

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-NINTH PARLIAMENT**

**FIRST SESSION**

**WEDNESDAY, 9 MARCH 2022**

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## **The Governor**

The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable KEN LAY, AO, APM

## **The ministry**

Premier. ....	The Hon. DM Andrews, MP
Deputy Premier, Minister for Education and Minister for Mental Health	The Hon. JA Merlino, MP
Attorney-General and Minister for Emergency Services . . . . .	The Hon. J Symes, MLC
Minister for Transport Infrastructure and Minister for the Suburban Rail Loop . . . . .	The Hon. JM Allan, MP
Minister for Training and Skills and Minister for Higher Education . . . .	The Hon. GA Tierney, MLC
Treasurer, Minister for Economic Development and Minister for Industrial Relations. ....	The Hon. TH Pallas, MP
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Minister for Health, Minister for Ambulance Services and Minister for Equality . . . . .	The Hon. MP Foley, MP
Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation and Minister for Fishing and Boating . . . . .	The Hon. MM Horne, MP
Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice and Minister for Victim Support . . . . .	The Hon. NM Hutchins, MP
Minister for Local Government, Minister for Suburban Development and Minister for Veterans . . . . .	The Hon. SL Leane, MLC
Minister for Water and Minister for Police. ....	The Hon. LM Neville, MP
Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events and Minister for Racing . . . . .	The Hon. MP Pakula, MP
Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Creative Industries . . . . .	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 Multicultural Affairs, Minister for Community Sport and Minister for Youth . . . . .	The Hon. RL Spence, MP
Minister for Workplace Safety and Minister for Early Childhood . . . . .	The Hon. I Stitt, MLC
Minister for Agriculture and Minister for Regional Development . . . . .	The Hon. M Thomas, MP
Minister for Prevention of Family Violence, Minister for Women and Minister for Aboriginal Affairs. ....	The Hon. G Williams, MP
Minister for Planning and Minister for Housing . . . . .	The Hon. RW Wynne, MP
Cabinet Secretary . . . . .	Ms S Kilkenny, MP

## **Legislative Council committees**

### **Economy and Infrastructure Standing Committee**

Mr Barton, Mr Erdogan, Mr Finn, Mr Gepp, Mrs McArthur, Mr Quilty and Mr Tarlamis.

*Participating members:* Dr Bach, Ms Bath, Dr Cumming, Mr Davis, Mr Limbrick, Ms Lovell, Mr Meddick, Mr Ondarchie, Mr Rich-Phillips, Ms Shing, 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 Taylor and Ms Terpstra.

*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, Ms Garrett, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten, Dr Ratnam and Ms Vaghela.

*Participating members:* Dr Bach, Mr Barton, Ms Bath, Ms Crozier, Dr Cumming, Mr Erdogan, Mr Grimley, Mr Limbrick, Ms Lovell, Mr Quilty, Ms Shing, Mr Tarlamis 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, Mr R Smith, Mr Walsh and Mr Wells.

### **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, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.

### **Integrity and Oversight Committee**

*Council:* Mr Grimley and Ms Shing.

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

### **Pandemic Declaration Accountability and Oversight Committee**

*Council:* Mr Bourman, Ms Crozier, Mr Erdogan and Ms Shing.

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

### **Public Accounts and Estimates Committee**

*Council:* Mr Limbrick, Mrs McArthur and Ms Taylor.

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

### **Scrutiny of Acts and Regulations Committee**

*Council:* Ms Patten, Ms Terpstra and Ms Watt.

*Assembly:* Mr Burgess, Ms Connolly, Mr Morris and Ms Theophanous.

## **Heads of parliamentary departments**

*Assembly:* Clerk of the Legislative Assembly: Ms B Noonan

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

*Parliamentary Services:* Secretary: Mr P Lochert

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

<sup>1</sup> Appointed 5 March 2020

<sup>2</sup> Appointed 2 December 2021

<sup>3</sup> Resigned 17 June 2019

<sup>4</sup> Appointed 15 August 2019

<sup>5</sup> Resigned 23 March 2020

<sup>6</sup> Resigned 26 September 2020

<sup>7</sup> Resigned 1 December 2021

<sup>8</sup> ALP until 15 June 2020

<sup>9</sup> Appointed 23 April 2020

<sup>10</sup> ALP until 7 March 2022

<sup>11</sup> Appointed 13 October 2020

<sup>12</sup> Resigned 28 February 2020

**Party abbreviations**

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice 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, 9 March 2022**

**The PRESIDENT (Hon. N Elasmr) 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.

**PHOTOGRAPHY IN CHAMBER**

**The PRESIDENT (09:36):** I wish to advise that photography will be taking place from the galleries today to capture some photos of the chamber in action. The photos may be used for the website and other educational material.

**Petitions**

**Following petitions presented to house:**

**COVID-19 VACCINATION**

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the existing and unnecessary blanket COVID-19 vaccine mandates.

These blanket vaccine mandates must be removed permanently in Victoria as COVID-19 numbers associated with death, hospitalisation and intensive care unit admission have drastically fallen. There is no justification in keeping the vaccine mandates any longer. The Government also keeps moving vaccination targets. The previous target was 85 per cent, the current vaccination target is now 90 per cent.

Removing these mandates will save livelihoods, marriages and businesses. It will also ensure that there is no need for people to be terminated from their employment and becoming a government statistic.

The petitioners therefore request that the Legislative Council call on the Government to remove COVID-19 vaccine mandates immediately in order to save hundreds of thousands of jobs as the current mandates are not justified with the plummeting COVID-19 numbers.

**By Mr ATKINSON (Eastern Metropolitan) (102 signatures).**

**Laid on table.**

**NORTH EAST LINK**

This Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the severe environmental and health consequences and economic folly of proceeding with the North East Link. The Petitioners therefore request that the Legislative Council support a motion for the government to cease all works and commence a public review of the project incorporating a comprehensive public transport and freight transport planning review centred on Melbourne's north east.

**By Mr HAYES (Southern Metropolitan) (257 signatures).**

**Laid on table.**

**STEVE MONEGHETTI TRACK**

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the City of Ballarat made the decision to place 225 light poles around the Steve Moneghetti Track in Lake Wendouree, with each light pole being 5.5 metres tall.

This is a poor outcome as it fails to consider more sensitive and respectful options such as in-ground cross-path illumination which is better for the environment, reduces light pollution, is less aesthetically offensive and costs less in long-term maintenance but still achieves improved path safety.

The Petitioners therefore request that the Legislative Council call on the Government to halt the project of placing 225 light poles around the Steve Moneghetti Track in Lake Wendouree and enable the community to consider better options for implementation by the City of Ballarat.

**By Mrs McARTHUR (Western Victoria) (1507 signatures).**

**Laid on table.**

### **Bills**

#### **WILDLIFE AMENDMENT (DUCK HUNTING) BILL 2022**

##### *Introduction and first reading*

**Mr BOURMAN** (Eastern Victoria) (09:38): I move to introduce a bill for an act to amend the Wildlife Act 1975 to improve the operation of that act with respect to duck hunting and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Mr BOURMAN:** I move:

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

**Motion agreed to.**

### **Papers**

#### **PAPERS**

**Tabled by Clerk:**

Planning and Environment Act 1987—Notice of Approval of the Victoria Planning Provisions—Amendment VC209.

### **Production of documents**

#### **SOCIAL AND AFFORDABLE HOUSING**

**The Clerk:** I lay on the table a letter from the Attorney-General, dated 8 March 2022, in response to the resolution of the Council of 23 February 2022, on the motion of Mr Davis, relating to the social housing tax on residential developments and housing affordability. The letter states that there was insufficient time to respond and that a final response to the order will be provided as soon as possible.

**Mr Davis:** On a point of order, President, the letter as the Clerk has read out seems to indicate that there was insufficient time to respond, but in fact the Treasurer met with a number of the relevant industry groups and indicated he would provide the very same modelling to them. If it can be provided on the words of the Treasurer to the industry groups, it can certainly be provided in a timely way to the house.

**The PRESIDENT:** Mr Davis, you know, and you said it in your point of order, that it is a production of documents reader. There needs to be a motion of the house to do that.

**Mr Davis:** Yes, President, I accept your ruling, but I am concerned that the Treasurer has written an untruth to the house.

**The PRESIDENT:** This matter is up to the house.

**Business of the house****NOTICES**

**Notices of motion given.**

**Notice of intention to make a statement given.**

**Members statements****SETTLEMENT SERVICES INTERNATIONAL**

**Dr KIEU** (South Eastern Metropolitan) (09:44): Last week I had the great pleasure of officially opening the Settlement Services International office on behalf of Minister Jaala Pulford. As a former refugee it was truly heartening to learn about the expansion and growth of SSI in Victoria. The Victorian government is deeply committed to ensuring that all Victorians can enjoy the social, cultural and economic benefits of belonging to a diverse and dynamic society. Although many migrants to Victoria have made such contributions already, more remains to be done to improve access to employment. The main barriers facing migrant and refugee jobseekers include insufficient Australian work experience and understanding of how to navigate the employment system, limited support with resumes and interview skills and limited English proficiency. These barriers must be addressed. That is why I was thrilled to learn that SSI has recently been selected as a delivery partner for our Jobs Victoria advocates program.

**SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS EDUCATION**

**Dr KIEU:** On another matter, in my capacity as the Victorian government's STEM education ambassador last week I also visited the BioLAB and Earth Ed specialist science and mathematics centre at Wyndham Tech School. It was a great pleasure to learn more about the diverse, distinctive and innovative ways in which each facility is working to engage students and teachers in all facets of STEM. I look forward to continuing to visit the remainder of Victoria's 18 STEM specialist centres and tech schools.

**GEELONG MAJOR EVENTS**

**Mr MEDDICK** (Western Victoria) (09:46): Once again the magnificent city of Geelong and the home of the greatest team of all, at Kardinia Park, have shown the world what a class act we are, with the only Australian date for that legendary band the Foo Fighters last Friday night. Why would anyone bother with the tennis centre—

*Members interjecting.*

**Ms Shing:** On a point of order, President, I have absolutely no idea what Mr Meddick is saying, and I would really like it if I could hear it. Perhaps if he could take it from the top and we could get a bit of quiet, that would be really helpful.

**The PRESIDENT:** I think Ms Shing's point of order is a valid point of order. Mr Meddick, can you restart?

**Mr MEDDICK:** Thank you, President. Thank you, Ms Shing. Once again the magnificent city of Geelong and the home of the greatest team of all, at Kardinia Park, have shown the world what a class act we are, with the only Australian date for that legendary band the Foo Fighters last Friday night. Why would anyone bother with the tennis centre and its paltry 15 000 seats when you can come and play at an arena with over 25 000 people? And on the Saturday night: Midnight Oil, just down the road at Mount Duneed Estate.

In all seriousness, what a weekend in my electorate and in particular in Geelong. What was shown to the world was that Victoria has emerged with its title as the capital of major events in Australia not only intact but better than ever. More than that, the entire world has seen that Geelong is open for

business, can hold these events and can do it better than anybody else. Geelong made a statement over the weekend—bring your events to the city by the bay and we will give you the best venues, the best crowds and the best hospitality. Our fantastic city has shown in no uncertain terms that there is nowhere else in Victoria that is worthy of being the home city for the Commonwealth Games should they come to our state. Great work, Geelong. Let's see much more of it—and go the mighty Cats.

### TREATY DAY OUT

**Mr GEPP** (Northern Victoria) (09:48): I am not sure how I follow that, President, but I will give it a bash. While we are talking about music festivals, can I just inform the house that a couple of weeks ago there was the mighty Treaty Day Out concert held at the Rumbalara football ground in Shepparton and attended by thousands of people celebrating all things First Nations people. It was a credit to all Victorians and showcased what is on offer in the great electorate of Northern Victoria.

### RIVERBOATS MUSIC FESTIVAL

**Mr GEPP**: In a similar vein, on Friday, 18 February, I was at the Port of Echuca aboard the mighty paddle-steamer *Pride of the Murray* to attend the opening of the Riverboats Music Festival 2022. The event is the largest outdoor music festival on the Murray River, with 13 live performances across three days, made extra special this year with 2022 marking the 10th anniversary of the Murray's flagship tourism event. It is supported by the Andrews Labor government's Regional Events Fund. Funding supported an extended event program this year, to Sunday evening, to encourage visitors. Over 6000 people attend the festival annually, and on average they spend \$700 each in the town of Echuca—so important to the local economy. It proves yet again that Northern Victoria is the home of live music here in regional Victoria. Come along. Come and visit. You will have a good time.

### WOMEN'S HOMELESSNESS

**Ms PATTEN** (Northern Metropolitan) (09:50): I was very pleased to attend Her Place on Monday, and this was part of International Women's Day. Her Place is actually a museum. It is in the old Menzies building. It is down on Clarendon Street, and it is a beautiful little hidden gem. But I was there to look at solutions for women's homelessness, and we know that particularly older women are the fastest growing cohort of people experiencing homelessness. We know that COVID hit women harder than our male colleagues, and that was in employment and that was in earning capacity, but it was also in homelessness. We know that family violence is the leading cause of homelessness in our state.

The conference on Monday at Her Place was actually about solutions, and we heard from some really terrific people: Jocelyn Bignold from McAuley Community Services for Women, who is also part of the Women's Housing Alliance; and Robert Pradolín from Housing All Australians, who talked about the fact that while the government are investing in their big spend there is more that needs to be done and everybody needs to be involved, and that is the private sector as well. We saw some great social enterprise initiatives—Shared Lives Australia and a whole range of them. But my question is to the government: where is the response to the homelessness report? We have been waiting months for it.

### LEARN LOCAL PROVIDERS

**Mr MELHEM** (Western Metropolitan) (09:52): Last week I had the pleasure of meeting staff and students of two of Victoria's amazing Learn Local providers. My first visit was to the incredible team of the Victorian Aboriginal Community Services Association in Northcote. They provide critical advocacy and services for Aboriginal communities across Victoria. As a Learn Local provider the centre delivers a diverse range of pre-accredited courses to empower learners to gain employment within their community, particularly Koori learners. Past Koori students Lucas, Tannah and Jason excelled and had a major impact from their education and training. All three learners experienced barriers to gaining their qualification, whether it was commitments from a growing family or the anxiety of changing career later in life. But they overcame their challenges, completed their courses

and have not looked back since. It would not have been possible without their amazing trainers, who the learners hold in such high regard.

Later that week I also visited Kew Neighbourhood Learning Centre with my good friend Nina Taylor. This centre provides educational help and social support for the local community. Its pre-accredited training courses aim to create a space where every learner can connect, learn and realise their potential, particularly by supporting learners with a disability. It was great to meet horticultural student Rory and carpentry student Mikey. They displayed immense passion for their respective vocations and expressed an eagerness to grow their skills in industry settings. I am sure these young men will achieve great things in the coming years. Thank you to all the staff and the students of both centres for receiving me on the day.

### **SCHRAMMS RESERVE, DONCASTER, PAVILION**

**Ms TERPSTRA** (Eastern Metropolitan) (09:53): I rise to make a contribution on a visit that I paid last week to Schramms Reserve in Doncaster as part of an investment by the Andrews Labor government of \$1.3 million to construct a new fit-for-purpose pavilion. The old pavilion was probably built in 1950. It is a bit of a brick and concrete bunker kind of thing, and it has definitely well outlived its useful life. I was also pleased to be joined at Schramms Reserve by Glenn Maxwell, international cricketer and extraordinarily talented cricketer, but the really interesting thing that I learned when attending Schramms Reserve in Doncaster was that Glenn Maxwell started his cricket career at the Fitzroy Doncaster Cricket Club. I was very fortunate to be able to be bowled to by Glenn Maxwell, and I had a bit of a hit of the ball.

**Ms Shing:** Look at you!

**Ms TERPSTRA:** I know, look at me—exactly—because I thought, ‘I don’t know who cricketers are’. And people were going, ‘Oh, you hit that really well’, and I was thinking, ‘I just see ball and hit ball; I don’t know all the terminology and things like that’. But it was a fantastic event to go to, and the good thing about the construction of the new pavilion will be that it will bring more kids to enjoy cricket but also women. There was a great representation from the women’s team. I did get an offer to join the women’s team, might I add, after showing off my batting skills and prowess—but anyway I think there is some video footage there somewhere coming as well. I am sure that many women and girls will also enjoy these facilities to come.

### **SOUTHERN METROPOLITAN REGION SCHOOL BREAKFAST CLUBS**

**Mr ERDOGAN** (Southern Metropolitan) (09:55): I rise to highlight the success of four school breakfast club programs operating in the Southern Metropolitan Region. In the district of Sandringham alone Beaumaris Secondary College, Sandringham College, Mentone Girls Secondary College and Mentone Primary School all have successful school breakfast clubs and have now delivered more than 24 913 meals to local students. The school breakfast club program has been a resounding success since its establishment in 2016 as part of our Labor government’s \$58 million investment to provide free, healthy food to students at 1000 government schools. Twenty million nutritious meals have been delivered to students across the state, helping to ensure students do not need to try and learn on an empty stomach. The program continued to provide meals to students during periods of remote learning. A school breakfast club helps make sure students are healthier and happier, leads to improved student engagement and concentration, strengthens staff-student relationships, enhances social skills and results in better academic performance. The success of the school breakfast club program is a win for students, schools and families. I thank everyone who has helped deliver these much-needed meals to enable students in my electorate to focus on learning. This is yet another initiative of this government to make a fairer Victoria.

### **VICTORIAN WOMEN’S PUBLIC ART PROGRAM**

**Ms WATT** (Northern Metropolitan) (09:56): Yesterday was International Women’s Day, and I was proud to mark the occasion by joining the Minister for Women, Gabrielle Williams, at Trades

Hall in my electorate to announce funding for six new permanent artworks across Victoria to celebrate the diverse contributions women have made across our state.

The works will kick off with a statue of Zelda D'Aprano, a tireless activist who dedicated her life to fighting for gender equality. She was a figurehead of the equal pay protests in 1969 when she chained herself to the doors of Melbourne's commonwealth building, and to draw attention to the gender pay gap she only paid 70 cents on the dollar for a tram fare. I reckon that is ripper, and I am delighted that her activism will be permanently recognised with the commissioning of this statue outside Trades Hall in Carlton.

I was shocked to learn that of the 580 statues across Melbourne—or perhaps that is our state; I am not sure—only nine depict real women. That is surprising to me. Whilst these works that have been commissioned will not fully address the drastic under-representation of women in public art, they are a start. I look forward to visiting them all across our state when they are finished.

### NOBLE PARK COMMUNITY ART SHOW

**Mr TARLAMIS** (South Eastern Metropolitan) (09:58): On Friday night I was honoured to attend the official opening of the 15th Noble Park community art show, along with many talented artists of all ages. I have been fortunate to have never missed a show in all the years it has been running. As we emerge from COVID the show was a great opportunity to come together and view all the amazing talent that is on offer from members of the local community of all ages and abilities through the works of art that they have produced. There was a record number of entries this year, with 460 exhibitors. As is the case every year, the artwork was truly inspiring. From the youngest to the oldest of entrants, each was of a very high standard. Congratulations to all the team at the Noble Park Community Centre who made this spectacular event the success that it is time and time again—staff, volunteers, sponsors and of course all the artists.

### NOBLE PARK COMMUNITY CENTRE

**Mr TARLAMIS:** On another but related matter, Sunday was the art show's final exhibition day. It was also the day the centre reached its milestone of 46 years since it opened at its current location as the then Noble Park youth and community centre. However, it is important to acknowledge that the centre's servicing of the local community began much earlier. It will reach an even greater milestone in September this year when it will have been in operation for 66 years. This is an amazing achievement. Throughout this period the centre has continued to be a valued resource for the local community, working in partnership with many organisations to provide important services that cater to the diverse and changing needs of our local community, helping so many local individuals and families and changing their lives for the better. The centre is continuing to plan for the future to accommodate the needs of the local community. I am proud to be working with them to ensure that the centre has the resources and partnerships it needs to continue supporting the community for a long time to come. Congratulations to the dedicated team at the Noble Park Community Centre. Keep up all your great work.

### JACK DIAMOND

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education)

#### **Incorporated pursuant to order of Council of 7 September 2021:**

Last week I attended the funeral of Jack Diamond, and today I rise to pay tribute to Jack, who was a champion of public education and made an enormous public contribution to improving the lives of others through education.

He served as the Box Hill TAFE chairperson from 2015 until late last year.

His passion for education started long ago.

Before moving into the finance sector, Jack was a secondary school teacher for a decade. He understood how important education is to changing lives and transforming communities.

It was Jack's role at Box Hill where I had the pleasure of working with him. Along with the Box Hill TAFE leadership team, Jack led a transformation of the TAFE.

I know that he was particularly proud of reopening the Lilydale campus and breathing life back into that community. You just need to visit the campus to see the transformation that has been made, particularly with the new sustainable plumbing centre that opened last year.

There was never a challenge too difficult for Jack. He was absolutely determined to deliver better education and training opportunities for all Victorians.

Jack's leadership has meant that Box Hill TAFE is in a strong position, and I am grateful for his contribution to making our TAFE network stronger.

Jack will be missed by all of us, but particularly his wife Maria, his children Sarah, Jacqueline and Sam and their partners, and his grandchildren Enrique, Sabine, Wesley and Jack.

May he rest in peace.

### **Business of the house**

### **NOTICES**

#### **Notice of intention to make a statement given.**

#### **Bills**

### **WORKPLACE SAFETY LEGISLATION AND OTHER MATTERS AMENDMENT BILL 2021**

#### *Council's amendments*

**The PRESIDENT** (10:00): I have a message from the Assembly:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to amend the **Accident Compensation Act 1985**, the **Dangerous Goods Act 1985**, the **Equipment (Public Safety) Act 1994**, the **Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019**, the **Legal Profession Uniform Law Application Act 2014**, the **Occupational Health and Safety Act 2004**, the **Workplace Injury Rehabilitation and Compensation Act 2013** and the **Victims of Crime Assistance Act 1996** and for other purposes' the amendments made by the Council have been agreed to.

### **HUMAN RIGHTS AND HOUSING LEGISLATION AMENDMENT (ENDING HOMELESSNESS) BILL 2022**

#### *Statement of compatibility*

**Dr RATNAM** (Northern Metropolitan) (10:01): 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 Human Rights and Housing Legislation Amendment (Ending Homelessness) Bill 2022.

In my opinion, the bill, as introduced to the Legislative Council, is compatible with, promotes, and strengthens, the human rights protected by the Charter.

I base my opinion on the reasons outlined in this statement.

#### **Overview of bill**

The purposes of this bill are to amend the Charter of Human Rights and Responsibilities Act 2006 to establish a right to housing within the Charter; and to amend the Housing Act 1983 to set a target of ending homelessness in Victoria by 2030 and require planning and reporting on progress to meet the target.

#### **Human rights issues**

In my opinion, the human rights protected by the Charter that are relevant to the bill are:

- The right to recognition and equality before the law (section 8)
- The right to freedom of movement (section 12)
- Privacy and reputation (section 13)

- Protection of families and children (section 17)
- Cultural rights, including Aboriginal cultural rights (section 19)
- Property rights (section 20)

*The right to recognition and equality before the law (section 8)*

Section 8(2) of the Charter provides that every person has the right to enjoy his or her human rights without discrimination. This means that you cannot be treated unfavourably because of your personal characteristics protected by the law. Introducing a right to adequate housing that sufficiently accommodates the person's attributes within the meaning of the Equal Opportunity Act 2010 strengthens this right by affirming that housing should be fully accessible to all free from discrimination.

*The right to freedom of movement (section 12)*

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria and to enter and leave it and has the freedom to choose where to live.

The bill creates a right to adequate housing that is located reasonably close to public services and employment opportunities for the person. In my view, this will enhance and not limit the operation of the right to freedom of movement. What is adequate for the person will differ from person to person. The bill ensures that people will not be forced to relocate to housing that is poorly located or removed from their work and communities, while still protecting the freedom of a person to choose where to live.

*Privacy and reputation (section 13)*

Section 13(a) of the Charter provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with. The new Charter right to housing in the bill enhances this right by defining adequate housing as housing that provides for physical safety and sufficient space for a person without overcrowding.

*Protection of families and children (section 17)*

Section 17 of the Charter provides that every child has the right, without discrimination, to such protection as is in his or her best interests and is needed by him or her by reason of being a child. For children who are homeless or who are living in insecure housing, the lack of a secure and permanent home can interrupt their schooling, and negatively impact their health and wellbeing. The bill's target to end homelessness will promote this right by reducing and, by 2030, eliminating the harm done to children who are experiencing homelessness.

*Cultural rights, including Aboriginal cultural rights (section 19)*

Section 19 of the Charter provides that all persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy his or her culture, to declare and practise his or her religion and to use his or her language.

Introducing a right to adequate housing that sufficiently accommodates the person's attributes within the meaning of the Equal Opportunity Act 2010 strengthens this right by affirming that housing should be fully accessible to all free from discrimination, including taking into account a person's cultural needs.

*Property rights (section 20)*

Section 20 of the Charter provides that a person must not be deprived of his or her property other than in accordance with law. Introducing a right to adequate housing that protects against unfair eviction improves the operation of this right. It prevents a person from being unfairly evicted from their home but does not limit the right of a property owner to manage a residential tenancy agreement, as it retains the ability for eviction in accordance with the law.

For these reasons I consider that the Bill is compatible with the Charter.

*Second reading*

**Dr RATNAM** (Northern Metropolitan) (10:02): I move:

That the bill be now read a second time.

This bill is about changing the way we think about housing in Victoria.

It recognises that all of us have the right to adequate housing. And that adequate housing is about more than four walls and a roof. It's about having a place to call home that is safe, secure, affordable, livable, and helps people to be part of a community.



It also acknowledges that homelessness is a problem that we can solve. Not just within our lifetimes, but by the end of the decade.

As a society we have spent too long putting homelessness in the too-hard basket. In the absence of anything in our laws that creates an obligation on governments to end homelessness or to permanently house people, the goal of a fair housing system has rapidly been abandoned by governments.

Instead housing has been taken over by the private sector, and become a commodity instead of a right, and a private wealth source instead of a public asset.

Having a place to call home is so important to taking part in all aspects of life. A home allows you to find and retain good work; to access health care, education and other community services; to join sports teams or local groups; and to become part of your community.

Yet in Victoria right now, too many of us are without adequate housing. We have 100 000 people on the public housing waiting list, tens of thousands of people who are experiencing homelessness every night, and so many more living in insecure, unaffordable housing.

Ongoing homelessness is one of the biggest failures of our state. The fact that in a wealthy and prosperous state like Victoria, we continue to just assume that some of us do not and will not have a place to call home is unacceptable.

It's time we changed this.

We can have a state where providing affordable, secure housing for everyone is a priority of our governments.

And where nobody is without a home.

Ending homelessness by the end of the decade is not just an ideal. It's actually possible.

And this bill will put Victoria on the path to achieving it.

I turn now to the provisions of the bill.

Part 2 of the bill amends the Charter of Human Rights and Responsibilities Act 2006 to establish a charter right to adequate housing.

Our charter rights are an integral part of Victorian law. They form the foundation of our laws and guide both our legislative and policy work.

But while the existing charter rights touch on aspects of the right to adequate housing, including the freedom to choose where to live and the right of a person to not have their home unlawfully or arbitrarily interfered with, there is no right to adequate housing within the charter.

This means that there is no obligation or mandate to protect Victorians from being evicted into homelessness.

And our governments keep making decisions that only exacerbate housing unaffordability, and push more people into homelessness.

Introducing a right to adequate housing would mean that a person's right to housing would have to be considered in all future policy and legislative decisions.

This will show Victoria that governments see the provision of adequate housing and the eradication of homelessness as a priority.

In fact, this was recommended by the Legal and Social Issues Committee's inquiry into homelessness in Victoria—an inquiry I note this government is overdue in responding to, now over a year out from the tabling of the report.

Importantly, this bill goes further than just establishing a right to adequate housing. It adopts a comprehensive understanding of what adequate housing is, based on guidance from the Office of the United Nations High Commissioner for Human Rights.

New section 12A(2) outlines what adequate housing is.

Adequate housing is affordable.

It's housing that is structurally sound and fit for habitation. Despite Victoria's rental reforms, there are still many Victorians living in substandard and frankly unsafe housing, especially those living in public housing.

Adequate housing is safe, and protects a person from forced evictions, harassment and other threats to their safety.

Adequate housing provides sufficient space for the person, without overcrowding and without a lack of privacy.

Adequate housing is fully accessible to everyone, free from discrimination, and takes into account people's cultural needs.

Adequate housing is well located, within reasonable range of employment opportunities, healthcare services, schools, childcare centres and other social facilities for those that need such access. If a government attempts to forcibly relocate people away from their communities and into housing that is cut off from all public services, it cannot be adequate.

And it's housing where your tenure is secure, and you are protected against unfair eviction. Where you don't have to live with the threat of losing your home, or where you are moved from short-term accommodation to short-term accommodation, with no security or stability in your housing.

This is how we should see housing. It's how the United Nations sees the right to adequate housing. Introducing this right into the charter will ensure present and future governments can no longer abandon or avoid the provision of truly adequate housing, and instead must integrate into all of our legislation and policymaking.

Part 3 of the bill amends the Housing Act 1983 to create a legislated target for ending homelessness in Victoria. The bill sets that target at zero by 2030—that is, that nobody will be homeless in Victoria by the year 2030.

For the purposes of the ending homelessness target, a person is homeless if, for at least 28 days, they have not been housed in housing that is adequate for them and have been unable to access housing that is adequate for them.

This time frame acknowledges that housing services will have a reasonable period of time to secure permanent housing for a person, but also recognises that should this bill become law there will be enough housing built to ensure that people can be housed within this time frame.

The bill requires the minister to develop a plan for achieving the ending homelessness target by 2030.

One thing missing in Victorian legislation is any long-term planning for addressing our state's housing and homelessness crises.

It's partly why we've ended up in the crisis we are in. Years of short-term vision and sporadic funding have barely scratched the surface of unmet need for affordable housing, pushing more people into homelessness.

With this bill, the government will now have to develop a plan to create the public and affordable housing needed to end homelessness, by creating an ending homelessness plan to meet the target.

The plan must have a focus on providing adequate and ongoing housing for people experiencing homelessness.

This is the Housing First approach—where homelessness is addressed by immediately providing a person with adequate long-term housing, without any housing readiness requirements.

We know this approach works. We've seen this internationally, most notably in Finland, where their use of Housing First principles has effectively ended street homelessness.

In fact, we even saw a version of Housing First in this state over the last two years, with the government providing people who needed a place to stay with hotel and motel accommodation during our many COVID lockdowns, which ended street homelessness in Melbourne for a short period.

The simplest and most effective way to end homelessness is to provide more secure, long-term, affordable housing. There are usually many complex factors that lead to homelessness. But it is from the base of a permanent home that a person can start to address any other issues they may be facing.

So by mandating a focus on the immediate provision of housing without any preconditions or housing readiness requirements, the bill ensures the ending homelessness plan will set out an achievable, Housing First path towards meeting the ending homelessness target.

The plan will also have to set out the details of how homelessness will be reduced over the decade, including how many new homes will be created in order to meet the target, what types of housing the new homes will be, how much funding will be given to housing support services, and how many people will be permanently housed each year to 2030.

The government of the day will also have the ability to set other appropriate benchmarks such as tracking the number of people sleeping rough or living in marginal housing such as rooming houses.

To ensure proper scrutiny of the ending homelessness plan, the plan must be tabled in Parliament within 10 sitting days after it has been prepared.

In the interests of full transparency, the bill also creates annual reporting requirements on progress towards the ending homelessness target.

The government will need to report on the numbers of new homes created each year, how many people transitioned from homelessness into permanent housing, and how much additional funding housing support services received.

The government will also have to report on what we know are common pathways into homelessness—the numbers of people leaving prison and entering homelessness, leaving hospitals and mental health facilities into homelessness, and leaving family violence services and refuges into homelessness.

Improving transparency around the entry and exit points of homelessness will give us a clear understanding of how and why people are entering homelessness, and therefore the best approaches for how we can eliminate it.

I look forward to the debate on this bill and am hopeful for bipartisan support for a way forward to end homelessness. I anticipate during the course of the debate there may be suggestions for improvements to the bill and I welcome them. I see this bill as an opportunity for all of us to work together to end homelessness and not hide behind further excuses and incrementalism.

The reforms in this bill are ambitious, but achievable.

Too often, our governments describe homelessness as complex; insurmountable; difficult and impossible to solve.

All words used to avoid taking responsibility for homelessness in Victoria. And to dodge the solutions that we know work—a massive increase in long-term, secure, adequate housing.

It's time we stopped pretending homelessness is an impossible problem, and a permanent part of Victoria.

Ending homelessness in our state is possible. Not only that, but it's possible by the end of the decade.

All we need is a plan to achieve it.

I commend this bill to the house.

**Ms TAYLOR** (Southern Metropolitan) (10:13): I move:

That debate on this bill be adjourned for two weeks.

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

### Motions

#### VICTIMS OF CRIME FINANCIAL ASSISTANCE SCHEME

**Ms MAXWELL** (Northern Victoria) (10:13): I move:

That this house:

- (1) acknowledges the significant and ongoing psychological and physical impacts of crime on victims and victim-survivors;
- (2) recognises that victims of crime need access to varying levels of support at different stages of their trauma and recovery, but the limitations of the current scheme result in some victims of crime being exited or disengaging with the current service response without receiving assistance that meets their needs;
- (3) notes that:
  - (a) the Victorian Law Reform Commission's July 2018 report, *Review of the Victims of Crime Assistance Act 1996*, made 100 recommendations including the establishment of a new state-funded financial assistance scheme for victims of crime;
  - (b) the *Victim Support Update* of December 2021 does not include the introduction of a new financial assistance scheme in this term of Parliament;
- (4) calls on the government to provide:
  - (a) a detailed timeline for the introduction of the new victims of crime financial assistance scheme and transition details; and
  - (b) a mechanism for victims of crime who are children, victims of sexual and violence offences and family members of deceased victims to access ongoing psychological support and counselling without needing to reapply through the current scheme, until the new victims of crime financial assistance scheme is implemented.

I rise to speak on motion 717 standing in my name. This in effect is a straightforward motion that calls for simply two actions. Firstly, my motion today calls on the government to provide a detailed time line for the introduction of the new financial assistance scheme for victims of crime and to outline how the transition to this new scheme will occur. My motion also calls on the government to provide a mechanism until this new scheme is implemented for certain victims to access ongoing psychological support and counselling, should they require it, without having to reapply. This includes victims who are children, victims of sexual and violent offences and family members of deceased victims. I am using the term 'victim' today to encompass victims, victim-survivors and other terms used by those who are affected by criminal offending. We intertwine such descriptions, recognising and respecting that individuals have their own preference for how and when they use any terms themselves.

In 2018 the Victorian Law Reform Commission released its report the *Review of the Victims of Crime Assistance Act 1996*. The report makes 100 recommendations to reform state-funded financial

assistance to victims of crime. The principal recommendation of this report is—and I will read the words of the chair of the VLRC in the preface:

... the *Victims of Crime Assistance Act 1996* (Vic) should be repealed, and be replaced with an Act establishing a new state-funded financial assistance scheme for victims of crime, separate from the court and tribunal system, and instead sited within the Office of the Victims of Crime Commissioner ...

The VLRC review initiated by the government was specific to victims of family violence. However, this was later expanded to include all individual victims of crime. This was an important reflection of the extent to which the current system does not meet the needs of victims. Significantly, the commission concluded what we already knew: that the current model is not victim centred or beneficial. This is due to delays that victims experience in accessing financial assistance and the priority the system gives to procedural and evidentiary processes over the needs of victims, so that priority has to change.

I have tried to be proactive and productive in my advocacy for victims and to collaborate with the government to deliver change. I say the same for my colleague Mr Stuart Grimley. We still have a long way to go, as evidenced by the frustration that is consistently expressed by victims who feel offenders' rights are given greater priority than their suffering and their recovery. It is the reason Derryn Hinch's Justice Party exists, and we are proud to be a party that focuses on improving the rights of victims of crime and building fair, just and safe communities. I certainly welcome that we are seeing more of a victim-centred approach to policy planning. Victims welcome the long-awaited and much-needed conversation about how the system that most affects them works against them.

I expect we will hear a lot from the government today about what they are doing to support victims, and I welcome that. I thank them for accepting my amendments yesterday into legislation. Every discussion about supporting victims, what is happening now, what improvements are needed and how we can do better, as well as how we create a society where there are less victims of crime, is a conversation we need to have. But without actions they are just words.

The Victorian Department of Justice and Community Safety commissioned RMIT University's Centre for Innovative Justice (CIJ) to review and redesign Victoria's service and support system for victims of crime in 2019. Its final report, released two years ago, notes that:

Victoria's response to victims of crime has received little investment or policy attention in the decades since it was established.

It recognises that victims' needs are varied and support should respond to the full range of a victim's experiences, including staying beside victims every step of the way. I would certainly say today that the financial assistance scheme does not walk with them. It is very clear that the one-size-fits-all expression of the system does not suit what victims need for their recovery. The current system is difficult to navigate and ranges from cursory contact, services not matched to the level of need and services denied to cases being closed off when they should not be and even without notification. The best experience for victims often occurs as a result of extraordinary lengths taken by individual case managers to support them. Those efforts of individuals who go outside the scope of the system can make the difference between a victim feeling supported and not.

The university's CIJ report proposes a service model that is designed to step victims through services as they need them, stepping both up and down. Currently we expect victims' journeys to follow a straight line, but all the while the reality of trauma and recovery is a path that is twisting and tumbling. It does not match, and victims say their needs are not being met. As a result their recovery unravels, compounding their trauma.

I recognise that such reform is substantial and that formulating a new model that will support victims in the future is taking time, effort and money. It involves the redesign of both the service model as well as the financial system that accompanies it. However, when the victim support update was released in December 2021 I was expressly disappointed to see that there was no time line for the new

financial assistance scheme. It was simply noted as going forward—not 2023, not 2024. So when and how will that transition occur? I have asked those questions and, sadly, received no answers. The 2021–22 state budget invested \$54.6 million to develop the new financial assistance scheme for victims. There is a lot of hope about what this new system will provide, but without a time line it risks being pushed further down the road, and there should be a time line. Surely for something so substantial a time line must exist. If it does, release it, commit to it. My greatest concern in the meantime is for those victims who are stuck with a system that was identified four years ago as needing a complete start over.

I was speaking with Merri Health ahead of this motion. They have received 560 new client referrals over the past 12 months. Their experience is that victims associated with serious and fatal crimes need long-term counselling to help their recovery. I will give you a few examples that may help you understand why an interim measure as proposed in my motion today is needed to remove the requirement for some victims to have to reapply for ongoing psychological support.

Sarah Cafferkey was murdered in 2012 by an offender who 12 days earlier had completed parole for another murder. Her mother, Noelle Dickson, feels the pain of that loss as acutely today as a decade ago, and her needs may be different but they are still there. Ms Dickson should be provided access to ongoing psychological support without having to repeatedly justify her need. Instead, for the past decade she has and for the foreseeable future she will have to put through new applications then wait and hope before accessing support. There is the added stress that if that support is denied, what then?

Janelle Saunders, the mother of Zoe Buttigieg, a young girl who was raped while she slept and murdered in her bed, was referred to the victims assistance program in 2015. Less than three years later an application was made to vary the assistance as the Victims of Crime Assistance Tribunal (VOCAT) funding for counselling had run out. Ms Saunders received notification in response to her claim that further support was refused because funds were exhausted. It was a simple letter in the mail—no phone call, no meeting. It was callous. Our system expected this mother to go it alone a mere three years after losing her beautiful daughter in the most horrific of circumstances. This is the system that victims navigate today, and it is a completely inappropriate response to someone reaching out for help.

Bronson Little, brother of Alicia Little, who lost her life to violence in 2017, reached out for counselling support when the offender was coming up for parole. He was told he would have to reapply. When he asked why, he was told, ‘Oh, we closed you off because you told us at the time you were doing okay’. He said, ‘I was doing okay, but they seemed to think that meant that I was going to be okay forever’. There was a complete lack of recognition that something so substantial as an offender’s release would retrigger trauma. So back they go through the application process—a process that requires victims to justify their pain and put up with delays and the added stress that brings to their whole family.

I can go on. I speak to victims every week who share their stories with me. When navigating the system they do not often even understand what will happen until they need to access further support and it is denied. These flaws are unnecessary, cruel and absolutely avoidable. I do recognise that the new scheme will remove the requirement for VOCAT hearings, and this will be welcomed by many victims, who have described this experience as feeling like they are put on trial themselves. It puts them off making an application or going back when they need a variation, because it is just too confronting.

The government has made some changes to help clear the current backlogs of cases, but we can make a further improvement, making it easier for victims to access support when they need it by removing the requirement of certain victims to reapply until the new financial assistance scheme is delivered. Instead of waiting we could actually do this right now. There is a bill before the Parliament that makes changes to the existing Victims of Crime Assistance Act. Paragraph (4)(b) of this motion could

implement it right now. It is a simple change that could make a huge difference, particularly in the interim phase, until the new financial assistance scheme is operational.

I acknowledge the government's substantial positive work in developing a new framework to support victims, but in terms of a time line I ask the government to commit to delivering the new financial assistance scheme in 2023. At the very least, victims and stakeholders that work with them need to know when and how the transition will occur. Will a draft be released? If so, when? Will there be public consultation? I think the government has a responsibility to victims to share its plan.

In closing I reaffirm the commitment of Derryn Hinch's Justice Party to advocating for victims. We are so proud to do so—and sometimes in the most heartbreaking of circumstances. We have initiated the broadest review of the criminal justice system in three decades. My colleague Mr Grimley's advocacy resulted in the first dedicated victims legal service as well as legislating notifications to victims by prosecuting agencies for restitution and compensation orders. The VLRC is reviewing responses to stalking. We have government support for a review of coercive control and tendency evidence. In the last sitting week the Attorney-General affirmed her commitment to make non-fatal strangulation a standalone criminal offence. And just yesterday we extended the protection for people harmed by crime from facing their offenders at a tribunal hearing. The feedback from those victims is that they are so grateful that this is now enshrined in legislation.

We will continue to work with all parties, all sides of politics, to make improvements so we can live in fair, just, safe communities, whether that is today for victim support or in other areas that are important to the people we represent. Most importantly we will continue to be a voice for victims—and a loud one at that. I thank the house.

**Ms SHING** (Eastern Victoria) (10:28): Ms Maxwell has made a really profound contribution to the house today, touching on the trauma and the pain that ripples through victims' and survivors' lives following the experience of crime and the impact that it has for them and for their families. On that basis I want to make a number of comments about the very subject matter that she has addressed today, not just in her contribution but as it relates to the motion more broadly. I want to note from the outset Ms Maxwell's enduring prioritising of this issue, which is the reason that brought her to Parliament, and the work that she continues to do to raise issues around victim-survivor health, wellbeing, support and resourcing.

To that end, I note that the first part of the motion is about acknowledging the pain that is sustained and endured and often not survived by victims of crime and that that in and of itself represents a tragedy that gives rise to our responsibility and our obligation as a Parliament and as a community more broadly to respect and to counter and to have difficult and uncomfortable conversations about it.

I agree with the second part of the motion around the need to recognise that victims of crime need access to varying levels of support at different stages of their trauma and recovery as well. One of the things that I want to do with the limited time that I have available to me today is to talk to the levels of different support that are provided in the restorative justice model and the work that is being undertaken by the victims of crime commissioner, Fiona McCormack, who was appointed in 2019. Fiona has decades of experience with family violence and with the often impenetrably difficult legal system and the processes required in order to access outcomes that are too often a real deterrent to people actually seeking legal remedies. We need, as the criminal law recognises, to take victims as we find them, and that then requires that governments reflect the differing characteristics, lives, lived experiences and demographics of victims. That is why culturally appropriate and culturally sensitive processes are so crucial to the way in which we assist victims to access everything from restorative justice through to the retention of privacy and indeed the capacity to reduce the terror that might come with an application to the Victims of Crime Assistance Tribunal, for example, then becoming knowledge to an abuser or indeed a perpetrator of the crime against the victim.

Putting our money where our mouth is is one of the things that I think is relevant to this particular debate. All up there has been a total of \$64 million in support for victims, and that includes the \$54.6 million being allocated for a new financial assistance scheme and an improvement of services to victims. That is about how we design that scheme, it is about what the consultation process looks like—to go directly to a number of Ms Maxwell's points in speaking to this motion—as well as a major new ICT platform to administer that support and preparing for a physical transition from the current Victims of Crime Assistance Tribunal, VOCAT, to the new business operating model that can support victims. There is also \$7.3 million for a victims legal service to provide that legal support to applicants and to victims who are seeking restitution and compensation orders.

The rationale that sits at the heart of this allocation of the \$54.6 million is to streamline and to make more efficient and less confronting the process by which victims can seek redress, whether it is compensation or engagement with services, to help them to move past the effects of the crime or crimes of which they have been victims. Again, from listening to some of the most harrowing stories that Ms Maxwell has shared in this place and more broadly, it is a deeply jolting experience, and I cannot even imagine the trauma that sits at the heart of people who live this grief and frustration and rage and feeling of an unclosed chapter every day of their lives. So I want to acknowledge that pain, and I want to reflect perhaps in my contribution that wherever possible we will work toward recognising that pain in the actions that we take as a government and in the resources that we allocate to address trauma and to assist and aid in recovery, in the many dimensions and shapes that that takes, for individual victims.

Mr Grimley has spoken in this place about one of the elements of victim support and assistance which is so crucial to participation in legal process and indeed administrative process. It is a small example but one which I think is really relevant to providing comfort to people at the most difficult parts of the process, whereby they are required and encouraged to share the trauma of their experience, often involved in the retelling over many occasions, to have that heard and acted upon in the course of understanding recourse—that is, the canine support program. This is one of the things that is geared toward making sure that people in times of high distress, including children, are able to access the very visceral support that comes from assistance dogs trained specifically for trauma and trauma response. Lucy is one of those dogs, and Mr Grimley has mentioned her. That is a small example, and I do not mean to sound trite in raising that example in this contribution because I am not intending to diminish in any way the trauma that is sustained by victims. But it is one part of the pieces that need to come together, whether that is culturally sensitive and culturally safe support, in particular for our CALD communities and also for Aboriginal and Torres Strait Islander victims of crime, whether that is assisting in the co-design of a process which accommodates the enormously broad spectrum of experiences that bring victims through to this particular process or whether it is about improving the system for victims of sexual offences. The work needs to go on to better understand the pieces that fit together and to fund them accordingly.

I note that the Attorney-General, Ms Symes, has as a first step commenced work on affirmative consent laws to make it clear that a person has responsibility to say or do something to establish consent, and that is underpinned by a \$5.2 million funding boost for specialist sexual assault services to respond to increased reporting and demand. That is another example of specific elements of our justice system which are receiving that direct support and law reform, which is about identifying the importance of improving and changing behaviour such that we see fewer victims and such that we have a clearer process for understanding and investigation and possible prosecution of offences that arise under laws as we amend them to keep pace with community standards and expectations around what constitutes appropriate behaviour, what constitutes respectful behaviour and what constitutes the evolution of what it means to operate fairly as a government and as a community in a way that accommodates everyone no matter what their experience or their story.

I have touched on victim-centred restorative justice, and I have touched on children and young people. But I also want, with the time I have available, to touch on victims who are affected by cognitive



disability, intellectual disability, and neurodivergent victims of crime. There was a pilot that was announced for the 2021–22 state budget and following that pilot an allocation of \$9.9 million for the continuity of the intermediary program, and that involves again specialised communication officers to be able to assist with providing advice and assistance to children, young people and people with reduced capacity in whatever way or form that takes to be able to work through the impact of crime upon them and the legal or other processes that sit alongside that work. All up this constitutes a range of different measures.

I note that Ms Maxwell will continue to pursue this particular trajectory that has brought her to this Parliament. I commend her for the work that she has done in being consistently an advocate for victims and survivors of crime, and I look forward to the work associated with this subject matter continuing, albeit in a painful way but in a necessary way and an important way nonetheless.

**Dr BACH** (Eastern Metropolitan) (10:38): Just yesterday when we were in this place debating a police bill Minister Tierney noted that when she was listening to the debate principally in the other house, which was a much longer debate than the one we had in this place, right across the chamber there was a great level of understanding about the role of the police and that members had been thoughtful and obviously spent a lot of time in their communities engaging with the police. Already in this discussion it is clear from the contributions of Ms Maxwell and Ms Shing that right around this chamber members have thought deeply and productively about the need to continue to do more and to do better in order to support victims of crime. I would echo in their entirety the comments of Ms Shing in commending Ms Maxwell. We all understand her deep and abiding passion in this particular area, and I would say also at the outset of my brief contribution on this motion that the Liberal and National parties will be supporting it.

At the outset, as Ms Shing noted, the motion goes to the need for great empathy with victims of crime. Over the last few months I have had the great honour of shadowing the Attorney-General, and in that role many victims of crime have reached out to me to have discussions with me about the place that they find themselves in. I would reiterate it is just not possible to have sufficient empathy for people who have been through the kinds of tragedies that Ms Maxwell articulated in her contribution today and that she has articulated previously. It is not possible, as Ms Shing said, to be able to do enough to fully meet the grief of the families and the victims of some of the offences that Ms Maxwell has spoken about, and yet it struck me in the meetings and discussions that I have had with victims of crime over recent months that they are also very understanding that the government has no magic wand, no silver bullet, to deal with their travails, but nonetheless they want a fair system, a system that is flexible, a system that as far as possible meets their changing needs. So I was pleased to see point (2) in particular in Ms Maxwell's motion:

That this house:

...

- (2) recognises that victims of crime need access to varying levels of support at different stages of their trauma and recovery ...

That is a point that was made to me on any number of occasions.

I was also very pleased to see the final element of Ms Maxwell's motion focus on children who are victims of crime, victims of sexual and violent offences and family members of deceased members in order to ensure that they have access to ongoing psychological support and counselling. There is a great need for measures such as this at present of course because, very sadly, tragically, over the period of the pandemic and due to the resulting restrictions we saw a very significant increase in the number of sexual offences against children. I think even prior to our experiences over the last two years this element of Ms Maxwell's motion should have been able to garner support. Nonetheless it is even more meritorious now, given what we have been through.

Ms Maxwell has another motion on the notice paper that goes to similar themes, and I would note what Ms Shing has said about good steps that the government has taken in order to support victims. Of course we can do more, and I agree with what Ms Maxwell said—that through committee work and through legislation this house has taken positive steps recently. I would agree that there is far more to do.

Of course it was a Liberal Attorney-General, the Honourable Jan Wade, who first introduced victim impact statements. There was some discussion from the Attorney yesterday on International Women's Day about the leadership of Victoria's legal community, which is entirely—almost—female led at the moment. There was also reference to previous attorneys-general, and with all due respect to the current holder of that high office, in my opinion Ms Wade was our greatest ever. She had a particular focus on the needs of victims, as I know Ms Maxwell does. The government has also made some positive steps recently, but there is far more to do. And for that reason my view and the view of my colleagues on this side of the house is that Ms Maxwell's motion is deserving of our support.

**Ms WATT** (Northern Metropolitan) (10:43): As I rise to speak on this motion for victim support I would like to note that the Andrews Labor government is committed to delivering key reforms for victims of crime. We were the government that first created a dedicated portfolio in the Parliament for victim support. It was a significant step to listening to the needs of victim-survivors and then acting on them. It is a role that ensures the needs of victims of crime are consistently being heard around the cabinet table. It was truly a very welcome step. We must also recognise the harms suffered by victims of crime and commit to doing whatever we can to make their experience of the criminal justice system a respectful one.

My colleague in the other place the Minister for Victim Support, Natalie Hutchins, has recently released the government's *Victim Support Update*, which outlines the key reforms this government is delivering for victims of crime. The update clearly demonstrates that the Victorian government is working hard to ensure that victims of crime are heard and that they are given the opportunity to tell their stories and to participate in processes that they should all be central to. I want to take this chance to also acknowledge workers that provide support to victims of crime, as well as those victims themselves. I take this moment to acknowledge an organisation close to my heart that has been working on this for a great number of years, Merri Health, which was also mentioned by Ms Maxwell just a moment ago.

I of course say that the voices of victim-survivors are powerful and an integral part of our justice system. They play a vital role in improving our laws, systems and practices, and this government is committed to putting victim-survivors at the heart of justice in our state. We really do understand the extensive and ongoing financial, emotional, social and physical impacts faced by victims of crime throughout our community by listening to the Victims of Crime Consultative Committee and the Victorian Victim Survivors Advisory Council. These bodies provide a forum for people with lived experience of being victims of crime and, in the instance of the Victim Survivors Advisory Council, lived experience of family violence, to discuss improvements to policies, practices and service delivery to improve outcomes for victim-survivors. I had the very real privilege of working with members of the Victim Survivors Advisory Council on the Family Violence Steering Committee in the not-too-recent past and can say that they are very staunch and very strong advocates for their peers.

Victims of crime are impacted by harm in different ways and therefore require different supports in their recovery. That is why we have made listening to victims of crime central to our reform efforts. Last year the Andrews Labor government passed the Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Bill 2021, which among other reforms was an important step to strengthen the justice system and include many safeguards intended to ensure victim participation in sentencing processes, including a new requirement in the victims charter that the Director of Public Prosecutions, the DPP, consult with the victim on a decision on whether to oppose an application for a sentencing indication. Victims will continue to be able to read victim impact statements aloud once the accused person has formally entered a guilty plea following this sentence indication.

The government has introduced legislation into the Victorian Parliament to amend the Victims of Crime Assistance Act 1996 to stop alleged offenders from being notified of or attending hearings at the Victims of Crime Assistance Tribunal in family violence or sexual offence matters. As stated in the Victorian Law Reform Commission's report into this act, we know that victim-survivors of family violence and sexual offences are most impacted by these offender notifications and that notification can prevent them from applying for assistance. We only need to consider how frightening it can be for survivors who currently face the prospect of the abuser being notified of their VOCAT application and having to face the abuser in a hearing to understand why as a government we should not delay in making this simple but important change. That is why we have brought these amendments forward in advance of establishing the new financial assistance scheme, to make a start on the things that matter most to victim-survivors. This reform is contained in the Workplace Safety Legislation and Other Matters Amendment Bill 2021 and will commence as soon as the bill is given royal assent.

The government is taking steps to deliver on the election commitment to progress the recommendations of the Victorian Law Reform Commission's report on financial assistance for victims of crime. These reforms will create a more fair, timely and trauma-informed system for financial assistance for victims of crime and their families. The new financial assistance scheme for victims of crime is a highly anticipated reform because of the fundamental difference it will make to victims' lives. This new administrative scheme will mean no courts or judges are involved in deciding financial assistance. It will broaden eligibility and categories of assistance, simplify the application process and better acknowledge harm faced by victims and their families. It will uphold cultural safety and trauma-informed practice as a priority at its very foundation.

I am delighted at the prospect of this extraordinary reform that will make a huge difference to victims of crime. A dedicated team has been established within the Department of Justice and Community Safety and is working to progress these reforms, including through community consultation, scheme design and demand modelling. This government has made it a priority to consult with victim-survivors to ensure that we are able to achieve beneficial outcomes. We have heard loud and clear from victim-survivors, including the powerful representatives on the Victims of Crime Consultative Committee, how important these reforms are. As a result of our extensive consultation, in the most recent budget there was released a \$64 million package for victim support. \$54.6 million was allocated to building the new financial assistance scheme and improving services for victims, including undertaking detailed service design of the new scheme, focusing on what and how victims experience the service of requesting financial assistance, including key recommendations such as implementing the signature experience of victim recognition—a new approach to recognising victims only carried out here in Victoria.

We are also building a major ICT platform to operate and administer the new financial assistance scheme. We are preparing for the physical transition from the current Victims of Crime Assistance Tribunal, or VOCAT, to a new business operating model that can support victims. There is \$7.3 million for the new victims legal service to provide legal services to FAS applicants—that is financial assistance scheme applicants—and to victims seeking restitution and compensation orders. It is important that the new financial assistance scheme is built victim centred from the very ground up. We will not rush this important process of listening to victims. We will ensure the new system is innovative, responsive, trauma informed and accessible. We must get it right.

The funding from the 2021–22 budget also includes more than \$7 million to create a new dedicated victims legal service, the first of its kind in our state. With funding beginning in 2022–23 the service will provide legal information and advice to victims making applications to the new financial assistance scheme when it is established and to victims seeking restitution and compensation orders. This is a great innovation and service, and I know that the government and community legal services are working hard on designing this and how it will deliver great outcomes for victims of crime.

I also want to speak briefly on the progress this government is making to improve the justice system for victim-survivors of sexual offences. The Victorian Law Reform Commission's recent report

*Improving the Justice System Response to Sexual Offences* is crucial in reforming the justice system and making it safer for survivors of sexual offences. Led by the Attorney-General, as an immediate first step we have already commenced work on new affirmative consent laws to make it clear that a person has responsibility to say or do something to establish consent. We have also started work on criminalising stealthing. This government is also delivering \$5.2 million in a funding boost to specialised sexual assault services to help respond to increasing reporting and demand.

Sexual violence and harm do not have any place in Victoria, and the government is working hard to reform the way the justice system responds to them. Importantly, we are ensuring that in addressing these processes they are indeed centred around victims. Victim-centred restorative processes are an important addition and alternative to traditional justice processes. They give victims the opportunity to tell their story in a safe and supportive environment. The new victim-centred restorative justice program will provide eligible victims with more opportunities to participate in restorative justice processes. The program will introduce new restorative justice streams for families of adolescents using violence in the home, victims seeking a restorative process with offenders under sentence and applicants to the new financial assistance scheme.

We know that reporting crime and giving evidence in court is daunting. This is especially true for children, young people and adults with cognitive disability, who face additional barriers to accessing justice. These reforms and services have made it extremely clear that the Andrews Labor government is listening to what victims are saying and will help deliver on what they need.

**Ms PATTEN** (Northern Metropolitan) (10:54): I am pleased to rise to Ms Maxwell's motion today. It is one that Ms Maxwell, Ms Watt and I have probably lived for the last year or so as part of our inquiry into the criminal justice system. These issues were very pertinent and were really expressed by a wide range of people. We met with many victims of crime and organisations supporting them and a variety of legal organisations that also spoke of the need for victims of crime to really be included in the process. That has been a difficult thing to grapple with in our current justice system. Where does the victim sit in that system? For all intents and purposes the victim is not part of the proceedings. The victim is sometimes just a mere witness to them, a mere bystander to the crime as far as our court system is concerned. So this motion really does go to that.

The impact of crime on victims and victim-survivors, their families and their loved ones is different for every person, is complicated, can often be absolutely profound and can have ongoing psychological and physical impacts. As I say, it is different for everyone. People have varying levels of trauma and varying levels at different stages, and that recovery is not necessarily the same for everyone—and some people may never recover. So anything that we can do to address those current system limitations and better meet victims' needs for assistance is absolutely a good thing.

As Ms Maxwell has already stated, the 2018 Victorian Law Reform Commission report, the *Review of the Victims of Crime Assistance Act 1996*, made 100 recommendations to reform state-funded financial assistance to victims of crime. The principal recommendation was that the existing act be repealed and replaced to include a new state-funded financial assistance scheme for victims of crime. I understand that work on that is afoot, certainly hearing from the government speakers who expressed that as well. We also heard that during our committee investigations.

You will need to watch this space to see where our committee landed on this. The report—and it is quite a tome; in fact I believe it is going to go to two volumes—is currently at the printers, so I hope that we will be able to table that very shortly. But much of what we heard is on the public record. Much of what we heard was in the public hearings that we undertook around the state and also in the public submissions that were made by a wide variety of people. Some people will live that day every day for the rest of their lives. Other people have found ways to deal with that, and they have found different solutions to recovery. But it is different for everyone, and our current scheme probably does not reflect that.

I think we hear that in everything. We heard that in the homelessness inquiry—that our current system creates these boxes of service and creates these boxes of assistance, but if you do not fit that box or if you need more assistance, if you need more than three months assistance, ‘Well sorry, you have to reapply and go back in’. And the same applies for victims of crime. So we see that there are considerable shortcomings in it.

Also, many times, as I said, victims of crime feel like bystanders in this whole system. They feel like a third party that is kind of watching what happened—what was this intimate part of their life. They are just watching from the sidelines, and in many ways they are treated like they are sitting in the audience viewing, with people talking about the most profound day of their life, quite often, and the most damaging day of their life. So if we can we should work out a way that is less adversarial, is more accessible and of course is better resourced. We heard that many times. Sometimes it was simple things like changing the architecture or changing the design of courts so that victims’ families did not have to come face to face with the perpetrator. We heard that this has worked successfully in some court places and in some systems, and I think we can do a lot more in that area.

For many victim-survivors and their families just trying to traverse the justice system if they have never been involved in it, to understand the court structure, to understand the processes—and they are complicated and quite often they are archaic and draconian—is difficult. We need to provide some legal assistance to victims, to victim-survivors, to their families so that they can better understand the system, they can better understand the role that they have to play in that system and they can better understand the resources that are available—and certainly those resources do need to be expanded, and that is without doubt.

We understand from the government that a new system is being developed. Certainly from speaking to Fiona McCormack, the victims of crime commissioner, she was optimistic about some parts but concerned about others and concerned that we did not go far enough—things like recognising victims in the Charter of Human Rights and Responsibilities. Those were areas that were discussed with us in public hearings, so I am certainly not speaking out of school here. We do need to address those gaps, and those gaps were very articulately put to us not only by Fiona McCormack but by families, by survivors, by victims who all spoke about how the system had let them down and at what point. We heard so many varied stories about where the system failed.

This is about our community. It is about our community’s wellbeing, it is about our community’s recovery and it is about people who have experienced significant trauma. They need our help, and our system should be able to provide that. And we need to be able to do it in a far more effective way than we are doing it right now. We know change is happening, but for many of us change just cannot happen fast enough and change seems to take this inordinately slow process to get through. Now, I appreciate that that change is happening, but give us some idea of how long we have to wait for change, how long survivors have to wait before they feel that there is an adequate system that meets their diverse range of needs. With that short contribution I would like to commend Ms Maxwell’s action.

**Mr ONDARCHIE** (Northern Metropolitan) (11:03): I rise at this time to support Ms Maxwell’s motion 717, and I thank her for bringing it to the house today. Seventeen years ago, it almost feels like yesterday, my 72-year-old uncle was sitting in his house on the Mornington Peninsula at night watching television and a young man broke into that house—we do not know for what reason; I suspect it was for money associated with his drug habit; I do not know—and discovering my uncle watching TV he was not sure what to do, so he stabbed him 31 times, and he died. My young cousin sitting in her room could hear noises in the family room. Being late at night, she decided to go out of her room to see what all the noise was about and found her father dying on the floor. It seems like it just happened yesterday. I loved him very much. He was so much fun. He loved his family, he loved his sport, he loved—as he would say—his wonderful St Kilda Football Club. Albeit to some people it might seem a long time ago, we all miss him very, very much.

At the time this all happened my young cousin, the product of his second marriage, was a bit alone and was not sure what to do through it all. My role was to try and help her as much as I could, to help her through the homicide investigation, through the trial, through the evidence that was given at the trial, through the court hearings, and of course through the funeral. For us as a family to try and navigate through that whole thing was really, really tough. There were hurdles. There were barriers. There was a stigma associated with this. It was very confronting, and it was very, very scary.

Apart from through school, up until that time I do not think I had set foot in a court. None of us had. That sort of goes to part (1) of Ms Maxwell's motion today, which asks the house to acknowledge the significant and ongoing psychological and physical impacts of crime on victims and victim-survivors. It is really bloody tough. And, as I said at the outset, it feels like it just happened yesterday. It is still raw at some level.

We do need to recognise that victims of crime still need varying levels of support, as Ms Maxwell's motion says today, because it is still traumatic. As I suspect is evident today, it is still traumatic to me but very traumatic to my cousin, who has had to live her life through this. She is a wonderful mother and has two beautiful children. She does an awesome job, and she has the love of course of me and the wider family every single day.

This motion is very, very important. This motion is important because it calls on the government to introduce the new financial assistance scheme that came about as a result of the Victorian Law Reform Commission's report as one of its recommendations. The update that was provided in December 2021 did not talk about this. This is not just about money for victims of crime, it is about a whole range of support services. We need to get on with it. We need to see the time line for the introduction of the victims of crime financial assistance scheme and how that will transition. We need to do that urgently, not just for my cousin but for all victims and their families.

**Ms TAYLOR** (Southern Metropolitan) (11:07): I know that the Minister for Victim Support has been working collaboratively with Ms Maxwell and obviously other stakeholders, and we very much appreciate her passion and commitment and dedication to what are really some of the most serious topics that we have to face in society, without question. It is quite moving even to talk about it in the chamber. But I think it is good and positive that we do discuss these things, as difficult and emotionally disturbing as they can be, because I think in that way it not only extends the voice of victims—and I will get to the point about victims being heard—but it ensures that these matters continue to be progressed and also validates the expression of victims and their capacity to talk about the things that have happened.

It must be, I imagine, very, very difficult to have to speak about any number of these extremely traumatic experiences. I think that goes without saying. It takes a lot of courage to be able to do that per se, let alone then to find further courage to actually pursue a fair and just outcome. That takes a lot of internal strength, but that is also where we as a community and a state can provide the necessary support to help people, as best we can, to work through. I say 'work through' because I think it has been pretty thoroughly discussed already the fact that trauma is individualised. You cannot define necessarily how one person or another is going to be able to heal from an experience that has potentially permanently altered their life negatively. I mean, one would hope that one finds a pathway to some healing and some recovery along the way, but it makes sense that when we have experienced something traumatic, as much as we might tell ourselves that that experience is past, it can very much be embodied. I am not a psychologist, but I do appreciate that it can take many, many, many years, if not a lifetime, to have any hope of recovery and healing from something that is inherently traumatic.

But on that point I thought I would zone in on one of the key elements of the motion, which is regarding the financial assistance scheme (FAS) for victims of crime. I know that we are taking steps to deliver on the election commitment to progress the recommendations of the Victorian Law Reform Commission's report on financial assistance for victims of crime, and I just want to emphasise that that is very much backed in by an active process, so it is not simply a discussion, because then that

would not be satisfactory. There are many actions that are underway to ensure that we do get to the other side of getting this scheme up and running.

On the point of noting the individualised nature of and the sensitivity for victims of crime—and I am not saying something that the chamber is not on board with—it has to be victim centred. On the one hand we cannot rush that and we do need to properly listen to victims, because otherwise we are actually contradicting the underlying purpose of setting up a scheme of this nature. I know at times in other matters there is conjecture about, ‘Have you properly consulted as a government? Have you gone through the steps?’, which are legitimate questions, and it is certainly fair and reasonable for people to pose those questions. But at the same time we have to honour that process of authentically making sure that this is victim led and trauma informed, and to dishonour that would undermine the premise and the purpose upon which we are taking these reforms forward. To enunciate what has been undertaken is to actually give credence to the efforts of so many victims of crime, so they know that their advocacy and their courage is being listened to and acted upon. That is why I am enunciating it. It is not lip-service, it is literally to connect that strong voice—or voices, I should say, plural—of the many, many, many victims that there are unfortunately in society and across the globe. But here obviously we are localising to Victoria, because that is relevant to our government, to make sure they know that we take this extremely seriously, and that is why we are actively progressing this very important reform.

There are various aspects of this reform which I would see as particularly helpful, noting that this new administrative scheme will mean no courts or judges are involved in deciding financial assistance. So that is a fundamental change, and it will broaden eligibility and categories of assistance, simplify the application process and better acknowledge harm faced by victims and their families. It will uphold—and this is a point that Ms Shing articulated earlier—cultural safety and trauma-informed practice as a priority at its foundation.

I think what is most satisfying and what will be rewarding is to see the huge difference that this scheme will make to victims of crime. Further to the point about where progress on this scheme is at, we note that a dedicated team have been established within the Department of Justice and Community Safety and they are working to progress these reforms, including community consultation, scheme design and demand modelling.

I really want to emphasise that as a government we have heard loud and clear from victim-survivors, including the powerful representatives on the Victims of Crime Consultative Committee, just how important these reforms are. I am emphasising that because there is nothing worse than voicing a concern and then not feeling like there is an outcome. So I want to emphasise that we are very much progressing to the outcome. That is why in the 2021–22 budget, as part of the record \$64 million package to victim support, \$54.6 million was allocated—I do not want it to sound like empty words; the reason I am saying that is that we know that government funding is pulled in many, many directions, but this reflects that it is a priority, and that is why I am putting it on the record—to build the new financial assistance scheme. Obviously without funding you are not going to progress a scheme. Ultimately the purpose is to improve services for victims and to hopefully help them on that path to healing. It may be managing their emotions throughout a lifetime. I am not here to define when or how a person heals, because that is certainly beyond my capacity and scope, and it is something that is certainly individual.

With the scheme, we are undertaking detailed service design, focusing on what and how—and I think this has been discussed at length for good reason in the chamber—victims experience a service of requesting financial assistance, including key recommendations such as implementing the signature experience of victim recognition. This is a new approach to recognising victims, and it is only carried out in Victoria. That will be thanks to the direct feedback of victims who have been through some very difficult experiences in their lives.

We obviously have to build a major ICT platform to operate and administer the new financial assistance scheme, and we have to get that right because we want victims to know that they have a system that they can rely upon. We are preparing for the physical transition from the current Victims of Crime Assistance Tribunal to a new business operating model that can support victims, and there is \$7.3 million for a victim legal service to provide legal service to FAS applicants and to victims seeking restitution and compensation orders.

All of this detailed and important work is currently underway. The reason I am emphasising that is so those people who are directly impacted by the scheme know that they are being heard. We are honouring their needs, and it is in the process of being delivered, but we have to do it right and we do have to make sure that it is trauma led.

**Dr CUMMING** (Western Metropolitan) (11:17): I rise today to support the Justice Party and Ms Maxwell's motion, which acknowledges the significant and ongoing psychological and physical impacts of crime on victims and victim-survivors and recognises that victims of crime need access to varying levels of support at different stages of their trauma and recovery. The limitations of the current scheme result in some victims of crime exiting and disengaging from the current service response without receiving assistance that meets their needs.

I also note that the Victorian Law Reform Commission's July 2018 report, which is the *Review of the Victims of Crime Assistance Act 1996*, made 100 recommendations, including the establishment of a new state-funded financial assistance scheme for victims of crime, and that the *Victim Support Update* of December 2021 does not include the introduction of a new financial assistance scheme in this term of Parliament. The motion calls on the government to provide a detailed time line for the introduction of a new victims of crime financial assistance scheme, transitional details and a mechanism for victims of crime, including children, victims of sexual and violent offences and family members of deceased victims, to access ongoing psychological support and counselling without needing to reapply through the current scheme until a new victims of crime financial assistance scheme is implemented.

I stand proudly today to support this motion as a former member of the Justice Party. We have many victims of crime who, due to the psychological strains that they currently face, due to the lack of psychological programs out there and due to the current pandemic and the challenges in trying to get access to psychological services, have really struggled. For me there are far too many victims out there that need that support, and this government has given lip-service to that. So I would hope this motion pressures the government at this time to make sure that this occurs before November, before the state election, that they do not continue to give lip-service to victims of crime and that they do not continue to say that they stand with victims of crime but not put action and money behind their words. For me, there has been many a time during the last couple of years that people have come forward to my office. This is timely. It is needed. It is needed now—it actually was needed yesterday—so I would hope that this government hears this Parliament's call for it to occur now.

I wish this motion strength and passage, especially for the adults that have come forward having been victims when they were children. I hope that this government do not continue with their lip-service and they actually put money towards psychological services.

**Ms TERPSTRA** (Eastern Metropolitan) (11:21): I rise to also make a contribution on the motion brought by Ms Maxwell in regard to victim support. Before I begin my contribution I just want to acknowledge Ms Maxwell's and Mr Grimley's contribution and advocacy in this area. I know it is something that the Hinch party very strongly advocates for, and I know that Ms Maxwell and Mr Grimley have been very strong advocates in this place, in this chamber, on victims rights and reforms. And so I thank you, Ms Maxwell, for bringing this motion and for your advocacy in this space.

It is a detailed motion and it goes to a range of things, but at the core and at the heart of it it is talking about the physical impacts of crime and the ongoing psychological impacts on victims and victim-



survivors and what they might look like. But also it does note the Victorian Law Reform Commission's report—and it was a comprehensive report—*Review of the Victims of Crime Assistance Act 1996*. There were 100 recommendations that arose from that law reform commission report, and they included the establishment of a new state-funded financial assistance scheme for victims of crime. So the Victorian Labor government, the Andrews Labor government, has done extensive work to progress all of these matters, and I will just outline some of the key areas which the Victorian government has been working on. There is lots to do and there is always more to do, and sometimes these reforms can take time. Of course sometimes you need the machinery behind some of these reforms to get things moving, and as I said, these things can take time.

Some of the reform areas, just in broad brushstrokes, I will highlight now, and I will talk about them a bit more in a second. There were amendments to the Victims of Crime Assistance Act 1996. There was a financial assistance scheme for victims of crime that was set up. There was a new victims legal service established, and there were also reforms improving the assistance for victims of sexual offences and establishing victim-centred restorative justice programs. There were also reforms focusing on assistance for children, young people and adults with cognitive disability. We know that women from multicultural backgrounds but also people from a transgender or LGBTIQ+ background can be more vulnerable to being victims of crime and particularly to sexually based offences, and there are support services available for all victims of crime. There are, as I have said, broad brushstrokes that highlight some of the very well considered and extensive aspects that the law reform commission set out that the government should look at. We are steadily working our way through them.

I might just talk for a moment about the 2021–22 budget. There is a record \$64 million package for victim support, and \$54.6 million of that is allocated to build the new financial assistance scheme and improve services for victims. That includes undertaking detailed service design of the new scheme, focusing on how victims experience the service of requesting financial assistance, including key recommendations such as implementing the signature experience of victim recognition, a new approach to recognising victims which is only carried out in Victoria. That is a significant reform and something that I know the Andrews Labor government is particularly proud of. We look forward to that scheme continuing and developing as it is further embedded. We are also building a major ICT platform to operate and administer the new system, preparing for the physical transition from the current Victims of Crime Assistance Tribunal, or VOCAT, to a new business operating model that can support victims. There is also \$7.3 million for a victims legal service to provide legal advice to applicants and victims seeking restitution and compensation orders. So there is some very detailed work that is underway in regard to that.

Also, funding from the 2021–22 budget includes more than \$7 million to create a new dedicated victims legal service—again the first of its kind in Victoria. So there is a significant commitment and dedicated funding to assist victims. With that funding the service will provide legal information and advice to victims making application to the new financial assistance scheme, when it is established, and to victims seeking restitution compensation orders. It is a great innovation, and I know the government and the community legal services sector are working hard on designing it. It will assist victims of crime in that regard.

I will also speak briefly on the progress that the government is making to improve the justice system for victim-survivors of sexual offences. The Victorian Law Reform Commission's recent report on improving justice system responses to sexual offending is a crucial step in reforming the justice system and making it safe for survivors of sexual offences. Again led by the Attorney-General, as an immediate first step we have already commenced work on new affirmative consent laws to make it clear that a person has responsibility to say or do something to establish consent. We have also started work on criminalising stealthing. The government is delivering a \$5.2 million funding boost to specialist sexual assault services to help respond to increasing reporting and demand. Sexual violence does harm and does not have any place in Victoria, and the government will continue to work hard to reform the way the justice system responds to it.

They are just a few highlighted areas of reform. Again, these are ongoing reforms that take time, but we are continuing to work hard on all of those things. I note Ms Maxwell's motion calls for a review of how the government is working on implementing these 100 recommendations. But, as I said, it does take time. As to seeking a detailed time line for the introduction of the new victims of crime financial assistance model and transition details, again these things do take time. I do not think it is something that Ms Maxwell would have necessarily intended in the motion, but we want to work as quickly as possible on these things. There is no intention on the government's part to delay any of these things; we need to work on these things as quickly as possible. Sometimes machinery of government can move a little bit slowly, but it is not for want of trying to continue to move things along.

It is a well-intentioned motion. I hope I have highlighted and outlined particularly a few areas that the Andrews Labor government is continuing to progress these matters on. I look forward to seeing the continued work of the government on progressing and implementing all of the recommendations of the law reform commission. I know we are working really hard on it, and I know that victims of crime do see that there is progress being made and appreciate the implementation of the reforms. As I said, I understand and appreciate Ms Maxwell's and Mr Grimley's strong advocacy in this space. I can assure the Hinch party and victims who may be watching these proceedings at home today that the Andrews government will continue to work hard on implementing the recommendations and funding them appropriately, because of course it is important to make sure that funding backs up reforms; they cannot happen without dedicated funding. I will leave my contribution there.

**Ms MAXWELL** (Northern Victoria) (11:30): Of course I would like to thank everyone for their contributions today to my motion in an area of policy that is so important not only to me and to Derryn Hinch's Justice Party but to the recovery of people whose lives are forever scarred by violence and crime. It is always heartbreaking to hear from victims who sometimes 10 years on still feel let down every step of the way. A victim shared just last week how the system perpetuates their trauma, how they have lost faith and how they find it hard to move forward. I hear this regularly. It is why I ran for Parliament and why I put this motion forward.

I would like to thank Mr Ondarchie for his heartfelt contribution, and I am conscious every time I raise these matters in this chamber of the vicarious trauma that may be inflicted upon not only those of you within this house but anyone watching, and that does affect me deeply, but we must talk about these things. This is life; this is unfortunately what happens, and we have to expose it. We have to highlight it. This is such an important issue.

The new financial assistance scheme is very important reform and must be done properly, as has been reiterated by members of the government. But it is also urgent, and every year that passes is another year that victims continue navigating a system that all of the reports and all of the reviews consistently tell us does not meet their needs. This scheme is simply removing a barrier to support that victims should be entitled to. Removing this barrier will save stress on the individual and save money within the system. Putting aside the benefits to victims by simply relieving them of the requirement to go back and justify their pain in order to receive counselling, the whole process costs time and money.

Ms Shing spoke about the services available, and there are many; however, what we know through evidence is that the current systems are not working, hence my motion today. Ms Taylor reiterated in this chamber that this process cannot be rushed. The Victorian Law Reform Commission came out in 2018 with these recommendations. This is not what I call rushing an improvement to this system. We are not asking to reinvent the wheel. The evidence is already available. Please give the cohort mentioned in my motion what they need now, not at an undetermined date. Ms Stitt highlighted what the government has already funded and implemented, but I will say it again: these recommendations were made in 2018.

I hope everyone in this chamber will recognise that what I am putting forward today is a small change that will make a big difference until the new reforms are delivered, because we have been promised that those reforms are coming, but we do not know when. The government have suggested that

extending this is too open ended, but it is not. They have dodged the ‘Why?’ and are sitting behind the ‘Why not?’. The government is seeking millions in order to respond to the recommendations of the Royal Commission into Victoria’s Mental Health System. This is mental health. Victims of crime are some of the most mentally vulnerable people in our society. It can be done—it just needs the political will to do it now.

**Motion agreed to.**

### **Business of the house**

### **NOTICES OF MOTION**

**Ms MAXWELL** (Northern Victoria) (11:35): I move:

That the consideration of notice of motion, general business, 718, be postponed until later this day.

**Motion agreed to.**

### **Motions**

### **AUSTRALIAN LABOR PARTY**

**Ms VAGHELA** (Western Metropolitan) (11:35): I move:

That this house notes:

- (1) the systematic bullying, harassment and intimidation campaign I have been subjected to since being elected to the Parliament of Victoria by a group of men led by the Premier’s close personal friend Mr Luckee Kohli and a staff member from the Premier’s private office, Mr Vinayak Kolape;
- (2) that the Minister for Women, the Honourable Gabrielle Williams MP, and the Premier, the Honourable Daniel Andrews MP, participated in the systematic bullying campaign against me by seeking to undermine, isolate and exclude me; and
- (3) that the Premier and his private office refused to take action to stop the systematic bullying campaign for 2½ years from my first complaint to the Premier’s private office on 30 April 2019 and further complaints at regular intervals thereafter.

I believe I have a duty to convey to the public my traumatic experience of being systematically bullied, harassed and intimidated so that the political system, in particular the tribalism of the Australian Labor Party, goes through cultural change. The ALP factional culture is toxic and corrosive. It is broken and badly in need of repair. As you will see, it is not conducive to women.

I made my way into the party through being a community activist. I must admit that I did not know the party and its culture, let alone the factional system, when I came into Parliament, and I still do not. The people that recruited me were from the Socialist Left; therefore by extension I was SL. Apparently when you join the SL you cannot leave. My experience demonstrates that certain individuals seem to think that in the name of factional tribalism all societal norms and standards are suspended and that the Labor Party factions have a carve-out in law where everything goes, including all forms of bullying, intimidation and harassment. When someone who has not grown up in the tribal factional culture is systematically targeted for leaving a faction, as I was, the experience is traumatic, especially when your cries for help are ignored by those with the power to stop it, such as the Premier and his office.

I was approached to stand for preselection by the right, who were looking for an educated woman candidate from an ethnic background. As soon as I nominated I got an angry text message, on 13 August 2018, from Ms Gabrielle Williams questioning my integrity and demanding an explanation. I thought it was strange that Ms Williams thought that she had proprietorial rights over me. I did not make too much of it at the time. Little did I know that that text message was the opening salvo in the worst period of my life, and I do not say that lightly since I have had many challenges in my life, growing up in a small town in India.

The night I was elected to Parliament in November 2018 was one of the happiest days of my life. I was proud of my achievements. I was proud to be the first person of Indian heritage to be elected to the Victorian Parliament, and the fact that I am a woman I thought was even more significant and would help inspire other women from non-English-speaking backgrounds to participate in the political process and empower them by giving them a voice.

But my happiness was short lived, as a systematic bullying campaign soon began against me. The Premier's adviser Mr Vinayak Kolape and the Premier's close personal friend Mr Luckee Kohli were ringleaders of a group of men who incessantly bullied, harassed and intimidated me. At events they would stand over me and invade my space, pointing, laughing, mocking and sneering at me. Their campaign extended to spreading nasty rumours, excluding me from attending events and undermining my ability to do my job. Their strategy was to bully, harass and intimidate me to such a degree that I would simply walk away from politics. It is difficult to put into words how threatening the behaviour of this group of men was. The fact that they were so open in their hostility gave me a sense that there would be a physical element to it at some stage. I therefore felt scared and anxious in going to events and functions. I had to take my husband or staff with me at all times.

This fear paralysed me. I could not eat and sleep as my health suffered from the stress of being bullied and the fear of physical attack. Before I was elected I was a strong and independent woman, but in a matter of months I became a nervous wreck. This fear was compounded when Mr Kohli sent me a threatening text message at 2 o'clock in the morning on 6 April 2019. The text message woke me up and unsettled me. The text message was a further part of their bullying and intimidation campaign.

On 29 April 2019 a man named Ravi Ragupathy, who is aligned with Mr Kohli and Mr Kolape, put up a post on social media calling me a circus monkey for leaving the SL. This harassment was the final straw. I had resisted complaining because I did not want to be seen as a whinger. However, I could not allow Mr Kohli and Mr Kolape to continue to ruin my life. On 30 April 2019 I made my first complaint to the Premier's private office when I met with a senior member of the PPO named Mr Ben Foster.

On 6 May 2019 I texted Mr Ben Foster asking him to provide feedback on what action the PPO had taken about the bullying complaints I had made at our 30 April 2019 meeting. At my insistence we met later that day, and I reinforced my bullying complaints against Mr Kohli and Mr Kolape. On 22 May 2019 I sent Mr Foster another text message requesting feedback on what action the PPO had taken in response to my complaints, as reiterated to him at our 6 May meeting, about the bullying, harassment and intimidation I was being subjected to. Mr Foster's response to my text was to ignore the bullying complaints that I had been making to him and respond to a very minor matter that we had discussed in our previous meeting. When I refused to accept his diversion and pressed him on what action the PPO had taken on the bullying complaints, Mr Foster did not respond to my text message.

On 6 June 2019 I sent Mr Foster another text message, again requesting an update on what actions the PPO had taken concerning my complaints about Mr Kohli and Mr Kolape leading a group of men systematically bullying, harassing and intimidating me. I did not get a response to this text message from Mr Foster. Instead of taking action to deal with my bullying complaints, the PPO and/or the Premier punished me by excluding me from an important event for leaders of the Indian community hosted by the Premier in his private office on 17 June 2019. Whilst I was excluded, the men that had led a systematic bullying complaint against me were invited. On 16 June 2019 I sent a text message to Mr Foster expressing my concern at my being excluded and my bullies being invited. I did not receive an apology or any form of reply to my text message.

I continued to make complaints because I was scared, not because I was crazy or irrational. I complained because I sensed that the bullying would lead to violence of some form at some stage. I feared that something was going to happen because their actions were openly hostile. On 29 October 2019 I sent a message to Mr Foster complaining about the behaviour of a man named Zeeshan Raza, who was associated with the SL and was part of a group of men that Mr Kohli and Mr Kolape led in

their systematic bullying of me. I did not receive any response to this message, and no action was taken by the PPO.

All my fears were realised on 9 November 2019 at an event where Mr Kohli, Mr Kolape and their friends had gathered again in a group, engaging in their usual intimidating behaviour. This time Mr Raza suddenly broke away from the group and physically assaulted my husband. He grabbed my husband by the bicep and attempted to drag him outside, away from the sight of people. The man was in a state of rage. I was so terrified that I began to tremble. I have never experienced an assault or any other form of physical confrontation before, so it was a terrifying experience. The fact that I experienced this when I was an MP and after seven months of continual requests for help from the PPO made me very angry, because the PPO and the Premier could have stopped the bullying campaign when I first complained in April 2019.

On 14 November 2019 I met with Mr Grant Williams and Mr Christopher Pace from parliamentary security services, who advised me to take out an intervention order against Mr Raza. Mr Williams also informed me that he had informed Mr Foster at the PPO to make sure that the SL advisers were aware of the security risk to me at events.

My anxiety and fear had continued to rise and was at breaking point when a week after the physical assault on my husband, on 16 November 2019, I was verbally assaulted and stood over at the ALP state conference by a staff member working in the Premier's joint electorate office with Mr Jennings. While sitting on the conference floor listening to the proceedings I noticed a woman continuously pointing at me and calling me a rat. I left the conference floor because she would not stop harassing and embarrassing me. She looked like she was repulsed by the sight of me, so I thought not having to see me would calm her down. Rather than stopping, the staffer followed me away from the conference floor and cornered me in the cafeteria, where she stood over me while pointing aggressively at my chest. She continued to call me a rat over and over again.

I could not make sense of the treatment I was receiving. I am convinced they perpetrated such a vicious and systematic campaign because I am a woman and small in stature. I am certain that they would not have done this to a man.

Before I left the SL, the Premier and I had a good relationship. We met when I was organising the Little India campaign in Dandenong. As Leader of the Opposition he was keen to be part of that campaign. However, when I became a member of his caucus, the Premier was a different man towards me. He was hostile. He would not speak to or acknowledge me. He treated me like I was invisible. Despite knowing of my bullying complaints against Mr Kohli, Mr Kolape and their friends, the Premier would brush past me at events and publicly embrace the bullies and their friends as if to reward and encourage their bullying behaviour.

On the advice of the parliamentary security team, on 21 November 2019 I took out an interim intervention order on the man that assaulted my husband. I thought as the PPO was made aware of all this it would finally bring an end to the campaign of bullying. I was wrong. On 10 December 2019 the assailant breached his intervention order by turning up to Parliament. He was secretly escorted into Parliament by an SL ministerial adviser who is aligned with Mr Kohli and Mr Kolape. The adviser had his security pass suspended for three months by the Parliament, but the PPO took no action against the adviser. I did not receive an apology or an assurance that it would not happen again. I was at my wits' end.

On 19 December 2019 I therefore sent a text message to the chief of staff of the Premier pleading for assistance. The message read as follows:

Thank you Lissie for returning my call today. I am sick and tired of these men trying to bully, harass and intimidate me in all the ways they can. They are trying to defame me and malign my name. All these men are associated directly or indirectly with Premier's office. Zeeshan actually wants to hurt me and my family. I am really scared for my safety. I really need your help for my and my family's safety. I have spoken to Ben but nothing has eventuated from that. Before I speak to the Premier, as a last resort, I am seeking your help to

look into this matter. Please take required action. The court magistrate was very concerned about my safety, when I sought the interim intervention order, looking at Zeeshan's behaviour escalated in few days, from sudden unnecessary praising to physically assaulting my husband at a public event. Thank you for your time.

The chief of staff referred me to their in-house lawyer, who told me he could only deal with legal matters and his job was not staff management.

I was discouraged by Ms Marlene Kairouz from sending a letter I had written to the Premier directly. Ms Kairouz advised that the SL and the PPO would claim that I was trying to blow up the government since emails are often sent to be leaked or discovered by an FOI request. Ms Kairouz instead volunteered to speak to the PPO on my behalf. The PPO told her that they understood the circumstances but there was nothing that could be done about Mr Kohli because he was the Premier's personal friend and that they too had problems with him.

On 26 January 2020 I sent Mr Foster a text message once again seeking support for being bullied. On 3 April 2020 I got a full intervention order against Mr Raza. Thereafter we went into lockdown, so there was no action for an extended period.

On 12 May 2021 I sent a text message to Mr Foster for an update on what action they had taken to stop Mr Kohli, Mr Kolape and their gang from bullying me. I sent this text message because we were emerging from lockdown and I was due to attend meetings and events.

On 14 May 2021 I spoke again to the PPO in-house lawyer seeking support. On the same day I also spoke to Mr Foster about my bullying complaint. I felt that Mr Foster either did not take my complaint seriously enough or he was facing internal resistance to dealing with it. I had had enough. On 16 May 2021 I emailed a six-page letter containing all the complaints that we had previously discussed to Mr Foster.

On 8 June 2021 I had a meeting with Mr Foster and Ms Jessie McCrone, who is the deputy chief of staff to the Premier, in the presence of Ms Sarah Connolly MP and Ms Natalie Hutchins. In this meeting I was not asked once what support they could provide for harassment and bullying help.

On 22 June 2021 I sent Mr Foster a text message asking what action had been taken following our 8 June meeting. I received no response to this text message. On 29 July 2021 I called Mr Foster, but he did not take my call. I then sent him a text message asking for an update. Again he did not respond to my text message. There was no contact by the PPO over August and September 2021. I also asked my colleagues Ms Connolly and Ms Hutchins whether they had heard any news, and they both replied that they had not.

On 7 October 2021 I texted Ms Hutchins to ask whether she had been provided any updates since our 8 June 2021 meeting. On 28 October 2021 I met with Ms Hutchins to seek her support in further dealing with the PPO. On 28 October 2021 I sent an email to Ms McCrone requesting an update to our 8 June 2021 meeting. On 28 October 2021 I received a reply to my email from Ms McCrone stating that Mr Kolape would be moved to other office duties.

On 5 November 2021 time options were offered to me for catch-up by the PPO, but I did not want to meet with them alone as I had lost trust in the PPO's intentions. I tried to coordinate the diaries of Ms Hutchins, Ms Connolly and the PPO availability.

I would like to stress here that the MPs I enlisted the support of, including Ms Kairouz, Ms Connolly and Ms Hutchins, were trying to assist me in my dealings with the PPO. I wish to put on record that they acted in good faith and had no authority to take action.

Only after I made public my bullying complaint in February 2022 did I find out that Mr Kolape had been sacked by the PPO in November 2021. At no point did they inform me that they had sacked him. Further, I did not get an apology for the 2½ years that Mr Kohli and Mr Kolape were left to bully me. I still have not got any feedback on what action the Premier has taken with his personal friend and his participation in the bullying behaviour.

Ms Williams's angry text message when I got preselected was a sign of things to come. Throughout the period I have been in Parliament Ms Williams has behaved accordingly. For 3½ years she has referred to me as a rat who cannot be trusted. This childish behaviour extended to official events where she refused to acknowledge me, including events celebrating women with me being the only other MP present. Ms Williams has not spoken a word to me in the 3½ years that we have been in Parliament together. When we are in a group situation she makes a point of trying to isolate me. Some might dismiss her behaviour as a juvenile response to separation and more fitting behaviour for a schoolyard, but we are adults and we are in a real-life workplace where it is not okay to undermine, isolate and exclude. Given the systematic bullying conducted by Mr Kolape and Mr Kohli, I believe Ms Williams was part of the campaign. Ms Williams often says words matter. My word, they do, Minister, and so does behaviour.

The Premier referring to me as 'that person' summed up his three years of interaction with me. By calling me 'that person' he stripped me of my name and my identity, therefore making me feel worthless—exactly how he made me feel in the three years of interactions I have had with him. Leaders set the culture and standards of organisations. The Premier made it very clear that I was persona non grata after I left the SL, and the rest felt they had a licence to go after me.

The fact that the Premier and his Treasurer questioned my psychological wellbeing after I made my complaint public speaks volumes. I am sick of women being characterised as mad, crazy or irrational whenever they complain. There are women who may be experiencing bullying behaviour right now who will think twice after witnessing the brutal victim blaming that the Premier and the Treasurer engaged in because I dared to complain.

All the text messages and emails referred to in my statement have been retained and will be handed to WorkSafe Victoria this week.

I have given the house a well-documented, factual account of my horrendous experience of being systematically bullied for three years. I do not consider this a matter for debate, and therefore I do not propose to sum up should members wish to speak to the motion.

**Ms TAYLOR** (Southern Metropolitan) (11:55): The government fundamentally refutes the allegations in this motion. They are simply not true. The Premier's private office took a series of actions regarding Ms Vaghela's complaints, many of which centred around community members. The single staff member mentioned in the formal written complaint was terminated following a complaints process. Not only does the government refute these allegations, but they are in no way consistent with our track record. We lead by example. More than 50 per cent of the cabinet are women. We were proud to achieve this for the very first time in our state's history back in 2018, and we continue to overshadow those opposite, who prefer to cast stones rather than take action in their own backyard. Not only is our cabinet more than 50 per cent women, the representation in our state's most important decision-making body is bolstered by the great many more women in our caucus, of which I am one.

We all play a critical role in building a fairer state for all Victorians. Our track record on preventing and addressing violence and harassment against women is nation leading, with the first ever Royal Commission into Family Violence, from which we are implementing every single one of the recommendations, and the establishment of a ministerial task force on workplace sexual harassment to develop reforms that will prevent and better respond to sexual harassment in workplaces. We are taking action to ensure that these values reverberate through our public service through examples such as the Gender Equality Act 2020, which is ensuring more than 300 public sector organisations measure progress on gender equality and take action to reduce the gender pay gap and rates of sexual harassment in the workplace. These allegations are definitively rejected by our government because we believe in stopping all forms of violence and harassment against women, and our record puts that beyond doubt.

**Ms CROZIER** (Southern Metropolitan) (11:57): I am rising to respond to the motion that has been put to the house by Ms Vaghela today. I find it extraordinary that the Leader of the House, herself a female, has not responded to this. I believe Ms Vaghela—unlike the government, who have come out and just rejected those claims, what she has said. She has made it very clear what has happened over not just recent weeks and months but years, about her experience. I think that speaks volumes. She has spoken about those that have stood with her. She has named certain MPs that she said have acted in good faith and assisted her. I find it extraordinary that the Government Whip, Ms Taylor, is the one responding on behalf of the government—that the Leader of the Government has not taken this on, that the Deputy Leader of the Government has not taken this on. They have left this response to Ms Taylor, and I find it extraordinary, as I said.

Ms Vaghela just said that she had been to the Department of Parliamentary Services. She was advised from there that intervention orders should be taken out, which, according to her statement, has been done. There was the extraordinary revelation about not understanding that Mr Kolape had been sacked—she only found out through media reports in recent times. I think the telling way that the Premier referred to her as ‘that person’—

**Mr Davis:** Shameful.

**Ms CROZIER:** It was shameful, Mr Davis. She has a name. Her name is Kaushaliya, and for the Premier to call her ‘that person’ I think speaks volumes as well. It is dismissive, it is disrespectful and it says so much about the Premier, that he would rather not believe what she has said over many years about his own office. There were other points that Ms Vaghela raised, but Ms Taylor—

**Business interrupted pursuant to sessional orders.**

### Questions without notice and ministers statements

#### PLANNING PROCESS

**Mr HAYES** (Southern Metropolitan) (12:00): My question is to the Minister for Planning. The Premier last week proposed and then withdrew an \$800 million development levy to finance more social housing, subsequently revealing an interesting agreement. It was an agreement, the Premier said, which levied property developers to pay for social housing in exchange for the government streamlining faster approvals, overhauling the planning system once again in favour of the development industry and creating super profits for developers. The CEO of the Urban Development Institute of Australia said:

The only place where a social housing tax and planning reform is linked is within the bubble of Spring Street politics.

My question is: if the government can do deals with developers in return for fast-tracking approvals and super profits, does it indicate the government’s complete disregard of propriety or even the appearance of following proper planning processes, as it disempowers councils and even VCAT to hand fast-tracking and super profits to developers?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (12:01): I thank Mr Hayes for his question for the planning minister, and I will seek a written response in accordance with the standing orders.

**Mr HAYES** (Southern Metropolitan) (12:01): It has been reported that the government has worked for three years on the proposed social housing reforms, and the Premier stated that the industry has been extensively consulted on the proposal. Yet all three large property lobby groups—the Property Council of Australia, the Urban Development Institute of Australia and the Housing Industry Association—have suggested they were basically blindsided and not consulted. My question is: despite the clear failure of communication with the property industry, I am interested to find out if the minister ran a balanced engagement process for this proposal prior to its announcement and considered



any independent advice, such as from councils, tenant action groups or community groups like the Women's Property Initiatives, and if not, why not?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (12:02): I thank Mr Hayes for his supplementary question, and I will seek a written response from the Minister for Planning.

#### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**Ms CROZIER** (Southern Metropolitan) (12:02): My question is to the Minister for Emergency Services. Minister, in your press release on Monday you again blamed Victorians for the surge in calls to 000. Instead of apologising for the state that your government has allowed ESTA to reach, you again told Victorians effectively that it was their fault. Minister, why haven't you invested properly in ESTA until now, instead blaming the Victorian public and sitting on your hands for over two years, since the pandemic began?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:03): Ms Crozier, I certainly do not blame Victorians for unprecedented demand on ESTA. It is offensive to suggest that. At all times I approach this role with compassion for those that have experienced a call delay and a stern commitment to improve it. On that basis, at every step of the way since being minister I have gone in to bat for ESTA and supported their request for funding. I secured \$27 million in October, and I announced a package of \$115 million just on Monday. This is going to deliver an extra 120 new ongoing positions, and it is flowing right now. More call takers than ever are available at ESTA, and our training schedule is full. We are right behind ESTA in making sure that they can improve their call response times, which are under strain because of more people calling ESTA.

I do not blame Victorians for calling ESTA when they need it, but I do remind people about calling for an ambulance when they do not need one. The direct feedback from ESTA call takers is that they answer calls when people should not be calling ESTA—when they could go to the GP or they could go to the pharmacy to access some medication. It is a real strain on these hardworking call takers when they are trying to help Victorians. 'Sorry, you really shouldn't be calling us; you should be calling someone else' would be what they would be thinking. There are about 20 per cent of those calls, and they do tie up the lines for some of the emergency responses. Of course, if you are in distress, please seek help, but please consider your alternative appropriate mechanisms, whether it is the police assistance line, Nurse-on-Call or indeed accessing your own GP.

Ms Crozier, there is significant funding going into ESTA. We are right behind the interim CEO, Stephen Leane, and his deputy, Deb Abbott. It is an organisation that is full of amazing people that are committed to protecting Victorians, and they have my full support.

**Ms CROZIER** (Southern Metropolitan) (12:05): Minister, there have been men, women and children who have died because of the failures in 000. You have had two years to prepare and plan and have failed to do so, investing only this week. That is shameful. Minister, will you apologise to Victorians for blaming ESTA's issues on them and instead admit your government got this wrong?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:06): Ms Crozier, I addressed these issues in the answer to your previous question. What I remain concerned about are the claims that you make about attributing deaths and adverse outcomes to our hardworking call takers when that is not your role. It is not my role. We have appropriate independent oversight bodies to look into these matters, such as the inspector-general for emergency management and indeed the coroner. I do not wish to engage in this continual attack on our call takers, attributing blame to them for people's—

**Ms Crozier:** On a point of order, President, this is not an attack on the call takers, it is an attack on the government's failures.

**The PRESIDENT:** There is no point of order.

**Ms SYMES:** Of course, Ms Crozier, as I have said in this house, as I have said on the public record, any family enduring a call delay is completely unacceptable, and that is why we are committed to making sure that ESTA get the support they need. We want to do everything so that families do not have to go through this, and we want to give Victorians the confidence that they deserve in a system that is full of people that are committed to— *(Time expired)*

#### MINISTERS STATEMENTS: SUBURBAN REVITALISATION

**Mr LEANE** (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (12:07): Today I would like to update the house on the government's suburban revitalisation programs in Boronia, Noble Park and Frankston for the month of March.

The Boronia Big Flix Festival is kicking off this month. The festival will run on 19 and 26 March and 2 April, three evenings, screening some quality PG movies: *Alice in Wonderland*, *Brave* and *Night at the Museum*. The festival will be run by Knox council and has been made possible by \$80 000 from the Boronia suburban revitalisation program, which is chaired by a wonderful MP, Jackson Taylor.

A Big Day Out is coming to Noble Park on Saturday, 26 March, between 10.00 am and 3.00 pm through \$43 000 from the fantastic Noble Park suburban revitalisation board for this great event. It has a great chair as well in Mr Lee Tarlamis MP. There will be music, delicious food, skateboarding, a silent disco and some community art projects.

Frankston students will collaborate with established street artists to create three new public artworks for Frankston thanks to a \$45 000 investment from the Frankston suburban revitalisation program. Local laneways and buildings will be lit up by Frankston's Big Picture Fest, which will see local schools team up with local artists. The local street art festival runs from 14 March to 20 March, and a shout-out to the chair of that board, Paul Edbrooke, a fantastic MP.

#### CLIMATE CHANGE

**Dr RATNAM** (Northern Metropolitan) (12:09): My question today is to the Minister for Resources. Evidence of the escalating climate crisis is here right now, being faced by flooded communities throughout Queensland and New South Wales. The single biggest issue—

*Members interjecting.*

**The PRESIDENT:** Order! I cannot hear a word. Dr Ratnam, from the beginning, please.

**Dr RATNAM:** Thank you, President. My question today is to the Minister for Resources. Evidence of the escalating climate crisis is here right now, being faced by flooded communities throughout Queensland and New South Wales. The single biggest cause of climate change is burning coal, oil and gas. Two weeks ago the New South Wales government announced a ban on all new coal, oil and gas mining and drilling offshore off their coast. This was good news for the climate, the oceans, marine life and the coastline of New South Wales. Will the Labor government in Victoria follow the lead of New South Wales and introduce a similar ban?

**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): Thank you, Dr Ratnam, for your question and your important observations about the real-life, real-time impacts of climate change that are adversely affecting people in parts of Australia to the north of us but also, as we all know, people in communities right around the world, including of course our own—perhaps in the most stark terms, in those fires of January 2020. Our government are very proud of the work that we are doing to achieve net zero emissions transmission, and we are doing that in a whole lot of different ways. I know your question is to me as the Minister for Resources, but context is very much relevant to the work that is being led by my colleague Minister D'Ambrosio. There is,

as you know, a significant reduction in gas production and use that is forecast. The government is continuing its work on a gas substitution road map.

We have people in the gallery for the first time in two years. Hi! Sorry, I am not allowed to do that and you are not allowed to wave, but that was a nice surprise. I just looked up for a sec.

**Ms Shing:** They are all interested in climate change.

**Ms PULFORD:** They are all interested in climate change because everyone is interested in climate change, including even the Liberal Party in Victoria—unbelievable, late-breaking news! Welcome to the party. Welcome to what is a concerted effort by people around the world to decarbonise our economy and to first ameliorate and then ultimately reverse the impacts of climate change that are so significant. So good on you.

Back to Dr Ratnam's really important question, I have no announcements to make in respect of us following or responding to the New South Wales government's announcement. We are making our own way and very determinedly pursuing renewable energy development and supporting communities, particularly those in the Latrobe Valley, that are impacted by transition, with an enormous amount of work underway there, and of course more to go, working with industry on rehabilitation. But of course we are also cognisant of the fact that gas in particular, which I think is probably where Dr Ratnam will go with her supplementary question, is still an essential form of energy, both for heating and for cooking, for around 2 million Victorian households as well as of course a whole lot of industry. So we will continue to work— *(Time expired)*

**The PRESIDENT:** Members in the gallery, please, no photos should be taken. I would like to welcome you, but no photos are to be taken.

**Dr RATNAM** (Northern Metropolitan) (12:13): Thank you, Minister, for your response. While the investments in renewable energy, as you have cited, are welcome, you do not have a plan to take action on climate change. You do not have a plan to transition immediately from our dependence on fossil fuels—coal, oil and gas—and it is so important that we have a plan to transition. As minister you would be aware the Greens are concerned about plans by Beach Energy to begin production of new gas from the Enterprise well off the coast of Port Campbell. The Labor government has just received an application from Beach Energy to build a new gas pipeline to connect this well. Just last week the UN Intergovernmental Panel on Climate Change warned that right now is the time to stop new fossil fuel projects and concluded that the window of opportunity to take the required action was rapidly closing. So why is this government ignoring the scientific evidence of climate change and still considering applications for new fossil fuel assets like this pipeline?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:14): There are a couple of things; there was a lot there. We are not ignoring the science on climate change, and I absolutely reject that suggestion. We are aggressively pursuing energy transition and working with communities and industry to do that. We are incredibly proud of our record on renewable energy, but we are not going to leave people in a situation, while that is being developed and while that is being developed rapidly, where they cannot cook their dinner and they cannot keep on the lights. We will pursue the path that we are on, which we have been on since day one of this government, and that is delivering all manner of benefits to people across the Victorian community. The Greens have a view about this that disregards the realities that a whole lot of households and industries need to take into account. We are absolutely guided by— *(Time expired)*

#### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:15): My question is to the Minister for Emergency Services. I refer to your announcement on Monday—the \$115.6 million to

bring on more call takers at ESTA—and I therefore ask: how many of the new call takers from this package will be in position by 30 June 2022, and how many will be in position by 30 June 2023?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:16): I thank Mr Davis for his question. As identified, there was a significant funding boost announcement on Monday of \$115.6 million to support ESTA to do the hard work that they do in supporting Victorians who require emergency responses. There are 120 positions to be recruited. That money is flowing now. As I have indicated to the house previously, our training schedule is full up until May/June, and we are embarking on a recruitment campaign to encourage more and more people to consider such a rewarding job at ESTA. In relation to the specifics of your question, Mr Davis, support is available for ESTA to recruit as many people as soon as possible and to have them in place as soon as possible, but operational arrangements in relation to the training placements, the roster arrangements et cetera are matters for ESTA.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:17): With respect, it was a very simple question that was not answered by the minister, and she should answer it. I refer again to the package, which you say has more call takers, support, recruitment and community education campaigns. In light of the previous question, I therefore ask: will you provide the chamber with a breakdown, year by year across the forward estimates, of how much will be spent in each of the parts of the package to enable the community to track the government's performance, which to date has been hopelessly inadequate?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:17): Mr Davis, it is certainly my intention to be open and transparent on these issues. I have not shied away from the challenges of ESTA. I have said that the delays are unacceptable. I have said that we are committed to providing more staff. And I want to give a guarantee to the community that I will continue to update them on the progress that we make with this funding package and indeed other support that ESTA may require.

**Mr Davis:** On a point of order, President, it was a very simple question about whether the minister will provide that detailed breakdown.

#### MINISTERS STATEMENTS: LYMPHOMA TREATMENT

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:18): I am very pleased to share with the house and indeed with the Victorian community that there could soon be a new treatment option for lymphoma patients. Our government is very proud to be backing preclinical trials of a cancer-busting immunotherapy.

Victorian drug developers Avipep will begin testing their new antibody-based therapy at the Peter MacCallum Cancer Centre in partnership with the CSIRO. Avipep is pioneering a promising new technique using small antibody fragments that target and destroy lymphoma cancer cells. The small proteins, developed by Avipep, are hardwired to precisely attack tumours which are often resistant to treatment, while the immunotherapy method also minimises common toxic side effects for patients. The new therapy offers fresh hope for relapsed lymphoma patients, as there are currently few treatments available for those who have had multiple recurrences of the disease. The hard work of Victorian scientists is delivering some hope and some certainty for these patients and their families. Avipep's antibody treatment is also designed to be effective against a wide range of lymphoma cancers, including Hodgkin's lymphoma and ALCL and CTCL lymphomas.

Around 1700 Victorians are diagnosed with lymphoma each year, and many lose their lives within five to 10 years of their initial diagnosis. A clinical study with cancer patients, including at the Epworth, is set to follow preclinical trials currently underway. The study is backed by the Victorian Medical Research Acceleration Fund, which supports early-stage research and fast-tracks innovative projects from research to real-world impact. A total of 69 projects have received funding through this

program to date, providing nearly \$12 million to the Victorian health and medical research sector as part of our unprecedented investment in medical research and our strong and very proud support for our world-class medical research community.

### DUCK HUNTING

**Mr MEDDICK** (Western Victoria) (12:20): My question is for the Minister for Agriculture in the other place. Once again I rise in this place absolutely appalled that this government, which is usually a progressive government, has acted against science, public opinion and environmental and animal protections. Yes, last week the government called a full-length duck-shooting season. This year's season is 90 days long. Yes, you heard that right: 90 days—90 days of brutal wildlife slaughter. To put it into perspective, last year's duck-shooting season was only 20 days. It gave animal advocates like me some faith that we were edging towards a ban with reduced seasons and bag limits. Minister, what is the justification for calling such a long duck-shooting season when native waterbird numbers are at record lows?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:21): I thank Mr Meddick for his question and his ongoing commitment to the position that he adopts. This is a matter, as he cited, for the Minister for Agriculture. It will be referred to her, and I am sure that she will respond.

**Mr MEDDICK** (Western Victoria) (12:21): Thank you, Minister, for forwarding that on. I look forward to the reply. For a supplementary, we know that there are hundreds of bodies of water across this state where duck shooting can take place. With a full-length season called, how does the government intend to ensure that compliance is monitored when there are only a handful of officers dedicated to that task?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:22): I thank Mr Meddick for his question. Again, I will refer this very operational matter to the Minister for Agriculture for her response.

### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:22): My question is again to the Minister for Emergency Services. With the \$115.6 million allocated to ESTA on Monday, you said that 120 new ongoing positions will all be filled by mid-2023. At \$100 000 per year for call takers, that is \$12 million per year. It is hard to see how this spending can exceed \$45 million over four years, less than half the amount in the package. Minister, will you confirm that less than \$45 million will be spent on call taker salaries or provide a precise figure?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:23): Mr Davis, in relation to the recruiting of new staff for ESTA, you have to advertise, you have to interview, you have to train and then you start paying them. There are lots of steps to ensure that ESTA have the support they need to attract, retain and recruit new call takers, and we also want to make sure that we provide call takers with adequate support. We know firsthand from call takers' experiences that it is a very traumatic job. I want to make sure that they are supported with mental health support when they have a distressing experience. There is a lot that goes into a workplace that is as complex as ESTA. I can confirm that all of the new positions will be progressively coming online by mid-2023, and that work is well underway.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:24): I note the minister still does not want to put precise figures on this, and I note that of the remaining amount, about \$70 million, left of the package after call taker salaries—

**Ms Symes** interjected.

**Mr DAVIS**: No, I'm saying you won't give details.

*Members interjecting.*

**Mr DAVIS:** No, no. Just listen. Of the remaining \$70 million left in the package after call taker—

**Ms Symes** interjected.

**The PRESIDENT:** Order! From the beginning.

**Mr DAVIS:** Minister, of the remaining amount, about \$70 million, left in the package after call taker salaries, how much will be spent on turning Victorians away from calling 000 services through what risks being the mother of all government pre-election advertising campaigns?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:25): It is appalling where you are going with this. My announcement on Monday of \$115 million was based on the advice of what ESTA told me they need. It was not me. I am not the expert in what the allocation of funds to run ESTA is. That is why I have been working very closely with the interim CEO and the deputy CEO, who provided me with what they needed, and that is what we delivered. In relation to recruitment and advertising, it is appropriate to encourage people to take on a rewarding job. In relation to ongoing education campaigns about making sure that you are accessing appropriate services, it is a combination between my department and the Department of Health. In relation to financial breakdowns of this package, I would be very happy to provide you with some more detail. I am sure I will get asked about it in the Public Accounts and Estimates Committee. But in relation to the funding that has been provided, it is what ESTA asked for and what they require to do the best— (*Time expired*)

#### MINISTERS STATEMENTS: TAFE TEACHERS

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:26): As I am sure everyone in this chamber knows, a great teacher can change lives. In the TAFE network we have incredibly dedicated and passionate teachers who share their industry expertise and skills every day. I am grateful to every single TAFE teacher for the work that they do to build the pipeline of skilled workers that Victoria needs, and we need a bigger pipeline. That is why we are seeing more and more students studying at TAFE. There are more enrolments in government-funded TAFE courses than in our first year of government. That is because we have restored the status of vocational training. It is an equal first to university.

When you back TAFE, you need more TAFE teachers, and I am pleased to update the chamber that 125 industry experts have been signed up for the TAFE teacher training scholarships that we launched last year. Fifteen per cent of those experts are in nursing. Twelve per cent will help upskill the next generation of plumbers. I was pleased to meet scholarship recipient Danielle Wright at Glenormiston College last February. Danielle is a dairy farmer who is now on the path towards teaching agriculture at South West TAFE. Her passion for the agriculture industry is contagious, and I am sure that passion will inspire more locals to take up a career in the industry.

I am proud of our investments in the TAFE workforce. We back our teachers each and every day. These scholarships are critical to getting more experts into the TAFE network, and I look forward to seeing even more Victorians sign up.

#### TIMBER INDUSTRY

**Mr BOURMAN** (Eastern Victoria) (12:28): My question is for the minister representing the Minister for Agriculture, Minister Tierney, but it is not about duck shooting today. Plantations are proposed to replace the wild native timber industry, yet we are seeing a push to stop logging in the plantations due to the impact it has on the wildlife which has settled there during the course of its growth. My question is: to enable timber supplies going into the future, will the government commit to allowing plantation timber to always be harvested in Victoria?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:28): I thank Mr Bourman for his question. Yes, it does make a little difference in respect to the topic that he raised today, as opposed to the perennial shifting sands between Mr Meddick and Mr Bourman, that being the issue of timber supplies. That matter is a matter for the Minister for Agriculture, and I will refer the matter to Minister Thomas for a response.

**Mr BOURMAN** (Eastern Victoria) (12:29): I thank the minister for her answer. No-one wants to unreasonably harm any wildlife in the course of their job, so my supplementary is: should wildlife need to be relocated for plantation timber felling to continue unhindered by activists, will the government commit to funding and providing that service in a reasonable time frame to enable that felling to be carried out?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:29): Thank you for the question, Mr Bourman. It does intrigue me as to where the minister will go in respect of that, because it is full of hypotheticals at the very least. Regardless, I will refer it to the Minister for Agriculture for a response, and I am sure that she will do that accordingly.

### COUNTRY FIRE AUTHORITY MORWELL STATION

**Ms BATH** (Eastern Victoria) (12:29): My question is to the Minister for Emergency Services. Volunteers with the Morwell fire brigade are staunchly opposed to Labor's plan to force them to relocate to a new site as a tenant of FRV. In a letter sent to you, the volunteers say they face a hostile environment with FRV staff that is affecting:

... the operational capability of both the staff and volunteers on the fire ground, which is only a detriment to the Morwell community ...

Minister, why are you putting Morwell residents at risk by refusing the request of the volunteers to remain at their current station?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:30): I thank Ms Bath for her question, and of course we are proud to have delivered a brand new fire station for the community of Morwell. In relation to the issues that you raise, I understand that the issues are being worked through with the agencies. Both FRV and CFA have raised this matter with me, and they continue to work together and will work with the volunteers. But in relation to the correspondence you referred to, I have not seen that. I will have a look for that, because I would certainly like to respond and give them an update that I have been advised of this issue and that the parties are working together on a solution.

**Ms BATH** (Eastern Victoria) (12:31): Minister, as a supplementary, Moe CFA volunteers have a separate station at Latrobe West, separate to Latrobe West career firefighters. Eltham CFA volunteers have a separate station to Eltham's career firefighters. Morwell volunteers have told you that if you proceed with this plan 'Morwell Fire Brigade will ... cease to exist'. Minister, in light of their warnings to you, will you now meet with the Morwell volunteers to explain to them why you do not care if they no longer exist?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:32): That is pretty loaded, Ms Bath. I just informed you that I have not even received that letter yet.

**Ms Bath:** It's not a new issue.

**Ms SYMES:** No, it is not a new issue, but I have just explained to you that the parties are working through this together. We have got a specific body that works through issues such as this, and I encourage parties to stay at the table and keep talking.

### MINISTERS STATEMENTS: EARLY CHILDHOOD LANGUAGE PROGRAM

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (12:32): On Monday I had the pleasure of visiting Tarneit Central Kindergarten with local member for Tarneit Sarah Connolly, where they are delivering a bilingual program in Punjabi as part of our government's early childhood language program. Each week at Tarneit over 300 children learn Punjabi alongside English for 12 of the 15 hours they attend kindergarten. The program, which has been running since 2019, has been so successful it was awarded a multicultural award for excellence. The success of the program is due to teachers Jaspreet, Saeeda, Rajni and Rajwinder. It is clear that the children love being part of the program, with language incorporated into play, art, music, singing, dancing and stories. As well as building their literacy skills, children are strengthening their cultural identity.

The early childhood language program is an Australian first, with our government investing \$20.6 million over five years. By next year the program will reach a total of 8000 children at 220 kindergartens, providing jobs for 150 language teachers across 25 different languages, including Aboriginal languages and Auslan amongst the most popular. Languages are chosen based on the languages spoken in the community, the languages of children who are newly arrived or have refugee backgrounds or with reference to languages spoken at nearby primary schools. Among the most popular are Aboriginal languages, Auslan and Chinese.

On Monday I was pleased to announce a further \$2.7 million of funding to enable another 57 kinders to deliver a second language. It means even more children can receive the benefits of our government's language program in early childhood.

### WRITTEN RESPONSES

**The PRESIDENT** (12:34): Regarding questions and answers today: Mr Hayes to the Minister for Planning, Ms Stitt, two days, question and supplementary; Mr Meddick to agriculture, Ms Tierney, two days, question and supplementary; and Mr Bourman, same, two days, question and supplementary.

**Mr Davis**: On a point of order, President, my first question to Ms Symes was very precise about how many new call takers would be in position. Later in the proceedings she indicated she was prepared to provide a breakdown—at a later point in the questioning—and I wonder if she might provide that breakdown and the detailed numbers that I seek.

**The PRESIDENT**: Mr Davis, I believe the minister made it clear that she will keep updating the house on this issue, and to me that answers it.

### Constituency questions

#### NORTHERN METROPOLITAN REGION

**Mr ONDARCHIE** (Northern Metropolitan) (12:35): (1672) My constituency question today is for the Minister for Police. Greenvale residents are concerned about unsafe hooning and the illegal dumping of commercial and building rubbish in new estates. Recently I was grateful to be invited by local advocate Mennan Yelkenci and Cr Jim Overend to meet with Greenvale residents and hear their concerns, and I am grateful to the residents who came and spoke to us about their challenges. Greenvale is such a diverse and wonderful community, a mix of many Victorians building new homes and long-established residential areas, but the feedback I got is they want to be in a cleaner and safer suburb in which to raise their families. To better protect my residents my question to the minister is: will the minister commit to extra police patrols to better deter hooning on Somerton Road, Barrymore Road and Greenvale Drive and illegal dumping of rubbish in new estates west of Mickleham Road and new estates north of Somerton Road? Greenvale residents want a better and cleaner suburb in which to raise their families.



### WESTERN VICTORIA REGION

**Mr MEDDICK** (Western Victoria) (12:36): (1673) My question comes from the residents of Torquay and Jan Juc and is for the Minister for Planning. It is now some time since the distinctive area and landscape consultation with the community was completed, which covered a number of topics but most importantly whether or not the Spring Creek valley would be opened up to development even on a limited basis. Spring Creek has been the subject of much scrutiny, with the Premier twice publicly committing to no development west of Duffields Road and developers frothing at the mouth at the prospect of being denied access to yet another area that is home to many threatened plant and animal species to further increase their super profits. Many residents are nervous and angry given the opposition leader's comments that it should be developed. Will the minister give them some peace of mind and clarity by at least letting them know when the report will be made public?

### WESTERN METROPOLITAN REGION

**Mr FINN** (Western Metropolitan) (12:37): (1674) My constituency question is to the Minister for Health. I have been contacted by a constituent who tells me his problem is shared by quite a number of people who live in Melbourne's west. It concerns the Coles warehouse in Somerton just across the border from my region and of course in Mr Ondarchie's region of Northern Metro, but it does employ a significant number of my constituents. I would suggest very strongly this also impacts many other workplaces across the western suburbs of Melbourne. Three doses of the COVID so-called vaccine are mandated for all workers in the Somerton warehouse. Anyone can go to a Coles supermarket and wander around unvaxxed, but the people who ensure that the supply chain is kept in place cannot work without three jabs. This in my view is ludicrous and makes no sense at all. Minister, when will you end this ridiculous mandate and allow all these workers to actually work to feed their families?

### NORTHERN VICTORIA REGION

**Mr QUILTY** (Northern Victoria) (12:38): (1675) My constituency question is for the Minister for Energy, Environment and Climate Change. The Hanging Rock Cricket Club is set for demolition. This government is determined to kick a small but strong community club out of its historic home, to bulldoze it and replace it with a wetland, aka swamp, with walking tracks and picnic benches. No doubt this is designed to appeal to city-based tourists who might venture into the bush for a daytrip, but like so many things imposed on the regions by this Melbourne government, it is not in the interests of the locals. The plans were revealed in November last year and public consultation commenced on Christmas Eve. It is hard not to conclude that this was rushed through during the holidays when no-one was looking. The 2018 strategic plan emphasised how important the cricket club is to the local community, but it seems little towns in the bush do not count. They are just collateral damage in this government's ongoing war on the regions. Minister, if you will not scrap this plan, will you at least extend the period of public consultation to enable community input to your department's plans?

### SOUTHERN METROPOLITAN REGION

**Ms CROZIER** (Southern Metropolitan) (12:39): (1676) My question is to the Minister for Energy, Environment and Climate Change. It is in relation to a question I asked, where I got a response back from the Minister for Community Sport saying that it should be directed to Ms D'Ambrosio. My question was in relation to the Albert Park sailing precinct, a wonderful resource there for sailing boats, yacht clubs and the community. The Albert Park Yacht Club is a facility that requires a significant upgrade. It has been around for quite some time—in fact I went to their 150th anniversary just a few weeks ago. At present it is facilitating Albert Park College by having 50 to 60 students in the sailing club each day to help with educational learning requirements, but the whole precinct requires a significant amount of money to assist with that. The minister's response said I had gone to the wrong minister. I am wondering if I could redirect this question to the right minister, to Minister D'Ambrosio.

## Motions

## AUSTRALIAN LABOR PARTY

## Debate resumed.

**Ms CROZIER** (Southern Metropolitan) (12:41): Before question time I was responding to the extraordinary response by Ms Taylor, and I was about to make the point that despite what the house had just heard from Ms Vaghela, being new information in terms of that very detailed information that she outlined to the house, Ms Taylor rejected it outright. In fact it was very evident that there was a written response by government that she was reading, because she rejected it in her first statement to the house. However, Ms Vaghela was putting new information into the domain, so the question is really: how could Ms Taylor do that when this new information came about? That is my first point.

The other point I wanted to make is: if Ms Taylor was saying the government denies the allegations in full, then why has Mr Pallas, the Treasurer, who questioned Ms Vaghela's state of mind in what I think was a very disgraceful public statement at the time, since apologised? There are a number of inconsistencies here regarding Ms Taylor's response on behalf of the government that the government rejects these claims outright. I think that is incredibly telling.

The other point I would like to make is that Ms Vaghela spoke about the Minister for Women—and she said that it was the Minister for Women who was bullying her, that women within the Labor Party are actually doing the bullying, very significant claims about a party and a government that claim 'We hear you, we believe you' on a range of matters—and about why the government are rejecting her claims when she has outlined them, when clearly, as she said, she was not aware that the man she was making claims about had been sacked from the Premier's office. She only found that out from a media report just a few weeks ago. So I think there are many inconsistencies in the government's response to this very serious matter.

We have heard the Premier, as I have previously said, refer to Ms Vaghela as 'that person'. We have seen the form of the Premier. He has made claims about members on this side of the house, allegations around my former colleague Ms Bauer—very unsavoury comments, allegations around that—

**Mr Davis:** Shocking.

**Ms CROZIER:** Shocking and never been denied.

**Ms Shing** interjected.

**Ms CROZIER:** Well, the allegations about Ms Bauer were absolutely crude, foul and—

*Members interjecting.*

**Ms CROZIER:** I would like the Premier to come out and say that he never said those words, because according to reports—

*Members interjecting.*

**Ms CROZIER:** I am not going to have a debate, President. I am talking about Ms Vaghela. I stand by my comments regarding the disgraceful comments by the Premier, calling Ms Vaghela 'that person', and what he said about other people on this side of the house, whether it was Ms Bauer or Mr Katos. There were the claims from Ms Garrett. There are other women who have stood up to the Premier, women who have held positions in the public service in various agencies and who have all lost their jobs. They stood up to the Premier. There is a very real culture going through the Labor Party, one of a protection racket—we know that—and the women on the other side, in the government, have not stood by Ms Vaghela. They have come out, and, as she has said, they have ridiculed her and have been quite disgraceful in terms of those claims.

Finally, going back, Ms Taylor rejecting outright the claims made in the house, which was new material put on the record by Ms Vaghela, demonstrates a statement made by the government that she was to read in. Clearly there are other allegations. Why did the Treasurer apologise to Ms Vaghela after his claims? And why did Ms Williams do what she did? If she has not done it, then she can come out and make those assertions in the public domain as well. But Ms Vaghela has put new information on the record. They are serious claims that demonstrate the nature of the toxic culture and the cover-ups that this government will continue to do to save their public position. I think it is incredibly brave that Ms Vaghela has come out. She is wanting to expose what is going on. She is the only one that has been prepared to stand up against what has been said and the actions that have been taken against her. There was a lot of information—

**Ms Pulford** interjected.

**Ms CROZIER:** It is terrible, Ms Pulford. I will take up Ms Pulford's interjection. I will say again: Ms Vaghela brought new information into this house. Ms Taylor stood up and rejected everything outright without even understanding that there were new claims. Who is inconsistent, Ms Pulford? It is the government in terms of not believing Ms Vaghela, not standing up for what she is claiming. You are standing up behind the Premier, who has called Ms Vaghela 'that person'. You did not call that out. None of you called that out. You all stood behind the Premier. You were there, standing behind him, and you did not believe somebody who had made these claims.

For a party that pride themselves on their record in supporting women and believing them, you have just shown yourself to be the absolute flakes that you are. To the flakes, I say again, when it comes to this issue, how flaky it has been and the disgraceful way—

**Ms Bath** interjected.

**Ms CROZIER:** It is when it suits, Ms Bath.

**A member:** Flaky.

**Ms CROZIER:** It has been, because Ms Taylor's response was a prepared response. That was clear because she did not respond to any of the new information. She did not respond to any of the new information that was provided by Ms Vaghela in the house. That says it all—a flaky response by the government. On this side of the house we certainly believe Ms Vaghela's comments.

**Dr CUMMING** (Western Metropolitan) (12:49): It is an interesting day today to speak on Ms Vaghela's motion seeing as yesterday was International Women's Day and this morning we spoke about victims of crime. And here we have the government—look at the way that you are acting—being childish, not believing Ms Vaghela, dismissing her. How very disrespectful are you? For me, I believe Kaushaliya 100 per cent. If you listened to every word that she had to say, it was very clear that it is all true. Why was that person dismissed if it was not true?

**Ms Pulford** interjected.

**Dr CUMMING:** Would you like to interact with me, Ms Pulford?

**Ms Pulford:** No.

**Dr CUMMING:** Are you sure? Because you have obviously—

**The PRESIDENT:** Dr Cumming, please, through the Chair.

**Dr CUMMING:** Either I am going to be able to speak in silence or we are going to have the government constantly—just that undertone of rudeness on such a serious allegation of bullying and harassment. But this is what it is all about, isn't it? For me, my own personal experience from these bullies in the government across here is not dissimilar to what Ms Vaghela has just said: rudeness, disrespect, not treating people as members of Parliament. She was elected like all of you—no different. Just because she changed factions does not mean that you should have acted the way you did towards

her. I know what that is like. I have spent all my years in the western suburbs watching the Labor Party, and I know what you are like, so I believe Kaushaliya 100 per cent.

For others in here that were listening to Kaushaliya earlier and the contribution she was making and not giving her the respect that she deserved, smirking, messaging, laughing—shake your head, but you were. To call her ‘that person’ or ‘a rat’—she has shared with me some of the harassment that she has experienced. I know for a fact that this is exactly how it would have been playing out in the community and how this government would have made sure that she was not invited. They would have been telling people in her community, ‘Don’t invite her to this event, otherwise you will not get funding’. That is how you operate. I know. Since I have been elected, in the last three years there have been events that I would have attended in the western suburbs that I know you have told them not to invite me to. They tell us. If you somehow think that you have got some secret society and that others within the community do not speak about your disgusting behaviour and harassment and about the promise that money will not be coming forward to these multicultural communities if they do not act a certain way, I can assure you that they tell us how you act behind closed doors. They know.

For me, I have had the same bullying and harassment since I have been here at Parliament walking through these corridors. Some of you will actually call it out, but there are many others here who come into this place and act like they will stand up for other people, but they do not.

I will give you a character reference for Kaushaliya for the three years that I have worked with her in the western suburbs: delightful, a beautiful-natured woman, kind, considerate. Every time she has come into this chamber and spoken about the western suburbs it has been from the heart. She is a woman of integrity and honesty. We are now both independents, and good on her for standing up to you and for not actually taking it. Do you show her the respect that she deserves because she has actually stood up for herself, for her community? No. You have gotten up immediately saying, ‘We refute everything she says’. Really? I know that everything that she has said is true—100 per cent, swear on the Bible. Pick the religion you wish to swear on. If it is the Bulldogs, I swear everything that she has said in this chamber is 100 per cent truth. I believe her. I have seen it. I have experienced it myself.

When I have actually gone to others, like the President or the Speaker, when I have had my issues here in this place, I have had absolutely 100 per cent support from the President here and the Speaker in the other place. But there are others who wish to undermine the support that I have received due to the harassment that I have gone through here. So for me, I understand how Kaushaliya is feeling at this moment. I have had the same bullying tactics—feeling like I was under surveillance and followed around; having people try to intimidate me and knock me off my feet so I would not come back, so I would not say what I needed to say here in this chamber; harassing my children; and having death threats so I would not come into this chamber and do my job. Kaushaliya spoke about her husband being attacked. You have not physically put your hands on me yet, but you have threatened. I can name the person; I can name the male member of Parliament in this—you are going to jump up, are you, Harriet? Would you like me to name them? I will.

**Ms Shing:** On a point of order, President, I am just wondering, if there are substantive allegations to be put, whether they are more appropriately put by way of a separate motion.

**The PRESIDENT:** While I understand the point of order, Dr Cumming, my advice to you is not to go that far. Just stick to the motion and do not name any people unless it is related to the motion.

**Dr CUMMING:** Thank you, President. I will listen to your words of advice, but obviously this is a similar tactic to actually try to knock me off my feet, to shut me down. So for me to actually say something—but that is fine. I am not afraid of you.

*Members interjecting.*

**The PRESIDENT:** Let us go back to the motion, please. Stop debating each other and talking to each other—through the Chair.

**Dr CUMMING:** For me, I know that I do have parliamentary privilege, and I will say whatever I want within this chamber for myself and for my community. You cannot frighten me. You cannot jump up, Premier's pillow, and actually say to me—

**Ms Shing:** On a point of order, President, I ask that the member withdraw that comment, which was unparliamentary.

**Dr CUMMING:** What is unparliamentary about calling you a parliamentary pillow or the Premier's pillow?

**The PRESIDENT:** Order! Dr Cumming, I ask you to withdraw.

**Dr CUMMING:** President—

**The PRESIDENT:** No comment; just withdraw.

**Dr CUMMING:** I withdraw. But I do not understand, President, why I cannot call somebody a pillow in this place.

**The PRESIDENT:** We have already dealt with this, and your time has expired.

**Sitting suspended 12.59 pm until 2.03 pm.**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:03): It is not my intention to make a long or extended contribution today. I am conscious that we heard from Ms Vaghela earlier in the day. We have heard a very convincing and detailed description of the events that have occurred. We have really heard I think a set of detail that will take some time to unpack. As I said to a number of people on different sides of the chamber, in fact I do not think we have all understood the detail that was in that contribution by Ms Vaghela. She laid out a series of points that I think many of us are concerned about.

But I do want to put on record that I found the detail and the thoughtful way she presented the material very convincing, and I believe Ms Vaghela. I believe her. I think what she said has the ring of truth about it. It has the serious ring of truth, and I think some of it is verifiable. There have been points made about engagement with parliamentary officials, and these are surely verifiable. There have been points made about engagement with a number of other legal entities, and these are surely also verifiable. So it is not just the word of Ms Vaghela here, it is a serious set of points and allegations that have been made. They have been backed up with immense detail, referenced to text messages and referenced to other documents in precise and forensic detail. It is hard to believe that this is not substantially as Ms Vaghela has laid this out. I do not pretend today, after having heard the contribution made by Ms Vaghela, to have a full understanding of this, because there is clearly great detail there that will take time to unpack. We will need to look at the text in *Hansard* to fully understand what she has laid out. I think it is important that all of us do that, and I certainly will be looking at that contribution. I want to thank Ms Crozier for her contribution, and indeed Dr Cumming.

I do make the point that there is, I think, a pattern here in the behaviour of the Premier and some other people in this government. Whilst a high and mighty game is talked, the actual practice of the government is often very different. Ms Garrett was treated, in my view, appallingly. Ms Mikakos was treated appallingly. The reference made by Ms Crozier to Donna Bauer, a former colleague in the other place, was to a very distressing and concerning set of commentaries by the Premier, and they were heard very clearly by many people. They were foul. That is the only thing that I can say, and I do not want to grace them by repeating them at all.

I do want to put on record my disappointment at Ms Taylor's response. I think she got up very quickly and made a preprepared statement. The statement in no way engaged with the material that had been

put on the record in the chamber. I do not hold malice on that, because I think the detail that was put into the chamber was very great. I do not pretend to have been able to follow that through in every minute detail either at this stage. As I said, this will require close examination of *Hansard* and precise focus. But I do want to say that I am convinced by what Ms Vaghela had to say today. I think what she said had the ring of absolute truth. It had the ring of close and precise detail that is able to be checked, and I am sure it will be checked. In that circumstance I should say for the record that I do believe Ms Vaghela, and I wish the government would take her commentary seriously too.

**Mr ATKINSON** (Eastern Metropolitan) (14:08): We as members of Parliament often get very concerned about public attitudes to politicians and the fact that we bear the brunt of some pretty nasty phone calls, incidents at our offices, emails and so forth. In some ways we ought to not be surprised about some of that public response when you consider the way we too often treat one another in this place. If we do not show respect to one another as members of Parliament, how can we expect members of the public to show respect to us as members of Parliament and indeed, as a continuation of that, to the very institution of Parliament?

Now, the matters raised today have had, to some extent, a public airing in the media. They have been given further weight by the further information that has come to the house today to what has appeared in the media. But certainly the substance of Ms Vaghela's concerns about behaviour towards her are matters that are before the public, and they are matters of concern.

I do note that Ms Taylor has put a government statement to the comments that have been made today, a statement that clearly was prepared before Ms Vaghela made her comments in this place. It certainly seems to me that that statement is interesting in the context that it says that the government refutes all allegations, yet the government seems to have taken some actions in the course of the period. Whether or not those actions were in any way sufficient or satisfactory, the government has taken some actions, which suggests that at least some of those allegations are substantiated by the government's own actions. To simply try and refute all allegations is, I think, dismissive of matters that ought to be of concern to all members of Parliament but particularly to those members of the Labor Party who are always so strong in their positioning on the importance of respect for others, on the importance of protecting minorities, on the importance of protecting women.

You do not just talk the talk; you have got to walk the walk. And the reality is that if one person comes out and indicates that their experience has been such as Ms Vaghela demonstrated to the house today, then we ought to not be dismissive *carte blanche*. There ought to be some real soul-searching as to culture, as to processes, as to policies, as to behaviour, as to the level of respect that we each give to other members of Parliament.

I have been in this place for quite some time, as all of you know. I have seen three cases of great concern to me over my 30 years here. Each of them involved members of Parliament in the Labor Party from multicultural backgrounds. One of them was a Vietnamese member of Parliament, the first in this Parliament, Sang Nguyen. The second was a Turkish member of this Parliament, the first Turkish member of this Parliament, Tayfun Eren. And the third now is Ms Vaghela. The Labor Party very often preselects members from multicultural communities to garner support across those broad communities, and by and large that is obviously a very good thing to do. But it is only a very good thing to do if you listen to those people, if you involve those people, if you take their perspective, because if you do not then the exclusion of those people from the real processes of government is in my view not that far distant from racism. And in this particular case we have someone who indicates that they were a very significant community activist in the Indian community, a person who was doing a lot of really good work in the Indian community, who was doing so well that in fact the Labor Party saw her as an asset in terms of encouraging the Indian diaspora, the people who live right across Melbourne and who are such a vibrant community, and saw an opportunity to harness their votes through the selection of Ms Vaghela. They must be very concerned now about the treatment that she has suggested she has received, about the dismissiveness of her concerns.

To me that dismissiveness of her concerns is more serious in some ways, in most ways, than in fact the allegations that she made, because when somebody complains, when somebody brings something to attention—something on which we have rules, something on which we have expectations, something which we have campaigned on and promoted—and we fail to live up to the standard that we have suggested that we have by simply dismissing that person, by putting that person in a box, by not allowing them even to do the very job that they were elected to do, which goes to the heart of some of the comments that she has made today, then that is a really serious issue.

I note that she does now plan, having gone through this process today, to contact WorkSafe and detail the information that she has provided to the Parliament to them for an investigation. That is an appropriate course of action. What further deliberations we might make perhaps do need some consideration. Certainly we all need to be really looking at ourselves and the respect we have for one another, and we need to make sure that we do not repeat this pattern, because not only is there my experience of those three members of Parliament in the Labor Party from multicultural communities but further there is the treatment that I have noted of Ms Mikakos, of Ms Garrett and of Ms Kairouz. It seems that if you are not in with the in-crowd then you are very much on the outer. The reality is that in this place we are all equal and we have all been elected to do a job of work, and we ought to not be expecting to be bullied, to be harassed, certainly by advisers, those people in smoking rooms. We ought to not be in a position where our opportunity to contribute as members of Parliament is curtailed by the sort of behaviour that Ms Vaghela suggested today.

**Ms MAXWELL** (Northern Victoria) (14:19): I rise to speak on Ms Vaghela's motion, and I do so with great concern not only for her wellbeing, safety and integrity as a woman and as a member of Parliament but also about her descriptions of what appears to be such an unacceptable culture and serious allegations relating to bullying. I feel for Ms Vaghela, and to hear in her speech what she alleges she has been subjected to makes me both upset and angry. We talk about respect. We talk about women being heard. We talk about equality in this place. I am embarrassed as a member of Parliament if this is what is going on behind the scenes.

Yesterday, as we all know, was International Women's Day. Members of the government posted on social media commitments such as 'We stand up for the safety of all women in our communities and in our workplaces'. The Premier himself said:

International Women's Day should be about more than ... words.

Well, you are darned right, Mr Premier. It should be, and we should all live by our fight for equality and to treat people with respect.

I am disturbed that I have not seen or heard one member of the government coming out publicly to support Ms Vaghela, and I will be interested to hear why that is. I certainly hope that she has received support privately from the women within this government. People may ask the same of me, 'Why haven't we heard you come out publicly?'. I have not wanted to contribute to Ms Vaghela's stress, embarrassment and anything else that she may be feeling and the trauma that she has experienced through this, but I have spoken with Ms Vaghela privately on several occasions and I have offered my support, and that will not change.

I would also hope that these allegations are being dealt with in an appropriate manner. Everyone deserves, as I said, respect and courtesy in this place, whether they are a member of Parliament, an electorate officer, a parliamentary or ministerial adviser, a member of the chamber support staff or someone from the hospitality team. In this place I have witnessed accounts of inappropriate behaviour and what could be considered bullying. We need to do better than this, we can do better than this and I think there is an opportunity here to work together to explore what formal mechanisms and processes are required for complaints and investigations to be received by an independent body. I intend to prepare a motion in this regard to ensure this is a safe workplace for everyone and that people—no matter who you are, no matter your gender—feel comfortable that they can approach somebody through a formal complaints process that is completely independent of this Parliament.

**Mr FINN** (Western Metropolitan) (14:23): I move:

That this motion be adjourned until the next day of meeting.

**Motion agreed to and debate adjourned until next day of meeting.**

### Business of the house

### ORDERS OF THE DAY

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:23): Mr Rich-Phillips has begun the debate on the motion which is order of the day 2. I have had significant feedback from crossbench members in particular that they would prefer to vote on these proposals separately. With the indulgence of the chamber, I move, by leave:

That, contingent on the debate on order of the day 2 concluding, the motion be divided so that the proposals in paragraphs (1) and (2) are put to the house separately.

**Ms Stitt:** Could I just clarify what Mr Davis is proposing? You said, Mr Davis, that contingent on it concluding—

**Mr DAVIS:** Yes, it has not concluded yet, Minister.

**Ms Stitt:** It has not concluded today, so you do not really need to do this.

**Mr DAVIS:** It might just be helpful for people to be aware that they could look at it separately, rather than both parts together.

**Motion agreed to.**

### Committees

### PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

#### *Reference*

#### **Debate resumed on motion of Mr RICH-PHILLIPS:**

That this house, pursuant to section 33 of the Parliamentary Committees Act 2003, requires the Public Accounts and Estimates Committee to inquire into, consider and report:

- (1) by 30 June 2022, on the financial position of WorkSafe and its administered WorkCover insurance scheme, including but not limited to the:
  - (a) financial sustainability of the scheme;
  - (b) ability of the scheme to assure employees that proper financial and medical support will be received into the future;
  - (c) level of premiums paid by employers;
  - (d) the impact of any potential increased premiums on employment statewide;
- (2) by 30 September 2022, on the operations of the port of Melbourne lease, including but not limited to:
  - (a) the impact on the price of consumer items due to the outcomes of the lease;
  - (b) the failure of the operators to comply with their obligations to run the port efficiently for the long-term interests of users and Victorian consumers;
  - (c) issues of significant and sustained non-compliance with the pricing order during the review period;
  - (d) why the port of Melbourne's power has not been effectively constrained in relation to the process for setting or reviewing rents or associated payments payable by its tenants;
  - (e) the ability of current legislation, port concession deed and other contractual arrangements to constrain the port of Melbourne's power;
  - (f) the port of Melbourne's use of a broad range of negotiation strategies and processes to drive higher rent outcomes that are not appropriate in a monopoly market, where tenants at the port face significant barriers in pursuing and securing alternative suppliers of suitable land;



- (g) whether the port of Melbourne's exercise of its power has caused material detriment; and
- (h) whether further economic regulation is justified to ensure there is mitigation of the ability of the port to exercise power through rent seeking.

**Mrs McARTHUR** (Western Victoria) (14:25): I rise to speak on this motion, which deals with oversight of one of the most critical pieces of infrastructure in this state. If the last two years have taught us anything, it is that the logistic lifelines that prop up our modern lifestyles and that allow companies to hone their operations into knife-edge efficiencies and deliver us fresh food and goods are incredibly fragile. The largest part of these crucial lifelines are the sea lanes of trade and the ports they connect. The importance of maritime trade to an island nation like Australia cannot be overstated. I am sure that, like me, many of my colleagues in this chamber have found themselves waiting forlornly for packages from overseas to arrive, significantly delayed by the chaos caused in global supply chains by the COVID pandemic. Systems that many of us never thought about but completely took for granted suddenly seized up, and for the first time in the lives of many people they had to contemplate shortages in supermarkets and post that may never arrive.

Given the hugely changed perspectives on these critical elements of our economy, it is infuriating to hear that the Essential Services Commission has issued a scathing rebuke of the port of Melbourne in its first review, five years into the 50-year lease of the port—a 50-year lease to a consortium that I might remind everyone includes China Investment Corporation, the People's Republic of China's sovereign wealth fund. It is yet another Labor government decision regarding China that has not aged well. According to the Essential Services Commission the port has failed in its obligations to run efficiently. The commission's report states:

... we consider that it does not promote the efficient use of, and investment in, the provision of prescribed services for the long-term interests of port users and Victorian consumers.

The commission went on to reveal that in the first five years of the lease the private operator had overestimated the revenue required to operate the port by between \$300 million and \$650 million. The commission indicated that it had arrived at this figure by comparing it to a similar 'efficiently run' enterprise. Inefficiencies will always be passed on to the consumer, as the commission noted:

... Victorian consumers in the future may be impacted by prices that are higher than they should be ...

This Labor government packaged up and spun the idea of a 50-year lease of the port to the Victorian public in order to fund its level crossing removal program and promised that the taxpayer would not be any worse off. Considering that the level crossing removal program has blown out by many billions of dollars, like every single project this government touches, how could we possibly trust that Labor actually did its homework on the port lease?

Given the critical importance of the port to the effective operation of business across this state, it is galling to see that the essential services watchdog was so concerned it was prepared to flatly report:

The Port's approach to managing its operating expenses is not consistent with that of a prudent or efficient service provider.

Wielding what is essentially a state-sanctioned monopoly, the port's inefficiencies and imprudent management of a critical asset effectively act as a tariff on all Victorians. Therefore the coalition is fully supportive of referring this matter to the Public Accounts and Estimates Committee (PAEC). If the Essential Services Commission is concerned enough to call out the port's non-compliance so frankly in so many aspects of its obligations, every Victorian should be likewise concerned.

This Labor government has over \$25 billion of budget overruns on its books. These are costs that will be borne by every Victorian taxpayer for many years to come. Generations of Victorians will bear this cost. Given this government's inability to manage anything more complex than a chook raffle—they infest everything they touch—it is critical that PAEC closely examines the operations of the port of Melbourne lease and provides confidence to Victorian import-export businesses and residents that

their most critical infrastructure is being properly managed. So I certainly support the motion, which reads:

That this house, pursuant to section 33 of the Parliamentary Committees Act 2003, requires the Public Accounts and Estimates Committee to inquire into, consider and report:

- (1) by 30 June 2022, on the financial position of WorkSafe and its administered WorkCover insurance scheme, including but not limited to the:
  - (a) financial sustainability of the scheme;
  - (b) ability of the scheme to assure employees that proper financial and medical support will be received into the future;
  - (c) level of premiums paid by employers;
  - (d) the impact of any potential increased premiums on employment statewide;
- (2) by 30 September 2022, on the operations of the port of Melbourne lease, including but not limited to:
  - (a) the impact on the price of consumer items due to the outcomes of the lease;
  - (b) the failure of the operators to comply with their obligations to run the port efficiently for the long-term interests of users and Victorian consumers;
  - (c) issues of significant and sustained non-compliance with the pricing order during the review period;
  - (d) why the port of Melbourne's power has not been effectively constrained in relation to the process for setting or reviewing rents or associated payments payable by its tenants;
  - (e) the ability of current legislation, port concession deed and other contractual arrangements to constrain the port of Melbourne's power;
  - (f) the port of Melbourne's use of a broad range of negotiation strategies and processes to drive higher rent outcomes that are not appropriate in a monopoly market, where tenants at the port face significant barriers in pursuing and securing alternative suppliers of suitable land;
  - (g) whether the port of Melbourne's exercise of its power has caused material detriment; and
  - (h) whether further economic regulation is justified to ensure there is mitigation of the ability of the port to exercise power through rent seeking.

I urge the house to support this motion.

**Mr MELHEM** (Western Metropolitan) (14:33): This is another motion by Mr Davis. Actually there are two of them combined into one, and we are going to vote on them separately. Mr Davis has managed over the years to actually set new precedents and new benchmarks in this place for references to the Public Accounts and Estimates Committee. PAEC is a joint committee. That is part of its job—to actually go and question authorities and ministers in their daily business. Particularly since Mr Davis became the Shadow Treasurer, I suppose he has been wanting to utilise the services of PAEC to basically do his shadow work. There is nothing new there. He was doing similar things I remember in the last Parliament when he used the Environment and Planning Committee to do his shadow work and had reference after reference after reference. We even had a recurrent six-monthly report on rate capping back then. But then when he was no longer the Shadow Minister for Planning and Shadow Minister for Local Government, suddenly everything stopped. So I just want to make the point that it is within PAEC's jurisdiction to actually question ministers and authorities on all these matters raised in the two paragraphs.

In relation to WorkSafe Victoria, I might leave it to Mr Erdogan, our next speaker, to expand on that issue. But WorkSafe I think are doing a great job, and I spoke about that yesterday when we were debating the bill in relation to presumptive rights. And the minister is doing a fantastic job.

Talking about the financial difficulties we are in, and I want to review all that, we forgot we have had a pandemic for two years. We forgot we have got now a Russia-Ukraine war—Russian aggression, I should say. We are living in a difficult time. We forgot that when that lot were in government they pulled \$641 million out of WorkSafe and they never gave it back. We are actually putting in money to WorkSafe. We do not apologise for looking after workers, and we will continue to look after injured workers.

In relation to the port, a review took place not long ago by the Essential Services Commission to basically review the operation of the port. I take it that maybe Mr Davis read that report and thought, 'Okay, I'd better put a notice of motion on it'. The report has just been released. Yes, it picked up some issues that need to be addressed, and they will be getting addressed. I think the 21-day period has not lapsed yet for response to that Essential Services Commission report.

When the port was leased I remember there were a lot of debates about that. We had a reference to a parliamentary committee, which spent a fair bit of time—and I think it was a good exercise—to go through that, and a good report came out of that. Mr Rich-Phillips—and I thought he might be here to talk about that—was one of the main drivers behind that. That report, I think, was fully implemented.

Mr Davis's motion, I am not sure what that is going to do. As I said earlier, it is a new precedent set by Mr Davis as the Shadow Treasurer. Probably the opposition room is not giving him enough support to do his job so he uses parliamentary committees for his research and development—to basically do his work. That is basically it.

The current lease is subject to a very strict regulation in relation to, for example, price increases. My understanding is that there is a restriction so they cannot go beyond CPI—that CPI is the maximum that can apply. Yes, there are some issues, as identified by the Essential Services Commission, and they are getting sorted. As I said earlier, the port of Melbourne has 21 working days to consider this latest report and respond, as this is part of the inquiry consideration, and reporting measures are built in already in the lease arrangement. And as I said about the market rent, that was reviewed and some issues were raised out of that. So I am not sure what PAEC is going to do in a short space of time. We have just got a report from the Essential Services Commission. There are 21 days for the port authority to respond to it, and then I would have thought that you could wait a few months and see what happens with the response by the port authority in relation to these issues that were identified in the report, and if you are not satisfied, then maybe we should launch a separate inquiry, a reference like this, and get on with it. But no, the proposal is that we will pre-empt that and we are going to say to PAEC, 'Just go and launch a separate inquiry'. I mean, the job has already been done. That is why we have got the Essential Services Commission; it is actually written in the lease as part of the arrangements put in place to do exactly what PAEC is being asked to do.

Now, PAEC has got a very important role. Part of their regular work is to actually oversee the process. They will be taking note of the Essential Services Commission report. They will be taking note—the members on the committee—of what the port's response is. And when the responsible minister appears in front of PAEC, which they do on a regular basis, the committee will be then questioning the relevant minister and public servants in relation to that very point. There are a number of opposition members on that committee, and crossbenchers. This would basically just be sending a separate reference to rehash and redo what the Essential Services Commission has done. To me, they are the ones with the expertise and who were charged to do that review. I do not see the point other than just another political stunt by Mr Davis and his crew.

There are a number of facts which I think Mrs McArthur talked about. Since the lease of the port, productivity has increased by 26 per cent, and it is 30 per cent more efficient than the next-best Australian port. That productivity and efficiency growth is set to continue with the port's \$125 million investment in on-dock rail at the port. So efficiency is being delivered. Costs cannot go beyond CPI. I am not sure what the opposition are trying to achieve out of this apart from, as I said earlier, just a political stunt, because I have not heard so far—maybe other speakers from the opposition will elaborate a bit more—about really the purpose of this motion. I have not heard anything apart from just 'We're going to refer it to PAEC'. And I think there was some talk about the Chinese; I do not know where the Chinese come into it, but that issue came up. Very strict regulation was attached to the lease to make sure that the operators adhere to the requirements to make sure that efficiency stays up to date, to take pressure away on cost, to make sure consumers are not ripped off and to make sure the port's users basically get good value for money. I have not heard anything in the debate so far that suggests that any of these areas are compromised.

As I said earlier, and in the 50 seconds I have got left, I commend the Essential Services Commission for the report they have done. I expect that the port authority will respond to that report within the 21 days. Obviously the minister will be keeping a close eye on that outcome to make sure the operators of the port deliver as per the lease to deliver efficiency and keep pressure down on costs for consumers and users of the port. That is what the lease stipulates, and we will make sure they actually live up to that. So far I have not heard anything to the contrary. With these few words, I will be voting against the motion. We are going to have two votes, according to Mr Davis, so we are going to split them. I will leave my contribution at that.

**Mr HAYES** (Southern Metropolitan) (14:43): Yes, two votes are better than one, so I am glad to hear the motion is being split. I would like to make reference to a quote by Leith van Onselen in *MacroBusiness* on 11 February this year, 2022. The quote proceeds:

In 2016, ACCC head Rod Simms said that he no longer supported the privatisation of public assets because it often leads to consumers and end-users being price gouged:

“I am getting more exasperated. I just think governments are more explicitly now privatising to maximise the proceeds—including the Commonwealth” ...

“I see it getting worse. I think a sharp upper cut is needed in this area. That’s why I am saying, ‘let’s just stop the privatisations’. It is increasing prices—let’s just call it out.”

Later in 2016 it was revealed that the privatisation of the Port of Melbourne was one of the reasons why Simms ‘crossed the floor’ on privatisation:

To understand why the competition regulator Rod Sims lost patience with the way governments privatise public assets, look no further than the ports of Newcastle and Melbourne.

Price gouging by inadequately regulated monopolies before or after privatisation—all aimed at buffing the sale price for cash-strapped governments—is the common thread ...

The Port of Melbourne hiked rents to stevedore DP World by about 750 per cent last year ... The port is being readied for sale with a price tag of about \$6 billion, and rents are not included in the proposed regulatory regime.

Fast forward five years and the first review of the Port of Melbourne’s privatisation has been held by Victoria’s Essential Services Commission. Not surprisingly, it has found the Port is being run inefficiently and users will be further gouged:

The state’s essential services watchdog criticised the long-term lease of the port, warning consumers could be forced to pay “prices that are higher than they should be” for imported products because the private operator has run the port in a way that is “not consistent with that of a prudent or efficient service provider”.

I will end that quote there.

**Mr ERDOGAN** (Southern Metropolitan) (14:46): I rise to oppose the motion by Mr Davis. Obviously Mr Davis has flagged that he will be splitting this and there will be two votes on this motion. When you read the motion before the house, it is in two parts and covers two substantially different areas of government. It is probably sensible, because they were initially two separate motions that were joined, and now it seems that the vote will be conducted separately in the interests of expediency and interest.

I want to touch on a number of factors. I will probably focus my contribution more on the first part of the motion, which is about the Public Accounts and Estimates Committee inquiring into and reporting on aspects of WorkSafe Victoria and the WorkCover insurance scheme. I will focus mostly on that, and I will touch on some of the port matters a bit later—time permitting—that Mr Hayes discussed and a number of other speakers have touched upon.

The WorkCover system is a very important safety net that we have in our state. I worked in this field for almost a decade, so I am familiar with how it operates. For those of you that may not be aware, WorkCover is an insurance scheme that protects injured workers. It provides a form of compensation when workers are injured in our state or while doing work that is related to our state, in the form of weekly payments of compensation for time workers have to have off work for their injuries, and it also

provides them access to all reasonable medical and like expenses necessary in their recovery. There are also pathways for lump sum compensation where injuries are unfortunately permanent injuries, and there is a gateway for an impairment benefit. It is a no-fault scheme. Then there are obviously common-law rights, as you would understand, where you need to prove that you have a serious injury and that there was negligence on the part of another party, whether that is your employer or a third party, to get access to common-law damages for your pain and suffering or loss of earning capacity. That is the WorkCover scheme overall. It is a scheme that we as Victorians should be familiar with because in our workplaces we are covered by it. Unless you are an employee of a commonwealth government or former commonwealth government agency, which are covered under Comcare, you will be covered by the WorkCover system.

I rise to oppose this motion because obviously I am proud of our government's record when it comes to workplace safety. There have been a number of bills that we have debated in this chamber which have increased safety outcomes for workers or made improvements to the work safety system in place, such as the arbitration model. We have also discussed at length the provisional payment scheme, which allows people with mental injuries access to treatment straightaway rather than waiting for the formal approval process to take place. These are just some of the improvements we have made in the area of work safety. But work safety more broadly is not just WorkCover per se; it is obviously WorkSafe's remit. Changes on issues such as workplace manslaughter and other changes have improved lives and I believe have made or will make a big impact going forward to working people in our state, such as the wage theft legislation. That was an Australian first, and we are leading the way again.

I am very sceptical about the coalition's record when it comes to the WorkCover scheme. That is why when I saw this motion from Mr Davis I was less than impressed, because we know when Mr Davis was in government in the late 1990s they abolished common-law rights. They abolished the right of injured workers to get a larger compensation amount for their pain and suffering and loss of earning capacity. That was completely abolished, and it was only reinstated by the Bracks government in 1999. So I think the coalition's record when it comes to WorkSafe or the WorkCover insurance scheme is quite chequered, to say the least.

Obviously we understand that the issues in this motion are under the remit of PAEC already, as Mr Melhem touched on. So PAEC already have the jurisdictional powers to look at these issues if they see fit, and they can question them in due course. Again, on the need to push this motion before the chamber today, I am not sure if it was necessary, but nonetheless we are here again on this point.

There are a number of issues about the scheme and about some of the cost increases that Mr Rich-Phillips has touched on in this place a number of times, but I think they are challenges that this government has been up-front about. Mr Melhem touched upon the global pandemic that we are facing with COVID-19. There are other issues as well: the changes in the way we work and the changes in the types of injuries that people are suffering from, particularly mental injury claims. These are quite complex and can be quite costly, and they add to them. Obviously our government has always been forthright in notifying about the challenges that are facing the scheme. I am proud that we do have this scheme, which is quite comprehensive. It protects all Victorian workers. And in terms of the premiums paid, we definitely do not have the highest out of the states and territories; I have discussed that also in this chamber in the past.

Obviously the arbitration changes are some of the changes that I was most impressed with, because when there is a dispute people are referred to the Accident Compensation Conciliation Service, and this provides a mechanism for dispute resolution outside the court system. Earlier today Ms Maxwell talked about issues to do with the justice system and with the courts system, and Mr Ondarchie also did. They shared their experiences with the courts system. What this arbitration system provides is an alternative avenue to resolve these disputes without having to go through that court process, so they hopefully do not need to go to court if the arbitration system works as planned. There are obviously a number of other WorkSafe initiatives that we should all be aware of, such as the WorkWell program, another initiative that our government has implemented. I am sure some of the other speakers and

Minister Stitt may want to touch upon some of these programs that have been rolled out by our government and are very helpful to Victorian workers.

Obviously our role as a government in terms of workplace safety has been leading all states and territories. We have a good scheme. And we do not just talk about workplace safety. Since getting elected in 2014 the Andrews Labor government has put on board more inspectors—approximately a 30 per cent increase in terms of inspections and inspectors doing this work—so we are always ensuring that WorkSafe has the resources to be able to identify issues, call for rectifications as needed and prosecute if the right thing is not being done. Like many of you, I also read the Ombudsman’s report into how certain operators within the WorkCover system are operating and I was appalled, so I am pleased to see a number of those recommendations from reports being implemented by our government.

As I have mentioned, this government is already undertaking a number of reforms in this space. The COVID-19 pandemic has exacerbated the pressures on the system, and of course greater awareness of mental injuries in the workplace has also added to that. But I am not sure that Mr Davis really cares about this issue. I feel as though he is pushing this as just another talking point for him in the media cycle. I am interested as well because I did listen to him on the radio, and he reflected on the fact that his policy now is to not oppose government policy in a number of areas. That is, I guess, a positive change, but in regard to the work we are doing in the WorkSafe and WorkCover areas, I would hope that the opposition supports us, because we just want to increase safety outcomes for all Victorians and their families as well, because usually they are just as greatly affected as the injured worker.

Mr Melhem touched upon the port of Melbourne lease, which is the second part of this motion. I note that my time is very limited to touch upon that section before us, but I will still discuss one avenue. I was impressed that the lease of the port has led to efficiency gains and productivity gains, which was fantastic to hear because we always want a positive economic outcome for Victorians, and if that is one of the outcomes, that is fantastic. I note that the opposition also talked about the port lease. I am pretty sure it was not just us. There was the port of Darwin lease as well, but I will not touch upon that because that is not before the house. I will let people reflect on that in their own time.

I think the inquiry of the Essential Services Commission did make a number of findings, but I think it is also a reflection of why we inserted the Essential Services Commission into this space—because we understand that a strong regulatory framework is needed and that is what works. That is why for an essential service like this the Essential Services Commission having the powers to do this review and make recommendations is so crucial. Obviously it should come as no surprise that I will be opposing this motion. I think it is a political stunt and builds upon a number of other similar motions that Mr Davis has moved in this chamber in the past. On that note, I will be opposing the motion, or both motions now, before the house.

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (14:56): I rise to oppose the motion moved by Mr Davis today. I want to reiterate what a number of my colleagues have said today in that I do not believe that the purpose of this motion is pure and I do not believe that it is about focusing on improving outcomes for injured workers, let alone preventing injuries in the first place. Time and time again this government has shown that that is what it is focused on—making sure WorkSafe Victoria has the tools and the resources available to make our workplaces safer—whether it is our provisional payments scheme, which passed this house last February and provides workers with the support they need for mental injuries without waiting the 38 days for their claims to be supported, or whether it is supporting injured workers to get the outcomes they need with the introduction of our arbitration function in the Accident Compensation Conciliation Service. That is a major reform that provides a low-cost, timely and effective alternative to the court process for injured workers to achieve a fair resolution of disputed workers compensation claims.

We are a government that supports injured workers. This is not a political football. I am absolutely focused on one thing, and that is the people who rely so heavily on the WorkSafe scheme—people

who in many cases have gone through intense trauma. It has a major impact on them, their families and their friends, and that is who I am focused on. But to do that we need to make sure that the WorkCover scheme is operating sustainably. I have been absolutely up-front about that and I have been up-front about the challenges facing the scheme. As we stated in our media release on 3 June last year:

Victoria's vital WorkCover scheme has been under pressure in recent years due to significant increases in the number, complexity and cost of claims—particularly mental injury claims. The COVID-19 pandemic has compounded the impact on WorkSafe's sources of revenue—premium payments and investment returns.

We are not hiding from this. I have said consistently that mental injuries are rising. While it is so important that workers put their hands up to get the help they need, it is putting pressure on the scheme, and I have been completely up-front about that. On top of this is the importance of improved claims management so people are properly supported while they recover and are also supported to safely return to work. That is why the government and WorkSafe are working together to implement measures that better support people returning to work—measures that focus on injury prevention and tailored claims handling.

While I welcome the opposition at any time asking me about these matters, and of course the crossbench as well, I would like to remind the opposition that I do appear at the Public Accounts and Estimates Committee budget estimates hearings every year together with the WorkSafe CEO and they have not once asked me a question about the WorkCover scheme. It has all been whatever the political pointscore of the day is. I am absolutely up for being asked questions at PAEC in the course of ordinary budget estimates hearings about my portfolio responsibilities. In the meantime the major focus for me is to make sure that WorkSafe is developing initiatives aimed at addressing the pressures on the scheme and managing the long-term financial sustainability of the scheme.

I would not be alone in the chamber in being a bit confused about the time left for this motion, and I can see that Ms Patten is getting a bit anxious about it. I do not want to interfere with Ms Patten's timeslot. I have got a couple of very quick points to make, and then I will conclude my contribution.

WorkSafe inspectors are an incredibly important part of prevention, and they are out there every day working hard to support businesses and workers to prevent injuries from occurring in the first place. They are also focused on the most dangerous and high-risk industries. So rather than attempting to divert WorkSafe's resources through the proposition of this particular inquiry that the Leader of the Opposition is proposing, my view is that there is ample opportunity for these issues to be canvassed during the normal PAEC budget estimates hearings. The government is getting on with the job of prioritising better prevention of workplace psychological injuries and earlier intervention when injuries do occur. We are working together to confront these issues.

Just really, really quickly in respect to the port of Melbourne, again as some of my colleagues have outlined already, there is a power of work already going on in relation to these matters. We know full well that when we leased the port we built in robust mechanisms to protect Victorian consumers, including giving the Essential Services Commission power to review the report and the port of Melbourne's operations, and this work is already underway. So while global supply chains are under enormous pressure, Victoria continues to rise to meet those challenges.

In conclusion, the government is fully focused on getting on with the job whether it is improving outcomes for injured workers, reducing mental and physical injuries in the workplace or ensuring our port is economically efficient. We do not support the motion. I will conclude my remarks there.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (15:03): I move:

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

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

## Bills

**DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT  
(DECriminalISATION OF POSSESSION AND USE OF DRUGS OF DEPENDENCE)  
BILL 2022**

*Second reading*

**Debate resumed on motion of Ms PATTEN:**

That the bill be now read a second time.

**Ms TERPSTRA** (Eastern Metropolitan) (15:04): I rise to make a contribution on the Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022. This is something that I know Ms Patten has worked incredibly hard on and advocated extensively for. I know it is something that is not a recent subject of advocacy for her. It is almost her life's work to advocate for harm minimisation responses in regard to drugs and other controlled substances. I know Ms Patten has made very solid contributions on a whole range of things in this area, so I thank her for her work and her advocacy in this space.

With the bill that is before the chamber today the government has undertaken a range of measures in regard to harm minimisation. When we talk about drugs, poisons and the like, the bill refers to drugs of dependence but we know that things like alcohol and tobacco are also drugs and they can also have an impact on people's health and livelihoods. I know this is more directed at drugs of dependence and the like, but nevertheless we sometimes forget that drugs like alcohol and tobacco can do just as much harm, if not more harm, than some of these other things. Nevertheless, the Andrews Labor government takes very seriously the issues that arise from drugs of dependence, and certainly harm minimisation is at the core of everything we do in this area. But we certainly do support our community against the harms of alcohol and drugs and we do not shy away from the reality of the problem. The Andrews Labor government is more than doubling the number of residential rehabilitation beds in Victoria from the 208 beds we inherited from the opposition in 2014 to 502 beds as our investments are rolled out across the state, with more than half of these new beds in regional Victoria.

While I am on my feet, I might just give a bit of a shout-out to an amazing facility in my region, the Eastern Metropolitan Region. It is a state public detox facility called Turning Point and it is based at Box Hill Hospital. I really encourage members in this chamber, if they have not gone along and had a look at the amazing work that Turning Point does, to go along and actually have a visit and listen to the very detailed work that it does. The thing that is great about Turning Point is it is publicly funded. It is in a state public hospital, and it is an inpatient hospital facility. The difference is sometimes when people are wanting to detox from their drug addiction and the like they are having to access privately run clinics, and sometimes that can be very expensive. At least this way, by providing publicly funded detox services, people get the support of a very well funded, well run outfit. They also wrap around support services to people who are wanting to overcome their addictions. What we know about addiction is that for people who may be addicted to a drug of dependence, sometimes the reason for that addiction is they have other comorbidities. They may be coping with mental ill health. They may be coping with depression or anxiety. They may be neurodiverse. There may be a whole range of things going on. There may be just circumstances in their life where they happen to have sustained severe shock and loss through either a traumatic event or an injury. Sometimes even losing a job can tip somebody into addiction. There are a range of reasons and a range of ways that people can become addicted to drugs. As I said, I really want to commend the work that Turning Point do at Box Hill Hospital.

Nevertheless the 2021–22 budget delivered a funding injection of \$23.2 million to operationalise new alcohol and other drug residential rehabilitation beds in Corio, Traralgon and Wangaratta, building on the previous investment of \$52.1 million into these new facilities. As I said, the thing that I really like about Turning Point is they also educate people who are detoxing to recognise their triggers, to



recognise perhaps the environment that they are in and to work on developing healthier coping mechanisms rather than turning to drugs or alcohol to work on those things. People find that often their journey through detoxing and breaking their addiction is not always a linear journey. It can be a long period of time of sobriety, but you can fall off that wagon and get back on. Sometimes people have a number of relapses. It seems to be a very common feature of breaking an addiction cycle. It is not a common thing for people to have one go at detox and come out of it cleanly. It is often a scenario that can repeat itself. Similarly with smoking even: I know some people who have had many goes at breaking their addiction to tobacco. They might have a go a number of times and try different things, but eventually they get there. This can be years in the making sometimes, so the important thing is to keep trying and eventually that will come through. This is why we need such a critical investment, serious investment, in alcohol and drug detox programs.

We looked at this in the Scrutiny of Acts and Regulations Committee the other day in terms of looking at the human rights assessment for this bill, and what primarily this bill is about is reducing the penalties associated with people who may be fined or charged by the police for having drugs of dependence. I know what Ms Patten is trying to achieve here. It is one aspect of dealing with addiction, which is: why are we punishing people who have an addiction and perhaps not dealing with other comorbidities? In trying to reduce penalties and taking a therapeutic approach, I understand there is merit. I understand where that is coming from, but also what our government is doing is making sure we put in the support services for rehabilitation like, as I said, residential rehabilitation beds. These are things that we definitely need to invest in and are investing in because, as I said, a lot of these drug rehab beds are in the private market. It is very expensive—\$40 000 a throw sometimes. I do not know—could I find that money? I do not know that I could if I needed to go into a facility like that. As I was saying earlier, if you are having to go in and out a couple of times, that is quite expensive. From a public health perspective it is critically important that people can get the support that they need to get off drugs of dependence.

The 2021–22 Victorian budget also provided crucial demand funding, with an injection of \$5.1 million into community alcohol and drug support and \$1.3 million into the forensic alcohol and drug system to ensure that Victorians can access care from all points of the alcohol and drug service system. Our \$180 million *Ice Action Plan* is already changing lives across our state, and so is our \$87 million *Drug Rehabilitation Plan*.

I know I am talking a lot about the injections of funds that the government is putting into helping people break addiction cycles, but there is also a really critical mental health element to this as well. Although we are talking in terms of it being a siloed approach, these things do overlap. I may come back to this later in my remarks, but I wanted to say up-front that our Royal Commission into Victoria's Mental Health System and the recommendations that came from that and also the funding that this government is injecting into implementing the recommendations of the mental health royal commission are going to be critical in helping people who have mental health challenges but then turn to drugs of dependence to help self-medicate or manage any mental health concerns that they have.

Just returning to this issue in terms of the injection of funds the government is making, I touched on the *Ice Action Plan*. Ice is a really terrible drug. It is more addictive than heroin. I know that in the 1970s and 80s heroin was always looked at as a drug of severe addiction, and it was terrible. There was an epidemic in Australia of heroin. But ice is something that is much cheaper and seems to be more readily available to people. Ice as a drug of dependence causes immense damage and harm to people on a range of levels and over a long period of time, and it is a very serious and difficult addiction to break.

As I said, there is a \$180 million investment in that action plan and a further \$87 million into our *Drug Rehabilitation Plan*. In addition, the 2021–22 budget furthers this work with funding of \$1 million to continue the delivery of crucial alcohol and drug supports for Aboriginal Victorians through our Aboriginal metro ice partnership. Again, I know our Indigenous brothers and sisters have suffered immense trauma in their past and often carry with them the trauma of what may have come from the

stolen generation but also dispossession. The struggles our Indigenous brothers and sisters have with alcohol are well documented. I am really pleased and proud to be part of a government that is doing a lot of work on treaty and reparations, with announcements just the other day about compensation for our Indigenous brothers and sisters who have suffered trauma arising from not only dispossession but being affected by being a member or their parents being members of the stolen generation. As we know, trauma can be passed down from generation to generation. It is all part of this government's work on a range of levels to address the trauma that people may have. Again, a therapeutic approach is embedded in many of the responses that we make in regard to alcohol and drugs, but we recognise that our Indigenous brothers and sisters are a special population when it comes to this issue.

Again, we have made a record investment in ensuring that Victorians who need alcohol and other drug support can get it. We need to make sure the help they need is there when they need to get it and where they need to get it, so having localised investment and drug support available to people when and where they need it is critically important. By boosting community and forensic alcohol and drug support in the most recent state budget we are ensuring that Victorians can get into that alcohol and drug system from multiple entry points that extend beyond residential models of care, and I touched on that earlier when I was talking about inpatient-type facilities. There are lots of them in the private market, but again, there is still a shortage of beds available, and it is good that we have got some in the public health system as well.

This approach will go some way to facilitating referrals into the alcohol and drug treatment system from other avenues, such as the justice system, so that Victorians who need help can get it no matter what their circumstances are. The government will continue to open new beds across the state, and we will continue to deliver the services that our community needs when and where it needs them.

I touched on this before and I will return to this in my remarks now: harm minimisation is a really critical and important part of our approach to addressing drugs of dependence and reforms in this area. We are proud to have introduced reforms to improve the safety of Victorians who are at risk of drug-related harms. In 2021 we passed amendments to allow people other than pharmacists to seek authorisation to supply naloxone to people who are at risk of or who may witness an overdose. I might just say I remember working in Sydney—I was actually working at the AMWU at the time, in Granville—and there was a detox clinic around the corner from us, and people were regularly going to the clinic to access methadone. There is nothing more terrifying than watching somebody collapse on the footpath because they may have gone to the clinic, having had a hit of heroin, but then accessed their hit of methadone or naloxone. It is a horrible thing to see.

Like I said, people's journeys in breaking their addiction to drugs of dependence are never a linear thing. What we always try to do is respond with compassion and understanding. I understand that is not always easy for everyone, and sometimes these sorts of things can be incredibly trying for family members and difficult to manage. However, many people will have suffered some level of trauma in their life, and what they are trying to do is ease the pain away. That is why I understand Ms Patten's approach is about harm minimisation. It is also important that what this government is trying to do is invest in services that assist people in a therapeutic way to recover from their addictions, and I touched on the work of Turning Point before.

It is central and core to the work of this government in this regard that we are funding appropriate supports to help people manage their drug or alcohol addiction, beat it and overcome it. I will leave my remarks there. I know there are many other speakers—I just found that out about 3 seconds ago—so I will leave my contribution there. I thank members for their attention.

**Ms CROZIER** (Southern Metropolitan) (15:19): I am pleased to rise to speak to Ms Patten's bill that she has introduced into the Parliament and that we are debating this afternoon. I know that she has been very committed to this issue for a long time, and I think Ms Terpstra referenced that as well. It is clear that Ms Patten has got a long record of supporting this issue; it is nothing new. In fact the inquiry into the use of cannabis in Victoria by the Legal and Social Issues Committee, which I was on with

Ms Patten, partly looked at this issue. I will come to that in a moment, but I want to go to the crux of what Ms Patten's bill would achieve should it get through the Parliament this afternoon and then through the lower house. The bill is:

... to amend the **Drugs, Poisons and Controlled Substances Act 1981**—

- (a) to reduce to 1 penalty unit the penalty for the following offences—
  - (i) the offence of possessing a drug of dependence in a quantity that is not more than the small quantity applicable to that drug;
  - (ii) the offence of using or attempting to use a drug of dependence; and
- (b) to make the offence of using or attempting to use a drug of dependence a summary offence; and
- (c) to provide for those offences to be dealt with by way of a drug education or treatment notice; and
- (d) to make consequential and related amendments.

On the face of it, that sounds perfectly reasonable. But when you look at the substance of this bill and the time frame that the Parliament is meant to push this bill through in, it is completely unachievable. The bill is to be put in place by 1 July this year, and quite simply there is not the ability and there are not the resources to do what this bill is actually asking to be done. What it is doing, as I said—I have highlighted the technical parts of it—is removing the discretionary powers of Victoria Police to issue cautions or impose a penalty on those that are in possession of any illicit drug in small quantities. It is to provide drug education and treatment, and we have just been listening to the government talk on that. But the fact is the outcomes are getting worse. The government are very good at the rhetoric, but when it comes to delivering their policies, really they are not making a huge amount of difference. I know that others will say, 'Well, that's the whole point of this bill, because the government's policies are not working'.

What I think should be done is that the government should be putting more effort into education programs, particularly for young people, around drug use and the horrendous damage that use of these illicit drugs can cause. Just the other day there were really graphic pictures in the *Herald Sun* of heroin use, and it was quite sad and pathetic. These poor young people who have been addicted to this terrible drug, heroin—it was just so awful to see that that is how they live their lives. If there is any way, we should say to a young person, 'Please, just learn from this. Understand that this is very, very damaging; these drugs are very damaging'—and they are. Some will argue, 'Well, a small bit of dope possession is fine', and we know that the police have put in diversion programs and cautionary notices. They do that now, and they do a tremendous job in trying to support young people who are on some of these drugs to get on board and to steer them in the right direction. More effort should be put into that, not just doing what this bill does, and that is opening up and allowing any drugs, in small amounts, to be decriminalised. I mean, that just demonstrates that decriminalisation without any accountability will then lead to full legalisation and some very severe consequences. There will be an argument about what is happening in various countries, but we know that in other countries, where legalisation of certain drugs has occurred, there is an uptick certainly in car accidents and crime is on the rise. There is not enough data yet to be conclusive about the full impact of that.

I say that because, as I mentioned at the outset, I was on the committee with Ms Patten on the inquiry into the use of cannabis. We tabled the report last August, so not even six months ago. In that inquiry Assistant Commissioner Weir spoke to us, spoke to the committee, and in his submission he spoke very well about his experience. He spoke about what Ms Terpstra was referring to, Turning Point; she said she had experience of speaking to Turning Point. Assistant Commissioner Weir also spoke about his time working with Turning Point and others who were involved in drug education and drug research. He has worked in this space for many, many decades. I mean, he is a very experienced police officer in this area, and he understands the full impacts and the incredible work that they have done over that period of time in supporting young people and working through those diversion programs. He told the committee he sits on the board of the Monash Addiction Research Centre. One of the

points I want to raise is what in his testimony to the committee Assistant Commissioner Weir said about Victoria Police. He said:

I suppose the role of Victoria Police is to serve the Victorian community, to uphold the law and to promote a safe, secure and orderly society by fulfilling the functions of preserving the peace, protecting life and property, preventing the commission of offences, detecting and apprehending offenders, and helping those in need of assistance.

Throughout his evidence to us he spoke about what Victoria Police do, especially with young people and the supply of drugs to those young people, how they work with larger criminal activities, working with the AFP and Australian Border Force, and how Victoria Police works very effectively largely in managing—well, understanding exactly what is going on in the community. Now, he went on to say:

We provided a written submission to this committee on 22 October last year, and the purpose of that submission was threefold: firstly, to convey our experience in responding to cannabis harm, including the range of harms that we witness arising from the use, cultivation and trafficking of cannabis; secondly, to convey the way that Victoria Police responds to and reduces these harms; and thirdly, to raise issues that require consideration when examining international models of managing cannabis that include some of the areas that have legalised cannabis.

And in his conclusions at the end of his testimony, after we had had all of that very interesting interaction, he made the point that there is just not enough data from the longitudinal studies around legalisation of cannabis and cannabis use in these international jurisdictions, and that was why their evidence was to not support that.

What the committee was to look at was the use of cannabis, and some of the terms of reference the committee were particularly looking at—I am just going to get the terms of reference that I want to refer to—were ‘protect public health and public safety in relation to the use of cannabis’ and ‘prevent criminal activity relating to the illegal cannabis trade in Victoria’. I know that what Ms Patten’s bill is trying to achieve is to say it is so widespread—and she has put statistics out there—that it is not making an impact and that we have got to do better: ‘We’ve got to treat this as a health issue’. But in terms of what that committee was to do, which was to look at ‘international jurisdictions that have been successful in achieving’ the outcomes of the various points in the terms of reference and how they may be adapted into Victoria, the committee actually went to this point around decriminalisation. In fact there are quite a few pages in this committee report about what has been referenced. It states:

In Portugal, the personal use (consumption and possession) of any drug—including cannabis—is decriminalised and dealt with through the country’s legislated drug strategy, which emphasises a health-based response ...

which is exactly the point of Ms Patten’s bill, I think. And it was, really, very good work. We looked at this, and the report went on to say:

Decriminalisation is a regulatory approach to illicit drugs which specifies that proscribed behaviours, such as personal use and possession, remain offences but are dealt with using civil penalties rather than criminal penalties.

And there is more information around what we found and what we heard around this very issue, so Ms Patten’s bill is nothing new, because we looked at it, in part, through this parliamentary inquiry process. It was a very good process to go through, understanding that, as we said in here, Victoria Police’s approach with the cannabis cautioning program, which we discussed in a whole chapter in this report, is an example of de facto decriminalisation for personal cannabis use and possession. But we made the point that it was limited to one or two cautionary notices, because clearly after that there is an issue. If you have cautionary notice after cautionary notice issued for possession, you have got a problem. So I do think that we have largely looked at this issue. Again Ms Patten is bringing this in. She was very strong on that. She wanted the government to support her in that. I think it is fair to say you were rather disappointed that they did not support you in that endeavour, but nevertheless—

**Ms Patten:** I was disappointed in your lack of support, Ms Crozier.

**Ms CROZIER:** I know you were disappointed in mine, but I think I was fairly up-front with my position, so I think you knew my concerns on it. I do not think you were surprised by that.

I do take on board the police evidence and their concerns around, as I said, the data, the longitudinal studies that need to be undertaken around this. And whilst understandably we do want to support those young people if they have got problems with using illicit drugs, I have got great concerns about the extent of Ms Patten's bill with some of these terrible drugs. I know that she has got this concern for young people too. That was why in 2018 I worked with Magistrate Jennifer Bowles, who did a Churchill Fellowship program on this. My former colleague Mary Wooldridge and I had a policy around supporting young people with very severe drug use, whether it was cannabis, methamphetamines or heroin, to give them support and to give them treatment, mandatory treatment really, which was based on Magistrate Bowles's studies and her recommendations. She was seeing what was going through the Children's Court, and she was so committed to this. I was very disappointed that the government did not support what we were saying at the time, and that was to provide drug and alcohol treatment for young people so that they could get off these very severe hard drugs. It was giving them support, it was giving them education and it was giving them treatment, so it was giving them the whole range, not just floating in and floating out, 'We've ticked the box. Here, we've seen you'. It was a really significant wraparound program that provided that support, education and treatment—incredibly importantly, that treatment—to help those young people get off these very dangerous drugs.

That was a policy that I proudly stood with and took to the electorate in 2018, and I am disappointed that the government did not support that stance, because I do think it is a good one and I still think it is a good one. Magistrate Bowles had done an extensive amount of work on this. She had travelled the world, she had seen the programs, and they had worked. I know that I had spoken to families and young people who were on ice who said to me, 'I just wish I could have had this treatment, because what I did was wrong and it was dangerous and I could have killed someone. I ended up in jail, and I don't want to have that record'. And they said to me, 'If I'd had this, if I'd had the treatment, the support and the education, then maybe I would not have gone down that path'. There are avenues that we can take that should be taken, I believe. I think this is still a very, very significant and good policy around supporting young people. I know the government will reel off a lot of stats, but really the outcomes are getting worse. We are still not getting what we need to get, and that is to get young people off these very severe drugs.

I want to just return briefly to what Assistant Commissioner Weir said, because I do think not only his submission, Victoria Police's submission, but also his testimony to the inquiry that I have previously referred to were really enlightening. It was so thorough. He is a man with great depth of experience in this area, great commitment and great care. He actually understands the challenges for young people, and they are concerning to Victoria Police. He said in his testimony:

We predominantly are trying to reduce the supply of illicit drugs to the community, and we do that by providing support also to the health and education sectors and harm reduction activities where appropriate.

...

As detailed in our written submission, we acknowledge that decisions to decriminalise or legalise cannabis or other illicit drugs are a matter for the state government. We support the current legislative framework for illicit drugs.

So he was very strong in his words to our inquiry around what he thought should be undertaken. I know there is commentary around the Victoria Police drug strategy. I think there are different points of view there, which is perfectly fine, but this is very recent. It was six months ago that Assistant Commissioner Weir made these statements to the parliamentary inquiry, and it is of concern to me and my colleagues, should the government—I think they have made their position clear, but this is a step that would not, I think, achieve what is intended. I think there would be many, many more issues that would arise if the decriminalisation of heroin, ice or cannabis was to proceed in this state. I think

we need to be doing more about education of young people to really demonstrate the very real dangers of these very dangerous drugs. They will change your life.

We need to be doing much more around supporting people, certainly, but I will not go into all of those issues around where I think the government has failed in terms of alcohol and drug rehab beds. They have been in power for almost the last eight years, and the figures certainly are nothing to crow about. In fact my colleague Ms Kealy has highlighted on many occasions the many issues that this state has and the many issues around the government's failure to address this problem.

We have seen in the last two years particularly, with lockdown after lockdown, the enormous impacts on Victorians, and sadly some of those issues around mental health, drug use and family violence—all those statistics around—

*Members interjecting.*

**Ms CROZIER:** Well, it is a serious matter, some of the issues around these very concerning figures that have come out. I would say again that whilst I understand Ms Patten's advocacy on this, the Liberals and Nationals will not be supporting Ms Patten's bill.

**Dr RATNAM** (Northern Metropolitan) (15:38): It is a pleasure to speak on this important bill introduced by Ms Patten to decriminalise the possession and use of drugs of dependence. I would also like to take this opportunity to commend Ms Patten on her unwavering commitment to drug policy reform, which is shared by all Greens parties in Australia and indeed across the world.

Advocating and campaigning for drug and criminal justice reform can be a thankless task—perhaps the most frustrating activity one can undertake in this Parliament—because we all know the evidence, the decades-long failure of the war on drugs, that clearly shows that a criminal justice response to drugs simply does not work. Indeed the current approach is exacerbating drug problems by draining funding from effective health and treatment services, clogging the criminal justice and corrections systems with non-violent offenders and maximising the health dangers of drug use. Yet our governments have steadfastly refused to engage on the issue or entertain evidence-based reforms for political reasons. However, we are also witnessing elsewhere that the rest of the world is now learning from this abject failure and is moving in new policy directions with greater success. We too must start learning and adopting a similar and smarter approach, as outlined in this bill, lest we impose another 50 years of failed drugs policy on yet another generation of Victorians.

The bill proposes to create new summary offences for possession of small quantities or use of a drug of dependence. Under these offences a person must be served with a drug education or treatment notice requiring the person to engage with a drug education or treatment service provider. Compliance with the requirements of a new drug education or treatment notice will mean that no criminal proceeding, admission of guilt or conviction is recorded for their drug use or possession. For those who think this approach sounds radical, what is proposed by this bill is essentially no different from what is already occurring in the caution and diversion programs that have operated in Victoria for a considerable time. However, the existing caution and diversion is not applied consistently as it is applied at the discretion of police, most commonly only for a first offence.

To me what is so irrational about this approach is that a person with repeated drug use offences is clearly more likely to be suffering addiction or from ongoing mental health and social factors leading to their drug use than a first offender, yet police are also more likely to direct those on repeat drug use offences into the criminal justice system rather than diverting them to health and social services to address these underlying issues. Hence we can also observe that the people who end up in the criminal justice and corrections systems on lower level drug use offences are disproportionately from the most vulnerable groups—women, people experiencing homelessness and Aboriginal and Torres Strait Islander Victorians.

Michelle Alexander wrote about mass incarceration in the United States that it was ‘the absence of significant constraints on the exercise of police discretion’ that made the round-up and incarceration of millions of black Americans on non-violent drug offences relatively easy, because we also know that while drug use is endemic across all corners of society, policing drug use disproportionately focuses on certain public areas. So we see drug dogs outside music festivals and searches of young people around public housing but not of wealthier people at horseracing or celebrities at the Logies. Those without a home will take their drugs in public and will be more likely charged, while people behind closed doors on private property can have their drugs almost with impunity, unless some footage is accidentally uploaded onto social media.

So as Ms Patten referred to in her second reading, this bill is really about taking the necessary step in implementing the aims of Victoria Police’s own drug strategy for 2020–25 to start treating all people’s drug use as first and foremost a health issue requiring a health response rather than focusing on policing. The bill achieves this by removing the option for law enforcement officers to impose criminal sanctions for drug use and possession. Instead police must consistently refer all persons in these circumstances into the more targeted and effective treatment and education services. This shift will lead to much higher demand for these therapeutic and educational services, so if this is passed, the government must also commit to greater investment in these areas, particularly to ensure availability in regional areas. This can be achieved by reversing the current trend of prioritising greater funding for law enforcement and correctional facilities over drug treatment, prevention, education and infrastructure investments in the most marginalised and poorest communities.

However, I believe that reducing drug harm through implementing this bill will also serve to strengthen policing, criminal courts and the corrections system by focusing their role on protecting the community from serious and violent offenders. As the police union themselves have stated, police officers should not be the ones being asked to solve health problems in the community; they should be referring people to those with the necessary therapeutic training and experience. So this is a win-win, it is long overdue, and the Greens strongly support this bill.

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (15:44): Just a few short words from me in relation to Ms Patten’s private members bill. I do want to acknowledge Ms Patten’s campaign and particularly the individuals that have come out publicly and spoken of their addiction battles and issues with drug use, and they have clearly articulated that they would have benefited from a health response as opposed to a justice response. I do commend them for joining in this campaign and sharing with us, the community, those personal experiences, because that is what we are in this place for—we are in this place to make a difference for real people.

It is not the intention of the government to advance plans to decriminalise drugs at this time, but we certainly do know the harmful impact illicit drug use can have on the community, and it is certainly why Victoria Police is constantly focused on targeting drug dealers and manufacturers to break up their criminal activity and the illegal gains that they make from that.

We are not in a position to support Ms Patten’s private members bill in its current form today. However, we do want to support further work being done in this space within the existing legislative framework, drawing on the *Victoria Police Drug Strategy 2020–2025* to streamline the use of diversions and infringements to ensure they support addressing individual drug use as a health issue as well as a police issue. With this in mind the government will convene a working group with police, health professionals, addiction specialists and youth workers, amongst others, to give advice to the Minister for Health and the Minister for Police on possible infringement trial options.

But I do just want to clarify some of the media reports in relation to potential locations and indicate that there is no location determined for any potential trial. It may be looked at by a working group that we have just committed to establishing. But I do want to thank Ms Patten for raising this issue and her continued advocacy in this space and indicate my respect for the people that have come forward,

including individuals and organisations that have vast experience in this space. As a community, as politicians, it is incumbent upon us to listen to these people.

**Mr FINN** (Western Metropolitan) (15:46): Well, one has to give Ms Patten points for consistency. I might not agree with her on very much at all, but I have to say she is consistent. Indeed we have to view this bill through a prism of her consistency, knowing full well that the ultimate goal is to legalise all drugs in this state and indeed to normalise all drugs in this state, and what we are debating today is just another step along the path towards that. That is a step that I hope we will not and I do not believe we should take. Having heard Ms Symes's comments a moment ago about the government's plan of action, it seems that history does repeat itself, because we have seen in this place before Ms Patten put up proposals which have been knocked back by the government, only to see the government a short time after pick them up and run with them. Do not be at all surprised—and I say this to every Victorian—if after the election—

**Ms Crozier** interjected.

**Mr FINN**: But after the election, do not be surprised if this government moves—if it is re-elected, and that is a fairly big 'if' at the minute, do not be at all surprised to find this—a bill legalising drugs in Victoria. Do not be surprised. Unfortunately Ms Patten is not going to be here to enjoy that, but do not worry, it will come. Of that I have no doubt at all.

I am acutely aware of the tragedy that drugs bring to the individuals who use the drugs and to families, perhaps in particular, who are so dreadfully affected by having a family member using drugs such as heroin and ice—ice in particular. We have seen ice users interstate in particular, but almost certainly in Victoria as well, actually kill members of their own family whilst on ice. I cannot begin to imagine the tragedy that people would feel, the devastation that they would feel, at having lost not just the family member who has been killed by the ice user but the ice user himself or herself, who would very much be gone as well, so they would in fact be losing two members of their family. We just have to go back a few years to the coach of the Adelaide Crows in South Australia who was murdered, as I recall, by his son, who was on ice at the time. That was a very high profile case of course. There are many others that are not so high profile that we do not hear about. I just really struggle to come to grips with the pain that people in that situation would feel. It is truly a dreadful, dreadful thing. When you have a family member who cannot be trusted, a family member who will come into the family home to steal money, sell furniture, sell antiques or sell whatever they can get money for in order to pay for their drug habit, that indeed is a tragic situation for all involved.

I know that this is predominantly a health issue, and I want to talk about rehabilitation in just a moment. It is a health issue, but I think keeping drugs illegal is actually going to help keep it a health issue. That might sound contradictory, but it is not, because what we are doing is we are sending a message to people, and everybody should be aware that when we pass legislation or reject legislation in this place, in this Parliament, we are sending a message to the community. If we were to pass a bill, for example, this bill, to legalise drugs—it does not completely, although the next one I am sure will—we would be sending a message that this Parliament thinks that taking drugs is fine. That is what we would be saying to the community, and that is how a lot of people would take it.

*Members interjecting.*

**Mr FINN**: No. That is how a lot of people would take it. You know, I have spoken to people who have done certain things over the last few years, and they have said, 'Oh, it's all right. Parliament says we can'.

**Dr Ratnam**: Who said that?

**Mr FINN**: That's what they say. 'It's the law', they say; 'The Parliament says and the government says we can do it'. This is what will happen if you have got somebody—

**A member** interjected.



**Mr FINN:** Of course it leads to full legalisation. That is the endgame that Ms Patten is pursuing—with some vigour, I might say—and has over her time in this Parliament. But I would hope that we would put as much, if not more, work and effort into the rehabilitation process as we do into the legal system. I think it is really important that we get people off these drugs, given that generally speaking there is not much hope for them, particularly with ice and heroin and some of the other drugs, if they remain on them.

We need methods that work. I do not know if this is being used, but Ms Terpstra was talking before about getting off the dreaded tobacco. I know personally how difficult that is. It is very, very hard. I tried for many, many years to give up cigarettes. I thought I had succeeded until I had the next one, and it was all over red rover and I was back on the damn things. But I went to a hypnotherapist—up in Gisborne in fact—and I have not had a cigarette since. So I am standing here to suggest that hypnotherapy may well be an answer to at least some of the problems that drug users have. It is worth a try. I do not if it has been tried by others, but certainly it worked for me, and the fact that the hypnotherapist has remained in business tells me that it works for other people as well. I would suggest that that is something that is worth having a look at. In fact I think anything is worth having a look at that might get people off these drugs. Unfortunately making them legal is not going to do that. In fact it will just make the situation worse, and that is not something that I think any of us should be thrilled with.

The house is probably aware of my attitude towards drug dealers and particularly towards drug lords, who sit in their mansions, drive their Rolls-Royces and fly to the Bahamas in their private jets, all paid for by the pain and the suffering of kids and perhaps not-so-young kids on the streets of Melbourne, Sydney or Brisbane or wherever they may be. I think that we really need to come down hard, perhaps harder than we have been, on drug dealers. They have to be taught that if they deal in drugs, if they deal in death in the way that they do, there are significant penalties for their actions, none of this stuff where—and I have spoken to police—police have brought dealers in, had them charged and dragged them to court, they have got a good behaviour bond and they are out selling the stuff again out the front of the courthouse as the police are leaving. That sort of thing is just nonsensical. It is just ridiculous.

So we have to get fair dinkum about this. A lot of people will say that we have lost the war on drugs. I would suggest to you that we never even fought it. If you go into a war and you are not going to fight that battle, of course you are going to lose it. We have to get fair dinkum—and if we do not, then our kids are going to continue to suffer and our kids are going to continue to die. I find that is something that I am not prepared to tolerate. That is something that I do not think anybody should have to put up with.

As for the drug lords, the ones that I spoke about a moment ago, as far as I am concerned—and I know this is going to shock and horror the loveys in the inner suburbs—they should face the death penalty. We have a right to defend ourselves. I do not support the death penalty for everything. But certainly for drug lords and for terrorists I do, because I think we do have a right to defend ourselves—and these people are making a living out of killing our kids. We have a right to defend ourselves and we have a right to defend our kids, and I think that these drug lords—who, as I say, are making a fortune, are having a great old time on the back of the suffering, the pain and the deaths of our young people—deserve the death penalty. I would be very happy to administer it myself in fact if it came to that, because quite frankly these people disgust me in a way that is hard to put into words. It is hard to put into words just how much these characters disgust me, because how anybody can do what they do and sleep at night I do not know. I would put them to sleep all right.

I know that there is an intention behind this bill, and some might see it as a good intention. Others might not. I might be in that second section. But the fact is that this bill is only going to make the situation worse, and that is not something that I believe we should be involving ourselves in. We as parliamentarians have an obligation; we have a duty, in my view anyway, to do the right thing. That is what we are here for—to do the right thing—and I do not believe that supporting this legislation

today is doing the right thing. I think that the ramifications of this legislation, if passed, would have a severely detrimental effect on probably thousands of people. We would see people actually taking up drugs who otherwise would avoid them.

We talk about tobacco and cigarettes and so forth. I have often wondered how many people would take up cigarettes if they were illegal. Now, I am not proposing that, but I just wonder if it would be more difficult and it would save more people's lives. You know, I have had friends who have died from lung cancer—smokers. I have often wondered if making cigarettes illegal—so that you cannot walk to your corner store; you cannot walk to your supermarket and just buy a packet of cigarettes willy-nilly—would make it harder for people to buy tobacco, to buy cigarettes and to harm themselves in that way.

I do not believe that allowing illicit drugs onto our streets, and into our stores presumably, is the way that we can help people. You do not help people get off drugs by making them easier to get. It just does not make sense at all.

So I will not be supporting this bill today. The opposition will not be supporting this bill today, and I am very, very pleased about that. I will continue my efforts wherever I can to fight the evil of drugs. I know—indeed we all know—the evil that drugs bring, and we all should do our very best to get this cancer off our streets, to put it away and to ensure that our kids are safe from drug dealers and from people who are making huge sums of money off the back of the suffering of kids. This is something that we should all be committed to, and I suggest very strongly to members of the house that they join us in opposing this bill.

**Sitting suspended 4.02 pm until 4.18 pm.**

**Mr LIMBRICK** (South Eastern Metropolitan) (16:18): I am pleased to rise and talk to the bill brought forward by Ms Patten, which seeks to remove criminal penalties for possession of small quantities of drugs. Before I start, I would like to look at this from a slightly different angle. Unlike my socialist colleagues from the Greens and the Liberal Party, talking about data and evidence-based policy and that sort of thing, I would like to talk about—

*Members interjecting.*

**Mr LIMBRICK:** Yes, well, you do not own the word 'liberal'. In fact someone from another Liberal Party, in England, wrote an essay in 1859—John Stuart Mill, the great philosopher. He was also a member of Parliament, and he spoke extensively about the principles of liberalism and what things should be taken into account by people such as us when forming legislation.

I will read a quote from his essay *On Liberty*, which I think goes directly to the heart of what we are debating here today:

That the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to some one else. The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

What we are talking about here today is drugs and the harms caused by drugs. I do not think anyone is arguing here that drugs do not cause harm. I know Ms Patten is not arguing that, and I know that no-one here is arguing that drugs do not cause harm. What we are talking about is whether our legislation is causing harm, whether our laws are causing harm—more harm than the drugs themselves.

Clearly this philosophy of liberalism, which John Stuart Mill so eloquently articulated in *On Liberty*, is not current in the state of Victoria. If we look at our current situation, we have a situation where the government deems certain drugs undesirable, and if one is caught in possession of small quantities of those, one will go to prison or have some sort of criminal offence. On the other hand, we also have another situation where if people do not take drugs that the government mandates, they will lose their job or be ostracised. Clearly we are not following the principles of liberalism in this state.

When we are talking about the individual and the harm caused by drugs, we must also talk about the harm caused by the legislation, by the current law. I do not think and I am sure that many do not think that someone being caught with a small amount of drugs—perhaps they made some mistake in their life—and ending up getting a criminal offence, a criminal record, for the rest of their life helps the person who is caught with the drugs. I do not think it helps them get better. It certainly does not help them in the rest of their life—a criminal record is a very, very serious thing. And it does not help taxpayers either, because it costs a fortune to do this. We have to ask ourselves, as many others have talked about here: if we are going to try and treat the harm from drugs, is the current system of treating it as a criminal issue the best way of doing it, or, as others have proposed, should we treat it as a health issue so people who need help can get help? Some people who use drugs do not need help or do not want help, and we cannot really force people to do that. They have to be ready to make their own choice, because over their own body and mind they are sovereign. But some people will choose to seek help eventually, and when they are at the point in their life where they want to seek help, then others can provide it.

With this harm that we are talking about, we have to look at how much money, for one thing, we are actually spending. I know that Ms Patten has got some figures from the Parliamentary Budget Office. I also have been working on some figures from the PBO. It seems like they have used different assumptions. But policing, sending people to the court—this is for possession offences—and then imprisoning them, for those that end up with a prison sentence, according to the Parliamentary Budget Office and the data that we have, over 10 years costs somewhere in the order of \$936 million, so approaching a billion dollars over 10 years. What an incredible waste of resources. Imagine what could be done with that money. I am sure the treatment of these people would cost far, far less than that, and maybe we could treat these people and even give some back to taxpayers or pay some of our debt or do other things that are far more useful for our society than giving people criminal records and locking them up in jail—for doing harm to who? They are doing harm to themselves.

As Ms Patten and others have pointed out, there are many ways of doing harm to oneself, including through legal drugs, as has been brought up many times here. Cigarettes of course cause harm, very serious harm, to people, and as Mr Finn has pointed out, giving up cigarettes is very, very difficult. I am an ex-smoker myself. It was a very big battle to give up smoking, and I commend anyone that goes through it. Alcohol is another big harm and also legal. There are many ways that people can cause harm to themselves, but under the philosophy of liberalism, under these principles that the Liberal Democrats stand by, we should not be legislating for people to stop causing themselves harm.

People who do not have a choice on whether they cause harm to themselves are not really free people. This is what it comes down to from our point of view. Although I agree with many of the things said about the evidence, ultimately for us it must come down to the principle of liberalism and self-ownership. This is fundamental. This is why our party does not support criminal penalties for the possession of small quantities of drugs. That is why we have opposed other things, such as vaccine mandates that we have had. This is exactly the same principle. Anyone that is watching or listening and wondering why we support decriminalisation, this is why: it is the principle of self-ownership. I must say that I have found it very difficult to talk about drug law reform policy recently. Even though, as Ms Patten would know, I am very passionate about this area, I have found it very difficult to talk about drug law reform when we are in a situation where the government is mandating drugs on people against their will. To my mind that is a far higher burden on people. We get questions about why we

are talking about drug law reform when we have these other issues associated with other drugs that the government is forcing people to take.

I will not go on much longer—I will leave it there. But certainly we support this. One of the issues that this bill does not address—and I know that Ms Patten is very conscious of this because she has put another motion on the notice paper about it, and it is something that I am very passionate about as well—is the underlying issue of attacking and undercutting organised crime. This bill does not do that, because it is not talking about the supply side of things. But one way of undercutting organised crime and reducing harm is through allowing doctors to prescribe hydromorphone. I know that Ms Patten is very supportive of that and has a motion on the notice paper on that. I am also very supportive of that because it will directly force drug dealers, who I know Mr Finn and others hate, out of business. It will put them out of business. It will stop petty crime, because people will no longer be forced to commit petty crime to feed their habit. They will be able to go to a doctor and get a prescription. It will stop organised crime because they will have no market, at least in the particular market that we are looking at. We do need to look at wider issues around how we undermine organised crime. I think that is one very good way of undermining organised crime, at least in that one market.

**Dr KIEU** (South Eastern Metropolitan) (16:28): I rise to speak to Ms Patten's private members bill, the Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022. Before I start, in the contribution just now from Mr Limbrick I did not understand the quote. Logically it was very confusing and contradictory for me. Isn't anyone a member of the society? If a member of the society does enough harm to himself or herself, who in the end would have to look after that member? This is not to mention that feeding a drug habit would create problem crimes and associated grievances.

Now to the bill by Ms Patten. At the outset I have to express my admiration for Ms Patten for her passion and attention to social issues that affect vulnerable people. I do work with Ms Patten on the Legal and Social Issues Committee. More often than not we do have agreement. Occasionally we do have differences. That is a fact of life. The agreements are more on the findings—for example, the harmfulness and the destructiveness of alcohol and substance dependence. Occasionally we do have differences, particularly in the solutions for a problem that is found. On this occasion, I have to say, I disagree with Ms Patten on the bill that she has presented in front of the house in its current form.

Our government and everyone here recognise that alcohol, drugs and substances of dependence cause harmfulness and destructiveness. I myself have known some people who have been addicted to some of these substances, and sometimes it has to be said that there have been very tragic outcomes. A friend of mine had a young son with all his future in front of him. He went from the small things to the bigger things—from trying something that was seemingly harmless—and eventually they found him dead on a mattress in the house. According to the length of the candle that had burnt next to the mattress on the floor, it had been more than 24 hours. That affected the parents of course and me a lot.

We as a government do recognise that this is a health issue. As my colleague Ms Terpstra has articulated, this government has put a lot of investment into the health issue aspect of drug dependence to help addicts to recover and help their families as well. First and foremost, it is a health issue. I will briefly go to some of the points, and then I will concentrate on the last point before my time is up. We as a government are more than doubling the number of residential rehabilitation beds. We have invested a lot of money, \$23.2 million in the 2021–22 budget alone, to deliver funding for residential rehabilitation across this state—in Corio, Traralgon, Wangaratta and many other places—building on the \$52 million that had previously been invested.

I would just like to highlight another point—that also that budget, 2021–22, furthers the work that has been carried out with the funding of \$1 million for the support of Aboriginal Victorians through the Aboriginal Metropolitan Ice Partnership. Ice is a very aggressive drug, and it can induce some very terrible and aggressive actions from the person who is under its effect. We are concentrating on and paying attention to harm reduction reform in the form of allowing people other than pharmacists to

seek authorisation to supply naloxone and also legalising the secondary supply of sterile injecting equipment, under the name commonly referred to as peer distribution. We also have the supervised injecting facility. As people know, the one supervised injecting room that we have is doing exactly what it was designed to do—namely, saving lives.

Knowing Ms Patten, I know that she would have consulted with a lot of people. I am just wondering whether it was a cross-section representative of the community or not—I do not know, because I am not privy to that—and particularly whether Ms Patten has consulted with Victoria Police. Once again, the government and VicPol do recognise that, first and foremost, this is a health issue. VicPol already has some programs and also has committed to trialling different ways to refer more people who need help to the services and support that they need and also to work with their families and support organisations so that they can be helped in the journey out of the addiction that they have fallen into.

The key elements of VicPol's drug diversion program, which is not the only one but a baseline from which VicPol will explore new and improved approaches, include a cannabis cautioning program. First the police will record a caution for the record and may provide the offender with educational material and the option to attend a voluntary cannabis education session. Not everyone who had been detected with another offence at the time would be able to get that caution, nor people who have received more than one previous drug cautioning notice, for obvious reasons. Also there is a drug diversion program. The officer who detects a drug offence will record a caution and also will make an appointment for the offender to attend an assessment session to assess them first and then to refer them to a treatment provider for treatment. The offender under this program must attend an assessment session and one follow-up treatment session within two months of the first appointment date.

In the bill as it is proposed before the house, the points in the bill actually have not included the following issues, namely operational issues. I think it is unreasonable to ask police to check a person's compliance each and every time they are responding to an incident of possession of drugs. And this is operational as well: in the event that police bring a prosecution to the court, they must gather evidence of non-compliance that must be presented to the court, but that would be complicated, costly and time consuming. And also on the issue of compliance, what is the definition of 'compliance'? Does it mean attendance or evidence of learning or of behavioural change? And how do we measure that? These are some of the issues.

And the main important point is about police discretion. The police, as I mentioned, have indicated support for the diversion of people who use drugs into health and treatment services, because we do recognise it is a health issue, but the police do not support the removal of the discretion that they have at present. Our government back the police to retain discretion in consideration of all of the circumstances surrounding the possession or the use of illicit drugs. So I would like to conclude by saying that we do not support any option that removes or limits the capacity of police to exercise their discretion when they have to respond to drug offences, including possession or use of illicit substances.

**Dr BACH** (Eastern Metropolitan) (16:39): It is good to rise to speak on an important bill, and it has been fascinating to listen to the debate thus far. In particular I have enjoyed being schooled on liberalism by both professors Limbrick and most recently Kieu. Professor Limbrick wanted to speak about John Stuart Mill's seminal work *On Liberty*, and as a good liberal—well, I always thought of myself as a good liberal, before being besmirched by Mr Limbrick as a socialist a little earlier—I have read that text on many occasions. But it is not actually the most important text that was published in 1859. I dare say—and I am sure Dr Kieu will agree with me on this point—that probably it was *On the Origin of Species*. The second most important work in my opinion published in 1859 was a little-known text these days but had a huge impact in the 19th century, *Self-Help* by Samuel Smiles, and so I would refer Mr Limbrick to that work from 1859, which talks about the deep commitment and respect that all of us must have as members of a society.

So I am no ideologue; my colleagues are no ideologues. My understanding actually—and I am at variance with Dr Kieu here—about the manner in which Mr Limbrick put forward the liberal

argument of John Stuart Mill is that he did so correctly. However, I was sitting with Mr Finn as Mr Limbrick was doing so, and if we take the argument that Mr Limbrick put to this house to its logical conclusion, well, we must of course go back and repeal that Liberal measure under Premier Dick Hamer of mandating the wearing of seatbelts in cars. I am not sure anybody in this house would argue for doing that. We would have to go back to the 1980s to stop the mandating of the wearing of bike helmets. I have watched a lot of *Bluey* in my life, and there is a wonderful *Bluey* episode where Bandit is telling his children about an occasion on which he was very unkind to one of his brothers—and he is riding his bike. But he is doing so without a bike helmet, and he says to the kids, ‘That was in the 80s’. There are so many occurrences in *Bluey* where the kids now say, ‘Oh well, that was in the 80s’.

Again, I am not sure if many members of this house would argue that that is a bad thing. However, using the harm principle of John Stuart Mill, narrowly defined as it is, the government has no business in telling people that they have to wear seatbelts, telling parents like me that we have to secure our children in cars in a certain way or telling people that when they jump on their pushbike they have to wear a helmet. Yet even as a liberal I support those measures and other measures that are in place from time to time that governments feel are necessary in order to, yes, protect individuals. And I agree with Dr Kieu’s point of course that there are occasions when we should not look at harm in such a narrow sense, when individuals can cause harm principally to themselves but nonetheless in a manner that then really detrimentally impacts the broader community.

There has been some discussion out of doors more broadly about Ms Patten’s bill, which has made reference to a war on drugs, that I think has sought to label Victoria’s current policies in that way and the position of the major parties in that way. I would say that when you look at what has been advocated—I will speak only for myself and for my side of the house—by the Liberal and National parties over the years it is very hard to call that a war on drugs in a manner that is authentic or in keeping with the normal use of that expression. Normally when people refer to a war on drugs they are thinking about a principal, a predominant, law and order response to the use of drugs. Yet over many years the Liberal Party has been highly supportive of methadone programs, of needle and syringe programs—these are things that the Howard government many years ago funded to a very large extent—of drug courts, for example, and of a variety of other measures that the current government has continued to support, as Dr Kieu said. So for those reasons, despite Ms Patten’s excellent intent, I will not be supporting this bill either.

**Mr GRIMLEY** (Western Victoria) (16:44): I am trying to edit this as I go, to try to reduce the time frame so we can get a few extra crossbench speakers on. I rise to speak on Ms Patten’s Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022. From the outset I will say that Derryn Hinch’s Justice Party will not be supporting this bill, and it will not be a surprise to anyone in this chamber and particularly Ms Patten—we have had a conversation about it previously. But I have to say that our party and I also appreciate what the Reason Party are doing, which is trying to break the cycle of addiction through a health response.

However, we do not believe that this is hitting the right balance. We can find some common ground here today, and that is predominantly what I would like to make my contribution about, because I know with more voices we can encourage the government to do more in the space of rehabilitation. I was going to prosecute the specifics of the bill, but I will not in the interests of time. I will just make a comment in relation to the word ‘decriminalisation’. It has been mentioned before and previously, through the media communications of the Reason Party and in the title of the bill, and I am just not too sure if decriminalisation is the right aspect of this particular bill, but I will be interested to hear that in the summing up regardless.

The bill specifies that no proceedings can be brought against a person up to 24 months after the alleged commission of an offence, and from what I have been informed this is intended to allow for the completion of the education and rehabilitation programs, especially if it goes up to 12 months in

duration. Given that the use of a drug of dependence would become a summary offence, it is likely to impact current bail thresholds.

This bill also allows for an adjourned bond or an adjourned undertaking to be given in instances where a small quantity possession charge is filed, and this will allow for the drug education treatment notice to be fulfilled. The act already has an extensive section—section 76—that deals with directing the court to divert someone. In this instance the person needs to satisfy the criteria, including having no similar prior offences, in order to attend a drug education and information program, considering the character and antecedents of the person as well as a public interest test. But if these criteria are satisfied, the court must not convict the offender. So this already exists under the act for cannabis offences. The bill seeks to expand this direction to the court for all drugs. The bill seeks to introduce these reforms by 1 July 2022, which is a pretty short time line. Whilst I think Ms Patten and her office have acknowledged this, they have also been clear that in order for this bill to pass we need additional investment in rehabilitation. Unfortunately we have not seen serious investment for some time, which is exceptionally disappointing.

Ms Patten has used a few figures when prosecuting her case for the decriminalisation of drugs. I will just put these on the record, and perhaps if we have time, you can just come back to me with those statistics. In particular:

Of the 32 860 drug arrests in Victoria last year, 26 195, or just on 80 per cent, were for the offences of drug use or possession only ...

was one of the quotes. The word ‘arrests’ has been used throughout communications, but my curiosity was piqued when I heard these claims. As a former police officer I thought, ‘Jeez, that’s a lot of arrests’. It appears that within this statement it may have been excluded that those arrests also include a summons, and the two processes are quite different. A summons is not exactly an arrest. On further investigation I found out that there were 14 438 individual offenders recorded for the last reporting period—starkly less than the 26 195 number that has been used by the Reason Party. In most cases a number of similar offences will be heard together in the courts. In addition to this the Crime Statistics Agency data shows that of the 4797 arrests or summons filed for cannabis offences there were 2792 cautions or warnings given. For amphetamines it was 365 versus 99. Once again, maybe some of these statistical anomalies can be clarified in the summing up. We should also remember that many charges might result in drug education and information programs, adjourned undertakings or community correction orders with appropriate conditions. So whilst the numbers still show a huge amount of drug use and possession, we contend that there has been a bit of massaging perhaps in the statistics within this campaign. If anything, it represents an opportunity to invest in more programs and rehabilitation, which I will talk about shortly.

This leads me to the common ground that our parties share, and that is alcohol and other drug rehabilitation investment. Members in this place know that during COVID times there were absolutely no detox beds in some areas. That meant that if you had an addiction and you were ready to go down the path of rehabilitation and you wanted to get clean, there was nowhere for you to go and nowhere to detox, which meant that you could not enter rehab either. How in the world are we supposed to be fixing the problem of drug addiction when people literally cannot get help even if they want it? Take the very real case of the Lookout, a residential rehab proposal in Warrnambool in my electorate of Western Victoria. The Western Region Alcohol & Drug Centre have been pushing for this proposal and doing all the legwork for half a decade plus. Their work is to be highly commended, especially that of Geoff Soma. The facility will cost \$3.5 million in capital works plus ongoing costs. It is ready to go, depending on any additional specific requirements from the Department of Health. It has been to VCAT, it has been approved and it needs to be built next year to ensure it does not need to go through the arduous planning process once again.

The government, when I have raised this funding need, have referred me to the investments in the budget last year and the alcohol and other drug services in Corio and Shepparton. Well, as fantastic as

these initiatives are—and I welcome the opening of Corio’s facility just a few weeks ago—we need to do much, much more. Infrastructure Victoria’s 30-year strategy asked the government to:

... build residential detoxification and rehabilitation facilities in regional Victoria to provide equitable access to alcohol and other drug treatment ...

within five years. The clock is ticking—literally. All right. This is totally shameful, and we need urgent investment. I could talk a hell of a lot longer about all of this, but I have been given the wind-up and in the interests of my crossbench colleagues I will sum up.

I will sum up by mentioning that I have received numerous police communications over my time here, and I have one in particular that I want to share. It is in relation to a couple of jobs that a police member attended recently and to some people having mental illness episodes. In particular one of the persons advised—the partner advised—that she had just taken ice a month ago. In another episode a 16-year-old male who was transported to an ambulance was having an episode, causing significant harm to himself. They were advised that he had just recently started to take LSD. So there are these things that are happening in the community right now that are quite traumatic for all community members, in particular police members and family members, and the police are doing a wonderful job. Despite what is bandied around here sometimes, the police do a wonderful job in protecting our communities and keeping them safe. They are very professional in what they do.

Like I have said, we will not be supporting this bill, but we would implore the government to get serious about investing in alcohol and other drug rehabilitation and all its associated support mechanisms.

**Mr ERDOGAN** (Southern Metropolitan) (16:52): I rise to speak on the bill before the house, and I will begin by thanking Ms Patten for her sincerity and consistency on this matter, the decriminalisation topic. It is an issue where people can come from quite different angles, and from hearing all the speakers I do believe we all have a common goal in creating a society that is fairer for everybody and that causes the least harm. It is about whether you view addiction as a health issue and not necessarily just a law and order issue. I will note that there are a number of speakers that wish to speak on this matter, from the crossbench also, so in the interests of making sure that everyone in the chamber gets a say, I will be brief today.

There are different approaches, and this approach that Ms Patten has suggested here is decriminalisation. I have noticed different jurisdictions. When I was much younger I travelled to the Netherlands, where they had gone with the approach of legalisation, which is quite different to decriminalisation. I think that is quite a different approach to the one proposed here.

I will just quickly touch upon the fact that our government is taking this issue very seriously and that we have invested in beds in this space, especially in regional Victoria. When we came to government at the end of 2014 there were 208 beds in terms of residential rehabilitation. That has more than doubled to over 500 beds, of which almost half of the increase is in regional Victoria. In our latest budget we have delivered funding of \$23 million to operationalise new alcohol and other drug residential rehabilitation beds in Corio, Traralgon and Wangaratta. Obviously that is built on the existing \$52 million worth of investments we have already made. So I do not accept that we are not taking this issue seriously. We are taking it very seriously, and we have backed it up with action. Obviously we have an Ice Action Plan. I know Mr Finn talked about the harms of ice and other drugs, and that is right. We have all got stories of friends or family or know someone from our local sporting club or school. That is right: it is a harmful addiction, it is a crime and sometimes the people that hurt the most are the people around them, which is usually family and friends. They are stealing off them to feed their habit. So that is a lived experience that most of us could relate to.

I note, in the interests of time, that I do have a lot further to add, but I know there are a number of speakers that wish to contribute on this matter—

*Members interjecting.*



**Mr ERDOGAN:** I will keep it very, very short. Like I said, I did want to touch on the different approaches—decriminalisation, legalisation—from my experience in the Netherlands, but I am getting a strong sense from members of the crossbench that there are many others that want to contribute to this debate. So in the interests of sharing the opportunity to present to the chamber I will conclude my speech.

**Ms BURNETT-WAKE** (Eastern Victoria) (16:56): I rise to speak on the Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022. I will not be supporting this bill. Under this proposed legislation people caught using or in possession of small quantities of drugs would be dealt with by way of drug education or treatment. These people would be issued a drug education or treatment notice that would direct them to engage with services and programs to address their drug dependence.

Drug use and possession is a growing issue in Victoria. Just last Sunday the *Herald Sun* reported that drug-related injuries and assaults are again on the rise in Melbourne. The Salvation Army confirmed that three people had died on the streets in a matter of weeks and warned that there had also been a sharp rise in drug-related injuries and assaults in the city. Pictures alongside the article showed users injecting drugs into their arms in broad daylight in the middle of the city, just metres away from where children were playing. As a mother these images were deeply concerning. I understand that drug use and possession is multifaceted and that many of these people need help. However, our children should not be exposed to this like it is some type of normal. I feel strongly that decriminalising drugs sends a message to the community that there are no real consequences for this type of behaviour, when in reality the impact of drug use is far reaching and affects the broader community in a number of ways.

We were told when presented with this bill that decriminalisation does not increase drug use. In a paper published by Drug Free Australia data shows that when South Australia decriminalised cannabis in 1987, followed by the ACT in 1993, there was a spike in drug use. Data from the Australian government's household survey shows a sharp rise in use in both South Australia and the ACT, with use in the ACT also rising during the decriminalisation campaign. This bill is not just about cannabis. It includes class A, class B and class C drugs. This could be anything: heroin, cocaine, methamphetamines, LSD, and the list goes on.

We have all heard about how drugs ruin lives. They have direct links to drug-related and drug-fuelled crime. Their consequences are so far reaching that those who may have never done drugs in their lives are impacted. In my previous role at the Administrative Appeals Tribunal I would assess character matters, and I would hear evidence time and time again from witnesses on how drugs had torn apart families because of the dependency issues of their loved ones and the ongoing criminal behaviour directly related to drug dependency issues. Victoria Police recognise that many thefts, home invasions and random attacks are often fuelled by drug addiction. Drug use needs to be deterred, and I am concerned that education and treatment is not a sufficient deterrent.

On top of this, drug education and rehabilitation programs are already incredibly overwhelmed in Victoria. Wait times to access treatment services soared when Labor imposed multiple extended lockdowns. Before the pandemic waitlists were up to a year. Ms Patten said that there were 26 195 drug arrests for use and possession in Victoria last year. With a system already overwhelmed and backlogged there is simply no capacity in the sector to provide tens of thousands of people with treatment programs, particularly given we already have tens of thousands on waiting lists. Further to this, the bill proposes that drug education or treatment cannot exceed 12 months. I find it ambitious to think that drug dependency issues, including those of lifelong users, will be fixed within 12 months and that these people will not be back in these programs after being caught again. If these people want to access drug education and treatment, they have been free to do so. I am concerned that these notices may be an easy way out of a criminal conviction for people who do not want to change. The system is at risk of being overwhelmed by users who have been issued a notice. This would mean those who genuinely want to make changes would want to wait even longer for a place in one of these programs. There is no limit to the number of treatment notices that can be issued under this bill.

These people will quickly realise that there are no consequences if they do not address their dependency issues. I have not seen any information as to what would happen if someone was unable to fulfil the order for education or treatment due to insufficient capacity in the sector. It would mean that charges would not be laid and the treatment would not occur, resulting in no action being taken. I am overall concerned about increasing wait times for people who genuinely want help and the message decriminalising drugs will send to our community. Drug use and possession is much more serious and has further reaching ramifications than most other offences that attract 1 penalty unit. It should be treated that way.

We have diversion, we have drug courts and we have the assessment and referral court. These mechanisms within the criminal system already exist to address underlying causes of offending. In the first year of the Dandenong Drug Court reoffending dropped by almost a third after participants completed drug treatment orders. I would like to see the state government commit funding for the establishment of a further Drug Court at the Latrobe Valley Magistrates Court. My colleague Ms Melina Bath, also a representative of Eastern Victoria Region, has advocated for this previously in Parliament. These drug courts exist for low-level crime, similar to what is proposed by this bill. Drug and alcohol treatment orders are one option available through the drug courts. The magistrate can require a person to seek support for their substance abuse issues. If it does not happen, a custodial sentence is considered.

It makes absolute sense to continue rolling out these drug courts, particularly in the Latrobe Valley court, which services a large part of Gippsland, which is known to have high levels of drug dependency. It is disappointing that the Latrobe Valley was not included in these first rollouts of drug courts despite significant drug and alcohol harm in these Eastern Victoria communities. Drug courts strike a balance between deterrence and rehabilitation. They do this without sending a message that drugs are acceptable. I do not support this bill.

**Mr HAYES** (Southern Metropolitan) (17:02): I have been trying to cut this speech down, so that is my excuse if there are a few non sequiturs.

There is much about this bill that should be supported. However, drug decriminalisation has become a very difficult issue with no easy way out of the position that we have dug ourselves into. But for many people educated on the subject the so-called war on drugs has been an expensive failure in many ways—in monetary terms, in ruined lives and in the corruption of law enforcement bodies. The World Health Organization, for instance, a body whose health orders we did give some credence to during the pandemic, recommends drug decriminalisation, and I agree with the proposition that we need to help people who are affected by drugs, especially those addicted to drugs—that is the issue—rather than the current failed system of harshly punishing them. Merely punishing drug addicts or any addicts has not really proved to be effective, and one can see that in our prisons, where you have the most harsh supervision available and more punishments available yet drug addiction is rife.

The bill seeks to redirect those who were previously seen as possession and use offenders into a treatment response, and there is an enormous amount of evidence that substance use and dependence is a health issue and a social issue rather than a law and order one. According to VADA, the Victorian Alcohol and Drug Association, some 43 per cent of all Australians aged 14 and over have used illicit substances at some stage. With those figures some might think there might even be a few people here who did not inhale.

The huge amount of money spent on expanding prisons, which unfortunately for this country, like America, has become an industry—a rather noxious industry which likes to see its own expansion—and reinforcement regimes when it comes to drugs could well be spent on treatment for patients and in doing so would improve our health system's response to mental illness in general.

There is, however, one aspect of this bill that concerns me, and that is the almost compulsory direction of so-called offenders to health services, which includes rehabilitation. My concern with this aspect of

the bill—and I support its intentions—relates to the already well known inability for those in need to access rehabilitation facilities in Victoria and indeed in Australia. Waiting lists for counselling and residential rehabilitation, already significant, have lengthened since the COVID pandemic. My understanding is that Victoria has the second-lowest amount of available rehabilitation per person in Australia. Once again we are seeing areas of social and health policy sacrificed on the altar of huge projects such as the Big Build. Concrete pollution-producing infrastructure gets more support than community health infrastructure. Look at our hospitals, for example. It is not good enough.

But another issue with the almost mandatory referral to rehabilitation is that any rehabilitation program really only works successfully when the person actually wants to be rehabilitated. What will indicate non-compliance under this bill? What if the person involved fails to make progress and relapses quickly? Is it then back to the criminal justice system or back to paying the fine and having no further treatment? This all needs further refinement.

An effective triage system has to be put in place to sort out the degree of health needs of that person, and most importantly, we need to remove the stigma implicit with the diagnosis of addiction so that there is no problem with someone self-identifying and seeking the best possible avenue to find treatment and essential support. Support from the community will help. After all, addiction of some sort is something most of us will have had some experience with, if not ourselves then amongst our family or our friends.

The time for action is well and truly overdue in this area. Reform of criminal justice policy is much needed and improvement of our social and health provisions is needed, but more work needs to be done. On that, I will finish.

**Mr ONDARCHIE** (Northern Metropolitan) (17:07): I rise today to speak on the Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022, a bill for an act to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for certain offences to be dealt with by way of a drug education or treatment notice and to make consequential and related amendments and for other purposes. Last year there were 32 860 drug arrests in Victoria. About 80 per cent of those were offences of drug use or possession only. Seventy-two Victorians are arrested every single day for drug use or possession, and most of them are very young people. Possession or attempted possession of a drug of dependence is around the third most common charge heard in the Magistrates Court of Victoria. In the 2018–19 financial year 21 263 charges of this offence were finalised by the Magistrates Court. Despite the existence of a drug diversion program intended to divert people away from the criminal justice system, the majority of people charged with drug use or possession simply did not escape it.

The mental health and drug and alcohol system is clearly overwhelmed due to a mental health and alcohol and drug workforce crisis. This government—the Andrews government—was warned by the Royal Commission into Victoria’s Mental Health System in its 2019 interim report that it must immediately act to build Victoria’s mental health and alcohol and drug workforce, with more than half of the recommendations related to the workforce. Three years later—three years after that royal commission handed down its report—Labor’s failure to take more action means fewer people can get the mental health support they need when they need it and more people are turning to drugs and alcohol to self-medicate, particularly during the trials of Labor’s lockdowns, restrictions, curfews and tape around playgrounds.

It seems to me—and it is obvious to the people of Victoria—that only the Liberal-Nationals have a plan to launch Australia’s biggest ever mental health recruitment drive, which would mean that more people can get the mental health and drug and alcohol support they need when they need it.

This bill removes the discretionary powers of Victoria Police to issue cautions or impose a penalty for people in possession of drugs or using small quantities of drugs of dependence. What is clear is that drug education, treatment and rehab programs are overwhelmed in Victoria. Waitlists are up to a year,

and that was before the pandemic. There is simply no capacity in the drug and alcohol support sector to provide additional drug and alcohol education and treatment programs by this bill's proposed commencement date of 1 July 2022. There is simply not enough time to ramp up and get this done in time.

Further, a referral to a drug education and treatment program for an individual under duress to avoid criminal action may result in someone who does not want drug education and treatment taking the place of someone who genuinely does want it and who wants to reduce their drug use or eliminate their drug use. We have a commitment, the Liberal-Nationals coalition, to improving mental health, recruiting mental health workers and providing appropriate drug and alcohol support. There is very little detail around how this concept would work in this bill—how it would work in operation to support enshrining the decriminalisation of drugs in legislation. The commencement date of this bill simply will not allow enough time to get these things done.

When it comes to drug support in this state, it will probably be another failure if this bill gets up. In North Richmond the supervised injecting room has been a failure for local businesses and for local residents. It has increased the number of dealers in the area, and kids are seeing things they should never have to see: a drug-injecting room right next door to a primary school. The police, who had done a great job in cleaning up that local area, now find themselves with a multitude of challenges, a multitude of problems, because of this drug-injecting room right next door to a primary school. And when the primary school raised the issues of security and the kids seeing things they should never have to see, the government's response was not to move the drug-injecting room, it was to increase the security around the primary school. Can you believe it? I have parents who moved into homes in that area saying 'My kids are opening the door to see people defecating out the front', 'They're having sex out the front of our house' and 'They're injecting drugs out the front of our house'. They think it is just about the drug-injecting room, but in fact the dealers have moved into the area because this drug-injecting room created a market.

There is no way known I can support this bill. The government have failed on rehab, and in January last year they were talking about opening rehab facilities in the Gippsland, Hume and Barwon areas—rehab facilities in Gippsland, Hume and Barwon, but a safe injecting room, they call it, in Richmond and now another one in the city. They just do not get it. There is no way known that I can support this bill. Mr Limbrick says they are only doing harm to themselves. They are not. They are doing harm to communities, they are doing harm to families, they are doing harm to businesses and they are doing harm to residents. There is no way known I can support this bill today.

**Mr BARTON** (Eastern Metropolitan) (17:13): I have got 60 seconds. I will be supporting this bill, and I will be supporting the bill because of the young man in my family who died from drugs. He did not have the opportunity where he could get the support that he needed. When I say he was a 'young man', he was not a young man, he was a boy. I will support this bill, and I thank Ms Patten for bringing it forward. This is important stuff. I am very sorry that I have not been able to really spell this story out, but this is a real story about real families and why we really need this stuff.

**The ACTING PRESIDENT (Mr Gepp):** Mr Barton, you can continue when the matter is back before the house. You will have 29½ minutes to continue your contribution when the debate resumes.

**Business interrupted pursuant to sessional orders.**

#### Production of documents

#### TIMBER INDUSTRY

**The Deputy Clerk:** I lay on the table a letter from the Attorney-General, dated 8 March 2022, in response to the resolution of the Council of 13 October 2021 on the motion of Mr Bourman, and

further to the government's initial response of 1 December 2021, relating to the closure of the Victorian native timber industry. The letter states in part:

Given the breadth of the Legislative Council's resolution ... the date for production of the documents does not allow sufficient time for the Government to respond to the Council's resolution.

The Government is in the process of identifying and considering the relevant documents for the purpose of responding to the Order. The Government's initial estimate is that there are approximately 45,000 pages that may fall within the scope of the order, and that it would take up to 2.5 years to collate, consider and obtain advice in relation to the documents. The Government estimates that it would cost approximately \$500,000 to prepare the documents for a final response to the Legislative Council.

To avoid the estimated onerous time and expense, the Government invites the Legislative Council to pass a motion to amend or replace the current order with an order seeking documents within the revised categories set out in Attachment A.

The proposed revised categories have been developed having regard to the intention of the order expressed in Legislative Council debate on 13 October 2021, and seek to capture all documents that both substantively underpinned the Government's decision to close the Victorian Native Timber Industry, and substantively informed the measures outlined in the Victorian Forestry Plan that was announced on 7 November 2019.

The Government estimates that, if the order were revised as proposed, it would take approximately 7 months for the Government to provide its final response at an exceedingly lower cost.

If the Legislative Council is not minded to re-issue the order in the terms the Government proposes, the Government's intention is to produce documents in response to the original order in tranches over the next 2.5 years at the significant cost estimated.

I note that copies of the Attorney-General's letter and attachment A are available to members at the table and on the tabled documents database.

### **Statements on reports, papers and petitions**

#### **VICTORIAN LAW REFORM COMMISSION**

##### *Improving the Justice System Response to Sexual Offences*

**Ms MAXWELL** (Northern Victoria) (17:17): I am pleased to speak on the Victorian Law Reform Commission's report *Improving the Justice System Response to Sexual Offences*. The reality that one in five women over the age of 15 experiences sexual assault in their lifetime and that over 85 per cent of these assaults are not reported to police was a sobering place for the VLRC to commence this review. Very recent data from the Australian Bureau of Statistics on sexual assault offences across Australia demonstrates the seriousness of offending. One in three prisoners serving time for sexual assault in Australia had been previously incarcerated, and a third had faced action from police for sexual assault or other offences in the year prior. The crimes of more than half of offenders were serious enough to require hearing in higher courts.

Many victims report that our system is a legal system instead of a justice system, and some of the 91 recommendations in this VLRC report point to increasing accountability for perpetrators of sexual violence and give choice and support for victims. The report clearly articulates that victims should have specific rights in the Victims' Charter Act 2006. We will keep fighting for those. Research and data is identified as a priority, something Mr Grimley raised in this Parliament in his motion last year. Understanding and sharing information about the context and patterns of sexual violence and how—I sometimes wonder if—we can change behaviour should be a goal of the government's sexual assault strategy. As the report says, we need data on what is working and what needs fixing.

We welcome the government's commitment to bringing legislation requiring affirmative consent and to create an offence against stealthing. The responsibility of individuals needs to be clearly spelt out through our laws and our education systems, in our homes and in our public discourse. From that affirmative consent perspective too I hope there is further change to protect victims from having their background or their physical presentation dragged through the mud in court proceedings. I know we have made some progress in this area, but it still unfortunately happens. I regularly hear from survivors

that the way they are questioned or advised in court proceedings or in public commentary really amounts to another form of victim blaming. If a victim appears stoic in court or in any other manner of setting, there is an assumption that they are not suffering any trauma, that it must not have been that bad or that they were somehow complicit or consenting. Why aren't we congratulating them for surviving in such an incredibly courageous way? We need to recognise this as a strength of victims and not brand it as a weakness or let it somehow shift blame or downplay an offender's accountability.

The review made key recommendations relating to forensic examinations, police responses and reporting. I will say at this point that in regional areas access to forensic medical services is scarce or completely lacking. Often victims need to travel to Melbourne. I know in the case of one young victim-survivor it was a 48-hour process from her assault to examination and initial interview. This was exhausting after an already traumatic experience. We can do a lot better for victims in this regard.

There are opportunities to improve the skills of people working in the criminal justice system, and this report makes solid recommendations that I hope the government will embrace. This is complex work, and it needs a specialised criminal justice workforce that complements the framework of our specialised courts. The commission has recommended a review of appeals and the evaluation of reforms to tendency and coincidence evidence, which is something I raised in this Parliament last sitting with respect to offending in the context of family violence. There are other recommendations relating to jury directions, use of experts and courtroom culture that are key to improving our justice system.

There is so much to say about this report and how we respond to sexual offending in general. As a key policy area of Derryn Hinch's Justice Party, it is something that we will come back to time and time again. As the VLRC duly noted, sexual violence is a public wrong that the state must redress, and our dealing with sexual violence in the criminal justice system signals our condemnation of violence and holds those responsible to account. The system needs to meet the needs of victim-survivors. Reform needs to be practical and measurable, and we share the hope of the VLRC that the government takes this opportunity to improve the way Victoria responds to sexual violence.

### AUDITOR-GENERAL

#### *Business Continuity During COVID-19*

**Dr CUMMING** (Western Metropolitan) (17:22): I rise to speak on the report by the Victorian Auditor-General's Office *Business Continuity During COVID-19*. A business continuity plan (BCP) is a practical plan for how a business can prepare for and continue to operate during and after an initial incident or crisis. It helps business to identify and prevent or reduce risk where possible and to prepare for risks that cannot be controlled. Never have these plans been more important than over the last two years.

The Auditor-General audited the business continuity arrangements for all eight government departments as well as Cenitex, which provides services to most departments. The most alarming finding from this audit is, and I will quote:

Before the pandemic, most departments' business continuity arrangements were inadequate. This meant that their response to restoring and maintaining their prioritised services was reactive and less efficient and effective than it could have been.

Their business continuity arrangements were tested in 2018 and 2019, and significant weaknesses were found. However, many of these had not been addressed prior to COVID-19. Luckily their incident management structures enabled them to quickly set up teams and make decisions.

For many years a pandemic has been seen as a state significant risk. In 2019 it was rated as 'likely to occur' with 'severe' consequences. In 2018 an exercise was run to see what would happen if a significant percentage of the population could not work due to a pandemic. That exercise highlighted opportunities to improve business continuity plans, whole-of-government ICT systems, interagency

redeployment and communications between all sectors. Three years later, none of these have been addressed. One of the most important elements of a BCP is the need to understand the services that businesses provide, the importance of those services, how they would be affected by disruption and how the business would respond to that disruption.

Only one department had done this to meet international standards. The report shows huge gaps in training for staff, in meeting international standards, in regular updates and plans and in running exercises.

The recommendations of the Auditor-General have been presented to the departments, and most of them have been accepted. For me, I hope that they do implement the recommendations in a more timely manner than they did when it came to the recommendations that they received in 2018. It would have been great if it was done within this pandemic, but I hope that this government learns from the Auditor-General's report and does something now while we still are—apparently—in a pandemic.

## DEPARTMENT OF TREASURY AND FINANCE

### *Budget papers 2021–22*

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (17:26): I want to raise matters around the state budget and where that state budget now sits. Clearly the budget update pinged the fact that debt was growing out of control in this state, the major projects had not been properly controlled and the major projects had blown out in cost right across a large front, whether it be the West Gate Tunnel, the Metro Tunnel, smaller projects like the Mordialloc bypass or the raft of many different projects. Today a further bell has been rung on this. The ratings agencies, and in particular Standard & Poor's, have drawn attention to the huge increase in state government debt. Unfortunately Victoria wins a very bad prize with respect to this. We are the one with the largest increase in debt. We are the one that agencies have singled out as being the weakest state going forward into the future, the state that has not been able to control its costs. The S&P credit analyst Martin Foo is reported as saying today:

... the rise in debt was being driven by a fall in revenue, pandemic-related spending as well as a huge increase in large infrastructure programs.

The article states:

Victoria's gross debt is expected to quadruple between 2019 and 2025.

Mr Foo said almost all states were facing an increase in debt that is on track to reach \$500 billion ...

across the states, Victoria having far away and the biggest share of that—bigger than our population share, much bigger New South Wales, much bigger than Queensland and coming earlier from a base that was lower. That is because this government has failed to control the costs of these major projects. They have failed to scope the projects properly from the start. This is leaving Victoria with a very significant debt overhang. We are seeing taxes forced up, whether they be land taxes or stamp duties—right across the raft of taxes—and 40 new and increased taxes, despite the promise that was made to the Victorian people on the night before the election in 2014 when Daniel Andrews said there would be no new and increased taxes. He looked down the barrel of the camera and he made that solemn promise to every Victorian. That is what Daniel Andrews did on election eve in 2014. In fact what has happened is the taxes have gone up and up and up—massive, massive increases in taxes that are actually hurting Victorians and hurting Victorian families. Victorian families have less to spend on their own expenses because of the high taxes they are facing in Victoria. Young families find it very hard to get into a home because of the massive taxes.

This government, let us be clear, in recent weeks have thought they would bring forward a new tax, a \$20 000 clobbering on every median house price in metropolitan Melbourne, a \$20 000 thump on every family trying to get into those family homes, and a huge hit, \$12 000, on a median-priced property in country Victoria, and their plan was also to clobber people through increased rates.

**Mr Leane** interjected.

**Mr DAVIS:** You were not standing up. We heard, Minister, before yesterday—

**The ACTING PRESIDENT (Mr Bourman):** Mr Davis is entitled to be heard in silence. It would be really awesome if we could pull that off, Minister.

**Mr DAVIS:** I do pick up the interjection from the minister. What we learned in this chamber the other day is that he had not consulted with councils before deciding to give social housing operators a rating holiday. He had not consulted with them prior to that. This would have forced council rates up, the rates that are levied on everyday Victorians. We heard that in the City of Yarra, for example, they were going to pay another \$79 per household—\$79 per household in increased rates to cover the rate holiday that was planned by this government. So that was a huge clobbering that ordinary families were going to have to pick up, and up to \$20 000 on a median house in Victoria.

Now, make no mistake, this government will bring back that tax if it is re-elected. People will get a very clear decision at this state election in November. They will have the Liberals and Nationals on one hand, who will not put this tax on, and they will have Labor and Daniel Andrews and Tim Pallas on the other, who will bring back this nasty tax. We saw today the failure of the government to produce the modelling—they were going to give the modelling to the industry groups, but they did not do that—the nasty modelling that shows how much it would hurt young families trying to get into a home.

So what we see is the massive increase in debt called out by the ratings agencies today, hurting families, hurting individuals— *(Time expired)*

#### ECONOMY AND INFRASTRUCTURE COMMITTEE

##### *Inquiry into the Impact of the COVID-19 Pandemic on the Tourism and Events Sectors*

**Mr GEPP** (Northern Victoria) (17:31): I rise to speak on the report on the inquiry into the impact of the COVID-19 pandemic on the tourism and events sectors of 2021. That report covered many areas, and I was pleased to be a part of the inquiry. Once again I would like to thank those who presented to the inquiry and who shared their experiences.

We know that COVID-19 has exposed some serious ongoing economic issues that require some very careful consideration moving forward. Because of the limited time available to me today, I want to focus on just one of those issues that emerged through the inquiry, and that is the issue confronting the workforce. We heard repeatedly through the inquiry that the industry was experiencing a workforce availability, retention and skill shortage arising from the pandemic. For example, people told us about the closed borders limiting the supply of backpacker labour that they were used to, the looming end of the JobSeeker scheme at the time, perceived skills shortages for particular roles in tourism and events and a lack of career paths, which was a big one that many representatives of the tourism and events sector highlighted. We also heard over and over that the majority of staff in those industries and sectors are in precarious employment. They are casuals, and many of them chose to leave the industry either because JobKeeper was drying up and/or the offer of more stable employment in another industry was more enticing.

Alarming the rise of precarious employment in the tourism and events sector matches the experiences of many Victorians and many Australians. Over the last 20 to 30 years we have seen an exponential growth in precarious employment across our economy, with the rise in the use of things such as labour hire, sham contracting, offshoring, fixed-term employment and casual employment preferred predominantly by employers over permanency. Today almost a third of our nation's workforce is employed in a manner considered precarious. Whereas once upon a time casual employment was the preferred employment model for seasonal work, surge capacity or to cover short-term absences, it is quickly becoming the default employment model of choice across the economy. The most profitable and privileged employers in Victoria and Australia are resorting more and more



to the use of precarious employment models. For example, our big four banks are no strangers to these practices.

So what is wrong with these employment practices and models? Well, the impact they have on a person's livability, as we know, can be profound. Imagine not knowing, when one shift ends, when the next one will come—not knowing how much money you will earn this week and if you will have enough to cover the bills and put food on the table. You struggle to get an affordable housing lease because you cannot demonstrate to the real estate agent the necessary income stream. And absolutely forget about trying to convince a bank to loan you money for a mortgage when you cannot even scrape together the smallest of deposits or show your capacity to repay the loan. On it goes.

We must do more than just scream for the pipeline of cheap labour to be reopened. We must use the pandemic as the opportunity to respond to a significant structural inefficiency in our economy, the growing tide that is precarious employment. Too many of our citizens are struggling and falling behind on the livability scale because they cannot get consistent, ongoing, well-paid jobs. It is a challenge that we must confront before it goes any further.

### KOALA HABITAT LOSS

#### *Petition*

**Mr MEDDICK** (Western Victoria) (17:35): During the last sitting week I tabled a petition calling on the government to prevent further decline of the region's koalas and halt the clear-felling of the blue gum plantation at the intersection of Cartons Road and the Western Freeway in Gordon. After a devastating year for Ballarat koalas, the Gordon koalas now face further challenges to ensure their survival. Central Highlands Water have applied to Moorabool Shire Council for planning permission to clear-fell a 16-hectare blue gum plantation that is a known koala habitat. Placed at this intersection of Cartons Road and the Western Freeway in Gordon, this small blue gum forest has existed for 20 years and has attracted a sizeable koala population. The habitat forms part of the important wildlife corridor connecting Wombat State Forest to Whipstick forest in Bendigo. The Cartons Road overpass has allowed the safe movement of koalas and other rare arboreal animals such as sugar gliders, phascogales and feather-tail gliders across the busy Western Freeway.

Central Highlands Water's intention is to clear-fell the plantation and enlarge the grassed wastewater irrigation area around existing sewage ponds. Many locals were unaware of this plan until recently due to insufficient community consultation and publicity. Discussions between CHW and local residents resulted in an understanding that a narrow 30-metre strip of existing blue gums will be left along the Cartons Road and Western Freeway boundaries. However, as the boundary trees have already been damaged, with many removed, a 30-metre strip would be completely insufficient habitat and would drive the koalas to cross the freeway in search of food.

The survival of koalas in this region hangs in the balance. Offsetting strategies to replant will not benefit koalas in any way as they require habitats with mature trees. The Gordon koalas desperately need the Cartons Road blue gum habitat to remain. Koalas are facing a threat to survival like never before. Devastating fires coupled with loss of habitat due to logging mean that viable populations are becoming a rarity. They are in such a bad state they have been declared threatened in New South Wales and Queensland but, for what can only be assumed are political reasons by the federal government, not here in Victoria. They are nowhere under greater threat in this country than in my electorate of Western Victoria, and the callous disregard for them was never demonstrated so clearly as at the now infamous Cape Bridgewater massacre. I attended that site, and the deliberate killing in outrageously vile circumstances was everywhere you looked. Those images were beamed around the world, attracting condemnation and outrage that we could let this happen. Habitat for koalas, including those at Gordon, must be given priority over commercial interests before it is too late.

## DEPARTMENT OF FAMILIES, FAIRNESS AND HOUSING

*Report 2020–21*

**Mr TARLAMIS** (South Eastern Metropolitan) (17:38): I rise to speak on the Department of Families, Fairness and Housing's annual report 2020–21, specifically in relation to the veterans portfolio and acknowledging the important contribution of our nurses, having just passed the significant occasion of the 80th anniversary of the massacre of 21 Australian Army Nursing Service nurses on Bangka Island, Indonesia. What I commemorate today is a story that combines terrible tragedy, amazing bravery and survival, one that affected families and communities across Victoria and Australia.

It was on Tuesday, 16 February 1942, that 21 nurses of the Australian Army Nursing Service were massacred by their Japanese captors at Bangka Island, Indonesia. Their ordeal began as they, along with 44 fellow nurses and many civilian women and children, sailed from Singapore aboard the SS *Vyner Brooke* following the collapse of the Allied defence in 1942. The ship was bombed and sank as it sailed in the Bangka Strait, many of its passengers being killed or drowned as they tried to escape, including 12 nurses, four of whom were from Victoria.

While one group of 31 nurses landed on Bangka Island and were taken into captivity, another group of 22 nurses who came ashore at Bangka Island's Radji Beach would face a different and terrible fate. When Japanese forces arrived at the beach, a number of British soldiers, survivors of other sunken ships, who had also come ashore were separated from the nurses and murdered. The nurses were then ordered to wade out into the sea, where they were brutally machine gunned. Those who could not enter the water were murdered on the beach. Amongst the dead were four Victorian nurses: 37-year-old Ballarat-born Clarice Halligan, who was living in Kew when she enlisted and who had trained at the Royal Melbourne Hospital; 33-year-old Fish Creek-born Rosetta Wight; 31-year-old Mary Cuthbertson from Ballarat, who was Armadale born; and 27-year-old Dorothy Elmes, who was a resident in Wangaratta when she enlisted.

Only one nurse survived the massacre, 26-year-old Vivian Bullwinkel. South Australian-born Vivian began her nursing career in Hamilton in western Victoria before moving to the Jessie McPherson hospital in Melbourne in 1940. Vivian would not only survive the massacre but along with 23 of her fellow nurses from the *Vyner Brooke* also survive 3½ years in captivity. Back in Australia, Vivian would become the director of nursing at the Fairfield Infectious Diseases Hospital in Melbourne, but she would never forget the fate of her fellow nurses. She wrote to and visited the relatives of her fellow nurses who were murdered on Raji Beach, providing some comfort in their sorrow.

Her concern for her fellow nurses saw her serve on the Australian War Memorial's council, as the president of the Royal College of Nursing and as a driving force in the establishment of the Australian Nurses Memorial Centre in St Kilda Road, Melbourne, which opened in 1950. A major aspect of the centre is its memorial plaque, which was unveiled by Vivian in April 1980, and which reads, 'May they kindle in your hearts a torch whose flame shall be eternal'.

In 1993 Vivian returned to Bangka Island to officially open the memorial at Muntok to the 65 Australian nurses from the *Vyner Brooke*. For her service and her work Vivian was awarded the Florence Nightingale Medal, an MBE and an AM. She died in Perth in July 2000. In February last year the centre erected a new memorial on Bangka Island, supported by the Andrews government, as a permanent place of remembrance for those who were massacred on that terrible day 80 years ago. An annual commemorative service is held there, which is attended by many Australians, including the descendants of the nurses killed along with military and diplomatic representatives. I was honoured to attend this very moving service virtually a few weeks ago.

The Andrews government has been a strong supporter of the work of the Australian Nurses Memorial Centre, and I have personally attended and participated in the centre's annual commemorative events and informative lectures as well as their annual scholarship awards, which invest in the advancement

of nurses' education and will again be held virtually this year—tomorrow night in fact. Most recently I had the pleasure of attending an unveiling of the new memorial plaque at the centre by the Minister for Veterans, the Honourable Shaun Leane.

The work of the centre has been essential to keeping alive both the memory of this tragedy and the story of those who survived, not to mention the amazing work that they do to honour, remember and respect all nurses and the important role that they have and continue to perform in times of war, during conflicts, in peacekeeping operations and in our everyday lives, including as frontline workers during this pandemic. I look forward to their continued important work, and I am certain they will continue to enjoy the support of the government with these endeavours.

I would like to take this opportunity to thank the president of the Australian Nurses Memorial Centre, Arlene Bennett. I have known Arlene for many years and have witnessed both her dedication to the commemoration of Australian nurses who have served in war and her support for nursing and nurses in general. She has played an active part in enhancing commemorations and awareness of the service of Australian nurses, not only in World War II but also those who served on Lemnos during the Gallipoli campaign. Along with the work of many others who volunteer their time for the work of the centre, Arlene has played a critical and no small part in its success, and I commend her for her work.

Finally, I know this house will join me in honouring the lives and service of the 21 nurses who were murdered on Radji Beach 80 years ago as well as the other nurses who either drowned or died in the years of captivity. We honour the services of Sr Vivian Bullwinkel, who in surviving the massacre and years in captivity was able to donate her life to the memory of those who did not come home. Lest we forget.

### STEVE MONEGHETTI TRACK

#### *Petition*

**Mrs McARTHUR** (Western Victoria) (17:43): I wish to speak on a petition of certain citizens of the state of Victoria, which drew to the attention of the Legislative Council today a plan to put 225 light poles, each 5.5 metres tall, around Ballarat's famous Lake Wendouree. It is a very poor outcome. As the petition so succinctly put it, the decision:

... fails to consider more sensitive and respectful options such as in-ground cross-path illumination which is better for the environment, reduces light pollution, is less aesthetically offensive and costs less in long-term maintenance ...

Importantly the cross-path, in-ground lighting would still achieve the goal of increasing the usable hours of the Steve Moneghetti Track. Lighting the track is something wanted by many. The importance of exercise and the need for people to be outdoors in nature was highlighted during the COVID lockdowns. We know these places are special, and they have become even more special. It is why I especially thank the community members who have worked and continue to work incredibly hard to fight for a much better, more respectful and considered lighting option for the lake. They are not giving up. They are true local champions. Their efforts to highlight the damage these lights will cause to the beautiful lake precinct resulted in a total of 1526 signatures to the petition. Its key intent is to request a pause in the process to enable better consideration of options that actually respect the environment, the ecology and the beauty of the lake and gardens environment. It is vitally important to understand that via this petition more people have said no to these deplorable lights than said yes to a vague idea suggested seven years ago to put lights around the lake. At that point they could have been fairy lights or floating lights, Minister, for all the respondents knew. Who would have known what sort of lights they were? This petition has demonstrated very clearly that once locals understood what sort of lights were being installed, they said a big, 'No, thank you'.

Now, if this Premier is prepared to tear up a \$1.3 billion contract for the east-west link, then surely this contract for a deplorable lighting solution can at least be put on hold. It remains unclear if the tender contract has been signed—a tender, by the way, which came in \$1.3 million cheaper than the

next contract at \$3.4 million. One wonders what guarantees are in place to ensure that the ratepayers are not going to be hit with variation costs should they arise. I beg the City of Ballarat to hit the pause button, and I beg the Minister for Local Government to intervene in this matter. I doubt it will or he will, but I hope he will, given it is very obvious to observers in Ballarat that this Labor promise, headed by Labor MPs in Ballarat and spearheaded through the Ballarat council by a Labor-endorsed mayor, is being pushed and pressured through the City of Ballarat for political purposes.

Labor wants these ugly lights up by November. It does not care that this style of lighting is unwanted, ugly, intrusive and will change the beautiful place for generations. It will change it for those who may come with the potential staging of any Commonwealth Games activities at the lake in 2026. They will not get the beautiful open precinct that their 1956 Olympic Games sporting colleagues got. Lake Wendouree pole dodging may become a sport in its own right. For people who claim to give a damn for the environment, the 225 light poles are a callous outcome. Ballarat deserves better. And to the petitioners, I thank them for caring.

**The PRESIDENT:** The reason Mrs McArthur continued is that, with the 30 minutes for statements on reports, she had started and there was still 1 minute left, so she was allowed to go for the full 5 minutes. That is just an explanation for the house. She did very well.

**Mr Leane:** I would not have made that ruling in my time, President.

**The PRESIDENT:** It is a house ruling.

### Adjournment

**Mr LEANE** (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (17:48): I move:

That the house do now adjourn.

### SMALL BUSINESS SUPPORT

**Mr ONDARCHIE** (Northern Metropolitan) (17:48): (1797) Beyond all the frivolity, my adjournment matter tonight is for the Minister for Small Business. Small businesses are doing it very tough in Lalor in my electorate of Northern Metropolitan Region. There are many shopfronts for lease and many businesses still struggling after the COVID lockdowns. Recently I visited many businesses in Lalor, where local business owners raised concerns for the local economy and for the untidiness and graffiti around the Lalor shops opposite Station Street. They are very supportive of Matthew Guy's local shopping strip recovery plan as we look to recover and rebuild Victoria.

The shopfronts represent so much more than just small business. They are a great statement about the multiculturalism of Melbourne's north, and they need to be protected. We had some great conversations with the local hairdresser, the local shopkeepers, the local medical centre and many, many more. The staff that came with me, under no pressure from me, decided to buy goods and produce from the local shops because they thought they were better quality and better value than they are getting from the big supermarkets. The action I seek from the minister is: will the minister in the upcoming budget not just talk about small business but actually help small businesses urgently by reducing government fees and government taxes and increasing funding to support this very important sector?

### DEVELOPMENT FACILITATION PROGRAM

**Mr BARTON** (Eastern Metropolitan) (17:50): (1798) My adjournment this evening is for Minister Wynne in the other place. The development facilitation program was set up during COVID-19 as a special planning body to speed the development of projects and stimulate the economy. Within this body the Minister for Planning also has the power to conduct an accelerated assessment. We have seen a number of controversial development projects approved under this process, bypassing due process, the most notable being a six-level aged care home in Prahran that had 122 objections from residents,

was twice rejected by Stonnington council, was knocked back by the state planning tribunal and ruled out by the Supreme Court—all before being approved by Mr Wynne's office. Another case of the minister's planning body having been used as a back door for controversial projects is TLC's proposed development in Ivanhoe, which was refused by the council for breaching a number of existing covenants. When TLC appealed to VCAT they actually withdrew their application prior to the hearing because of these breaches.

While understandably much has to be done to help recover the economy after pandemic restrictions, there must remain accountability, transparency and community interest at heart. This approval process bypasses local councils, communities and even Supreme Court decisions. Unfortunately we do not know how far this goes. 295 developments were submitted to Mr Wynne's task force, established last April, and these decisions have not been made public. Essentially we are letting the minister sign off on development projects that do not meet planning regulations or zoning requirements or meet community interests. All due process has been forgotten.

My office has been contacted by a number of local residents who fear similar backdoor approvals occurring for unsuitable developments in their community. The public is losing faith that these developments have to meet any conditions or provide any public benefit whatsoever, and I can see why. So the action I seek is: will the minister make publicly available on what grounds he approved each project under the development facilitation program?

#### ABORIGINAL YOUTH JUSTICE

**Ms WATT** (Northern Metropolitan) (17:52): (1799) My adjournment matter is directed to the Minister for Youth Justice in the other place, the Honourable Natalie Hutchins. My electorate is made up of many strong and proud Aboriginal communities and Aboriginal community controlled organisations (ACCOs) who work every day to counter the negative impacts faced by Aboriginal children, young people and their families because of systemic racism and sustained disadvantage. We know that both the truth-telling and treaty processes are well underway, with the Yoorrook Justice Commission developing its record on systemic injustices and the First Peoples' Assembly of Victoria creating the foundation for treaty making in our state. But the unacceptable overrepresentation of Aboriginal children and young people persists in the youth justice system. We must act with urgency and diligence to provide children and young people with the support and opportunities they deserve away from incarceration.

I am really proud to be part of a Labor government that is committed to embedding self-determination to solve these systemic issues alongside Aboriginal communities. This commitment has led to Victoria's first Aboriginal youth justice strategy, called *Wirkara Kulpa*, which provides a culturally strong and youth-focused response to see us close the gap in the representation of Aboriginal children and young people in the justice system by 2031. The directions and actions within *Wirkara Kulpa* have been directly informed by the Koori Youth Justice Taskforce, which examines the care of nearly 300 Aboriginal children and young people under youth justice supervision, and the commissioner for children and young people's *Our Youth, Our Way* inquiry report.

The experiences of Aboriginal children and their family and community members have been heard loud and clear by the Andrews Labor government. Their voices are leading the holistic reform to youth justice, as outlined in this strategy. I really do thank the ACCOs in my electorate for their incredible work and their exceptional leadership and of course the exceptional leadership of the Aboriginal Justice Caucus. Targets to remove the 10-times overrepresentation of Aboriginal children and young people are indeed achievable with this plan and strategy created for and by Aboriginal people.

The action that I seek is for the minister to update me on the progress of reforms to Aboriginal youth justice and the implementation of *Wirkara Kulpa* and the *Our Youth, Our Way* inquiry report, with a particular focus on the Northern Metropolitan Region and the Aboriginal community-controlled organisations delivering in the Northern Metropolitan Region.

**FIREWOOD COLLECTION**

**Mr FINN** (Western Metropolitan) (17:55): (1800) My adjournment this evening is for the Minister for Energy, Environment and Climate Change. This has been a source of some mystery to me for quite some time as I have driven around my electorate and further parts of Victoria. I have seen the amount of wood that has fallen from trees—whether they be limbs, whether they be branches, whatever they may be—and it is just left there. It mystifies me, and of course it is far worse right within the bush itself. And over a period of time—

**Mrs McArthur**: It's called fuel load.

**Mr FINN**: It is called fuel load, Mrs McArthur. That is exactly what it is called. I recall growing up near the Otways, and we knew to take that away and get rid of it because it was waiting for a fire, and the intensity would increase and it would be a lot worse if that flotsam and jetsam was there.

My concern is that there are some of my constituents who would be very happy to go in and to take that wood away. They would be very happy to take that wood away with winter coming up. They want to put it in their fires, they want to keep warm, they want to do all the things. Particularly given the ban on gas and everything else, you have got to take into consideration the needs of people. And this is a—

**Mr Leane** interjected.

**Mr FINN**: Minister, this is a very important matter because there are a lot of people out there who would—this kills two birds with the one stone. You get wood for your fire, you warm your home—which is a marvellous thing—and you remove that load for this coming fire season. Whichever way you look at it, it is a win-win situation.

I do not understand why—well, yes, I do understand why. It is about Greens preferences, isn't it? It is about getting Greens preferences. You give the Greens something that is not going to cost much, and this apparently does not cost much, apart from when the fires go through and destroy everything.

**A member** interjected.

**Mr FINN**: Oh, sorry, it is climate change. Yes, we heard yesterday from the Leader of the Greens about the drought that is affecting New South Wales and Queensland, yup. The action that I would like—

**Mr Leane** interjected.

**Mr FINN**: Yes, I know, I was mystified by it too, Minister, I have got to tell you. I am requesting the minister to conduct a review of policy into the collection of wood which would otherwise be firewood within state forests and within the bush, as we used to call it when I was a kid, to allow people to go in and collect that wood and allow them to use it to warm their homes and to prepare us for the next fire season.

**POLICE VETERANS VICTORIA**

**Mr GRIMLEY** (Western Victoria) (17:58): (1801) My adjournment debate is for the Minister for Police, and the action that I am seeking is for \$250 000 of recurrent funding to be made available to Police Veterans Victoria to sustain the organisation. I have been informed that the police minister is aware of the need for this funding but as yet has not made any financial commitments. Police Veterans Victoria, or PVV, are a registered charity and not-for-profit. They currently receive no funding from the government and minimal funding from Victoria Police. My understanding is that Victoria Police have a great relationship with PVV, but the organisation is unsustainable without government or other financial support.

PVV are the only organisation with a dedicated focus on improving mental health amongst Victoria Police veterans and their families. PVV have veteran peer support officers who are police veterans

themselves. These peer support officers are trained to provide confidential support and referral services to those that may be experiencing mental health issues, including post-traumatic stress injuries, depression, anxiety, social isolation and alcohol and substance abuse. This is vitally important for the wellbeing of police veterans, which all members will know is a big passion of mine as a former member. Once again I reiterate my support for Police Veterans Victoria to receive funding to sustain their organisation.

### **SHEPPARTON INFRASTRUCTURE FUNDING**

**Ms LOVELL** (Northern Victoria) (17:59): (1802) My adjournment matter is for the Treasurer and highlights several priority projects in the Shepparton electorate that require funding in the 2022–23 state budget. The action that I seek from the Treasurer is that he addresses the need for job creation and delivers infrastructure upgrades in Greater Shepparton by providing funding commitments in the upcoming budget for the many important infrastructure projects in the Shepparton electorate. Despite false claims to the contrary, the Andrews Labor government has failed to commit appropriate funding for many key infrastructure projects in the Shepparton electorate. The upcoming budget is an opportunity for the Treasurer to finally commit to the state's contribution of 20 per cent of the cost for stage 1 of the Shepparton bypass project. After committing funds five years ago for a business case, which was delivered over two years late, and early works that have still not been carried out, the Andrews Labor government has continually ignored this vital project.

The state budget must also include a funding commitment of \$20 million for stage 1 of the Shepparton sports and events centre redevelopment. The \$60 million project will generate 235 local jobs during construction, and new events attracted by the centre will generate an additional \$12.3 million in visitor spending per year.

After years of the Goulburn Valley Health master plan being buried within the depths of the Department of Health, now is the time for the government to commit funding to complete the entire redevelopment of the hospital. The completion of the GV Health redevelopment will deliver world-class health services to many communities within the hospital's patient catchment region and will include an integrated cancer centre, an integrated mental health and aged care facility, additional car parking and a helipad.

I have been calling for the Andrews Labor government to upgrade the school crossing at the Kialla West Primary School since September 2018, when a young family from the school was seriously injured at the crossing during school pick-up. Unfortunately the state government has done very little to improve the school crossing, and the upcoming budget is the perfect opportunity for the Treasurer to invest funding to ensure the safety of both motorists and the entire Kialla West school community.

To combat a shortage of nursing and midwifery positions and allied health professionals at GV Health, Greater Shepparton City Council is seeking a state government funding contribution to create a clinical health school on the grounds of the hospital's Graham Street campus. Created from a partnership between GV Health, GOTAFE and La Trobe University, the school will address the current significant shortage of medical professionals in the region and allow students to benefit from learning in one of Victoria's largest regional hospitals.

The Shepparton electorate requires investment to create jobs and deliver vital infrastructure, and the Treasurer must ensure the appropriate funding is included in the upcoming state budget for these important projects.

### **DENTAL SERVICES WAITING LISTS**

**Dr CUMMING** (Western Metropolitan) (18:02): (1803) My adjournment matter is for the Minister for Health in the other place, and the action that I seek is for the minister to introduce measures to address the long waiting times for public dental care. Waiting times for public dental care in Victoria skyrocketed over the last nine months due to the impact of restrictions and lockdowns as well as

chronic underfunding. Over 1.5 million adults are eligible to access public dental care in Victoria, but only 100 000 were able to receive care in the six months to December 2021. Now, according to the Australian Dental Association's Victorian branch, 34 000 patients are forced to wait more than three years.

The situation in my region, Western Metropolitan Region, is dire. If you are waiting for general public dental care in Werribee, Hoppers Crossing, Altona, Hobsons Bay or St Albans, you have to wait for a minimum of 45.3 months—well, that is over 3½ years. The longest waiting time is 61 months—over five years. If you are after denture care, the figures are not much better, with a minimum wait of over two years and a nearly five-year maximum waiting time. Over 11 500 people are waiting for care. In Footscray and Niddrie the figures are only marginally better: general dental waiting times are between 43 and 54 months, and denture waiting times are between 5.9 and 18 months, with only 5999 on the waiting list! Sunbury is a little better, with general dental waiting times of between 24.7 and 27 months and denture waiting times of 10.7 to 60 months—in other words, two years or five years. But Melton is another horror story: general dental waiting times are between 35.2 months and 50 months, and denture care waiting times are between 25.8 and 29 months—in other words, four years or 2½ years.

These figures show that my constituents are waiting years—not just weeks or months but years—to see a dentist under the public system. These figures are well above the state average. 34 000 patients across the state are having to wait more than three years, the vast majority in my region—over 20 000 of them. This is not good enough. Long waiting times for dental care mean existing dental problems worsen.

#### **RIDING FOR THE DISABLED ASSOCIATION OF VICTORIA, PAKENHAM**

**Ms BURNETT-WAKE** (Eastern Victoria) (18:05): (1804) My adjournment request is for the Minister for Community Sport. The action that I seek is a commitment of funding for the Riding for the Disabled Association of Victoria in Pakenham to enable them to put a roof over their new riding arena. I recently had the privilege of visiting the Riding for the Disabled Association in Pakenham. Riding for the Disabled is a charity organisation that gives individuals with disabilities a chance to develop horseriding skills and independence through adaptive coaching techniques. It relies heavily on the efforts of over 150 volunteers, who are all dedicated to helping those with disabilities reach their full potential. RDA Australia is recognised by Sport Australia as the peak body for equestrian sport for people with disabilities.

One thing that stood out to me during my visit was the commitment the RDA has to ensuring those with disabilities experience enjoyment, challenge and a sense of achievement. The Pakenham branch has the goal of becoming a centre for excellence and has dreams of expanding its program to benefit more riders and provide therapeutic therapies for non-riders. RDA was previously located in Officer on private land until 2018, when the land was developed. Cardinia Shire Council came to RDA's aid by providing a nine-year lease on 20 acres of land in Pakenham, and from my understanding negotiations are currently underway to extend that lease for 20 years. The Victoria Racing Club has also been incredibly generous in providing a significant grant towards the build of a new all-weather arena base. Together with money from the Victoria Racing Club, the RDA has fundraised and received support from local businesses to the amount of almost \$400 000. However, to properly develop the facility into a centre of excellence, including all programs and training, the RDA anticipates costs of just over \$5 million. As it stands, the arena is currently only able to be used in the warmer months and when it is dry as it does not have a roof to enable it to be used in all weather conditions. This means riders often miss out on riding for months on end over winter and will miss out on the important therapeutic benefits. The RDA have calculated that stage 1 will cost \$267 000, which includes a new roof to cover the arena to allow it to be used and enjoyed in all weather.

These programs provide riders with a sense of purpose, a sense of achievement and lifelong skills, and that is why I am calling on the minister to commit funding for a roof for RDA Pakenham's new arena



to enable its use in all weather conditions. Local council have done their part. It is time for the state to invest in this program that is providing people with disabilities with a sense of purpose.

### LIQUOR LICENSING

**Mr LIMBRICK** (South Eastern Metropolitan) (18:08): (1805) My adjournment matter is for the Minister for Consumer Affairs, Gaming and Liquor Regulation. The government recently announced an extension to liquor licensing reforms that slash red tape and fees for licensed venues to attempt to stimulate businesses trying to recover from multiple lockdowns. They have announced that this will be extended to December 2022. However, business owners may be hesitant to invest in infrastructure or business opportunities from these changes given that they have an end date. Minister, to capitalise on the growth opportunity that our state clearly needs, will you commit to making these liquor licensing reforms permanent?

### WESTERN VICTORIA TRANSMISSION NETWORK PROJECT

**Mrs McARTHUR** (Western Victoria) (18:09): (1806) My adjournment matter is for the Minister for Agriculture and concerns the impacts of the Western Victoria Transmission Network Project on farming and agriculture. Yesterday the country came to the city. It stood on the steps of this place, and it pleaded to be heard. Under the astute and valiant baton of Stephen Curry, the cries of 'Lily' rose above the screech of the trams on the tracks and the toots of the car horns sounding their support for the gathered crowd. In buses, in tractors, in utes, in fire trucks, in semitrailers and on horses they headed down the Western Freeway to make their very simple case: that this awful transmission line must go back to the drawing board.

While the Victorian Premier today, in his true form, pointed to others as the scapegoat, the crowd on the steps of Parliament yesterday were very right to point that responsibility straight back to the Premier. They know, as the Premier knows, that his Minister for Energy, Environment and Climate Change, Lily D'Ambrosio, can stop this project tomorrow, and I have no doubt she would if the Minister for Agriculture bothered to get involved. The farmers in Melbourne yesterday spoke about the mental pain this deplorable project is causing thousands of farmers. Their livelihoods are in doubt. The value of their landholdings will plummet. Even yesterday, potato farmer Chris Stephens spoke about the \$1.3 billion potato industry that is now in doubt in the Ballarat area due to this transmission project. McCain Foods has publicly stated that the overhead transmission line directly threatens the loss of its production facility in Ballarat, with more than \$250 million in economic impact and more than 1100 jobs to go.

This is possibly Victoria's greatest food bowl, and the Victorian government is about to destroy it. It is hard to believe, but everything is possible with this government. How can a Minister for Agriculture sit by and watch fellow ministers continue to treat farmers so badly and devastate one of this state's greatest agricultural assets? Farmers are desperate, and yet their minister in this place appears entirely unconcerned that the agriculture sector is not an active participant in the technical reference group assessing this project. My question for the minister is: when will she step up for farmers and start representing their rights and livelihoods in this process, at the very least demanding a consistent seat on the technical reference group? Will the minister commit also to meeting farmers along the length of this transmission line from Sydenham to Bulgana?

### BUILDING PRACTITIONER FEES

**Mr QUILTY** (Northern Victoria) (18:12): (1807) My adjournment matter is for, I believe, the Minister for Planning. On 10 February the government released new guidelines for building practitioner fees. If you are a builder, the cost of your legal registration is set to increase by between 40 per cent and 200 per cent over the course of the year. For example, the five-year renewal fee for individuals increased by 123 per cent. The government has not explained why the prices have increased. The most likely explanation is that this is yet another tax increase. Thirty-eight per cent of the cost of new housing is tax, at least, and increasing the fees and taxes on builders only serves to

make housing even less affordable. Building workers have already been hobbled by years of COVID restrictions and are now being slapped with enormous fee increases. Imagine how you would feel if you received your registration renewal in the mail and it had doubled in cost. That is what these changes feel like. Fee hikes like this go to show that the government is never charging a fee for service. Every government charge is a tax designed to raise overall government revenue. The amount paid by the consumer is almost never based on the cost of administration or the benefit received from the services. The cost of administering the regulatory system of the building industry did not suddenly triple, but building practitioners will be forced to pay up to triple the cost anyway. We often hear how this government wants to promote affordable housing, but everything it does only raises the price of houses. I call on the minister to immediately reverse this fee hike and to reduce the tax burden on Victorians trying to recover from the damage caused by this government's COVID strategy.

### MONASH FREEWAY

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) (18:13): (1808) I wish to raise a matter for the attention of the Minister for Transport Infrastructure in the other place, and it relates to the Monash Freeway. As residents in the south-east who use the Monash Freeway frequently for commuting know, we frequently have collisions on the Monash which bring traffic to a standstill. Typically a minor collision—or a major collision—will bring all lanes of traffic to a standstill, inbound or outbound. But one of the very frustrating phenomena on the Monash is that where a collision occurs inbound or outbound rubbernecking on the other side of the freeway will also bring the opposite direction traffic to a standstill. So in the morning if you have a collision inbound that stops inbound traffic, traffic outbound will also stop at that same point. This is very graphically demonstrated when you look at the traffic feature of Google Maps. You will see traffic stopped in both directions at the one point—on one side because of the collision and on the other side because people are looking at the collision, which is enormously frustrating to commuters.

Over the last 12 months there have been upgrade works taking place on the Monash, and this has resulted in the centre median strip of the Monash being widened, barriers being put up for works et cetera, and for the storing of plant and equipment overnight. Because the barriers have been put up—they are about 3 metres or maybe a little bit taller—along the centre median, traffic in one direction on the Monash has not been able to see the traffic on the other side of the Monash, meaning that when collisions have occurred it has only resulted in traffic in one direction stopping, and the traffic on the other side, which cannot see the collision, has not been brought to a stop.

So the action I seek from the Minister for Transport Infrastructure now those works are concluding is to actually work with Major Road Projects Victoria to ensure that those median barriers, those high median barriers that are about 3 metres high, continue to be in place so that the traffic going in the opposite direction is not brought to a standstill simply through rubbernecking by drivers going in the opposite direction. The works period has demonstrated that they stop that occurring, and I think it would be a very useful idea to continue with those barriers down the centre to ensure that we do not have that unnecessary interruption to traffic in both directions.

### RESPONSES

**Mr GRIMLEY** (Western Victoria) (18:16): Under standing order 4.14, I would like to raise the following matters that have not been responded to in the time period specified—that of 30 days. These adjournments date back to July last year, and they are for the Attorney-General and the child protection and health portfolios. They are 1323 for the Attorney-General, 1365 for the Attorney-General, 1495 for the Minister for Child Protection and Family Services, 1606 for the Minister for Health and 1677 for the Attorney-General.

**Mr LEANE** (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (18:16): Thank you, Mr Grimley. I have no idea why you have not received those particular responses from those ministers, but those numbers will be in *Hansard*

tomorrow, and I will get my chief of staff to contact those respective ministers' chiefs of staff to ask them to get you those answers asap.

There were 12 adjournment matters directed to 11 different ministers. One of those matters was by Mr Finn to the Minister for Energy, Environment and Climate Change about wood lying on the ground. I was kind of surprised because I thought when Mr Finn said he was going to address a matter to the minister for the environment that he might have asked for a more ambitious emissions target for 2030, but he proved me wrong.

**Mr Rich-Phillips:** It is zero. How can it be more ambitious?

**Mr LEANE:** Well, we can always be more ambitious, Mr Rich-Phillips, particularly when we are rowing in the same direction. I will make sure those ministers get the adjournment matters, and I hope that they respond in the appropriate time.

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

**House adjourned 6.18 pm.**