

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-NINTH PARLIAMENT

FIRST SESSION

WEDNESDAY, 31 AUGUST 2022

hansard.parliament.vic.gov.au

By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU AC

The Lieutenant-Governor

The Honourable JAMES ANGUS AO

The ministry

Premier	The Hon. DM Andrews MP
Deputy Premier, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop and Minister for Commonwealth Games Delivery	The Hon. JM Allan MP
Attorney-General and Minister for Emergency Services	The Hon. J Symes MLC
Minister for Training and Skills, Minister for Higher Education and Minister for Agriculture	The Hon. GA Tierney MLC
Treasurer, Minister for Economic Development, Minister for Industrial Relations and Minister for Trade	The Hon. TH Pallas MP
Minister for Planning	The Hon. EA Blandthorn MP
Minister for Child Protection and Family Services and Minister for Disability, Ageing and Carers	The Hon. CW Brooks MP
Minister for Police, Minister for Crime Prevention and Minister for Racing	The Hon. AR Carbines MP
Minister for Public Transport, Minister for Roads and Road Safety, Minister for Industry Support and Recovery and Minister for Business Precincts	The Hon. BA Carroll MP
Minister for Energy, Minister for Environment and Climate Action and Minister for Solar Homes	The Hon. L D'Ambrosio MP
Minister for Tourism, Sport and Major Events and Minister for Creative Industries	The Hon. S Dimopoulos MP
Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Local Government and Minister for Suburban Development	The Hon. MM Horne MP
Minister for Education and Minister for Women	The Hon. NM Hutchins MP
Minister for Corrections, Minister for Youth Justice, Minister for Victim Support and Minister for Fishing and Boating	The Hon. S Kilkenny MP
Minister for Commonwealth Games Legacy and Minister for Veterans	The Hon. SL Leane MLC
Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Housing	The Hon. DJ Pearson MP
Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business and Minister for Resources	The Hon. JL Pulford MLC
Minister for Water, Minister for Regional Development and Minister for Equality	The Hon. H Shing MLC
Minister for Multicultural Affairs, Minister for Prevention of Family Violence, Minister for Community Sport and Minister for Youth	The Hon. RL Spence MP
Minister for Workplace Safety and Minister for Early Childhood and Pre-Prep	The Hon. I Stitt MLC
Minister for Health and Minister for Ambulance Services	The Hon. M Thomas MP
Minister for Mental Health and Minister for Treaty and First Peoples	The Hon. G Williams MP
Cabinet Secretary	Mr SJ McGhie MP

Legislative Council committees

Economy and Infrastructure Standing Committee

Mr Finn, Mr Gepp, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Tarlamis.

Participating members: Dr Bach, Ms Bath, Dr Cumming, Mr Davis, Ms Lovell, Mr Meddick, Mr Ondarchie, Mr Rich-Phillips, Ms Vaghela and Ms Watt.

Environment and Planning Standing Committee

Dr Bach, Ms Bath, Dr Cumming, Mr Grimley, Mr Hayes, Mr Meddick, Mr Melhem, Dr Ratnam, Ms Terpstra and Ms Watt.

Participating members: Ms Burnett-Wake, Ms Crozier, Mr Davis, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Rich-Phillips.

Legal and Social Issues Standing Committee

Ms Burnett-Wake, Mr Erdogan, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten and Ms Taylor.

Participating members: Dr Bach, Ms Bath, Ms Crozier, Dr Cumming, Mr Gepp, Mr Grimley, Ms Lovell, Mr Quilty, Dr Ratnam, Mr Tarlamis, Ms Terpstra, Ms Vaghela and Ms Watt.

Privileges Committee

Mr Atkinson, Mr Bourman, Mr Davis, Mr Grimley, Mr Leane, Mr Rich-Phillips, Ms Shing, Ms Symes and Ms Tierney.

Procedure Committee

The President, the Deputy President, Ms Crozier, Mr Davis, Mr Grimley, Dr Kieu, Ms Patten, Ms Pulford and Ms Symes.

Joint committees

Dispute Resolution Committee

Council: Mr Bourman, Ms Crozier, Mr Davis, Ms Symes and Ms Tierney.

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

Electoral Matters Committee

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

Assembly: Ms Hall, Dr Read and Mr Rowswell.

House Committee

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

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

Integrity and Oversight Committee

Council: Mr Grimley.

Assembly: Mr Halse, Mr Maas, Mr Rowswell, Mr Taylor, Ms Ward and Mr Wells.

Pandemic Declaration Accountability and Oversight Committee

Council: Ms Crozier and Mr Erdogan.

Assembly: Mr J Bull, Mr Eren, Ms Kealy, Mr Sheed, Ms Ward and Mr Wells.

Public Accounts and Estimates Committee

Council: Mrs McArthur and Ms Taylor.

Assembly: Ms Connolly, Mr Hibbins, Mr Maas, Mr Newbury, Mr D O'Brien, Ms Richards and Mr Richardson.

Scrutiny of Acts and Regulations Committee

Council: Mr Gepp, Ms Patten, Ms Terpstra and Ms Watt.

Assembly: Mr Burgess, Ms Connolly and Mr Morris.

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: Ms T Burrows

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-NINTH PARLIAMENT—FIRST SESSION

President

The Hon. N ELASMAR (from 18 June 2020)

The Hon. SL LEANE (to 18 June 2020)

Deputy President

The Hon. WA LOVELL

Acting Presidents

Mr Bourman, Mr Gepp, Mr Melhem and Ms Patten

Leader of the Government

The Hon. J SYMES

Deputy Leader of the Government

The Hon. GA TIERNEY

Leader of the Opposition

The Hon. DM DAVIS

Deputy Leader of the Opposition

Ms G CROZIER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	McIntosh, Mr Thomas Andrew ⁹	Eastern Victoria	ALP
Bach, Dr Matthew ¹	Eastern Metropolitan	LP	Maxwell, Ms Tania Maree	Northern Victoria	DHJP
Barton, Mr Rodney Brian	Eastern Metropolitan	TMP	Meddick, Mr Andy	Western Victoria	AJP
Bath, Ms Melina Gaye	Eastern Victoria	Nats	Melhem, Mr Cesar	Western Metropolitan	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	Mikakos, Ms Jenny ¹⁰	Northern Metropolitan	ALP
Burnett-Wake, Ms Cathrine ²	Eastern Victoria	LP	O'Donohue, Mr Edward John ¹¹	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Cumming, Dr Catherine Rebecca	Western Metropolitan	Ind	Patten, Ms Fiona Heather	Northern Metropolitan	FPRP
Dalidakis, Mr Philip ³	Southern Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Davis, Mr David McLean	Southern Metropolitan	LP	Quilty, Mr Timothy	Northern Victoria	LDP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Ratnam, Dr Samantha Shantini	Northern Metropolitan	Greens
Erdogan, Mr Enver ⁴	Southern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas Christopher ⁵	Western Metropolitan	DLP	Shing, Ms Harriet	Eastern Victoria	ALP
Garrett, Ms Jane Furneaux ⁶	Eastern Victoria	ALP	Somyurek, Mr Adem ¹²	South Eastern Metropolitan	Ind
Gepp, Mr Mark	Northern Victoria	ALP	Stitt, Ms Ingrid	Western Metropolitan	ALP
Grimley, Mr Stuart James	Western Victoria	DHJP	Symes, Ms Jaclyn	Northern Victoria	ALP
Hayes, Mr Clifford	Southern Metropolitan	SAP	Tarlamis, Mr Lee ¹³	South Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne ⁷	South Eastern Metropolitan	ALP	Taylor, Ms Nina	Southern Metropolitan	ALP
Kieu, Dr Tien Dung	South Eastern Metropolitan	ALP	Terpstra, Ms Sonja	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Limbrick, Mr David ⁸	South Eastern Metropolitan	LDP	Vaghela, Ms Kaushaliya Virjibhai ¹⁴	Western Metropolitan	Ind
Lovell, Ms Wendy Ann	Northern Victoria	LP	Watt, Ms Sheena ¹⁵	Northern Metropolitan	ALP
McArthur, Mrs Beverley	Western Victoria	LP	Wooldridge, Ms Mary Louise Newling ¹⁶	Eastern Metropolitan	LP

¹ Appointed 5 March 2020

² Appointed 2 December 2021

³ Resigned 17 June 2019

⁴ Appointed 15 August 2019

⁵ LP until 24 May 2022

Ind 24 May–2 June 2022

⁶ Died 2 July 2022

⁷ Resigned 23 March 2020

⁸ Resigned 11 April 2022

Appointed 23 June 2022

⁹ Appointed 18 August 2022

¹⁰ Resigned 26 September 2020

¹¹ Resigned 1 December 2021

¹² ALP until 15 June 2020

¹³ Appointed 23 April 2020

¹⁴ ALP until 7 March 2022

¹⁵ Appointed 13 October 2020

¹⁶ Resigned 28 February 2020

Party abbreviations

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice Party;

DLP—Democratic Labour Party; FPRP—Fiona Patten's Reason Party; Greens—Australian Greens;

Ind—Independent; LDP—Liberal Democratic Party; LP—Liberal Party; Nats—The Nationals;

SAP—Sustainable Australia Party; SFFP—Shooters, Fishers and Farmers Party; TMP—Transport Matters Party

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Wednesday, 31 August 2022

The PRESIDENT (Hon. N Elasmarr) took the chair at 9.34 am and read the prayer.

Announcements**ACKNOWLEDGEMENT OF COUNTRY**

The PRESIDENT (09:35): On behalf of the Victorian state Parliament I acknowledge the Aboriginal peoples, the traditional custodians of this land which has served as a significant meeting place of the First People of Victoria. I acknowledge and pay respect to the elders of the Aboriginal nations in Victoria past, present and emerging and welcome any elders and members of the Aboriginal communities who may visit or participate in the events or proceedings of the Parliament.

Rulings by the Chair**RELEVANCE**

The PRESIDENT (09:35): I note that some of the items of general business that have precedence for debate today give me cause to remind members about relevance when debating a motion. The requirement that the member's contribution in debate be relevant to the question under discussion is found in standing order 12.15. The most important test of whether a member's contribution is relevant is the exact wording of the motion being debated. If a motion includes certain allegations or references to one or more members, the debate should be contained to those allegations and references. It is not an opportunity to make unrelated allegations or to refer to members not named in the motion. The Chair will carefully apply the rules of the house in this regard.

Committees**PRIVILEGES COMMITTEE***Inquiry into Breach of Committee Deliberations and Report Contents*

Ms SHING (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (09:37): Pursuant to standing order 23.29 I lay on the table a report from the Privileges Committee on the inquiry into breach of committee deliberations and report contents, including an appendix. I move:

That the report be published.

Motion agreed to.

Ms SHING: I move:

That the Council take note of the report.

In doing so I want to make a couple of brief remarks in relation to an inquiry into breach of committee deliberations and the way in which this occurred in a public setting prior to publication of a committee report. At the outset I want to thank members of the Privileges Committee, including the deputy chair, Mr Grimley, alongside the secretariat, who worked to engage with members of the Parliament and with secretariat staff and to seek information about the way in which information had been provided to committee members, whether substantive or participating members, in the course of the preparation of a final report following an inquiry into medicinal cannabis, a breach of standing orders and a contempt of the Parliament.

These matters are of a serious nature, and they go to the heart of the parliamentary rules, frameworks and conventions, which operate to regulate the functions and the conduct of parliamentary committees. This Privileges Committee inquiry followed the publication of a story in the *Age* on 5 August 2021, prior to the tabling of the Legal and Social Issues Committee report into the use of cannabis. This report contained references to private committee deliberations and included extracts from the chair's

foreword and comments by a committee member, including unsourced comments from others. This matter was then referred to the Privileges Committee.

There are a number of observations and considerations in this report which go to the final report as it was tabled and the way in which such public commentary had foreshadowed a range of matters germane to the consideration of that particular report and its findings. In this regard I note that there have been significant cooperative steps from at least two members of this Parliament, including Mr Limbrick and the chair of that committee, Ms Patten, as they relate to, again, a willingness to provide information—which was not forthcoming, I note, in relation to other breaches of privilege which have occurred in other committees before this and indeed in previous parliaments. To that end I think that this is a significant and welcome departure from what has previously been an extreme reticence to provide information in the interests of understanding the nature, scope and existence indeed of leaks and breaches of the privilege that operates pursuant to conventions and obligations for the purposes of parliamentary committee work.

I also want to note that the findings of the Legal and Social Issues Committee report were foreshadowed in discussions and unsourced comments but the work of this particular committee was concerned chiefly with comments made by Mr Limbrick, as attributed, and comments made by the chair of that committee, Ms Patten. There are findings in relation to Mr Limbrick and Ms Patten at pages 5 and 6 of the report relating to a conclusion on balance that there was a breach of the standing orders by Mr Limbrick amounting to contempt, albeit not of a wilful or malicious nature. In relation to the chair of that committee, Ms Patten, there was a finding of a breach by Ms Patten which amounts to a contempt of Parliament. The report provides a note and a recommendation about the way in which those matters might be addressed and attended to to reflect the importance and seriousness of these matters.

These are issues which have been canvassed extensively throughout the investigation. On that basis I would commend the report to the house, thank everybody involved in its preparation and thank those to whom this report applies for their preparedness to participate in a process which is about, fundamentally, integrity of parliamentary procedures.

Ms PATTEN (Northern Metropolitan) (09:42): *(By leave)* Thank you, President, and I thank the house for providing me with leave for this. I would like to just take this moment to unreservedly apologise for this breach and for this contempt. To be honest, I provided quotes from the foreword of the report, and as that foreword did not form part of the committee's considerations of the report, I actually honestly thought that I could provide quotes from that foreword to a journalist. I did, and I understand now that that was a contempt and that was at odds with our standing orders, so I would just like to take this moment to apologise for that.

Mr LIMBRICK (South Eastern Metropolitan) (09:43): *(By leave)* As the finding notes, I technically breached by expressing disappointment, although I did not disclose anything other than my disappointment to the media or externally. For that I unreservedly apologise. I did not intend to do that, and I will be much more careful in expressing my disappointment in future.

Mr ATKINSON (Eastern Metropolitan) (09:43): I have been in this place for a very long time, and the Privileges Committee in the upper house has never been so busy as it has been in this particular Parliament. That is unfortunate in some respects. In other respects it has visited a number of issues that I think are quite important in terms of the integrity of the Parliament and has reinforced the importance of the responsibility of members to each other and to the institution of Parliament in terms of the way they behave, the confidentiality of the matters that they deal with and the appropriate time for discussion of or debate upon those matters.

The integrity of our committee system is of absolute paramount importance to this Parliament because, apart from anything else, so many people provide statements and submissions and appear as witnesses before our committees on the basis of that information being handled responsibly, in some cases

confidentially, and always with an understanding that that information is going to be used to address complex issues without the political tap dancing between members of a committee. Most members will say that the most important work they do in this place is often with the committees, and they appreciate the fact that when they work with other members of the Parliament in those committees there is a collegiate approach to the matters, the matters are dealt with in a way that is fair and genuine and they can have confidence that the remarks they make in those committees will not be released publicly outside. I seek leave for an extension, President, if you are about to cut me off.

Leave granted.

Mr ATKINSON: I thank the government for the nodded extension. I will be brief—thank you, Mr Quilty. However, in this case in particular, with the report that has come down today, what I would like to comment on is the fact that both of the members that are subject to the recommendations of the report were prepared to make admissions and were prepared to indicate to the Parliament with all due honesty what they had done and the fact that they had been involved in the publication of that article, perhaps inadvertently, not realising that what they were saying was a breach of the Parliament's protocols and therefore did constitute a contempt. But in both cases I acknowledge the fact and I think the committee acknowledges the fact that they did make those concessions. That was important because apart from anything else it goes to establishing beyond all doubt the importance of that committee process and the importance of that confidentiality. I think by those breaches and then by their admissions they have in fact reinforced the importance of this to all of us and the responsibilities of all members in this place.

I thank the staff of the committee for the work that they did. I thank the Chair and the Deputy Chair particularly for the work that they did. The committee met under some fairly difficult circumstances in terms of timings and so forth in this Parliament but was very fair and thorough in the way it approached this issue and certainly recognised the gravity of the circumstances. I hope that members will take this as a very important lesson going forward that this really, as I said, has re-established the importance of confidentiality in our committees and that there ought to not be breaches, not just by members but indeed also by chairs of committees, even in the respect that, yes, most of the committees say, 'Okay, if there is to be media comment of any nature, then it should go through the Chair'. That is fine, except that it should not contain information that is part of that investigative process or indeed part of the report before it is tabled in this place.

Motion agreed to.

Papers

PAPERS

Tabled by Clerk:

Auditor-General's Report on the Follow-up of Protecting Victoria's Coastal Assets, August 2022 (*Ordered to be published*).

Business of the house

NOTICES

Notices of motion given.

Notices of intention to make a statement given.

Members statements**BURWOOD EAST PRIMARY SCHOOL**

Ms TERPSTRA (Eastern Metropolitan) (09:51): It was with great delight that I visited earlier in the week Burwood East Primary School with the Minister for Education, Natalie Hutchins MP, and John Mullahy, our fantastic candidate for Glen Waverley. I was very pleased to have a tour of the school—

A member interjected.

Ms TERPSTRA: I know—fantastic candidate. I was very pleased to have a tour of the school and look at the fantastic learning spaces that are on offer there. But what is even more brilliant is, thanks to the Andrews Labor government, we are investing \$8.031 million to ensure that these very deserving students are getting a new senior learning community that includes a dedicated STEM learning space. This will be an area that is dedicated to staff as well, and also the landscaping around the school and grounds will be zhooshed up, as it were. A new covered outdoor learning space will also be provided.

I was really impressed when we were touring the school to see that they have already got a very cohesive learning environment that includes STEM and they have got some amazing 3D printers there. It was really good to see the teacher that provides the learning in that space. All the printers are named after *Seinfeld* characters, so we had a great laugh about that, but we also saw that these printers were very hard at work printing all amazing manner of things. The students really embraced their learning in that space as well. And what was also really fantastic to see was the transference of skills, not only in the STEM area but also towards the arts, because critical thinking skills are immediately transferable, whether they are science skills or art skills.

HEALTH SYSTEM

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (09:53): Today I want to draw the house's and the community's attention to the decision of the coalition to reallocate the Suburban Rail Loop money for the Box Hill to Cheltenham component and to put it into health projects. We have got a crumbling health system in this state, a serious health system failure. The 000 system is in failure, and we have got a very serious problem. We now have tents outside most of our public hospitals because the government cannot manage the health system. They have been in power for eight years now—

Ms Terpstra interjected.

Mr DAVIS: Box Hill—in your electorate. It is absolutely outrageous. And let us be quite clear: the money—the \$13 billion that has so far been allocated at least officially, and maybe much more in contingency—should be redirected to support health projects. We have listed a number of projects, whether it is the Melton hospital, whether it is the Royal Children's Hospital campus at Werribee, whether it is the Mildura hospital, whether it is Gippsland health care—a whole series of significant health projects. This can be funded responsibly by redirecting the money from the Box Hill to Cheltenham line. We know that the numbers there have blown out beyond all belief; \$200 billion is the number that the Parliamentary Budget Office says, at a 0.6 benefit-cost ratio. It is an outrage.

STORY DOGS

Mr GRIMLEY (Western Victoria) (09:55): I rise today to inform my Legislative Council colleagues of the rebarkable work done by the team at Story Dogs to improve child literacy. Kids with reading difficulties often have a ruff time of it, falling into a cycle of failure. Story Dogs seeks to help such kids reach their full pawtential by providing a suppawtive learning environment so they do not fall behind as they otherwise might. For these kids there is nothing like having a fur-riend by their side. Story Dogs have a pawsome tail to tell. They first trialled the program in New South Wales in 2009. From the very start it has been a barking success, and they now lead the pack, with the program in place in over 300 schools in and around Australia, including in Western Victoria. Ultimuttly the

success of the program depends on resources. Story Dogs receives no government funding and operates on sponsorships, donations, school fundraising and a network of devoted volunteers. I have supported the program myself by donating my polliie pay rise, and I supported their work and ask others in this place and in the broader community to pause and reflect—and if they too might support this pawsome organisation.

BLUE RIBBON FOUNDATION

Mr GEPP (Northern Victoria) (09:56): Good luck following that. Last Wednesday I attended the memorial dedication ceremony for the Blue Ribbon Foundation with our new Minister for Police, Minister for Crime Prevention and Minister for Racing, Anthony Carabine, in Shepparton. The ceremony was held in honour of Constable Victor Nelson, who died on 12 July 1925 in Shepparton; Senior Constable Ian Crilly, who died on 13 August 1994 in the local region; First Constable Ray Denman, who died on 3 May 1964 in the local region; Constable Damian Eyre VA, who died on 12 October 1988 in South Yarra; and Constable Steven Tynan VA, who also died on 12 October 1988 in South Yarra. It was a very moving ceremony and one that paid appropriate dedication to these brave members of Victoria Police. Today we give thanks to all members of VicPol for their tireless efforts and for putting themselves in harm's way to give us protection.

SHEPPARTON HARNESS RACING CLUB

Mr GEPP: On another matter briefly, I was also pleased to attend the Shepparton harness racing track at Kialla raceway, a new state-of-the-art training centre, with the Minister for Racing, made possible by the \$1.1 million Labor government Harness Racing Victoria transformation program.

DAYLESFORD HOSPITAL

Ms MAXWELL (Northern Victoria) (09:57): I had the pleasure of travelling through my electorate last week, visiting Daylesford, Kyneton and Heathcote and meeting with constituents. It was a privilege to attend the Hepburn shire citizenship award ceremony and then meet with Cr Lesley Hewitt and Kathleen Murray, who are two passionate women who are working with a campaign to try and save the Daylesford hospital. It requires serious investment to ensure it remains sustainable, viable and able to continue to serve the community and surrounding areas. This hospital requires urgent investment, and the campaign that they have put out into their community is ongoing and has the full support of the community. I spoke with them about the alternative of losing that hospital, which would be catastrophic for that region. They have asked me to continue to advocate to the government and implore the government to invest in what is much-needed infrastructure but also for the bigger picture to look at the entire health sector and the areas that that magnificent hospital serves. It is 160 years old, and it certainly needs some love and some more work to ensure that that community can enjoy the health services that it offers.

CERES

Ms WATT (Northern Metropolitan) (09:59): I recently hosted a stall at the iconic CERES environmental precinct makers and flea market, and it was a great day spent with my local community supporting local makers and small businesses as well as chatting with locals about how the Andrews Labor government is delivering for Melbourne's inner north. I would like to extend my thanks to stallholder and market coordinator Jorge Duran for allowing me to come and meet so many CERES-loving locals. I even managed to resist the temptation to buy even more pre-loved books. I did—it was hard, I have got to say.

Extending my love of CERES was also my recent visit with the CEO, Cinnamon Evans, as well as the chair of the board, Andrew Hewett, to discuss their plans to expand their environmental work and create the CERES environmental precinct, which will accommodate not-for-profit organisations, community groups, local government schools and businesses seeking unique meeting spaces for a variety of events. CERES makes a big impact, not just locally but across the whole of our state. It is an iconic place to so many people from all over Melbourne. Indeed it was founded by local legends in

the labour movement, and I am keen to continue to work with CERES to achieve positive outcomes for both the park and the broader community.

FREEDOM OF SPEECH

Mr LIMBRICK (South Eastern Metropolitan) (10:00): Early last year Human Rights Watch published an article noting that 83 countries around the world had used the pandemic as an excuse to suppress free speech. They also noted that authorities in at least 18 countries went as far as assaulting journalists, bloggers and protesters. I do not know if they counted Australia in that list, but I certainly would have. Thankfully some kind of sense prevailed yesterday, with the charges against Zoe Buhler for trying to organise a small protest finally dropped.

Free expression has long been considered a pillar of free and open democracies—an essential element for allowing our societies to tolerate diversity and criticise the powerful and corrupt. A cultural and legal shift in perspective to considering words as violence in many Western nations has led to the absurdity of comedians being charged with crimes and people in the UK being visited by police for wrongthink. In 1989 Salman Rushdie set off what might be the longest debate on free speech in modern history when he published *The Satanic Verses*. This led to Ayatollah Khomeini of Iran issuing a fatwa—essentially an international murder decree. Just a couple of weeks ago we saw that the effect of this has persisted, as a man stabbed Mr Rushdie multiple times as he was about to give a speech. Many authors and public commentators suddenly remembered that free speech is important and wrote columns and tweets expressing their support. I hope that they stay true to this value when governments attempt to bring in laws restricting free speech. I wish Salman Rushdie a full and speedy recovery so that he may continue to be a fierce defender of free speech.

INTERNATIONAL INDIAN FOLK ART GALLERY

Mr TARLAMIS (South Eastern Metropolitan) (10:02): I recently had the honour of opening the magnificent endangered folk arts of India exhibition at the Shri Shiva Vishnu Temple in Carrum Downs. This impressive exhibition featured around 80 unique artefacts from all over the Indian subcontinent, including the largest collection of Tanjore paintings, and was organised by the International Indian Folk Art Gallery. I want to acknowledge the tireless work of Senthil Vel and his wife, Rathna, who founded the gallery in 2020 to raise awareness of the endangered Indian folk arts as well as to build a cross-cultural connection with Australian art lovers. Their passion and dedication, driven by their concern over the disappearing indigenous folk arts of India, some of which are on the verge of extinction, is what has inspired their tireless work.

There are over 50 traditional folk arts indigenous to India, each style distinct and originating from various states across the country. Some of these traditional arts date back over 3000 years, and their survival has been dependent on small communities passing knowledge down from generation to generation. Art in all its forms can be powerful. It can empower, educate, inspire and motivate as well as evoke feelings of both joy and sadness. It not only has the ability to capture an artist's thoughts and feelings at a particular moment in time but can convey important cultural stories and traditions that have been passed on for generations. Exhibitions like this ensure that these important arts are not lost forever and are enjoyed by new audiences. It is important that we encourage the continued learning and passing on of the techniques to create such masterpieces so they can endure for future generations, keeping culture and traditions alive. Thanks again to Senthil, Rathna and the International Indian Folk Art Gallery and their volunteers and supporters for this important work.

CYBERSECURITY

Dr CUMMING (Western Metropolitan) (10:04): I, like other members in this house, have had problems with my Facebook account, such as trolls. Our Facebook and social media accounts have been hacked or tampered with. We are less than 12 weeks away from an election. Our social media accounts are vital to connecting with our constituents. I have had a 24-hour ban on my Facebook this week, while I sit in Parliament, for posting an image that was taken at a public event. Anyone can

report a post, and the process of disputing the resulting ban is ridiculous and non-responsive. You can request a review to process the content. Facebook has actually banned the content of debates and members statements that I myself have made in this chamber that have been fact-checked by Hansard. Parliament's cybersecurity has actually got no direct phone number with Facebook. How can anyone feel safe about cyber attacks in Victoria when this Parliament cannot actually contact Facebook when a member of Parliament has been hacked? This is 100 days before a state election. I call on Facebook and others, in the way of hackers, to keep away from this state government election. Allow us to actually have a free election.

BUNBURY STREET, FOOTSCRAY, TREE REMOVAL

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (10:05): I was really saddened to learn from local residents in Footscray that the historic trees in Bunbury Street are starting to be removed. As a former resident of Bunbury Street, I was absolutely devastated to hear this because I know this is one of the oldest parts of Footscray. Those trees are over 100 years old; they must be 120 or 130 years old. They really do provide such fabulous shade and they are much loved by the community in that area, so I was quite shocked to hear that 12 of them are being removed. I am also concerned that it is really going to impact on that particular area of Footscray, which is very close to Footscray station. I would imagine without that great shade from those trees it would be a bit of a hotspot. There may very well be occupational health and safety issues with those trees, because they are getting quite old, but I do get the feeling from local residents that they really have not had much engagement from the Maribyrnong council. I would certainly urge Maribyrnong council to engage much more fully with the community about what the future is for the remaining trees in Bunbury Street.

INTERNATIONAL OVERDOSE AWARENESS DAY

Ms PATTEN (Northern Metropolitan) (10:07): Today marks International Overdose Awareness Day. As the coroner reported, 500 Victorians died from an overdose in 2020–21, so today my heart goes out to the friends and families of those poor people who died from an overdose. Let us not forget that countless other people—thousands of other people—have overdosed and survived, but quite often with an acquired brain injury and other lifelong disabilities. We can do more. We must do more. The Burnet Institute today put out a release calling on us to decriminalise the use and possession of drugs. We must do this. This is supported by the AMA. In fact I do not know a single organisation that does not support the decriminalisation of drugs to reduce the deaths from overdoses. There is a mural in North Richmond that says, 'You talk we die', and that mural is still there, because it is true. I was fortunate early on Friday night to go to a wonderful example of harm reduction at a life-saving centre. It was a fixed drug-testing centre in Canberra. I would encourage people to look it up. We could do that here.

THE BASIN COMMUNITY HOUSE

Mr BARTON (Eastern Metropolitan) (10:09): Recently I had a great opportunity to visit The Basin Community House, where Heather, the house manager, was kind enough to show me around. The Basin Community House is a member of the Knox Learning Alliance and provides free or low-cost adult education and community development programs to the residents of Knox. They are very fortunate to have such a strong and diverse base of trainers and support staff to assist in their courses. The commitment from their volunteer team is absolutely terrific. It was very obvious during my visit just how much passion they have for supporting vulnerable individuals and the wider community. Their offerings extend far and wide. I was especially impressed with their employment skills pathway, a course for offenders undertaking community work orders from the courts. I would like to commend the team for winning the state Learn Local Pre-accredited Program Award in 2021 for their work with the disability support organisation, Tasty Az. Congratulations.

CHANNEL 31

Mr BARTON: I would also like to quickly mention the great work of Channel 31, which has recently launched its new community TV streaming service, CTV Plus. It is already online, and you can watch all your favourite community television shows for free. I highly recommend it. Everybody, check it out.

Bills

**ANTI-CORRUPTION AND HIGHER PARLIAMENTARY STANDARDS
(STRENGTHENING INTEGRITY) BILL 2022**

Statement of compatibility

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

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 Anti-corruption and Higher Parliamentary Standards (Strengthening Integrity) Bill 2022 (the Bill).

In my opinion, the Bill is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Bill Overview

The Bill—

- Establishes the office of the Independent Parliamentary Integrity Commissioner.
- Provides for a Lobbyist Code of Conduct.
- Provides for the registration of lobbyists.
- Amends the **Members of Parliament (Standards) Act 1978**, to regulate meetings between members of Parliament and certain lobbyists, and provide for a Ministers' and Parliamentary Secretaries' Code of Conduct.
- Amends the **Independent Broad-based Anti-corruption Commission Act 2011 (the IBAC Act)**—
 - to expand the jurisdiction of the IBAC so that it can investigate conduct beyond that constituting a 'relevant offence', and to explicitly permit the IBAC to investigate conduct it suspects constitutes a substantial breach of the codes of conduct that apply to members of Parliament, Ministers, Parliamentary Secretaries and Ministerial officers; and
 - to abolish the restrictive prohibition on the IBAC commencing a corrupt conduct investigation unless it suspects on reasonable grounds that conduct constitutes corrupt conduct; and
 - to facilitate the timely reporting of the IBAC.
- Amends the **Parliamentary Committees Act 2003**—
 - to confer functions on the Integrity and Oversight Committee in relation to the Independent Parliamentary Integrity Commissioner; and
 - to ensure that joint investigatory committees are independent of government.
- Amends the **Public Administration Act 2004**, to provide for a Ministerial Officer Code of Conduct.

Human Rights Issues

The right to a fair hearing is provided by section 24 of the Charter. Section 24(1) of the Charter states that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

Clause 60 of the Bill provides amendments to section 162 of the IBAC Act. Subsection (5) of section 162 currently provides that—

“If the IBAC is aware of a criminal investigation or any criminal proceedings or other legal proceedings in relation to a matter or person to be included in a report under this section, the IBAC must not include in the report any information which would prejudice the criminal investigation, criminal proceedings or other legal proceedings.”

The Bill amends subsection (5) to omit references to 'other legal proceedings'. This means the IBAC may potentially include information in a report even where it is aware the information may prejudice other legal proceedings, such as civil proceedings.

Therefore, the omission of 'other legal proceedings' from section 162(5) may limit a party's right to have a civil proceeding decided by a court after a fair hearing under section 24(1) of the Charter, where the information contained in a report from the IBAC may potentially prejudice such a proceeding.

The amendment seeks to balance the Charter right to fair hearing, with the public interest in knowing what is reported on by the IBAC, which generally only reports on investigations of broad issues of major public importance. In my opinion this amendment achieves this balance, and there are no less restrictive means of doing so.

The Bill neither exacerbates nor creates the conflict between public investigations, inquiries or commissions and the proceedings of a Court. Rather the Bill reflects the current reality that such public investigations invariably are, or may be, also the subject of legal proceedings, and so seeks to provide statutory flexibility to balance these respective interests.

In *Victoria v ABCEBL Federation*, Mason J expressed there was a high threshold for a person seeking to enjoin certain conduct of a Royal Commission in a civil matter to establish, 'a substantial risk of serious injustice as an essential qualification of obtaining relief'. The IBAC has powers similar to those of a standing Royal Commission, and so would likely apply a similar threshold when considering whether or not to transmit a report that may prejudice a civil proceeding.

There is cause to expect that the IBAC will exercise sound discretion in making a decision whether to transmit a report that might be prejudicial to a civil matter. The Bill inserts new section 162AA into the IBAC Act providing that a special report of the IBAC may be transmitted regardless of court proceedings that are pending in relation to the subject matter of the report. However new subsection (2) requires that to transmit a report under section 162AA, the IBAC must provide written notice of the reasons for doing so to the Attorney-General at least 14 days before the intended transmission date. Additionally, new subsection (3) provides the additional requirement that the Commissioner of IBAC must also be of the opinion that there is a significant and reasonable public interest in transmission.

Furthermore, the Bill maintains the restrictions in section 162(5) on the IBAC reporting on matters that could prejudice criminal investigations and criminal proceedings. This is reflective of the existing case law that reflects courts adopt stronger positions against the potential prejudice of criminal matters by public investigations, inquiries, and commissions, than of civil matters.

Second reading

Dr RATNAM (Northern Metropolitan) (10:11): I move:

That the bill be now read a second time.

For too long Victorians have been asked to accept poor standards of behaviour from the people elected to serve them and who they look to for leadership. And we know this has dire consequences as people lose faith and disengage from our democratic system of government.

When our systems lose the trust of the public, it is our community that is left to bear the consequences.

It is time to restore integrity back into Victorian politics.

So today I am pleased to second read this important integrity and anti-corruption bill.

It is a significant bill as it represents a line-in-the-sand moment in Victoria. Are we prepared to introduce necessary and straightforward integrity measures to restore public confidence and trust in the institutions that are supposed to support and serve the public?

Unfortunately Victorian politics risks becoming more known for its scandals than the work of the people in this place to improve the lives of Victorians.

For those of us who genuinely entered politics to try and make things better, to try and help our community and not ourselves, this bill represents a road map to restore the faith of Victorians in their democratic institutions and political representatives.

I know this Labor government has a policy not to support private members bills and has argued that this is because it is the government of the day and is uniquely placed to introduce complex legislation.

Well, I would argue that this is one instance and one point in time where the crossbench is uniquely placed to introduce this kind of integrity and anti-corruption bill, because a government and an executive, that is itself plagued by scandal and in the Premier's words 'disgusting behaviour', attempting to fix its own mistakes represents in itself a conflict of interest, and that means its response is unlikely to succeed.

We only need to look back to 2019 to see how legislation to address its own misconduct was watered down by the government to such an extent it inevitably led to even more misconduct.

So I would ask the government to work with us in supporting this integrity legislation today, as I do the opposition and the crossbench, because basic levels of political standards and integrity should be a non-partisan issue.

Indeed we have deliberately scoped this bill to implement the standards that are immediately necessary, to enable this political consensus, as a first step.

We can no longer wait or delay doing what is necessary. And as we start a new Parliament in only a few months from now, we should ensure that all members, including members of the government and ministers, that are part of that new Parliament will be held to a higher standard of integrity.

I turn to the content of the bill.

The bill will establish the office of the independent parliamentary integrity commissioner with a primary role of investigating possible contraventions of the four respective codes of conduct for members, ministers and parliamentary secretaries, ministerial officers or staffers and lobbyists.

The bill will also establish these codes in legislation and require them to be publicly available where this is not already the case, which is currently every code bar the members code.

The parliamentary integrity commissioner will have powers to demand the attendance of witnesses and the production of documents in carrying out investigations, and there are offences relating to non-compliance with these directions.

The commissioner will be appointed by the integrity minister, where a non-government dominated Integrity and Oversight Committee will have a power of veto.

The parliamentary integrity commissioner role should sound familiar, as it is based on the amendments I proposed in 2019 that were rejected by the government but have since again been recommended by IBAC and the Ombudsman in their Operation Watts report.

Part 3 of the bill provides for the regulation of lobbyists.

Unlike other jurisdictions, Victoria has an unlegislated and ineffectual lobbyist register and code of conduct with weak oversight that contains no sanctions. It effectively operates like a self-regulating honour system for lobbyists and ministers that is not fit for purpose.

The bill will strengthen the code by establishing a legislative requirement that lobbyists and government representatives, including ministers, comply with the lobbyist register and code that will be overseen by the independent parliamentary integrity commissioner.

The bill also adds the following new offences regarding lobbying:

- giving or receiving success fees for lobbying activities
- conducting lobbying activities while unregistered

- ministers or cabinet secretaries, parliamentary secretaries, executives or ministerial officers conducting lobbying activities within 24 months of last holding their position—that is, breaching a cooling-off period).

In each instance the penalty for these offences is 120 penalty units for an individual and 600 for a body corporate.

The commissioner will also keep a lobbying watchlist listing unregistered lobbyists and registered lobbyists that have declared potential conflicts of interests with current sitting members. Where there is such a declared potential conflict the commissioner may provide special procedures for managing the potential conflict between the lobbyist and the respective member, minister or parliamentary secretary.

The commissioner will update and circulate the watchlist to all members, and there will be additional new offences for circumstances where a minister or parliamentary secretary knowingly meets with an unregistered lobbyist on the watchlist or fails to comply with any of the commissioner's special procedures for managing a potential conflict with a lobbyist.

Part 6 of the bill amends the Members of Parliament (Standards) Act 1978 to legislate a requirement for a ministers and parliamentary code of conduct that sets out standards of conduct, as well as requiring that ministers and parliamentary secretaries publish summaries of their diaries containing who they meet with at least quarterly.

Part 7 of the bill makes amendments to the Independent Broad-based Anti-corruption Commission Act 2011.

Firstly, the bill expands the jurisdiction of IBAC so that it can investigate corrupt conduct beyond that constituting a relevant offence, where 'relevant offence' is currently defined as an indictable offence as well as certain common-law offences. The bill replaces the relevant offence requirement for corrupt conduct, providing that IBAC may investigate corrupt conduct that may constitute specified conduct, where 'specified conduct' means conduct that would constitute:

- a criminal offence; or
- a disciplinary offence; or
- reasonable grounds for dismissing, dispensing with the services of or otherwise terminating the services of a public officer; or
- in the case of any of the following persons, a substantial contravention of an applicable code of conduct by a minister or parliamentary secretary, or a member of the Legislative Assembly or the Legislative Council, or a ministerial officer.

This aligns IBAC's jurisdiction with that of New South Wales's ICAC, providing the necessary jurisdiction for IBAC to investigate ministers, members and staffers and the so-called grey level of corruption that is increasingly pervading Australian politics.

Secondly, the bill removes the current restraint on IBAC only initiating corrupt conduct investigation unless it 'suspects on reasonable grounds' that the conduct constitutes corrupt conduct. It is a classic catch 22 because determining whether there are reasonable grounds the conduct is corrupt conduct is precisely the purpose of an investigation.

If I may compare the current situation to an Agatha Christie novel, the current IBAC act requires that IBAC gather all the suspects in the drawing room and expose the crime in chapter 1 before launching into the investigation in the closing chapters.

It's absurd in fiction, and it certainly mustn't be the reality restricting IBAC's investigations.

Thirdly, the bill amends the IBAC act to facilitate timely reporting of its reports.

Currently, section 162 of the IBAC act does not specify a time frame for a public body or a person to respond to an adverse finding prior to IBAC transmitting a report, only that IBAC must provide the opportunity to respond. The bill changes this to specify a time frame of three months or a later time as agreed by IBAC.

The bill also amends section 162(5) of the IBAC act so that IBAC may potentially include information in a report even where it is aware the information may prejudice 'other legal proceedings' such as civil proceedings. If IBAC intends to transmit a report in these circumstances, it must comply with the requirements in new section 162AA, where the IBAC commissioner may be of the opinion that there is a significant and reasonable public interest in transmission and must provide prior written notice to the Attorney-General.

Finally, the bill makes important changes to the Parliamentary Committees Act 2003 to remove the government's dominance over the Victorian Parliament's joint investigatory committees.

Parliament currently has five joint investigatory committees upon which important oversight functions are conferred under the Parliamentary Committees Act.

Like all investigatory bodies the independence and perceived independence of these committees is critically important for them to properly fulfil their functions. As they more often than not oversee and inquire into the actions of the government of the day, they must be independent of the government.

Currently the only committee with membership and chair not dominated by the government is the Pandemic Declaration Accountability and Oversight Committee because of a recent amendment under the Public Health and Wellbeing Act.

It is illogical to recognise the importance of independent investigatory committees in a solitary committee while at the same time allowing the other equally important committees to be government dominated.

The proposed changes will not only improve the general investigatory functions of the committees, but in the case of the Integrity and Oversight Committee it will provide a legitimate veto protection for the executive's appointment of an IBAC commissioner under the IBAC act and the independent parliamentary integrity commissioner under this bill.

To conclude, recent developments have established that the old business-as-usual standards in Australian politics will no longer be accepted by the community.

It is now in all our interests to no longer accept obfuscation and delay in attempts to improve integrity laws.

In Victoria we have already waited far too long to legislate these essential integrity standards.

There is much more to do beyond this bill.

We need electoral reform with spending caps, truth-in-advertising laws and upper house voting reform. We need something done about freedom of information in this state and the release of documents. We need governments to implement all the recommendations from our standing committees, IBAC, the Ombudsman and the Auditor-General.

But this bill is the first step of this process.

I commend this bill to the house.

Mr TARLAMIS (South Eastern Metropolitan) (10:22): I move:

That debate on this bill be adjourned for two weeks.

Motion agreed to and debate adjourned for two weeks.

Motions

MEMBER CONDUCT

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (10:22): I move:

That this house:

- (1) notes:
 - (a) the recent reports from the Victorian Ombudsman and the Independent Broad-based Anti-corruption Commission (IBAC), including the:
 - (i) Ombudsman's report on their *Investigation of a Matter Referred from the Legislative Council on 9 February 2022: Part 1*, transmitted out of session on 28 July 2022;
 - (ii) IBAC and Ombudsman's report on *Operation Watts: Investigation into Allegations of Misuse of Electorate Office and Ministerial Office Staff and Resources for Branch Stacking and Other Party-Related Activities*, transmitted out of session on 20 July 2022;
 - (iii) Ombudsman's report on their *Investigation of a Matter Referred from the Legislative Council on 25 November 2015*, transmitted out of session on 21 March 2018;
 - (b) the Ombudsman indicated that she was open to receiving new evidence, should it appear;
 - (c) that a sworn statement by a senior member of Victoria Police provides detailed evidence that the investigation by Victoria Police may have been interfered with;
- (2) requires Mr Davis to provide a copy of the sworn statement to the Clerk;
- (3) requires the Clerk to refer the statement referred to in paragraph (1)(c) and (2) to the Ombudsman and requests that, pursuant to section 16 of the Ombudsman Act 1973, the Ombudsman:
 - (a) assess the material and, if appropriate, reopen their investigations; and
 - (b) refer to IBAC, as appropriate, under section 16E of the Ombudsman Act 1973, to assess the claims made concerning interference in the police investigation as outlined in the statement.

The community are now well aware of this statement. This statement was provided. I make the point here that I have chosen not to name the person who has sworn the statement, and I have done that on advice from a number of people, including people in this house and elsewhere. But I, along with a number of others, was provided with a copy of this statement. It was provided to a number of media outlets—

Mr Leane: You wrote it yourself.

Mr DAVIS: No, I did not, Mr Leane. It is actually quite a serious matter, and I am trying to treat it quite reasonably. This was provided to media outlets. It was provided to MPs. A number of MPs in this chamber have received the statement.

The course of action outlined in this motion is a very straightforward one. I would provide a copy of the statement to the Clerk. The Clerk would provide that to the Ombudsman. The Ombudsman would then be in a position to assess that in a thoughtful way under the provisions of the Ombudsman Act 1973. She has indicated that she is open to receiving new evidence. I am not a barrister and I am not a lawyer, but it is I think quite relevant that it comes through this house in a formal way and that the document is then available to the Ombudsman.

Some have said the document has been sent to IBAC. I have no way of knowing whether that is true or not. It may be true, it may not be true. The truth of the matter is that the IBAC do not confirm or otherwise many of their investigations—and I am not arguing that that is wrong. I understand the IBAC has got its own procedures and approach, and I am not in any way critical of that. I am just noting that that is actually the fact, so none of us have a way of knowing whether the IBAC both has the document and is using the document for its own investigatory purposes. Consequently the steps here are very sensible, practical and moderate steps.

I make the point that for those who have read the statement, it is a concerning statement. It does seem to have an enormous depth of evidence in it. As I read through it there were significant points that laid

out in great detail processes that had occurred—whether it be interviews and steps that occurred, where evidence was contradictory or evidence was received in a certain way—and looking at this from the outside, as it were, it does seem odd that when the red shirts investigation was occurring staff were investigated in a series of dawn raids but ministers were not investigated. The dawn raids had very significant impacts on people, and I do not think there is any question about that, but there is a question about the difference—and I might say that a number of the interviews given by senior police on these matters do not in my view quite stack up. So in that circumstance I think what we are doing here is a reasonable way to have this information properly assessed by the relevant authority—in this case the Ombudsman—and if she believes it is appropriate under her act, she is in a position to refer that matter to the IBAC.

We are familiar in this chamber with the red shirts issue—and to be clear, the red shirts issue was the decision in 2013 and 2014 by Labor to use parliamentary staff and parliamentary resources for the purposes of their political campaign ahead of the 2014 election. They repaid \$388 000 at the time of the Ombudsman's report in 2018, but many at the time believed—and still believe—that that was not a satisfactory outcome in the sense that the money that was taken was wrongfully taken. And even though that component of it was repaid, it does appear that the architects of the scheme—you know, there is a whole set of questions here, but it is not my position today to go over the full detail of the previous matters.

I have referred to them in the motion. The presence of those reports in the motion makes it clear what we are referring to. At the same time this is new, detailed and sworn information. Those who have read it have no doubt about its credibility. I do not have any doubts about its credibility, but its position in law and the weighting of this as evidence is not a matter that I am able to manage myself or I think any of us in this chamber. There are obviously top-line things that appear to rankle and do not appear consistent. The early morning dawn raids and the ministers not even interviewed do appear to be an inconsistency. Again, this evidence appears to argue that there was interference in that set of steps, so in that circumstance the only appropriate thing to do is to refer this to the Ombudsman and, through her in this circumstance, to the IBAC. I do not want to go on here, but this I think is a reasonable and sensible course of action.

Ms TAYLOR (Southern Metropolitan) (10:31): This government has a clear record of investing in and strengthening Victoria's oversight and integrity systems that function to investigate and expose improper conduct, corruption and police misconduct and uphold the integrity of our public institutions. This includes providing our integrity agencies with significant funding since 2014 to ensure they can acquit their legislative requirements. The Victorian budget 2022–23 provides IBAC with \$32.1 million in additional funding and a \$15.8 million boost in base funding for the Victorian Inspectorate. Total funding for Victoria's three key integrity agencies has increased significantly, with a 92.7 per cent increase between 2015–16 and 2025–26, or an additional \$45.8 million in funding, allocated over that time.

Since 2019 we have made a range of reforms to strengthen the oversight and integrity of our public institutions, including measures to allow IBAC and other integrity agencies to conduct inquiries and investigations over audiovisual links and embed modified service requirements; improving Victoria's public disclosure system and streamlining oversight of integrity agencies under the new Integrity and Oversight Committee; providing our integrity agencies with greater budgetary independence, with budgets now determined in consultation with the IOC and annual appropriations specified in the Parliament appropriation bill; and other reforms strengthening IBAC's powers, including the power to arrest a potential witness suspected of corrupt activity if IBAC believes that person is at risk of leaving Victoria. We have also delivered significant reforms to improve transparency and access to information for Victorians through legislative, policy and administrative changes. The Victorian Ombudsman and IBAC absolutely have the resources and the legislation they need to investigate any genuine allegation or evidence of improper conduct, maladministration, corruption and police misconduct.

MOTIONS

Wednesday, 31 August 2022

Legislative Council

3163

This 'new evidence' that Mr Davis refers to has been communicated to IBAC. It is with them, it is with an integrity agency; if they see fit to act on this, then that is their decision. Mr Davis, once again, is seeking to do little more than politicise IBAC for his own gain. It is pathetic. It shows truly the low regard he has for the function of the Ombudsman and the work that Deborah Glass and her office undertake.

Mr LIMBRICK (South Eastern Metropolitan) (10:35): I will just speak briefly on this. I also was sent a copy of this document. I am aware of a number of other people who were sent copies. I concur with Mr Davis that it does appear highly credible, with a large amount of detail and makes some serious allegations. I have no way of determining the veracity of these allegations. I also have no way of determining whether the author of the document consented to its distribution, so I have chosen not to distribute it. I also have no way of knowing whether it has been sent to IBAC already. As Mr Davis has pointed out, they would not comment on that. I think the appropriate course of action is to hand it over to the Ombudsman for her to determine what to do with it.

It does appear to be new evidence. The dates on this evidence are quite recent, so I do not think that it is something old that has already been covered. It does look like it is new information or a new statement by this person, so I think that the only appropriate course of action is to hand it over to the Ombudsman.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (10:36): In reply, this is, as I say, a very important motion. It is the responsible step. We think it should go to the Ombudsman. She would then be in a position to assess it thoughtfully and to send it to the IBAC if required.

House divided on motion:

Ayes, 18

Atkinson, Mr
Bach, Dr
Barton, Mr
Bath, Ms
Burnett-Wake, Ms
Crozier, Ms

Cumming, Dr
Davis, Mr
Finn, Mr
Grimley, Mr
Hayes, Mr
Limbrick, Mr

Lovell, Ms
Maxwell, Ms
McArthur, Mrs
Quilty, Mr
Rich-Phillips, Mr
Vaghela, Ms

Noes, 18

Erdogan, Mr
Gepp, Mr
Kieu, Dr
Leane, Mr
McIntosh, Mr
Meddick, Mr

Melhem, Mr
Patten, Ms
Pulford, Ms
Ratnam, Dr
Shing, Ms
Stitt, Ms

Symes, Ms
Tarlamis, Mr
Taylor, Ms
Terpstra, Ms
Tierney, Ms
Watt, Ms

Motion negatived.

IVF SERVICES

Ms CROZIER (Southern Metropolitan) (10:44): I am very pleased to be able to rise and speak to my motion, because it goes to the heart of what so many women and families require to be able to start families. I move:

That this house notes:

- (1) the decision by the Andrews government to suspend time-sensitive IVF services earlier this year, which caused unnecessary distress and confusion to women and their partners;
- (2) that Victorians considering IVF should not be unfairly prohibited from accessing this procedure to assist having a baby simply due to their financial status;

and calls on the Andrews government to immediately match the Victorian Liberal and Nationals commitment of providing rebates to assist women and their partners in support of IVF testing and treatments.

As I said, this is an important motion to give women and their families that security. Earlier this year we saw the government suspend IVF services. That was going to absolutely have a devastating effect on so many women and their families in being able to have babies. This was an illogical suspension during the code brown.

Members interjecting.

The ACTING PRESIDENT (Mr Gepp): Members, there are a number of conversations going on. Ms Crozier is trying to introduce the motion to the house, so please, if we could just have a bit more quiet.

Ms CROZIER: I appreciate that, Acting President, because it is an important motion, as I said, in relation to IVF services and the ability for women and their families to access these important services and to be able to have families.

At the start of the year the government implemented a code brown. Victoria was the only state or territory in the country to implement such a measure. That suspended surgery and IVF services. Not only was it incredibly damaging to so many Victorians who wanted to be able to get their elective surgery, there were surgeons, anaesthetists and nurses sitting at home doing nothing while their patients were not able to be treated or cared for. This code brown was extended for weeks.

If you think back to what happened in January, when we were told we were opening up, the government failed to even get the basics right. They failed to get rapid antigen tests in place. We were calling for those to be made available in Victoria. The federal government at the time said home testing would be available from 1 November, yet this government, the Andrews government, only ordered RATs for Victorians on Christmas Eve—on Christmas Eve, can you believe it? Of course over Christmas, the new year and all of that time through the festive season—when Victorians quite rightly, after coming out of the world's longest lockdown, wanted to be with family and friends—the omicron variant got to Victoria and took off, but we were warned about that. The government said there would be cases. We were warned about that, we knew that, and as a result of the government's inactions over the two years prior to that there was a very, very big impact on Victoria's health services.

The illogical decision to suspend IVF services, as I was saying, in January of this year must be reversed. There were heartbreaking stories of so many women who said, 'Time can't wait. I can't wait until April, until the government lifts this ban, to be able to have this time-critical treatment'. It was a very, very bad decision by the government; it was illogical. They were saying that health professionals would be taken from these facilities and used in our hospitals and healthcare system—well, they were not. They are specialists in their areas and could not be moved into hospitals to do that work.

The government at the time also argued that staff at private hospitals that were closed down would be put into the public system. That did not happen either. We found that out at the Pandemic Declaration Accountability and Oversight Committee when the committee was told, 'No, that didn't actually happen'. Private staff did not go across. As we know, there were issues around why that did not occur, but the government told Victorians that that would happen. It did not happen, and as a result IVF services and treatments in these specialist clinics where these specialist health workers work could not be transferred to busy general hospitals at that time. It was unnecessary, and it was, as I said, a completely illogical decision made by the government.

At the time it was really clear that Daniel Andrews and his government were dictating to Victorian families what they could do, and it was, as I said, very time critical and time sensitive that these women be able to get their treatment so that they could have and start a family. When I asked the chief health officer in that pandemic committee that I have referenced previously, he said—

Mr Atkinson: Has it met?

Ms CROZIER: Well, Mr Atkinson interjects, 'Has it met?'. No, it has not met for months, and the last time the pandemic committee heard from the chief health officer was on 31 January, when I was

asking these questions to him. He has not been back before the committee. He needs to be back before the committee in my view, and it is absolutely shameful that the Andrews government, within an hour before the committee is to meet, cancels and does not form a quorum. They say they are not available. Three times, Mr Atkinson, that has occurred. That is contempt of the committee process.

We have just gone through something with the Privileges Committee inquiring into the breach of committee deliberations and report contents, where Ms Patten was found to have undertaken matters that have been held in contempt of the very issue that Mr Atkinson spoke of—the integrity of the committee process. We are still under a pandemic declaration and yet that committee has not met. It is an absolute disgrace. It is a disgrace by this government, and the Premier should, frankly, hang his head in shame that he is directing his MPs not to attend this committee.

Ms Shing interjected.

Ms CROZIER: Well, somebody is. Why are they not turning up, Ms Shing? They continually do not come.

Mr Erdogan: On a point of order, Acting President—

Ms CROZIER: Well, Mr Erdogan, you are on the committee. Why don't you attend the committee meetings? Three times.

Mr Erdogan: On a point of order, Acting President, it is just a false allegation.

The ACTING PRESIDENT (Mr Gepp): There is no point of order, but I will remind everybody in the house that if you do wish to level any allegations against any other member then you are able to do it by way of substantive motion rather than in debate.

Ms CROZIER: Thank you, Acting President. I will just make that point again. The committee has not met. The last three meetings have not been undertaken, because Labor Party committee members have cancelled within the hour. That is a fact. The last three meetings have been cancelled. The chief health officer was last before the committee on 31 January. I asked him about the suspension of IVF services, to which he said it was not his decision, he did not give the advice, it was made by the department secretary. So we did get that clarification.

But as I said, it is and it was such a bad decision by government. It was a knee-jerk decision by government, where these time-critical procedures could not be undertaken and where families were denied an ability to be able to have that critical treatment. There were so many heartbreaking stories. Melanie, who was 45, said her chances of having a child were slim and she was pinning her final hopes on IVF. She was one of many women. She went on social media with her heartbreaking story about her desire to have a child that was slipping away before her because the IVF treatments were being suspended. It was heartbreaking.

I know others went interstate. I had contact from fathers—in fact one texted me not so long ago and thanked me for the support that I gave to his daughter and her partner, who went to Sydney, and thankfully they are having a child. That was a wonderful outcome for them. But the heartbreak and the anxiety, the stress that had occurred during this time was truly unforgivable. And it was Melanie who went on her social media; she pleaded with the government to lift the ban. There were thousands of signatures, and of course the government did finally lift that ban. So you can understand that it was a political decision. It actually was not on health advice in the first place. It is another reason why we need a royal commission and another reason why we need to understand exactly what went on, why the decisions were made and how they were made. Decisions like this caused so much heartbreak, were unnecessary and should never happen again.

If I can go to the second part of my motion—that Victorians considering IVF should not be unfairly prohibited from accessing this procedure—this is a very important one. This is an election commitment that we have made because we think access equity is really important. There are women

right around the state who have great difficulty accessing IVF, whether it is from a health aspect, a physical aspect because of where they live or a financial impediment. All of these issues must be taken into consideration for many women and their families to be able to have IVF procedures, and that is why we announced that we would provide rebates for fertility services to enable Victorian families to get the necessary support, so that they are not prohibited from having a family just based on their financial circumstances.

Even with the support of Medicare rebates, some families will be out of pocket up to \$5000, so we are looking to ease that burden on so many women and their families. We will, and that is why we have said that we will make fertility services more affordable by providing a rebate of up to \$2000 to undertake an initial IVF procedure using a private fertility clinic. These private clinics are already up and running. They have already got the technology and the specialist personnel in place to enable this to occur, so they will have a more timely and efficient way of getting women and their families through this process. That is why we are saying we would provide this in these clinics. We will provide a rebate of up to \$2000 to undertake a subsequent IVF procedure if the initial procedure is not successful and a rebate of up to \$500 for pre-IVF fertility testing, a very important aspect of any IVF treatment. This is incredibly stressful. As I said, it is to help ease that financial burden and to give peace of mind to some of these women and their families. There will be up to five days of paid fertility treatment leave for nurses, teachers and other Victorian public service workers. We think it is an important element to support women and their families in these areas, to recognise that if they have a desire to have a family, we will support them in doing that.

I am very pleased to be part of a team within The Nationals and Liberals to support this initiative. This is driven by what I have heard from so many women, and that is why we are doing it. We think it is important. That is why I am calling on the government to match this initiative that we are putting forward. I think the government, with their initiatives, are years away. They are not going to give women that immediate treatment. They are years away in terms of setting up any public clinics. It is just not going to happen overnight. It is highly technical, and there is a high degree of expertise that is required here, whether it is the equipment, whether it is the specialists that are involved or whether it is the specialist nurses and counsellors that are all involved with this very important part of health.

It is a significant part of health. It is a very important part of our health system. IVF has been tremendous for so many families. Of course it was Victoria that led the way all those years ago, and what a remarkable story it has been ever since. I would urge the government to immediately match the Liberal and Nationals commitment in this regard. I think that is the right thing to do for the thousands and thousands of women who every year have to go through these extremely difficult—very difficult at times—procedures. As I have said, there is a real burden both physically and financially, and this is why this is an important motion to be debating today. I would hope that the government would support it, and I look forward to them doing so.

Ms WATT (Northern Metropolitan) (11:00): I rise to speak on this motion regarding IVF, and in doing so I would like to note that the Andrews Labor government are delivering on our commitment to establish publicly funded IVF so that more Victorians can achieve their dreams of becoming parents, because we believe that everyone should get the chance to start their family no matter how much they earn. The government does not support this motion because it calls on us to support an inferior policy. We call on Ms Crozier, the Liberals and The Nationals to match the Andrews Labor government's initiative to deliver public IVF services. Unfortunately the policy Ms Crozier calls on the house to support today is one that falls short of adequately addressing the financial barriers for so many parents.

Assisted reproductive treatment can be a long, emotional and expensive journey for people dreaming of starting a family. It can come with amazing joy for some but incredible heartbreak for others. IVF can help people who want to become parents achieve their dreams, but too often it is financially out of reach. We know that people struggling with fertility issues can be left thousands of dollars out of pocket following each cycle of treatment, and for some Victorians this means that IVF is simply out of touch and out of reach. This is why the 2021–22 Victorian budget delivered \$70 million to establish

public fertility care services, including Victoria's first public egg and sperm bank. This investment will work to ease the financial pressure on many hopeful families during what is already a demanding experience for so many. This funding includes \$20 million to equip public hospital facilities to deliver these services. Fully implemented, the service will provide up to 2700 free treatment cycles and a range of other fertility care services to up to 4000 Victorians per year.

Public fertility care services will mean more people, including those in our regional and rural communities, LGBTIQ+ communities and single people, will have the opportunity to start a family. This initiative is consistent with the recommendations from the landmark independent review of assisted reproductive treatment by Michael Gorton AM, which found the establishment of public fertility services was critical to making the system fairer and was strongly supported by many stakeholders, including private providers. Specifically, the final report recommended the establishment of public assisted reproductive treatment services and a public sperm and egg bank. These recommendations have been carefully considered in the development of the model for public fertility care services in Victoria by the Andrews Labor government. By contrast, the opposition's commitment only provides a partial rebate, meaning patients might still have to pay up to \$10 000 upfront to access IVF, and this really is an impossible barrier for too many Victorians. This policy is woefully inadequate, which is why our commitment to supporting Victorians accessing IVF goes so much further.

Our commitment to public IVF will provide average savings of up to \$10 000 to eligible Victorians for a broad range of services in addition to IVF, including fertility management and ovulation induction, donor services and surrogacy support and fertility preservation where medical treatment may compromise fertility, and we are delivering on this commitment as we speak. Access to public fertility care services will commence later this year under a phased implementation approach following the announcement of service providers. It really is unfortunate that Ms Crozier does not support this policy and does not support fully public services that will change lives and ensure that bank balance is no barrier to becoming a parent. While the Andrews Labor government gets on with the job of building our public health system, this is what I am entirely proud of.

The best predictor of how a Liberal government will behave in the future is what they have done in the past, and Victorians know that their record is one of cuts, privatisation and contempt for public health care and healthcare workers. Since we were elected in 2014 the Andrews Labor government have worked tirelessly to invest in our health system at unprecedented levels. We are creating stronger nurse-to-patient ratios, building world-class hospitals right across our state and legislating free dental care in schools, and we commissioned Australia's first royal commission into mental health.

The global coronavirus pandemic has also shown the world just how valuable and important health workers are. I will take a quick moment to acknowledge and thank everyone who has worked around the clock to keep our community safe and well during these past couple of years and who continues to do so as our community recovers from the global coronavirus pandemic.

The Andrews Labor government has a proud record of supporting better access and choice for Victorians who want to start a family. Earlier this month landmark reforms came into effect to make it easier for more Victorians to access assisted reproductive treatment. Victoria has been a world leader in developing assisted reproductive treatments. These reforms are about making them more accessible for all Victorians by removing barriers for people starting or expanding their family. The new laws mean prospective parents can meet with any counsellor who meets the prescribed requirements, not just those based at a registered ART clinic, to complete the counselling required before artificial insemination. This removes unfair barriers for rural and regional Victorians and gives prospective parents freedom to choose the counsellor they wish to have on their journey of starting or expanding their family. The latest reforms also provide more certainty for those opting for donor conception, giving them more say over how their embryo is managed.

These final changes are part of the rollout of ART law amendments, which began in September 2019 following the review of ART by Michael Gorton AM—as I mentioned earlier, a key 2018 election commitment. They are part of a major push to ensure more Victorians have better access to safer, higher quality discrimination-free treatment, supported by guiding principles that are inclusive for all Victorians. In June this year a change came into effect that allowed nurses and other trained health professionals to perform artificial insemination under doctor direction and supervision in registered ART clinics, providing more Victorians with easier access to lower cost treatment options. The change also gives women more choice about who performs the procedure, which may benefit Victorians with specific preferences due to cultural, religious or other personal reasons. Amendments earlier this year also expanded the family arrangements where a surviving partner can use the egg or sperm of their deceased partner in a surrogacy arrangement, giving more surviving partners a greater chance of still being able to have a child.

Prior to these changes the government had already implemented several other recommendations from the Gorton review, including removing barriers for separated women to access services and reforming how surrogate mothers are reimbursed. We expanded the costs that can be reimbursed to a surrogate mother and removed the requirement for women who are separated but not divorced to seek the approval of their former partner to access assisted reproductive treatment with their own eggs and donor sperm. In addition, the government has removed the requirement to undergo police checks before accessing treatment. These amendments are an important part of ensuring Victoria's assisted reproductive treatment laws are fair and up to date and reflect the expectations of our modern community. Our public IVF commitment builds on the record of reform to expand access.

When it comes to health we know that those opposite have only ever undermined the response to the pandemic. IVF is an immensely challenging journey for anybody going through it, let alone in the midst of a global pandemic. We are deeply sorry for the distress caused by disruptions to services during the pandemic. Following the advice of the chief health officer, IVF procedures were briefly suspended as part of necessary changes to protect our hospitals. These services commenced as soon as possible to help support Victorians who were wanting to start or grow their family. While the IVF restrictions were in place services were still available to those who needed to complete a treatment cycle that was underway or those that required further IVF procedures due to health treatment that would render their eggs non-viable.

Health, especially women's health, is an issue close to my heart. As I have said, prior to entering this place I served on the boards of many community health organisations. I am proud to be a member of the Andrews Labor government, who always put health workers first—as seen recently by our announcement of free degrees to become a nurse or midwife. This great announcement means more than 10 000 students will now have the practical support they need to continue caring for Victorians. I will leave my remarks there. Thank you very much for the opportunity to speak on a topic I feel so passionately about.

Mr ATKINSON (Eastern Metropolitan) (11:10): This is a particularly important motion. I note the contributions of both Ms Crozier in support of the motion and Ms Watt in putting on the record some of the government's programs and commitments in terms of IVF treatment. I acknowledge that the government has undertaken a number of reforms, and certainly both sides of this house have supported the development of services that support women who are looking to have families who have difficulty with pregnancy. IVF is a particularly important program. It is a service that has evolved, and in Victoria we have been in the vanguard of providing these services and ensuring women have access to these services. Certainly some of the government's promises and its budget commitment do suggest an expanded program that should enable more women to access IVF services and the related services of counselling and so forth that are so important in progressing their opportunity for starting families.

As Ms Watt said, IVF has delivered extraordinary joy to many families because of successful outcomes in terms of IVF treatment. But there has also been trauma for other people who, despite IVF, have not been able to have families, and certainly there is a significant financial commitment that has

been required for those women or women and their partners to pursue IVF as an option where pregnancy has had some complex issues associated with particular individuals. The motion that is before us today certainly addresses some of those financial obstacles.

I note Ms Watt's comments about the public system, and I think it is terrific that there is an expansion of opportunities in the public health system for IVF treatment. But I am a little concerned about whether or not this represents a government attitude that denies the opportunities for people who are seeking to have IVF treatments through the private system—that there really is a skewing of government policy towards public and a dismissing of the important contribution that the private sector makes.

I do go back to the lockdown period, when I was seeing a specialist about an aspect of surgery that I needed. On a number of occasions that surgery was delayed because of the edicts of the government in terms of whether or not the private sector clinics or surgeries could operate and whether or not specialists were able to operate, despite the fact that those specialists were not redeployed to support COVID-19 health measures. Their ancillary staff, including anaesthetists and nursing staff, were not redeployed towards that COVID effort. From the elective surgery performed in private hospitals, those private hospital surgeons were not redeployed. Those private hospitals, in terms of their bed count, were not redeployed to COVID measures. They were simply stood down in that period, and you have got to wonder why that was necessary. Certainly whilst Ms Watt says that the cancellation of IVF, which I regarded as particularly cruel at the time, was on the advice of the chief health officer, Ms Crozier says today that, in terms of the committee that has been looking at that lockdown process and the laws that are in place—the oversight, if you like, of lockdown measures—the chief health officer says that he did not provide that advice on IVF.

IVF is already a journey for many women and their partners and their families that is a difficult journey. It is a psychological journey as much as a physical journey, and the disruption that was caused, the heartache that was caused, at that time when IVF services were suspended when they did not need to be suspended—when the treatment was not COVID-dependent, when there was no risk in terms of COVID, when in fact the people involved in those services were not being redeployed to the COVID response effort—was outrageous. It only lasted a very short time, because I dare say that the government was very much on the receiving end of a lot of criticism, both from within its own ranks as well as obviously from within the medical ranks and those women and other people who were upset about this disruption to that service. At that time, as I said, the private health sector could have done a lot more, continuing with elective surgeries. Certainly it was able to cope with the IVF processes and ensure that people who were already on the program were not disrupted.

For those who are looking to come into the program it is not a matter of them just turning up on a particular day to start the program; there is already a lot of work, a lot of thought and a lot of angst that has gone into even starting the program. And to have it delayed—in some cases, that missed opportunity—might well have meant that they were not able to have children at all going forward, such is the nature of IVF treatment; it is so time critical.

This motion is important. This motion certainly addresses supporting financially some people who need that support in the private sector as well as in terms of public treatment. Yes, the extension of services in public health is welcomed, although one must be concerned about workforce planning in terms of these sorts of services and so many other services across public health. It is all very well to be announcing new facilities or announcing service extensions and so forth, as this government has been doing in recent times, but it is without actually having in place the workforce planning. We heard at the weekend of some initiatives that have been taken—and of course the opposition has also matched those—in terms of nursing services, but workforce planning is absolutely critical.

With IVF treatments, yes, we hear what the government plans to do in public sector health provision. Where is the workforce planning to support that? Not just the budget allocation, but where is the workforce planning that will ensure that there is a continuation of those services and there is not the

disruption so that people who go on IVF treatment programs are actually able to go on those with confidence that they will receive those services and, importantly, that those public health areas of support are not at a cost to the private health sector? It plays such an important role as a companion in health service delivery here in Victoria and ought to not be relegated according to some ideological plan but should in fact be encouraged to be a full partner in the provision of these services. Where it is appropriate the government should be supporting those programs, as is called for and as is provided in this particular motion. I support the motion and urge the house to support it.

Dr KIEU (South Eastern Metropolitan) (11:20): I rise to speak to the motion put forward by Ms Crozier on IVF testing and treatment. I cannot see any perceived or potential conflict of interests, but I would nevertheless like to disclose that my daughter is an IVF specialist, so I know and I have heard a little bit about IVF treatment. This is a type of assisted reproductive treatment that can be very long and drawn out and be an emotional as well as a very costly journey for many people who take part in that.

The success rate is quite varied depending on age and also on personal circumstances—health and so on. It could be as low as 6 per cent for one treatment for people over 40, or it could be as high as 65 per cent for people under 30 after many treatments. But people, whether it is for a family reason or because they are separated but not divorced or for a career decision or for some other reason, may want to choose to have IVF treatment in order to have a child. Also, the government is supporting people in other parts of Victoria, in regional and rural areas, as well as those in the cohort of the LGBTIQ+ community and single people. IVF can help people to become parents, to achieve their dreams, but more often than not financially it is too prohibitive for them to attempt that.

In Ms Crozier's motion there are two main elements. One is about the suspension of IVF services during the COVID time, and the other element is about the opposition's policy to support IVF treatment. As I just mentioned, IVF treatment is a very challenging journey for anyone to go through, and the global pandemic—this global one-in-100-year pandemic—was unprecedented; we had no rule book for how to deal with that. So what we did was rely on expert advice, rely on the advice from the chief health officer. We took the advice and had a suspension, and we are deeply sorry for the distress caused by the disruption to these services—IVF treatment and some other elective surgery treatment—during the pandemic. But that was necessary. That was the advice from the experts. That was the advice from the chief health officer. As soon as it was possible, those services were started up again to help support Victorians who wanted to start or to grow their family.

It also has to be pointed out that while the restrictions were in place the services were still available for people who needed to complete a treatment cycle which had been underway and also for those who had other health reasons. The government still supported them to go through IVF treatment, because otherwise a delay would have rendered their eggs non-viable. There were exceptions, and as soon as we got advice from the chief health officer the restrictions were lifted as soon as practically possible.

On the policy proposed by those opposite, it needs to be pointed out that the policy is inferior and inadequate. It falls short of addressing the financial barriers that people need to overcome in seeking fertility treatment. As my colleague has pointed out, the government does not support this motion. The Andrews Labor government are delivering on our commitment to establish publicly funded IVF so that more Victorians can achieve their dream of becoming parents or growing their families further. This is based on the recommendations of the landmark independent review of assisted reproductive treatment by Michael Gorton. The government's initiatives are consistent with the recommendations coming out of that review. The review found that the establishment of public fertility services was critical to making the system fairer, and this was strongly supported by many stakeholders, not just the public hospitals but also private providers. The funding that the government has committed amounts to \$20 million to equip public hospital facilities to deliver these services. This is part of the 2021–22 Victorian budget amount of \$70 million to establish public fertility care services, including Victoria's first public egg and sperm bank.

By contrast, the opposition's commitment only provides a partial rebate, meaning patients must still be able to and may have to pay up to \$10 000 up-front to access IVF, which is an impossible barrier for too many Victorians. Our commitment from the Labor government to public IVF will provide, on the other hand, an average saving of up to \$10 000 to eligible Victorians for a broad range of services in addition to IVF, including fertility management and ovulation induction, donor services and surrogacy support, and fertility preservation where medical treatment may compromise fertility. Access to public fertility care services will commence later this year under a phased implementation approach following the announcement of service providers.

Victoria has been a world leader in developing assisted reproductive treatments, and our reforms are about making them more accessible and fairer for all Victorians by removing barriers to people starting or expanding their families. Compare that to the inferior policy of the opposition, and we cannot support the policy of the opposition.

Ms TAYLOR (Southern Metropolitan) (11:29): I think where there is some unity is on the fact, the real fact, that IVF can be financially out of reach for many people. That is where on this side and the other side we have some synergy, but that is about where the synergy begins and ends on IVF policy. I think there has been some fairly bizarre discussion about ideology here today, and what our government really is all about is ensuring equitable access. So let us put aside these strange ideological arguments. This is about making sure that Victorians seeking reproductive services and, I should say, assisted reproductive treatment have equity of access, because we know that obviously—I say obviously based on people themselves I have known who have gone through IVF, but I think it is broadly known—it can be quite a heart-wrenching process. It does not necessarily deliver the outcome that one wants at the end. On the other hand there can be an extraordinary and almost miraculous result, particularly when some couples or even single people have tried for many years to achieve the birth of a child or to advance their fertility, so to speak.

We should now look at what the heart of this discussion is really about rather than pontificating over the pandemic and the various vicissitudes of that, which did have nothing less than the potential outcome of death. We saw that around the globe, so I think these kinds of manipulative arguments going back in time to the peak period when there were thousands of cases and we know that millions of people have died from COVID-19 are not really helpful. I think it is quite manipulative and can prey on people emotionally in a way that really is not very constructive or supportive of best possible outcomes. Rather, I think it is actually useful for the chamber to compare—because that is what is being asked today—what our government is doing in terms of delivering equitable access to IVF or fairer access to IVF, which is probably a better word, versus what the opposition is proposing. Hence we do not support the opposition's motion, because it calls on us to support an inferior policy. Why would we support it? We call on Ms Crozier, the Liberals and The Nationals to match the Andrews Labor government's initiative to deliver public IVF services.

Our Andrews Labor government is delivering on our commitment to establish publicly funded IVF. Why? Let us bench these silly ideological arguments. We are doing this so more Victorians can achieve their dream of becoming parents. That seems to be a pretty fair and reasonable goal to achieve and to support, and hence this is why our government is backing it in. Why? It is because we believe that everyone should get the chance to start their family no matter how much they earn. Okay? That is really at the heart of this discussion today. The opposition have opened that door. They want to compare what they are offering with what we are offering, so let us do that and let us get to the heart of this issue.

We know that people struggling with fertility issues can be left thousands of dollars out of pocket each cycle of treatment. For some Victorians this means IVF is just completely out of reach, which would be devastating in itself. Hence this is why in the 2021–22 Victorian budget our government delivered \$70 million to establish public fertility care services, including Victoria's first public egg and sperm bank. This investment will work to ease the financial pressure on many hopeful families during what is already a very demanding experience for many people. This funding includes \$20 million to equip

public hospital facilities to deliver the services. Fully implemented, the service will provide up to 2700 free treatment cycles and a range of other fertility care services to up to 4000 Victorians per year. What does this actually mean? Public fertility care services will mean more people, including those in our regional and rural communities and LGBTIQ+ and single people, will have the opportunity to start a family. So you can see there is that heavy emphasis on fairness embedded in this policy.

A further point that is very relevant to this discussion is that this initiative is consistent with recommendations from the landmark independent review of assisted reproductive treatment by Michael Gorton AM, which found the establishment of public fertility services was critical to making the system fairer and was strongly supported by many stakeholders, including private providers. I think it was a bit disingenuous to go down this kind of ‘Oh, one side is anti or pro private’ or whatever. That is not what this is about. If we focus on the purpose—that is, fairness in terms of delivery of the opportunity to seek assisted reproductive services—and we take on board the perspectives of the stakeholders—that is, those who are involved in delivering these services at the coalface, so to speak—then we can move away from what I see as disingenuous, ideological and political discussions and focus more on what is being delivered for Victorians who want to be parents, or a parent in the case of a single person.

Specifically the final report recommended the establishment of public assisted reproductive treatment services and a public sperm and egg bank. These recommendations have been carefully considered in the development of the model of public fertility care services in Victoria by our Andrews Labor government. Again, a comparison because the door has been opened—let us look at what those opposite are putting forward. The opposition’s commitment only provides a partial rebate, meaning patients must still be able to pay up to \$10 000 up-front to access IVF, which we all know can be an impossible barrier for too many Victorians. Ten thousand dollars is a lot of money, and I do not think I have to reiterate that point too much. I think it is very clear to everyone here that up-front that could be a significant impost on many Victorians. Hence that policy is not adequate, and that is why our commitment to supporting Victorians accessing IVF goes much further.

The opposition opened that door; they said, ‘Right, we’re putting it up there’. We are going to test what is on offer versus what they are offering. And I am not sure, if I were in their shoes, that I would have done that, because what they have done is actually expose a very stark contrast between what our Andrews Labor government is offering and what the opposition are offering—when I say opposition, I mean the Liberal and National parties respectively. But they opened that door.

Our commitment to public IVF will provide average savings of up to \$10 000 to eligible Victorians for a broad range of services in addition to IVF, including fertility management and ovulation induction; donor services and surrogacy support; and fertility preservation where medical treatment may compromise fertility. Most importantly, we are delivering on this commitment as we speak. Access to public fertility care services will commence later this year under a phased implementation approach, following the announcement of service providers.

I think, based on what has been shared by my colleagues in the chamber today and me here just now, members can see why we are not going to support the motion put forward by those opposite, because we clearly have a policy and we are implementing mechanisms as we speak to support Victorians with assisted reproductive treatment.

Ms LOVELL (Northern Victoria) (11:39): I rise to speak on Ms Crozier’s motion 781 today, which speaks of the Andrews government’s extremely insensitive disruption to and suspension of IVF services during the pandemic and also speaks of the costs associated with and the difficulties for women who cannot access IVF due to their financial status.

Firstly, I would like to touch on point (1), which is about the suspension of IVF services by the Andrews government during the pandemic. To not be able to conceive must be the most devastating thing for a couple who are wanting to start a family. No-one could possibly imagine the heartache that

they go through when they cannot conceive a child that they so desperately want. IVF has given so many couples the opportunity to become parents. Mr Bourman is sitting in the chamber with us today; we know what it has meant to him. I have also seen many of my friends who have gone through that same journey as Mr Bourman, and I have seen how difficult that journey can be for them—the disappointment time and time again when they go back for procedures that do not result in a pregnancy and the emotional and the financial cost that it imposes on them.

But for couples who were in the middle of their treatment during the pandemic to find that the services had been suspended must have been an extremely traumatic time for them. Many other families, as we know, were able to conceive during the pandemic—and we had a little bit of a bump in our birthrate because of that. But for those who were unable to conceive naturally, to have these services denied to them—it was truly just an incredible decision by this government to stop those services. I just cannot fathom why the government would be so insensitive.

But as I said, I have seen many of my friends go through this journey and suffer through that time. I also know the financial impact that has had on them. One of my friends has a young daughter who has been through this journey and had a couple of pregnancies from IVF that did not result in going to full term. I saw the emotional turmoil it caused that couple. Fortunately their third pregnancy resulted in the most beautiful little girl I have ever seen. I love her dearly and consider her to be part of my extended family. But I also know the financial impost that that had on that young couple. They were so desperate to conceive that they actually accessed part of their super in order to fund the IVF treatment as it kept dragging on for them. The cost of that was beyond them if they were not able to access their super. We should think about how sad that is—that young couples are having to forgo their future by accessing their super to start a family, something that should not be costing them anything.

That is why the Liberal Party have come up with a significant commitment, an election commitment, to assist those families who are accessing IVF to help them to cover those out-of-pocket expenses—because what we know is that even after the Medicare rebate, families are usually left with around \$5000 in out-of-pocket expenses, and this can be a significant barrier for those seeking to start a family. This is why we should be helping these young couples. Especially now with the cost-of-living pressures that are rising, too many families are being left in this unacceptable position of choosing to start a family, choosing to support their household budgets or choosing to access their superannuation savings in order to fund IVF.

I pay tribute to Ms Crozier for developing our policy, which has come up with a rebate of up to \$2000 to undertake the initial IVF procedure using a private fertility clinic and a further rebate of up to \$2000 to undertake a subsequent IVF procedure if the initial one is not successful. There is also a rebate of \$500 for pre-IVF fertility testing and up to five days of paid fertility treatment leave for nurses, teachers and other Victorian public service workers. Critically, these rebates will be available to women undergoing IVF treatments in a clinic of their choice without the need for them to relocate to a different facility or to interrupt their treatment. This is an important commitment that would provide critical and practical support to thousands of Victorian families. Our Liberal plan would make it easier for families who are wanting to start having children. The cost of living should never, ever be a barrier to starting a family.

Mr BOURMAN (Eastern Victoria) (11:45): I rise to give some, as they say in this place, lived experience to this entire motion. Basically there are two parts to this motion. One is about the decision to suspend IVF, and the other is about the Liberal and Nationals commitment to providing rebates. I am going to do it in reverse order: I am going to talk about the rebates first.

The rebates are a good idea. Fortunately for us we were in a position to be able to absorb the cost. Fortunately for us we were able to have Nicole take time off work and to be able to afford to do what gave us some very low lows but also the ultimate high, our little daughter, Becky. Not everyone is in that position, and I have got to say my experiences in the over 2½ years we have had Becky have made

me think that anyone that desperately wants to have a child should be able to. There are rebates for this and that, and I feel that as much as possible rebates on IVF—I do not want to get into the war between the two majors here—are something that the government should take up. It is the best thing I have ever done—far better than coming here, far better than my other services to the state. Becoming a dad and having the honour of having a little person mature—if you can call 2½ years old mature—with our help, is something that everyone that can possibly have it should have.

Let us move to the first part. I am going to give a very unpopular opinion here, and I have discussed what I am going to say with my wife. We all know about our first round of IVF. We all know about what everyone thought was our last round of IVF, number 11. What we did not really publicise is that after Becky we kept on going during the pandemic. We were directly affected by these suspensions, and Nicole at that time was reaching the hard end of any egg collection. I think at 46 it stops—no ifs, no buts, no whatevers. We were running right down to the wire, and then they suspended it. At the time we had a big chat about this, and we both came to the realisation that there was a global pandemic on. Could the government have handled the initial stages better? Yes. But the decision to suspend IVF services from our point of view was fairly logical until they could get a handle on it. We were directly affected. We had five extra cycles after Becky. We were directly affected by this. But I have got to say, we have got to look at this in the context of what was going on. There is a lot in IVF that does not require attendance at a facility. There are a lot of injections. There are a lot of things that you need to do that you can do in the privacy of your own home.

That is my sole problem with this thing. I think the monetary part is right on the mark, but I just do not think it is fair to blame the government for the initial problems with the pandemic. I do not think any government, regardless of the flavour, would have done much different, because at that stage no-one knew how this was really spreading; no-one knew how this was going to go. And I am not saying this from a position of ‘I don’t know how it went’. This decision on this directly affected us. Did we lose by it? Maybe. I do not know. But it was the thing to do at the time.

I have got to pay tribute to Nicole. There were 16 rounds of IVF. There was one stillborn. There was one—I do not like calling her a ‘rainbow baby’, because she was far more than that. But after that came the rest of it.

As I said, my opinion on this may or may not be popular. I do not really care. It is what it is. I have heard the term ‘lived experience’ in this place many times. That is our lived experience.

Ms SHING (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (11:50): We have heard a wideranging set of contributions today from members not just about the course of their own experiences with IVF and assisted reproductive technology and the procedures that go along with that but also in the context of the way in which services were provided during the course of the pandemic and the impact of that period from 6 January to 20 January when procedures were suspended, except for those people who were already in the middle of them.

Mr Bourman has just made a really valuable point, and it is one which I think goes to the heart of this issue. IVF is not one procedure. It is a mountain of paperwork. It is numerous appointments, a number of which during the pandemic and during lockdowns were able to continue through telehealth and in a virtual setting, including as it related to counselling and including as it related to education on what medical processes were involved and the impacts and side effects of those processes—everything from the way in which daily injections and other medical routines need to be established and maintained to maximise the success of either egg harvesting or implants to making sure that when and as IVF processes are undertaken in that procedural sense they are given the maximum chance of success and of a healthy pregnancy that results in the very long awaited children for couples who are seeking to have a family with that additional support.

IVF is by no means an easy or straightforward journey for the vast majority of people who access it. We have seen this evolve in the way that governments have contemplated access to services and the

way in which we have refined and changed the definitions of ‘fertility’. I know many, many people who are rainbow families who have had to access IVF and had a really difficult set of circumstances that cast aspersions on their fitness to be parents—the requirement of police checks, the idea of needing to be determined to be socially infertile because of being same-sex attracted. I note the way in which the system at large needs to continue to evolve to remain respectful and to become more receptive and responsive to the changing circumstances within which IVF occurs.

The circumstances in which IVF occurred between 6 January and 20 January, when they were suspended, caused an enormous amount of distress, and I am not going to stand here and say that that was not the case. Of course the experience of couples, particularly those who were up against the clock, as a number of speakers have referenced here today, caused very real distress and caused very real worry and anxiety.

Worry and anxiety and distress are part of the IVF process. It is about counting down the days, it is about daily injections, it is about wondering whether egg harvesting will be successful or whether an embryo will take. It is a constant emotional journey, which is why counselling is such a big part of the access to services. It is also why there have been necessary changes made, following the introduction of legislation under the former health minister, Martin Foley, in 2021, and the review of ART by Michael Gorton AM. A number of other speakers have gone to that point today, talking about the importance of public fertility services. As Mr Bourman indicates, rebates may well help, but one of the things that I think is worth focusing on is the allocation of \$70 million within the 2021–22 budget to establish those public fertility care services, including Victoria’s first public egg and sperm bank.

This is a framework which addresses systemic inequity in accessing assisted reproductive technology. This, along with changes to the way in which donor participation can occur to move between 10 people through to 10 families, enables people to access greater opportunities to build upon the history of IVF where early rounds are not successful or indeed where further children are desired. These are practical differences which in fact make a difference around what the model for public fertility services looks like and how that needs to improve over time.

So when we compare that against the opposition’s partial rebate it is really important to note that patients still need to be able to pay under that plan up to \$10 000 to access IVF. As speakers from the opposite benches have indicated, this is a really significant barrier. Ms Lovell has in fact talked about the cost of living and the impact on accessing fertility services. Well, under their plan there will still be a need to find money, to find many thousands of dollars, in order to access that IVF up front.

Our commitment in fact goes further than what is proposed by those opposite. But in addition to that, what we have done already in government is in operation. These are not promises. These are not commitments to make changes in the future. This is what is already part of the 2021–22 budget. Easing that financial pressure is part of the thinking on tackling the cost of living and also as a result reducing the emotional burden of people already undergoing a really significant medical and psychological journey. We should not ever forget, as I hope that those opposite will not, in the public conversations around IVF that this is about people. It is about watching the calendar, it is about watching the days count down to those key milestones around age, as Mr Bourman has indicated. But I also want to note that between 6 and 20 January, when those services were suspended, it is important to note that those who were already on the path toward procedures taking place were able to continue that work and also that in the context of a global pandemic uncertainty requires a default to public health advice, which was the necessary response to and the appropriate response to the chief health officer’s directions in that regard. Within the public framework, as it operated under the emergency declaration, those determinations and the directions were the guidance that set the government’s decision-making at that time. On that basis, and noting that we are perhaps up against the clock before question time begins, I will take my seat. My apologies, Ms Crozier.

Ms CROZIER (Southern Metropolitan) (11:58): That is fine. I do not need much time to sum up. I want to just acknowledge those speakers that have spoken on this motion. It is an important motion giving support to women and families right across Victoria in acknowledging the difficulty that so many people have. I know that Mr Bourman spoke of his personal experience and the joy that he and his wife have had with their baby, Becky, but many have not, and many through the suspension earlier this year who are not in his position and who do not have that joy were devastated because of the untimely nature of what was happening to them. I know that my office received so many emails from so many women stating that they were so concerned about what was happening. I was pleased the government saw that what they had done was incorrect and reversed the ban, but it should not have gotten to that. They should not have made that decision in the first place. It should not have gotten to that. It was a very bad oversight in relation to the directions that were given at the time. I think my time is running out, but I want to say that I urge all to support this motion.

Motion agreed to.

Business interrupted pursuant to sessional orders.

Questions without notice and ministers statements

THOMAS EMBLING HOSPITAL PATIENT LEAVE

Ms MAXWELL (Northern Victoria) (12:00): My question is to the Minister for Commonwealth Games Legacy, representing the Minister for Mental Health in the other place. Minister, we know that perpetrators of horrific fatal offences who have successfully used a mental impairment defence to avoid a prison sentence are usually committed to a nominal term of 25 years at Thomas Embling Hospital but can receive day release after only a couple of years. Reports that these perpetrators are able to hire sex workers, use dating apps and harass their victims through social media while in Thomas Embling are a real concern to the safety of the community, particularly because so often their identities can be protected by suppression orders. Despite the government being reported as denying that sex workers were delivering services within the facility, there are other reports that Forensicare even considered tendering for a conjugal room for this purpose. Will the government initiate an inquiry into these matters to confirm what is actually going on, to strengthen the rules and processes and publicly respond?

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:01): That was directed to the commonwealth games delivery minister?

Ms Maxwell: Mental health.

Mr LEANE: Mental health. I am with you now, sorry. You threw me at the start, but you were right. I will make sure that Ms Maxwell's question is directed to the Minister for Mental Health and ensure that she gets a response in line with what is prescribed in the standing orders.

Ms MAXWELL (Northern Victoria) (12:02): Thank you, Minister, for that. I am concerned how safety will be managed for sex workers and the general public, whether that is for sexual services or social contact through a dating app, with respect to patients who are perpetrators of serious violence. Could the government advise what risk assessment and management process, if any, is undertaken in this respect?

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:02): Thanks, Ms Maxwell, for your supplementary question, which I will ensure the Minister for Mental Health receives and you get a response as per what is prescribed in the standing orders.

PARLIAMENTARY PRIVILEGE

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:02): My question is for the Leader of the Government and Attorney-General. Minister, you will be familiar with the longstanding

principle of parliamentary privilege and the longstanding Bill of Rights principles as outlined in article 9. You may not be familiar with the extraordinary email received today from the Minister for Health and Minister for Ambulance Services, Mary-Anne Thomas, that seeks to interfere with, block and effectively gag the ability of MPs to raise urgent health matters on behalf of their constituents in question time or other parliamentary procedures. The extraordinary email states:

Therefore we require a consent form signed by the constituent and would appreciate your office to send signed consent forms with letters or following Question Time ...

Minister, this is a gag, pure and simple, seeking to impose constraints, and I note the email has been rescinded in the last few minutes. I therefore ask: will you intervene to see that there are no requirements of this type imposed?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:03): Mr Davis, you have put me in a precarious situation where I cannot respond in full, because I have not seen the content of the email. You have given a snippet of it. You have formed your own views in relation to the content of that. I think my inclination would be that it is very important—

Members interjecting.

Ms SYMES: I may have. I have not seen it. I have not been monitoring my inbox today. What instantly comes to mind for me is that this may be in response to a particular individual's concern about their privacy being breached, and that is an important factor and perhaps could be quite a serious concern to members of the public when they provide their information to MPs and they may have had a breach of confidence themselves. Without having further information in relation to that—you have canvassed it under parliamentary privilege and all these other obligations—you have actually failed to give proper details in relation to your question. You have put me in a position where I cannot respond in full, because you have not provided a lot of detail in relation to that. But I think that a request to make it clear that an individual has given permission for their information to be presented in Parliament does not sound unreasonable to me.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:05): Extraordinary. Minister, with the elective surgery waiting list at 90 000, huge blowouts in waiting times and many patients vulnerable and desperate, a basic tenet of democracy is being violated by this proposed new and extraordinary requirement. The Victorian Parliament first met in 1856, 166 years ago. Why has the government seen fit to propose this undemocratic requirement after 166 years?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:06): I think I have answered your question in relation to some of the issues that may be relevant to the issues that you have raised. You canvassed it from one perspective—a biased perspective—about the ability to use the information of vulnerable Victorians. I think the counterargument would be the protection of that information and the privacy of those people, and basic respect for those people is also a counterconsideration.

MINISTERS STATEMENTS: SKILLS PLAN

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:06): Last week I was proud to launch Victoria's first-ever skills plan as part of National Skills Week. I was joined by leaders in industry, training and skills, higher education and adult community education and employers at Bendigo Kangan Institute Docklands. The Victorian skills plan sets the road map for strong pathways to employment and career opportunities that will insure our communities and our state well into the future. The skills plan is a key response to the 2020–21 Macklin review into Victoria's training and skills system, which identified the need for deep and enduring collaboration. The plan has done just that. It is a dynamic, actionable plan that outlines the skills and workforce challenges of our state and how we can collaborate to build an innovative world-class training system.

For Victoria to thrive we need to draw on the strengths of everyone who contributes to the training and skills sector. Government, employers and workers need to work shoulder to shoulder with one purpose in mind: a high-quality accessible training system that delivers what students and industry need. We are working directly with industries to build a strong, viable and focused post-secondary system, and the Victorian Skills Authority is driving this important work.

Equally important is the work which will be undertaken by the commonwealth government, and I am proud that the work of the Andrews Labor government and the success of free TAFE are recognised. I know our contribution to the national Jobs and Skills Summit will be significant, as this government has applied innovation and determination to rebuild, redefine and unite the post-secondary education system to achieve an empowered and skilled workforce for the future.

WHEELCHAIR-ACCESSIBLE COMMERCIAL PASSENGER VEHICLES

Mr BARTON (Eastern Metropolitan) (12:08): My question is for Minister Pulford, representing the minister for transport. It has been brought to my attention that V/Line has allegedly put in an order for 15 wheelchair-accessible vehicles. Of course, if this allegation is true, it will have an adverse effect on those who are already supplying wheelchair-accessible services in rural and regional Victoria. Minister, can you confirm if V/Line has in fact put in an order for wheelchair-accessible vehicles, and if so, how many?

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:09): I thank Mr Barton for his question, and I will seek a written response from Minister Carroll for him.

Mr BARTON (Eastern Metropolitan) (12:09): Thank you, Minister. With V/Line purchasing wheelchair-accessible vehicles, this means they would be going into competition with those who supply wheelchair services in rural and regional Victoria. I have no doubt that this decision is a direct consequence of the government opening up the multipurpose taxi program to Uber. Uber stated at the recent multipurpose taxi program inquiry they have no intention to provide wheelchair-accessible vehicles. Uber cherry-pick the work that suits them and are partly subsidised by the government, leaving regional taxi services with smaller and smaller margins. For some, providing wheelchair-accessible vehicles to their local community has now become untenable. Minister, is the Department of Transport now attempting to address a market failure of its own making?

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:10): I thank Mr Barton for that supplementary question, and I will ask Minister Carroll to provide a written response for the member.

CHILD INFORMATION SHARING SCHEME

Dr BACH (Eastern Metropolitan) (12:10): I have got a question today for the minister for early childhood, and it concerns the child information sharing scheme. It was recently reported, following a survey of early childhood education and care workers, that the scheme, designed following recommendations from the royal commissions into family violence and institutional responses to child sexual abuse, is at risk because of low uptake and understanding of its importance amongst the early childhood education and care sector because they are ‘too overworked’ and ‘incredibly time poor’. This is of major concern as children who are potentially at risk of harm may go unreported. The survey found that less than one in 10 Victorian services shared information using the scheme. So I ask: if early childhood teachers and educators are already too overworked, how will you ensure, Minister, that they start using this scheme to share information about at-risk children?

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (12:11): I thank Dr Bach for his question. It is a good question and an area of reform that I am very determined to ensure is a success. You are quite right: this work has come through one

of the very important royal commissions looking into child safety. The Victorian child information sharing scheme enables professionals working across a range of different organisations and services to share information with each other to promote the wellbeing and safety of children or groups of children.

Phase 2, which began in April last year, brought early childhood services into the scheme. Of course there is a comprehensive rollout plan that the Department of Education and Training is undertaking. The training has already commenced but will be delivered regularly between now and 2025 across the sector. The advice that I have got, Dr Bach—I do seek regular updates about this because I want to make sure that this information-sharing scheme is being utilised as much as it should be—is that just over 4000 early childhood services are prescribed and that we have trained in excess of 4200 professionals to date. Of course there will be more training rolled out over the next couple of years.

I do want to acknowledge that COVID did have a bit of a disruptive effect on the rollout of this change in our early childhood regulatory arrangements, but I also want to point out that the survey report that was quoted in the media recently was aimed at only members of that particular organisation—they are a peak body in early childhood—and does not necessarily capture the data across the whole sector. This is an area where I will continue to request updates from the department about how the training is going, but the early indications are that there is increased information sharing going on across all legally prescribed workforces to promote child safety under the scheme.

Dr BACH (Eastern Metropolitan) (12:13): I thank the minister for her very informative response. Through a different mechanism I might seek access to that comprehensive plan that the minister referred to. In this survey, Minister, through the services that it engaged with, a quarter of the respondents did not know at the time that it was undertaken what the scheme was, and early childhood workforce shortages were blamed for that. The children’s commissioner—like you and me, Minister—is concerned, and she stated:

We have seen this time and time again in the commission’s child death inquiries, where appropriate and timely sharing of information could have saved lives ...

Again, I appreciate your undoubtedly very genuine care and interest in this issue, Minister, and thank you for the information about the rollout plan. About that plan, can I ask: what deadline have you set for all early childhood staff to be trained in the use of the scheme?

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (12:14): Thank you, Dr Bach. The majority of education and care services have been trained in this scheme, and the Victorian government has committed to delivering training until 2025. Continuing to increase the number of staff trained is obviously important and is going to be one of the key measures of the successful rollout of that training and awareness.

I do want to acknowledge the staff right across the sector. They have been dealing with an enormous amount over the last couple of years, as you are aware, but I know that they are all incredibly dedicated to making sure that child safety is at the forefront of all the work that they do. The department will work closely with the sector to ensure that this training plan and the uptake of this resource are fulsome. I thank you for your important question about it today.

MINISTERS STATEMENTS: EARLY YEARS ASSESSMENT AND LEARNING TOOL

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (12:15): I am pleased to update the house on how the Andrews Labor government are supporting teachers and educators with innovative teaching tools as we continue with our nation-leading kinder reforms. On Monday I was pleased to join the Labor candidate for Yan Yean, Lauren Kathage, at Whittlesea Pre-school to officially launch the new early years assessment and learning tool in conjunction with staff who participated in the pilot. Developed in partnership with the University of Melbourne and the Department of Education and Training, the tool has been trialled

with 300 early childhood teachers and their co-educators and draws on data from more than 5000 observations of children across over 150 services.

We know that there is a lot of work that goes into planning and delivering a quality kindergarten program, and this online tool will support early childhood teachers and educators to make high-quality observations about children’s learning and development. It offers structure for critical reflection, helping teachers plan and deliver high-quality learning and play programs that are tailored to the needs of individual children. The early years assessment and learning tool will be rolled out in a phased way from 2023 to 2025, with up to 350 services gaining access in the first tranche from term 1, 2023. I invite services to join the rollout of this innovative and practical tool. It is just one of the many ways that the Andrews Labor government are supporting our early years workforce as we roll out our nation-leading Best Start, Best Life reforms.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

Mr HAYES (Southern Metropolitan) (12:17): My question is to the minister representing the Minister for Planning. This week we saw VCAT being slammed by Stonnington City Council and 24 local residents as an unrepresentative tribunal that is not listening to the people after it allowed a 250-student campus to go ahead in Glen Iris. The City of Stonnington deputy mayor said she was:

... disappointed that VCAT has not listened to the concerns of local residents and Councillors about the impact of increased traffic and parking from this proposal.

She said:

This is another example of an unrepresentative tribunal not listening to the people who know their area best—the local community.

A local resident said the development was ‘excessive in size, volume and scale’ and that:

No decision coming out of VCAT is a surprise as they always decide in favour of developments and developers.

My question to the minister is: why is the community so often let down by VCAT, which fails to promote and uphold good planning policy in favour of developers?

Ms SHING (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (12:18): Thank you, Mr Hayes, for your question. Again there are a couple of things in that that I might want to pick up. Firstly, I am not sure whether you are asking for an opinion; in fact this appears to be more perhaps a members statement. Secondly, there is a reflection on a quasi-judicial tribunal there, and I am happy to seek some guidance from you, President, as to whether that is appropriate in this place. That notwithstanding, I am very happy, in accordance with the standing orders, to take that question on notice and seek a response for you—in accordance with the standing orders to the extent that the question stands in the context of the reflection on that tribunal.

The PRESIDENT: The question is in order, so two days for the response.

Mr HAYES (Southern Metropolitan) (12:19): Perhaps my supplementary will clarify it somewhat. My supplementary question is: should the Planning and Environment Act 1987 be amended to change what factors VCAT gives weight to, and how, when undertaking a review so that decisions inconsistent with local planning policies do not occur?

The PRESIDENT: That could be an opinion.

Ms Shing: I suspect we might be going in the same direction here, President, in relation to the standing orders and the asking for an opinion. Perhaps Mr Hayes might be invited to rephrase the question. Alternatively, to the extent that you might find it in order, I can seek a response.

The PRESIDENT: Mr Hayes, can you please rephrase your supplementary?

Mr HAYES: Well, I will say it this way: would the government be inclined to change what factors VCAT gives weight to, and how, when undertaking a review so that decisions inconsistent with local planning policies do not occur?

Ms SHING (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (12:20): Thanks, Mr Hayes. I am very happy, in accordance with the standing orders, to seek a response to that supplementary question and to have it provided to you.

FIRE SERVICES

Ms BATH (Eastern Victoria) (12:20): My question is to the Minister for Emergency Services. Will the minister explain what cost savings were made, as promised, by merging the CFA and MFB career firefighters, or are they still operating as two independent organisations?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:21): I thank Ms Bath for her question. The fire services reform project has been responsible for ensuring that our career firefighters across Victoria are represented by and part of one organisation, and they work collaboratively with CFA. Many of the former CFA firefighters are now under the banner of FRV.

As you would be aware, reform takes time. We have an implementation monitor that is working through any of those issues. In terms of the costing arrangements, it is an ongoing process where we have two agreements, we are merging them and there are ongoing negotiations around how that all works. We have always said that it will be a long-term plan, but we are seeing an amazing organisation come to fruition in relation to the support and the collaboration that is provided to all career firefighters. As you would be aware, the CFA is also going from strength to strength as a volunteer organisation. This is a process that I am really proud to talk to people about on a regular basis. One of the best things about being the emergency services minister is the ability to talk to people on the ground and indeed our hardworking firefighters, regardless of whether they wear an FRV uniform or a CFA uniform or indeed are from a number of other organisations that support our hardworking firefighters.

It is a little bit difficult for me probably to give you a figure for the question that you have asked, because it is an ongoing process. But the reforms continue to roll out, and we have an implementation monitor that gives me regular updates and works very closely with the agencies in relation to that reform.

Ms BATH (Eastern Victoria) (12:23): I thank the minister for her response. Noting her comment around the volunteers, I ask also: what is the cost increase for training in the CFA due to restrictions on staff and on overtime and union rules that have seen a major decrease in access to training for volunteers in the CFA?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:24): Ms Bath, I am not quite sure how the training of CFA volunteers is directly related to your specific question around FRV firefighters. Nonetheless, training is probably the number one issue that CFA volunteers raise with me. I am very proud to have opened a brand new training facility earlier this year in relation to CFA vols, and people are very excited about the opportunities that that provides. Training has been, as you would appreciate, difficult throughout COVID, but it is the conversation that many people have with me, and CFA continually work with their members on ensuring that people get access to the latest opportunities. We have got a new driver course rolling out, for example. I joined a CFA women's firefighters forum last week, and training was certainly the number one issue that they raised as well.

MINISTERS STATEMENTS: COMMONWEALTH GAMES

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:25): Today I would like to update the house on the Victorian regional 2026 Commonwealth Games. It was fantastic to join the Deputy Premier and Minister for Commonwealth

Games Delivery, Jacinta Allan—good minister—last week at the Commonwealth Games partnership forum. The forum was held with representatives of councils, traditional owners and Aboriginal community members, and representatives from business, tourism, education, sport and recreation communities.

I recently visited each of the hub locations for the Victorian regional 2026 Commonwealth Games and met with key traditional owner groups. As part of our commitment to include traditional owners and our First Peoples in all aspects of design, management and legacy for the games, we have listened to their needs for capacity building and resourcing support. Therefore at the forum I was very pleased to announce the Andrews Labor government will invest \$2.7 million to support traditional owner corporations across the four regional hubs. This investment will ensure Indigenous voices and culture are at the heart of decision-making as we build towards Victoria 2026. It is a very good thing.

Can I thank the Minister for Treaty and First Peoples, Gabrielle Williams, and her office for their support in making this announcement. It is going to be a fantastic event, and it is a great opportunity for us to showcase and be proud of the oldest living culture in the world.

ECONOMIC POLICY

Mr LIMBRICK (South Eastern Metropolitan) (12:27): My question is to the minister representing the Treasurer. I note that in the run-up to the election both the government and the opposition are making a large number of significant spending commitments. I also note that due to inflationary pressures bond yields are rising steadily over the medium term, making it far more expensive to raise debt. I am concerned that this may eventually put our state in a perilous financial position, so my question to the Treasurer is: what measures is the Treasurer taking to reduce state debt?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:27): Thank you, Mr Limbrick. There is a lot in that, and I am sure the Treasurer will be delighted to provide you with an equally comprehensive response.

Mr LIMBRICK (South Eastern Metropolitan) (12:28): I thank the Attorney for passing that on to the Treasurer. My supplementary question is quite simple: when will our state be out of debt?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:28): It sounds like a simple question, but there are a range of factors that go into—

Ms Shing: He would know that.

Ms SYMES: Yes, I am sure he does know this. There are a range of factors in relation to the different accounting measures, what is considered debt in terms of borrowing and what is considered asset output. There are a lot of different things that would—

Members interjecting.

Ms SYMES: You guys interject more on crossbench questions than on your own.

Ms Shing: You wish you'd thought of them yourself.

Ms SYMES: Possibly. They are good questions. I am sure the Treasurer would—

Members interjecting.

Ms SYMES: I will just repeat my answer to your substantive question: the Treasurer will be delighted to provide you with further details, Mr Limbrick.

FIRE SERVICES

Mrs McARTHUR (Western Victoria) (12:29): My question is to the Minister for Emergency Services. We have asked previously about working across divisions—former CFA division B and former MFB division A—using the example where a part B station 15 minutes away is not able to provide cover for a part A station, with the part A station sourcing staff from Warrnambool, 4 hours away. Can the minister inform the Parliament of what her team has done to address this issue to our community safety caused by union management overtime rorts?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:30): Mrs McArthur, there was a bit of inflammatory language in there. But stripping it back to I think your genuine concern about making sure that community safety is at the forefront of our emergency services responses, which is certainly what drives me, as you would appreciate, similar to my answer to Ms Bath in relation to fire reform and division A and division B, we are still working through some of the matters in relation to enterprise agreements and the like. The simple answer is that when it comes to operational responses, when it comes to firefighters turning out to Victorians in need, I am under no doubt that that is happening and is facilitated. Sometimes it requires firefighters travelling distances to ensure that shifts are covered and to ensure that they are available to turn out when required. This is a very operational decision in relation to who goes where, but it is something that I speak regularly with our fire chief about to get a clearer understanding. It would not be appropriate for me to have any control over the provision of resources. That is certainly a matter for FRV. As I said, to my knowledge there are firefighters always on hand to respond when required.

Mrs McARTHUR (Western Victoria) (12:31): Thank you, Minister. Would it be appropriate for you to comment and answer: how much is overtime costing the taxpayers of Victoria due to your government’s failure to address the issue?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:31): Mrs McArthur, similar to my answers to both of the questions in relation to fire services reform, fire services reform is an ongoing process. We have continual conversations predominately facilitated by the implementation monitor. He works with both the CFA and the FRV in relation to reform. We have always said reform would take time, and issues that you have raised, such as the requirement of people to be available, the requirement of people to perhaps travel and all of the related things that go with that, particularly in relation to trying to merge existing enterprise agreements and the like, are processes that are underway and continuing.

MINISTERS STATEMENTS: CHAPEL STREET FESTIVAL

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:32): It is my delight to advise the house that the much-loved Chapel Street Festival will return. Earlier this month I announced a \$450 000 investment to boost this iconic dining and shopping strip’s economy and community. The street festival will celebrate the unique character of the precinct, with areas showcasing fashion, art, music and food. It has been 20 years since the last festival, and the next iteration is planned for the second half of next year. State government funding will help cover the costs of running such a large-scale event—equipment hire, health and safety officers, permits, fees and traffic management among them.

Mr Davis, as members well know, gets it wrong from time to time—a matter for our discussion later in the day. Members would also remember that stage when the question time strategy was ‘Hey, will you meet with these people?’ or ‘Will you meet with those people?’, to which I always said, ‘Sure, you betcha I will’. So special thanks to the Shadow Treasurer for the introduction to my dear mates at the Chapel Street traders association. I can tell you all that, led by general manager Chrissie Maus and president Justin O’Donnell, the Chapel Street traders are a force to be reckoned with and a delight to work with.

If the launch event is anything to go by, we are in for a treat when the festival arrives. There was an appearance by exquisite drag queen Art Simone, party cannons and local artwork on display. Chrissie, Justin and their colleagues certainly know how to put on a show. I recommend Chapel Street to all traders. I think its best years lie ahead, and I think all members will find that the precinct is again flourishing. This festival will be some wonderful icing on that cake.

WRITTEN RESPONSES

The PRESIDENT (12:34): Regarding questions and answers today: Ms Maxwell to the Minister for Health, Mr Leane, two days, question and supplementary; Mr Barton to transport, Ms Pulford, two days, question and supplementary; Mr Hayes to planning, Ms Shing, two days, question and supplementary; and Mr Limbrick to the Treasurer, two days, question and supplementary.

Constituency questions

SOUTHERN METROPOLITAN REGION

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:35): (1952) My constituency question today is regarding the level crossing removals that are proposed down at Parkdale and Mentone, and I ask the government to reconsider these in the light of huge community opposition. I ask the Minister for Transport Infrastructure to visit the Parkdale traders and visit those in the Mentone area to ascertain the strong level—the mounting level—of resistance to the proposed way forward by the government. It is not too late to revisit these matters. It is not too late for the Minister for Transport Infrastructure to actually listen to the community. My question is very simple: is the minister prepared to visit the Parkdale traders and the Mentone community regarding those level crossing removals?

WESTERN VICTORIA REGION

Mr GRIMLEY (Western Victoria) (12:36): (1953) My question is for the Minister for Innovation, Medical Research and the Digital Economy. Port Campbell is a beautiful coastal town in my electorate, but it needs a mobile tower, not just for amenity but for safety. This small town is usually home to 350 people, but in summer it balloons to 5000 people. On top of that, the Twelve Apostles host 15 000 daytrippers daily in peak season. Existing mobile coverage fails to cover the population, unfortunately, and whilst these projects are usually federally funded, Corangamite Shire Council wants this project to be considered by the state government, including through its Connecting Victoria scheme. Minister, will your government fund these mobile tower upgrades in Port Campbell, or if you deem it not to be in your remit, will you write to your federal counterpart to ask them to fund it?

WESTERN VICTORIA REGION

Mrs McARTHUR (Western Victoria) (12:37): (1954) My question is for the Minister for Police, and it concerns yesterday's police withdrawal of a charge of incitement to contravene public health directions against Ballarat mother Zoe Buhler. Ms Buhler's great crime in August 2020 was to put a message on Facebook promoting a peaceful protest, with social-distancing measures and masks, to end lockdowns and stand for human rights. Assistant Commissioner Luke Cornelius alleged Ms Buhler had engaged in serious criminal behaviour. He referred to those objecting to lockdowns as 'batshit crazy'. How serious was this charge, now that it has been dropped weeks away from a state election? My question is this: will the minister sack the assistant police commissioner and the Chief Commissioner of Police, who have overseen the politicisation of policing in Victoria and the legal brutalisation of those who disagreed with their Labor Premier and his penchant for fear-driven ideology?

The PRESIDENT: Mrs McArthur, I am sorry. You went over time, and I allowed that. But your constituency question I do not think is a constituency question. I do not believe it is a constituency question. You cannot ask the minister to sack the commissioner.

Mrs McARTHUR: Well, it is to do with a constituent in my electorate. Who else is going to ask him to sack him if I don't?

The PRESIDENT: Mrs McArthur, I told you I did not believe that you should do that, and you kept talking about it. I have ruled it out.

NORTHERN METROPOLITAN REGION

Dr RATNAM (Northern Metropolitan) (12:38): (1955) My constituency question is to the Minister for Education, and it relates to the urgent need for a transparent and equitable process for funding of school upgrades. I recently met with Coburg High School, a terrific school in my electorate. Despite its outstanding results and rapidly growing enrolments, it has not received capital funding for much-needed facilities upgrades when almost all other Northern Metro high schools have been funded. I heard from passionate students, such as Jemma, who are frustrated by the limited space and facilities for hands-on learning. Coburg High School students are being counselled away from technology-based subjects because they do not have access to the facilities required for senior-level technology subjects, such as a performing arts and technology hub. They also are in need of an assembly space and appropriate sports facilities. While the school appreciates the modest funding received for its master plan, more is needed to ensure the works can be fully delivered. Jemma stated:

I hope the government can help us to make our great school even better with better performing arts and technology opportunities.

Minister, when will the students and the community of Coburg High School receive funding for their much-needed capital works requirements?

EASTERN METROPOLITAN REGION

Dr BACH (Eastern Metropolitan) (12:40): (1956) I have got a constituency question today for the Minister for Transport Infrastructure. It concerns the Suburban Rail Loop, which if constructed is set to run through my electorate. My question to the minister is this: how low would the project's benefit-cost ratio have to be before the minister concedes that it simply does not stack up? Over recent weeks various pieces of analysis by the independent, apolitical Parliamentary Budget Office have been released that demonstrate categorically that the Labor government's so-called Suburban Rail Loop simply does not stack up. Most recently the PBO released some analysis that demonstrated that, given that the first two legs alone are set to cost an eye-watering \$125 billion, the BCR has fallen to under one; in fact it has fallen to 0.6 to 0.7 per cent, meaning that the Suburban Rail Loop, according to the Parliamentary Budget Office, is a net social cost. The minister somehow continues to assert that it stacks up. How low would the BCR have to go before she changed her mind?

WESTERN METROPOLITAN REGION

Dr CUMMING (Western Metropolitan) (12:41): (1957) My question is for the Minister for Housing in the other place, and it is from Sabah in Yarraville. When will Sabah and his family be moved out of transitional housing and into permanent housing? Sabah has been living in transitional housing for 10 years. Sabah, his wife and their three sons, who are two, eight and 10 years old, live in a two-bedroom unit in Yarraville—five people living in a two-bedroom unit. He has been in contact constantly over the years with the department of housing. The department has advised him that there is currently no avenue for him to be moved out of his current situation into suitable public housing. Ten years in transitional housing is not acceptable. Something has to be done now for Sabah and his family in Yarraville.

EASTERN VICTORIA REGION

Ms BATH (Eastern Victoria) (12:42): (1958) My constituency question is for the Minister for Water. Professionally trained volunteer CFA firefighters install and service portable fire equipment to Australian standards for business, industry and the public through the fire equipment maintenance program. For the past 16 years Erica and district fire brigade has been contracted by Melbourne Water to perform accredited safety checks on fire equipment at the Thomson Dam facility. The volunteers use these much-needed funds to buy equipment, in terms of firefighting equipment and other life-

saving equipment, for their fantastic brigade. Last week Melbourne Water told volunteers that they were no longer required to do this work, because the contract was instead given to a Melbourne-based company with exemplary service, giving no reason for the cancellation. Will the minister direct Melbourne Water to reverse this decision to ensure that Erica and district fire brigade can continue to do this work and raise funds to serve the community?

NORTHERN METROPOLITAN REGION

Ms PATTEN (Northern Metropolitan) (12:43): (1959) My question is for the Minister for Health. My constituent is a member of the Bars of the North, a collective of nightclub operators in Melbourne's inner north. With the dangerous seizure of a huge quantity of fentanyl at our borders recently, Bars of the North have recommended that their members keep the naloxone nasal spray in their first-aid kits so that they can act in the eventuality of an overdose in the streets near their venues. I think it is a wonderful community-minded idea worthy of support. On this important day, International Overdose Awareness Day, and noting that the government is currently piloting a program to get naloxone into homes, my constituent asks: will the minister extend that program to get naloxone into bars and other venues where there is a known risk of overdose in surrounding areas?

NORTHERN VICTORIA REGION

Mr QUILTY (Northern Victoria) (12:44): (1960) My constituency question is for the Minister for Health. We heard this week that New South Wales and Victoria will work together to create a new GP clinic in Wodonga-Albury to take pressure off the failing hospital emergency system. I applaud the initiative. It should prove to be a much better class of tent than those pitched outside hospitals. However, given the enthusiasm on show from both the New South Wales and Victorian governments for joint health funding, it would have been the perfect opportunity to announce funding for our new, long-awaited hospital. More facilities in Northern Victoria are welcome. However, a community that is still waiting to see the master plan for the new hospital may well wonder if this is just an excuse to kick that can further down the road. The Wodonga-Albury area needs a new hospital; no amount of interim health half-measures will take that away. The ongoing failure to announce funding can only mean that the government does not support our new hospital. So I ask: Minister, is this clinic announcement just a cynical excuse to cover up the failure to commit to a new hospital for the north-east, or will you be announcing the new hospital for Albury-Wodonga before the election?

Motions

COMMERCIAL PASSENGER VEHICLE INDUSTRY

Mr BARTON (Eastern Metropolitan) (12:45): I move:

That this house:

(1) notes that:

- (a) a recent media exposé dated 12 July 2022 of leaked confidential documents titled 'The Uber files' by the *Guardian* newspaper confirms that 'Uber broke laws, duped police and secretly lobbied governments' during its aggressive global expansion;
- (b) Uber's rise in Victoria since April 2014 spanned successive governments of both persuasions;
- (c) regulators failed the commercial passenger vehicle industry as Uber bulldozed its way into the local market and operated illegally for close to 3½ years while they were asleep at the wheel;
- (d) the illegal activity led to devastating consequences for the incumbent industry, the legacy of which continues today;
- (e) people lost their livelihoods, their homes, their superannuation and in some cases their lives;
- (f) Uber sold people a lie about the economic benefits to drivers of the company's gig economy model;
- (g) the industry is in a state of disrepair as services and price certainty are in decline and wheelchair services are diminishing;
- (h) decision-makers were sold a lemon;

- (2) calls on the government for a serious and considered evaluation by independent review on the:
- (a) way the local taxi and hire car industry was allowed to unravel;
 - (b) part Uber played in steering these outcomes for their own benefit; and
 - (c) way this was enabled by regulators.

I have never made it a secret why I am here. I came to this place to represent the taxi and hire car industry and have done exactly that for almost four years now. No-one is going to be able to say that we have left any stone unturned. I can stand with pride and say there has been barely a time in this place when I have not shone a light on the injustice that occurred as a result of the deregulation which formed part of the industry reforms of 2017. Some in the Andrews government might be of the view that what is done is done. Some in the opposition roll their eyes every time I speak about the taxi industry, but the chickens are finally coming home to roost, and I feel vindicated.

In July of this year the *Guardian* newspaper published a series of articles, ‘The Uber files’, exposing the contents of 124 000 leaked confidential documents. They consisted of emails and messages between Uber’s most senior executives as well as a whole suite of other documents. The data reveals how Uber knowingly flouted the law, duped police and secretly lobbied governments across the world during its aggressive global expansion. For those in the game, there is nothing to see here; the Uber files confirm what the taxi and hire car industry has known for a very long time. In Australia these claims form the basis of an ongoing class action lawsuit against Uber, represented by Maurice Blackburn, on behalf of licensed taxi and hire car operators around the country, something I am very proud to be a part of.

Dalia Gebrial, an English political commentator and journalist, said it best:

What the **#UberFiles** confirm, is that Uber’s rise is not some ‘free market’ success story. It was a co-ordinated theft of our urban economies, based on exploitation + aggressive lobbying. Much of which was—in the words of Uber execs—

f-bomb—

... illegal’.

Uber bulldozed their way into cities with little regard for taxi regulations and simultaneously lobbied aggressively for those same laws and regulations to be altered to accommodate them. Despite Australia’s state laws requiring taxis and hire cars to obtain licences prior to operating, Uber set up shop in Australia in 2012 and in Victoria early in 2014 without the required permits. Many taxi licence holders were from working-class migrant backgrounds and had invested enormous sums of money to acquire taxi licences in a full and regulated market. Yet Uber operated illegally, without the required permits, for over three years, and they did this without consequence while the regulators were asleep at the wheel—some would say they were in a self-induced coma. This caused the value of licences to be severely impacted, leading to devastating financial consequences, the legacy of which continues today. People lost their livelihoods, they lost their homes, they lost their superannuation and, sadly, in some cases lives were lost. Many continue to pay debts for licences they no longer own. I should know—I am one of them.

This entire situation presents a serious case study of regulatory failure. State governments and politicians across the spectrum should have been far more resistant to bullying by a large private company entering the market. The enthusiasm of governments to embrace the vision they were sold has resulted in the baby being thrown out with the bathwater at the expense of law-abiding small business owners and at the expense of the most vulnerable consumers.

Put simply, decision-makers were sold a lemon. With the industry reforms of 2013, Uber’s market entry in 2014 and then further reforms of 2017, all sides of government have played a part in the destruction of the industry here in Victoria—blue, red and green. Prior to the reforms there were around 8000 registered commercial passenger vehicles, including 5500 taxis and the remainder hire

cars, stretch limos, special vehicles et cetera. Fast forward to today, and there are now over 90 000 registered vehicles, including 10 000 taxis and almost 120 000 drivers. That is over a tenfold increase in supply in just five years and a doubling of taxis in the same period. The market has not grown at the same rate. This is irresponsible on so many levels. You only need to look at wheelchair taxis to see why. The regulator reports that the number of these vehicles has increased each year since the reforms, but the taxi networks have a conflicting view. They say they are seeing a year-on-year decline in numbers of 10 per cent.

On 20 August an ABC news article highlighted a shortage of wheelchair-accessible taxis, particularly in regional towns. This confirms our inside knowledge and makes a mockery of the regulator. They simply do not know which way is up, because the registration of a commercial passenger vehicle does not reflect the activity in the industry. For all the data that is collected, I am yet to hear the regulator ask the right questions or interpret what is found in a meaningful and accurate way, yet they can tell you how many times the doorhandle on a vehicle was cleaned during COVID and which products were used. The regulator was warned of a decline in wheelchair services. In a deregulated market with jobs diluted tenfold by an influx of vehicles it simply becomes financially unsustainable. Uber conducted a wheelchair taxi service trial in Newcastle, New South Wales, a number of years back and learned very quickly it was financially unviable for them. Since then they have stated publicly that they have no further intentions of entering this market, which they said at the recent multipurpose taxi program inquiry.

The reforms of 2017 promised consumers more choice and cheaper fares, particularly with deregulation of booked fares, but one is more true than the other. It was thought that by deregulating taxi fares and deregulating booked fares competitive pricing would see an overall decrease in the cost of travel. At least that was the tune Uber played, and the regulators danced to it. The architects of deregulation were patting themselves on the back, but the industry is like no other. Five years on the reality has not followed the textbook examples. It is all too obvious now that the industry is in a state of disrepair. We have all heard the reports of eye-watering surge pricing, particularly around notable events in town. Just last week Channel 7, Channel 9 and 3AW reported about taxidriver refusing to turn on their meter, instead quoting ridiculous fares for a ride.

At one time the public could accept rideshare surge pricing because they had the reliability of taxi fares to fall back on. At one time the public could accept rideshare, but taxis do not operate as a charity service. With only a single taxi fare increase in 14 years and the extreme flooding of cars onto the market fighting for work, was this any surprise? The only way for fares is up. Drivers have to be able to cover their costs and put food on the table. Taxi and rideshare drivers are some of our most vulnerable and underpaid workers. They have no sick pay, they have no superannuation, they have no holiday pay and they have no other benefits.

When fares are cheap they come at the expense of the driver. This is called exploitation. Rank and hail at metered taxi rates is becoming a thing of the past. Many more drivers are taking matters into their own hands—and I cannot blame them—and engaging with potential customers in private, one-sided negotiations. Consumers are being held to ransom. They just want to get home. For all the hoo-ha about consumers having more choice, technically this is correct, but in practice during peak times the choices are surge pricing or set-price taxis with surge pricing—and this is what we call extortion. It is not good enough—you cannot have it both ways. From the stalwarts of this industry, we hate to say we told you so, but: we told you so. On one side we have a highly regulated price structure and trading constraints versus a commercial operation entirely devoid of any controls and, on top of that, saturation on the supply side of the market.

The playing field is not level, and there is an urge for the industry participants to find their own equilibrium any which way they can. It is simply illogical to think that you can have two different business models offering exactly the same service with, at times, vastly different price points and not expect a situation to develop that has everyone chasing their tails. All aspects of the industry are interconnected. It is impossible to pull one lever without creating an unintended consequence

elsewhere. Maximum regulated fare rates for unbooked taxis to ensure that vulnerable consumers are provided an element of price certainty is great in principle; however, this can only be achievable if there are available taxis offering a metered service to meet their transportation needs—and around the circle we go again.

The situation is black and white in my view. Either fares need to be entirely regulated to provide fair and consistent pricing for every trip or the government has to stop meddling in the system and let the wolves roam. One would hurt multinational corporations while the other would hurt the consumer. Mind you, the driver will never come out on top unless the supply side of the market is better controlled. The industry is in a mess, and no-one seems to be concerned because all the data collected by the regulator, the Department of Transport and the Essential Services Commission does not support the view. What I say and what the recent parliamentary inquiry into the multipurpose taxi program concluded is that when you put bad data in you get bad data out. The current system is encouraging rogue operations, and all of this is happening underneath the radar. No-one is collecting this data, because the regulator has lost control of the market. They have no idea who these people are, which vehicles they drive, what they are charging or how many trips are even conducted. This brings me to the trip levy.

The \$1 trip levy was to fund the industry transition assistance package for holders of revoked taxi and hire car licences. For all the trip data collected by the regulator there are tens of millions of trips annually that are going unrecorded. I have no doubt that the passengers are paying the levy and no doubt that the drivers are pocketing it, but the numbers do not stack up when you look at the levy revenue supported by the State Revenue Office. The levy is leaking like a sieve. We guesstimate up to \$30 million per year is being stolen from the travelling public. It needs to be returned to the intended recipients and those most damaged by the industry reforms and the inadequate transition package. The reforms have been a failure, orchestrated by a multinational corporation to suit their business model. The Uber files prove this. If Uber and their business approach is the poster boy for the gig economy, then we are in serious trouble.

It is the time to start working with those who have lived experience of success in the industry. As an organisation Uber are yet to turn a profit globally, despite their market share. This in itself is telling. Mark MacGann, Uber's former chief lobbyist, was the whistleblower behind the Uber files. He says Uber's senior executives knowingly sold people a lie about the economic benefits to drivers of the company's gig economy model. He now claims it is his duty to speak up and help governments and parliamentarians right some of these fundamental wrongs. Morally he believes he has no choice in the matter. I could not agree more with him; now is the moment to right those wrongs. Hindsight has 20/20 vision. Moving forward we must recognise and accept the failures before things get worse. I am not here to try to reverse the past, but we can repair it. There is a remedy, and I have shown the government the plan. It needs execution.

As in the case of Mr MacGann, time and reflection have brought this matter forward morally. There is no choice but for Australian state governments across the country to clear their consciences and own their contribution to the financial destruction and decimation of a once viable and prosperous industry. With the revelation of the Uber files, it is time we called for a serious, considered evaluation of the way the local taxi and hire car industry was allowed to unravel, the part Uber played in steering these outcomes for their own benefit and the way the regulators enabled this. Both sides of government need to reflect on the course of events that has led us here. I call for an independent review of the circumstances surrounding Uber's unhindered entry into the Victorian commercial passenger vehicle market and their influence on the industry reforms of 2017.

Sitting suspended 1.02 pm until 2.03 pm.

Mr MELHEM (Western Metropolitan) (14:03): I move:

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

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (14:04): This is an important motion on taxis and Uber that has been brought by Mr Barton to the chamber. He brought motion 836 that has a series of points about taxis—

Members interjecting.

Mr DAVIS: Yes, but as people will understand there is significant interest in the matters around Uber and taxis, and indeed a number of our speakers were keen to speak on this motion. This motion is an important motion. The community will understand that Mr Barton is running from this debate. He does not want a debate on this Uber matter because there are significant matters that he needs to answer to in this debate. It is clear that this matter is a matter where he has not covered himself in glory with respect to the taxi industry, and Mr Finn will remember the inquiry that he was part of. Mr Barton voted against compensation; he voted against holding the government to account on a whole series of matters. I would strongly argue that this is a matter that should be debated fully all the way through.

Mr Barton's motion deals with recent media exposés and leaked confidential documents. It also deals with the rise of Uber, it deals with regulators, it deals with illegal activity leading to devastating consequences for the incumbent industry. It deals with people who lost their livelihoods, it deals with an industry in a state of disrepair and it deals with the way the taxi and hire car industry was allowed to unravel—the part Uber played in steering these outcomes.

Mr Barton has properly raised a motion on these matters, but there are serious issues here for him to answer. There are serious issues that the community will want to hear other views on. He has made a contribution to this debate, and that is fine. We saw a 15- or 20-minute contribution by Mr Barton. It is clearly premature to decide that we should actually stop debate on this motion. To my knowledge there was no indication to the opposition that there was to be an adjournment of this important matter. Why is Mr Barton seeking to adjourn this matter? I think we need to make sure that in fact the matter is dealt with fully. Why would Mr Barton, after all he has said and done about the taxi industry, be running away from a debate on the taxi industry and the Uber industry? I think it is quite extraordinary, and I think that he has taken the wrong step on this matter.

Mr Barton interjected.

Mr DAVIS: Mr Barton, you will well understand that at the Economy and Infrastructure Committee—the extracts of proceedings make it very clear—you voted against some very significant matters for the taxi industry. You voted against proper compensation for the taxi industry. You voted against the decision—

Mr Barton: When did I vote against them?

Mr DAVIS: You did, and that is what the extracts of proceedings show. I understand that you may not want to fully debate this motion on taxi and Uber industry issues. I know, for example, on the government's new tax on taxis that you voted against that being deployed fully for compensation purposes. I think that is a matter that should have been debated with this motion. You brought forward this motion about Uber, you brought forward this motion about the taxi industry, you brought forward this motion for an inquiry. I think it is entirely proper that these matters be dealt with fully and that the issues around those issues be dealt with properly. I can see why you do not want to continue that debate. I can see why you are concerned to proceed with that debate, but you should have brought this to the other parties rather than simply trying to play a bit of a procedural game. I say that we should continue debating these points.

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (14:09): I move:

That the question be now put.

MOTIONS

Wednesday, 31 August 2022

Legislative Council

3191

The DEPUTY PRESIDENT: Pursuant to standing order 12.25, the minister has sought to move for the closure of debate. Standing order 12.25(2) requires that six other members must rise in their places to support the motion. I ask those members who wish to do so to now rise in their places to indicate their support.

Required number of members having risen:

The DEPUTY PRESIDENT: There being at least six members who support the closure motion, I will put the motion forthwith without amendment or debate.

House divided on Ms Pulford's motion:

Ayes, 27

Barton, Mr	Leane, Mr	Ratnam, Dr
Bourman, Mr	Limbrick, Mr	Shing, Ms
Elasmar, Mr	Maxwell, Ms	Stitt, Ms
Erdogan, Mr	McIntosh, Mr	Symes, Ms
Finn, Mr	Meddick, Mr	Tarlamis, Mr
Gepp, Mr	Melhem, Mr	Taylor, Ms
Grimley, Mr	Patten, Ms	Terpstra, Ms
Hayes, Mr	Pulford, Ms	Tierney, Ms
Kieu, Dr	Quilty, Mr	Watt, Ms

Noes, 9

Atkinson, Mr	Burnett-Wake, Ms	Lovell, Ms
Bach, Dr	Crozier, Ms	McArthur, Mrs
Bath, Ms	Davis, Mr	Rich-Phillips, Mr

Motion agreed to.

Mr Melhem's motion agreed to and debate adjourned until later this day.

LEADER OF THE OPPOSITION IN THE LEGISLATIVE COUNCIL

Mr BARTON (Eastern Metropolitan) (14:17): I move:

That:

- (1) the Leader of the Opposition in the Legislative Council no longer possesses the confidence of this house, and noting that he:
 - (a) acted in an abusive and threatening manner towards staff at the Bright Brewery in April 2021 and therefore brought discredit to Parliament during a regional sitting trip;
 - (b) was intoxicated and acted inappropriately towards participants at a Victorian Multicultural Commission dinner in March 2022 and brought further discredit to Parliament;
 - (c) deliberately misled the house in his statements and accusations that impugned Mr Barton's character and reputation; and
- (2) this house calls on Mr Davis to resign as Leader of the Opposition in the Council for his outrageous behaviour.

This motion today is about the behaviour of the Leader of the Opposition in this place, Mr David Davis, in and outside of this house. It is one thing to embarrass yourself, it is another thing to embarrass your party, but what you have done, Mr Davis, has embarrassed the Parliament. We are going to draw a line in the sand today, and I am asking the house: is it okay to fabricate a story and abuse parliamentary privilege for political motives? People in this house must decide where the line is and have the courage to say where they stand. This is about accountability, credibility and of course honesty.

Mr Davis has a history of inappropriate behaviour. In April last year Mr Davis abused staff working at a brewery in Bright because they had run out of the meal he wanted. It was reported Mr Davis was

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aggressive, he was confrontational and he was so inappropriate that the staff member was so shaken he was required to take a break. The staff member was so upset—

Members interjecting.

Mr BARTON: The staff member—

Members interjecting.

Mr BARTON: Deputy President, I cannot hear.

The DEPUTY PRESIDENT: Order!

Mr BARTON: The staff member was so upset they reported the incident to their manager the following day. When speaking to the *Age*, the manager, Mr Shaw, said this staff member was accustomed to difficult customers. But I say clearly nothing could prepare him for the rudeness and the entitlement of Mr Davis. This behaviour tarnishes us all. It is of course curious to most that Mr Davis has such a sense of entitlement.

In March this year it was reported, again in the media, that Mr Davis's behaviour was so appalling he had to publicly apologise for his drunken, inappropriate behaviour at a multicultural event. His own colleagues had to put him into the back of his driver's car after he refused to leave the event, despite being asked multiple times.

This is the behaviour of the Leader of the Opposition in the upper house. Only last week he came into this place and fabricated a story about me, outrageously hiding behind parliamentary privilege. I invite Mr Davis to repeat this fabricated allegation outside the protection of Parliament.

Last year I declared a donation for services from Trades Hall. I made this declaration on 18 October. On 26 October we saw the Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021 for the first time when it was introduced in the other place. Mr Davis himself made a number of comments at the time about the secretive negotiations regarding this bill and did not once mention me, because he knows I saw the bill at the very same time he did. Mr Davis was well aware that these dates made it impossible for the allegations to be true.

Mr Davis asked what changed my mind. What changed my mind was doing my job. While Mr Davis stood out there on the steps of Parliament misleading emotional people, I was meeting with the Victorian Ombudsman, the deputy ombudsman, the president of the Centre for Public Integrity, the Human Rights Law Centre, the nurses federation, the ambulance association, the Victorian Equal Opportunity and Human Rights Commission and of course my crossbench colleagues. That is what I did while Mr Davis sat on the steps. Our negotiations with the government were completed I reckon at about 11 o'clock at night on 29 November—after much negotiation with the government—adding six amendments to the bill. This was after widespread consultation and changes to the bill that gained my support.

The declaration was for a number of videos that were filmed and provided to support ex-licence-holders in the taxi and hire car industry. Of course Trades Hall centres their focus around the rights of vulnerable workers, particularly those in the growing gig economy. This is a space I have advocated in since the day I came to this place. These videos were the product of a shared concern for vulnerable and disadvantaged workers. I invite anyone who is curious to see these videos to visit my Facebook page. Mr Davis was aware of all of this when he purposefully fabricated this falsehood, clearly evading the truth for his political mischief. This is an outrageous abuse of parliamentary privilege. The irony is that Mr Davis has on previous occasions abused workers in small business and now chooses to undermine the work I do to support vulnerable and disadvantaged workers in the taxi industry.

I do not know why Mr Davis has such a dislike for working people. It is not difficult to mount this case. I cannot count on two hands the number of times Mr Davis has embarrassed this Parliament. It is shocking. These are all serious matters of credibility, and Victorians have expressed this time and

time again. They do not accept this kind of behaviour from their elected representatives. I call on my colleagues to show their courage and stand up against this sort of behaviour and bullying and request that Mr Davis step down as Leader of the Opposition in this place. As members of Parliament we have a responsibility to at the very least behave with honesty and integrity. This is the bare minimum—a benchmark Mr Davis has failed to reach.

Ms CROZIER (Southern Metropolitan) (14:24): I am—

Mr Gepp interjected.

Ms CROZIER: Mr Gepp—

Mr Gepp interjected.

Ms CROZIER: Through you, Deputy President.

The DEPUTY PRESIDENT: Ms Crozier, without assistance.

Ms CROZIER: Mr Barton's motion today, as you well know, is a political stunt. We have just seen what has gone on here in this house, this farcical behaviour of adjourning off his motion on taxis and Uber, which he is supposed to represent—the industry that has absolutely been hounded and has suffered under the Andrews government. Yet in the second-last sitting week in this place in this session, the four years you have had in this Parliament—Uber has been around for a jolly longer time than you have been in this house—you bring on that motion and then you adjourn it off to have this political stunt take place.

Mr Barton, if you were really concerned about those constituents you represent—the taxi industry—you would have allowed this place—

Ms Pulford: On a point of order, President, it goes to the matter of relevance and our requirement to be relevant to the motion being debated. Ms Crozier is clearly debating the matter that the house just resolved, which was the procedural question around whether Mr Barton can or cannot move to his next motion.

Ms CROZIER: On the point of order, President, the motion actually goes to the point about Mr Barton's character and reputation, and I am just talking about what he is meant to be doing in this place, which is representing transport matters.

The PRESIDENT: Order! I believe the point of order was relevant, and Ms Crozier is to go back to the motion.

Ms CROZIER: I say again it is about Mr Barton's character and reputation. He has been in this place for four years, elected by a handful of people to represent the Transport Matters Party—the taxi industry that has been done over by the Andrews government for eight years. You have been here for four years, and you bring this motion about Uber on to get it adjourned off in a political stunt and a political hit. How pathetic.

Ms Pulford: On a point of order, President, Ms Crozier was being incredibly disrespectful of your ruling on my recent point of order and just started doing again what she did before, which was speaking to a motion that has just been determined by the house by that vote that we had a minute ago.

Mr Atkinson: On the point of order, President, there was a changeover in the chair at the time the point of order was raised, so I am not sure that you actually got the full gist of what was being said. The fact is that in regard to the point of order that has been raised I do not think that it is appropriate to be questioning the line of commentary by Ms Crozier to this point. I would agree with you—and no doubt with Ms Pulford in raising that point of order—that in fact Ms Crozier does need to return to the substance of the motion immediately before the Chair, but how we got to debating this motion right now is a relevant consideration of her debate.

Ms Pulford: On the point of order, President, just in response to Mr Atkinson, with all respect to our former President, that is a stretch.

The PRESIDENT: I agree with Mr Atkinson that I was not in the chair; I was talking to Mr Davis about all of this. But let me clarify one thing: how we got to this motion was by a motion that the house decided on, so can we move on and talk about Mr Barton's current motion.

Ms CROZIER: I will say it again: political stunt by Mr Barton. That is okay. He has got the support of the Labor Party, and he has supported them throughout many pieces of legislation. Just go and have a look at his voting record. He is there. It is all on the record. I think all of those in the industry that he is supposed to be representing would be very disappointed to see what is going on here.

I want to go to the point about what Mr Davis has done in this Parliament around integrity. He has moved around—

Ms Shing interjected.

Ms CROZIER: Well, you may laugh, Ms Shing, but it is your government that has got, in terms of integrity and the disgraceful way that you have—

Dr Bach: You cut the feed.

Ms CROZIER: As Dr Bach just said, it is you who cut the feed. It is you who shut down parliamentary committee process.

Ms Shing: On a point of order, President, it would appear that Ms Crozier has not got anything nice to say about Mr Davis, so again on the question of relevance maybe she could come back to the motion at hand rather than looking to expand the debate onto things that actually have no bearing on this matter.

Members interjecting.

The PRESIDENT: Can we please listen to what I am going to say: no further interjections, thank you very much, because they are not helpful. Ms Crozier, relevant to the motion, please.

Ms CROZIER: Thank you, President. I was just responding to Ms Shing's interjections. In terms of integrity, this government has a rap sheet as long as your arm about the issues that are embroiling them in integrity investigations, whether it is IBAC or any other thing.

Ms Shing interjected.

Ms CROZIER: That is what I was getting to, Ms Shing, if you would just allow me to say what Mr Davis has done around this in terms of advocating for strengthening the Ombudsman and IBAC, something that your government refuses to do. Let us talk about integrity. Let us talk about issues—

Ms Shing interjected.

The PRESIDENT: Order! Ms Shing, please!

Ms CROZIER: You cannot help yourself. You cut the feed on a very important public official and a committee process so, Ms Shing, I do not know that you have got too much to stand on. But this motion that Doctor—Mr Barton, I should say; I have just elevated you to 'Doctor'—that Mr Barton has brought into the house is a nonsense. It is a complete nonsense. He has a personal issue with Mr Davis; that is clear. It is very evident. It is very evident that there is a personality clash here. There is a personal issue going on. There is a tit for tat. It is 2 minutes before an election, and he is throwing this nonsense into the house. We are wasting time when he should be debating the very important issue that he was elected to this house for—representing those constituents in the taxi industry, taxi licence holders, that he said had been done over. Their properties have been lost, and we should have been debating that important issue rather than this ridiculous motion that is before the house—

Mr Gepp: You don't want to talk about his boorish drunken behaviour. You don't want to talk about that. Talk about his boorish drunken behaviour.

Ms CROZIER: Well, how about yours, Mr Gepp?

The PRESIDENT: Members, please!

Ms CROZIER: Through you, President, I think that you and others can see what this motion is. You can see it for what it is. It is a political stunt by Mr Barton, who has obviously the support of the government and the left Labor-voting independents. They have voted with the government throughout the whole four years. It is very obvious where their views sit. Absolutely their voting record is very clear.

I say again: Mr Barton might have a personality issue with Mr Davis. That is not for the house to understand or decide. It is very clear there is no love lost there, but nevertheless this is a ridiculous motion that should be struck out, and I—

Ms Shing interjected.

Ms CROZIER: Well, Ms Shing, you have nothing to say on integrity, when you shut down very important parliamentary processes.

The PRESIDENT: Order! This has got nothing to do with the motion. Please, back to the motion.

Ms CROZIER: I am just responding to her interjection. Through you, President, when Ms Shing continually interjects, I will hit back and say she shut down the feed on parliamentary committee processes. This is a nonsense motion. It should be thrown out. The Victorian Electoral Commission has recorded the donations on the record of what Mr Barton has been provided by the Victorian Trades Hall Council. If he took offence at that, it is all there.

The PRESIDENT: Members, before I call the next speaker, you are not helping me, you are not helping yourselves. So I am just warning you, members.

Mr GEPP (Northern Victoria) (14:34): President, I will try to bring some civility back to the debate. I am not surprised that Ms Crozier made no attempt, made absolutely no attempt, to defend Mr Davis's behaviour, because it is indefensible. What Mr Davis did in Bright and what Mr Davis did at the multicultural gala dinner was reprehensible. He took on board far too much alcohol and behaved completely and utterly inappropriately towards workers and other patrons who were at those events. These are not allegations. These are facts. They are things that Mr Davis has publicly acknowledged. He has copped to it. He has copped to it in the public arena, but now suddenly we have to have a debate about 'How did we get here?'. Well, I will tell you how we got here. We got here because of Mr Davis's behaviour, the way that Mr Davis conducts himself in this place.

I will use a farming analogy. He treats this place a little bit like a cattle yard—walks in, grabs the biggest, freshest pile of cow patty that he can, throws it at the barn door and sees how much of it can stick. That is what he does. That has been his modus operandi ever since he got into this place. He never bases his contributions on facts or figures; he just makes it up. He just puts an assertion before the house and suggests that there might be something untoward.

That is what he has done with Mr Barton—and there is this pathetic defence from the opposition that somehow Mr Barton has not represented his constituents until very recently. You are kidding, aren't you? You have got to be kidding. I tell you what, there might be many things that you might be able to level against Mr Barton, but to suggest that Mr Barton has not since day one when he walked into this place represented his constituency and the people who put him here is just an absolutely ridiculous statement to make. It is absolutely ridiculous. In fact I do not think there would have been a week gone by in this place when Mr Barton has not talked about the transport industry, the taxi industry, Uber drivers or the gig economy. He has gone on and on and on about it on every single occasion, and he is entitled to do so.

I am not going to defend Mr Barton. He is big enough to defend himself. You know, I would much rather have Mr Barton's record of credibility and integrity in this place than that of the Leader of the Opposition in this place, who just walks in here and says whatever he wants to say regardless of the facts—throws mud, slings mud. In fact I wonder if there is a new cocktail that we could make in one of the bars that you frequent, Mr Davis, maybe a 'mudslinger'. We would name it after you, because that is what you do. You just walk into this place and without any fact, without any figures, without any rhyme and without any reason except to suit your own political games you just sling mud. And you do not care. You have no regard for the impact that it has on this place or the individuals involved. You have no regard.

Isn't it shameful that the opposition get to their feet on a motion like this, where the first half of the motion is directly talking about the Leader of the Opposition and appalling behaviour? I challenge the house to answer me this. Riddle me this, Batman. Where in any other industry in any other workplace, if somebody behaved this way in a recidivist fashion—they did it again and again and they copped to it—would they still be in their workplace? I do not know anywhere. I do not know any workplace and I do not know any industry where you could get away with it. And his own side then seeks to defend it. It was two members of his own party that had to take him out of the multicultural awards dinner, the gala dinner, and put him in his car and ferry him off because his behaviour was so inappropriate. So it is not as if—

Ms Crozier: On a point of order, President, Mr Gepp is now making things up, and I would ask you, if he is going to speak to the motion—

A member interjected.

Ms Crozier: You have just been talking about facts. Why don't you stick to the facts and stop—

Members interjecting.

Ms Crozier: You are coming in here claiming things that are actually not true, so I would ask you to withdraw.

Members interjecting.

The PRESIDENT: Order! The problem is I do not know what is going on today. She has the right to raise a point of order, and then you can raise another point of order—but let me make the decision, please. Ms Crozier, I do not believe you have a point of order. I do not uphold your point of order, so I ask Mr Gepp to continue.

Mr GEPP: Thank you, President. None of these facts has been disputed. Mr Davis acted completely and utterly inappropriately at that dinner. He was intoxicated, according to the reports, and he has not denied it. He has not denied the reports that he had to be escorted out of the dinner and placed in his car. Maybe it was not two people; maybe it was three or four—he is a bit of a big bloke, isn't he, so perhaps it was more than two. But the reality is that these facts have not been contested. They have not been contested for a very long time. And what is worse is that the Leader of the Opposition in the other place, Matt Guy, knows about this behaviour and he has done absolutely nothing about it. Shame on him.

We have seen in the public domain in the last couple of years public campaign after public campaign about the treatment of workers in their workplaces, and I am proud of the record of the Andrews Labor government. We stand up for workers in the workplace. We stand up for workplace safety. We have anti-bullying and anti-harassment laws in place, and for a very, very good reason. And whether you like it or not, we in this place and in the other place have a responsibility to show the leadership that we require of the rest of the community when they are out in public and conducting themselves. Mr Davis has failed the test. He has failed that test miserably. Indeed he is hoisted on his own petard, isn't he, because he walks in here and he just slings allegations, slings mud and hopes that it sticks.

Ms Crozier: Just like you. Just like you've done. You have misled the house.

Mr GEPP: No, not just like me, Ms Crozier, because you had the opportunity to denounce his behaviour, to denounce the man that sits next to you in this chamber and who, when he is out in public and is on the turps, cannot control himself. You had the opportunity to denounce it. He has not denied these allegations himself; in fact he has apologised. And what has his leader said in the other place? 'I've warned him. I've told him that's unacceptable'.

I would challenge the house to just respond to this question, and that is: if Mr Davis walked in tomorrow with a set of allegations that proved to be fact that the Premier had gone out in rapid succession to two different events, got himself full of ink and behaved inappropriately to the workers in those establishments and to other people who were attending those functions, what would be the outcry from those opposite? I could tell you what the outcry would be: 'Get rid of him. Move him on', and quite rightly so, because that sort of behaviour in any circumstance is completely and utterly unacceptable.

We are leaders of our communities. We are sent here with a responsibility, and we are sent here with an expectation that we will conduct ourselves in an appropriate way. Mr Davis has fallen at that hurdle, not once but twice that we know of and probably more. Mr Davis, you should do the honourable thing, Sir, you should resign and leave the Parliament and allow people with greater integrity to occupy that seat.

Ms MAXWELL (Northern Victoria) (14:44): If I was not giving a short speech in relation to Mr Barton's motion, I would not even bother to be sitting in here listening to this debate. Derryn Hinch's Justice Party will not be voting on this motion today, either for it or against it. Neither will we vote on Mr Davis's motion relating to Mr Barton if that comes to a vote. We have always prided ourselves on never abstaining from a vote, but today is different. The reason is that we feel that this schoolyard tit for tat on the public purse is an absolute waste of parliamentary time and public money. As Mr Gepp said, we are leaders of our community, and can I say it is absolutely no wonder that the general public has such a low opinion of politicians.

Whilst a personal attack on an MP has been made here in this place, Derryn Hinch's Justice Party in no way—

Mr Barton interjected.

Ms MAXWELL: This is what I am saying, Mr Barton. A personal attack has been made on you, and we in no way, shape or form in Derryn Hinch's Justice Party condone that. Yesterday, before this motion was read in, Mr Grimley stood at the doors with victims who are seeking redress for abuse. After the motion was read in I met with a victim of crime who feels completely discarded by the justice system because her son was killed in a car accident and the person responsible was never held to account. Her son is dead, and we are sitting in here having these ridiculous conversations and debates that are simply a waste of time. I honestly think our Parliament has more important issues to debate, and on behalf of Victorians I want to say we need to get on with this instead of these schoolyard spats.

Dr BACH (Eastern Metropolitan) (14:46): I also want to make a brief contribution on motion 841 in Mr Barton's name. In my view this is such a distasteful and mean motion. I agree with a very large amount of what Ms Maxwell had to say. Today there are any number of deeply important matters that we could be debating. There have been some matters this week that we have found much agreement on across the aisle and around this chamber, and yet this afternoon we descend into farce in an effort to defame the Leader of the Opposition.

I am happy to pick up on one or two of the elements of Mr Barton's initial contribution and then focus my remarks upon point (c) regarding, as Mr Barton says in his motion, accusations about Mr Davis's character and reputation. Mr Barton again spoke in his initial remarks about accountability and honesty. Those opposite have challenged those on this side of the house to defend Mr Davis's

behaviour, and I will to the hilt. On accountability and honesty Mr Davis has been a lion in this place, always opposed by those opposite. On accountability and honesty Mr Davis and others on this side of the house have asked a whole series of relevant and pertinent questions about processes at the time of the pandemic legislation. Before that time—and I am speaking directly to point (c) of this motion, as I understand it from Mr Barton's initial contribution—Mr Barton's voting record in this place was mixed; he would oftentimes vote with the opposition and he would oftentimes vote with the government. However, through the period of the discussions that he outlined in his contribution on his motion things changed, and since then he has become an almost exclusively Labor-voting independent.

It is reasonable to ask questions and to query how that came to pass. It is reasonable to talk about what role the government played. It is especially reasonable to ask such questions, talking about accountability and honesty, as Mr Barton did, given the complete lack of those traits in those opposite. We have talked at length in this house about ongoing investigations into those opposite carried out by the Ombudsman and by IBAC, and so in that context of known corruption in Victoria Mr Davis and other members of the opposition would be derelict in their duties if they did not ask pertinent questions about that process, where there was such a marked shift, looking at Mr Barton's voting record—a marked shift.

So on point (c), what Mr Davis did, which angered Mr Barton—I understand it angered Mr Barton, and there is so much animosity now from Mr Barton directed at Mr Davis; I understand that—was right and proper. He was acting as a good Leader of the Opposition should. So I am very happy to come in here any day of the week and talk about the behaviour of my leader. When it comes to accountability and honesty it has been quite exemplary.

Ms SHING (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (14:50): What we have just heard from Dr Bach is an example of how to conduct yourself in the Parliament. Dr Bach is, notwithstanding the fact that I find many of his politics completely intolerable, actually rather a decent type when it comes to contributions here in the chamber and when it comes to representing the constituents who have put him into this place.

In stark contrast to this we see in Mr Davis a person who comes to this chamber with the highest and mightiest set of self-convinced, self-indulgent monologues about others in order to make whatever point suits him at any time of the day. And what we see is this oscillation from Mr Davis between either being completely arrogant or indeed completely dismissive, and the way in which he is bouncing from extreme to extreme does him no favours. But what I do want to focus on today is the fact that those opposite have completely missed the point about what it means to come to this place and to advocate for various positions, issues and perspectives that bring you here in the first instance. Here is a clue for those listening along at home: the Transport Matters Party is here because transport matters. It matters in the way that Mr Barton has outlined extensively ever since he came to this place, and it matters in the context of the work that he has done to advocate for the subject matter that literally brought him here in the first place.

When I think about Mr Barton's behaviour, what comes to mind for me is not a sloppy, incoherent, handsy, disgusting drunk; what comes to mind when I think about Mr Barton is the fact that he is here to do his work as an elected representative in a way that is uncomfortable for those opposite. It is uncomfortable because he is not agreeing with you on the things that you would like to advance. It is uncomfortable for you because he does not stand and vote with you on every occasion that you would like, and the bottom line is when it comes to examples of handsy, incoherent, slurring, disgusting, disreputable behaviour, Mr Barton is not somebody who has demonstrated any of that.

What we do know from the public comments and from indeed Mr Davis's own acknowledgement of wrongdoing and inappropriate behaviour is that Mr Davis by his own character and conduct brings this place into disrepute and further damages the already dented reputation of politicians here. And I do not doubt that the vast majority of people who are elected to this Parliament and indeed to other

parliaments have good intentions. The difficulty is that when we see the conduct of certain individuals drag this place into the depths of mistrust that validates all of the criticism that the public has about the fact that we sit here in an out-of-touch fashion and do not connect with basic standards around workplace health and safety, around the treatment of women and around the way in which we are supposed to be exemplars of public behaviour, what I see is that we have an opportunity and indeed an obligation to be better.

I look around this place and I see many people who demonstrate in their conduct the fact that integrity and good, appropriate engagement with others matters. When I look around this place I see people with different issues, different views, different platforms and different priorities in the best of the sense of things coming together in order to work to make sure that their priorities and the issues that have brought them here are at the front of mind for the purposes of the work that they do. When I sit here I do not see in the vast, vast, vast majority of matters handsy, incoherent, rambling drunks. When I sit here I think about how it is that we can and indeed should be better as a Parliament than to allow this sort of behaviour to go unchecked, and when I sit here in this place I take guidance from those who in fact do do the right thing, and there are many of us. But in a shame and in a disgrace to this Parliament we see that a handful of people pay lip-service to the obligations that we have here. We would never in any other workplace expect to tolerate handsy, incoherent, drunken rambling. We would never allow that to occur, because there are basic standards that apply that we have worked really hard to apply across the board to make sure that people are treated with respect and treated with dignity. We have worked hard to make sure that in workplaces handsy, drunken, incoherent rambling is not acceptable, and nor should it be acceptable here.

To anybody who wants to stand up and talk about how in fact Mr Davis brings a measure of integrity to this place, what I would encourage you to think about is the fact that Mr Davis is very good at opposition. He is very good at opposition because it does not require accountability, and accountability is something that is a very uncomfortable proposition for Mr Davis. No wonder the opposition opposed the introduction of serious misconduct in public office legislation. No wonder there has been a succession of oppositions to progressive reform around integrity and accountability. No wonder we are here having this debate today after a protracted procedural matter and a debate which has sought to stall or indeed push off this particular debate. It is because it is uncomfortable, and it is because it is uncomfortable that we will continue to need to have these conversations until people who are handsy, incoherent and rambling drunks realise that their behaviour has to improve.

No wonder those opposite have a problem in relation to the representation of women in their ranks—no wonder—when the sort of role modelling that we get from those opposite is either complicity or indeed wilful ignorance. Where is the Leader of the Opposition in calling this behaviour out and in fact calling for Mr Davis to stand down? He was all too happy to have conversations with the nearly former member for Kew because it suited the political narrative. Well, walk the talk in relation to sloppy, handsy, incoherent, rambling, drunken behaviour and fix it. Be better. If you want to be a viable alternative government, if you want to actually present an opportunity to sit on government benches with the honour and the privilege that comes with representing all of Victoria, then be better. Call out the behaviour of the current Leader of the Opposition. Acknowledge the contrast that exists between people like Mr Davis and people like Dr Bach, acknowledge the fact that the vast majority of people are here to do the right thing and are here to act with integrity and acknowledge the fact that dead weight like Mr Davis is in fact holding you back.

Here is a gratuity for the Liberal-National coalition. You have an opportunity here to call this behaviour out, to be better, to walk the talk on what it means to provide safe and dignified workplaces, not just for people here in the parliamentary precinct but for people in places like Bright. Make sure you are modelling the sort of behaviour that drags the reputations of parliaments and of politicians out of the mud, because they have been dragged down there by conduct like Mr Davis's.

Those opposite need to actually have a serious conversation in public terms. I know and we know that there are members within your ranks that are all too happy to criticise Mr Davis's conduct and to talk

about the damage that it has done to you and to your coalition behind closed doors. You are very happy to have conversations with us about how Mr Davis is dragging you down, and yet when it comes to actually closing ranks, when it comes to bringing the cavalry over the hill and standing in Mr Davis's defence, where are you? You are nowhere to be seen, because to call this behaviour out is an uncomfortable truth that would invite you to actually conclude that perhaps your leadership, perhaps your selection of who is of good character and standing, has been a little flawed.

What I would encourage you to do as a consequence of this motion is to look at the variety of views that come to this chamber, that come to this Parliament, and to acknowledge that they are here in order to do the work of those particular views, platforms and perspectives. What I would encourage you to do is in fact to look at why it is that Mr Barton holds the views that he does and why it is that he is here as a representative of the Transport Matters Party and what it is that he has done in the time that he has been here. What I would encourage you to do is to acknowledge that at no point in time, as far as I am aware, has Mr Barton ever approached that in a drunk, handsy, incoherent or rambling way. Mr Barton—

Dr Bach: On a point of order, President, under standing order 12.16, 'tedious repetition', the fact that what the member has now said on 16 occasions is factually incorrect I understand is neither here nor there under the standing orders, but surely the simple number of occasions that she has used that extended expression would meet the definition of 'tedious repetition' under our standing orders.

The PRESIDENT: There is no point of order.

Ms SHING: Drunk, handsy, incoherent, rambling—that is what we see from the Leader of the Opposition. He needs to resign now.

Mr MEDDICK (Western Victoria) (15:00): It gives me no joy to have to be here to speak on this.

A member interjected.

Mr MEDDICK: No, it does not; it does not at all. Those of you that know me well know that I am a political devotee. Yes, my politics are from the left, but over the years and decades of watching politics, of listening to great speakers, I have had admiration for great leaders from the Liberal Party. I have watched some of the great speeches, and from the left that means I am a great admirer of the Hawke and Keating speeches. One that holds a great place in my heart is the famous misogyny speech from Julia Gillard.

I have watched some fantastic members of the Liberal Party in this chamber. I have great admiration for Mary Wooldridge and likewise Mr O'Donohue. I continue to have an admiration for Mr Rich-Phillips, and I expressed this to him only a few weeks ago. I have admiration for the way that he goes about his business—the way that he speaks, his research and his knowledge. I consider it a great privilege to have been in this house for such a short period of time with Mr Atkinson, someone who I believe has held up the great principles of the moderate Liberal Party and done so with honour. I was never a fan of John Howard, but he did one thing that I greatly admire. When he brought in the gun laws in the wake of Port Arthur, I thought that was one of the most courageous things I had ever seen in the political sphere, but backed up by his colleague Mr Fischer, who had to go out and sell those laws to a constituency that never wanted to give up those guns or those rights. That took guts, and I admire them greatly. And it might surprise some, not just in this chamber but outside, that I also hold a rather begrudging respect for my colleague Mrs McArthur. Our politics are vastly different and we are sparring partners on many occasions, but I do hold that respect for her.

I cannot speak on any of the events that have been reported on or were spoken about after the Victorian Multicultural Commission dinner. I was not there; I cannot say. We only have the news reports and other things to go by, so I am not going to comment on that at all. I was, however, at the Bright Brewery. I was within a metre of Mr Davis when the exchange happened with the bar staff. I was able to hear every single word. Every single word was spoken with such anger, such vitriol and with such

a demeaning tone and language that that worker was in a terrible place afterwards. Not only that, I then had the bar manager of the night say to me that he felt like throwing us all out, because how dare we as members of Parliament come up to a place like Bright, let alone anywhere, go into an establishment and speak in such a way to the staff—how disrespectful. He felt we had no place there and no place anywhere.

I was ashamed. I took it upon myself, even though I had no authority to do so, to apologise to the staff member on behalf of the Parliament. I am a representative of a minor party here. I am not one of the clerks. I am not a minister. I am not an Acting President, Deputy President or President. I am none of those things, but I was so ashamed of the behaviour I thought it was my duty to do so. I learned my gutter politics, if you like, on the shop floor. I have seen the effect that abuse in the workplace can have on a worker. I have known people who have taken their own lives because of it, because they cannot take any more, and it is for that reason once again in this chamber today I am going to stand here and I am going to defend that worker who had every right to go to work, do their job and not be abused and to go home feeling safe and feeling like they were worth something. That is what I am going to do again today. I will be supporting Mr Barton's motion because I am going to support that bar worker.

Mr RICH-PHILLIPS (South Eastern Metropolitan) (15:06): I rise to oppose this motion moved by Mr Barton this afternoon. I have to say that with the timing of this motion you know there is an election coming, because the issues which are canvassed in this motion—the references to the Bright Brewery and the references to the Victorian Multicultural Commission dinner—are not new information. This is not something that has suddenly been revealed and is an urgent matter for the Parliament to address. This is a matter which has been on the public record for more than six months. This is a matter which Mr Davis is on the public record as apologising for. Yet suddenly, in the second-last sitting week, it is a matter of great urgency for those on the other side to bring forward a motion, with Mr Barton, to condemn this behaviour. You have to ask why—why is this suddenly, when we are in the second-last sitting week before an election, of interest to those opposite? Why is it suddenly being brought on? Why are we suddenly seeing these speeches with great conviction about how this behaviour is terrible when these matters have been on the public record and an apology was given six months ago? You have to wonder about the motivation.

Mr Barton stood in this place yesterday, I think it was, and said his priority was the taxi industry. Minister Shing in her contribution said Mr Barton always stands up for the taxi industry. He is a member of the Transport Matters Party, and that is what he focuses on. So why are we in a situation where one speaker into a motion about the taxi industry suddenly it is Mr Barton's priority to adjourn that off to talk about this matter which is not new, is not contemporary and has been on the public record for six months? It is not a priority. I would have thought in the second-last sitting week a crossbench member who apparently has a particular interest in a particular industry would want to raise that issue and prosecute that issue instead of going on to issues which might be of more interest to the government from a political perspective in being able to attack a political opponent. Yet we have Mr Barton effectively aiding and abetting that for the government to attack their political opponent rather than dealing with the issue he says is his priority. He says the issue of priority is the taxi industry, but he was very, very happy to adjourn that off to get on to this attack on Mr Davis because it is politically convenient for those opposite. So I think—

Members interjecting.

The PRESIDENT: Order! Members, please stop interjecting, and if you cannot control yourself, go for a walk and come back.

Mr RICH-PHILLIPS: Thank you, President. Well, the confected outrage on the other side speaks volumes, because, as I said, this is not new material. This is not something that has suddenly been disclosed. It has been on the public record for more than six months. Mr Davis's apology has been on the public record for more than six months. This will be seen for what it is: a stunt. It is a political stunt

by those opposite to have a go at Mr Davis because he is their political opponent, aided and abetted by Mr Barton in adjourning off his motion. The reason he is here is taxis, but he was happy to adjourn that off after 10 minutes to spend an hour and a half talking about Mr Davis. You have to wonder what the priority is and why that is the case.

Mr Barton in his motion at (1)(c) refers to accusations that impugned his character and reputation. Frankly Mr Barton, by seeking to adjourn off his core reason for being here—taxis—to talk about Mr Davis, does more to reflect on his intentions than anything Mr Davis has ever said. This motion is purely a grubby little political attack on Mr Davis, and the timing highlights that. There is nothing new in this motion. There is nothing new in the issues that are being raised. Mr Davis is on the public record as having apologised for those events six months ago. The fact that it is being brought on now highlights this is nothing more than a stunt, and it should be rejected as such.

Dr CUMMING (Western Metropolitan) (15:11): I rise today to speak to this motion. On 7 April this year I gave notice of a motion:

That this House—

- (1) understands the important role the Victorian Parliament plays as an exemplar of best practice in workplaces;
- (2) recognises that the Victorian Parliament is a workplace for Members of Parliament, electorate officers, parliamentary advisers, ministerial staff, parliamentary officers, precinct employees and contractors;
- (3) acknowledges that everyone has a duty to take reasonable care for their own health and safety, as well as for the health and safety of others in the workplace;
- (4) directs the Presiding Officers to jointly establish consistent, proportionate, transparent and objective processes and requirements for addressing the health and safety risks associated with people affected by drugs and alcohol in the Victorian Parliament, including—
 - (a) that illegal drugs are not to be consumed, possessed, distributed or sold within the workplace at any time;
 - (b) the right to conduct random drug and alcohol testing for Members of Parliament and other employees within the Parliamentary precinct;
 - (c) establishing an acceptable blood alcohol concentration which is below that prescribed by the law for driving; and
- (5) requires the Presiding Officers to provide the processes and requirements to both Houses of Parliament by 30 July 2022 ...

Today is 31 August. This government did not want to debate that, nor did others. It sat on the notice paper, and it has fallen off. I also in this place put in a private members bill for members of Parliament standards. This morning Dr Ratnam also put in a private members bill for anti-corruption and higher parliamentary standards, the Anti-corruption and Higher Parliamentary Standards (Strengthening Integrity) Bill 2022. Both were private members bills that this government has chosen to ignore.

I have sat here and listened to the hypocrisy of this government—the hypocrisy. People in glass houses should not throw stones. I have been bullied in this place. I have had to put up with other drunks. But when I requested that we actually do something about it—‘No, no, no’. Here we are today. I was not at those two events, but there were actual practices in those private members bills that could have been law for the rest of the Parliament to look after all the staff in here. But this is just grandstanding; this is ridiculous. Like others have said in this chamber, we should be spending our time looking after Victorians rather than arguing amongst ourselves. This government is a bunch of hypocrites; it is like ‘hypocrites unite’ today. I will not sit here and listen to these personal attacks when we have got Victorians who are homeless, who are vulnerable. The cost of living—and this is what we are going to spend our time on in Parliament. This is why the community cannot trust this government.

House divided on motion:*Ayes, 21*

Barton, Mr
Bourman, Mr
Elasmar, Mr
Erdogan, Mr
Finn, Mr
Gepp, Mr
Kieu, Dr

Leane, Mr
McIntosh, Mr
Meddick, Mr
Melhem, Mr
Patten, Ms
Pulford, Ms
Shing, Ms

Stitt, Ms
Symes, Ms
Tarlamis, Mr
Taylor, Ms
Terpstra, Ms
Tierney, Ms
Watt, Ms

Noes, 9

Atkinson, Mr
Bach, Dr
Bath, Ms

Burnett-Wake, Ms
Crozier, Ms
Davis, Mr

Lovell, Ms
McArthur, Mrs
Rich-Phillips, Mr

Motion agreed to.**Bills**

**INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION AMENDMENT
(RESTORATION OF POWERS) BILL 2022**

*Second reading***Debate resumed on motion of Mr DAVIS:**

That the bill be now read a second time.

Mr GEPP (Northern Victoria) (15:23): I rise to speak on the Independent Broad-based Anti-corruption Commission Amendment (Restoration of Powers) Bill 2022 brought by Mr Davis. From the outset can I say that the government supports our state's integrity agencies and recognises their importance, particularly that of IBAC in being able to use its public examination powers where necessary to undertake its vital function and to promote integrity and expose serious and systemic public sector corruption and misconduct. It is the issue around public hearings which is the main thrust of this bill. Following on from the debate that we have just had, the suggestion is that because of the way that IBAC currently functions there is something untoward that goes on with those processes, that there is something that is not quite right—that it is not transparent. I would argue that it is absolutely to the contrary. Whilst we understand that public hearings—and we have those hearings through our committee work here in this place—do educate the public sector and community about corruption and misconduct issues et cetera and can raise the profile of particular investigations and demonstrate that allegations of corruption are taken seriously and investigated thoroughly, what we also know is that there is the capacity in a public examination for a process that can significantly limit individual rights and can have serious costs for the privacy, reputation and welfare of some of the individuals involved.

Any court, any tribunal or any integrity agency must be mindful as it goes about its work about, yes, its primary objectives of course, and it must at all times remain faithful to those primary objectives. But there has got to be a degree of care and diligence that is undertaken and followed by courts, by tribunals and by agencies when they are conducting their work to ensure that the individuals concerned have their rights to privacy and representation, for example, properly preserved, because the consequences of a public inquiry where it goes horribly wrong can be devastating for the individuals concerned. It is for those very reasons that the Independent Broad-based Anti-corruption Commission Act 2011, which is the subject of the bill brought by Mr Davis to the house today, requires IBAC to consider on reasonable grounds whether holding a public hearing would cause unreasonable damage to a person's reputation, safety or wellbeing. The current act does not preclude IBAC from holding public hearings. What it does do is it establishes the grounds—the tests, if you like—for conducting their business in a certain way and ensuring that all of those things have been thought through prior to the process commencing, because, as I say, the consequences of getting it wrong can be devastating.

Can one then reach the conclusion that if an examination is being conducted, by IBAC in this instance, not in a public hearing but in a private process it is any more or less legitimate in terms of the outcomes of the particular investigation? I would argue that it does not impact at all the legitimate outcomes of any inquiry, and to suggest that somehow having everything in the public domain will ensure that any impropriety is dealt with through the public process I think is a little bit cynical and not something that I support.

As I say, the IBAC act does set a very high bar—and it should—for the conduct of its public examinations, because these processes that IBAC undertake are different to other types of investigation by other organisations and other agencies in that they are coercive, they are inquisitorial and they do by that very nature restrict and limit the rights and freedoms of individuals. What the act currently provides for is some balance in the situation where somebody finds themselves before the IBAC in an examination that may well be coercive and inquisitorial by nature and is in some instances. The act provides that the processes have to be followed in a certain manner if there is concern about the individual—the damage to reputation, the damage to privacy—and the welfare of that individual.

But this bill seeks to remove the procedural fairness safeguards, if you like, currently in place that are designed to protect individual rights, including the obligation that IBAC consider those things on reasonable grounds. I will repeat them because they are important: that conducting an examination would not cause ‘unreasonable damage to a person’s reputation, safety or wellbeing’ and that the conduct being examined constitutes:

- serious corrupt conduct; or
- systemic corrupt conduct; or
- serious police personnel misconduct; or
- systemic police personnel misconduct.

The bar is there for a very good reason. It does not limit the capacity of IBAC to inquire into a particular matter, matters or individuals; in fact they are able to do that. But what it does say is that unless you are absolutely certain of these things, you should be very, very mindful of the rights of the individual to privacy, you should be very, very mindful of the individual’s reputation and you should be very, very mindful of the welfare of the individual, and if you cannot satisfy all of those tests, if you like, reasonably, then what you should do is conduct your business in a manner that preserves the rights of those individuals concerned when it comes to those important points.

What the government says is that this requirement properly balances the individual rights and welfare of the individual, as I say, whilst still ensuring that IBAC can discharge its vital functions to investigate and expose corrupt conduct and police misconduct. But when you look at the second-reading speech of Mr Davis, you would be entitled to think that something else was going on. I will just read the opening salvo of Mr Davis’s second-reading speech. It goes to assertions that were made about certain conduct in the last debate:

The Andrews Labor government is embroiled in a series of corruption and maladministration crises: the red shirts rorts, the corrupt behaviour of transport agencies and the crooked issues with multicultural grants being squandered on factional and party-political objectives.

That was his opening salvo in relation to this bill.

But of course what he says in this place and then what he says outside of this place are two totally different things. The bill is not designed to do anything but keep Mr Davis’s unrelenting—I will give him credit: he is like a dog with a bone when it comes to this stuff. He will not let go, and he will stop at nothing to create the illusion that something is occurring where it is not. He will come out and he will say, ‘Well, if we hold all of these inquiries in the public domain, then surely there can never be any question about any inappropriate conduct or any suggestion that any inquiry is on the nose’. I am not sure who he is having a swipe at there. I am not sure if he is having a swipe at the government or he is having a swipe at the agency itself—he is having a swipe at IBAC—and suggesting that because

of the way that IBAC is conducting its investigations, it is in on some little secret, some little ruse, some little pyramid scheme, whereby it is aiding and abetting because it is hiding things behind private inquiries.

Of course that is a nonsense. That is an absolute nonsense. We have full faith in all of our investigative agencies, including IBAC, all of our courts and all of our tribunals. These organisations act with absolute integrity, and I reject the assertions that Mr Davis makes. I confirm what I have just said with the second part of Mr Davis's contribution to the second-reading speech where he says:

This bill restores certain critical examination powers to the Independent Broad-based Anti-corruption Commission stripped from the agency by Daniel Andrews and the Andrews Labor government ...

It has become clear that stripping the commission of key powers to hold public hearings was a defensive move by—

the Andrews government—

... to close down future or forthcoming examination of Andrews Labor government ministers by IBAC.

On what planet do you come up with this stuff? I think he has watched a bit too much telly in the middle of the night when you have bad crime TV happening, I do not know, maybe at 2 or 3 in the morning when these theories are being espoused by knuckleheads on the telly. Again it is this illusion that he wants to create, this environment that something untoward is going on. He has got no evidence. He has got no facts. He has got no figures. But again he wanders into that field, picks up a freshly laid cow patty and just flings it and hopes that some of it sticks.

I am not quite certain if he is having a go at one of us or both of us—if it is at IBAC or the Andrews Labor government or maybe both. Maybe it is both. But if you follow the logic of Mr Davis's contribution when introducing this bill through his second-reading speech, you would have to reasonably conclude that somehow IBAC and the Andrews Labor government are in cahoots to deny natural justice in any of the inquiries that it is undertaking, and I think that is an absolute nonsense. Nothing could be further from the truth. These people are independent, as they ought to be. They are independent by law. Any suggestion that the removal of the requirement of IBAC to take into reasonable consideration the welfare of individuals that it is examining, their rights, their reputation and their privacy—removing those things and removing the capacity and the requirement for IBAC to take those things into consideration—will give us a better product at the end of the day, gee whiz, is a bit of a stretch, isn't it. That is a bit of a stretch. I am not quite certain how Mr Davis has arrived at that proposition.

The IBAC Commissioner himself publicly recently submitted to the Integrity and Oversight Committee's ongoing inquiry into integrity agencies' management of witness welfare that this requirement:

... is a good criteria. It is a protective criteria, which enables the integrity agency to focus on whether or not unreasonable damage to reputation or unreasonable damage to welfare will occur ...

There you have the head of IBAC himself saying that this particular aspect of the act is a good set of criteria that requires IBAC to properly focus on the individuals concerned and to ensure that they are not doing unreasonable damage to the reputation or the welfare of individuals concerned.

We have not got IBAC calling for this change. The government is not proposing any change to the act. So where has this come from? We have just had Mr Davis attack Mr Barton for the motion that he introduced prior to this and query the motivations of Mr Barton, asking: where did that come from? Well, where has this come from? This has come from the land of David Davis. That is where this has come from, where in his mind there is this unrelenting assault on the integrity agencies and the suggestion that there is impropriety in the system. And he will not let it go, despite the fact that he has got no evidence and despite the fact that there are no figures, there are no facts, there is no-one else in the world who is coming out calling for this stuff except for Mr Davis. What I would strongly suggest

to the opposition is that unless they are going to act on the last motion—and I assume that the will of the house will prevail and we will see something on the evening news where Mr Davis resigns, but in the event that he does not—

Ms Crozier: Good try.

Mr GEPP: It is not a good try, Ms Crozier. What we have had—

Ms Terpstra: On a point of order, Acting President, I cannot hear Mr Gepp with the level of interjection that is coming from Ms Crozier opposite. I would actually like to hear Mr Gepp's contribution in silence, because the noise is constant and irritating.

The ACTING PRESIDENT (Mr Bourman): Mr Gepp to continue without any assistance.

Mr GEPP: Thank you, Acting President. It is not a try-on about Mr Davis. Mr Davis will come in here regularly and talk about the will of the house when the house makes a decision. On wacky Wednesday we usually have a thousand document motions that we are dealing with, and he will often refer back to decisions of the house. So I assume that the will of the house this afternoon will prevail and we will have some change overnight on the opposition benches, but let us see if the integrity of those opposite holds up and they accept the overwhelming decision of the house.

Again I would say that I am really confused about where this bill has come from. There is nobody that is calling for this change. In fact the head of IBAC, Mr Redlich himself, is saying that this criteria is a good set of criteria because it requires the agency to focus on the welfare, the reputation and the rights of the individual—because could you imagine if they got it wrong? Can you imagine if they got it wrong and the lawsuits that would follow thereafter, given that many of its inquiries are done in that coercive and inquisitorial manner? There are already restricted rights; can you imagine if they did not take these things into account and they acted improperly and got it wrong? You can just imagine the fallout for the individual concerned.

So the government will be opposing this bill. The amendments do not, we believe, do anything to strengthen the IBAC act, nor do we hear any calls coming from any quarter, except for Mr Davis's laptop, calling for this sort of change. We are very concerned that lowering the threshold for public examinations in this way risks causing serious harm to an individual's reputation, safety and welfare, and we will not support anything that diminishes those rights and opens up the possibility for individuals to be harmed and have their rights stripped away.

The bill seeks to repeal the prohibition on IBAC publicly announcing a public examination prior to the Victorian Inspectorate having the opportunity to consider the written reasons for IBAC seeking to make an examination public. The Victorian Inspectorate is an important independent safeguard. What IBAC have to do is they have to go through and make their assessment on whether holding that public examination will potentially damage the safety, welfare or reputation of the individuals concerned—whether holding an examination in the public arena is justified and the risks associated are acceptable. If they reach that conclusion, then there is a very important role for the Victorian Inspectorate, another independent safeguard, to ensure that the IBAC is using its significant coercive powers—and they are significant—to compel witnesses to provide evidence responsibly.

We have a number of steps that are very, very important to ensure that whenever an inquiry is held in the public domain, it is done so in a manner that has been properly considered and reviewed by a further independent body, because of the nature of the coercive powers that currently exist in the act for IBAC, and they are substantial. If anyone has ever appeared before IBAC, they know that they are substantial powers, as they should be. We do not resile from that, because they are very serious matters that IBAC investigates. Where IBAC takes the decision to conduct an inquiry in the public arena, then these matters of the rights of the individual, the safety of the individual and the reputation of the individual are very, very important. IBAC, like everybody else, should have to justify when they are proposing to diminish those rights by holding an inquiry in a public way. They should have to provide

support for that decision and have that decision reviewed by the Victorian Inspectorate. They do so, and it is a process that is supported by the IBAC Commissioner himself, Robert Redlich.

I have got to say in conclusion that I am really struggling with this bill. I remember the last IBAC bill that Mr Davis brought to this place. On the surface the duck was just moving across the water very, very calmly, but when you put the camera underneath, the feet were going a million miles an hour. Of course last time what he was proposing to do was to challenge the separation of powers. He was really calling those things into question. It was not until the bill was examined by experts through the Scrutiny of Acts and Regulations Committee process that we uncovered exactly the intent, impact and effect of Mr Davis's bill. I have the same level of concern with the bill that is being proposed by Mr Davis in this instance. It is not being called for by anybody else. The act currently preserves the rights of individuals to privacy, to safety, to welfare, to reputation. Where those rights are to be diminished, IBAC needs to seek support from the Victorian Inspectorate, who will review that decision.

It is only at that point—when we have had two independent agencies tick all of those boxes—that processes proceed. That is a very thorough process. It is a proper process because these are significant matters, and what we should not be doing is passing bills in this place that are nothing more than a political folly on behalf of Mr Davis, again chasing that elusive rabbit down a hole which simply does not exist. I reject the bill.

Ms TERPSTRA (Eastern Metropolitan) (15:50): I am very happy to speak in opposition to this bill, and I have had the benefit of listening to Mr Gepp's contribution, which was a very fine contribution and very roundly set out the scope of the debate around this bill. Today is a day for non-government business. We do often refer to it as 'wasted Wednesday' or 'wacky Wednesday', whatever you like to call it. But here we are again with this Independent Broad-based Anti-corruption Commission Amendment (Restoration of Powers) Bill 2022—and what is in a name? Of course it is quite a ridiculous name for a bill, because it seeks to restore powers that really, coming from those opposite, who have absolutely no credibility on anything to do with matters of—

Mr Rich-Phillips: We only set it up.

Ms TERPSTRA: But you have got no credibility on anything to do with matters of integrity because, if you like, I could actually start to talk about perhaps Mr Guy's record on planning matters and all those sorts of matters that were automatically waved in without proper and due process down there at Docklands and those sorts of precincts.

What this government wants to do is make sure that we protect people who may have to give evidence in IBAC proceedings. The reason is, obviously, if someone is having allegations made against them or people have to give evidence, the evidence they give should not cause damage to their reputation—and we have heard a bit about this in the news recently. Sometimes when people have to give evidence before an IBAC hearing it can cause immense distress to those people because of the matters that IBAC investigates. They are there to interrogate the facts of witnesses, and people can feel that they are under extreme pressure. This can cause immense personal distress. So with these things it is important to get the balance right, and this bill certainly does not do that.

Public hearings are an important function of IBAC processes. It is important for the public to be able to educate themselves about the processes which IBAC undertakes to inquire into matters of alleged corruption, because we know corruption in the public service and those sorts of things can lead to the undermining of trust, confidence and faith in government. That is why integrity agencies such as IBAC are set up to inquire into and, where appropriate, make recommendations and findings about what they find and then can recommend things to change so it can strengthen things or how individuals, if you like, should be dealt with if they are found to be guilty of corruption. So public hearings are an important aspect of that, and those public hearings are there to educate the public sector and the community about corruption and misconduct issues in public office, and it can raise the profile of

investigations and demonstrate that allegations of corruption are taken seriously and investigated thoroughly.

It is something that, if you look at our system of government in Victoria—and you cannot really compare it federally, because there is no federal IBAC or ICAC, for example—or if you look at other countries around the world where there are no strong integrity frameworks, you can see how quickly people who occupy public office can use those spoils of public office to their advantage and to disadvantage others. So it is critically important that the public be allowed to see these processes and how they operate, but at the same time the balance has to be struck about the treatment of witnesses and people who may be called in to give evidence in these public examinations. As I said, public examination processes can significantly limit individual rights and can have serious costs for the privacy, reputation and welfare of the individuals concerned. So it is a balancing act, and it is a fine balance because we want to make sure that the integrity agency is able to do its job in a way that is unfettered, but at the same time we have got to make sure that we balance the rights of individuals. Again, even with somebody being called to give evidence at a hearing, sometimes people can make assumptions about witnesses being called to give evidence and the nature of that evidence that they are giving in regard to any investigation. We have to make sure that people's reputations are not damaged as a consequence of them giving evidence. As I said, there is a fine balance to be struck here.

In contrast with this bill, the IBAC act that we have sets a high bar for the conduct of these public examinations because they are coercive, they are inquisitorial in nature and process, and that does pose limits on the rights and freedoms of individuals. As we know, for example, an individual who may be called to give evidence in the IBAC process cannot even talk about that; they cannot mention that to anyone. There are reasons for that. The process that we have, the act that we have, we have faith, trust and confidence in, and it strikes the right balance. But this bill that has been brought by those opposite seeks to remove procedural fairness safeguards currently in place that are designed to protect individual rights, including the obligation that IBAC considers on reasonable grounds that conducting a public examination would not cause unreasonable damage to a person's reputation, safety or wellbeing and that the conduct being examined constitutes either serious corrupt conduct, systemic corrupt conduct, serious police personal misconduct or systemic police personal misconduct.

There is a process that requires IBAC to undertake an analysis of the reason or the need for public hearings, and it involves procedural fairness. The reason why we need to afford people procedural fairness is that, if there is an adverse finding or consequence that might be made, people be given the opportunity to respond to that. So this is a balancing act. If IBAC in considering the need for a public examination was of the view that unreasonable damage to a person's reputation, safety or wellbeing would be caused, that is something that might mitigate against having a public examination.

As I said, this requirement properly balances individual rights and welfare while ensuring that IBAC can discharge its vital functions: to investigate and expose corrupt conduct and police misconduct. These are critically important aspects, because we want to make sure that the Victorian community and Victorians at large can have trust, faith and confidence in our public services and certainly our police force to be able to carry out the critical jobs that they do and that if there is corrupt conduct or misuse of public office, there are processes and options available to expose that.

The IBAC Commissioner, the Honourable Robert Redlich QC, publicly submitted to the Integrity and Oversight Committee's ongoing inquiry into integrity agencies and the management of witnesses that it is:

... a good criteria. It is a protective criteria, which enables the integrity agency to focus on whether or not unreasonable damage to reputation or unreasonable damage to welfare will occur ...

So again, it is a balancing act. It requires the consideration of these criteria and balances and weighs appropriately the need for public examinations with the need to ensure that a witness does not sustain unreasonable damage to their reputation or to their welfare. It is critically important. There are two aspects there.

But this bill goes further than that. It proposes to repeal the requirement that public examinations would only occur where the conduct in question may be serious or systemic. In effect it is almost a lowering of the bar, because ‘serious and systemic’ is quite a different test that is being proposed to that which is a consideration of unreasonable damage to a person’s reputation. This goes back to what I was saying earlier about protecting individual rights. The test that is being proposed under this bill would just be about whether it is serious or systemic. It does not in fact afford the individual any protections and it does not even propose a consideration of a procedural fairness requirement, which is quite a longstanding and widespread common-law right that many people enjoy regardless of whether it is in this bill or not. Procedural fairness is a long-held legal principle.

It is quite an interesting approach taken in this bill by those opposite. By lowering this threshold for public examinations it risks causing serious harm to individuals’ reputations, safety or welfare in situations where the alleged conduct does not justify these risks.

Sitting suspended 4.01 pm until 4.21 pm.

Ms TERPSTRA: With the material that is sought in this bill, I outlined just before the break a number of changes which we say would undermine the important work that IBAC is doing. But I will continue by saying the bill seeks to repeal the prohibition on IBAC publicly announcing a public examination prior to the Victorian Inspectorate having the opportunity to consider the written reasons for IBAC seeking to make an examination public. The Victorian Inspectorate is an important independent safeguard that ensures that the IBAC is using its significant coercive powers to compel witnesses to provide evidence responsibly, and removing this requirement could potentially undermine the Victorian Inspectorate’s important safeguarding role by enabling IBAC to create public expectation of a public examination in advance of the Victorian Inspectorate’s assessment. This risks reputational damage to both agencies where the Victorian Inspectorate considers that public examination is unwarranted.

The Victorian government is committed to working with the integrity agencies to improve their legislation so that it supports them in performing their important work. Any changes need to be carefully thought through, and we also need to make sure that appropriate consultation occurs with relevant parties to ensure they will achieve the intended purpose. These amendments do not achieve their purpose. They erode the important protections provided to those under investigation by IBAC and undermine key safeguards, and it is for these reasons that the government does not support these amendments. As I said, they go to lowering the threshold for a test that IBAC has to consider in regard to the conduct of public examinations, and they also remove any protections for an individual to have procedural fairness afforded to them. For those reasons the government is not supporting this bill.

I might just say in conclusion—I have only got about 3 minutes left on the clock—the opposition really does not have any credibility on these matters when it comes to integrity policy. In introducing this bill the opposition want to claim that they are the champions of integrity. I could really go on for much longer than 3 minutes about why that just does not stack up, but really the IBAC that exists today is because of this government’s financial and legislative support to ensure that IBAC has the powers and resources that it needs to do its important work. It is this government that has supported the important work that IBAC does and made sure it has the appropriate legislative framework and support that it needs to do its important work and deliver to make sure that Victorians can have trust, faith and confidence in our public service and systems and, as I mentioned before, that police and public service bureaucrats can do the work they do and we can have faith and confidence that corruption is kept to a minimum and, if corruption does exist, that it can be investigated appropriately.

The opposition’s plans for IBAC were so disgraceful. Their key driver, eminent lawyer Douglas Meagher QC, told the *Age* in March 2012 that ‘the government would be well advised to save its money and abandon the project’ because of how hamstrung and poorly resourced the model was. That was back then. This is really just an attempt by those opposite to play politics with IBAC and again to politicise investigations. It appears to be as undercooked and poorly developed as their attempts to

create IBAC in the first place. I mean, this has been a theme this week. We come in here and get lectures from those opposite about what we should be doing on integrity and the like, but we have seen today a motion in this house about Mr Davis and his behaviour—appalling, appalling behaviour—and those opposite want to lecture us about integrity. It really is a shambolic state of affairs, and it is a complete joke.

We have a proven track record of increasing the powers and scope of IBAC's oversight functions, and we are committed to that. We committed to it in 2015. We have been committed to a robust integrity system, including providing a range of additional powers to IBAC, since 2015. As I said earlier in my contribution, Victorians should have trust, faith and confidence in our public service and police force to do the job that they need to do, and they should have trust in our integrity agencies to root out corruption if it is there, to prosecute those individuals and to make sure that individual rights, procedural fairness and the like are afforded to individuals who may be called to give evidence. With that, I will conclude my contribution there but encourage the chamber to reject this motion.

Mr TARLAMIS (South Eastern Metropolitan) (16:26): I move:

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

Motion agreed to and debate adjourned until later this day.

MULTICULTURAL VICTORIA AMENDMENT (INDEPENDENCE) BILL 2022

Second reading

Debate resumed on motion of Mr DAVIS:

That the bill be now read a second time.

Mr RICH-PHILLIPS (South Eastern Metropolitan) (16:26): I am pleased to rise to make some remarks in support of the Multicultural Victoria Amendment (Independence) Bill 2022, and in doing so I start my remarks reflecting that as a member for the South Eastern Metropolitan Region I have the privilege of representing one of the most multicultural regions in Victoria, a part of Melbourne which spans from Rowville to Mount Eliza, from Port Phillip Bay across to Berwick, with in many respects—probably contested—one of the two multicultural melting pots of Victoria, with a very large multicultural community starting through the Springvale corridor but now extending right out through the south-east, out through Clyde and down further into Cardinia. As we have seen in the 2021 census data, which was released in the last couple of weeks, the multicultural mix in that region is becoming more and more diverse year on year, and the proportion of people in that region who were born outside Australia as well as having family—parents, grandparents—born outside Australia is growing rapidly in each census cycle.

So there is a strong interest in that community in multicultural affairs, and there are some very engaged and strong multicultural communities, both formally organised through a number of multicultural community groups, particularly more recently established communities, as well as perhaps more diffused multicultural communities who have been longer established in the south-east and have spread further across the south-east over many decades, of course dating back to the immediate post Second World War environment, when there was substantial European immigration settling in the greater Springvale area. More recently we have seen immigration from South-East Asia, with a large Vietnamese community and a large Chinese community. More recently still we have seen Middle Eastern communities growing throughout the south-east. My own office in Dandenong has had a lot to do in years past. It is interesting to see how communities change. The Sudanese community was very prominent in Dandenong for a number of years probably 15 years ago before it spread elsewhere through Melbourne. But it started its early roots in Victoria in the Dandenong area before spreading elsewhere throughout Melbourne.

Many of the communities throughout the south-east have developed over the years, have developed community groups over the years and have come to have a good relationship with the Victorian

Multicultural Commission, a relationship which in many instances has been built on not only engagement with the VMC but also receiving support from the VMC through grants programs. Those grants have been incredibly important to helping establish and grow many of those multicultural community groups. It is therefore important that there is integrity in the way in which the VMC operates and integrity in the way in which grants are provided by the VMC. That is the reason that this bill is before the house this afternoon.

This is a bill that was introduced by Mr Davis following concerns—understandable concerns—which were raised about the way in which the Victorian Multicultural Commission was distributing grants. We saw through the course of Operation Watts, which looked at some of the allegations about conduct within the Labor Party and some Labor members of Parliament and Labor ministers, that questions were raised about the independence of how VMC grants were being issued, that they were being issued with political favouritism, that they were being issued to groups politically aligned to the Labor Party and that they were not being given out on the basis of merit. That is of concern to not only multicultural communities but all communities in Victoria, so the purpose of this bill is to reinforce independence in the VMC process of allocating grants.

We know at the moment that the way in which the VMC is operating is not optimal. In fact senior staff officers within the VMC and around the VMC have indicated that the way in which the organisation is operating at the moment is not optimal. The secretary of the department has basically assumed the role of responsibility for the allocation of grants rather than the commission acting independently. We have seen the secretary of the department basically operating the VMC rather than it operating independently in terms not only of grant allocations but of how its budget is expended and how its staff is engaged, which was not the intention of the Victorian Multicultural Commission when it was established.

It is a commission with a board of commissioners that are appointed to oversee its operation with the VMC commissioner heading that, and the intention with the establishment of the VMC was that the chief commissioner, if you like, along with the other commissioners, would oversee the operation of that organisation, both in allocation of grants as well as operational matters at the VMC—staffing and budget et cetera. The fact that those functions now appear to be largely undertaken by the secretary rather than being done through the commission as was intended is a cause for concern, because the VMC should be operating independently. It should be allocating grants on a merit basis to the various multicultural groups throughout this state. The fact that we have seen the exposé around the office of the former Minister for Multicultural Affairs that came out through Operation Watts, the IBAC investigation, which called into question the independence of the grants allocation process is of concern. The subsequent reports that the secretary of the department is now largely running the VMC, which was never the intention of the VMC structure, is also cause for concern.

There needs to be transparency around the way in which VMC grants are allocated, and there needs to be independence around how VMC grants are allocated. This bill that Mr Davis has brought to the house this week is intended to do that. It is intended to ensure that there is independence in the allocation of grants by the VMC, as the Parliament originally intended when the VMC was first established. It is regrettable that it is necessary to bring forward a bill to enshrine the independence which was always assumed to be there.

The VMC has operated in Victoria for decades now, allocating grants and providing support to various multicultural communities not only in the south-east but across the state. Until the last couple of years there had not been questions about the way in which it was allocating grants and whether that was being done on a political basis. It is only with the conduct of this government that has come to light in the last two years through matters associated with Operation Watts that there have been questions raised around the integrity of those allocations of grants. Hence the need for this legislation today.

In many respects it is regrettable that this bill has been brought forward and the need for legislation to enshrine independence is being brought to this house, but the matters which came out through

Operation Watts are of concern to the community. They are certainly of concern to this side of the house, as are the more recent disclosures that effectively the secretary of the department has taken control of the VMC and is making decisions around the allocation of VMC grants and it has even extended to controlling staffing at the VMC as well as the budget of the VMC. That is not how the VMC was intended to operate. If that intervention has been taken by the secretary because of concerns about the way the VMC is operating, then that poses a larger question and raises even more concerns about what has been going on at the VMC under this government.

The bill we have before us today is designed to reassert the independence of the VMC—frankly, the independence that everyone, until very recently, expected was there. It is regrettable that that independence needs to be enshrined in statute when for the last three decades that has not been necessary, but the conduct of this government over recent years has highlighted that it is necessary to enshrine independence in legislation for the VMC. Hence we will be pursuing the passage of this bill today, and we look forward to it having strong support in the house.

Ms TAYLOR (Southern Metropolitan) (16:37): First of all, I am going to tackle the matter of the McCann review, and then I will go to some of the specific elements of Mr Davis's bill. In 2019 an independent review was undertaken by Mr Warren McCann into the administrative arrangements and functions of the Victorian Multicultural Commission. The aim of this independent review was to make recommendations to clarify the working arrangements between the Victorian Multicultural Commission, the responsible minister for multicultural affairs and relevant government departments. The reforms that emerged from the independent inquiry included providing the chair of the VMC with clarity around and control of the commission's budget; greater involvement in staff appointments; full control over the commission's communications, including social media accounts; clear authority to direct the director of the office of the Victorian Multicultural Commission; and full decision-making authority to deliver Cultural Diversity Week.

The report noted that provided these reforms were implemented, the current integrated model adopted in 2016 should be retained. Under this current model the VMC is supported by the Department of Families, Fairness and Housing (DFFH) through multicultural affairs, which sits within the Fairer Victoria division. What were the reasons given to support this inclusion? There was a general view that the form of structural support is a second-order issue compared to clarifying the role of the commission; an integrated model offers the best opportunity for managing the intersectional issues between the commission and the department; it is the lowest cost option; and the current governance structure of the commission does not lend itself to the sound management of a body fully independent in financial and employment matters.

The review made 20 recommendations, 19 of which have already been implemented, including through the development of a memorandum of understanding with the VMC and via a new ministerial statement of expectations. The remaining recommendation, recommendation 19, will be implemented if and when the Multicultural Victoria Act 2011 is reviewed. The McCann review does not recommend the act be reviewed, but it recommends that if it is, it be made more explicit that the skills potential appointees might bring to the commission will be a factor taken into account in the recruitment process. Each of the recommendations from the McCann review which can feasibly be implemented has been significantly addressed or acquitted. I think that is very important in the context of the debate that we are having here today on this proposed bill. The McCann review made clear that the management of the grants process, including recommendations made to the minister, is a departmental function and that the Minister for Multicultural Affairs has the final decision-making authority for all grant funds.

Now, let us go to the specifics of Mr Davis's independence bill. The bill proposes to amend the Multicultural Victoria Act 2011 with a view to restoring the Victorian Multicultural Commission's independence in grants and administrative processes. The member's second-reading speech contains a number of inaccurate claims related to the government's response to recommendations from the McCann 2019 review and political interference. The VMC retains a level of independence consistent

with its status as a statutory authority. There has been no change to the VMC's status as a statutory authority since its establishment in 1983, and as a statutory authority the VMC remains at arm's length from government, with the capacity to provide independent advice to government about the issues and challenges faced by Victoria's multicultural and multifaith communities. Consistent with the findings of the McCann review, the administration of almost all grants within the multicultural affairs portfolio sits with the Department of Families, Fairness and Housing. The government has worked closely with the VMC to implement the recommendations from the two reviews of the VMC that have been undertaken. None of the recommendations have been rejected. In fact 19 out of the 20 recommendations from the 2019 review are complete or underway, with the remaining recommendation to be completed if the Multicultural Victoria Act itself were to be reviewed.

I just want to go a little further to some of the suggestions that four of the 2009 review's recommendations were rejected by the government. Let us clarify that. It seems to be a little bit murky, and I think it is important here and now with the debate on this bill that we get some clarity on this matter. At risk of being a little repetitive, I must say the review handed down 20 recommendations and the government accepted all of them. All have since been implemented or significantly progressed. It needs to be clearly understood that the recommendations 7, 14, 15 and 16 that Mr Davis has referred to in the second reading of the bill are not the recommendations of Warren McCann's 2019 independent review at all. Rather, they were proposals put forward by the Victorian Multicultural Commission as part of its submission to the review. Of the 16 proposals put forward by the VMC, four were rejected—now, this is important—not by government but by the independent reviewer, Mr McCann. For this reason they were not incorporated as recommendations in Mr McCann's final report. So just to be super clear, crystal clear: the four proposals—not recommendations—were dismissed by the independent reviewer and not by the Andrews Labor government as Mr Davis has falsely and expediently alleged. Therefore I call on Mr Davis to withdraw his false assertions and stop misleading the house. I mean, really.

Ms Symes: It's a bad day.

Ms TAYLOR: No, he is not having the best day; this is true. It is continuing on a similar trajectory. So, where do we sit with regard to the review findings related to grants management? Among other matters, the McCann review also examined the management of grants in the multicultural affairs portfolio. The review found that the decision-making process was transparent and soundly managed and found no evidence that the process was deficient in any significant way. Assessment of grant applications was deemed robust and structured. The review stated that the ultimate decision-maker for grants in the portfolio is the Minister for Multicultural Affairs, and it made recommendations to communicate the department's lead responsibility in the management of grants to the VMC.

The VMC currently only manages one grant program, the chairperson's support fund. It has an annual and modest budget of \$150 000, compared to \$50 million worth of grants that the DFFH administered in the most recent financial year, and this is also a significant point. The McCann review found that the chairperson's support fund aligns with the VMC's strategic and operational priorities, and it provides the VMC with capacity to support matters of urgent need or activities that fall outside the scope of other multicultural affairs grant programs. As the name suggests, the VMC chair is responsible for the allocation and expenditure of these modest funds, and there is no involvement by the minister, her office or the department in its implementation, management, assessment or allocation.

Now, let us explore the importance of departmental oversight for grants processes. Victoria has one of the most generous and ambitious suites of multicultural grant programs of any jurisdiction in the country, and other states and territories tend to look to Victoria for best practice when it comes to supporting our multicultural communities. Across most jurisdictions multicultural grant programs are administered by state government departments. For example, New South Wales's grants are managed by Multicultural NSW. Page 33 of the Warren McCann report states that they could not find evidence that the decision-making process is deficient in any significant way. The assessment of applications against established guidelines includes that eligibility criteria are robust and structured in such a way

as to allow for participation by the commission and shared decision-making. I am further quoting. I will make this clear for Hansard; I will email that after as well. The report recommended that the management of the process remain with the department and proposed that the commission's participation influence in the process be made explicit on its independent website.

The McCann report also notes that, from the perspective of good governance, it is appropriate that the minister is able to rely on the advice of their department rather than a statutory body, whose commissioners are often appointed as representatives of their community. Due to its deep links into multicultural communities the VMC is already influential in determining what recommendations go to the minister. The report noted that the chair of the commission is content with the level of involvement of the commission and, when invited during interview, had no criticism to make of the process. As the report notes, the VMC does not possess the capacity and capability to administer the multicultural affairs grant programs, which have grown year in, year out. In contrast the multicultural affairs portfolio administers more than 4200 individual grants. This includes rolling out grant programs, assessing and making recommendations, making and entering contractual agreements with each funded project or initiative, monitoring each funded project through its life cycle and ensuring milestones are being met and acquittals are completed to the highest and satisfactory levels.

If the oversight and administration of multicultural grants were to be shifted to the VMC, on the other hand, it would significantly constrain and hinder the commission's ability to carry out its primary functions and duties under the Multicultural Victoria Act 2011. These functions and duties include advising the minister on systemic community issues relating to the adequacy of government services and settlement support and keeping the government abreast of factors inhibiting harmonious community relations and barriers to participation in the social, cultural, economic and political life of Victoria. This is a role that the VMC continues to play so meaningfully, and it has throughout the coronavirus pandemic.

In focusing his attack on the grants process, which itself has been independently deemed as rigorous, transparent and robust, Mr Davis has failed to realise that the VMC is indeed very much an independent statutory authority. I think it is important that Mr Davis take on board that the independence of the commission is ratified through clause 7 of the memorandum of understanding with the VMC, which states that the commission is not subject to direction in relation to its reports or advice to the minister that relate to the adequacy of government services, settlement support or service delivery to multicultural communities. This recognises that in the performance of this important function the commission acts independently and without fear or favour. Members can see, as we progress through the various elements and roles of the VMC as opposed to the department and minister, why it is so important that these various aspects are demarcated as they currently are, factoring in the various recommendations that have already been implemented in that context. I am going to leave it there; I just realised the time.

Mr MELHEM (Western Metropolitan) (16:51): I also rise to speak on the Multicultural Victoria Amendment (Independence) Bill 2022. I have listened to contributions from Mr Davis and various members of the opposition in relation to this bill last sitting week and today. There has been a lot of talk about grants, Operation Watts and various other things—the role of the commission and what the bill is designed to do. But then I thought to myself that I had better go and have a look at the bill and read the bill—it must be a very important bill—because I had doubts in my mind about the motives of Mr Davis. We all know, and we heard a bit about this earlier today, that it is just about throwing as much mud as possible and using whatever processes are in place to drive a political agenda, nothing to do with reality or the truth or to really make any change. I went and grabbed a copy of the bill. That is the bill: a few pages. There is only one change to the current act, the Multicultural Victoria Act 2011. It is basically a quarter of a page. This is what the bill says: 'Commission subject to directions of the Minister'. That is the only change Mr Davis is trying to make. It is not about grants, and Ms Taylor talked about the grants. Currently around \$50 million is administered by the department, not by the Victorian Multicultural Commission. The only grant the commission controls and runs is the

chairperson's grant, which is \$150 000. Ms Taylor talked about the actual role of the commission as prescribed in the act. That is the only change this bill is proposing, not all this mumbo jumbo political stuff the opposition have been talking about in the last hour or so and in the previous week. The amendment to the current act is:

After section 11(2) of the Multicultural Victoria Act 2011 insert—

“(3) Despite subsection (1), a direction must not be given to the Commission by the Minister or on the Minister's behalf with respect to any grants made by the Commission.

That is the \$150 000 we are talking about, because the commission does not control any other grants. That is the only real change. If the bill gets voted up, that is the only effect it will have—the \$150 000 grant, not the \$50 million in grants which affect around 4200 people or recipients. The second change states:

- (4) Any Ministerial briefings provided to the Minister by the Commission in relation to any grants made by the Commission—
- (a) are for noting only; and
 - (b) are not subject to the Minister's approval.”.

They are the only changes or amendments to the current act, and yet we heard about the mismanagement by the government of the grants and all these sorts of things.

My advice to the Liberal-Nationals is if you really want to be credible as an alternative government, start speaking the truth for a change, start talking about real change and real stuff. If you want to amend the act and say that the Victorian Multicultural Commission should be controlling all these grants to the tune of \$50 million, which is currently the case, then say so. Bring an amendment to this house or make it part of this proposed bill and say so. Do not just play this sort of misleading—you are pretty good at it; well, no, you are actually not that good at it, because you get discovered very quickly.

It is really embarrassing again for Mr Davis to come in here and create this cloud and this smokescreen about wanting to change things, but when you look at the fine details, as I just did a few moments ago, the only changes this bill is actually proposing are basically that the Victorian Multicultural Commission should not be taking direction from the minister and any reports it may give the minister should be for noting only. There is nothing about grants, because the only grant is \$150 000.

In the last few minutes I have I just want to repeat what Ms Taylor was talking about and basically, for the record, again state what the role of the commission is and what the current act says:

The Victorian Multicultural Commission was established ... in 1983 and is now constituted under the *Multicultural Victoria Act 2011*.

As the main link between communities and the government, our role involves:

- identifying issues faced by diverse communities through consultations and our Regional Advisory Councils
- investigating and researching issues faced by communities
- advising the Minister for Multicultural Affairs on community issues
- giving recommendations to government to improve laws and policies through submissions
- developing partnerships to improve settlement support services
- helping diverse communities to access government services

That is the role of the commission. The role of the commission is not about granting grants to the communities; that was never the case.

In relation to what Mr Rich-Phillips said about Operation Watts, from my recollection and reading of that report, there was no adverse finding against a minister or the government in relation to these grants. It did not find anything. But that does not matter—those are only minor details, very minor

details. All these grants that have been talked about are on the website. They are in accordance with what the law says, and they all meet the requirements. But that does not really matter for the opposition.

With the last minute that I have, can I just say to Mr Davis and his colleagues: if you want to make real changes and present yourselves as a credible alternative government, you need to start coming back to us with some serious and credible things. Make changes that are going to affect Victoria, not this smokescreen. This bill—this is it. I was expecting a bill with 50 pages and hundreds and hundreds of changes to the current act. It is only two paragraphs which have nothing to do with any of the contributions made by the speakers on behalf of the opposition in this place. It is a joke. And because they are a joke, with these comments, I will be opposing this bill. This bill should be rejected.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (16:59): This is a very important bill. It is a bill that actually strengthens the position of the Victorian Multicultural Commission. It is a body that is regarded with great reverence by many in our multicultural communities, and any step that we can take to strengthen it is I think a welcome step. Anything that we can do to put it on a firmer footing is a welcome set of steps.

I listened carefully to much of the debate today and in the earlier period, and Mr Melhem seemed to miss one of the large changes. The purposes clause inserts that it is ‘an independent multicultural commission’. That is up there in the purposes, and that actually strengthens the position of the commission greatly. It means that all of its action, all of its activities, are viewed through that prism. So that simple but clear change does strengthen the position of the commission. The amendments also make very simple changes to insist that directions must not be given by the minister or on the minister’s behalf, and that ministerial briefs are for noting only, not for approval of grants and other processes.

I listened carefully to what Ms Taylor said, and she seemed to confirm again and again and again that the minister has complete control over grants that are made. That is precisely the point. She is actually confirming what worries us about the way the system has been operating. We actually want to see greater independence of the commission. We want to see the commission able to chart a more independent course. We do not want the minister intervening in this way repeatedly and directing the grants entirely, exactly as Ms Taylor indicated. So that worries me greatly. In effect in Ms Taylor’s contribution, and I invite people to read it, you can see that again and again and again she made the point that the minister controls everything, and that is not the way it should be. This should be a body that is able to chart an independent course, a body that is able to make things better for our multicultural communities without the difficulty of being entirely a creature of the minister of the day or a creature of the minister’s staff and advisers.

I listened carefully to others as well, like Mr Melhem. He seemed to be unconcerned about a number of the findings that were made in a number of these recent inquiries by the Ombudsman and IBAC, and Watts is one of the ones that I think is of great concern. It is clear that grants were being interfered with. It is clear that there were attempts to manipulate grants. The second-reading speech on this actually quotes some of those sections of the IBAC reports and the Ombudsman’s reports. So it is actually very clear that there is a real concern about the independence of these, and I think those reports made it clear that the process is not clean. They made it clear that the process is problematic, and that is what we are trying to remedy with some of these changes—an independent multicultural commission, a commission that cannot be directed in that way by the minister or the minister’s staff. These are very simple, straightforward, elegant changes that actually improve the administration of the multicultural commission.

Ms Taylor also talked about the McCann reviews—there were two of them—and I have those reviews. I have read them. There are some small redactions in them, but by and large we have clean copies of those, and it took a considerable fight to get those out of the government. But I do not think anyone can read those McCann reviews without feeling a significant chill. In fact the independence of the multicultural commission is not assured when you read those reviews, and that is one of the things that we are seeking to respond to. I read those reports carefully. I know Mr McCann. We all know

Mr McCann. He is an erudite dude in his own way, but at the same time when you read those reports you are left with the clear impression that there needs to be reform and there needs to be greater independence. So it is in direct response to both of those reports that this bill has come forward, and some of the material that Mr Rich-Phillips put on the record today comes directly from very senior people in the sector. It is clear that they think the bill is a good step, they think the bill is worthwhile and they see the particular problems that are there in the sector without the independence that is required in the commission. With those short comments I commend the bill.

House divided on motion:

Ayes, 18

Atkinson, Mr
Bach, Dr
Bath, Ms
Bourman, Mr
Burnett-Wake, Ms
Crozier, Ms

Cumming, Dr
Davis, Mr
Finn, Mr
Grimley, Mr
Hayes, Mr
Limbrick, Mr

Lovell, Ms
Maxwell, Ms
McArthur, Mrs
Quilty, Mr
Rich-Phillips, Mr
Vaghela, Ms

Noes, 20

Barton, Mr
Elasmar, Mr
Erdogan, Mr
Gepp, Mr
Kieu, Dr
Leane, Mr
McIntosh, Mr

Meddick, Mr
Melhem, Mr
Patten, Ms
Pulford, Ms
Ratnam, Dr
Shing, Ms
Stitt, Ms

Symes, Ms
Tarlamis, Mr
Taylor, Ms
Terpstra, Ms
Tierney, Ms
Watt, Ms

Motion negatived.

Business of the house

NOTICES OF MOTION AND ORDERS OF THE DAY

Mr RICH-PHILLIPS (South Eastern Metropolitan) (17:12): I move:

That the consideration of the remaining notices of motion and orders of the day, general business, be postponed until the next day of meeting.

Motion agreed to.

Statements on reports, papers and petitions

DEPARTMENT OF TREASURY AND FINANCE

Budget papers 2022–23

Ms LOVELL (Northern Victoria) (17:13): I rise to speak on the state budget 2022–23, which raises the budget for the agricultural portfolio. I actually want to speak largely about an issue that I spoke about last night on the adjournment, and that is the shortage of harvest labour in Victoria. Last night, on the budget, I raised this as being the third year that our horticulturalists are facing the prospect of not being able to harvest their fruit at its premium, which will cost them millions of dollars. In my adjournment I asked the minister what action she has taken or if she would reveal what plans she has put in place, including what discussions she has had with the federal government, to ensure that Victoria's horticultural industry has access to sufficient seasonal workers to harvest our valuable fruit and vegetables this coming season.

I acknowledge that the state government is not responsible for visas et cetera, but I outlined in my adjournment matter that the horticultural industry believes the answer to their shortage is Pacific Islander workers, and they need assistance from the state government to actually lobby the federal government to make sure these workers are coming in. The minister does not seem to understand that she is the minister and as such she has responsibilities to the horticulturalists to assist them with this.

She also does not seem to understand that she has a whole department to assist her to do that. She kept pushing it back on me—about what my solutions were. The reality is I had given her the solution—which is the Pacific Islander workers—yet she carried on about free TAFE and the lack of skilled workers around the world. Well, these are not necessarily highly skilled workers. They are not workers that need to go to TAFE. These are workers that know what they are doing. Before COVID they were coming in every year and doing this work that Australians no longer wish to do. We used to have a number of itinerant workers that moved around the country that did this work, but as we know, they have become harder and harder to get. Backpackers, holiday-makers and uni students were also a source of labour, but they have dwindled off in recent years as well. This year, with the shortage of workers everywhere, university students are going to be able to get much more appealing work in hospitality rather than the hard work of picking fruit in the sun with snakes et cetera around.

The minister did suggest that I should have made an appointment with her rather than raise this issue in Parliament, which is actually rather ridiculous. I mean, these ministers do not meet with members of the opposition as a general rule. We have been told today by the Minister for Health that we cannot raise a health issue in Parliament, but that was soon rescinded when that was exposed. The Parliament is a place where we have the right to raise the issues of our constituents, and we should not have to make appointments.

The minister encouraged me to come and see her and said she was happy to take me through what Agriculture Victoria is doing in Victoria. So I took the minister up on that opportunity straight after the adjournment because I was interested to hear what Agriculture Victoria were doing to solve this issue. But unfortunately the minister did not brief me on what AgVic are doing, she merely quizzed me on what the problem was and asked me to go through the issues that I had already raised on the adjournment—the fact that we need tens of thousands of workers and the reasons we need them. She did not have any answers. In fact I do not think that the minister had one iota of a notion that there was an issue with harvest labour in Victoria. She needs to get out. She needs to meet with horticulturalists. She needs to meet with the Victorian Farmers Federation. Their president is a horticulturalist herself. She is a vegetable grower, and she will certainly tell the minister about the shortage of harvest labour and what that means for growers. There were many, many acres of vegetables that were just ploughed back into the fields last year and fruit that just went to waste because there was not a labour force to take it off the trees or off the vines. We need to make sure that this government has a focus on getting workers to the farms and to the orchards in Victoria to make sure that they can harvest their crops at their optimum and make some money this summer.

LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Extremism in Victoria

Mr LIMBRICK (South Eastern Metropolitan) (17:18): I rise to speak on the inquiry into extremism in Victoria. Firstly, I would like to acknowledge that there are extremist elements in our society and it is appropriate to consider how we reduce the risk of violence and threats of violence and to allow the justice system to appropriately deal with perpetrators. While I disagree with some of the findings and recommendations in the report, there are other sections that I am in fierce agreement with. Finding 10 is particularly notable:

Social isolation, economic insecurity and inequality are risk factors that may play a part in increasing susceptibility to extremist narratives. Addressing these issues is important for wellbeing and social cohesion and may reduce the appeal of extremist narratives.

This is not a new or novel finding. When it became an increasingly common talking point, particularly in 2021, that people protesting against government restrictions on their lives were extremists or Neo-Nazis, I read some of the submissions to the federal inquiry into extremism that was already underway. There was a lot said about social cohesion, social isolation and a sense of belonging. In my office we expressed our frustration with the language and actions of the government, much of the media and their supporters. It was as though they were deliberately attempting to create a fertile environment for

recruitment to extremism. It became an increasingly common talking point, particularly in 2021, that people protesting against government restrictions on their lives were extremists or Neo-Nazis—not only that, but that any member of Parliament that attended any protest and spoke with people to listen to their concerns rather than calling them names was somehow promoting extremism.

When construction workers decided to protest their union for failing to stick up for them when the government started bringing in vaccine mandates, a former leader of the federal Labor Party called them ‘man baby Nazis’, as did the union. While it may have been advantageous to create a cohesive and lazy talking point, it not only was inaccurate but drove further division. If the media consistently lied about people, what else were they lying about? We denied people employment for about eight months if they chose not to get vaccinated, labelling them as anti-vaxxers and anyone who supported them at protests as extremists, conspiracy theorists or Nazis. I would be surprised if anyone here who supported these measures has read ‘Policy considerations for mandatory COVID-19 vaccination from the Collaboration on Social Science and Immunisation’ published in the *Medical Journal of Australia* by some of Australia’s leading experts on vaccine communication. The first line in that article is:

The benefits gained by vaccination mandates must be greater than the harms they ... cause

I would suggest that this was never the case for the majority of the workforce and people were right to protest against it. Victoria Police did not make a submission to the Victorian inquiry. They did, however, appear at and make a submission to a federal inquiry. It is worth noting from that federal inquiry that the right-wing extremism (RWE) threat:

... does not exist in a vacuum and is directly influenced by a symbiotic relationship with the threat of left wing extremism (LWE). In addition to violent conflict at organised RWE events and public demonstrations, Victorian-based LWE movements and individuals are mimicking overseas based LWE movements (such as ANTIFA) to justify the use of violence to promote civil unrest and target perceived enemy groups.

The transcript also shows that they were not overwhelmed by any emerging threats and are well resourced and that what this committee has described as far-right extremism does not represent the majority of their investigations or resources in responding to risks of religiously or ideologically driven extremism. The committee’s report also attempted to accurately define ‘far-right extremism’, noting that it refers to people who ‘oppose democratic principles and processes’ and ‘favour authoritarianism’. Far from opposing democratic principles and processes, I have never seen so much enthusiastic participation in processes; people called MPs’ offices, wrote emails and letters and stood on the steps of Parliament for days urging members to oppose or amend proposed legislation. As for favouring authoritarianism, I have not seen any of this. What I have seen is a whole range of people with new or renewed enthusiasm for opposing authoritarianism.

DEPARTMENT OF TREASURY AND FINANCE

Budget papers 2022–23

Mr RICH-PHILLIPS (South Eastern Metropolitan) (17:22): I rise to make a brief statement on the budget of 2022–23, and I particularly want to focus on the operating statement and the debt statement, which are areas that are of particular interest to Victorians as we see state debt reach record levels over the forward estimates.

The budget that was brought down in May of this year forecast a deficit of just under \$8 billion, but this is on the back of earlier deficits of nearly \$18 billion last year and \$15 billion the year prior. We have been seeing under this government a pattern of very significant deficits over the last several years. Yes, the explanation, the reason, that is given is the pandemic and the response to the pandemic, but what we are not seeing from this government is the budget being repaired, because over the forward estimates we are still continuing to see substantial budget deficits out to 2025–26, when the Treasurer optimistically suggests there will be a budget surplus of \$700 million, notwithstanding the fact that none of the Treasurer’s other estimates in the eight years he has been Treasurer have been met where those estimates have been optimistic. We have consistently seen overspends by this government year

on year on year for eight years, so we have very little confidence that the Treasurer, projecting a surplus in three years time, is actually going to be able to achieve that.

Concerningly within the scope of the budget is the growth in debt. We can see in 2020–21 net debt was sitting at \$72 billion, and as we know, it is now going to hit \$167 billion by 2025–26. What we no longer have in the budget papers is a debt management or debt reduction strategy. A debt management strategy and a debt reduction strategy are things which have been in place for the last 20 years up until very recently. They were a function of the budgets of the Kennett years, when there were major reductions in debt in order to reduce borrowing costs, and they carried on through the Bracks and Brumby years and indeed into the subsequent Liberal government of Ted Baillieu and Denis Napthine.

They were quietly dropped under this government about two years ago, the reference to maintaining debt at moderate levels and the reference to reducing debt over the longer term, and what we see now is no peak in debt over the forward estimates—\$167 billion by 2025–26, with no indication from the government where it is going to peak and where it is going to decline. Not only is that in nominal terms, dollar terms—\$167 billion—it is also as a share of gross state product. So debt is increasing unabated over the forward estimates as a proportion of the economy, rising to 26 per cent of the Victorian economy by 2025–26, with no downward trend. At no point has the current Treasurer indicated where we will see that debt peak as a proportion of the economy and start to be reduced nominally or, as I said, as a share of the economy.

It is a concern to Victorians that this trend continues unabated. It is fine for the Treasurer to go out and say, ‘We’re building infrastructure and we’ve got a wonderful infrastructure program’, but the reality is around a third of that additional debt is not for infrastructure; it is actually to keep the lights on. It is funding recurrent expenditure year on year on year—this year \$8 billion, next year \$3 billion, last year \$18 billion of borrowed funds to keep the lights on—and that is simply not sustainable.

Victorians are entitled to know when the government is going to address this problem. We have not seen it in the budget this year. We certainly did not see it in the budget last year. The trend we are on with this Treasurer and this government is unsustainable. Victorians are entitled to know if a crunch is coming next year if this government is returned. Are we going to see a horror budget in 2023 if there is a change of government? And if that is not this government’s intention if it is returned, what is the future for debt in this state? Tens of thousands of dollars are now owed per household in Victoria. It is unsustainable, and the government must address it.

PRIVILEGES COMMITTEE

Inquiry into Mr Adem Somyurek’s Use of Government Resources

Dr CUMMING (Western Metropolitan) (17:27): I rise today to speak to the inquiry into Adem Somyurek’s use of government resources, which the Privileges Committee sat and deliberated on. Mr Somyurek reported himself to the Privileges Committee; the inquiry was referred to the committee on 22 June 2022. It sat in July of this year, and this report was very quick and came back in August of this year, unlike the other inquiry of the Privileges Committee that we have just received the report of, which was the inquiry into breach of committee deliberations and report contents, which went to the Privileges Committee in August 2021. That report took 12 months to come back from the committee. They were inquiries by the same committee, but this report only took one month to come to us and the other report took 12 months. In this other report, which was tabled today, the committee found that Ms Patten’s actions amounted to contempt of Parliament. It would seem that this house has to now decide what action it is going to take. But when it comes to the small, itty-bitty inquiry into Adem Somyurek, it only took one month.

This report says that IBAC sent a letter to the committee—IBAC sent a letter to the chair, Ms Shing. It says here that IBAC was concerned about its powers in particular and the commissioner had concerns about potential breaches of the members code but felt that they could not do anything about

it. Same committee, two different results—one took 12 months and one snapped back within two months. This report is much thicker than the other report we received, but it only took a month.

One of the things that Mr Somyurek wanted to achieve with his self-reporting motion was in relation to the Victorian Electoral Commission. Currently I am going through the Victorian Electoral Commission. I am trying to register the Independence Party, and there have been many concerns around the VEC's handling of getting small minor parties registered at this time. It would seem that there was a process—that you registered on 28 July and they would send them out. I gave them 550 members. They are meant to be returned on 1 September, but it would seem that the VEC has not actually sent them out to all of my members. I would love to know what the process is behind closed doors in the way of the VEC, and there are other ways here in the way of reports that we could find that out. We have our own committee here, the Electoral Matters Committee, a joint committee that could actually make sure that this state election is going to be fair—that between now and the November election we would guarantee that all Victorians will have a fair election.

It would seem that we use our committees here to give out reports, and they are quite light on. How tough or how soft those reports are that come to Parliament depends on who sits on the committees and what they are about. I would just hope that this government would actually guarantee a fair state election without corruption and would investigate themselves and have reports that come to this Parliament that we can all be supportive of.

PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE

Review of pandemic orders

Ms CROZIER (Southern Metropolitan) (17:32): I rise to speak to the report undertaken by the Pandemic Declaration Accountability and Oversight Committee titled *Review of the Pandemic (Visitors to Hospitals and Care Facilities) Orders*. Today is International Overdose Awareness Day, and throughout the course of our inquiry we heard from a number of witnesses and organisations who provided submissions to the committee, including the Victorian Alcohol and Drug Association (VAADA), one of the peak bodies who represent alcohol and other drug service providers in Victoria. In the evidence they provided to the committee were some very alarming statistics. I have spoken on these statistics previously—about the number of people calling helplines for alcohol and other drug related issues and how calls to those helplines doubled from 2019 to 2020. What was really concerning was the numbers, which they spoke to us about, of fatal overdoses that came from the Coroners Court.

Also very concerning was the number of people relapsing who were in these programs and who were under such immense stress and anxiety through the lockdowns. Through the heightened times of COVID and the very extensive lockdowns that Victoria had, people who were seeking treatment relapsed. Concerningly also treatment agencies were talking about the fact that throughout the pandemic the number of people taking novel benzodiazepines had increased. Their words were that there was 'a dramatic increase' in fatal overdoses involving these substances, from zero deaths in 2017 to 28 at the height of the lockdowns in 2020. So it is very, very concerning that the number of people who were seeking assistance increased again from 2020 through the pandemic, when it was raging here in Victoria and we had a number of lockdowns, into 2021, when of course we had the world's longest lockdown.

So those people waiting on the waitlist to get into support services had increased from 2385 to 3599 from July 2020 to July 2021, so that was an increase of nearly 51 per cent seeking help. So these are very significant issues, and what was concerning to all VAADA was also the fact that there was concern around the ability for organisations to meet the current demand but also future demands. They expressed their concern, as do we, about the budget cuts that the Andrews government had undertaken in this area. There were 100 workers that will not be continuing in 2023. That, in their words, is a significant cut in capacity, and this cut will be a retrograde step in the ability for these organisations to help and provide support to so many Victorians who have alcohol and drug issues.

As I said, the demand has not gone away. In fact it has increased over this period of the last 2½ years largely because of the harsh restrictions and the very real impacts to people who either are waiting in pain or have mental health issues that have been significant due to being in isolation. We have heard that from many, many people but alarmingly, and importantly, for children. The impacts to children have been very significant.

Can I say again how disappointed I am that for the last three meetings the committee has not been able to meet because government MPs have failed to turn up at the very last minute. Within an hour of the committee meeting we are being told that we cannot meet because the government MPs are not available. We cannot form a quorum. This is a disgrace. Victoria still has a pandemic declaration in place, yet the contempt the government is showing for this committee and for the people of Victoria by not meeting demonstrates just the level and the extent they will go to to cover up the incompetence around what needs to be done. Now, while we have got this pandemic declaration in place I think we need the chief health officer back. He has been standing side by side by the Premier and ministers, but he has not been before the committee since 31 January. I think this is a gross—

Mr Davis: He's been put in the freezer.

Ms CROZIER: He has been put in the freezer, Mr Davis. *(Time expired)*

AUDITOR-GENERAL

Effectiveness of the Navigator Program

Ms MAXWELL (Northern Victoria) (17:37): I rise to speak on the Victorian Auditor-General's Office (VAGO) report *Effectiveness of the Navigator Program: March 2022*. The Navigator program is offered by the Department of Education and Training as a response to students with serious and chronic low school attendance rates and who are at risk of not completing their education. We know that for children where school attendance is an issue the gap widens as they progress through school. We also know that educational attainment is a predictor of a person's future welfare and health.

Whilst I have great respect for the staff that deliver Navigator—and indeed one of them is my very good friend—I have always had concerns that Navigator is not reaching children early enough, and the VAGO's report is fairly damning in its assessment of this very point. The Navigator program works with the most severely disengaged students in Victoria from 12 years of age. To give some context to this, if a student misses between 10 and 19 days of school they are at risk, if they miss between 20 and 29 days of school a year they are considered chronically absent and if they miss more than 30 days of school a year their absenteeism is considered severe. For students to be eligible for the Navigator program they have to miss at least 70 per cent of the previous school term—that is 27 days more than what is considered severe absenteeism.

There were 3210 students eligible for Navigator, but only 20 per cent of those children were actually referred to the program. My concern is: what is happening for those students who are not being referred to Navigator? Where are they being referred? Are they being referred anywhere? There were more than 2500 students who were not referred. There is an expectation that before a student is referred to the Navigator program they will have been provided with individualised support. The VAGO report concluded that three-quarters of children who were referred to the Navigator program had not received this individual support. My question, then, is: why not?

I had a briefing with the department recently about the Navigator program, and I would like to pass on my thanks for the time that they gave me to listen to my concerns and to answer some of my questions. There is a planned pilot for Navigator to include referrals for students who are 10 years of age. I spoke about this back at the time of the appropriation bill, because I firmly believe that at the age of 10, or ideally even much earlier, intervention is needed as well as family case management, and that they should both be in place to ensure that the whole family is right on track for that school attendance. I recognise this early intervention should not occur in a silo and involves other policy

areas, including kinder and prekinder, mental health, family services and so on and so forth. The VAGO report acknowledged this too, saying that research literature is clear that intensive and individualised case management support is likely to help students return to education. The available Navigator data showed that most students who returned to education did so from case management.

Speaking of data, I was also pleased to hear from the department that work is occurring to improve data collection and data analysis. This VAGO report found that the department's data collection meant it cannot clearly demonstrate Navigator's effectiveness over time. This is concerning for multiple aspects, not least that we need to know whether programs designed to help people actually work and that public funds are spent for public benefit. Very few students who participate in Navigator achieve the program target of attending school 70 per cent of the time; however, many students who re-engage at lower rates achieve other positive outcomes which are not being measured. So while that 70 per cent remains a very important target, they are not being measured.

I could say a lot more, but ultimately the determination of the VAGO report that the department cannot demonstrate Navigator is an effective intervention at a program level or that it is delivered equitably cannot be overlooked. The government accepted the recommendations of the VAGO report to develop an engagement strategy to improve oversight and monitor demand. I hope future collection and more thorough evaluation will provide improved responses for these children and their families or alternative and earlier interventions so we can get students back in school and on more positive pathways for their future.

DEPARTMENT OF TREASURY AND FINANCE

Budget papers 2022–23

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (17:42): I will be brief in my contribution on the state budget today. In talking about the state budget I want to note the report on the 2022–23 budget estimates, which was tabled this week. It does make interesting reading, and there are some very important points that people should read. Facts: in 2022–23 it talks, for example, about finding that the 2022–23 budget represents a 7.5 per cent reduction from its 2021–22 revised budget due to lapsing of one-off funding and programs. I want to be also clear that the budget represents a decrease of \$2 billion—7.5 per cent of funding—in health. The state government has refused to acknowledge that the health funding has fallen. Here is the black and white: it is very clear that health funding was here and now it is there. It has fallen. We see tents outside hospitals, we see huge waiting lists and we see a series of issues with emergency services—the 000 service—and yet health funding has been cut. It has fallen. It was higher then and it is less now. That is a cut by any other name. A cut is a cut is a cut, and that is what this government has done—it has cut health funding.

Members

MR MCINTOSH

Inaugural speech

Mr McIntOSH (Eastern Victoria) (17:46): Good evening, everybody. It is an incredible honour to stand here before so many colleagues, friends and family in the Victorian Parliament today. I know there are many more watching online due to distance or health or because they are feeding their babies and toddlers in the witching hour at home—good luck to you all. Thank you all for your support.

There are two acknowledgements I want to start with tonight, the first being to the traditional owners of the land on which we meet, the Wurundjeri people. I pay my respect to their elders past, present and emerging. I also look forward to learning more from our First Nations communities in Eastern Victoria, the Boon Wurrung and Gunnai/Kurnai people. I am particularly interested in understanding and sharing their deep care for country. I cannot pretend to understand the difficulties and trauma that have been suffered by our First Nations people in the last 250 years, but I am proud that the Victorian

Parliament is working on a treaty with our First Peoples. I am also willing to do everything in my power to ensure that Australia has a First Nations voice to Parliament.

Secondly, I also want to acknowledge and pay my respects to Jane Garrett and her family. Jane was an incredible talent. I was always in awe of her ability to take in information and in no time develop a thorough understanding of an issue. Jane was kind, caring and personable with everyone she met and was incredibly popular. Jane gave me my first job in government, as her consumer affairs adviser. That was the first door that opened for me in politics, nearly 10 years ago. Now as I transition into this role I thank Jane for all the opportunities she has given me.

Tonight I give my first speech as a member for Eastern Victoria. I start this role with excitement as I now represent a region where the challenges and opportunities align so closely with my passions and my values. In this role I will work tirelessly on mitigating against and adapting to climate change; providing housing for all Victorians; continually improving and protecting mental health; delivering clean energy for our state, a thriving agricultural industry and well-resourced social services; and delivering well-paid, safe jobs across these sectors and more.

My values have been shaped by my lived experiences. I spent my first 18 years on the farm before moving to Ballarat and working as an electrician for the next decade. I then ran my own small business in renewable energy, which led me to Melbourne, and this is when I joined the Labor Party. My dad's parents were farmers from the Mallee and my mum's parents lived in Melbourne, where my granddad was a professor of science at Melbourne Uni. Undoubtedly I have been influenced by both sides, but it was Pat and Tom—that is Nanna and Da Tom to me—who were from a long line of Irish-Australian descendants, who influenced my passion for social justice most.

Nanna and Da Tom came from families who had become politically active almost immediately upon migrating, starting at the Eureka Rebellion. Mum is one of seven kids, and with all the grandkids included we would spend every birthday and festive celebration around Nanna and Da Tom's dining table with conversation dominated by past Labor figures, Labor achievements and of course the Collingwood Football Club. Although Da Tom and my extended family were Labor voters, they were never members of the ALP like some of the generations previous. They were all true believers in social justice, education, supporting refugees and that certain thing leaders like Margaret Thatcher did not believe in: society. Da Tom had the social positions and titles to socialise with whoever he wished, yet he and Nanna lived a modest life. And whilst Da Tom had the title, in the true matriarchal style of the Irish, Nanna ruled the roost. Possessions were not important to Nanna and Da Tom; people were. And whilst their modest life left behind few flashy worldly belongings, the churches at their funerals were full and the deeds of their lives good. The seed of social justice had been sown in me from a young age. I knew I wanted to act on my passion for social justice, but what that looked like I did not know.

When I finished school, still 17 and living with Mum and my siblings in a rental house, uni never even crossed my mind. I did my apprenticeship through Ballarat TAFE, and over the next 10 years work took me all over Victoria and Australia. Unionism has always been in my blood, and I am proud to be joined by so many unionists here tonight, particularly the large turnouts from the CFMEU; the Rail, Tram and Bus Union; the Health and Community Services Union; and the historic Maritime Union of Australia. I joined the union upon starting work because I wanted to pay respect to those who came before me and fought for everything that led to the privilege of my pay and conditions. Much like our First Nations people live as custodians of the land, I believe workers are custodians of workers rights, and although fortunately our battles today are not on the battlefield like my family's at Eureka, they are still critically important.

The CFMEU has saved my life at least once that I know of, and I am eternally grateful. Though I was a passionate ETU member, their size meant I only met an organiser a couple of times in my decade on the tools, but the CFMEU were always present. Every job they were there—every day, every hour. As a young bloke I did not want to wear a hard hat, much like I do not really want to wear a tie in here.

But what I did not realise at the time was the big, burly shop stewards who patrolled the sites were keeping me safe.

In my second year on the tools we were building a Bunnings in Bayswater. Rocky would yell at me to put my hard hat on, and I would try to sneak around him like I was still at school. One day whilst digging trenches alongside a 20-tonne excavator we came alongside some temp fencing. The driver tried to move it with his bucket, but it would not budge. I went in and tried to free it while the bucket pushed. Suddenly it was free, and when I was bent over, the six-foot metal fence smashed into my head. I was sent flying, and the tattooed excavator driver who rarely gave a smile or emotion leapt out of the cab to check on me in panic. If it had not been for the CFMEU presence on that site and my hard hat, I would have been severely injured or killed.

Alternatively, when I returned from travel in 2006 and construction was quiet, I went to a large mine site in outback New South Wales where there was no union presence. On my last day, a 30-minute drive and vertical 2-kilometre drop underground, I was checking a switchboard whilst working on my own and accidentally came in contact with a metal lug that had not been insulated properly. I copped 600 volts and was thrown back on the concrete pad I was working on. Had I stuck to the copper I would have been fried. Had I gone back another 2 feet I would have fallen backwards 2 metres onto a pitch-black road where dump trucks were crossing. That lug should have been insulated, I probably should not have been on my own and there should have been guardrails on that work platform. I was lucky, but so many are not.

Injuries and deaths are simply not stats. They devastate families and traumatise co-workers. Imagine being at work, unexpectedly witnessing someone being electrocuted, cut in half or crushed and left in a pool of their own blood. We must never take our focus off safety, as the cost is far too dear.

We need skilled trades, well-paid trades and safe trades. We want projects built well. We want the wages to support families, communities and our economy, and we want those families to receive their workers home safe at the end of a shift.

I was recently speaking to a young Colombian woman whose Colombian husband is a construction worker here, and upon asking her her thoughts of Australia, her reply was, 'I love how equal it is—that someone without a degree can earn good money'. And that says it all for me.

We need people—many people—in this place with degrees, but we also need people from other walks of life. I am proud that I am here without a degree and as an equal member of this Parliament. For years I struggled to capture my values in a sentence—I mean, what is social justice?—until a mate crystallised it for me over a beer: it is equality. And everything I will do in this place will strive for it.

All workers deserve fair pay and safe conditions, particularly women. We have a pay gap that must be closed. The consequence is a whole generation of women my mum's age who are living in poverty around Australia and the world through no fault of their own. Many have raised families and given their all and for whatever reason find themselves on their own with no super and little income. We must do all we can for these women. Many still care for the generation above them and frequently two generations below them. In an equal society they deserve to live in dignity.

A secure home is the foundation of a dignified life. Mum had just enough money to get a mortgage for a house. It was small and had been owned by a hermit. It had tuna oil all over the benches, and the house stank. We pulled up the carpet, painted the walls and made it a home. A home is a buffer from the stormy seas of life, and I am committed to ensuring Victorians own or live in safe, secure and affordable housing. A home is where so much of a person's and family's dignity stems from, and it also becomes a base of equity for generations to come.

I want to take this opportunity to thank my mum. I do not know if you can all see her; she is down the front there. She has done so much for us kids and, like so many women, gives everything of herself at the expense of her own comfort. Three years ago Mum spent a month in hospital following pneumonia

and sepsis. Last year Mum battled and overcame a serious bowel cancer, and just last week Mum had a breast cancer removed, only getting out of hospital 48 hours ago. She travelled to Melbourne today and is in a wheelchair here tonight. She has made it here against all the odds. Can I please have a round of applause for Mum.

Members applauded.

Mr McINTOSH: Many face hardship in our community. After working for Jane, I led policy and campaigns for the Financial and Consumer Rights Council, the peak body for financial counsellors. These incredible workers help people in the most severe financial hardship to find a path out of seemingly hopeless situations and towards a life of financial stability. We must ensure those support workers themselves are paid fairly, that they are not in a position of financial vulnerability and that companies dealing with Victorian consumers all provide fair hardship programs.

We have progressed on social issues that contribute to equality so much in recent years. Looking back, growing up in Victoria many minorities were almost second-class citizens. Whether casually or overtly, as men we were often sexist, homophobic, racist and violent, and we still have a lot to improve. It took brave people suffering marginalisation to stand up and call these behaviours out, and whilst they should continue to do so, the responsibility lies at the feet of men to continue to change. My beloved workers club pub footy team is a great example of this change. It has turned from an all-male team a decade ago to a fully mixed team today where everyone can be whoever they want to be, and it is amazing. We get fit, have a lot of fun and build incredible friendships. What is not to like? When I was 21 I did not know one openly gay person and was threatened by the idea. Now my life is full of so many wonderful people whose sexuality does not cross my mind, and many are here tonight. We still have a long way to go, but I believe if men are supported to understand the importance of change and be their best selves, we will all benefit.

Like many, I suffered violence growing up in Victoria, and I want to see a Victoria free from violence. It may seem impossible, but even since I was a kid regular brawls at the AFL—in the crowds, that is, at the MCG—have become a thing of the past. With buy-in across our community I think we can constantly improve and reduce violence. This will help improve mental health and substance abuse. I have buried far too many mates for my age. My close friends who I lived, travelled and partied with—Maxi, Dolts, Pete, Mick, Torps and Quicky—are all no longer with us, and guys I knew through school, work, family and friends, Shaun, Basher and Ozzie, are all gone well before their time. I am sure many of them would still be with us if we were better at talking about health, particularly mental health, and practically supporting those doing it tough.

So many of our society's ills start with men and their violence. I believe that if we dig beneath the surface we will find that the mental health problems, violence and trauma men have experienced are often at the heart of their own aggression, intolerance and violence. It is a vicious circle that has to stop, because trauma is intergenerational; it affects not just individuals but families and gradually our communities as well. Having lived in Ballarat I am acutely aware of its impacts. I have seen alcohol and drugs used as a response to trauma ultimately destroy and take lives. On my very first job, before I went to union sites, good but broken guys I worked with shot up speed from a teaspoon and a lighter in our lunchbreaks, only to end up in jail for burglaries later on. I consider myself fortunate that I drew a line at alcohol and declined the needles. When I was 15 my dad's sister died of a heroin overdose, and I decided from that point to stay away from addictive drugs altogether, even coffee. Now you know why I do not drink coffee.

I admire my cousin, who is watching at home tonight. After being in and out of different care much of her life, following her mum's death she settled with an incredible foster family and has gone on to have four boys with her husband—the last birth a set of twins—all of whom are under six. She works shift work in aged care whilst raising the four boys and takes it all in her stride. It is a testament to her will but also the people and the system who have supported her along the way.

Watching Madeleine's journey inspired me to become a foster carer, and with my partner we opened our home to provide emergency care to teenagers. People ask what it was like, and truly the kids were all kind, considerate and a joy to be around. I will always advocate for anyone with the opportunity to provide crisis or ongoing care to lean in and consider it in detail. My only regret was not being able to provide more support to the one kid who was really on a dangerous path—a 15-year-old who had dropped out of school and was following in his two uncles' footsteps as the leader of a youth gang. When he arrived with us he was using, but he quickly stopped. This young guy was brilliant. He could have been a business entrepreneur. If illicit drugs were a regulated industry, he could have been a success. However, the allure of a makeshift family, the sense of belonging within the gang, the income of dealing and the lack of other options saw him return to the streets. I am sad that he did not stay with us longer than the three weeks, and I am angry that the worldwide syndicates are allowed to make billions of dollars at the expense of our children, who are drawn into gangs like child soldiers, ending up either in jail or dead and causing unknown damage to our society on the way as they abuse their product.

I am humbled in the presence of workers in our social and emergency services and everyone working in community-facing roles. It is one thing to fight for better funding programs and awareness from Parliament but another to provide direct support to people in need, day in and day out. I was told many years ago that I will not truly understand many things in life until I have lived them. I have found this to be true, and that is why it is so important that our Parliament is a place of diverse lived experience. Embracing diversity and lived experience ensures we have the greatest possible understanding of the lives that all Victorians experience and can best represent these in the decisions that we make in this place. I thank pre- and post-natal, day care and kinder workers for all their support for young parents in what is a joyous but incredibly difficult time.

I have lived much of my recent life with chronic pain. I am lucky that I can still function relatively well. However, I am incredibly mindful of the many who cannot. I give my gratitude and support to our medical teams and pain specialists who work on supporting people in pain and continue to search for the answers that so many desperately need.

We are a multicultural state, and I am truly thankful for this. Victoria, with communities from every nation in the world, is fascinating, rich with culture and an incredible place to live. We are an example to the world of not only what peace, harmony and respect can look like but also how it makes a state thrive. Modern migration has been occurring on these lands for 250 years, and we are lucky to have such hospitable hosts. We must never forget and do everything to honour our First Nations history, present and future. I grew up in towns that were wall-to-wall Anglo Celts, and I can tell you that every crime, misdemeanour or piece of antisocial behaviour that has ever been blamed on migrant communities elsewhere occurred in our mostly white communities. Migrants have contributed so much of what makes Victoria so enjoyable—the food, arts, culture and of course sport. You cannot mention Victoria without mentioning Aussie Rules. We are the home of footy, and the MCG is our Colosseum. Regionally and rurally, footy and netball clubs have been the lifeblood of our communities for generations.

For me, having grown up on a farm means that I have incredible respect for farmers and connected local businesses. It is bloody tough. They are at the mercy of the weather, the markets and the difficulties that come with living remotely. I remember being a kid in the 1990s as first the dams disappeared and then the lakes. The drought hurt farmers but also changed our communities and peoples' lives. Footy ovals turned as hard as concrete, B & S balls were held where lakes had been and kids younger than me actually did not know what it was like to play wet-weather footy when the rains came a decade later. We lost our farm to severe weather. The 1983 drought forced the sale of half the farm, and the late 1990s finished us off. I want to support farmers with resilience and adaptation to climate change to plant prosperous crops, to run the best breeds of livestock and to use and care for their land to ensure farms are profitable and sustainable for generations of families and connected communities to come.

I see no bigger challenge for us all than climate change, and I have felt that way for a very, very long time. Sadly we already have some temperature rise baked in. However, we must continue to do all in our power to be world leaders on every front to reduce emissions. We must also protect our natural environment. Environmental protection of flora and fauna is not just an abstract ideology, it is key to balancing the ecosystem we are a part of and so thoroughly depend on. As a proud member of the union movement I fight for equality, and without a stable climate we cannot achieve equality. If our lands flood and burn, storm damage becomes more regular and severe and crops fail, then it will become harder and harder to feed, shelter and care for the population of Victoria, Australia and the world.

Thank you to my siblings, my family, my friends and my colleagues, who have all supported me up to now. Any of my successes in this place will be thanks to your ongoing support. To those in my party, I am proud of everything you have achieved and I look forward to making a significant contribution going forward. To those opposite and in between on the crossbench, I look forward to working with you. Despite having different views on how to get there, I know we have a shared goal of a great Victoria, and I commit myself to showing respect to all of you as we debate our path over the years ahead.

Most importantly, I thank my beautiful partner. You might not thrive on politics, which for me has been a blessing, but you unquestioningly support me and more importantly you have made my life richer than anyone or anything in this world. Politics is important, but if life is not rich and full of love, what is it all for? You have gifted me a life full of love. Our beautiful kids have been the defining event of my life, and I know you will be with me through this chapter and every chapter of our lives until we are old. I also ask for a round of applause for Liz, if you do not mind.

Members applauded.

Mr McINTOSH: I am a proud Victorian and I am incredibly proud to represent Eastern Victoria, a region that has such immense history and such an important future for all Victorians. As we transition our entire economy to deal with climate change, we are on the cusp of a jobs revolution that will establish new industries and be a massive employer in agriculture, construction, manufacturing, energy and so many more sectors indirectly. We must ensure these jobs that will benefit generations of people to come are based on conditions that will see workers, their families, their communities and this state prosper. I will draw on my experience of having lived in our suburbs, our regions and rurally to ensure I balance my responsibilities and respect, listen to and advocate for all groups across the region. This place and our community are not about individuals. They are about all of us. My life's ambition was not initially to become a politician but to make a difference; however, now that I am here this is a pretty good place to make a damn big difference.

Da Tom, my grandfather and role model, was probably not suited to some of the tougher elements of politics, but what stands before you today are the values of Da Tom and the generations of activists prior and a willingness to continue chasing that light on the hill of an equal and just society. I will do everything to deliver upon the faith you have all put in me. Our Victorian community depends on all of us turning up and giving our best every day to continue to see a Victoria that is an economic powerhouse and an incredible and kind place to live and remains the envy of the world.

Members applauded.

Adjournment

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (18:11): I move:

That the house do now adjourn.

REGIONAL RAIL CATERING SERVICES

Ms LOVELL (Northern Victoria) (18:11): (2097) My adjournment matter is directed to the Minister for Public Transport, and it concerns plans to cease on-train catering on V/Line trains to Swan Hill and other remote parts of Victoria. The action I seek is for the minister to intervene and reverse the decision by V/Line management not to install buffet facilities on new VLocity carriages, which will replace locomotive-hauled services such as the Melbourne to Swan Hill services, so passengers can access food and drink during long-distance trips.

Train travel continues to be the preferred mode of transport for many regional Victorians when travelling to metropolitan Melbourne, particularly elderly Victorians. This is despite many travellers enduring journeys of up to 8 hours in old, uncomfortable rolling stock to get to their destinations. With passengers experiencing such long travel there is great concern regarding the recent announcement that V/Line are phasing out buffet services on several lines with the rollout of the new VLocity trains. The train services of most concern are the Swan Hill and Shepparton services, which obviously run through my electorate of Northern Victoria Region, as well as the Warrnambool and Bairnsdale services.

Up until last Friday passengers travelling on the V/Line service from Swan Hill to Melbourne were forced to travel by coach because of the Metro Tunnel project and work on the Sunbury line. Thankfully the usual timetable of 21 train services between Swan Hill and Melbourne between Monday and Friday is now back up and running. However, on just 10 of these 21 trains passengers have access to food and drink from a buffet service, despite the length of the journey being more than 4½ hours. This lack of available sustenance is even worse for passengers travelling from Mildura, who have close to an 8-hour journey to Melbourne by both bus and train without access to food or drink. Even the Shepparton line, which also will be without a buffet facility in the future, carries passengers that started their journey from as far away as Griffith, New South Wales, and endure a journey of nearly 7 hours. The decision to phase out catering on most long-haul V/Line services is of great concern to passengers, as well as railway interest groups such as the Rail Futures Institute, an organisation that advocates for improved rail services for all Victorians.

I have been informed that V/Line's new standard gauge VLocity carriages travelling on the Albury line are fitted with a buffet service, so why are Swan Hill, Bairnsdale, Warrnambool and Shepparton line passengers being treated differently? A train journey of up to 8 hours is too long for passengers to be without access to food and drink, and I call on the minister to ensure this plan to phase-out catering services on long-haul V/Line services to regional Victoria is immediately scrapped.

CARE LEAVERS REDRESS SCHEME

Ms MAXWELL (Northern Victoria) (18:14): (2098) My adjournment is for the Minister for Child Protection and Family Services, and the action I seek is for the government to review its assessment for recognition as care leavers for those who were voluntary placements and impacted by poor record keeping. The campaign over decades continues for the recognition of children who were displaced in the state system because they were voluntary placements and record keeping was a bare minimum or the records were non-existent or have even been destroyed. These children were not immune to the horrific predatory offending that was inflicted on children who were designated wards of the state, yet they remain unrecognised and they continue to feel abandoned.

I will use the very public and courageous example of Tracie Oldham to illustrate this point. Ms Oldham was voluntarily placed into temporary care as a child and attests that this was done with the knowledge of the Supreme Court, but there was no court order required, because it was a voluntary placement. Voluntary placements often occurred when parents experienced hardship or crisis. They were intended to be short-term stays but sometimes carried through for an entire childhood. In the case of Ms Oldham, she was shunted back and forth between foster families, and her childhood memories include brutal violations until her teenage years.

The Victorian government's submission to the *Forgotten Australians* inquiry estimated more than 91 000 children were in care in Victoria between 1928 and 2003 and that 59 000 of them were wards of the state. It estimated that there were on average 400 new voluntary placements every year, which equated to the conservative estimate of 17 000 children between 1928 and 1970. Because of the paucity of records, non-wards were described by witnesses to the inquiry as 'largely invisible' to state authorities.

Ms Oldham has applied through freedom of information to obtain her childhood documents, but none have been found, because she was a voluntary placement. Her history cannot be substantiated, through no fault of her own, but she has shouldered the consequences of this absence throughout her entire life. Not only does Ms Oldham endure the trauma of not having records that relate to significant periods in her life but it has obstructed her from accessing support and redress for the abuse she suffered. Because the department could not confirm the record of time she was in care, she was unable to receive support and services through Open Place. It has further impeded her pursuing redress.

The Victorian government committed to providing ongoing support to care leavers. However, this is not afforded to those whose placement cannot be substantiated, because of the absence of records. This is a failure of the system at the time, not the children, and there should be an alternative process for those survivors for whom records cannot be found.

KEYSBOROUGH TURKISH ISLAMIC AND CULTURAL CENTRE

Mr RICH-PHILLIPS (South Eastern Metropolitan) (18:17): (2099) I wish to raise a matter for the attention of the Minister for Planning in the other place. It follows a recent visit to the Keysborough Turkish Islamic and Cultural Centre in Keysborough, accompanied by Phil Pease, the Liberal candidate for Mordialloc.

Dr Bach: Excellent candidate.

Mr RICH-PHILLIPS: Yes, he is an excellent candidate, Dr Bach. This was a return visit to that centre, which is doing a fantastic job supporting not only the Islamic community in Keysborough but also, more broadly, the broader community in the Keysborough area. It is a facility which has a community centre, a mosque and an early learning centre as well as a school located on the site on the corner of Greens Road and Perry Road. The community is seeking planning support to expand that facility to include an aged care facility for members of the Islamic community in the Keysborough area. The piece of land adjoins the cultural centre. It is over the road from current residential land on the north side of Greens Road and on the west side of Perry Road, but it is currently zoned industrial. It would be inappropriate for there to be industrial development on this particular site as it is next to the cultural centre and wedged by residential zones on the north side and the west side. What the community and the landowner have been seeking is for that land to be rezoned as residential in order that an aged care facility can be constructed adjoining the cultural centre.

This has previously been considered by the Minister for Planning and rejected because of the current zoning, being industrial. However, given the location of the site next to the cultural centre, adjacent to existing residential zones, what I am seeking from the minister is that that decision to reject the rezoning be reconsidered to allow the development of an aged care facility for the Turkish Islamic community adjoining the cultural centre. There is a shortage of aged care facilities generally in the area as well as of culturally appropriate aged care. So the action I seek is for the minister to reconsider that decision and allow that site adjoining the existing cultural centre to be developed as an aged care facility to support that community.

PHARMACOTHERAPY DISPENSING

Ms PATTEN (Northern Metropolitan) (18:20): (2100) My adjournment matter is for the Minister for Health, and the action I seek pertains to pharmacotherapy. Methadone and buprenorphine are used in the treatment of opioid dependence, and on International Overdose Awareness Day I think it is

really important to note their life-saving and life-changing potential. The prescription of methadone and buprenorphine has been proven to reduce health, social and economic harms caused by dependence on either illicit or licit opioids, most importantly reducing illness and deaths and helping people to stabilise and lead more productive lives. But these programs only work when pharmacies participate, so it is vitally important that we encourage pharmacies to provide opioid replacement therapy right across the state. Consider the implications, for example, of pharmacotherapy patients in a one-pharmacy town in regional Victoria. We are seeing this not only in regional Victoria but also amongst the suburbs in inner-city areas of Victoria, where chemists are retiring or new pharmacies are setting up and they are not interested in providing opioid replacement therapy.

Our pharmacies are pillars of our community, and let us not forget that they are also small businesses. Elsewhere across Australia other states offer financial incentives and subsidies that support pharmacies to dispense these life-saving medications. Victoria is a complete outlier in that it provides no support to pharmacies to provide opioid replacement therapy. So the action I seek is that the minister commission a stocktake of the approaches of other Australian jurisdictions in this regard and implement a best practice model for Victoria to incentivise pharmacy participation in pharmacotherapy dispensing.

PAKENHAM EAST TRAIN STATION

Ms BURNETT-WAKE (Eastern Victoria) (18:22): (2101) My adjournment matter is for the Minister for Transport Infrastructure. The action that I seek is for the minister to provide detailed information on exactly when the Pakenham East train station was first proposed. Residents of Pinehill Drive were informed back in February 2021 that their homes would be acquired and demolished to make way for a new Pakenham East train station. However, my constituents obtained documents from 2013, from a previous edition of the *Pakenham East Precinct Structure Plan*, that clearly show plans for the Pakenham East station to be situated near Pinehill Drive. The 2013 document includes a map with bold lettering over my constituents' properties that says, 'Demolish these homes'.

Seven years later, in December 2020, representatives from the Level Crossing Removal Project handed out pamphlets in Pakenham that showed the train station would be situated near Pinehill Drive on the back fence of my constituents' properties. However, the representatives did not deliver these notices to the impacted residents of Pinehill Drive at the time. Someone mentioned this brochure to my constituents, but they were told by the Level Crossing Removal Project workers that the person had simply got it wrong. They thought that if their homes were going to be acquired they would have been the first to know. They also believed the station was going to be down the road, in the actual suburb of Pakenham East, several kilometres away. The reason my constituents did not believe the news was that they had just finished building their forever home in Pinehill Drive. They did not receive a brochure in December. They had paid stamp duty, paid for permits for all structures and sheds and jumped through all the hoops and hurdles in order to get their dream home completed. It did not make sense for the government and local council to take their money, charge them taxes and allow their build to go ahead while knowing that this station would require the home to be demolished, before it was even built.

My constituents were informed in February 2021 that the homes would in fact be acquired. I have mentioned previously in this chamber how despicable the consultation process was, with some residents finding out in the media. The 2013 document clearly shows the station was planned many, many years ago, yet my constituents were allowed to go ahead with their new home on the impacted area. The *Herald Sun* reported in March this year that the Andrews Labor government had forced some councils to sign confidentiality agreements to not disclose information on major projects. This meant bureaucrats have been unable to tell councillors or the constituents about the projects, despite the major impacts they will have on the community. My constituents feel that both the government and the council knew about this acquisition as far back as 2013 and still allowed their build to go ahead. Therefore the action that I seek is for the minister to provide detailed information on exactly when the Pakenham East train station was first proposed.

BRIMBANK AQUATIC AND WELLNESS CENTRE

Dr CUMMING (Western Metropolitan) (18:25): (2102) My adjournment matter is to the Minister for Community Sport in the other place, and the action that I seek is for the government to fund the construction of an outdoor pool at the Brimbank Aquatic and Wellness Centre. Brimbank City Council is replacing the St Albans Leisure Centre with the Brimbank Aquatic and Wellness Centre to provide a range of services to meet the needs of the local community. The final design for the current works does not include an outdoor pool. However, to futureproof the design, space for an outdoor 25-metre pool has been incorporated in the overall site plan. Council has invested over \$60 million in the construction of the centre, with a \$2 million contribution from the state government through the Local Sports Infrastructure Fund—\$60 million compared to the state government’s contribution of \$2 million. This investment has provided four indoor pools but no outdoor pools, which were the main feature of the St Albans Leisure Centre. If you had ever gone to the St Albans centre, you would have loved the outdoor pools. Based on a similar recent project at another location and the current escalation in construction costs, an amount of \$10 million is needed to construct an outdoor 25-metre pool.

Now, 35 per cent of the people who drowned in the last 10 years came from multicultural communities. People born overseas are twice as likely to drown when comparing drowning rates per head of population and cultural backgrounds. Brimbank is one of the most culturally diverse areas in this state. I know this government has invested in water safety education, but people also need access to pools—public pools, affordable pools—to have swimming lessons and to receive water safety lessons. Without a commitment from the government for the construction of the pool, it just will not happen and we are going to be waiting years upon years upon years. Council has invested a huge amount, \$60 million, in this project. They do not have any more funds to invest, and the people of Brimbank need this facility. We understand that \$50 million comes out of this community in pokie revenue. The state government’s pitiful \$2 million—why don’t you return some of the taxes that you take from this Brimbank community and invest them into community infrastructure that they actually need? Is \$2 million all that Brimbank is worth?

SUNBURY TRAIN STATION CAR PARKING

Mr FINN (Western Metropolitan) (18:28): (2103) I wish to raise a matter this evening for the attention of—it could be the Minister for Public Transport, or it could be the Minister for Transport Infrastructure. It depends on which way the government is feeling at any given time as to who is responsible for what, I understand. But the situation is that parking is a major issue in the township of Sunbury, or it was until very recently, when the roadworks on one side of Sunbury and the level crossing works in the middle of Sunbury actually pretty much forced everybody to flee the CBD. So there is plenty of parking at the moment, but when things get back to normal—if indeed they ever get back to normal—we know that parking will be a very serious issue once again.

So serious is the issue, in fact, that before the last election the invisible member for Sunbury, Josh Bull, made a commitment to making a substantial injection of parking places at the Sunbury railway station. I would like to ask Mr Bull about this, but it is very hard to find him—very hard to find him indeed. I am hoping that the minister might be able to cut straight to the chase and actually go to where these decisions are made and to fix it, because we do need that extra parking. It is absolutely desperate because there is without doubt a significant financial impact on small businesses in the Sunbury CBD as a result of the lack of parking. Not only has the government not provided the parking that it promised; it has actually cut back on car parking because the level crossing works have taken over one of the main car parks in Sunbury, thereby stopping people from using that area to park so they can go shopping.

It is a diabolical situation whichever way you look at it, and all I am asking the minister to do is to provide the parking that was promised before the last election. We have less than 90 days for the minister to announce that this parking is happening. I do not want another promise; I want the money. We Sunbury people want the money up-front and the project signed off so that we can say that this

government has kept its promise. Personally I will not be holding my breath, but I sincerely hope for the good of the traders of Sunbury and indeed the population and community of Sunbury that the minister will make good on the government's promise.

GENDER-NEUTRAL LANGUAGE

Mrs McARTHUR (Western Victoria) (18:31): (2104) My adjournment matter is for the Minister for Women and concerns language being used to describe women. A report in the *Australian* newspaper on Monday by Rosemary Neill outlined multiple government-linked websites that are referring to women more as body parts than as women or mothers. The article describes the Health Direct website, which provides virtual health services for governments. When talking about issues of pregnancy, cervical cancer and birth the website uses the term 'people' or 'a person with a cervix'. It talks about parents, not women and mothers. 'Birthing parent' remains a favourite of many, but thankfully was recently scrapped by the federal Minister for Government Services, Bill Shorten, no less.

For the record, I am not a birthing vessel or a chamber for embryos or a body with a vagina. I was a breast feeder, not a chest feeder, and I am a female, a woman, a mother and a grandmother. I will not have my female status and birth degraded by a warped Marxist view of who I am. There is something ugly and disrespectful about referencing a body part such as a cervix or a vagina as a preferred description to 'woman', 'mother' or 'female'. Only women can give birth. Only women can breastfeed naturally. Only women have female sex organs. Only women can be mothers. At the same time, only men can be fathers.

The ongoing effort by the radical left to assume these capacities for anything other than a woman is offensive to women—mothers, grandmothers, young girls and women looking forward to being mothers. This warping of the language is not inclusion; it is exclusion of the majority for a fractional minority. This is not about civil rights, human rights or equal rights. It is about the removal of rights. Gender-neutral language simply neuters women into body parts and generic terms. A female is defined as having two X sex chromosomes. A woman is an adult female. Intersex, non-binary, transgender men—whatever people want to be, they can be, but they should not, in their language, in finger-pointing and rule changing for ideological means, remove the precious and important terms of 'mother', 'woman' or 'female'. Men, equally, should be called men, fathers or male. The slippery slope of gender activism fails us all, and the action I seek is for the minister to stand up for women against this rubbish.

WESTERN VICTORIA RAIL SERVICES

Mr GRIMLEY (Western Victoria) (18:34): (2105) My adjournment debate is for the Minister for Transport Infrastructure, and the action that I seek is for the minister to make public the costings of the Wimmera passenger rail project, previously provided to my office in a meeting last year. The Suburban Rail Loop is an uncoded project, effectively without a business case, that virtually nobody asked for, yet regional Victorians are fighting for public transport rail options. It was undoubtedly quite infuriating for regional Victorians to read in the news that the Suburban Rail Loop was going to cost up to \$200 billion. This is a vast increase on the \$50 billion that the minister said the rail loop would cost before the 2018 election.

Whilst the government have said Victorians voted for this project when they went to the last election, they may not have voted for the project at four times the cost. This contrasts to the many regional rail projects that I have been trying to get up for the last four years, including Wimmera passenger rail. My office has asked for the slideshow shown to us in our previous meeting probably four or five times, just so the Wimmera community can know the obstacles in place for Wimmera rail, but they will not release the detail.

Another project is the Murray Basin rail project, which has a history that goes way back before my time in this place. The full scope of the project was abandoned after there was a cost blowout, but the

project was tipped to cost around a billion dollars. This is 200 times less than the Suburban Rail Loop, for context. I have heard the Minister for Ports and Freight actually walked the Portland to Maroona line of track a few months ago and was reportedly shocked as to how slow it travels. I am no athlete, but I could outrun this train, and that is saying something. The track is in such a terrible condition that there are speed limits that are around half of what they should be. This is just one track that should have investment as part of the Murray Basin rail project.

Additionally, I have asked about the Ballarat freight-passenger rail separation project that was committed to by the minister before the last election. Again it has been abandoned, saying:

The review of the original Murray Basin rail project business case found that significant investment, additional work and extensive construction would be required to separate freight and passenger lines through Ballarat.

How much significant investment this would cost is unknown because the government refuses to release the review in full.

Just to put salt on the wound, I had a Parliamentary Budget Office report commissioned that showed regional Victorians receive 11 times less investment per capita when it comes to capital infrastructure projects than their metropolitan counterparts. The state government like to boast of their investment in the regions, which has been great, but we still are being treated like poor cousins. We have had enough. Our rail and public transport projects need love and investment.

COVID-19 VACCINATION

Mr LIMBRICK (South Eastern Metropolitan) (18:37): (2106) My adjournment debate matter is for the attention of the Minister for Corrections. The Legal and Social Issues Committee report into children of incarcerated parents was recently tabled in this place. This was an important and, I imagine, very challenging inquiry to conduct, and I commend the committee, staff and particularly the young witnesses for their work. The report confirms that the parent-child bond is important for child development and that maintaining contact between incarcerated parents and their children should be promoted if safe to do so. This conforms with the United Nations Convention on the Rights of the Child, which requires signatory states, including us, to protect the right of children to family. In Victoria, however, the report found significant obstacles exist that prevent children from connecting with parents in prison and that their rights are overlooked.

One of these obstacles was recently pointed out to me by a mother who called my office. Her young daughter was precluded from visiting her incarcerated father because she is unvaccinated. These restrictions are onerous and are resulting in perverse outcomes. Since being denied access to her father, this young person has experienced emotional dysregulation and challenging behaviours. In circumstances where we know that children with incarcerated parents have increased risk of future criminal justice involvement, Victoria has totally lost all proportionality, treating a vaccine which does not stop transmission as paramount over the wellbeing and life course trajectory of a very vulnerable cohort. In fact Victoria's restrictions are at odds with the recommendations of Communicable Diseases Network Australia, which indicate in their national guidelines for COVID-19 outbreaks in correctional and detention facilities that other control measures for visitors, such as masks and testing, are satisfactory to mitigate risks in prisons. My request for the minister is to review the current vaccination settings for children visiting incarcerated parents in particular but also all vaccine restrictions on visitation rights in correctional facilities in Victoria.

FOSTER CARERS

Dr BACH (Eastern Metropolitan) (18:39): (2107) I have an adjournment matter tonight for the Minister for Child Protection and Family Services, and the action I seek is for the minister to finally release the KPMG report into the true cost of caring and then work with Foster Carers Victoria and other carer bodies in order to finally lift the rate of Victoria's carer allowance. Victoria's carer allowance has not increased since 2016, yet over that period of time of course the cost of living has

increased significantly. This is a huge challenge for Victoria as so many foster carers leave our system. Those opposite do not like talking about foster carers. In my short time as Shadow Minister for Child Protection and Youth Justice in this place, having only arrived 2½ years ago, I have now faced off against no fewer than four child protection ministers.

Indeed there have been four child protection ministers in the Andrews Labor government in the last 10 months alone. We have a new one, Colin Brooks, and Minister Brooks has seen fit to mention foster carers twice in his 16 years in this place. However, today he went on the attack based on reports in the media from the Commission for Children and Young People—the independent children’s commission, a Liberal creation—saying that it was appalling that the Andrews Labor government continues to stuff increasing numbers of young people into absolutely inadequate and inappropriate care in hotels and serviced apartments. According to the new minister, who has been in the job for two months, this is completely fine, there is nothing to see. Not so when it comes to the independent children’s commission. The children’s commission today said that the:

... increase in contingency placements is deeply concerning, given the inadequate quality and suitability of placements and the lack of continuity of staff ...

The commission went on to say that the overall system is ‘underfunded and not fit for purpose’. The Foster Care Association of Victoria tweeted this afternoon also that the system under Labor is ‘not for fit for purpose’. However, Mr Brooks flatly rejected the findings of the independent children’s commission. He said in the other place earlier today that:

Children and young people in these situations are always supervised by appropriate staff and continue to access a range of services.

He is gaslighting Victorians. That is not what is occurring, and what we need to do is not simply focus, as he does and as all my previous opponents have done, on what the CPSU wants, which is more and more child protection workers. Child protection workers are amazing. They do great work in the community, but we need foster carers for these children so the government does not stuff them in hotels despite the fact that the new minister’s position—bizarrely against the children’s commission and against the Foster Care Association of Victoria—is that that is fine. Finally release the report that I have been fighting for through freedom of information, work with the foster carers association and increase the payment.

SUNSHINE SUPER-HUB

Ms VAGHELA (Western Metropolitan) (18:42): (2108) My adjournment matter is directed to the Honourable Jacinta Allan MP for the minister’s portfolio responsibility of transport infrastructure. The action I seek is for the minister to meet with the mayor of Brimbank City Council to provide clarity around the Labor government’s plans for the Sunshine precinct, which were announced almost four years ago in 2018 but have so far received no funding commitments. With adequate state government investment, the Sunshine precinct will have benefits for all of Melbourne’s west as well as residents in Victoria’s major regional centres such as Geelong, Ballarat and Bendigo. This investment could shift generational disadvantage and has the potential to generate tens of thousands of jobs and up to \$8 billion in new investment and economic activity in the area over the next 30 years.

The Sunshine precinct has the existing infrastructure, services and land capacity to accommodate a huge increase in jobs. Its areas for employment growth include professional office jobs, health, education, government and legal services as well as new opportunities with hospitality, tourism and advanced manufacturing. And with the existing Victoria University campuses in Sunshine and St Albans as well as the University of Melbourne located at the Sunshine Hospital, the greater Sunshine area has a strong foundation to expand and grow its tertiary offering.

I would like to remind the Labor government of its commitment in November 2018, when the Honourable Minister Jacinta Allan MP as the Victorian transport minister at the time stated that there would need to be a significant redevelopment of the Sunshine area and that it would become another

Southern Cross station. Four years on, as we approach the 2022 Victorian elections and we are less than 90 days out, all we have seen from the Labor government to date on this matter is an opportunity statement and a consultation process on nine key project ideas. I understand that the Brimbank City Council have been advised that the Labor government is fully committed to the Sunshine super-hub and to the vision set out in the Sunshine precinct opportunity statement. I am advised that in May this year the Brimbank City Council were also informed that a draft Sunshine station master plan is expected to be available for public consultation in the coming months.

We are almost in September 2022, and I am advised that the Brimbank City Council are yet to see a draft of the Sunshine station master plan. The residents of Brimbank and Melbourne's west have waited long enough for the area to be transformed, and it is about time they were given a firm funding commitment on the Sunshine precinct, not just a repetition of unbacked promises before an election similar to that of 2018.

BOOLARRA FOLK FESTIVAL

Ms BATH (Eastern Victoria) (18:45): (2109) My adjournment matter this evening is for the Minister for Roads and Road Safety, and it relates to a fantastic festival. I am asking on behalf of the festival, but I think it has a far wider context for our community groups and festivals. Carlyne Boothman at the moment is the acting president of the Boolarra Folk Festival, a festival that has been going for 20 years. It is a highly successful and joyful community festival bringing in all the best of our folk music but also food. There is massive community involvement, and it also brings tourists into the fantastic area of the Boolarra.

In the past their traffic management system used volunteers, and those volunteers completed a course through the Latrobe City Council very successfully. I think it was a good working relationship, and the 4-hour course was conducted by volunteers. In speaking with Carlyne this afternoon, the Boolarra Folk Festival has an exemplary record in terms of traffic, pedestrian and vehicle safety throughout its 20-year history. They have been told by Latrobe City Council—and this is no fault of Latrobe's—that they can no longer do that 4-hour volunteer course and that they have to do a five-day course in order to become traffic management safety personnel. Carlyne said, 'Our volunteers cannot take five days off work, and if we have to pay for those five-day courses or even the time off work in terms of reimbursement, it will just not be feasible for these small, community-based groups', and across our rural and regional areas this will be the case. She has tried to make contact with Regional Roads Victoria in Traralgon—she has emailed, called and visited the physical premises—to no avail.

I ask the minister to provide context around what is required of volunteers during festivals in order to have traffic management systems in place that provide safety but not to have to attend a five-day course. It is very preclusive, and we do not want to see the demise of our fantastic festivals, community organisations, exhibitions and activities that involve car management systems. Could the minister please contact Carlyne Boothman—she is quite happy for that—but also outline in a broader context around these festivals what will be done and whether it can be done so that it is achievable by our fantastic volunteers well into the future.

RENEWABLE ENERGY

Mr QUILTY (Northern Victoria) (18:48): (2110) My adjournment matter is for the minister for the environment. While on a trip through Northern Victoria earlier this month I had discussions with a farmer who wants to build a wind farm on his property. The problem is getting the power back to the grid. His solution was to use the railway corridors for high-voltage powerlines—rail corridors that have been abandoned due to city governments shutting down the rural rail network. This got me thinking that if these corridors can be used in our regional areas, we should also be looking to use them in Melbourne. We could place wind towers and solar panels along railway corridors and road reserves in the city. Instead of crossing regional Victoria in a 100-metre-high network of steel spider webs, the city high-voltage powerlines would not have far to run to where the energy is used.

Melbourne consumes the vast majority of power in Victoria and is responsible for the emission of the vast bulk of our CO₂. Despite that, there seems to be a distinct lack of wind farms in Melbourne and of solar farms, which swallow up agricultural land with their short-life, non-recyclable, toxic waste-spewing panels. Out of the 34 operating wind farms in Victoria, there is exactly zero per cent in Melbourne, and I do not think your share of solar farms is much higher. All things being equal, shouldn't Melbourne have its fair share of giant windmills dominating the horizons and mincing the pigeons? There is certainly great concern in the green leafy teal suburbs regarding global warming. Perhaps a wind farm can be built on Brighton Beach and another on the larger St Kilda Beach. I am sure that no city-based squatter of Victoria's Energiewende wants to be seen as a nimby who is not prepared to pull their own weight.

Every inner-city and suburban park could have its own wind tower rising up over the red-tiled roofs and its own landfill site for the used wind sails as well. It would give city kids an up-close-and-personal view of what green energy looks like, and if the bulk of the green grass in the park has to go to make room for the concrete base, well, we all have to make sacrifices. Of course if we wanted to be rational, we could instead embark on building a handful of sensibly sited small-footprint nuclear plants in place of the coal plants you are shutting down, but there is no rationality in our renewable energy fever dreams, is there?

Minister, the action I seek is for you to ensure that Melbourne gets its fair share of the green energy generation infrastructure in public parks and road and rail corridors. In this brave new energy world we all need to pull our weight. Regional Victoria should not have to bear all the costs.

SUBURBAN RAIL LOOP

Dr RATNAM (Northern Metropolitan) (2111)

Incorporated pursuant to order of Council of 7 September 2021:

My adjournment matter tonight is for the Minister for Transport Infrastructure, and my ask is that she commissions a comprehensive investigation into alternative sites for the Suburban Rail Loop stabling yard.

Like the local council and community, I was disappointed to see earlier this month that the minister for environment and climate change approved the EES for the Suburban Rail Loop. The approval means the train stabling yard for the loop will go ahead at the Delta site in Heatherton.

The Delta site is an inappropriate location for a stabling yard, for multiple reasons pointed out many times by the community and by members in this chamber. It is located in Kingston's green wedge zone, which is designed to protect our precious green and open space in the outer suburbs from inappropriate developments exactly like this one.

It's part of the long-promised chain of parks, which will transform ex-industrial and landfill sites into a series of linked parks, providing much-needed green open space in Melbourne's south-east. The chain of parks will also provide new recreational and sporting facilities, one of which was recently proposed for the Heatherton Delta site.

Turning the Delta site into the stabling yards will result in the destruction of almost 35 hectares of green wedge land and prevent the land from ever being used for parks and recreational space. Instead, the site will be home to 34 trains, including a train maintenance facility and operations centre, and ongoing tunnel boring and dirt extraction while the tunnel is constructed.

The site shares a boundary with both the proposed new parkland and a number of residential and commercial areas. The site's neighbours will now experience ongoing noise and light pollution, ongoing vibration issues, dust issues due to dirt extraction from the tunnelling and, most importantly, loss of amenity and quality of life for what is currently a quiet semi-rural area. Many residents have chosen to live in Heatherton because of its promise of significant green open space; instead, they will now be living with the industrial dust and truck traffic that the chain of parks were designed to eliminate.

The community is opposed. The local council is opposed. Yet the government continues to insist this is the most appropriate location for the new stabling yards. It's particularly frustrating as the community has identified a viable alternative nearby, in the Moorabbin industrial area, but the government has refused to fully consider it.

The EES process also failed to investigate whether the yard could be located at an alternative site, claiming it was outside the scope of the assessment process.

The Suburban Rail Loop's inquiry and advisory committee report noted that the use of the Delta site for the stabling yards would only be acceptable if a replacement area is identified and acquired for the chain of parks. It also found that more comprehensive, prescriptive and targeted mitigation measures than those proposed in the EES would need to be undertaken to address loss of amenity and related impacts. The IAC concluded by noting 'if these concerns are not addressed, the Proponent should continue to investigate alternative sites for the Stabling Facility'.

It is clear that the process so far has completely failed the Heatherton community. I ask the minister to immediately begin a comprehensive investigation into alternate sites for the stabling facility, including the Moorabbin industrial area site.

RESPONSES

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (18:50): In what is probably the fifth-last adjournment debate of this term there were 14 MLCs that brought up adjournment matters for 11 ministers, and I will ensure those matters get to those ministers.

The PRESIDENT: On that basis, the house stands adjourned.

House adjourned 6.51 pm.