—there is nothing that can quite explain that. I do not think I have ever experienced in my life anything quite like that. I will talk to that shortly. The loss and the grief—that is a story of so many women who go through this, myself included. And the stress—it is so stressful. The physical reality of it, the injections—they are stressful. The impact of them on your body and on your psyche is stressful. And the strain on relationships, if you happen to be in one when you are undergoing this, is stressful for both parties. Grief plays a significant role in that.

But the stress and the trauma starts before the clinical processes even begin. It starts when you have to apply and you have to fill out this form that requires you to apply for a police check. From the outset your fitness to be a parent is questioned purely by virtue of your own infertility. Your friends, when they are having children, and your siblings, they do not have to have their history examined to determine whether they would make fitting parents. They do not have to go through any of that, but you do, through no fault of your own. There is a cruelty in that, and I am so pleased that we are recognising that cruelty and that we are changing it.

In doing it I hope we are also apologising for it. I understand that there were reasons and there was a thinking that underpinned this, but the reality for so many women, myself included, that have to fill out those forms is it is so utterly traumatic and it is humiliating. These are the words that so many of us in this place would have heard from our constituents. In that sense this bill will have an incredible

impact on the estimated 25 000 women, and their partners if they have them, who access assisted reproductive treatment in Victoria each year. That is not a small number of people who are impacted by something that seems like such a small change, but it is such a significant change.

I also wanted to talk about and acknowledge the fact, as the member for Lowan did, that for many this process involves such difficult details and minutiae of the process that can be incredibly hard to talk about, and we do not often get the opportunity to do that. For me, when I think about that process I think about home pregnancy tests. Even though they tell you you should not do those, everybody does. They are almost impossible to resist. With the home pregnancy test if you get a positive, there is excitement—such excitement. You know that you should not get too excited too early. You know that, but you do.

And then there was in my case in one particular round the excitement that came with a positive test result and then positive test results over many days, with going in for the blood tests and then waiting for the call and knowing what the answer was going to be because your tests over days have told you and that line has got a bit stronger on the tests. And then answering the phone, which you know to be your IVF nurse, and answering it only to hear a sombre voice on the other end and to be told that, ‘Yep, you are pregnant, but the levels aren’t right’. And they want you to come in again for another test in a couple of days to see if those levels are growing at the rate that they are meant to. So you do that. And you might have to do that two or three more times, every few days, and every one is a disappointment. Every one is, ‘No, it is not quite right. There is something not quite right’. And then eventually it is, ‘This is unsustainable. You can’t sustain this pregnancy. You are going to lose it’. And then naively asking what they can do about that, is there anything that they can do? Does that mean a termination? What does that mean? Is it a curette? And just being told, ‘No, you just have to wait for it to die itself’. And you ask how long that will take and they say it could be a week, it could be eight weeks. They do not really know. You just have to wait. And then going home and not quite knowing what to do. Do you pour yourself a glass of wine? Maybe you should not do that. And then there is the uncertainty of that and the grief that you experience and then feeling awful that you cannot celebrate this life that is currently inside you but is unsustainable.

That was my story on one occasion. Sadly, it was followed by another two, where in the lead-up to that blood test the pregnancy tests over days faded. So you had excitement followed by almost manic testing—sometimes multiple times a day—and then watching that line fade and clinging to it, almost imagining it to be darker on some days than it actually was. That is the experience for so many women—a large portion of the 25 000 women who do this each and every year—and that is the part of it that no-one tends to talk about. It can be incredibly soul-destroying at times, particularly when we all put our faces on and then go to work and we smile and we pretend that everything is fine, and so many people might not even know that you are living this because so many women do not even talk about the fact that they are there because society tells us that we are just supposed to have children. So some people do not want to admit that that is not the pathway for them, that they need to go the extra step in order to make it happen. There is a quiet grief in that. There is a quiet grief in the experience itself even for those who eventually do have success with it.

For my part I have decided to continue with the process and to continue with it alone, which presents a whole other raft of challenges, so I do want to acknowledge the many other women that make this decision, that decide that ultimately having a child should not be strapped to a particular relationship or the success of a relationship. That is what I have decided to do. I will not say I feel terribly brave in doing that, although others keep telling me it is a brave thing to do. I think it feels terrifying, quite frankly, but I am committed to it. I know I have had discussions with other women—women who have come up to me in the street post a newspaper article that appeared on my story a few weeks ago—who have told me that they are doing the same thing, old schoolfriends that have reached out and said, ‘I’m doing this too’. And that is so heartening. It is so good to know that so many others share in this journey and in this story.

For me, in closing, the change that has been put forward in this legislation will serve all of those women and so many others for so long to come, and for that reason I commend the bill to the house.

Mr WAKELING (Ferntree Gully) (15:27): Can I just start by congratulating the minister for her contribution. It was the best of the Parliament—what we just saw. Here is not just the minister, not just a member of this house, but a woman who shared her story and really explained why we are seeing this amendment before the house. It is about ensuring that we have the best legislation in this state so that women or couples who seek to go through this process are provided with the best system available to assist them in their journey, and to hopefully see the birth of a child. It was a very difficult story to listen to because it was a woman baring her soul—a woman sharing her story publicly, explaining the harrowing nature of her loss.

I have friends who have been through IVF. Some were successful, some were not. I do not presume to understand their pain, their anguish or their hurt because I have never been in that situation. But the minister, with her contribution, has really articulated her story—of what it means for so many thousands of other women who are in this very difficult situation. My mother did not have the opportunity to go through IVF, but she suffered many miscarriages. I am told that through a lot of effort on her part, with supportive doctors, I was brought into this world. I just wanted to place on record my thanks for the minister's contribution, because I think it articulated why we are here today.

Governments of all political persuasions will introduce legislation with the best of intentions. Clearly the provisions that were put in place back in 2008, whilst they were well intentioned, did not meet the needs of the Victorian community. I think it is heartening to see this legislation before the house, which is going to remove the criminal record check provision. As the minister just explained, for her to not only have to go through this emotional roller-coaster of undertaking IVF but to be required to actually undertake a police check as part of that process really does not have any sense of fairness or sense of reasonableness in this circumstance.

I think all of us can say safely that this is a good change. This is an important change. I think we all agree that whilst this provision in the scheme of things probably never should have been introduced, we understand that it was for reasons that seemed legitimate at the time, and here we are 12 years later with the opportunity to remove the provision off the statute book.

I just wanted to say that assisted reproductive treatment has provided so many Victorians, Australians, with the opportunity of a life. There are literally thousands of people that are alive today because of ART. I know of friends whose children were conceived through this process, and I know the joy that it has brought them. But I also have spoken to women who have been through the process where it has been unsuccessful, and they feel guilt. They feel guilt because they gave up. They feel guilt that they may have in fact done something that caused the loss. We all know that they did not, but I understand that there is a loss there. If we as a Parliament do what we can to make this system fairer and easier, then I think that behaves us all.

I know of the joys of children. I have three children myself and will be tonight celebrating the birthday of my daughter. I know the joy that children bring. But also, hearing that story, I understand the anguish that women like the minister face. And I only hope, for your own journey, that you are successful. I genuinely say that on behalf of everyone.

It is an important piece of legislation. Minor as it is, it is important that we fix legislation on such an important issue to ensure that it makes the opportunities for women to access IVF services easier. With that, I commend the bill to the house.

Ms CONNOLLY (Tarneit) (15:33): I rise to speak on the Assisted Reproductive Treatment Amendment Bill 2020. Like the member for Dandenong, this is a topic that is very close to my heart. I have been very open in this place about my experiences with IVF, and anyone who has had this experience understands the emotional and physical toll that it takes not only on yourself but also on your partner. It is not something you easily forget, nor is it an experience that you quite get over having to do.

None of us ever grew up thinking we would have to be injecting ourselves with needles and would need a roomful of scientists and fertility specialists to get us pregnant. And I have to say I was particularly moved listening to the member for Dandenong's story about her own experiences with IVF treatment. It is something that certainly resonates with me and reminds me of just how important our stories and our experiences are when it comes to making positive change.

At its core this bill is making positive change by making it easier and more equitable for women and couples wanting to start a family. It is about removing the invasive requirement to undergo police background and child protection checks, making the process just that little bit easier and less stressful for people wanting to become parents. It is about removing a process that would unfairly discriminate between people who can conceive naturally and those—and there are a lot of us—that need to access IVF. This is the right thing to do. It is the fair thing to do.

IVF has become a vital service for so many women and their partners wishing to start a family. Over 25 000 women a year—and I find that number staggering—in Victoria undergo IVF treatment to help them conceive. In 2018 our government initiated a 12-month independent review of the Victorian assisted reproductive treatment framework, and it became very clear through this review that background check requirements, behind the cost of the treatment itself, was the most raised concern during consultation sessions with women and their partners.

Now, when I look back at my own experiences with IVF, it makes me realise that as a society we still do not talk enough about infertility and how it affects women in our community. In a society that can be extremely sexist and places value on childbirth for women, infertility is seen as such a source of shame and disgrace. Most certainly when I first started undergoing IVF treatment over 10 years ago now no-one ever talked about infertility. No-one certainly ever admitted to going through IVF. There were so many myths and misconceptions and stigmas associated with it. I remember the only support I had, or support I felt like I had at the time, was an online group of women going through the same thing, and back then, over 10 years ago, chat rooms were actually not the norm. We were people that felt very isolated, very afraid, but we were very, very desperate to get pregnant. We had to hide all of this, and we had to just go about our daily life within the community as though nothing was wrong and the world around us was not falling apart.

I underwent IVF treatment in Queensland all those years ago and I certainly do not remember there being a police check. There were of course a lot of other invasive procedures that were quite horrifying to me as a young 27-year-old newlywed, but most certainly not a police check. After coming to Victoria I remember having a conversation with my husband about whether we wanted to try to have another child, and what that meant for us was that we would have to open a Pandora's box and do IVF again. I remember being astounded that I would have to undergo a police check. I mean, I had had three full IVF cycles, numerous transfers, three children. I had spent tens of thousands of dollars in the process. It had caused strain on my marriage, and now, having crossed the border where procedures were no different because the science remained the same, I suddenly had to have a police check.

That seemed wrong, like I was being discriminated against for something that was not my fault. It is not like I woke up at 27 and thought IVF seemed like a fun way in which to have my children. God knows, like so many women, I cried my heart out. I screamed in anger and frustration at the unfairness of the situation, because when you are told that you will never be able to conceive a child naturally, the world around you is suddenly filled with babies and couples that fall pregnant at the drop of a hat. 'The smell of an oily rag' is the term I guess I hate most after spending years and years listening to women tell me that is how quickly they got pregnant. To this day I am not even sure what that term or that saying actually means or where it came from. But my point is this: being told that you are not part of the herd, that you will need IVF to get pregnant, well, that feels enormously unfair. Then being told that you will have to undergo a police check to prove you are a decent person, well, that is just entirely unfair. It is no secret in our society that parents who did not go through IVF are not all decent human beings or great parents. What I have learned over the past 11 years since starting IVF is that life is not necessarily fair and does not work out the way you would want it to.

But I am standing here in this place today happy to contribute to this bill debate because what it shows is that despite life not being fair and working out the way you want it to, policy and legislation like this bill can be. This is something we have the power over, in which we can make positive change because, have no doubt, women across this state will be grateful that they do not have to suffer the humiliation of having to fill out the paperwork for a police check. You can never actually underestimate how significant that is and what this change will bring in. In some ways times have changed with the feelings and the emotional roller-coaster for couples, but, as we have just heard in the contribution of the member for Dandenong, with the feelings you go through with IVF when you are told you will need to go and do such treatment to conceive a baby, I do not think much has changed at all. Those feelings, that roller-coaster, remains the same.

The bias against infertile women was certainly on display at the end of last year when the Queensland opposition leader decided to shame Premier Palaszczuk for not having children, as if it was some indicator that she was actually unfit to be Premier. Now, Premier Palaszczuk has opened up about her diagnosis of endometriosis and her struggles with infertility. Even before this we saw the same toxic nonsense levelled against our first female Prime Minister for the same reasons, with right-wing polities and shock jocks calling her 'deliberately barren'. It is very unfortunate that these attacks on female politicians are nothing new, and it is even more disappointing when it is women bringing each other down. Knowing that and still making those types of comments is absolutely appalling and incredibly offensive to the thousands of women in this country who struggle with infertility or simply do not wish to have children.

I had a phone call recently to my office from a wonderful young woman called Tegan. Tegan lives in Tarneit and she heard that our government was seeking to remove these barriers with the police checks. She was very excited. She called my office immediately to share her own experience and express her joy that we are doing this. Tegan, when she was five, was diagnosed with a very rare blood disorder, similar to cancer, and underwent extensive chemo treatment, which left her medically infertile. Tegan was lucky that when she decided to access IVF treatment to have a baby she had already been through police and child protection checks due to the nature of her employment. But even then she felt that having to go through another round of them, on top of all of the other tests which she has already had to do—the cost and the emotional journey that the process creates—was extremely unfair and unnecessarily upsetting to her. Tegan hopes to start IVF in May, and her younger sister—bless her—has offered to be an egg donor. She asked me to share her story with you because she believes that by being open and talking about her experience she will not only cut through the stigma that still exists around IVF but most importantly it will help her family and her friends to offer her the support that she and her partner need to get pregnant on this journey that they are about to undertake. So to Tegan, thank you for sharing your story with us, and we wish you the best of luck on your journey to parenthood that is ahead of you.

To the many couples out there undergoing IVF and the many more that will need it, I say to you that there are many, many women here in this chamber, and, I dare say, men, who understand your struggles. We have walked in your shoes. Keep your chin up, keep going and never, ever forget that we have got your back, because this is just the beginning. It is for these reasons that I commend this bill to the house.

Ms BRITNELL (South-West Coast) (15:43): I rise to speak on the Assisted Reproductive Treatment Amendment Bill 2020. The bill aims to amend the Assisted Reproductive Treatment Act that was enacted in 2008 to remove the requirement for criminal record checks and child protection order checks to be carried out on women before they undergo the IVF treatment procedures. Now, there has been no-one, and rightfully so, that would argue that this is not something that we should have done a long time ago. We have heard some pretty moving stories in this chamber already. For women who are challenged with the inability to have children and need some assistance, to have to go through something as demeaning as a check to see if they have got any criminal records and somehow that deems them to be fit or not as a parent is quite abhorrent. When this bill was introduced I was

pleased to see my colleague, who was the Shadow Minister for Health at the time, put on the record that this was not an appropriate part of the bill and should not have been put in place. But here we are today, 12 years later, undoing that, and with great support. It is terrific to see all the women in the chamber today actually supporting this bill.

For me, 33 years ago, nothing was more important than having children—nothing. I can clearly remember thinking, ‘That is the only thing that I want to ensure I can do’. That was my highest priority in life. I was very fortunate to have four children. As a nurse I spent a lot of time around people who were challenged by health. Seeing some women going through the challenges that they went through I just used to think and reflect quite often on how fortunate I was and how that was one thing that I really could not probably have coped with. I am really pleased that over the last 30 years we have seen enormous improvements in the treatments and the service that we now offer families. One of our very good specialists who delivered one of my children actually—Dr Ian Pettigrew—went on to move to another area so he could partake in the research and development of the processes that have changed and grown and improved over the last 30 years that I have been involved in the health sector. So I would like to thank those specialists who have devoted their life—the obstetricians, the gynaecologists, the scientists—to help people overcome infertility and make breakthroughs in conditions like endometriosis that so often result in adhesions and blockages to the reproductive tract, resulting in the inability to get pregnant, among many other reasons, but that is just one.

Our health professionals have done a great job, and so we do not need legislation like this insulting families and women. As a team of parliamentarians I am sure we are all pleased to be here today to support this action of getting rid of this quite derogatory policy that was imposed on women as they go through very invasive procedures to actually have to get pregnant in these circumstances, let alone something as invasive as being questioned about one’s suitability based on any past criminal actions.

Thirty-three years on I have had, as I said in the chamber just two weeks ago, the birth of my granddaughter Fleur, and Fleur was brought into the world through this technique. Whilst I myself did not have the challenge, I could not be more pleased that what we have got today is so advanced and doing so well that we have got my beautiful young Fleur, who is a feisty little thing, I might add. She is not the most placid baby I have ever encountered, but no doubt she will have quite a lot of go in her. I have no idea where she gets that from!

I put this on the record to say thank you for all the work that has been done. It has been quite moving to listen to the stories of the member for Tarneit, the Minister for Women and my colleague the member for Lowan, who is very pregnant herself. It has been really lovely to see the women talking about the importance of this. We all wish the Minister for Women the very, very best. We will all be making sure that we are all giving her as much encouragement as we can. When she said earlier that it is a brave thing to go it alone, yes, it absolutely is, but let us all remember that it takes a village to raise a child. That is what we must remember to do. Extended families are not around like they were once, but mums are not alone. There are plenty of people around willing to help. We do put a lot of expectation on ourselves to actually raise our children on our own. I said this to my daughter-in-law the other day when I said, ‘You go and do whatever and I’ll have Fleur’, and she said, ‘No, I should be doing this on my own’. I said, ‘Never, ever should a woman be doing this on her own’. It is about making sure we get around our young mums—not that Hayley is a young, young mum. What are they? I think my eldest children are 32—actually 31 turning 32. It all goes into a bliss after so many years. That is one of my highest priorities, obviously. As a politician it is very, very hard to balance family and the responsibilities of a parliamentarian, but for my grandchildren and doing what I can do for my son and his wife and being there as the grandmother is something I prioritise quite highly. As my next son has just announced his engagement, hopefully those duties will extend further.

Back to the bill, which is really why we are here. It is to support this process and get rid of this onerous policy that no-one is denying is quite wrong so that we can show and demonstrate—I think this also demonstrates—that we care about families, because the children are our future. We are entering a really challenging time at the moment with the coronavirus pandemic. We do not know what that is

going to shape up like in the next sort of six weeks to six months; we actually do not know the time frame. But we do know we need our health services in good shape. We do know we need to offer what support we can to the staff. As the member for Lowan said, she will be delivering her baby in May, which could well be at the peak of the pandemic. We need to make sure our midwives, our hospitals and our staff have everything they need. As politicians I am sure we will be working all together to make sure that everything can be done to support the health system, because that is going to be our greatest challenge over the next several months—that and the economic impact on small businesses. The impact is going to be massive, and we are all acutely aware of that today and are here to make sure we can do whatever we can to lessen that impact, particularly on the health service.

I would like to probably finish by saying that we all acknowledge the hormonal rollercoaster that this journey puts these women on. I would like to acknowledge the good work that all mums do. I wish again the Minister for Women the best of luck on her journey. I wish the member for Lowan the best with her journey and look forward to seeing her with a new infant daughter in her arms. I wish her all the best and remind her and the other women in the chamber that we are all here to assist in any way we possibly can. On that note, I commend the bill to the house.

Ms HORNE (Williamstown—Minister for Ports and Freight, Minister for Public Transport) (15:52): I am really pleased to make a contribution on the Assisted Reproductive Treatment Amendment Bill 2020. I congratulate the Minister for Health in the other place on proposing these amendments to the Assisted Reproductive Treatment Act 2008 that will remove the requirement for a woman and her partner, if she has one, and parties to a surrogacy arrangement to undergo a police and child protection order check before accessing assisted reproductive treatment; remove the discrimination between people who conceive naturally and those accessing assisted reproductive treatment; and reduce the costs of and delays to the treatment.

We have heard some really moving stories. Without a doubt, becoming a mum is the most amazing thing that can happen in your life, and it is a fantastic experience to be able to join with all sides of the house to be able to both congratulate people on their journey and also support this bill, because this bill will remove a process that people have found to be unfair, humiliating and distressing at a time when women receiving treatment, and their partners, are already so very anxious.

Like many of us, I am well aware of the pain that many women who come to receive assisted reproductive treatment have already undergone. I am really well aware of the heartache that has brought them to seek treatment and the heartache and devastation that often continues throughout the treatment. I remember being in this place in my first few months as a new member listening to my female colleagues bravely share their pain and heartache while debating the Assisted Reproductive Treatment Amendment (Consent) Bill 2019, and with its successful passage we abolished an out-of-date rule that effectively allowed men to control the reproductive rights of women. I want to thank them for sharing their personal journeys of treatment, which were often described as gruelling, frequently disappointing and taking an enormous toll on them physically, mentally and financially. That is why this government is continuing to make important changes to make it easier and less stressful for Victorians to receive assisted reproductive treatment.

We know that when it comes to fertility, timing matters. We know that a few weeks can make all the difference to women waiting to undergo treatment, and this can impact on their chances of success. The removal of the requirement to conduct police checks and child protection order checks will reduce the delays to and the costs of treatment. The amendments in this bill will mean that women and their partners can access treatment earlier without unnecessary delays. I am really proud to be a member of a government that continues to lead work that will have an impact on thousands of women into the future and that will change the lives of so many couples.

This bill forms part of the Andrews Labor government's continued commitment to review and strengthen Victoria's assisted reproductive treatment laws. It addresses significant concern raised by community members during the independent review of assisted reproductive treatment commissioned

by the Victorian government in May 2018 and undertaken by Michael Gorton. In this landmark review it was noted that the requirement for people seeking assisted reproductive treatment to obtain police and child protection checks received more comment during the public consultations and survey conducted than almost any other issue besides cost. The review heard many reports of cost, burden, delay and distress caused by this requirement but did not receive feedback from stakeholders in support of the current screening requirements for police and child protection checks. The issue continued to be raised later in consultations with stakeholders, including clinics, patients and service users, who overwhelmingly supported removing the requirement for these checks.

We are a government that is committed to promoting equality and removing discrimination in all its forms. That is what this bill does; it removes that unacceptable discrimination between people who conceive naturally and those who access assisted reproductive treatment. Currently the Assisted Reproductive Treatment Act 2008 requires a woman and her partner, if she has one, and parties to a surrogacy arrangement to undergo a police and child protection order check prior to accessing assisted reproductive treatment. Section 14 of the act creates a presumption against providing treatment to a woman if the woman or her partner has returned a criminal record check that shows charges have been proven for a sexual offence of a specified kind or a conviction for a violent offence of a specified kind or where a child protection order check specifies that a child protection order has been made removing a child from the custody or guardianship of the woman or her partner.

Where a presumption against a treatment applies, a person may apply to the Patient Review Panel for a review of that presumption. The panel is an independent statutory tribunal established to consider a number of matters, including whether treatment can occur if there is a presumption against treatment. The panel must, after considering the application and having regard to certain matters, decide whether or not a barrier to treatment applies. Figures from the Patient Review Panel since 2012 have shown that of the 180 cases of presumptions against treatment that it heard, the overwhelming majority of cases were approved and only 12 instances were upheld. Following commencement of the proposed legislation, any existing presumptions against treatment based on a police or child protection order check will no longer apply.

A number of important safeguards will remain in place in deciding whether to treat any person, including a person that had a presumption against treatment prior to the commencement of the legislation or had a barrier to treatment. An assisted reproductive treatment provider will still consider the guiding principles, which include the welfare and interests of persons born or to be born as a result of the treatment procedures, and this is paramount. An assisted reproductive treatment provider will continue to be able to refuse treatment if the provider or doctor reasonably believes that a child that may be born as a result of the procedure would be at risk of abuse or neglect. The Patient Review Panel will still be able to review any decision by a provider to refuse treatment on this basis.

In the last 10 years since the checks were introduced, the regulatory landscape for child safeguarding in Victoria has changed significantly. It includes the introduction of the reportable conduct scheme, child safe standards, child information and family violence information-sharing schemes, the expansion of mandatory reporting of child abuse, the working with children check scheme and significant government investment in initiatives addressing family violence.

This is a bill about fairness. It is about removing a discriminatory requirement that those Victorians hoping to grow their family with assisted reproductive treatment must first undergo, which can cause those long delays and add to an already costly process. In the words of one recipient of treatment who provided a submission to the Gorton review:

The requirement to conduct a police check before being able to undertake IVF in Victoria is an humiliating experience. It is as if our right to parent is being judged on the result of this check. What a joke. No other individuals or couples are required to submit themselves to this prior to conceiving a child.

And from the Fertility Society of Australia's submission:

It is a requirement that discriminates; fertile members of the public against whom similar convictions are recorded are not required to have these checks before starting a family. ... Safeguards exist to protect children at risk whether they are born following a natural conception or an ART conception.

These amendments are another step towards ensuring Victoria's assisted reproductive treatment laws are fair, without discrimination, up to date and continue to deliver our commitment to deliver greater choice and control to women. I commend the bill to the house.

Mr CARBINES (Ivanhoe) (16:01): I am pleased to make a contribution on the Assisted Reproductive Treatment Amendment Bill 2020. Of course the bill will remove the requirement for a woman, her partner if she has one and parties to a surrogacy arrangement to undergo police and child protection order checks before accessing assisted reproductive treatment. In particular, quoting from the second-reading speech from the minister:

It will remove a process that people have found to be unfair, humiliating and distressing at a time when women receiving treatment and their partners are already feeling anxious about their fertility. It will also reduce costs and delays to treatment.

I also want to acknowledge previous members who have spoken in this place and shared their personal experiences with regard to these matters. It is much appreciated in the conduct and discussion about the bill and the recommendations here.

During those consultations undertaken by the Department of Health and Human Services in August last year stakeholders overwhelmingly supported removing the requirement for these checks. Can I say also that it was pointed out that the assisted reproductive treatment provider must still consider the guiding principles in section 5 of the Assisted Reproductive Treatment Act 2008, including the welfare and interests of persons born or to be born as a result of treatment procedures. Lastly, I think the Patient Review Panel in particular still has the ability to review decisions by a provider to refuse treatment on that basis.

It is important to note that over the past decade, as the minister said, the regulatory landscape for child safeguarding in Victoria has changed significantly. The reportable conduct scheme, child safe standards, child information and family violence information-sharing schemes, the expansion of mandatory reporting of child abuse, working with children check schemes and significant government investment in initiatives addressing family violence all underpin the nub of the legislation and what we are seeking to do here.

It comes about too, can I say, as affirmed at the recent election a year ago, as part of our commitment to ensure more Victorians can start families and discover the joys of parenthood through IVF and other assisted reproductive treatments. In the past year alone some 13 000 women accessed assisted reproductive treatment services here in Victoria. That is a lot of women, a lot of families, a lot of people in our community who are working their way through clinical trials and seeking assisted reproductive treatment work to have a family. A lot of people in our community have a stake in legislation in this space and the work of our clinicians. That \$32 million commitment to public IVF services for low-income Victorians at the election is a significant commitment from our government to expand the opportunities for more Victorians to have families. That also includes partnerships with regional and rural health services, and there was money allocated in last year's budget to begin that work and that process.

How did we get here? In April 2018 the previous Minister for Health commissioned Michael Gorton, AM, to report on a 12-month review of the ART framework, and on 3 July last year the Minister for Health published the final report of the independent review of assisted reproductive treatment conducted of course by Michael Gorton.

Where I want to go next in relation to those matters, in full support of course of the aspects that we have pulled out in relation to this legislation, is to take people back to March 2012 and the Law Reform Committee, of which I was a member, in the 57th Parliament. That Victorian Law Reform Committee

tabled its final report on the inquiry into access by donor-conceived people to information about donors. The media release from the chair, the former member for Prahran Clem Newton-Brown, reads:

The Committee's key recommendation is that the Victorian Government introduce legislation to allow all donor-conceived people to obtain identifying information about their donors.

...

... the Committee considers that donor-conceived people have a right to know the identity of the person who contributed half of their biological makeup ...

The committee chair said:

The Committee is convinced that this right must be given precedence, even over the wishes of those donors who would like to remain anonymous.

Since that time there has been a government interim response under the previous government on 11 October 2012, a government response on 20 August 2013 and also a private members bill that I worked on with the former member for Brunswick, now a member for Eastern Victoria in the other place, with of course the strong leadership of the shadow cabinet and the now Leader of the Government in the other place. Their advocacy of that work I think helped to promote and prompt the then government, the Liberal government, to action recommendations of that committee work.

What we then saw of course was that that legislation did not go far enough. There was still a requirement for donors at that time to give permission for information to be provided to donor-conceived people. So of course Labor, in opposition, leading up to the 2014 election, both through our election policies and the platform, took the commitment to the people that if we were elected, we would provide new laws to give all donor-conceived Victorians the right to know their heritage. On 23 February 2016 that legislation was able to pass the Parliament. The amendments meant that from March 2017 people born before 1998 were able to access the same identifying information without the need for the donor's consent. Knowledge about one's heritage can contribute to a person's sense of identity and is critical for medical treatments and family planning, as pointed out by the then Minister for Health, now the Attorney-General. We believe all donor-conceived people should have the right to know about their genetic heritage no matter when their donors donated.

There has been excellent work by our Parliament over a long period of time, and here we are nearly 10 years on continuing to act in the best interests of those who are not only donor conceived but also those who seek to access assisted reproductive treatment.

At the heart of these matters as well are not just those who seek assisted reproductive treatment under the act. What is also at the heart of legislation in this particular area are donor-conceived people, and that takes us back to the work of Michael Gorton, AM, in the review work that he has done and his report. I want to take the opportunity to quickly flag some of the concerns of donor-conceived people about further legislative change that will come before this Parliament in relation to Michael Gorton's report, which has been accepted by our government and is also part of the election commitments that our government has made.

In relation to recommendation 56, some of the concerns of donor-conceived people need to be put on the record at this time; firstly, that removing the current application process would increase the imports of overseas donations, including from countries where there are weak institutions around donation practices. Among other things this may present challenges for donor-conceived people who wish to identify and connect with biological relatives overseas. If the authority is not able to manage limits on the number of imported eggs and sperm through oversight of the application process, there will be an increased risk that donor-conceived people will be genetically related to many other donor-conceived people overseas, of inadvertently partnering with a sibling, and of donors and siblings not wanting to connect with their relatives. Further, the existing application process provides other safeguards. These include reducing the risk of commercial trading in donor gametes, and ensuring that donors receive counselling from a counsellor in Victoria and provide informed consent. The latter is important to

support the government's right-to-know laws, which enabled donor-conceived people to learn about their identity and heritage and better connect with their donors.

Can I say to donor-conceived people who are listening today or who will later read our debates and discussions in relation to this that I know they fully support the recommendations that are in the bill before the house today. But given that those recommendations have all come out of the Michael Gorton report and that other recommendations will see further legislation come before this house, either throughout this year or into next year, it is important to note that, as I understand it as the Parliamentary Secretary for Health and as the member for Ivanhoe who has worked closely with members of this place but also in past parliaments in the Law Reform Committee, we will see greater justice, openness, equality and accountability in this sector and opportunities for donor-conceived people to have the same human rights as any other human being. Our government is considering the feedback of all those stakeholders in relation to the priority recommendations, including recommendation 56. That includes a range of feedback from assisted reproductive treatment clinics, the regulator—the Victorian Assisted Reproductive Treatment Authority—and some donor-conceived people, their parents and donors.

There is a lot of great work that our Parliament has done over nearly the past decade in relation to the advocacy and advancement of the rights of donor-conceived people but also all of those connected in that process. What is important too in the heart and the nub of the legislation today and in the reforms and changes that we are making is recognising the journey and the respect for those who seek assisted reproductive treatment to have a family. That is so significant and important. What is also at the core of all the work that we do and the legislative changes we make in this place is we refer back to Michael Gorton's work that our government asked to be done. That is the work that is informing our legislative changes and advances into the future. At the heart of all of the changes that we look to make, as we implement other recommendations that he has put forward together with our election commitments to provide more opportunities for people to access assisted reproductive treatment, are the rights and obligations and equality for donor-conceived people.

Ms THOMAS (Macedon) (16:11): I am very pleased to be able to speak on this bill and to join the debate today. As other speakers have indicated, the bill is in response to a finding in the Gorton review of the Assisted Reproductive Treatment Act 2008. I too was very pleased, as the member for Ivanhoe has already indicated, when the former Minister for Health announced that this review would be undertaken back in April 2018 because it had been quite a considerable time since this act had been reviewed. What we know is that many things have changed. In fact I think it has been a few years since the act has been reviewed and many things have changed in that time, not only technology but community attitudes and so on, so it was a very timely announcement.

What that review found amongst many other things—and I was surprised when I heard this—was that the requirement to undergo police and child protection order checks was the number one concern raised, second only to the cost of treatment. I was surprised because I was not aware myself of that requirement and I was aghast that it was a requirement. I understand full well the type of humiliation that women and their partners who are required to undergo police checks would feel as a consequence of that. The bill does away with this requirement, ending discrimination against would-be parents who happen to require fertility assistance while speeding up the process and reducing costs.

In the course of the department seeking feedback on this change, stakeholders commented that that requirement was offensive, unfair and humiliating; was unnecessary, particularly as some clinics noted that in their experience the majority of presumptions against treatment are not upheld by the Patient Review Panel; caused women and their partners distress and anger in addition to the burden of infertility; was not based on sound evidence; was discriminatory, as it does not apply to other fertility procedures nor to the general population who conceived naturally; and represented the most common complaint by clinics and patients since the act began in 2010. As one submitter said:

The requirement to conduct a police check before being able to undertake IVF in Victoria is an humiliating experience. It is as if our right to parent is being judged on the result of this check. What a joke. No other individuals or couples are required to submit themselves to this prior to conceiving a child.

Melbourne IVF reported that:

The criminal check takes approximately 5 weeks to receive Child Protection Order Check (CPOC) takes approximately 2 weeks to receive. Both are a barrier to immediate treatment. Often patients cannot enter into treatment when they desire to do so due to the time taken to receive their criminal check and CPOC by the clinic.

As I said earlier, this is a bill that is about fairness through ending discrimination, and because we know that when it comes to fertility treatment timing matters it is about doing what we can to ensure that there are not unnecessary barriers in the face of women and their partners seeking in-vitro fertilisation. It is important also to note that the Gorton review, which I referred to earlier, received no feedback from stakeholders in support of the current screening requirements.

I do want people to know, however, that there are safeguards in place. Indeed, in deciding whether to treat any person, including a person that had a presumption against treatment prior to commencement of the proposed legislation or had a previous barrier to treatment, an assisted reproductive treatment (ART) provider must still consider the guiding principles in section 5 of the act, including that the welfare and interests of persons born or to be born as a result of treatment procedures are paramount. An assisted reproductive treatment provider will continue to be able to refuse treatment if the provider or doctor reasonably believes that a child that may be born as a result of a procedure would be at risk of abuse or neglect. The Patient Review Panel will still be able to review any decision by a provider to refuse treatment on this basis.

It has been 10 years since the checks were introduced, and the regulatory landscape for child safeguarding in Victoria has changed significantly. Thank goodness for that. The Andrews Labor government is making these important changes to make it easier for Victorians to access IVF treatment. This is a genuine issue that our government has acted on and addressed swiftly. When it comes to fertility treatment, as I said earlier, timing matters. We know that a few weeks can make all the difference to women waiting to undergo ART, and this can impact on their chances of success. The removal of the requirement will reduce the costs of and delays to treatment.

I did want to spend the last few minutes of my contribution just observing and congratulating my colleagues for their contributions today. Indeed, the last time we spoke on an ART bill, again, people shared very deep and personal stories, and I really commend their bravery in doing that. To hear the experiences particularly of the member for Dandenong and the member for Tarneit, it really puts what we do in this place into perspective.

While I do not have a personal story to share, I put my name on the speaking list today on behalf of the hundreds of women in my own electorate who are or have been seeking IVF treatment. We know that whether treatment is successful or not, it can be an isolating, emotional and challenging journey, and an incredibly difficult subject to talk about. So in speaking again today I want to say to women in my community: I hear you, I seek to understand the circumstances that you find yourself in, and as your representative I am proud to speak on bills that address particular needs of women at particular times in their lives; and indeed that seek to expand their sexual and reproductive freedoms. I see this bill as part of a suite of those types of bills that have come before this house, led, I might say, by the Andrews Labor government.

I also like to speak on these bills because I am particularly incensed by those rogue operators—dodgy providers—who are out there. This government has again commissioned a review into those providers, and I note recommendations both of the Gorton review and indeed of the review that the health complaints commissioner is undertaking. Both of these reviews deal with providers who perhaps are not being as transparent as they can be about the real success rates of IVF. Women and their partners deserve to have as much information as possible. That information should be accurate; it should not

be misleading. I spoke about this last time I spoke on ART. *Four Corners* did a very good job exposing how some providers use language in ways that actually disguise the true live birth rates for their clinics. This to me is completely and utterly unacceptable. The thought that people might be in this business to make a dollar out of women and their partners—people who are suffering, people who are doing whatever it takes to bring a child into this world—is to me completely abhorrent. So I look forward to the government's full response to the Gorton report and indeed to the health complaints commissioner inquiry.

I am very proud of the work that this government does. Of course we went into the 2018 election with a commitment to make sure that IVF is more affordable for all Victorians. It is a very expensive procedure, and we want to ensure that income is not a barrier to accessing this procedure that can bring so much joy to so many couples and families through the birth of a live baby. It is very important bill. I commend it to the house. Thank you.

Mr HALSE (Ringwood) (16:21): Can I just note some fine contributions in this Assembly this afternoon—just then from the member for Macedon and from the member for Tarneit, and from the member for Dandenong earlier. I am privileged to speak on this bill this afternoon.

This government, the Andrews Labor government, has shown that we govern to eliminate discrimination in all its forms. I will start by owning up to having had a real challenge in writing this speech. The challenge was that this seems like such a commonsense amendment to make, because here is a bill that simply removes another layer of discrimination—discrimination against families who seek fertility treatment. What currently faces families—and it could be a woman and her partner, if she has one, or the parties to a surrogacy arrangement—who make the already difficult decision to seek assisted reproductive treatment is an often drawn-out and humiliating criminal check process. A police and child protection order check conducted at a time when women receiving treatment and their partners are already feeling anxious about their fertility—that increases costs and introduces delays to treatment. The criminal check process was never designed for this purpose. I note that—and a number of colleagues have noted this as well—data from the Patient Review Panel, where appeals against the presumption against alternative reproductive therapy are heard, has since 2012 shown that of the 180 cases referred, the overwhelming majority of cases were approved and only 12 instances were upheld. So I got the calculator out and found that was just 7 per cent, if you round it up. It is another example of some of the people who are the most vulnerable in our community having their motives impugned for wanting to start a family.

We often underestimate the role of families in our societies. It is not just a moral issue; it is an economic issue as well. We know that when people are in family units, when they live together, they live happier and healthier lives. Statistically, they live longer, they support each other and they participate in their communities. This amendment removes a layer of discrimination against particular families and sets us on a path of supporting them just as we would any other family.

Let us also raise another clear moral contradiction in the current law. If any person who commits a crime becomes a parent in the natural way, there is—believe it or not—no criminal check that is required. They are just treated as any other parent would be—and rightly so. Why then should it be the case that someone in a stable enough relationship to go with their partner to seek treatment to conceive a child is subjected to this process? These are not decisions taken lightly. They are not quick, and they involve advice from medical experts. This bill removes that process, but it removes it while still retaining the ethical responsibilities of clinics to consider the welfare of the child. An assisted reproductive treatment provider will continue to be able to refuse treatment if the provider or a doctor reasonably believes that a child that may be born as a result of a procedure would be at risk of abuse or neglect. Also, if treatment is refused, the Patient Review Panel will still be able to review any decision by a provider to refuse treatment on this basis. If the medical professionals involved in the treatment have any reason to believe that the child could be at risk of abuse or neglect, treatment can be denied and that case can be referred to the panel.

I note that this bill has been well received by community stakeholders and was one of the most requested changes by people receiving treatment—with lived experience of what they have been through—and it comes off the back of a thorough 12-month review led by Michael Gorton. This criminal check provision for families seeking alternative reproductive treatment has to go. It is an onerous process based on an unfair presumption that people who want to start a family might have nefarious intentions. It is a particularly troubling position to start from—that people who want to start a family have nefarious intentions. I think it is the responsibility of our government and of this chamber to think much better of Victorians. This bill removes yet another discriminatory barrier to those who seek treatment—the treatment that they need, the treatment that is appropriate—and in that it is a step in the right direction. I commend this bill to the house.

Ms KILKENNY (Carrum) (16:28): I am very pleased to rise and to be able to contribute to the debate on the Assisted Reproductive Treatment Amendment Bill 2020. I also want to acknowledge some of the incredible contributions from members in this house today who have shared such personal stories with us. It is a privilege to be able to hear those stories in this place.

Victoria's assisted reproductive treatment industry certainly has much to be proud of. We have seen thousands of women and families supported in their desire to have children and to create families. We have seen clinical improvements to fertility care and world-leading research regarding IVF over the years as well as better health outcomes for patients and for families—and for people who of course are born through ART we have seen a lot change over the decade in terms of social attitudes towards ART and IVF. There has been a greater commitment to patient-focused care and there has been greater transparency around the procedures, the treatment and the information that is available to ensure that people choosing whether to enter the journey of IVF and ART are best able to make informed choices to do so.

We have heard that in the last year alone nearly 13 000 women have actually accessed ART and IVF procedures at our registered assisted reproductive treatment clinics across Victoria. Of course this number has been steadily growing over the past decade, and we want to see that access increase. We want that choice to be available to more women and to more families as well, so that they have that capacity to be able to choose to embark on that journey if they so wish to.

Just a bit of background: back in 2000 our Victorian legislation limited IVF to married women only. Quite happily the High Court ruled that this was discriminatory, and in fact that law was ultimately repealed and replaced by the current 2008 act. That followed quite an intensive three-year review by the then Victorian Law Reform Commission. It was then Attorney-General Rob Hulls who introduced the current act, which then gave single women and same-sex couples legal access to ART in Victoria, and obviously the legacy from these reforms is clear. We have seen it help many thousands of women create a family, and this is tremendous news. In 2018 the Andrews Labor government commissioned a further 12-month independent review of the ART framework. That was led by Michael Gorton, and I want to acknowledge Michael Gorton for his comprehensive review into ART, which came up with I think it was more than 80 recommendations, many of which have already been implemented and some are now under review. This package of reforms and recommendations was led by the community response to ART in Victoria and a number of concerns that were raised. I should note that the industry has responded to those concerns and is engaging with the community to make ART much more patient-focused, transparent and informative for patients who are proceeding on the journey.

The bill before us now addresses another major concern that arose during that Michael Gorton review, and it is something that the clinics have told us and the community has told us. It is probably one of the major concerns facing people who are considering ART, and that is this requirement on clinics and in particular on counsellors to compel patients and clients to undergo criminal record checks or child protection order checks. In fact under the current act an assisted reproductive clinic cannot provide treatment to women unless the woman and her partner, and parties to a surrogacy arrangement, have first undergone a police and child protection order check. I am so pleased that the bill before us today

will remove this requirement and in doing so obviously remove the discrimination that currently exists between people who can conceive naturally and those who are electing to go down the ART path.

This is really important, because as we have heard directly from people who have been involved in this process, the requirements to undergo these kinds of criminal checks, these police checks, are demeaning. They are humiliating. They are also unfair, and in fact the question needs to be asked: why is it that people who conceive naturally should not be required to undergo these checks but those who wish to conceive using ART are required to undergo these police checks? The answer is of course: they should not.

I do want to flag that we have a bit of a shameful past here in Victoria around regulating people's fitness to parent. We have seen Aboriginal children removed from their families. We have seen children removed from parents who might have had an intellectual disability or a physical disability. We have seen forced sterilisation, particularly of women. This is a shameful past, and we still have a long way to go to right those wrongs of the past. Just like those earlier regulations, which were ostensibly put forward as a way of protecting those children, you can see a similar push as a background to the reason why these police checks might be in place for ART, but they should not be there. It is not the place for them.

Obviously the safeguarding of the protection of children is foremost in the way that we operate, in the regulations that we put forward, in all of the amendments that we make, in all of our reforms that we introduce with child protection, with our family violence reforms, with reportable conduct and with child safe standards. We are doing so much work in that area, and that is where quite correctly and rightly that work should be done. But to discriminate against women and their partners who are wishing to access ART and to compel them to undergo police checks and child protection order checks is discriminatory and unfair and, as we have heard, demeaning and humiliating for a whole bunch of women and their partners, particularly in a time that is already distressing, that is already a time that is difficult, that is challenging, that is exhausting emotionally, physically and of course financially.

This bill is a tremendous step in addressing that discrimination. It is about equality, but it is about more than that. It is also about empathy and compassion and showing that Parliament has that capacity to understand that we need to address these issues that pose barriers and challenges for women and their partners, to address something that others in our community do not have to address or do not have as a barrier in their way.

This is not an issue of removing red tape. As I have said, it is so much more than that. It is a message to our communities out there that, as we know as part of the Andrews Labor government, equality is not negotiable, that we need to be reviewing our regulations, our laws, to make sure that everyone has equal access to services. If that means that is access to services to be able to create a family, then that is what we need to provide. That is exactly what we are doing with the introduction of this bill, removing the requirement on ART clinics to compel patients to undergo those police checks, those child protection order checks. It is removing that barrier, removing that discrimination, and again completely consistent and in accordance with the Andrews Labor government's agenda of equality for everyone in the state of Victoria. I commend the bill to the house.

Mr PEARSON (Essendon) (16:38): I am delighted to join the debate, which has been a very thoughtful and very considered debate to date. I joined the Labor Party and I sought to join the state parliamentary Labor Party because I have been motivated by fairness—what I think is fair and what I think is right—and I have always believed in the power of the state and the power of this great institution to introduce laws that will seek redress and will create a fairer and more decent and more compassionate society.

I have always believed that when you contest political power through the ballot box in order to have a majority on the floor of this place, then that is the best chance you have got to create laws and develop

policies and programs that are fair, that are equitable and that are just. So a bill like this comes down to what is fair and what is right and what is just.

For so many members of our community you meet someone, you fall in love, you make the determination at an appropriate time that you want to have a family, and it just happens. For many people it is just like that. It is just a seamless exercise and you have your family, and you decide: will we have two children or will we have three or in some cases more? Then life goes on, and it is not always easy. Indeed all families have their challenges, but on that particular point for many members in our community and our society it is an easy proposition to get your head around, but for so many families that is not the case, for so many couples that is not the case.

I am one of two in my family. I say I am the eldest because I am the eldest surviving sibling, but my parents gave birth to an older brother who was two years older than me who had a serious birth defect and he died a couple of days after he was born. Subsequent to that my mother had a miscarriage, so when I arrived on the scene I was indulged. I was very grateful and I was very fortunate, but I remember at the time growing up just that dark shadow that was cast over my family that had been there before I arrived but never ever really went away. Even to this day my parents will still acknowledge the birthdate of my older brother.

Bear in mind this was 1971. This was a long time ago, a long time before IVF, but I remember the feeling growing up in an environment where childbirth was not an easy thing, that falling pregnant and sustaining a pregnancy to full term was something that did not happen easily, and it was something that was very fraught, and for my parents it was a really, really difficult time in their lives. I raise this point today just to try and provide I guess a sense of, as the member for Carrum my good friend says, empathy for those who have gone through similar challenges now. At one level you would think that the ready provision of IVF would make it easier, and perhaps for many people it does. Perhaps indeed there are many families out there now who have children because they have had the availability to access technology that would otherwise have been denied to them. But for many others in our community that is something that has been denied to them. It is something that they do not have and they have no access to.

Compounding that stress, the trials and the struggle is this onerous, punitive regime that has been put in place. Maybe at the time when the Assisted Reproductive Treatment Act 2008 was originally devised and developed it was designed because it was trying to mitigate against the off-chance that there might have been an issue, but I think what we have seen with the passage of time is it has been a barrier for many women being able to access IVF. It has made many women go through an unfair, unjust and onerous process for questionable benefit and value, and that is why it is important that the law be changed. Because it is not fair and it is not reasonable for a woman who is going through a very challenging and difficult period in her life to have to then go through a police check.

So a bill like this is right and it is just and it is important. You sometimes envisage, 'What sort of society do we want to live in? Where do we want to go?'. For me, I want it to be that rich mosaic—the beauty through the diversity. The fact that we have got so many different nationalities in our midst who call this place their home, who call this Parliament their Parliament, the fact that we have got so many people who have got different faiths and different beliefs, the fact we have got so many different people who have diverse sexual identities or diverse family relationships—what is a family?—for me, is something I really yearn for and I wish for, and a bill like this is really important.

The minister at the table, the Minister for Prevention of Family Violence, and I are both refugees from Wantirna. I remember growing up in Wantirna in the 1970s and 1980s, and it was a white-bread community. You had to fit in, or you could leave. It was very straight down the line, no mucking around; you know, you liked your footy and you liked the cricket. If you were a leg-spin bowler, there was something quite wrong with you until Warnie came about. In its own way it was home, but it was very suburban and you had to fit in. Goodness me, at the school I went to—if you had come out as

gay in the 1980s at my school, God, it was just awful. That was then. That was the time, but we have moved on.

We have moved on because of bills like this, because a bill like this is about justice and fairness. It is about recognising the fact that we are all different, we all have a different lived experience and we are all on a different trajectory. We come here in this place as legislators. We come in here as parliamentarians, and for those of us on this side of the house we come in here because we want to make things just and fair and right, because that is what we believe in. We know that by coming here together, collectively and collaboratively working together on behalf of our great movement and our great party, we can make life easier for so many people in our community who would otherwise not have a voice and who would otherwise have to go through the shame and the indignity of, in this case, having to go through a police check just because they want to be a mum. That is all they want: they just want to be a mum or they want to be a parent, and they have to go through this onerous process.

A bill like this is a straightforward bill. I think, as other people have spoken, you sort of sometimes wonder, 'Why has it taken so long?' or, 'Why are we doing this?'. It just seems to be so self-evident, but when you apply yourself and when you are disciplined, when you try to make sure that you modernise the statute books, you have got to go end to end. It cannot just be the superficial stuff. You have got to go from end to end and make sure that you use the full powers of the state to be able to create the state that you have in mind, the society you want to live in, the community you want to live in, a fair community, a just community, a diverse and rich community and a community which basically recognises the fact that there is just such rich beauty in the diversity. A bill like this is incredibly important, and I commend the bill to the house.

Ms HALL (Footscray) (16:48): I am very pleased to contribute to the debate on a reform that is long overdue. As someone—I know there are a number of us in this place—who has felt the sting of discrimination when you go through this process, I feel doubly pleased to be able to support this bill. I will speak a little bit about the terrible day I had to get a police check a little bit later, but I would like to start by acknowledging my friend the Minister for Prevention of Family Violence and her contribution and my other friend the member for Tarneit. Thank you both for sharing your stories, because you make it easier for other women who are going through that very difficult process. I know it takes a toll telling your story as well, so thank you. I think there have been some really lovely contributions to this from across the chamber, and it is an acknowledgement that, as the member for Essendon just said, this is in its simplest form just about equality and fairness and the kind of society that we want to live in.

As many people have noted, the Andrews Labor government commissioned an independent review of the Victorian assisted reproductive treatment framework in 2018, and as a newly preselected Labor candidate I was really proud of that announcement. I know that in my electorate of Footscray there are probably hundreds of women right now who are going through IVF or ART, and it is an incredibly difficult period in your life. You know, it felt like a huge honour then, as a candidate, to be so proud of the Labor Party for reviewing this system which, as we know from the *Four Corners* exposé on this industry, is incredibly flawed. Often people are treated in unscrupulous ways, exploited, and there have certainly been some dodgy operators. So for the government to review this system—and now, as a member of this place, to be able to contribute to removing one of those pieces of discrimination that exists within IVF treatment—I am very proud of that.

The review made 80 wide-ranging recommendations, and 16 of them are currently being actioned by the government or have been implemented. The final report, released in July last year, found that the requirement to undergo police and child protection order checks was the number one concern raised during consultation. That is pretty shocking, because the IVF process can be terrible from start to finish. And the cost can be absolutely crippling, but so is the day-to-day grief and stress that you go through—that your body goes through physically, but also mentally that you go through—often after years of trying to have a baby naturally. To then be subjected to a process where you feel like you are on a conveyor belt, and the conveyor belt stops every now and then and you hand over your credit

card—financially, you know, it can be crippling. So for this to be the number one concern I think says a lot about, you know, the added grief that it adds to an already difficult process.

The review received no feedback from stakeholders in support of the current screening requirements for police and child protection checks. Stakeholders consulted included representatives of the ART clinics, the child advocacy groups, the regulator, administrative bodies and law enforcement agencies, who I think will probably be very pleased to not have their time wasted having to do these checks. The stakeholders overwhelmingly supported the removal of the requirements for these checks. And as I have said, it will remove a process that people have found unfair, onerous and distressing, just to name a few of the emotions that you go through.

Other feedback we have received from stakeholders during the consultation process was that the checks felt humiliating—and certainly I felt humiliated when I went through it—ultimately unnecessary and highly discriminatory. Obviously it does not apply to other forms of fertility treatment, and if a couple falls pregnant naturally, no-one involved has to undergo police or background checks. However, if a couple seeking reproductive technology returns a criminal record check showing charges have been proven, then they may be denied treatment. And in order to get the treatment that they need, they have to appeal the decision to the Patient Review Panel. Since 2012, of the 180 cases of presumptions against treatment that have been heard, only 12 prohibitions have been upheld.

Around 25 000 Victorian women and their partners access ART in Victoria each year and, as I mentioned, in 2015 I was one of those women. The day I had to get the police check completed I remember walking down Queen Street—no, Elizabeth Street—trying to find a pharmacy that would sign my stat decs, and none of the pharmacists would do it. At that stage I was just at the end of my emotional tether in this process. I had the police forms in my hand. I just could not get anyone to sign it. Eventually I found a pharmacist who would sign it if I paid, you know, five dollars—or whatever it was.

I remember getting the forms completed and going out and sitting on a park bench and crying, and just thinking, ‘The years that I have spent trying to have a baby, and now I have to go through this’. I remember thinking very clearly—I will not use the word that I was thinking—it was just so unfair and felt so wrong. And that was not the only time during IVF that I walked out of work and sat on a park bench and cried, but it just added so much grief to the process. I am so proud to be here today, and I will be very proud to vote to get rid of this discrimination.

I am also really pleased that the Andrews Labor government is making IVF more affordable for people. Because, you know, your credit card or your income should not determine whether you can become a parent or access this treatment, and it is very expensive treatment. We also know that fertility is about timing. When a few hours can make a difference in terms of treatment, the five-week delays of these police checks are just excruciating—waiting to get that back and to get approval to commence your treatment.

The Andrews Labor government has taken on an industry that has needed to have a really good look at the way it operates. To anyone struggling through the lengthy and emotionally draining process of ART or IVF, I wish you the happiest news. I hope that you get to see those two pink lines on that test. To the women of Footscray undergoing this treatment, I wish you well as well.

Ms SPENCE (Yuroke) (16:58): I am very pleased to rise in support of the Assisted Reproductive Treatment Amendment Bill 2020. I was feeling a lot braver about speaking on this bill until I listened to the contributions of the member for Footscray, the Minister for Women, the member for Tarneit and other contributions. But anyway, here goes. I have spoken in this place before about my experience with assisted reproductive treatment, or ART, with IVF treatment. Whilst I have no regrets about going through that treatment, for me and Kosmos it was not a pleasant experience and it was not a successful venture.

It is worth mentioning that if you have not undergone that treatment or known someone who has undergone that treatment, you may not be too familiar with what is involved. ART can range from

pretty unpleasant right through to downright gruelling. It involves a variety of drugs in a variety of forms from nasal sprays to tablets, to injectables, much probing, scanning, surgical egg retrievals, embryo transfers, failures, repeat cycles et cetera. For those that are undergoing ART, of which IVF is only one form, this is a terrible journey. It can be a very long and terrible journey. For those who have success, it is a terrible journey with a wonderful outcome, but for those who do not have success, like us, it is just a terrible journey.

As I have previously mentioned in this place, I do not remember how many IVF cycles we went through, but I do remember the last one because it ended in a later miscarriage than the other failures, after which we were both physically and emotionally beaten. I know that you are not supposed to refer to them as failures. I also know that you are not supposed to buy pregnancy tests and use them every day, but anyone who has been an IVF patient knows that you buy them by the dozen and you use them as often as you are told not to. You check those lines and you check how dark the lines are, and then you deny that you have done it and then you confide in someone that you have. That is just one of the little secrets that you have as an IVF patient. Anyhow, after going through that, at the very least we knew that we had to take a significant break, and that was even if we continued on at all with that treatment. That was in mid-2008.

But something happened later that year that really added insult to the injury of what was our terrible journey of ART. We went back to our specialist around six months later to do the check-in and have a discussion about what we wanted to do next. We were still pretty gutted about what had gone on and we were nowhere near ready to move on, still physically and emotionally beaten and still carrying a fair bit of grief, when we were told that the rules were changing. To continue on this journey, a journey that we had already been on for two years at that point, we now needed to go and have police checks to prove that we were fit to be parents. We needed to prove that we did not have histories of sexual or violent offences or having children removed from our custody, which we did not. Essentially we needed to prove that we were fit to be parents. Still feeling physically beaten, emotionally beaten, grieving a loss that you do not think anyone else possibly could understand, it was honestly just like some cruel joke that someone was playing on us.

If people on this terrible journey of ART that are hopeful for parenthood were not going through enough, couples were now required to get a police background check as a precondition of treatment. It may seem like something small—a police check, a small fee, a delay to treatment—but it is actually so much more than that. At a time for us when we were already physically and emotionally beaten this was so insulting. It was insulting, it was discriminatory, it was hurtful. I know that that was not the intention of the legislation but that in effect was what the legislation was doing.

The absolute kicker for us was that we were already parents. We were required to have a police check that we were fit to be parents when we were already parents to Adam, who at that stage was a teenager. We were so committed to having another child that we had survived parenthood through to having one that was a teenager, at which point most people would go, 'Hey, we're now counting down the years until we don't have to do this anymore'. And we were ready to stump up to do it again just to be told, 'No, no, no, no. You've got to go and prove that you're fit to do this'. I do not know whether it was crazy or brave, but we were prepared to do it just to be told, 'No, no, you just might not be fit to do that'. Even though there was nothing in our pasts that a police check would have found that would have prevented us from continuing treatment, what if there was? What would that have meant for Adam? And the answer to that is nothing; it would not have meant anything for Adam. But what this requirement really did was it reinforced that there were two classes of parents. The first class of parents were those that were parents as of right, those who could conceive naturally and without question. Another class had to prove themselves suitable, had to prove themselves fit to be parents.

The Assisted Reproductive Treatment Act 2008, in section 14 as it currently stands, creates a presumption against providing treatment to a patient if either applicant returns a police or a child protection order check where there is a history of certain sexual or violent offences or a child has been removed from their custody. If there is an adverse finding, there is that presumption against treatment.

But that is not the full story. The presumption is actually created before then. There is an implied presumption for those who seek access to ART that they are not actually fit to be parents unless proven otherwise. They cannot access treatment until they prove they are fit to be parents by not having these offences or child protection issues in their backgrounds.

This second class of parents has a presumption against them from the get-go. There is an implied presumption that they are not fit to be parents, that they need to prove otherwise before treatment can even commence. The presumption can be reinforced by that adverse finding, but its genesis is not in that adverse finding: it is established on day one when you are referred or accepted as an ART patient. I found this outrageous at the time, and I still find it to be outrageous. This is, and it was, insulting. It is discriminatory and it is hurtful. I do not for a minute think that it was the intention of the legislation, but for me that was the effect.

For some people I get that this is not a big deal, and good for them, but for me the timing of the introduction of this requirement was too much because it was just adding insult to the injury of a terrible ART journey. That is my experience; I am sure others have very different ones. Perhaps if it had been part of the process when I was starting from scratch, it may just have been another piece of paperwork, another part of the application process. Listening to the member for Footscray, I do not think so. Also, knowing that this was the one issue that was raised, second to fees, in the Gorton review despite it being excluded from the terms of reference for that review, I do not think so. I think despite what point your treatment started this is a very significant issue to patients who have been seeking ART.

What this bill does is it removes that requirement for women, and their partners if they have them, to have these police and child protection orders, and I am very pleased that it does. I thank the Minister for Health for bringing this bill. I thank the Minister for Equality for his words in regard to the important removal of discrimination that is in the current legislation. To all of those that are currently undertaking ART, I wish you the very best, and my thoughts are with you for a successful outcome. I hope that this hardest of journeys results in the greatest of joys. My thoughts are especially with those who do not get this outcome. It is a grief that very few will understand. For me, I look on the bright side. I hope that Adam and his fiancée one day are prepared to share their toys with some other little people—not right now; they are not prepared to share their toys yet. In the meantime I take delight in the wonderful children of my good friends like the member for Sunbury. I am very glad that the local council issues multiple animal permits much easier than you can get pharmacists to sign police check documents. With those few words, I am extremely pleased, and I commend this bill to the house.

Mr FOWLES (Burwood) (17:08): I want to begin by acknowledging the heartfelt, very personal contributions made by the Minister for Women, the member for Yuroke in that address, the member for Tarneit and my great friend of many years standing the member for Footscray. Parliament is at its very best when personal experiences are brought to bear on our decision-making, when we can consider the changes we seek to make in this place by reflecting upon personal experience and bringing that lived experience into the decision-making frame. I thought the contributions of all those fine Labor women were absolutely outstanding. It is no small matter to stand up in this place and speak of personal experience. It is no small matter to speak of something so acutely personal as a journey of trying to procreate and trying to procreate in what have clearly been difficult circumstances for some. I commend them for sharing their experience with us, because I think it makes it just that bit easier for the women to follow who are contemplating ART and seeking to make decisions for themselves and their families that are typically really, really hard decisions. I am very pleased to rise to speak on the Assisted Reproductive Treatment Amendment Bill 2020, because it removes those discriminatory checks from the Victorian ART framework and because it is yet another legislative amendment that delivers on this government's fine record of promoting equality for all Victorians.

For many Victorians natural conception simply is not an option, and starting a family can be a very hard to reach dream. It is a journey, frankly, that is hard enough without intrusive checks that parents who conceive naturally are just not subjected to. I have been very fortunate in my life to have had no such challenges. I have three children and one on the way and have experienced no obstacles to

conception other than perhaps my lack of attentiveness to domestic responsibilities and the failure to deliver foot rubs and ice cream in a timely manner. But ART is an important medical advance. It is an important part of medical science that has delivered joy for many families, but it can be a long and expensive journey with many hurdles on the road. It can be isolating, it can be challenging and it is an incredibly difficult subject for individuals and couples who are undergoing treatment or consultation or prospective treatment to talk about. Layering into that an additional conversation with a health practitioner to assess theirs, their partner's or even their surrogate's criminal history can pose more logistical and social barriers to accessing this treatment, and these are barriers that simply do not apply to other classes of medical treatment.

The presumption against providing treatment if the hopeful parent returns a criminal record is daunting and presents just another potential hurdle, which is then having to go on to appear before a Patient Review Panel. The data, for those who do seek review by the Patient Review Panel, speaks for itself. A staggeringly small number of those who have been blocked from treatment continue to be blocked after appearing before the Patient Review Panel—just 6.5 per cent in the years from 2012 to 2021. A dozen applicants have had that upheld—a tiny, tiny fraction of the 25 000 Victorians going through the system each year—so small a fraction that of course it does not bear up to any scrutiny. It is not in any way justified to have an entire regime set up around this tiny, tiny portion, particularly given that since this legislation was enacted in law—good Labor legislation—the framework around child protection has changed and changed so much for the better. There have been a number of measures introduced since 2008: the reportable conduct scheme; child safe standards; child information and family violence information-sharing arrangements; the expansion of mandatory reporting requirements of child abuse; the working with children check scheme; and significant government investment, particularly by this government, through the royal commission into and then ultimately the agency set up to address family violence. Given all of that, it is entirely logical, appropriate and proportionate to remove this additional barrier to those seeking to access assisted reproductive treatments.

Quite sensibly a review was conducted into the arrangements, and the evidence was overwhelming. The clinicians, the counsellors and of course the patients accessing assisted reproductive treatments and their partners, where applicable, overwhelmingly felt that being subjected to police and child protection order checks was just an unnecessary step—a step too far. By removing these, we reduce costs and we reduce delay. That might on its own justify this intervention, because the costs of these treatments are significant. The delays incurred by patients are significant, and the delays in this part of the medical world can have a dramatic impact on the eventual result. The delays in this part of the medical world, whilst we would all love to see waiting lists reduced generally, we know that if someone waits an additional two, four, six weeks for ankle surgery, that is not necessarily going to have the sort of impact that missing a fertility window might have when trying so hard to start a family or to have additional children. The repercussions are dramatic.

It is important to remember in contemplating this bill that is before the house that the welfare and interests of the child to be born as a result of any medical intervention remain paramount. They remain paramount, and so they should. But the protections are in place, and I think they are important.

I just want to return to some of the consultation and the evidence that was received under the Gorton review, and I think it was terrific that this review was as thorough as it was. But the feedback from stakeholders was that the checks were offensive, unfair and humiliating, were unnecessary given that the majority of presumptions against treatment were not upheld by that Patient Review Panel process, and caused women and their partners distress and anger. We heard earlier from the member for Footscray about the extra layer of distress, the extra pressure being felt as a result of having to cart around police checks of all things. They are simply not based on evidence. They are discriminatory in that they do not apply to members of the population who can conceive naturally. Interestingly, they represent the most common complaint by clinics and patients since the Assisted Reproductive Treatment Act 2008 began operation back in 2010.

These changes are no small matter for the 25 000 Victorian women and partners who are currently required to submit to these checks every year—25 000 of them. That is no small number. The burden not just on the patients and their partners, on the clinicians and the clinics but even frankly on the police and the welfare agencies who run the child protection order checks is a significant imposition and they serve no good public policy purpose. For that reason and all the reasons that I have outlined, I thank again those women who have shared their very challenging stories today and I commend this bill to the house.

Mr DIMOPOULOS (Oakleigh) (17:18): It gives me pleasure to speak on this bill, but it gives me enormous pride to follow such extraordinary contributions. In this chamber, when we debate bills or other debates we have in grievances or matters of public importance or other proceedings, you sometimes get some gems in terms of the application of lived experience with policy and the melding of those two and how powerful that combination can be. We have had it here with our colleagues, particularly our female colleagues, and because of our efforts and our focus we have an abundance of female colleagues. We could have more of course—it is never enough. But I have really enjoyed and I have learned a lot from the personal experiences shared by those members, including the Minister for Women. I will get to her contribution in a moment.

I received an email after this bill was first read, and I have changed the name of the resident so it does not breach her confidence: I will call her Mandy. It was Thursday, 20 February, in the morning that she emailed me. It was the first time, to my knowledge, that I had heard from Mandy, and the subject line was ‘Please help—IVF changes’.

Hi Steve

Writing in relation to the announcement of changes to the IVF legislation and the removal of police checks to obtain treatment. I am also part of you electorate living in Carnegie so thought you might be able to help.

My partner (John)—

again, I have changed the name—

and I are trying to access treatment at the moment due to infertility on my part, we have completed the police checks and due to a mistake 13 years ago John made we are being denied treatment. We have been told that we need to go through a review panel to get approval to proceed but this will delay us by 3 months because of wait time for the panel. I have a very low egg count and this delay is not something we can afford, the response I got from the panel when I ran was basically ‘too bad so sad’.

John is a different person now compared to 13 years ago, he has grown, changed and so excited about becoming a dad. I feel due to my fertility issues he is now being discriminated against because of his past something that wouldn’t be happening if I could get pregnant naturally.

I understand a proposed change has been made yesterday to the legislation but would like to understand what timeframes are for the changes to be implemented so we know if we wait for the change or continue down the path of being discriminated against through the panel review process. I appreciate that you might be able to guarantee the timeframes but any guidance would be really helpful to John and I.

These kinds of conversations would have happened with many of us and our residents, but this is the first email I received. My first thought was, ‘Of course this is extraordinarily unfair and discriminatory’, but I thought the fact that Mandy and John have to share that story with anybody else and some of the both explicit and implicit feelings of guilt or inadequacy perhaps that Mandy may feel and then to share that with a stranger, which is me—yes, I am their local MP and everything is confidential, hence I changed the names—it is completely beyond me why they even have to have that conversation, why they have to justify anything to anyone when an entire other cohort of people, those who can conceive ‘naturally’, in quotation marks, do not have to justify anything to a government body, to an MP, to a panel, to anybody. It is just extraordinary.

And I felt angry even just at the fact that Mandy and John were in that position. I rang the Minister for Health and she gave me some indications of the time frame, which is effectively why we take this bill so seriously. It is 28 days after royal assent, which is extraordinarily fast when you look at the other bills we have had in this Parliament. That is a commitment that we have to removing this discriminatory

provision asap. So I was really pleased to be able to ring Mandy and give her that reasonably good news without her and John having to go through an entire other bureaucratic process through the panel review and associated time lines because of obviously delays and waiting lists and stuff.

So that was my sort of first exposure, first conversation in the community that I had in relation to this issue. But to be honest, within days the Minister for Women followed with the article in the *Age*, which I thought was an extraordinarily excellent article by Wendy Tuohy. I want to quote one part, and I want to commend the Minister for Women for her extraordinary contribution on this bill. I watched it from my office, and to have people of that calibre and that empathy and that intellect and that passion—in fact like all our colleagues—in this case was just breathtaking. One of the quotes in the article was:

“I’d never been told I was infertile before, and to have a woman in finance mention it in this passing kind of way [during a discussion of cost structures] ... I remember it just took my breath away,” says Victoria’s Minister for Women, Youth and Prevention of Family Violence.

“I kind of just gasped and remember even being conscious that I gasped in shock.”

That is just emblematic for me of how all human beings but in this issue women particularly feel in terms of whether they are considered to be fertile or infertile. It affects your entire humanity, your perception of who you are, and that is outlined in the article. I thought it was extraordinarily brave and bold of her to come out so personally, but it is often only through those personal stories that you actually touch people and you actually convince people that there is a story to be told and there is a change to be made here. That is why I am really proud of our government for making this change, and I am proud of the contributions made by other colleagues, including the member for Yuroke and the member for Footscray—the ones I happened to hear in the last couple of hours—extraordinary, personal but powerful contributions that just, again, talk about why this is such a required change. I think the member for Burwood said there were 20 000, 25 000 applications a year, and those women—and men as well, because they are part of the journey, but women foremost—have not had the platform to stand up here and speak of not just their personal hurt and grief in terms of the process in terms of applying for police checks as if you are immediately under suspicion but also their grief at perhaps often the outcome not being what they obviously want, which is you do not end up with a child at the end of it.

So we are obviously proposing a bill to remove the requirement that these applicants undergo a police and child protection order check before accessing assisted reproductive treatment—provisions that should have never in fact been put in place—to effectively provide the same treatment for those couples who do not require IVF to have a child as those who do. We also have made a pretty bold policy announcement that we will provide more equitable access more broadly to Victorians—not just to those who can afford access to IVF but more broad access in terms of the cost of access to IVF but also access to regional communities, and that is something that I am looking forward to and something that we are working on at the moment.

This is completely consistent. This bill is entirely consistent with who we are as a government and our values, and other speakers have said that. If you look at this bill and you put it in the context of every other initiative—regulatory, statute and investment—we have made in relation to discrimination and equalising the relationship between women and men in society, it is entirely consistent. From the family violence royal commission to 50 per cent of cabinet for the first time in Victoria’s history of government being women and 50 per cent of all boards and committees—the power of leadership of our government from the Premier down in terms of the rights of women and equality—and the first female Governor ever to be appointed, all were done by this government. These are things that we not only have a track record on but are genetically almost predisposed to addressing—getting rid of discrimination wherever we see it, whether it be LGBTI community workers, portable long service leave or labour hire matters and a whole range of other things. This is why I am really proud of this bill and I am really proud of the work that both the Minister for Health and the Minister for Women have done in bringing it to the Parliament and all of those other women who contributed to the

consultations which led us to seek this change. I commend the work of all those people, and I commend the bill to the house.

Mr TAK (Clarinda) (17:28): I am delighted to join other honourable previous speakers to speak on the Assisted Reproductive Treatment Amendment Bill 2020. The overall objective of the bill is to remove the requirement for a woman and her partner, if she has one, and parties to a surrogacy arrangement to undergo a police and child protection order check before accessing assisted reproductive treatment. The bill responds to a matter of significant concern which was raised by stakeholders during the independent review of assisted reproductive treatment undertaken by Michael Gorton, AM, and the subsequent consultation with key stakeholders.

I would just like to pause at this moment to congratulate and also commend the effort by the Minister for Women and the other minister in the other place. Also, having listened to and heard her personal experience, it gives me great pleasure to confirm myself that this bill is the one that we need to have and the one that I am very honoured to be part of debating.

The Gorton review found that the requirement for the people seeking assisted reproductive treatment to obtain police and child protection checks received more comment than almost any other issue considered besides cost. Many stakeholders supported the removal of police check requirements, and there were many submissions to the review which reflected upon that. I will read through a few of those later in my contribution.

As it stands, under the Assisted Reproductive Treatment Act 2008 an assisted reproductive treatment clinic cannot provide treatment to a woman unless the woman and her partner, and parties to a surrogacy arrangement, have first undergone a police and child protection order check and the checks have not identified that the woman and her partner, or parties to that arrangement, have certain proven charges or have been convicted of certain offences or that a relevant child protection order has been made removing a child from the care or guardianship of the woman, her partner or any of the parties to the arrangement.

During the process, identification of any of these matters raises a presumption against treatment and the clinic cannot treat the woman. Therefore if there is a presumption against treatment, the woman or her partner or other parties may make an application to the Patient Review Panel to review the presumption against treatment and determine whether there is a barrier to treatment.

The Patient Review Panel will consider, among other things, the guiding principles of the act, including that the welfare and interests of any child who may be born through assisted reproductive treatment are paramount. There are significant concerns with this process, which have been raised consistently by stakeholders. The amendments will address significant concerns raised by the Victorian community and other stakeholders about the requirements for the checks: that they are unfair and humiliating and cause distress at a time when women receiving treatment and their partners are already feeling anxious about their fertility. These concerns came through strongly during the Gorton review. For example, the following is from a recipient of assisted reproductive treatment:

The requirement to conduct a police check before being able to undertake IVF in Victoria is an humiliating experience. It is as if our right to parent is being judged on the result of this check. What a joke. No other individuals or couples are required to submit themselves to this prior to conceiving a child.

Another example, from the Fertility Society of Australia, is and I quote:

It is a requirement that discriminates; fertile members of the public against whom similar convictions are recorded are not required to have these checks before starting a family ... Safeguards exist to protect children at risk whether they are born following a natural conception or an ART conception.

A wide range of service users complained of the indignity and inconvenience of submitting a police check while undertaking an emotionally burdensome process such as ART. Legal groups and clinics questioned the effectiveness of this screening device in preventing child abuse. We have heard in this place many of our previous speakers speaking about their lived experience. There is a common theme

here. It is unfair, humiliating and causing distress at a time when women receiving treatment and their partners are already feeling anxious about their fertility. We can do better.

I would just like to say that in my electorate I cannot imagine how many similar situations may have occurred, especially those from the ethnic and multicultural community. As we have heard, as the hardworking member for Essendon already said, there is an underlying discrimination among our own community. We heard the honourable member for Dandenong bravely and kindly share her own experience, and the members for Tarneit, Yuroke and Footscray also shared their own experience.

I would just like to also take a few moments to reflect upon my own family. It took us a good five years for my wife to conceive. I remember vividly that at one point she decided not to go out to join friends celebrating their young children's birthdays for various reasons. Firstly, it was to not have to answer the question, 'When are you going to have a baby?'. It is a genuine, caring, concerned question, but when too many times asked it provokes a lot of emotional stress and pressure. I can understand that those in this place and many of the women and their partners and parties who have undergone IVF have experienced this, let alone the discriminatory requirement that they have to go through.

In our case we did not have to go through the IVF treatment process, for which we were really fortunate. But our thoughts go to those who have gone through this process, which is really burdensome, not to speak of the emotions and the pressure from family and peers from the question, 'Why?. Is it your lifestyle or have you done something to your body so that you cannot conceive naturally?'.

This is the right bill. This is a bill on which I am very honoured to take part in this debate. I would like to take this opportunity once again to commend the bravery, the kindness but most importantly the hard work of those, particularly the Minister for Women and the Minister for Health, that have made this bill possible not only for our generation but for the generation coming after us.

Again, I am happy to make this contribution in support of this bill, a bill that will remove this unfair and humiliating requirement. This requirement has been found to be unnecessary. The checks cause women and their partners distress and anger, in addition to the burden of infertility. I commend the bill to the house.

Ms WARD (Eltham) (17:37): I do want to thank the member for Clarinda for sharing the story of his family in terms of creating their family, their children, as so many here today have done. They have spoken about their own personal journeys, and I want to go back to something that the member for Lowan said when she first started her speech. She was talking about how 'when we were teenagers' or 'when we were young', we were always told that we could fall pregnant at the drop of a hat and to be so careful. It is almost like, as she said, if you sneezed, you would fall pregnant. Yet to have so many people in this place actually talk about their own personal stories, their own journeys around trying to have a baby, shows you that it is not as easy as you would think.

Going back to what the member for Clarinda was also saying, that there is a threshold at which you cannot be asked anymore, 'When are you going to have one?', I think that that is entirely understandable. When I was not yet ready to have children, I was asked that by people. Even if I was holding someone's baby, people would say, 'Oh, you're practising. Getting ready for having your own', and you would think, 'Well, no, I'm not'. But what about those who cannot have children? What about those who are struggling—to be continually asked that. As the member for Clarinda said, they are good-natured questions, they are well-meaning questions, but they are questions that can also really hurt. We have amendments to change this, to change any additional hurt that can be given to people—saying, 'Well, we're not sure that you're actually fit to be a parent. We want to know your police check', is hurtful.

You have got people around you who are well meaning, who are asking about your plans for children—'Why aren't you getting on with it?'—despite your own private challenges. But then also when you have gone out to get external help and you are going through reproductive assistance, to

then have to go through this process of another hoop jump—of being told that you have actually got to have a police check in order to do this—is just another layer to that hurt that you are already experiencing, and I think it is completely unnecessary. Like the member for Clarinda and so many others in this place, I congratulate the Minister for Health for creating these changes to remove some of that hurt, because there are people who are good parents, who are desperate to be parents, who should not need to have to go through an additional hurdle. I think to have this assumption that ‘Maybe there’s not something quite right with you’, where we need to have a police check, is too much. I understand that it was not necessarily what the legislation was trying to achieve when it came in, but that has been the effect of it, and I am glad that that we are changing it.

I do have to say that it is nice to speak about something that is actually joyful, though—that we are changing something that hurts people and that we are talking about the possibility of new life, about creating new life. I think in the current climate, where there is a bit of anxiety, where people are feeling stressed, to be able to talk about legislation that is actually a good, nice change—that is something positive; that is something, as I said, that gives new life, that has the potential to help create new life—is a good thing.

Acting Speaker Bull, like yourself, I have been quite lucky. I have got two children, obtained relatively easily, if you like. But I did experience a miscarriage; and while I do understand the challenges or the hurt, the sadness, that comes with losing a child, I cannot imagine how difficult it is to not get to that step, to go through that trauma of trying to conceive with assistance—the hormone injections, the constant visits, the invasion to your body. I have to tell you, Acting Speaker—as you are probably aware—giving birth is pretty invasive, and if you have got any pride it goes out the window at that point in time. But to have that absolutely invasive process at the start of that journey in trying to have a baby is incredibly difficult, and I have nothing but admiration for those women who are going through that process and who have gone through that process, who have such a strong desire for a child that they are willing to go through that. Power to them—I salute them. I salute them for their strength, I salute them for their resilience and I salute them for their perseverance, because I could not imagine the difficulty of that journey; I really cannot. I have got friends who have found this journey difficult. A number of members here have spoken about that. My sister-in-law has gone through that process. She was able to conceive a child naturally but was not able to after that—again, similar circumstances to the member for Dandenong. Sometimes it is hard; it really is.

The interesting story that I suppose I have got to contribute in response to these changes is my year 12 experience at my all-girls Catholic secondary school, where we had a priest come in and talk to us about IVF and about how bad and wrong IVF was. Of course it was because of all the reasons why women could not conceive and that you were creating embryos and those embryos would not always necessarily be used, so you were actually destroying life not creating it, and that we all should not do it. I have to say that at my all-girls school in 1986 it really did not go down well. The overwhelming feminists in the room, of which there were many, did not take this advice too well from a visiting priest telling us that we should not do what we wanted to do with our own bodies and with our own fertility. It did not go down well at all.

I am glad that we are separating that whole idea of what the church believes and what we need to do with our bodies and what we need to do with our fertility, because if we have got the science, I do not think that any of us here or any of us in the community have got the right to judge people on how they should or should not go about creating their own family. If people are approaching this with a good heart and with a pure heart, I do not think we have got the right to tell them that they cannot do it. I have to say this priest did not enjoy his experience at my school, and our nun principal was not too impressed with our questioning and argumentative behaviour to this priest either. I suspect he did not know what he was in for really. But I think it talks to the idea that we need to recognise how challenging this experience is, that we need to be inclusive in this conversation, that we need to not create roadblocks but be open about the challenges that can be there. Have open conversations. Have conversations that are not judgemental, that are not telling you that ‘This way of having a baby is better

than that way of having a baby' or having any kind of input into telling people what they should or should not do with their fertility or with their bodies.

These are very good changes. As the member for Oakleigh was saying before, we have got an inclusive agenda. We have got an agenda that is focused on equality, and this is just yet another step in the process of change that we are about, which creates a more inclusive, more equal society but also a more forgiving society—a society that recognises that we do not all have the same opportunities, we do not all have the same advantages, we do not all start from the same starting point and that at various times in our lives government needs to intervene, government needs to help us out. I have to say that this is another one of those times where we do need government to come in and to help us, whether it is changing this act or whether it is with the coronavirus that is currently starting to seep into our community. The idea that we need small government, not big government, is wrong. We do need government to come in, we do need government to support us, we do need government to assist us. Whether it is a framework around when we have got challenges to conceive, whether it is a framework around our broader health care, whether it is a framework around our social security net, whether it is a framework around accessing hospitals, whether it is a framework around assistance, we do need government to be there and we do need government to support us. Echoing the lines of the member for Oakleigh, it also helps when you have got a government that has got a lot of women in it.

You do create a broader spectrum of policy and you do have a broader spectrum of response. In the five years that I have been in this place a number of the legislative changes and bills that we have introduced to this place would not have happened without the number of women that we have in our caucus and on our front bench. It is great to see a female minister right here in front of me who is doing terrific work. Without the women in this place we would not be the progressive, inclusive and great government that we are. I stand with them all, and I thank the minister for this legislation.

Ms SETTLE (Buninyong) (17:47): I too rise to speak in support of the Assisted Reproductive Treatment Amendment Bill 2020. I am a very proud member of this government, and part of that pride comes from this government's absolute commitment to ending discrimination. This bill removes an unacceptable discrimination between people who conceive naturally and those who access assisted reproductive treatment, or ART.

Currently the Assisted Reproductive Treatment Act 2008 requires a woman and her partner to undergo police and child protection order checks prior to accessing ART. This bill will ensure that people are not discriminated against on the basis of needing to access ART to create their families. In the past year alone more than 13 000 women have accessed ART services in Victoria, and in my home town of Ballarat, in 2017–18, 326 women were treated with ART. I think about those women in my community who have gone through what the member for Yuroke described as a 'terrible journey'.

I would like to acknowledge the contributions of the Minister for Women, the member for Yuroke and the member for Footscray for telling their stories. Telling their stories will give comfort and understanding to many women in my community. I was particularly heartbroken to hear the member for Footscray describe the day that she sought to get her police check—the stat dec—signed. The thought that there would be any woman sitting crying on a park bench from the sheer humiliation that this process had put her through just fills me with absolute horror.

I am the mother of two wonderful young men. I conceived my children at age 37 and 39. I was delighted to find out at the time that they were considered geriatric pregnancies, which is the clinical term—you may laugh. But of course we all know that after 35 years of age fertility decreases very dramatically. I was very, very aware of how lucky I was to be able to conceive.

More than that I remember very well my own mother and my wonderful stepfather going through ART in the 1980s. I was only a young girl, but the pain of that difficult journey that they went through is still burnt into my mind. Although I did not know it at the time, I absolutely shudder at the thought that they too must have been asked to provide a police check, and I feel genuinely angry at the

humiliation that they must have felt going through that process. Like the member for Yuroke, that journey did not end in joy, and to this day my parents feel the loss of their child.

Many, many years later, I remember when my then partner and I first discussed having children. There were equal parts fear and excitement. Would we know what to do? Could we provide all that our children would need? I imagine that those fears and anxieties are common to many prospective parents, so I can only imagine what that added layer of anxiety would be when facing the cost and the physical challenges of ART.

I have had several girlfriends who have gone through ART, and I know that for them it was a very hard decision to make to pursue. I know that it was a very hard process to go through, and I just cannot imagine how hard it must have been to be then asked to provide a police check. No-one asked me to provide a police check when I decided to have children.

The Andrews Labor government is committed to promoting equality and removing discrimination in all its forms. This bill does exactly that and removes unacceptable discrimination between people who conceive naturally and those who access ART. In doing so it will ensure that people are not discriminated against on the basis of needing to access ART to create their own families.

We all know that when it comes to fertility treatment timing matters. We know that a few weeks can make all the difference to women wanting to undergo ART and the impact that that can have on their chances of success. The removal of the requirement to conduct police checks and child protection order checks will reduce costs and delays to treatment. This means that women and their partners can access treatment earlier without unnecessary delay. It will remove a process that people have found to be unfair, humiliating and distressing at a time when women receiving treatment and their partners are already feeling anxious about their fertility. It will also reduce costs and delays to treatment.

In April 2018 the Andrews Labor government commissioned a 12-month independent review of the Victorian assisted reproductive treatment framework led by Michael Gorton, AM. In July 2019 the Minister for Health announced the release of the final report of this review, which found that the requirement to undergo police and child protection order checks was the number one concern raised during consultations, second only to the cost of treatment. The current requirements discriminate between infertile members of the public and women against whom similar convictions are recorded but who are not required to have these checks before starting families.

Safeguards exist to protect children at risk whether they are born following a natural conception or an ART conception. In deciding whether to treat any person an assisted reproductive treatment provider must still consider the guiding principles in section 5 of the act, including that:

- (a) the welfare and interests of persons born or to be born as a result of treatment procedures are paramount;

An assisted reproductive treatment provider will continue to be able to refuse treatment if the provider or doctor reasonably believes that a child born as result of a procedure would be at risk of abuse or neglect. The Andrews Labor government is committed to promoting equality and removing discrimination in all its forms. The Andrews Labor government is committed to ensuring that more Victorians can start a family and discover the joys of parenthood through IVF and other assisted reproductive treatments. This government made a \$32 million commitment to public IVF services for low-income Victorians. This government commissioned a landmark independent review of assisted reproductive services in Victoria. The review handed down 80 wideranging and comprehensive recommendations, and already a number of those have been implemented.

Last year the Parliament passed legislation to implement two recommendations of the review to remove the requirement for women who are separated but not divorced from their spouse to have to seek their spouse's consent to access treatment. I was delighted again to speak on that bill with regard to, particularly as a woman, the notion that I would have to seek my ex-husband's consent were I in a new relationship and wanting to receive ART. So this government is clearly committed to ensuring

that more Victorians can start a family and discover the joys of parenthood through IVF and other assisted reproductive treatments.

I think it is an expression that is often used by those on this side of the house that to us equality is not negotiable. It is probably the driving principle for me, the reason that I wanted to be in this place and the reason that I wanted to be part of a Labor government. Equality is paramount and is not negotiable. The current legislation around the requirement to seek a police check can only be described as unfair and unjust in its current form. It creates two classes of parents: those that conceive naturally and those that require ART. As someone who believes in the equality of all of us, I find it an offensive premise to divide prospective parents into these two classes.

As I said earlier, I experienced the journey that my mother went through, and it was very long and it was very difficult. They went through many things together, and sadly, like the member for Yuroke, they got to a point where they really thought they could not go through it anymore and that success was not to be theirs. I was, I think, about 17 at the time and was heartbroken to see the two of them in that state. So this is obviously a process that can be extraordinarily difficult and confronting, and the notion that one has to then stand up and prove through police checks that they are an appropriate parent is really difficult for me to contend with.

So, as I say, this government is committed to the notion that equality is not negotiable. This amendment will mean that ART and naturally conceiving parents are on an equal footing, and for those reasons I commend this bill to the house.

Ms GREEN (Yan Yean) (17:57): What an uplifting debate to join, on the Assisted Reproductive Treatment Amendment Bill 2020, which is before the house, and I think especially—to echo what the member for Eltham said—to be able to speak about something so joyous, about the creation of life and improving circumstances for those who are trying to have a baby during such a difficult, difficult time. One of the things that I have loved about this Parliament is the influx of so many new members and so many babies, and I know that you have been a recipient of one of those babies, with the beautiful Cleo, Acting Speaker Bull.

I think back to when I was elected in 2002 to some of the old-timers who were here then, some of the longstanding journalists and indeed some of the attendants—some of whom are still here and some who have gone—and the things that they said when there was that Brackslide of women in 2002, and I think you have really seen it with the influx of young members this time and babies everywhere. I remember these old-timers saying how the winds of change blew through this place when you saw babies and children around all the time, and I really want to commend the Presiding Officers for the fantastic welcoming environment that is in this place now—that has not always been so—with parenting rooms, whether it is for the little babies or older children, with games and things like that.

We do make some big decisions that really affect Victorians. Sometimes the legislation we bring in does not affect many people or not a lot of people are that interested in it, but I think this is something that really has captured people's imaginations. I have not been in the chamber for the whole of the debate but I have watched most of it from my office, and no-one could but be moved by the contribution by the Minister for Women telling her own personal story of reproductive treatment and her really honest story of going on that journey alone now. Given sometimes we have got our weapons out and are having a crack at each other in this place, it really gave me a warm feeling, despite the grief of hearing the Minister for Women's story, to see her supported at the table by the Minister for Public Transport—another woman, sitting next to her—and then an opposition member, in the member for Lowan, coming over and bringing the box of tissues. The fact that she was able to express her emotions in this place, in a safe place, and tell her story really makes real why we are making this change and indeed why we take steps to change things for the better for the community.

The member for Footscray also made me cry. I have known the member for Footscray since she was a teenager. My heart was breaking when I heard her say she was walking along Elizabeth Street trying

to find someone, anyone, to sign her police check. To think someone I have known so long, who radiates goodness and is a fantastic mum of two and a fantastic member of Parliament—I just wish I had known—it says so much that often these journeys are not shared and are kept in the private domain, and they can be even more painful. I think it can add to the shame, a shame that should not be felt, if there is a need for supported assisted reproductive technology, in my view. To consider having to get over that hurdle of proving whether you are a criminal or not is just so humiliating and debasing, so thank you to the member for Footscray for sharing that.

The member for Tarneit has shared beautiful stories in this place before about her two gorgeous kids and the one that is always in her heart but did not live. I had not realised that her journey has been through assisted reproductive technology as well.

The member for Clarinda talked about a five-year journey until his wife was able to conceive. I have known the member for Yuroke and the member for Eltham for a long time, but I had not known about the member for Yuroke's unsuccessful reproductive technology journey. I also had not known about the member for Eltham's miscarriage, but I must say I am not at all surprised at the story she told about the Catholic Ladies College really giving it to the priest who was brave enough to go in and give his views and then be a bit shocked by the views he got back. I am not surprised, having gone to a Catholic girls school myself, how strident the views of the Catholic Ladies College were.

All of them told their deeply personal stories, and it reminded me of when we actually passed the act back in 2008 when I was in my second term in the Parliament. I was someone that was deeply aggrieved about this part of the act. Others have told of their reproductive journey, and I have sometimes mentioned mine. Mine was never a difficult one. I got pregnant on the pill twice, and I have two fabulous sons to show for it. So it was kind of not a difficult one for me. It was more of a difficult one explaining to my father, especially the first one, given that I was 19 years and three months. That was the difficult part of my journey.

There is the unfairness. I have got a number of friends who have been down this path and who have shared their journeys with me, and some of them have been unsuccessful. Whenever there is a terrible story of child abuse or children not being cared for, it has been like a knife through the heart for those couples and those women who have not been able to become mothers—the idea that there are other mothers and fathers who have not cared for their children and that those parents have not had to go through a police check before they bred; they just did it.

I found it really moving in the last few weeks hearing a lot of commentary on the radio, and I think this is something that is overwhelmingly supported by the community—that we are getting rid of these humiliating police checks. We are at least getting rid of one hurdle there. I really support the election commitment that we went to the last election with, saying that we would introduce and support publicly funded IVF because it is a huge and costly exercise. Many women do not meet 'the one' until later in life. Or it might have been for economic reasons that it has taken them a little longer.

I bought my first house when interest rates were at 16 or 17 per cent, and there was a lot of unemployment around in that period. It has been a different situation recently in that people just have to work so jolly hard to get a career underway and get their first home, and then sometimes they are just finding the clock has been ticking longer than they expected. We need to get rid of these barriers, and I am proud to be part of a government that is so supportive of this and has so many members that have been so generous during this debate in telling their story.

I do want to wish the member for Lowan all the very best. In her contribution as the lead speaker for the opposition she did express her fears—and it must be the same for many pregnant women at the moment—about what it might mean giving birth during this pandemic. It just adds another layer when you think about this. At no other time in my history in this Parliament have we been so close to dealing with matters of life and of death, and it is just an amazing thing to be putting forward a bill of such joy during such a difficult period. I hope that those who are going through a difficult reproductive journey

at the moment will feel more supported and more loved through this difficult time and understand that this piece of legislation just takes one of those barriers away. Thank you so much for the solid, amazing hard work of the Minister for Health and her staff and the Minister for Women. I commend the bill to the house.

Mr RICHARDSON (Mordialloc) (18:08): What a privilege to rise and be given the opportunity to speak on the Assisted Reproductive Treatment Amendment Bill 2020 and to follow some remarkable community leaders—leaders of this Parliament from across the Parliament. Some of the contributions that have been made today give you goosebumps. We have heard about the journey that people have taken to this point in time and some of the heartache and the turmoil that they have gone through in their reproductive journey. What a time, where we get to have such an impact on so many lives and make it easier for people to experience the joy of parenthood and also to remove significant discrimination and barriers to access. That is what this bill is all about.

Can I give a big shout-out to the contribution of the member for Tarneit, an incredible person who in her first speech shared her journey. She is an incredible leader for the west in her community. For her to open up about her experience was amazing. The member for Footscray gave an amazing contribution as well. To hear that while I was sitting just in front of her here was amazing. The member for Yuroke talked really passionately about how brutal the process was and the emotion in her speech and her language was so compelling and so raw. It left a real mark on me.

I feel a little bit out of place speaking on this bill because I have had the opportunity to go through and experience the overwhelming joy of becoming a dad. As a member of Parliament it gives you so much purpose and so much hope, and it really grounds you in the work that you do. I find that in my experience with Paisley. How raw it is for people who miss out on that opportunity through no fault of their own when they have compassion and love and joy and aspirations. If you listened to the member for Dandenong and Minister for Prevention of Family Violence, what a speech of the 59th Parliament, what an incredible leader in Victoria and what a person—what a human being. She is an extraordinary person, and that contribution while in a Parliament that is in lockdown at the moment will send ripples and reverberations throughout communities because it will be a speech that people refer to for hope. When you are down on your luck and you are still trying to get through and get by and you are facing those challenges and the severity of not being able to conceive yet, that is a speech filled with purpose and hope.

That is the anchor in the work that we are doing as a government across different areas and across different communities to end discrimination, to make it so much easier for people to go about their lives and to support them in their lives and their aspirations across a range of different areas. That is just another example of our inclusive and progressive agenda in this state making lives fairer for people.

My understanding of this area came about through the prism of being a member of Parliament and hearing people talking about barriers to IVF and multiple attempts at trying to have a bubby. They were some of the most confronting meetings I have been in, seeing some of the rawest emotions of people with every hope and aspiration and joy and love, who were wanting so desperately to do what so many do naturally—within a blink of an eye they are able to conceive—and how pressurised that is. I saw how much pressure that puts on relationships, on families, on mental health and wellbeing, on work, on mortgages and on family outcomes. To see that as a member of Parliament, in the main prism of meetings about costs and the barriers to accessing IVF and then the trauma of multiple attempts and not getting through and having a successful result, is harrowing stuff. I think it is quite confronting as members of Parliament when you experience those kinds of meetings. There is the notion that as elected representatives we have the opportunity to change lives and change outcomes through the stroke of a pen and legislation that we bring before this place and the notion that we will be removing barriers in the future.

The member for Footscray summed up perfectly the frustration, the pain and the anguish of the requirement for a police check and the substandard two-speed and two-tiered system, effectively, of

those that can naturally conceive and those that are put through significant pressure, and it adds to that trauma and that heartache and that anguish on their journey as well. So removing that discrimination just seems such common sense; supporting people in that journey rather than adding more layers of challenges and pressure. Of course this is underpinned in the work that was done by the Gorton review, which resulted in some of the recommendations that we are dealing with today in this legislation. There were 80 wideranging recommendations, and already a number of these are starting to be implemented.

Amazingly as well, as these notes say, in the past year alone more than 13 000 women accessed assisted reproductive services here in Victoria. Each one of them has a story, a tale to tell. Each one of them has been frustrated by a bureaucratic system that punishes them through no fault of their own and creates a two-tiered system through that identification. Anecdotally we hear that two-thirds of women who undergo IVF treatment are unsuccessful, and that just shows the journey that they have to take and the pressures that are borne upon them, their families, their friends and the wider community as well.

So Michael Gorton's work and the final report of this review found that the requirement to undergo the police and child protection order checks was the number one concern raised during consultations—only second to costs. We have an obligation to listen to communities and do all we can in our system to make it easier for people, to take the feedback of community and try to make it easier. For those 13 000 people across our electorates—and some would call the Mordialloc electorate home as well—the notion that we are on their side with this bill, to make it easier and the outcomes better for them, is really, really important.

The amendments represent the next stage to action the government's commitment to review and strengthen Victoria's assisted reproductive treatment laws, and implementing this bill addresses significant concerns in Victoria about those required checks. I think we can all agree that that is going to do a lot to improve those outcomes.

In addition to that work I want to reflect briefly as well on the cost, and this was one of the biggest things that was raised with me by a number of constituents in the lead-up to talking about this bill. But then in the previous Parliament and in constituent meetings there was the notion that we need to do more to support people who are locked out, whether it is low-income families or a range of other areas.

And it was so heartfelt and so inspiring to see that announcement by the Minister for Health back in mid last year agreeing to those recommendations but also talking about making it fairer, more affordable and easier to access IVF and being a part of those generational changes and reforms that will really make a difference to the lives and outcomes of Victorians. So this is all about equality. This is all about supporting people who are wanting to start a family, like so many in this place, in joy. And I will say as a dad of a three-and-a-half-year-old, when Paisley arrived I almost took that for granted. And when you think of the heartache that so many have talked about getting to that point, whether they have been able to have bobbies or they are missing out, it really checks you in your spot in that moment thinking about how much people will go through, and you just reflect on how much of a privilege it is to be a parent and be able to raise a child.

So I think this is wonderful landmark legislation. It is great work by the Minister for Health and the Premier. But again, thank you to the Minister for Prevention of Family Violence, the member for Dandenong and the members for Tarneit, Footscray, Yuroke and Lowan for their contributions, because those MPs speaking up will make a massive difference to the outcomes in their communities and also show the leadership and the path walked before, to give others hope—that we are all in this together to support people. Hopefully these reforms will make a massive difference.

Ms SULEYMAN (St Albans) (18:18): I too rise to speak on the Assisted Reproductive Treatment Amendment Bill 2020. It is always very challenging to speak after such a fine contribution from the member for Mordialloc—and many other contributions today. In particular I want to thank the Minister for Prevention of Family Violence and Minister for Women, the member for Dandenong,

and also the member for Footscray and the member for Tarneit for sharing their real-life stories with us and their journey, in particular when it comes to I suppose some of the challenges and the sadness that they experienced through their journeys.

There is no doubt, as the member for Mordialloc said in his contribution, that everybody really deserves to have a child, and what better way to fulfil that joy and happiness? I am a proud auntie, and I absolutely love my niece and nephew and I get to live the experiences of a mother through being an aunt. And I share the joy and the challenges of having a 10-year-old and an eight-year-old, experiencing the lives of their parents through my experiences.

We all know that our government is committed to making sure that the assisted reproductive framework is amended as a result, most importantly, of the independent review that was conducted in 2018—I must say, that started the process—led by Michael Gorton, AM. This was an independent review to go through and hear the stories. I take this opportunity to thank the Minister for Health for all her work and leadership not only in this area but also in the crisis that we face with the coronavirus—the leadership that the Minister for Health and in particular the Premier have shown.

But going back to this bill, the review found that having to undergo police and child protection order checks was the number one concern. Listening to the member for Footscray back in my office I must admit I really sensed her sadness in reciting the story of her trying to get someone to sign her stat dec and how unfair that process was in the midst of that sadness and frustration. I really sensed that through her story. I am really happy that this amendment takes that section out and makes it not only fair but also takes into consideration those real-life stories.

Of course the second point is in relation to the cost of the treatment. Having children should not be based on the value or the income that you have. I am so glad that we have been able to take that out as well and address that absolute injustice, as I call it.

As we all know, further consultations were conducted. On the requirements for women and their partners prior to accessing assisted reproductive treatment, a number of those elements are removed. So it is fantastic that we have been able to address that.

The Andrews Labor government is committed to promoting equality and removing any form of discrimination, and I am extremely proud of that. Discrimination in every area, whether it is in this area or discrimination based on your race, your colour, your religion, your sex or your gender, should not be tolerated. It is these sorts of protections in our community that set the framework for fairness and justice for our communities. I am really, really proud to be part of that. It is, most importantly, making sure that people are not discriminated against, whether they conceive naturally or have some form of assistance such as reproductive treatment. In doing so this will make sure that no-one is discriminated against on the basis of needing to access assisted reproductive treatment to create their family.

These amendments represent the next step in the action of the government's commitment to review and strengthen Victoria's assessment in reproductive treatment laws. I also note that the member for Oakleigh in his contribution talked about a constituent of his who required a speedy process. It is good to hear that with this particular bill it will be very quick and therefore effectively be enforced in the community for those women who are waiting so desperately for these amendments.

Now, implementing this bill addresses significant concerns in Victoria, and, as we have heard, these checks have been raised during the review. The assisted reproductive treatment report commissioned by the Victorian government in May 2018 and undertaken by, as I said, Michael Gorton, AM, really made it very clear that it is time to remove a process that people—and I am quoting from the report:

... have found to be unfair, humiliating and distressing at a time when women receiving treatment and their partners are already feeling anxious about their fertility. It will also reduce costs and delays to treatment.

As we have heard from the real-life stories of my colleagues, I think we have spoken about the fact that we are close to having 50 per cent women on this side of the house. I think that really says a lot about

the contribution on these bills, because women can actually be part of the process of creating and actually making legislation based on their journeys. I think that is really important. There is no doubt that since the checks were introduced 10 years ago—and I think the bill was introduced in good faith—with time the regulatory landscape for safeguarding children in Victoria has changed significantly, and we know that. I hope that these sorts of reforms will continue with the adoption laws in Victoria. I think that is another area that needs to be looked at, particularly some of the categories that make it very unfair and challenging for prospective adoptive parents to actually go through the system in Victoria. We all have heard stories. It is very challenging. It is extremely difficult. Some potential parents wait for many, many years, even beyond a decade, until they are successful. These are some of the areas that we can continue to review and make sure that there are appropriate amendments that make them, I suppose, a bit more adaptive to the community and society that we have.

Just to conclude, I would like to thank the Minister for Health. I note that the Minister for Women is in the chamber at the moment, so thank you very much for sharing your story, and I wish you all the very best. As I said, I keep saying this as an auntie: I want to make sure that my niece and every other girl and woman in this state and in this country have a voice and are able to be treated in a fair and appropriate manner without discrimination. On discrimination at any level, we have said very clearly we will call it out. We will make the changes necessary to protect our community and our residents.

On that note I also want to commend the work that has been done in this area, particularly, I suppose, in gender equality—and not only in this bill. There are a number of bills—legislation—that have been introduced since 2014 that really make a difference in our communities and in Victoria. As one speaker said, there are so many bills that we pass in this place. Some do not really make much impact, but this is a bill that will make an impact, will change lives and, as the member for Mordialloc said so eloquently, will bring joy to parents. It is that support that parents and women really need at this point in time. I commend the bill to the house.

Mr EDBROOKE (Frankston) (18:27): It is a pleasure to rise on the Assisted Reproductive Treatment Amendment Bill 2020 this afternoon, and as always it is a pleasure to see you in the chair, Acting Speaker Carbin. Can I start just by acknowledging the former health minister, who I think would have been part of the catalyst for the Gorton review in 2018. Also, I just want to say to the Minister for Women, who is in the chamber at the moment, that that was an amazing contribution to this Parliament. I agree with the member for Mordialloc that it is one that people will look to for hope and inspiration when they are going through some fairly tough times. I do not want to leave out the member for Tarneit, the member for Footscray and the member for Yuroke as well—all incredible contributions to a very important issue that is very close to people's hearts.

I just want to also talk about leadership for a second. The current Minister for Health is not in the chamber at the moment. I am blown away by the amount of leadership that is required by ministers and the amount of time that is spent ensuring that things are going right and things are going to plan and making sure that they actually have a vision for the future in seeking those goals for the future. Leadership is certainly the ability to adapt to change, whether it be dealing with the current pandemic or whether it be dealing with longer term societal issues or issues that we are talking about today. I am very proud to be part of a government that can do that and working with ministers that are not afraid to make change that our communities want.

Why is this bill necessary? We have heard many stories of traumatic lived experience from people in this house today. We have heard of the patients in the Gorton inquiry talking about the fact that they felt that it was humiliating and unfair to have to go through this process of checks. In fact it was the most common issue raised in the 2019 Gorton inquiry apart from the actual cost of IVF, which is very, very relevant. Indeed Victoria is the only jurisdiction that makes people, whether they are individuals or couples, jump through these hoops. The world has changed quite a bit since this legislation was enacted in 2008. We have more mandatory checks. We have more upgrades to child protection. The community has moved on, this legislation needs to be amended and that is what we are doing today.

The bill does that by amending the Assisted Reproductive Treatment Act 2008 to remove the requirement that a woman, her partner if she has one, and parties to a surrogacy arrangement must undergo police and child protection order checks prior to accessing assisted reproductive treatment. In practice this means that clinics will no longer be required to ask a person seeking treatment or their partner to provide a police check, to arrange a child protection order check to be undertaken on behalf of those seeking treatment or their partners from the Department of Health and Human Services or to assess the checks to determine whether any offences or orders detailed in the checks give rise to a presumption against treatment. This will affect an estimated 25 000 women and partners who access assisted reproductive treatment in Victoria each year, who will no longer be subject to this discriminatory requirement.

It is worth noting that IVF for most people is not simple. It is a stressful time for partners or singles. There are a lot of visits to clinics and a lot of procedures that need to be undertaken. Without a doubt everyone in this house today knows someone—two people, three people—who have been through this within close family or friendship groups as well.

While removing the requirement for the checks means presumption against treatment will no longer apply, clinics will continue to have a statutory obligation to have regard for the principles of the act when making a decision about whether to treat a woman and her partner or parties to a surrogacy arrangement. This includes that the welfare and interests of the child to be born are paramount. Clinics will continue to be able to refuse treatment if they reasonably believe that a child to be born from treatment may be at risk of abuse or neglect.

Now, I cannot put it any better than a woman who has been through this. The story of Katherine Williams, who has a beautiful son called Lincoln, was reported in the *Age* on 18 February this year. Clinics gave feedback that this was the biggest issue clients were complaining about; it was the most common concern that was raised. She said that:

You're already feeling quite worthless, or like a failure to society because you can't do this thing that everyone else has been so easily able to do, and then you have to sit there and prove that you're good enough.

Now she has got her 14-month-old son, and I am sure it was worth it, but as we heard from the previous speaker, if that is not discrimination, well, I challenge you to tell me what is. She said patients were not given enough information about the type of information that was being collected or what could affect their application, which made the process even more arduous. I think what was going through her mind at the time was that if she had been arrested in her youth for a rally that might have been about the environment or women's rights, would that affect her chances of being able to pass a police check and access reproductive IVF? Clinics still have the ability to refuse treatment if they reasonably believe a child to be born is at risk of abuse and neglect, but for many, many thousands of women and couples this is a huge step in the right direction.

As I said before, there are many people in our community that undergo IVF successfully. There are many people for whom it takes quite a long time. There are many success stories out there. It is a beautiful thing to bring a child into the world, and it is something that we cannot take for granted. Many people may take it for granted, but of course you hear about these experiences from people who are doing it tough to do something that, in the past especially, our society has pushed on to women. Not to say that you are worthless if you do not have a child, but if you reach 30 and you have not borne a child, people will be looking at you strangely. People might ask questions, people might make assumptions. I think the views of society have got to change as well and our culture has got to change with that. That is part of obviously a government agenda to ensure that people are accepted for who they are.

In a familiar case to me, my sister went through IVF and was unfortunately unsuccessful. But I saw the pressure that mounted on her through whether it was walking through Coles and seeing on the news rack people on the front of *Woman's Day* magazines with babies, or, as the member for Tarneit said, every time she looked around it seemed like there was a new baby popping up because someone had kissed someone almost; it just seemed so easy for people. That was a huge burden on her, and

sometimes I think it still is. She I think still gets the questions from people about why they have not had children yet—those uncomfortable pauses. And that really affects people. It really does affect people, because as well as making treatment to have a child much easier for people, I think we have got a bit of an issue in our community where we are still holding on to these old cultural expectations. There are many professional women who I have worked with who do not comply with them, and neither should they. They decided to ensure that they would have children when they wanted to, not when society said they could. They are better for it, and more power to them.

I would not want to miss out on a chance to say that I am absolutely inspired to work amongst a group of very, very strong and powerful women in the Labor caucus, people who do not step backwards in going forwards and people who actually say what they mean, people who got into this job, who were elected, and want to make huge benefits for their community. They do not just want to sit there and do nothing.

For a debate that is as important as this I am looking across the chamber and I am seeing more Hansard reporters than people in the opposition. I know that some people might be in their offices listening, but it really would be great to have some more contributions from people who care so much about this issue. There is no doubt in my mind—and we have heard many cases of it—that people are coming to electoral offices all over the state with this issue. They are talking about this issue. They want action taken, and they want their members of Parliament to actually represent them in the Parliament, not in their office. They want them to be here and actually talking for them. I think that is why it is so important to have this conversation today, and I commend the bill to the house.

Ms Staley: Acting Speaker, I draw your attention to the state of the house.

Quorum formed.

Ms HENNESSY (Altona—Attorney-General, Minister for Workplace Safety) (18:39): Acting Speaker Carbines, if I could perhaps help reset the tone in our chamber by acknowledging the green in your tie and wishing you a very happy St Patrick's Day.

I am very, very delighted to get up and make a contribution on the Assisted Reproductive Treatment Amendment Bill 2020. It is incredibly important reform. I have heard only some of the contributions over the course of the day, but what has been, I think, universal in the contributions has been incredibly heartfelt stories. Some of those have been personal stories people have shared, some of those have been representative stories, but the unifying theme I think has been one of great compassion and one that has reflected on one of the most extraordinary urges that individuals can have, and that is to start a family and to have a baby. We have also heard lots of stories about why people make different choices as well, and I think that that has been a fair reflection upon the various views that people hold in the community.

We have such fantastic technology and medical research capacity and capability in our country, and in particular in the state of Victoria, and of course the science and the technology behind in-vitro fertilisation. We have great lions of clinicians, medical researchers, policymakers and those that were prepared to take a punt on some of these forms of research decades ago in terms of the technology that assists people to have children. I think that we should be extremely proud of the history of organisations such as Monash University and Monash IVF that were some of the pioneers. Dr Gab Kovacs, who is a renowned clinician and medical researcher internationally, has made such an extraordinary contribution to this field. But internationally the desire to be able to assist people that have fertility issues, I think, is a universally held one. What we have seen over the last decades, and what really sits in the architecture of assisted reproductive regulation and law, is a variety of regulatory appetites—some social judgements, I suppose—about the checks and balances. That has been a pretty universal feature as we have dealt with things like medical research and technology. We have felt confronted about some of the ethical questions that those engender.

We have seen that in our debates about who should get access to things like assisted reproductive technology. Should that be heterosexual couples only? Should that be gay and lesbian people? Should that be single women, for example? We have seen an incredible industry that has popped up around the competitive advantage that we have had here in Victoria around assisted reproductive treatment, leading to the commercialisation of organisations such as Monash IVF and the great interest of venture capital in these spaces. Of course, as we see developing countries internationally develop a greater desire for fertility support and treatment, there are incredible amounts of money to be made in this space. I am not necessarily opposed to the monetisation or the commercialisation of medical research—in fact that is something that we as a state have to get better at—but we also have to make sure that as we seek to regulate it we keep a mindful eye on what some of the ethical issues are, on what it means for access, in a country where we pride ourselves on a model that essentially supports universal access to health, not a model that says you get access to what you can afford. We inevitably come up against these tensions as new technology provides new medical opportunities.

There is no greater example of that, I think, than access to things like ART. In this amendment and in the Gorton review, what we see in some of these debates about something that was once the domain of the few that has now become very, very deeply commercialised—that now has a different economic and business model structure around it—is that we stopped having the right regulatory tools. We discovered when profit- and market-based mechanisms defined access to these issues that we did not have the right regulatory model.

As we sought to provide greater access to ART we made certain policy decisions, and this Parliament made certain policy decisions, that now have not really withstood the community scrutiny that the Gorton review uncovered. A really important area of that scrutiny has been what kind of people and who gets to make the judgements about who is entitled to become a parent. One of the many compelling stories that I heard today was one from the member for Yuroke, who was in fact a parent, and imagine being subjected to a test about whether or not you are fit to be a parent again when you have pretty much demonstrated that. I think that the provisions in that bill were really part of a political compromise or a social policy compromise at the time as we took another bold step in an area that people felt a degree of cautiousness about. Those were about who should get access and what kind of regulatory tools we should apply. So that is one of the really important reforms, and those that have had personal experience with how demeaning the requirement for criminal checks is have made the case far more persuasively than I ever could in the course of this debate. As a former health minister who had the great privilege of meeting and working with Michael Gorton to commence this process, a process that has been comprehensively and I think boldly and fairly completed by Minister Mikakos as our current health minister, I know these are the questions that people constantly raised.

The next issue, I suppose, comes to the issue of economics, and in an era when we have come to expect universal access to health care, we will increasingly come up against the cost issue of where medical technology advances our ability to achieve particular outcomes, including things like having a baby. Being able to make sure that we do not deliver a health economy that says the wealthy, middle and upper classes get access to the benefits of all of that uplift and the middle, lower and lower working classes get no access to the benefits is not in my view an acceptable social or economic outcome. There is indeed a very strong and compelling reason to say why we should invest and why we should regulate—to say that when we get the uplift from medical advancements in technology and medical research everyone serves to benefit from that. Now, that is a lofty principle that is easy to roll off my tongue. Delivering that in terms of health economics and genuine access is another thing. But the advancements and the reform in the ART space speak to us being committed to trying to realise that outcome.

One of the most beautiful things, I think, about today's reflections has been the great stories of beautiful babies that have been born as a consequence of people's experiences with IVF. I want to give a shout-out to each and every single one of those babies. What a magnificent and wonderful story and experience. Less highlighted and probably more painfully told, I think, are the stories where IVF and ART have not been successful for people, and I want to give a shout-out to the men and women of

this chamber and to the men and women who participated in the Gorton review who shared their incredibly heartfelt pain, how expensive it was and what it did for relationships. One of the things that I think we have all got to reflect upon is it is none of our goddamn business why and where people have babies or not, and please stop asking. That has been one of the really constant features for those that might be carrying either a private pain or a public pain that they have been prepared to share, and again a very heartfelt shout-out to the member for Dandenong for the incredible generosity of her contribution. Her contribution represents the story of many, many women, families, couples and single people who have gone on this journey and for whom it has assumed an incredibly painful yet important part of their life. This reform is long overdue. May it bring greater happiness to people's lives, and I wish it a speedy passage through the house.

Mr STAIKOS (Bentleigh) (18:49): It is indeed a pleasure to rise to make a brief contribution on the Assisted Reproductive Treatment Amendment Bill 2020 during this parliamentary sitting week that is held under very, very unusual circumstances. I suppose on that note I do want to congratulate the minister who has brought this bill to the Parliament, the Minister for Health, who I think is doing a sterling job as she has an enormous weight of responsibility on her shoulders as we navigate our state through this very substantial public health emergency that is the COVID-19 virus. Can I also say with the indulgence of the house that the Minister for Health is not only a close colleague of mine but also a very, very dear friend. I am thinking about her every day as well, and many of us on this side of the house are very, very proud of everything that she is doing at the moment.

I also want to point out that I have been a member of this house now for more than five years and therefore I have been a member of this government for more than five years, and I think something that has characterised this government from day one is that it is a government that is all about enhancing equality and removing discrimination in Victoria wherever it is found. I think that is at the heart of this bill. This bill is about removing the sort of discrimination that many of us in our day-to-day lives would not normally think about. Indeed I am not someone who exactly knew the very arduous, draining process personally of going through IVF, but I think for a lot of women and a lot of couples in that position this bill will ease some of that strain.

What this bill does is remove the requirement for a woman and her partner, if she has one, and parties to a surrogacy arrangement to undergo a police and child protection order check before accessing assisted reproductive treatment. The bill amends the Assisted Reproductive Treatment Act 2008 to remove the requirement that a woman and her partner, if she has one, and parties to a surrogacy arrangement must undergo a police and child protection order check before accessing assisted reproductive treatment. The amendments in the bill will remove discrimination between people who conceive naturally and those accessing assisted reproductive treatment. Finally, the amendments will reduce the cost of and any delays to treatment. This means that women and their partners can access treatment earlier without unnecessary delays.

Currently in my family I have a close family member in her second trimester of pregnancy. She unfortunately had four miscarriages, and she and her husband were very, very close to going down the path of IVF. Thankfully through some other fertility treatments she did not have to go down what can often be a costly and stressful path. But it certainly does focus my attention on the discrimination inherent in the current legislation, and that of course is what I mentioned just before—that is, between people who conceive naturally and those who are accessing assisted reproductive treatment. Certainly for my close family member and her husband I hate the thought that they could have been discriminated against in any way because they had to become pregnant a different way out of no fault of their own. It is just how life turned out.

I am very pleased that this legislation has arrived in this place and will more than likely pass this house, because I am not speaking from experience but I can imagine that at the best of times being pregnant is a very, very stressful period. I am also thinking of all of the women who are pregnant, whether conceived naturally or through IVF, whose stress has been compounded by the current public health emergency. I wish them well, and I wish all of the health professionals throughout our state helping

them along well as we get through the next few months, which will be difficult. But I know that if Victorians stand together and follow the expert advice we will be able to get through this period and be even stronger than before. With those few words, I commend the bill to the house, and I wish it a speedy passage.

Mr MAAS (Narre Warren South) (18:54): It also gives me great pleasure to rise and to also make a short contribution on the Assisted Reproductive Treatment Amendment Bill 2020. Today has been one of those special days in our Parliament where we have been able to reflect upon and to listen to some real stories from members of the house. Can I pay special tribute to the Minister for Women, the member for Dandenong, the member for Footscray, the member for Tarneit, the member for Yuroke and also the member for Eltham, all of whom have made very worthy, very heartfelt and very personal contributions on this bill.

At the heart of this bill it is about promoting equality and it is about removing discrimination in all of its forms. When you think about the pain that many go through to reproduce, it is a bill whose time has well and truly come so that we can remove this requirement that a woman and her partner, if she has one, and parties to a surrogacy arrangement undergo a police and child protection order check before accessing assisted reproductive treatment. Just saying that actually sounds like a really strange thing, but ultimately it has been a part of Victorian law since 2010.

The amendments in this bill will remove discrimination between people who conceive naturally and those accessing assisted reproductive treatment. The amendments will reduce the cost of and the delays to treatment, and this means that women and their partners can access treatment earlier without unnecessary delays.

Currently the Assisted Reproductive Treatment Act 2008 requires a woman and her partner, if she has one, and parties to a surrogacy arrangement to undergo police and child protection order checks prior to accessing assisted reproductive treatment. Section 14 of the act creates a presumption against providing treatment to a woman if the woman or her partner has returned a criminal record check that shows charges have been proven for a sexual offence of a specified kind or a conviction for a violent offence of a specified kind or where a child protection order check specifies that a child protection order has been made removing a child from the custody or guardianship of the woman or her partner. Where a presumption against treatment applies, a person may apply to the Patient Review Panel for a review of that presumption. The panel is an independent statutory tribunal established to consider a number of matters, including whether treatment can occur if there is a presumption against treatment. After considering the application and having regard to certain matters, the panel must decide whether or not a barrier to treatment applies.

In the last 10 years since checks were introduced, the regulatory landscape for child safeguarding in Victoria has changed significantly, though, and this includes the introduction of a reportable conduct scheme, child safe standards, child information and family violence information-sharing schemes, the expansion of mandatory reporting of child abuse and the working with children check scheme, and significant government investment in initiatives addressing family violence also comes into play. It is for these reasons that it is a good thing that we are removing this requirement that sees that— (*Time expired*)

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

MARYBOROUGH TRAIN LINE MYKI READERS

Ms STALEY (Ripon) (19:00): (2049) My adjournment matter is for the Minister for Public Transport, and the issue that I want to raise is around getting Myki readers into Creswick, Talbot and Maryborough. I have raised this with the previous Minister for Public Transport, both by letter and I think by adjournment, although it may have been by a constituency question. The problem is that we do not have Myki readers at Creswick or Talbot or Maryborough stations. We used to have a retailer in Talbot, the post office, where you could buy a Myki card, but they have now closed so there is nowhere that you can buy a Myki at Talbot. There is also nowhere in Creswick to buy a Myki card, either on the station or nearby. The retailer who was near Maryborough is no longer near there, so people have to go a long way.

I have been raising this repeatedly, and I get told that the regional network development plan is the answer to this. But that has not been updated since 2016, and we still have not got an answer. The action I seek is that the minister at last commits to putting Myki readers on the three stations along the Maryborough line so that travellers on that line can access rail in the same way that those in Ballarat or in fact Melbourne can access rail. With that, I ask the minister to act.

ASCOT VALE PUBLIC HOUSING ESTATE

Mr PEARSON (Essendon) (19:02): (2050) My adjournment matter today is directed to the Minister for Housing, and I am pleased he is at the table. The action I seek is that the minister come and visit the Ascot Vale public housing estate in Ascot Vale and meet with public housing tenants as well as visit the Wingate Avenue Community Centre at a time of his convenience.

COVID-19

Ms RYAN (Euroa) (19:02): (2051) My adjournment this evening is for the Premier, and the action I am seeking is that he provide an urgent stimulus to support businesses across my electorate in the face of the immense crisis that is currently facing us. Every state in Australia except Victoria has provided, or is actively putting together, a package of assistance to help businesses, seniors and households in the face of this pandemic. We all know this is going to have a major impact on small businesses across my electorate, from those which are dependent on tourism to the retail sector to cafes, hairdressers and those who are dependent on trade or who are exposed to trade.

I do not think we can afford to adopt a wait-and-see approach. Retailers in Benalla have already told me that they had a bad Christmas, and now that they are facing the very unknown consequences of coronavirus it is a frightening prospect for them. One small business owner who I spoke to today had a \$30 000 order cancelled today, and that is being replicated in businesses right across the electorate.

The impact of event cancellations of course is also incredibly serious, and it is biting very deeply. We have had the Wall to Wall Festival cancelled, along with the Benalla Shorts film festival, the Thoona Wheelie Bin Championships, the Euroa rodeo, GoFish Nagambie, the Kilmore Art Expo and races of course—the list goes on and on.

I would like to take this opportunity to personally thank and congratulate those volunteers who put so much time and effort into organising those events and who have had to make the very challenging decision to cancel them to help do their bit to contain COVID-19. There is an enormous amount of work and time and money that goes into planning those events to make our region the very wonderful place that it is to live and work. I want the government to realise how important those events are not just in drawing people to our region but also in many cases they are the main fundraising event for not-for-profit groups or for charities across my region.

I would also ask the Premier to urgently examine what measures can be put in place to stop panic buying. There are I think a lot of mixed messages from government and from the media at the moment, which have fuelled panic and led to supermarket shelves being stripped bare. But today I have had reports of busloads of people coming from Melbourne or from outside our area, stripping the

supermarkets and moving on. I am very deeply worried about where that leaves people, particularly those who can only afford to buy their groceries from week to week.

BENTLEIGH ELECTORATE HEALTH FACILITIES

Mr STAIKOS (Bentleigh) (19:05): (2052) My adjournment matter tonight is for the Minister for Health in the other place. The action I seek from the minister is that she reschedule her visit to the Bentleigh electorate to sometime in the future, once this current public health emergency subsides. The minister was due to visit my electorate recently, to visit Moorabbin Hospital and also the Brighton ambulance station. At Moorabbin Hospital she was to visit what is the jewel in the crown I think of the Monash Health network when it comes to elective surgery. Peter Mac is also there. It is a very important hospital. But there is also Brighton ambulance station. We of course are building a new ambulance station in East Bentleigh, and I thought it would be a good idea for the minister to meet some of our local paramedics. Of course, the minister had to, very understandably, cancel that visit given the current COVID-19 virus. It is very understandable. When this subsides I would very much welcome a visit from the minister to these important health sites in the area.

I would also like to take this opportunity to congratulate the minister for her very strong, sterling work at the moment, on behalf of all Victorians, and the Premier as well, for his strong leadership. I would also like to take this opportunity, while I am on my feet, to congratulate and thank all of our healthcare workers who are going above and beyond at the moment and will be for the foreseeable future. I also thank the electorate staff in our offices, who are currently not only fielding a lot of questions from concerned residents of our electorate but also I think providing comfort to them while we are here in this Parliament. Could I just thank my own staff—Robyn, Edward, Ben and Betty—for all of their hard work. They are under the pump at the moment, and they are going above and beyond. I certainly appreciate their efforts.

ANTI-SEMITISM

Mr SOUTHWICK (Caulfield) (19:07): (2053) The matter I wish to raise today is for the Minister for Multicultural Affairs, who is at the table today. The action that I seek is for the government and the minister to work together with the Victorian opposition to bring forward legislation to ban the public display of the Nazi swastika and other Nazi symbols here in Victoria.

The minister and the government would be aware that on 2 February 2020 the Victorian Liberal Nationals announced a policy to ban the public display of the Nazi swastika and other Nazi symbols in Victoria. The opposition has now developed draft legislation to effect these changes via an amendment to the Racial and Religious Tolerance Act 2001. This announcement comes during a period of rising extremism in Victoria and in Australia, with recent examples where the Nazi swastika has been used as a deliberate attempt to incite fear and hatred.

I also note that we have had an update from the ASIO director-general, Mike Burgess, who has said:

... ‘small cells’ of right-wing extremists were regularly gathering to salute Nazi flags, inspect weapons and to disperse their ‘hateful ideology’ ...

while delivering his annual threat assessment. He also cited that some type of attack in the future by these groups is still probable and that they are recruiting children as young as 13 and 14.

Since announcing this policy the Victorian opposition has sought to work in a bipartisan manner with the government, and I would like to acknowledge the support of the minister and his willingness to work together with us on this important policy to date. Minister, with the legislation now drafted, the next steps would be for an exposure draft of the proposed laws to be provided to the community to seek feedback, with the view of bringing legislation into Parliament in a timely manner.

Politics has no place when it comes to fighting racism and anti-Semitism, and I could not think of a better way for the Parliament to stand united against hate than both Labor and the Liberal–Nationals

working together to co-sponsor these important new laws to ban the ultimate symbol of hate—that is, the Nazi swastika—here in Victoria.

YARRABAH SCHOOL

Mr RICHARDSON (Mordialloc) (19:10): (2054) My adjournment this evening is to the Minister for Education, and the action I seek is for the minister to provide an update to my community on when the completion works at Yarrabah School will take place, a \$20.5 million redevelopment of our specialist school in Aspendale. There is a pipeline of investment the likes of which we have not seen in our community in many, many years—investment in every school, regardless of their place in our sector, whether it is our Catholic schools, our government schools or our special needs schools. We are supporting every student in our education system to be their very best.

It was a few years ago that I got the chance to first visit Yarrabah School and meet Principal Matthew Harris, and his visionary leadership in specialist education was absolutely outstanding. It inspired me in a commitment that we made to fully redevelop this school and give every student at this school the very best opportunities. I know, Deputy Speaker, you share a passion in this space for capital works and improvements for our specialist schools.

We are on a wonderful journey where just recently we opened up the administrative buildings after completing stage 1. In the next months we will have stage 2 completed, which are the secondary buildings, then the full landscaping and the critical delivery of the hydrotherapy pool, which is something our community is so passionate about.

Think about the investment at Mordialloc College, Parkdale Secondary College, Chelsea Heights Primary School and Parktone Primary School, just to name a few, and down the road there is Edithvale Primary School. We have seen upgrades at Mordialloc Beach Primary School, Aspendale Primary School and Aspendale Gardens Primary School. We have done a master plan for Mentone Park Primary School. A lot is going on in our community. St Brigid's Primary School has just completed their redevelopment, we are working closely with St Patrick's Parish Primary School, St Joseph's Primary School in Chelsea has an upgrade coming and St Louis de Montfort's School has had a significant upgrade to their classrooms as well.

I have heard those opposite talk about investment in education, saying, 'Well, you can put money in; it's not just about putting money in', but when you see the disrepair that some of these school buildings were in and the fact that it only takes moments to destroy the education system and our schools and leave them behind, well, this is all about investing in our schools and empowering our school communities and supporting our teachers and our communities and increasing school pride. So these are exciting times. Yarrabah is up and about. We cannot wait to get the minister to visit soon, but we would really appreciate an update in our community on where this project is up to.

COVID-19

Mr RIORDAN (Polwarth) (19:13): (2055) My adjournment matter this evening is for the Premier. With a state of emergency now declared in Victoria, will the Premier move to implement some rationing in supermarkets? In country electorates like mine, with over 15 main towns, most of which only have one supermarket and the largest centre being Colac, and with three main supermarkets, every single one of those supermarkets today is without fresh food, without meat and without basic supplies. My electorate I think is the second most socio-economically disadvantaged electorate in the state. There are people on low incomes and people who only buy their food on a day-to-day basis, not weekly, and they certainly are not in a position to stockpile and hoard quantities for up to two weeks. There are families, there are children, there are elderly people and there are disadvantaged people in my electorate tonight who will not be eating, who will not have access to food tomorrow for school and who will not be able to sit comfortably in the coming weeks as the concern and the fear that is running rampant in Victoria at the moment is left untouched.

While we welcome the approach of some of our larger supermarket chains in trying to address this issue, they themselves cannot do this alone. It is now at the point where basic needs, necessities and dry goods are no longer readily available to many in my community. Further, it is reported today from the likes of the Salvation Army, St Vincent de Paul and other charity groups that due to the bushfires in January their stocks of non-perishable goods and urgent supplies that they would ordinarily help out people in need with are no longer available. They too are suffering in this shortage caused by the panic and fear that is currently in the state of Victoria. I also point out that in talking to St Vinnies this afternoon, the only help that they are able to offer families in Colac tonight will be vouchers for fish and chips—it is the only source of food they have to provide people because of the rush.

As one of our colleagues mentioned earlier, there are reports of rampant groups coming from Melbourne, Geelong and beyond in large numbers, clearing supermarkets out in country towns. This is not something that we look for, and certainly, while we are trying to control COVID-19 and bring about measures that create social distancing, we cannot allow to continue in the state of Victoria a situation that will not only leave families hungry but leave families with unacceptable levels of anxiety and concern about their immediate future, regardless of other health concerns that they may have.

HEATHMONT COLLEGE

Mr TAYLOR (Bayswater) (19:16): (2056) I wish to raise a matter with the Minister for Education. The action I seek is for the minister to visit Heathmont College with me to tour the school, where works on their over \$5 million worth of upgrades and exciting new infrastructure from the Andrews government is being delivered. Heathmont College is an absolutely ripping school. They have gone from strength to strength, with increasing numbers and a new sports academy, and now construction is just beginning on their school, which will see it continue to flourish and grow well into the future. The \$5.5 million of funding that the Andrews government provided will see a brand-new, state-of-the-art, competition-grade gym, which is not just great for the school locally; it is fantastic for local sporting clubs and in particular local basketball clubs, who will use it for years to come. The funding is also delivering an education learning facility, which will not only be a place where students learn in a new and bright environment, but the positive education centre will also be set up to work with students not only at Heathmont but at a number of schools locally to teach students and teachers how to be resilient and flourish.

With one in seven Victorian students struggling with mental health issues, this new model of education is absolutely needed, and Heathmont College will be the first school to have this type of facility, which is extremely exciting. This is about strengthening their resilience, focusing on their personal strengths and giving young people a sense of optimism and a sense of hope and enthusiasm for their own future. This is just another way locally that we are getting on with building the Education State, with works already underway at Bayswater Primary School on their new building and at Boronia Heights Primary School on their new oval. We have got the outdoor learning spaces at Marlborough Primary School, at Boronia K–12 College, at Eastern Ranges School and at Baywater South Primary School. We have got new toilets at Bayswater West Primary School and at Marlborough Primary School. We have got a new oval on the way at The Basin Primary School and we have got a new oval at Heathmont East Primary School. I tell you what, it is all happening and there is more to come. Make no mistake about it.

I am so proud to be part of a government that believes in the power of education and invests record amounts into it because we know the difference that it makes. I thank the minister for his work in these vital investments and the support of the schools locally. I look forward to having the minister out to officially celebrate the start of works at the great school that is Heathmont College.

AINSLIE PARKLANDS PRIMARY SCHOOL

Mr HODGETT (Croydon) (19:18): (2057) My adjournment this evening is for the Minister for Education, and the action I seek is for the minister to visit Ainslie Parklands Primary School in Croydon and meet with principal Brett MacKenzie and me to view the newly constructed classrooms and discuss the school's big plans for the future.

As the minister would be aware, Ainslie Parklands is adjacent to Ainslie Park, and positioned directly across the park is the brand-new Melba College in my electorate of Croydon—again, the minister would be familiar with the rebuild and redevelopment of Melba College. This is becoming the education and sports epicentre of Croydon, and it would be advantageous for the minister to visit the school and to see firsthand the potential future of this site. Ainslie Parklands has a student population of around 180 students—I was there recently, and I think it might be a bit less than that, but around 180 students—with the capacity to teach 400 students across their four multi-age studios. Ainslie Parklands Primary School has a strong emphasis on play-based learning from foundation to year 2, leading to inquiry-based learning in years 3 to 6. The students have access to flexible, open-plan learning spaces as well as a multitude of outdoor learning opportunities. Ainslie Parklands Primary School also has a strong relationship with the neighbouring Melba College, with students visiting the campus to use facilities and work closely with secondary staff and students.

The German program offered at Ainslie Parklands Primary School is staffed by teachers from Melba College's German program, offering further continuity between the schools. Ainslie Parklands Primary School has a strong parent community who are actively involved in their children's learning in the school. The community also has a wonderful diversity, which is a strength that they acknowledge and celebrate, with many families travelling some distance to make the primary school their school of choice.

A major redevelopment is underway at Ainslie Park pavilion following a \$500 000 commitment from the federal government—from the member for Deakin, Michael Sukkar—which will provide local sporting clubs with the facilities they need to attract players and new talent to the area. The redevelopment of Ainslie Park pavilion and the rebuild of Melba College have paved the way to make this pocket of Croydon a terrific sports and education precinct that will attract a great amount of attention to the local area and be a great drawcard for enticing people to the region. In addition to all of this, Kilsyth Basketball has constructed additional basketball courts on a parcel of land at the front of Melba College. These are all very exciting projects the minister would be familiar with.

Once again, I invite the Minister for Education to meet with Brett MacKenzie, the principal, and me to discuss the bright future of Ainslie Parklands Primary School and how it links in with the entire area, which will be a showpiece of education and sport for many years to come.

CRAIGIEBURN TRAIN STATION CAR PARKING

Ms SPENCE (Yuroke) (19:21): (2058) My adjournment matter is for the Minister for Public Transport. The action I seek is for the minister to provide me with an update on the progress of the delivery of around 700 additional car parking spaces for the commuters using Craigieburn station. As the minister would know, the Yuroke electorate is experiencing massive population growth, and at the moment we have commuters that are travelling to the station from car parks up to a kilometre away from the station because there are several restrictions on local roads. Whilst we have been able to put in increased car spaces at the station—there are only around 50 at the station and around 100 nearby in Potter Street—those additional spaces have not really stemmed the demand for additional spaces. So the additional 700 that this project will provide, the largest car park expansion in the state's history, will give significant relief for commuters that want to use Craigieburn station—it will provide huge relief. It will provide much more accessible and much safer parking, and it is going to be warmly welcomed by the community. The community is really looking forward to an update from the minister, and I certainly look forward to sharing a project update with the community.

RESPONSES

Mr WYNNE (Richmond—Minister for Housing, Minister for Multicultural Affairs, Minister for Planning) (19:22): The member for Ripon raised a matter for the Minister for Public Transport requesting that the minister install Myki readers at Creswick, Talbot and Maryborough stations, and I will make sure that the minister is aware of that matter.

The member for Euroa raised a matter for the Premier seeking the Premier's advocacy for a stimulus package for businesses that have been severely affected by the coronavirus—in the electorate of Benalla itself, or more generally?

Ms Ryan: Euroa.

Mr WYNNE: Sorry—the electorate of Euroa. I will make sure that the Premier is aware of that request.

The member for Bentleigh raised a matter for the Minister for Health seeking—not surprisingly, given the work that the minister is doing on coronavirus—that a proposed visit to the electorate be rescheduled to another time. I am sure that when the minister has that opportunity she will take up the invitation from the member for Bentleigh.

The member for Mordialloc raised a matter for the Minister for Education seeking an update on the Yarrabah specialist school project, which is a very significant investment in a specialist school in his electorate. I will make sure that the Minister for Education is aware of that.

The member for Polwarth raised a matter for the Premier seeking that the Premier implement a rationing program in supermarkets to avoid panic buying. I take that matter in good faith. It is a matter of concern, clearly, right across Victoria.

Mr Riordan: There's no food left in a place as big as Colac today.

Mr WYNNE: I think we all understand this problem, and clearly that is a matter that the Premier will be discussing on a national basis anyway. Indeed I think in a short while the national cabinet is meeting again—tonight.

The member for Bayswater raised a matter for the Minister for Education seeking that the minister join with the member on a tour of Heathmont College, which obviously the member is particularly proud of. I will make sure that the minister is aware of that request.

The member for Croydon—

Mr Hodgett: Here!

Mr WYNNE: Indeed he is. He raised a matter for the Minister for Education seeking that the minister meet with the principal of Ainslie Parklands Primary School and visit the school to see some of the excellent work that is being done by our public schools.

The member for Yuroke raised a matter for the Minister for Public Transport seeking an update on a very important project, that being the provision of 700 car parking spaces at the Craigieburn station.

Ms Spence: More than.

Mr WYNNE: More than 700 in that rapidly growing area that the member for Yuroke has the honour of serving, and I thank her for that request.

The member for Essendon raised a matter for me seeking that I come and visit the Ascot Vale public housing estate and the Wingate Avenue Community Centre there, which I know particularly well. This is a site that is subject to really fantastic opportunities for urban renewal. We have now received a planning permit from the local council there, and we will certainly be taking the opportunity to talk with tenants about what is going to be, I think, a fantastic urban renewal of some of our worst public housing stock, beautifully located, as people who know the area well will agree, just opposite the showgrounds. This is a brilliant urban redevelopment opportunity, and I will certainly look forward to meeting with the member, who is just a massive advocate for the provision of public and social housing more generally.

The member for Caulfield raised a matter with me, a particularly significant matter, which is the work that he and I have been doing privately around the opportunity to put in place legislation to ban the Nazi swastika. As we know, this is a symbol of hate and this is a symbol that is deeply, deeply offensive to the Jewish community. It invokes, I think, some of the most appalling elements of human behaviour of the worst possible kind. All of us know members of the Jewish community who live with this burden every single day of their lives, having seen families decimated and having seen the most appalling of circumstances. To have the swastika flying in any context here in Victoria or indeed in Australia is utterly repugnant and is rejected absolutely by this Parliament in a bipartisan way. There is no question about that. I think all of us stand united in saying that this sort of behaviour is just of such a vile kind that we simply cannot accept it.

Can I say also that many of us have seen in the newspapers the coverage of other anti-Semitic actions that have been taken. If you did not respond in tears to that appalling photo of the young boy who was allegedly forced at a school to kiss the—I do not really want to say it, to be honest. It is just such a disgusting image. But this is the nature of anti-Semitism. This is the nature of mad, right-wing extremists. This swastika scenario simply feeds into this type of behaviour. We cannot tolerate this. We cannot accept this as a civilised community. We know what fundamental harm this does to the social fabric of our community and to the sense in which our community can come together and celebrate what is best about our community and the contribution, particularly, that the Jewish community has made over generations. We will always stand with them, and we will always support them in a bipartisan way as a Parliament here in Victoria. We are proud of that record.

In that context can I say that I am aware absolutely that the member for Caulfield has done some very good work in drafting a proposed bill. I indicated to the member for Caulfield that there are some processes that I will need to go through within government. Not surprisingly—I am sure the member for Caulfield will understand—the Premier and the leadership have obviously been consumed with other matters, but it is a priority of the government and it is a priority of mine. I look forward to the opportunity for us to get some clearance—and we all understand what those cabinet processes are—to have an exposure draft of the bill with which we could proudly go out together and say, ‘Here is an exposure draft of a really important bill which speaks to the commitment of government in a bipartisan way that we stand together and we stand against these filthy, nasty scenarios like the swastika flag and any attempt to divide our community by right-wing extremists and anybody who seeks to divide our community with anti-Semitic behaviour’.

The DEPUTY SPEAKER: Order! The house now stands adjourned until tomorrow.

House adjourned 7.32 pm.