



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Tuesday 29 August 2023

Office-holders of the Legislative Assembly
60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Christine Couzens, Jordan Crugnale, Paul Edbrooke, Bronwyn Halfpenny,
Paul Hamer, Michaela Settle, Meng Heang Tak and Jackson Taylor

Leader of the Parliamentary Labor Party and Premier

Daniel Andrews

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Jacinta Allan

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition

David Southwick

Leader of the Nationals

Peter Walsh

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury

Members of the Legislative Assembly
60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren	South Barwon	ALP	O'Keeffe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Fowles, Will ¹	Ringwood	Ind	Spence, Ros	Kalkallo	ALP
Fregon, Matt	Ashwood	ALP	Staikos, Nick	Bentleigh	ALP
George, Ella	Lara	ALP	Suleyman, Natalie	St Albans	ALP
Grigorovitch, Luba	Kororoit	ALP	Tak, Meng Heang	Clarinda	ALP
Groth, Sam	Nepean	Lib	Taylor, Jackson	Bayswater	ALP
Guy, Matthew	Bulleen	Lib	Taylor, Nina	Albert Park	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Theophanous, Kat	Northcote	ALP
Hall, Katie	Footscray	ALP	Thomas, Mary-Anne	Macedon	ALP
Hamer, Paul	Box Hill	ALP	Tilley, Bill	Benambra	Lib
Haylett, Martha	Ripon	ALP	Vallence, Bridget	Evelyn	Lib
Hibbins, Sam	Prahran	Greens	Vulin, Emma	Pakenham	ALP
Hilakari, Mathew	Point Cook	ALP	Walsh, Peter	Murray Plains	Nat
Hodgett, David	Croydon	Lib	Walters, Iwan	Greenvale	ALP
Horne, Melissa	Williamstown	ALP	Ward, Vicki	Eltham	ALP
Hutchins, Natalie	Sydenham	ALP	Wells, Kim	Rowville	Lib
Kathage, Lauren	Yan Yean	ALP	Wight, Dylan	Tarneit	ALP
Kealy, Emma	Lowan	Nat	Williams, Gabrielle	Dandenong	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Belinda	Narre Warren North	ALP
Wayne Farnham	Narracan	Lib	Wilson, Jess	Kew	Lib

¹ ALP until 5 August.

PARTY ABBREVIATIONS

ALP – Australian Labor Party, Greens – Australian Greens,
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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Tuesday 29 August 2023

The SPEAKER (Maree Edwards) took the chair at 12:03 pm, read the prayer and made an acknowledgement of country.

Bills

Education and Training Reform Amendment (Land Powers) Bill 2023

Introduction and first reading

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (12:04): I move:

That I introduce a bill for an act to amend the Education and Training Reform Act 2006 to make further provision for the acquisition, use and development of land for the purpose of early childhood education and care and for the purpose of services associated with early childhood education and care and for other purposes.

Motion agreed to.

James NEWBURY (Brighton) (12:04): I ask the minister for a brief explanation of the bill.

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (12:04): The bill will amend the Education and Training Reform Act 2006 to better provide for the acquisition, use and development of land for the purpose of early childhood education and care and associated services. The bill will also introduce new purposes to the act relating to the acquisition, use and development of land and the provision of early childhood education and care.

Read first time.

Ordered to be read second time tomorrow.

Summary Offences Amendment (Nazi Salute Prohibition) Bill 2023

Introduction and first reading

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:05): I move:

That I introduce a bill for an act to amend the Summary Offences Act 1966 to make the public display or performance of Nazi gestures an offence, to extend the application of the offence of public display of Nazi symbols and for other purposes.

Motion agreed to.

David SOUTHWICK (Caulfield) (12:06): Could I ask the minister for a brief explanation of the bill.

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:06): The bill creates a criminal offence to prohibit the display and performance of Nazi symbols and gestures in Victoria. The bill will expressly list the Nazi salute as a banned Nazi gesture. It will be an offence for a person to intentionally display in a public place or in sight of a person in a public place a Nazi symbol or gesture if the person knows or ought reasonably to know that the symbol or gesture is a Nazi symbol or Nazi gesture. The offence is accompanied by powers for Victoria Police to direct a person to remove a Nazi symbol or gesture from public display.

Read first time.

Ordered to be read second time tomorrow.

Business of the house**Notices of motion**

The SPEAKER (12:07): General business, notices of motion 8 and 9, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 5 pm today.

Petitions**Narracan electorate flooding**

Wayne FARNHAM (Narracan) presented a petition bearing 85 signatures:

This petition of residents in Victoria draws to the attention of the Legislative Assembly the current state of waterways and drains in the Narracan electorate and ongoing impacts of flooding on local communities. In particular towns such as Nar Nar Goon, Cora Lynn, Iona, Garfield, Bunyip, Maryknoll, Longwarry, Drouin South, Warragul, Drouin, Nilma, Darnum, Yarragon, Trafalgar, Cloverlea and others suffer from extensive flooding during rain events because of a failure to adequately manage and maintain local and state drains and waterways. With many of these towns having significant population growth and expansion, waterway and drain management is vital to ensure water runoff from new developments do not further exacerbate flooding issues in local areas.

The petitioners therefore request that the Legislative Assembly direct the responsible Minister to undertake essential maintenance works across all state and local waterway and drain networks and further develop a waterway management strategy to fix the ongoing issue for local communities.

Ordered that petition be considered tomorrow.

Birregurra Primary School safety

Richard RIORDAN (Polwarth) presented a petition bearing 3 signatures:

This petition of residents in Victoria draws to the attention of the Legislative Assembly to support the proposal for a 40 km school zone and crossing to be introduced on Main Street, Birregurra to provide safety for children going to and from Birregurra Primary School and teenagers catching buses to their senior schools.

The petitioners therefore request that the Legislative Assembly to liaise with Vic Roads and the Colac Otway Shire to support the proposal for a 40 km school zone and crossing to be introduced on Main Street, Birregurra

Ordered that petition be considered tomorrow.

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

Gary MAAS (Narre Warren South) (12:08): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 10 of 2023, on the following bills:

Bail Amendment Bill 2023

Firefighters' Presumptive Rights Compensation Legislation Amendment Bill 2023

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

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

Justice Legislation Amendment Bill 2023

Nuclear Activities (Prohibitions) Repeal Bill 2023

together with appendices.

Ordered to be published.

*Documents***Documents****Incorporated list as follows:****DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

Independent Broad-based Anti-corruption Commission – Report to the Attorney-General – 1 July 2019 to 31 December 2020

Members of Parliament (Standards) Act 1978 – Register of Interests – Returns submitted by Members of the Legislative Assembly – Ordinary Returns 28 July 2023 (two volumes) – Ordered to be published

Planning and Environment Act 1987 – Notices of approval of amendments to the following Planning Schemes:

Brimbank – C217

Campaspe – GC173

Greater Geelong – C443

Greater Shepparton – GC173

Macedon Ranges – C150

Mansfield – C58

Maribyrnong – C181

Moirā – GC173

Mornington Peninsula – C232

Stonnington – C336

Whittlesea – C245

Wyndham – C231

Yarra Ranges – C210

Statutory Rules under the following Acts:

Charter of Human Rights and Responsibilities Act 2006 – SR 88

Mental Health and Wellbeing Act 2022 – SRs 87, 89, 90

Subordinate Legislation Act 1994:

Documents under section 15 in relation to statutory rules 82, 83, 84, 85, 86, 87, 88, 89, 90

Documents under section 16B in relation to – *Education and Training Reform Act 2006* – Order Amending Ministerial Order No 1228 – Victorian Institute of Teaching Registration Fees

Victorian Information Commissioner, Office of (OVIC) – Temporary Public Interest Determination under the *Privacy and Data Protection Act 2014*

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

PROCLAMATION – Under SO 177A, the Clerk tabled the following proclamation fixing an operative date:

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

Bills**Mineral Resources (Sustainable Development) Amendment Bill 2023***Council's agreement*

The SPEAKER (12:11): I have received a message from the Legislative Council agreeing to the Mineral Resources (Sustainable Development) Amendment Bill 2023 without amendment.

Energy Legislation Amendment (Energy Safety) Bill 2023
Mineral Resources (Sustainable Development) Amendment Bill 2023

Royal assent

The SPEAKER (12:11): I inform the house that the Governor has given royal assent to the Energy Legislation Amendment (Energy Safety) Bill 2023 and the Mineral Resources (Sustainable Development) Amendment Bill 2023.

Motions

Commonwealth Games

John PESUTTO (Hawthorn – Leader of the Opposition) (12:11): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government's decision to blame 'broader inflationary pressures' not specific to the games;
- (c) calls on the Premier to release a budget update and guarantee no further blowouts.

Leave refused.

Peter WALSH (Murray Plains) (12:12): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Regional Development to release a budget update and guarantee there will be no further budget blowouts.

Leave refused.

Business of the house

Standing and sessional orders

Ellen SANDELL (Melbourne) (12:12): I desire to move, by leave:

That so much of standing and sessional orders be suspended to allow general business, notice of motion 15 relating to the reintroduction of non-government business, to be moved immediately.

Leave refused.

Motions

Commonwealth Games

David SOUTHWICK (Caulfield) (12:13): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion cost blowout;
- (b) notes the Deputy Premier's responsibility for \$30 billion in infrastructure blowouts;
- (c) calls on the Deputy Premier to release a budget update and guarantee that major projects have not blown out any further.

Leave refused.

Brad ROWSWELL (Sandringham) (12:13): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government's decision to blame broader inflationary pressures not specific to the games;

- (c) calls on the Treasurer to release a budget update and guarantee there will be no further blowouts.

Leave refused.

James NEWBURY (Brighton) (12:14): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government's decision to blame broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Environment to release a budget update and guarantee no further blowouts.

Leave refused.

Brad BATTIN (Berwick) (12:14): I desire to move, by leave:

That this house:

- (a) notes the cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Police to release a budget update and guarantee no further blowouts.

Leave refused.

Emma KEALY (Lewan) (12:15): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the decision of the government to blame broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Agriculture to release a budget update and guarantee no further budget blowouts.

Leave refused.

Emma KEALY (Lewan) (12:15): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the decision of the government to blame broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Mental Health to release a budget update and guarantee no further budget blowouts.

Leave refused.

Michael O'BRIEN (Malvern) (12:16): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blame of broader inflationary pressures not specific to the games;
- (c) calls on the Attorney-General to release a budget update for her portfolio and guarantee no further blowouts.

Leave refused.

Roma BRITNELL (South-West Coast) (12:16): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government's decision to blame 'broader inflationary pressures' not specific to the games;
- (c) calls on the Minister for Outdoor Recreation to release a portfolio budget update and guarantee there are no further blowouts.

Leave refused.

Roma BRITNELL (South-West Coast) (12:17): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government's decision to blame 'broader inflationary pressures' not specific to the games;
- (c) calls on the Minister for Ports and Freight to release a portfolio budget update and guarantee there are no further blowouts.

Leave refused.

Richard RIORDAN (Polwarth) (12:17): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government has blamed broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Housing to release a budget update that guarantees the 68,000 families waiting on the list will not have further waits and blowouts.

Leave refused.

Tim BULL (Gippsland East) (12:18): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Disability, Ageing and Carers to release a budget update and guarantee no further cost blowouts.

Leave refused.

Cindy McLEISH (Eildon) (12:18): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Small Business to release a budget update and guarantee no further blowouts.

Leave refused.

Danny O'BRIEN (Gippsland South) (12:19): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames 'broader inflationary pressures' not specific to the games;
- (c) calls on the Minister for Roads and Road Safety to release a budget update and additional measures to fix our roads.

Leave refused.

Tim McCURDY (Ovens Valley) (12:19): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Water to release a budget update and guarantee no further blowouts.

Leave refused.

Bridget VALLENCE (Evelyn) (12:20): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Industry and Innovation and Minister for Manufacturing Sovereignty to release a budget update and guarantee no further blowouts.

Leave refused.

Bridget VALLENCE (Evelyn) (12:20): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Skills and Training to release a budget update and guarantee no further blowouts.

Leave refused.

Sam GROTH (Nepean) (12:21): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Tourism, Sport and Major Events to release a budget update and guarantee no further blowouts.

Leave refused.

Sam GROTH (Nepean) (12:21): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Community Sport to release a budget update and guarantee no further blowouts.

Leave refused.

Jess WILSON (Kew) (12:21): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Assistant Treasurer to release a budget update and guarantee no further blowouts.

Leave refused.

David HODGETT (Croydon) (12:22): I desire to move, by leave:

That this house:

- (a) notes the government's cancellation of the Commonwealth Games following a \$4.4 billion blowout;
- (b) notes the government blames broader inflationary pressures not specific to the games;
- (c) calls on the Minister for Planning to release a budget update and guarantee no further blowouts.

Leave refused.

David SOUTHWICK (Caulfield) (12:22): I desire to move, by leave:

That this house:

- (a) notes the state government rejected federal funding for the Commonwealth Games despite the business case and state budget depending on it;
- (b) notes that the Premier was clearly never serious about running the Commonwealth Games in the first place;
- (c) calls on the Premier to apologise to Victorians.

Leave refused.

Minister for Climate Action

James NEWBURY (Brighton) (12:23): I desire to move, by leave:

That this house requests that the member for Mill Park make a statement in the Legislative Assembly apologising to the families of deceased loved ones after two people who had sadly passed away were found to have had their membership to the Australian Labor Party renewed.

Leave refused.

James Newbury gave notice of motion.

Business of the house

Program

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (12:23): I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following items be considered and completed by 5 pm on 31 August 2023:

Bail Amendment Bill 2023

Budget Papers – motion

Justice Legislation Amendment Bill 2023

Nuclear Energy – motion

Safe Schools – motion

State Electricity Commission – motion

Suburban Rail Loop – motion.

It is great to be back in the house. It is always great to be here proudly as a member of the Andrews Labor government, a government that spends every single day focused on delivering the things that matter to the people of Victoria. We are a government that governs for all Victorians no matter where they live, and we proudly stand here today with a government business program that addresses the real concerns of the people in our community.

Indeed we will be debating two very important bills during the course of this week's sitting. Both bills that are on the program are the result of an enormous amount of work by this government and indeed in particular by the Attorney-General in the other place, and I want to place on the record my thanks to her for this important work that she has led.

I know that members certainly on this side of the house look forward to debating the two bills on the program today. They are very, very important bills that have been the product of wideranging stakeholder consultation, and they address a number of critical issues that are important to our justice system and the way it works in this state. Of course when we think about our justice system, it is a dynamic system. We are always ready and willing to make improvements where we see that they are necessary, and indeed they are very serious topics that are on the notice paper for us to debate during this week. I know that they will be respected by both sides of the house, and I hope in fact we might

even get a government business program that is agreed to, given the importance of the bills that are on our government business program for this week.

We also of course have got the budget take-note motion. I raise this because the Manager of Opposition Business is always in my ear about the many members on his side of the house that want to talk on this. I mean, they have had many opportunities to do so, so I look forward to them taking up that opportunity this week. As I said, it has been on the notice paper for a long time now, so let us hope that they do take up that opportunity.

I will talk a little bit about the bills that are before us. The Bail Amendment Bill 2023: we know that our bail system is not working the way it should, and our government is continuing a process to ensure that it works better. It is our job to make sure that the protection of the community includes all members of the community, especially who are most vulnerable. This bill comes here today as the product of extensive consultation, including of course with our First Nations organisations and community representatives through the Victorian Aboriginal Justice Agreement, the legislative change collaborative working group and the Aboriginal Justice Caucus. This bail bill builds on our government's commitment to listening to the voices of Aboriginal people, and we have been very clear here in this state. Not only have we already delivered every element of the Uluru statement, we have also been proud as individuals to get up and say we will be voting yes, because we believe in listening to the voices of Aboriginal people, because we know that when we listen to Aboriginal people we will get better policy outcomes for Aboriginal people. It would be great to see those on the other side get up and make their position clear, but I will leave that for another day.

Of course the other bill is the Justice Legislation Amendment Bill 2023 – more important work. It implements a range of commitments and recommendations to improve our justice system's efficiency and functions. Importantly, it also works to clarify a range of information disclosure processes related to spent convictions scheme operations, the family violence information sharing scheme, protecting legal service consumers and making sure that the Victorian Aboriginal Legal Service is contacted in all cases where a person is taken into custody. I commend the government business program to the house.

James NEWBURY (Brighton) (12:29): I thank the Leader of the House – the widely liked Leader of the House. I have been reading the internal assessments of each of the Deputy Premier candidates to be – the widely liked Leader of the House.

In relation to the government business program, the coalition will not be supporting the government business program this week, and let me speak to why. The government business program this week deals with two bills, four sledge motions and the budget take-note motion. For the house's information, so far 26 members of this place have spoken on the budget take-note motion – 26 out of the 87 members you would assume would want to speak on the budget take-note motion, which means that 61 members have not had an opportunity to speak. It is extraordinary to think that the government has only provided just over a quarter of the members of this place an opportunity to speak on their own budget. I have never seen anything like that, and I am sure nobody else in this chamber has seen a government guillotine its own budget, and that is what is happening on Thursday. On Thursday this government is so ashamed of its budget it is going to guillotine debate on it. I was thinking about reading through the full list of every member who has not had an opportunity, but I will save the house from that full list. Suffice to say, 61 members have not had that opportunity, and I am sure as I look across to the other side of the chamber I see a lot of long faces looking down at their feet who have not had an opportunity yet to speak on the budget. I understand your dismay at the government gagging your opportunity, guillotining your opportunity –

The SPEAKER: Order! Through the Chair.

James NEWBURY: Guillotining – I am sorry, Speaker – the opportunity of members, because I know on this side of the chamber how much our members wanted to speak on what the government has not provided to our communities. On that point, can I say how much this side of the chamber is

looking forward to welcoming the new member for Warrandyte into this place as soon as that opportunity arises. We are looking forward so much to welcoming Nicole Werner into this place. The result on the weekend shows how strongly the community endorses the new member for Warrandyte as a voice for this place.

Mary-Anne Thomas: On a point of order, Speaker, I am not sure how retaining a member in a one-horse race relates to the government business program.

The SPEAKER: Relevance is your –

Mary-Anne Thomas: It is irrelevant.

The SPEAKER: Order! The Manager of Opposition Business will come back to the government business program.

James NEWBURY: I understand why the government would be hiding from that result. We look forward so much to welcoming the new member for Warrandyte into this place. I know that Nicole is in the building today, and we welcome her so much. I know that the whole team welcomes her into this building.

But the coalition will be opposing the government business program because it has become clear to all that the government has completely misused the way that this chamber should operate – four sledge motions are being dealt with this week. I mean, it is now embarrassing. It is embarrassing that the government has so mismanaged the chamber. They are gagging their own members from speaking on the budget. I mean, if you were sitting on Labor's backbench – I can understand why they are briefing away, because they want an opportunity to speak on the budget as we do, and we have not had that opportunity. So we will not be supporting the government business program. Again, it pains me to ask the government through the Leader of the House – as I read, the well-liked Leader of the House – to manage the house in a way that Victorians would expect, to talk about the things that Victorians want us to be talking about, to provide time to do that and to do it in a way that Victorians want. So the coalition on that basis will be opposing the government business program.

Paul EDBROOKE (Frankston) (12:34): Well, that has given me a chuckle on a Tuesday morning. If it was not bad enough that the former member for Warrandyte fled the sinking ship, it is –

James Newbury: On a point of order, Speaker, as the Leader of the House pointed out, this is a tight debate and you have ruled as such, and I would ask the member for Frankston –

The SPEAKER: I ask members to stick to the government business program.

Paul EDBROOKE: I actually had not mentioned the new incoming member. I do wish her the best, and I look forward to hearing her inaugural speech as well. But to be at a point where you would be celebrating that win is quite funny to most of us, I think. It was indeed a one-horse race. Maybe your polling said you were going to lose it. Who knows?

James Newbury: On a point of order, Speaker, on relevance, I understand why the government is embarrassed by the results on the weekend – I understand why –

The SPEAKER: Order! I will not tolerate points of order that are frivolous. Stick to the relevance. Member for Frankston, to the government business program.

Paul EDBROOKE: Thank you for your guidance, Speaker. Of course I stand to commend the government business program in all its forms. We are a very, very busy government. We have, since being re-elected, been fulfilling all the promises of our community. I just want to point out we have had those opposite talk about sledge motions. Well, I had the environment group from Frankston High School here today, and the question was, 'So, what will you be debating in the Parliament today?' I know the member for Mornington came over and said 'G'day', which was appreciated. I said, 'Well, the State Electricity Commission.' Now, this is the environment group at Frankston High School. They

are a very switched on, motivated bunch of people that want to get things done. I said, 'Well, we'll be talking about the overwhelming support for this government to bring back the SEC and also to reach 95 per cent renewables by 2035.' Indeed if I can take that as a sample from my community, there is a lot of support for that.

We will also be debating a motion on nuclear energy, which was a motion originally from the member for Eltham. I think most people would be shocked at the level of support federally and in the state opposition for nuclear energy. It is quite amazing that we are actually talking about this, but it is very, very important that our communities hear what different members have to say and what their opinions are on this, and I, for one, look forward to speaking on that.

I also look forward to speaking on the motion on Safe Schools. As a former teacher, this has been something I have been very, very interested in, and I think there have been some massive mistruths spoken by people in this house who evidently have failed to widely consult with teachers and students and also school communities on this. There are a lot of mistruths about what it actually is, and people have been left to run amok with that one.

Of course we have got the Bail Amendment Bill 2023 and the Justice Legislation Amendment Bill 2023 as well, which is, from what I have seen, kind of an omnibus bill. But the Bail Amendment Bill has been through a tonne of consultation and we are ready to vote that through now.

The motion on the government business program is a debate we have every single week, and I note that every single week it is this side of the house that wins that debate and that division when it does occur. But these are very, very important issues that we need to speak about. Many people in this house would really like to hear what some of the people on the opposite side think about some of these issues. Indeed many people on this side of the house would love to have their opinion heard and their opinion as representative of their own constituents. I think Safe Schools, the Suburban Rail Loop, nuclear energy and the State Electricity Commission are all issues that are definitely spoken about in my community and in many other communities around Victoria at the moment. People know that this government is a government you can trust to actually get on with the hard work, and sometimes people might not always agree with it. But it is in this house that we debate these issues in a true democratic style, and I certainly enjoy doing that. For those opposite to continually oppose the government business program – it is a bit of a laugh to be celebrating wins like the election on the weekend. We will let them have that. But I certainly commend the motion and support the program.

James Newbury: On a point of order, Speaker, I would ask that you refer the member back to your ruling.

The SPEAKER: The member has concluded his contribution.

Jade BENHAM (Mildura) (12:39): I suppose it is my pleasure to rise to speak on the government business program, although the Nationals are not supportive of the government business program this week. Mind you, the two bills that we have on the program are important. I very much look forward to hearing the Shadow Attorney-General speak to those bills. He gave a very succinct yet comprehensive report on both of those bills. The Bail Amendment Bill 2023 is something that we have been discussing locally in Mildura for a long time now, with issues around youth crime and youth justice and cautioning rules that perhaps need another look at. It is certainly not overhyping things, but things have been escalating as far as youth crime goes and some changes to bail rules and to cautioning rules are needed.

Other things that are needed, though, are discussions on issues important to those in regional and rural Victoria, like obviously the motion that is in the notice paper from the member for Gippsland South regarding road trauma and road safety. If you have driven on roads at any point over the last three, five or 10 years throughout regional and rural Victoria, you would know that this is a huge issue for those that do not have freeways to drive on or suburban streets – of course we should be debating that.

Also a massive issue, as we have seen with the flood inquiry last week in Rochester, is the motion from the Leader of the Nationals regarding the serious impact of flooding in regional and rural Victoria. I am sure if you asked anyone in Rochester, in Seymour, in Mildura, in Swan Hill, in Shepparton or anywhere that has been affected by the floods of October 2022 and throughout – and the river is rising again – why on earth wouldn't we be debating that in this house, which is the people's house? The people deserve to hear about the issues that are important to them.

The other issue that is affecting people, obviously, is the budget. I am always interested to hear both sides of every story – it does not matter how flat you make a pancake, there are always two sides. It is interesting to hear both sides. So the fact that we have only heard so far from 26 members on the other side, I can imagine that they have been left feeling a little disrespected not being able to have a voice and speak to the –

A member interjected.

Jade BENHAM: Sorry, 26 in total. That is not a huge amount. I still have not even made my budget reply yet, so hopefully we will get to that. But of course being the whip, I respect my colleagues and will move them up before me. I hope everybody on this side does get a chance to speak on the budget reply motion – those that have not had a chance.

As for the four other motions, the member for Frankston pointed to the nuclear energy bill, and this is something that does need –

A member: Motion.

Jade BENHAM: Sorry, the motion regarding nuclear energy. It is something that we actually need to talk about in this place, because like I said before, it does not matter how flat you make a pancake, there are always two sides. And rather than watching *The Simpsons*, I like to listen to scientists who have worked in the nuclear space, who have worked on Australia's nuclear reactor and who know how nuclear energy could in fact solve some issues and fill some gaps that renewables may not be able to fill.

Apart from the rest of the sledge motions, there are only two bills – a justice bill and a bail bill. There is a clear lack of legislative content here but plenty of substance in the motions raised by those on this side. Even the member for Melbourne's motion 13, I think it is, about non-government business and having space in the sessional orders for non-government business could fix a lot of this. We would be supportive of the government business program if we could address some non-government business and actually do our job, which is giving a voice to those in our communities – for those on this side of the house, those in regional and rural Victoria. But instead we are wasting time on four sledge motions that are guillotined before everybody gets a chance to have their say.

Belinda WILSON (Narre Warren North) (12:44): I am trying to establish why the member for Mildura is not happy with the government business program when she said she supported the bills. She is half with us, half not with us – I am not quite sure. I am glad to see that the member for Brighton has again brought in some props.

A member interjected.

Belinda WILSON: Yes, she is very widely liked; that is correct. We like each other on this side of the chamber. We actually get along. We actually encourage each other.

Members interjecting.

The SPEAKER: Order! The member for Narre Warren North, without assistance.

Belinda WILSON: Thank you, Speaker. We actually do like each other on this side of the chamber. We actually speak to each other, we encourage each other and we are very excited about the business program that we are bringing to this house. Each and every week that we come to this chamber we are

excited about the changes that we are making because we won the election in November. When you are in government you get to make those decisions and you get to understand what the government business program is about, and that is what we are really excited to stand here and be part of. Some of the motions that are to be talked about this week are really exciting. It is interesting to talk about nuclear energy and the nuclear energy motion, that is for sure.

A member interjected.

Belinda WILSON: Did I not say it correctly? It is one of those ones that do bring a lot of debate to the house, especially when we are talking about clean energy, the way forward and the way to the future. It is certainly something that is debated very highly in federal politics and also here in the state, so I look forward to hearing the discussion from both sides of the chamber on that, coming up.

One of the things that I particularly have a big passion about is the Safe Schools motion. As a mum of three kids and being involved in many primary schools, this is something that is very, very important, and I think it is really interesting how so many people have tried to turn this into something that it is not. Our children, our kids, are the way of the future, and I think that it is so important to support them on their journey. I know that many of us who have got kids, on both sides of the chamber, know that our kids' wellbeing is the most important thing to all of us.

I would like to acknowledge of course the Attorney-General in the other place, who has done incredible work on the bills that are before us, the Bail Amendment Bill 2023 and the Justice Legislation Amendment Bill 2023. She and her team have done incredible work, and I would like to say that these are really important bills that we will discuss and that we bring forward to make the changes that are necessary, especially for our vulnerable communities. I would just like to say I am looking forward to hearing the rest of the contributions from both sides, and I commend the government business program to the house.

Richard RIORDAN (Polwarth) (12:47): I rise today to speak against the government business program. I have not actually spoken on one of these motions before, and I was keen to speak today because this is yet again another incredibly lazy agenda that this government has put before the Parliament when there is so much going on in the state that needs immediate attention – whether it is the now reported \$200-odd billion worth of debt that is sitting there with no plan and no solutions going forward. Victorians are looking for a positive, forward-thinking agenda from this government that is going to see Victoria try and repair the woes of the last few months that we just see revealed every day: cancellations of projects, the giving up of the Commonwealth Games, the loss of essential services and support to our healthcare sector and to our education sector – the list goes on and on and on.

Yet this government, week after week now, is producing a very, very light-on agenda – omnibus bills with everything thrown in them, with a little bit of this. It is like a salt-and-pepper approach. It is like going to a kinder and eating hundreds and thousands on bread. It is a really light, unimpressive agenda that is not speaking to the needs of Victorians. In fact the agenda is so light on and lacking in substance that we have seen now for the last three sitting weeks that not even the Premier himself has felt like it is worth turning up to Parliament to speak to or to participate in the debate that his colleagues are lazily putting together. It has been spoken of much this morning, the fact that so few of the government MPs are prepared to speak in favour of the budget. I guess we now know that the budget presented six months ago or three months ago, whenever it was, has changed so much in the last three months.

We are talking, just on one budget allocation alone, the Commonwealth Games, about a \$4.4 billion mistake by the government, and we can only imagine that that level of incompetence and mismanagement is sprinkled right through the budget. So why would the poor backbenchers on the government's side want to spruik to their communities the benefits of this budget? Because they know that they probably cannot say very much. I know that the member for South Barwon, the member for Geelong and the member for Bellarine have all been kept away from talking on this budget. Why are they being kept away? Because they have not got anything to offer. In fact if the members for the

Geelong region were to get up and take note of the budget they would only be able to report to their community, to the *Geelong Advertiser*, to the *Surf Coast Times*, that there is nothing going. It is just cancellation after cancellation. It is loss of maternity services. It is loss of trains. It is the loss of the Commonwealth Games. It is failure after failure, and that is why they are very keen to pull that up.

We have also seen this light agenda, where once this Parliament could expect at least three pieces of legislation to be debated and worked through in a weekly sitting – serious ones, with policy and acts of legislation that would make a difference to Victorians' lives. Instead we are just seeing two. And with all that extra time that should be available for good debate, this government refuses to go into consideration in detail. I know that the opposition was very keen to go into consideration in detail on the Bail Amendment Bill 2023 and the Justice Legislation Amendment Bill 2023, because while the government has put these together, there are still important issues that need to be uncovered and discussed and the public record needs to show that this Parliament has in fact gone through these pieces of important legislation that could affect some people's lives – certainly those in custody or potentially going into custody or, worse still, those people out in the general public who could fall victim to poorly run bail legislation.

There has been an opportunity given to the government and an opportunity missed by the government in actually prosecuting that type of legislation in more detail and with greater scrutiny. So undoubtedly I am unable to support this legislative program this week, and I would urge the government in future to work harder. They have the resources of hundreds of thousands of bureaucrats. They have the capacity, surely, to deliver a functional and workable legislative program for this chamber and not use it for cheap political pointscoring in a sea of pointless motions.

Assembly divided on motion:

Ayes (52): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Noes (26): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bill Tilley, Bridget Vallence, Kim Wells, Jess Wilson

Motion agreed to.

Members statements

Greg McAdam

Emma KEALY (Lowan) (12:58): I would like to acknowledge the recent passing of Greg McAdam. Greg was an outstanding man who contributed so much to the community in so many different ways: as a Southern Grampians shire councillor; as the local treasurer and state councillor for the Nationals, including his fabulous and ongoing support for me; in his extensive work volunteering for so many community organisations and events in his local area of Mooralla, Cavendish or Balmoral – depending on which one he was supporting on the day; in his passion for agriculture and farming, and for standing up for rural Victoria; and of course in his love and care for his family. Greg's friendship and support and the amazing legacy he has left for the community he loved and

served with dignity and respect will not be forgotten. I extend my deepest condolences to Jan, Greg's family and his friends. Vale, Greg McAdam.

Lowan electorate roads

Emma KEALY (Lowan) (12:59): I again raise the treacherous road conditions on Coleraine Hill and urge the Minister for Roads and Road Safety to prioritise the urgent repair of this section of road before a life is lost. Just six months ago the community was relieved that their advocacy to finally fix this road had paid off, with road repairs finally underway. However, the reduced speed limit signs are back up along sections of this new road, which has already broken up, and the section of road that has never been repaired, further up the hill, has further deteriorated into cavernous potholes. This is causing damage to vehicles, pushing up the cost of living for local people. Labor must reverse their cuts to the road asset management budget to fix our crumbling country roads and make them safe.

Ashwood electorate schools

Matt FREGON (Ashwood) (12:59): It is theatrical season in the Ashwood district, and our young thespians have been putting on quite a show. As we would expect, they have been outstanding. There are so many awesome students who have participated that I will not be able to name them all, so today I will make special mention of the teaching staff who have put in countless hours to make these productions so great. But first, congratulations to every student: you are all excellent.

Mount Waverley Secondary College put on a fantastic production of *Chicago*, with enough razzle-dazzle for everyone. A big thanks to all the volunteers and teachers at Mount Waverley Secondary who helped put on all that jazz. A special thanks to Madeleine Kerr and Jane Carter for heading the production's organisation and donating so much of their own time for the students and our community.

Salesian College and Sacred Heart college put on a fantastic production of *Guys and Dolls*, and a shout-out to principals Mark Ashmore and Christopher Dalton and the production team led by Basia Quill and Matthew Little for their fantastic work leading our young wise guys and gals.

Avila and Mazenod colleges delivered an awesome performance of *Freaky Friday*, and a special thanks to executive director Daniel Borbely and executive producer Justin Cash for their commitment.

Huntingtower School put on a spectacular performance of *The 39 Steps*. Huntingtower swap between musicals and a drama each year, which is a fantastic idea. Big thanks and congrats to the whole team led by director Trent Brockman.

Ashwood's own Australian Youth Band had their annual concert as well the other weekend, and all of their rehearsing is done in our very own Parkhill Primary School. Thank you to musical director Richard O'Toole and all of our young musicians, who are simply splendid – (*Time expired*)

Government performance

Brad BATTIN (Berwick) (13:01): I rise today to talk about some of our debt that is happening here in Victoria. Remember the days we used to talk about millions? I know the member for Sandringham would be very interested, and I have got the member for Malvern here as well, who I know would understand what it was like to try and pay down some of that debt here in Victoria back in the days when we were talking millions. Then we were talking 'tens of millions' and 'hundreds of millions'. I remember the day, sitting around with some of the schoolkids in my electorate who were asking about debt, and I said that I am scared of the day that the words 'hundreds of millions' roll off the tongue like it is nothing. Never did I think in my time, whilst I was still in this Parliament, I would be referring to 'hundreds of billions of dollars' in debt. The government let it roll off their tongues like it is nothing at the same time that those in the growth corridor are having trouble paying for their electricity bills, at a time that those people in the growth corridor are not getting the infrastructure they need and at a time that those in the growth corridor have their rents increase and their house prices go up because a government has lost control of debt and is now taxing not the rich but everyday Victorians

to try and cover their incompetence whilst they are in government. It is up to this government now to explain to every person in my electorate why their rent is going up – because of land tax. For those that have gone out and invested and tried to save up their life savings to make sure they can retire well, I ask: why is this government now punishing them?

Ripon electorate schools

Martha HAYLETT (Ripon) (13:03): I want to thank the 141 children across the Ripon electorate who recently took part in my school art competition. I wrote to all 54 schools across Ripon last term to ask students to create a piece of artwork based on the theme ‘The natural wonders of our local community’. I was blown away with the results. We had amazing entrants from Marnoo, Navarre, Inglewood, Tarnagulla, Maryborough, Bealiba, Carisbrook, Clunes, Creswick, Talbot and Lucas. Last week I visited Joseph, Kara, Amelia, Sarah, Sammy, Farrah and Sophia from Navarre Primary School to thank them for participating. Kara said:

I felt fantastic about my artwork because I like the countryside because the countryside is my home.

And Joseph said:

When I completed my artwork, I felt proud.

I also visited Tom, Chloe, Vicente, Memphis, Valeria and Emily from Marnoo Primary School to present them with certificates for their amazing artwork. These six students that make up the school have such bright futures as artists, farmers, doctors and more. I want to especially congratulate Olivia from Tarnagulla Primary School and Ivy from Creswick Primary School for being named the official winners. It has been a joy to visit so many of the participating schools across the electorate and meet with students along with their hardworking teachers, support staff and parents. The winning artworks will now be displayed on materials I send out to locals so that even more people can see the talents of our littlest country Victorians.

South-West Coast electorate wind farms

Roma BRITNELL (South-West Coast) (13:04): Portland is home to a complex and unique marine ecosystem, and the community are rightly concerned about any development that may irreparably damage the environment in the name of the environment. Locals want confidence offshore wind farms will not affect the marine ecosystem. Community has every right to expect the highest standard of regulatory oversight and scientific rigour to be applied. They deserve to be absolutely confident that risks are mitigated. The Bonney upwelling at Portland, for example, is so unique. It is a matter of national environmental significance. It is the largest upwelling in south-east Australia, bringing cold, nutrient-rich water to the surface, feeding the region’s marine life. There are only 12 like it worldwide, and the whales are known to trust it as a feed source. Yet we have not heard the government talk about it once, and we know the risks are largely unknown.

The government are not even conducting consultations with the community in good faith. They have just told the community what is happening in the middle of the consultation process. That is not consulting, that is announcing. The government’s pattern of behaviour has seriously eroded community trust. Secret deals and corruption like the deal with AGL only last week are how this government operates. The government has already railroaded through planning applications for onshore wind farms; we just cannot let the same happen to offshore wind farms as well. Ultimately I cannot back an offshore wind farm until the current government proves without doubt there will be no environmental impact, and can prove they have been totally honest and transparent with their studies.

Cambodian elections

Tim RICHARDSON (Mordialloc) (13:05): Democracy in Cambodia, under the rule of Hun Sen and the Cambodian government, has been killed. Recently I joined the Cambodian community in Victoria alongside the outstanding member for Clarinda Meng Heang Tak to strongly condemn the recent sham elections that occurred in Cambodia in July. What we saw during these elections was

abhorrent and devastating for the people of Cambodia. Opposition parties were banned from contesting elections against Hun Sen's Cambodian People's Party. Political opponents were imprisoned and trade unionists and democracy advocates were intimidated into fear and silence. Never should the words 'democracy' and 'elections' be uttered in the same breath as 'the Cambodian government'. Instead Cambodia is better described as a dictatorship. Illustrative of this is the recent transfer of power from Hun Sen to his son Hun Manet and a range of other ministerial portfolios that have been handed down to their children.

Australia lives in a free, inclusive and harmonious society where respect for the rule of law, election outcomes, freedom of speech and association is cherished. Our Cambodian communities in Victoria have richly added to our multicultural and inclusive society under a free and transparent democracy. Today we stand in solidarity with our Cambodian communities in Victoria and Australia to demand free and fair elections in Cambodia. We call on the Australian government, the Australian Parliament and parliaments across the states and territories in our nation to strongly condemn these disgraceful and sham elections.

Climate change

Tim READ (Brunswick) (13:07): Last week a paper by Fretwell in the journal *Communications Earth & Environment* reported that thousands of emperor penguin chicks died last spring in what was termed a catastrophic breeding failure. All chicks were lost from four out of five breeding sites on the Bellingshausen Sea. Also last week the Andrews Labor government announced an agreement with AGL Energy to keep the Loy Yang A coal-fired power station open until 2035. What has that got to do with penguins? The fuzzy down that makes these chicks so cute is not waterproof, and because of climate change all the sea ice melted underneath the chicks, and they fell into the sea and drowned or froze. It was not breeding failure that killed these baby penguins, it was our failure. The government's structured transition agreement with AGL for Loy Yang A apparently includes a risk-sharing mechanism. They might not know it, but the penguins are sharing a fair bit of that risk. Victoria can provide certainty for workers and reliable energy by investing in an urgent transition to renewable energy. We just need the political will to put people, planet and penguins over profits.

Level crossing removals

Darren CHEESEMAM (South Barwon) (13:08): It is with some pleasure that I rise this afternoon to make a contribution to members statements. The contribution that I am making is that in my electorate of South Barwon the Geelong rail line effectively becomes the Warrnambool rail line, and in partnership with the federal government we are investing a lot of money to make that rail line much safer. The very first town along the Warrnambool rail line of course is the beautiful town of Moriac, in my electorate, and at that town there is a level crossing. Under the Regional Rail Revival stage 2 we are investing to make the level crossing in that town much safer. Indeed the investment will see the installation of automatic swing gates and new lighting to make that intersection much safer. The beautiful town of Moriac has lived with this level crossing for many generations. It is right in the heart of that beautiful town, and our investment will make the level crossing safer for future generations. I commend the minister for this outstanding work.

WorkCover premiums

Annabelle CLEELAND (Euroa) (13:10): Today I need to use my time to speak about the significant impacts of the broken WorkCover system on the horse industry within my region and across the entire state. I have spoken with several thoroughbred stud breeders, farmers and equine service providers, and the rising cost of WorkCover premiums is suffocating the growth of the industry and forcing breeders and businesses to operate in New South Wales.

The horse industry's rate for WorkCover contributions has surged by an astounding 65 per cent in the past year with absolutely no warning and after stud service fees were set for the season. In the 2021–22 financial year the rate was 5.859 per cent, in 2022–23 it was 5.75 per cent and now for 2023–24 it

is 9.487 per cent. The fact that nearly 10 per cent of farm pay is allocated towards WorkCover is ridiculous. Many of these businesses I spoke with have yet to even file any WorkCover claims at all. These breeders are not facing the same risks as jockeys and track riders, and it is completely unfair that they are saddled, pardon the pun, with the same premium rates. One farm that only deals with retired horses has just had one genuine WorkCover case, yet they pay the same premiums as high-risk industries. It has been extremely difficult for these farms to find staff, and now it is a dilemma as to whether it is affordable to even keep them. The current broken WorkCover system means less jobs and increased prices and is adding to the cost-of-living crisis we are in the middle of, so to the Minister for Racing: please ensure this industry is protected.

Youth Parliament

Dylan WIGHT (Tarneit) (13:11): Recently I had the honour of acting as the speaker for a Youth Parliament debate where students from across Victoria passionately debated animal welfare in shelters. Notably for me, four students from my community of Hoppers Crossing, who attend Hoppers Crossing Secondary College, shared their views. Their dedication in drafting a detailed bill and engaging in lively debate showcased their deep understanding of government. Every participant has a promising future, and I am very, very grateful to have witnessed it. Congratulations to all, and I hope to see you all in the chamber again soon.

Parliament Prize

Dylan WIGHT (Tarneit) (13:12): Furthermore, I am thrilled to announce students from my electorate absolutely smashed it in the 2023 Parliament Prize – an annual event with over 1000 entries this year. Congratulations to Zach Bugeja, Loki McAdam and Tyler Guilfoyle from Warringa Park for taking a place in the years 7 to 9 category and also a big shout-out to Syazwani Saifudin from Hoppers Crossing Secondary College for coming first in the years 10 to 12 category. Their insights on accessibility and public transport in our suburbs were truly enlightening. It is so fantastic to have such engaged students in my community. Well done, everybody.

Gordon Chapman AM

Bridget VALLENCE (Evelyn) (13:13): I rise to celebrate and commemorate the life of Gordon Chapman AM, one of the Yarra Valley's finest. A successful cherry and berry farmer and a strong advocate for the horticulture industry, Gordon sadly passed away in June this year aged 91. Gordon was an innovator and a leader. He was instrumental in bringing the concept of U-pick to Australia after an agricultural tour to the United States of America back in the 1970s, and his farm on Parker Road in Silvan became known as Chappies U-pick.

Gordon was a deeply committed community volunteer as well. Gordon was devoted to Mont De Lancey historical homestead, on which he and I served together as board members. Gordon also served as chairman of Silvan Fruit Processors; was a founding member of the Wandin Silvan Field Days agricultural showcase more than 50 years ago; was a volunteer firefighter with the Silvan rural fire brigade, serving as captain from 1959 to 1971 and receiving an honorary life membership; and was a dedicated member of the Liberal Party for over 50 years. For his substantial contributions to our community, Gordon Chapman received the Order of Australia in 1993 as well as the Centenary Medal in 2001. Gordon Chapman was an inspiration, a tower of strength and a friend and mentor to many, including me. My deepest condolences to his family, including children Mark, Stephen, Darren, Susan and their families and all who cherished him. Vale, Chappie. Vale, Gordon Chapman.

Cultura

Ella GEORGE (Lara) (13:14): In celebration of Youth Fest 2023 and the month-long celebrations during September to recognise the contributions of young people, I am extra pleased that the notes for my members statement today were written by a young person in my electorate, Drew Megtaka, who recently completed work experience in my office.

Geelong offers many opportunities for residents with refugee and asylum seeker backgrounds to gain new skills and build relationships with others. I had the pleasure of visiting the new urban farmers program at Cultura in Norlane recently. The program allows participants to learn about the local food system in the Geelong area and teaches them about horticultural skills and meal preparation using locally grown ingredients. During my visit it was evident that the group had a strong passion for the cooking program and the Cultura community garden, where they have been growing food for the cooking program. It was wonderful to see the connections and friendships between the young people from many different cultural and linguistic backgrounds who are part of the program. I had the chance to share a meal with the urban farmers. We had Jerusalem artichoke soup, chocolate orange cake and a croissant bread and butter pudding. This project would not have been possible if not for VicHealth's major investments into JumpStart! as part of their Future Healthy initiative. The Future Healthy program involves an investment of \$45 million into partnerships with local communities that introduce locally driven solutions to create healthier futures for young Victorians. Thank you to all those involved in the urban farmers program for the delicious meal and for hosting me.

Love Our Street

Brad ROWSWELL (Sandringham) (13:16): Last Sunday I was delighted to host 20 volunteers from 3191 Love Our Street, including a group of students from Firbank Grammar School, at my office after their monthly clean-up of Sandringham streets. The group collected a total of 34 kilograms of litter from nearby streets, including 20 glass bottles, 40 plastic bottles, 70 cans and an incredible 71 non-recyclable coffee cups. I am grateful to volunteer organisations such as this for the wonderful community spirit that they bring to our community and the work they do in our community.

RG Chisholm Reserve

Brad ROWSWELL (Sandringham) (13:16): I have been working alongside and quite closely with the East Sandringham Cricket Club to support them. Together with the East Sandringham Junior Football Club, they jointly proposed to Bayside council that the RG Chisholm Reserve should be renamed the Shane Warne Oval. Warnie, as we know in this place, grew up in Black Rock. He was a local boy through and through. He grew up playing junior footy and junior cricket at the RG Chisholm Reserve. So the renaming of this oval would be a worthy recognition of Shane Warne's impact and lasting legacy in my community throughout his life.

Sandringham electorate crime

Brad ROWSWELL (Sandringham) (13:17): Finally, I recently spoke to members of Victoria Police as well as some traders in the Mentone precinct about the ongoing crime issue in that area, which I have addressed in this chamber before. I am pleased to share with the chamber that Victoria Police have informed me they recently arrested six youth offenders. I hope that this intervention by Victoria Police helps in keeping our communities safer, because the Mentone residents deserve it.

Frankston-Flinders-Eramosa roads, Somerville

Paul MERCURIO (Hastings) (13:17): It gives me great pleasure to say that after 16 years of absolutely nothing happening to the dangerous roundabout in the middle of Somerville – that is, 16 years under a Liberal representative – finally, thanks to a grant from the Andrews Labor government back in 2022, safety upgrades commenced last week. I thank Minister Horne for her help and support in making these important safety upgrades happen.

Hastings electorate ministerial visits

Paul MERCURIO (Hastings) (13:18): On another matter, the electorate of Hastings had two very special ministerial visits last week. The Minister for Police and Minister for Racing came down to visit Racing Hearts, who give a new lease of life to retired racehorses. We then visited Hastings police station to talk about their work and challenges. The Minister for Ambulance Services and Minister for Treaty and First Peoples came down to visit the soon-to-be-finished Langwarrin ambulance station, and then

we went to Hastings to meet with Uncle Peter and staff at Willum Warrain to catch up on the important work they are doing within the community and then have a tour of their amazing space.

Elisabeth Murdoch College

Paul MERCURIO (Hastings) (13:18): On another matter, I attended the opening night of *Legally Blonde* last Thursday, performed by the students from Elisabeth Murdoch College, and I have to say I was incredibly impressed with the level of professionalism and dedication to their craft and to their performances. Of course they could not have done it without the excellent work and support from those backstage, those in the orchestra, those working front of house and the whole creative team – in all, over 150 people. Special mention goes to Molly Potter, who was absolutely fantastic in the lead role.

Hume Central Secondary College

Kathleen MATTHEWS-WARD (Broadmeadows) (13:19): I had the absolute joy of watching our talented young people perform at the Hume Central performing arts concert on Thursday night. The kids were awesome, but I also want to give a big shout-out to the teachers who give so much of their time and energy to ensure our kids can be involved in the thriving arts and music program, learn skills and express themselves – in particular David Sutton, Emma Gardner, Paul Bombig, Mark Hynes, Andrew Shields, Daniel Luttick, Victoria Fleetwood, Evan Houghton, Felicity Morton, Rob Broomhead, Sam McKenzie, Duncan Campbell and Alison Sloan. They were all so well led through the dedicated leadership of Jeff Mulcahy and Silvia Quaine.

Premier's Spirit of Anzac Prize

Kathleen MATTHEWS-WARD (Broadmeadows) (13:20): I also had the pleasure of meeting the wonderful students and teachers at Ilim College in Dallas on Wednesday with Minister Suleyman when we visited to encourage kids to apply for the Premier's Spirit of Anzac study tour to be held in Türkiye later this year. Successful winners will also connect with veterans and help ensure young Victorians understand, appreciate and respect the contributions of our service men and women. We know just how important it is that the sacrifices our veterans made to ensure that we continue to enjoy the freedoms we have today are acknowledged and appreciated.

Battle of Long Tan commemoration

Kathleen MATTHEWS-WARD (Broadmeadows) (13:20): It is 50 years since the battle of Long Tan, and it was very moving to hear the names of those who did not make it home at the Vietnam Veterans north-west sub-branch commemorative service at Maygar Barracks last Sunday. It was particularly touching to have the Hoa Lu Vietnamese scout group attend the service and pay their respects to our local veterans who served.

Frankston Raiders Rugby League Club

Paul EDBROOKE (Frankston) (13:20): This Saturday will be a history-making day for the Frankston Raiders Rugby League Club. The club will host 22 teams battling it out for the top spots in the grand final matches over the course of the day. This is a huge achievement for the club after finally settling in on a home ground big enough to cater to the growing numbers participating in the game of Rugby League to now be hosting such an event at their home ground at the Riviera Reserve, Seaford. The club, established in 2015, will also be making history with the senior men's grade 3 team proudly representing the club and my electorate of Frankston by playing for a win in the grand final match. This is such an amazing effort by everyone at the club, and I hope the day is a huge success. I want to give a big shout-out to all the senior players and wish them the very best of luck in their match on Saturday.

Peninsula Health

Paul EDBROOKE (Frankston) (13:21): I would like to extend a huge thanks to the amazing Peninsula Health mental health team for letting us visit and gain a greater appreciation of their job last week. I was so impressed with the endless amount of love and care and compassion for consumers, for families and for carers. A big thankyou to the team at the Health and Community Services Union for arranging a collaborative and positive meeting with their members that gave us a deeper understanding of the services and where advocacy can be focused in the future.

Geelong Arts Centre

Chris COUZENS (Geelong) (13:22): Last week Geelong was full of excitement with the official grand reopening of the Andrews Labor government's \$140 million commitment to the redeveloped Geelong Arts Centre, the largest and best regional arts centre in the country. I was joined by the Minister for Creative Industries and some special guests – Rachel Griffiths AM, who MCed this amazing evening, and Jessica Mauboy, who put on an outstanding performance. The new arts centre is also a celebration of the rich cultural heritage of First Peoples. I acknowledge and thank the First Peoples artists Wadawurrung woman Corrina Eccles, Tarryn Love, Gerard Black, Mick Ryan and Kait James for sharing and embedding their culture with us. It gives all of us an opportunity to learn about First Peoples storytelling and connection to country for over 60,000 years and to walk softly on Wadawurrung country to see, to listen to and to respect First Peoples culture. It was a privilege to hear the beautiful singing voices of Piper Knox, Jess Hitchcock and Ngara McEwen in language during the opening, along with the welcome to country from Wadawurrung traditional owners Corrina Eccles and Norm Stanley. A huge thank you to the CEO Joel McGuinness and the team of amazing people and the Geelong Performing Arts Centre Trust – all of them made this possible. To ARM Architecture and Lendlease, thank you. And importantly, I acknowledge and thank the local workers who built it and who for decades to come can be proud of their work.

Western Freeway sound barriers

Steve McGHIE (Melton) (13:23): My members statement is about a delayed promise provision of sound wall barriers along the Western Freeway to protect residents of the Silverdale estate. In 2018 the Melton City Council moved and passed a motion allocating \$2.1 million to install sound barriers to alleviate the frustration of Silverdale estate residents experiencing excessive traffic noise. Last year council pulled that funding and reneged on their commitment to residents because they failed to act quickly enough before the cost to deliver the project increased. It is shocking that the developer of Silverdale estate was not held accountable for the provision of this necessary infrastructure. It is, I believe, a major failure of council planning. I also hold concerns that the setback from the highway for many of the properties was woefully inadequate.

The noise for residents is simply unbearable, and the severity of this only mounts as increased traffic develops on the Western Freeway, a major thoroughfare of Melbourne's western growth corridor. Once sitting on local resident Geoff Tweedie's verandah I was astounded by the overwhelming level of noise. When we examined the issue from his neighbour's residence it became apparent that even while standing in his backyard a metre apart we could not engage in conversation due to excessive noise. This situation is intolerable for the residents. It is even more of a slap in the face when they see developments going up around them being built with the necessary sound wall protection. It is time for the Melton City Council to reconsider their position on the provision of this sound wall and put the Silverdale estate ratepayers' quality of life as a priority by building the sound wall.

Minaret College

Emma VULIN (Pakenham) (13:25): It was a pleasure to represent the Premier alongside the member for Bass and the member for Narre Warren North at Minaret College's 30th anniversary dinner. They have grown so much since they first started with just 22 students. I feel lucky to have the

office and campus in my electorate. They pride themselves on the outcomes of their dedicated students and staff and do so much good work for our community.

Pakenham Lions Netball Club

Emma VULIN (Pakenham) (13:25): Congratulations to Emma Jones from Pakenham Lions Netball, who celebrated 200 games, and a huge thankyou to Marg and the committee for making me feel a part of the netty family and for our beautiful afternoon tea.

The Bridge, Pakenham

Emma VULIN (Pakenham) (13:25): The Bridge in Slattery Place, Pakenham, has officially opened. They are an NDIS provider with a brand new state-of-the-art building that will provide essential services and support to many living in my electorate who are living with a disability.

Officer Secondary College

Emma VULIN (Pakenham) (13:26): The Treasurer joined me in a visit to Officer Secondary College, where senior students asked some very good questions.

Pakenham Racing Club

Emma VULIN (Pakenham) (13:26): I joined the Minister for Racing at Pakenham Racing Club. He announced funds for a new horse training track. The club is growing and also employing many people in my electorate in a range of work, and it will be a welcome addition.

Afghan employee program

Emma VULIN (Pakenham) (13:26): I attended a celebration with the Afghan locally engaged employee program organised by my dear friend Nissa and the committee. Thank you for the invitation, for a lovely evening and for your unwavering support throughout my journey.

Lakeside Pakenham Scout hall

Emma VULIN (Pakenham) (13:26): It was great to don my Scout scarf to officially open the new Lakeside Pakenham Scout hall. This new building is already providing a great space for the community to come together and learn all sorts of skills. It has been a very busy time in the Pakenham district.

International Youth Day

Alison MARCHANT (Bellarine) (13:26): Recently, to celebrate International Youth Day, I reached out to the Bellarine community and invited young people to write to me about their ideas and goals for the future. Overwhelmingly, I received emails regarding the Barwon Heads Scout hall, and I would like to share some of those today. Zoe, being new to Barwon Heads, explained:

... it was through Scouts that I made ... wonderful friendships and that Barwon Heads began to feel like home. Barwon Heads Scouts is a wonderful community, with amazing activities and great leaders.

Sadly, the Scout Hall at Barwon Heads is not of the same standard.

The Barwon Heads hall isn't big enough for the entire scouting group and most activities are held outside, and if events cannot be held outside, they have to travel to Queenscliff to a bigger hall.

The current hall is ... old and has reached the end of its very long life. It leaks, has holes, is smelly and is rotting in places.

Tessa, Maddie and Jess also wrote to me and said that their membership had increased by 25 per cent since last year, which is incredible:

However, it further demonstrated the need for a larger space.

We particularly love the games and activities, but we can't do it in the current club hall because it's too small.

It is:

... starting to fall apart, the stumps are rotting and there are small holes in the walls which causes leaks when it rains. The toilets are **HAUNTED** and scary!!! There is no privacy, and we don't use them for that reason. We don't have a kitchen ...

Community groups like the Barwon Heads Scouts are vital to our community and to ensuring our kids have the opportunity to learn new skills and socialise and enjoy the great outdoors. I would like to say a big thankyou to everyone who wrote to me regarding the Barwon Heads Scout group, especially Tessa, Maddie, Jess and Zoe.

Children's Book Week

Lauren KATHAGE (Yan Yean) (13:28): With the short time I have I would like to congratulate all parents, teachers and staff for making it through Book Week. Hopefully you survived without getting your fingers stuck together with fabric glue and without your child having a tantrum, like mine on Wednesday morning.

Business of the house

Notices of motion

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (13:28): I advise that the government does not wish to proceed with notices of motion 1 and 2, government business, today and ask that they remain on the notice paper.

Bills

Justice Legislation Amendment Bill 2023

Second reading

Debate resumed on motion of Anthony Carbines:

That this bill be now read a second time.

Michael O'BRIEN (Malvern) (13:29): I rise to speak on the Justice Legislation Amendment Bill 2023, and I can advise at the outset that the Liberal and National parties do not intend to oppose this bill. This is an omnibus bill – an almost everything but the kitchen sink bill in terms of the number of acts it seeks to amend, so in the time available to me I will try and touch on each of the areas of amendment contained in it and just flag some thoughts that the opposition has.

One of the first purposes of the bill is to clarify and confirm temporary changes to the Open Courts Act 2013 and the Court Security Act 1980, which were made during the pandemic. Obviously, the pandemic wrought a lot of changes, most of them pretty horrific in terms of the effect on the population of this state, and of course we are still seeing ongoing effects on cohorts of people who were locked away from family, from friends and from jobs over that time – and I am particularly thinking of some of our children, who are still going through some of the mental health issues that were created or exacerbated by those lockdowns.

Out of the changes that were wrought on us by the pandemic there were some changes to the way in which we did business through government, and that included the courts. In this regard one of the things that we did see occur was the greater use of video court hearings. Of course there is a conundrum given the principle that the courts should always be open, barring exceptional circumstances. Courts should always be open so that not only may justice be done but it be seen to be done. So the question is: does a video broadcast of a court hearing suffice in terms of it being an open court?

The statement of compatibility for this bill goes into some of those issues. It acknowledges that, for example, if somebody does not have access to a computer or does not have access to the facilities required to access an online hearing, then a move to online hearings is exclusionary. A move to online

hearings does not promote open justice for that particular cohort of people. On the other hand you could argue that having court hearings online, if they are available to the general public, expands the range of people who may be able to observe them, because obviously courtrooms are physically constrained in terms of the number of participants or people in the gallery who can physically be there. Having them online opens them up to a wider range of people.

I do not come to the debate on this legislation with any fixed view. I do think it is important, to the extent that courts are going to continue to use video broadcast for proceedings, that it should be in the context of the commitment of this Parliament to open courts, as expressed through the Open Courts Act 2013. Obviously courts retain the ability to determine when a broadcast may be appropriate, as opposed to physically opening a court, and that determination should be made in the interests of justice. That is always the appropriate test, and it is appropriate that this Parliament leave the application of that test to the courts. We do not want to be looking over judges' shoulders in relation to those sorts of decisions, because there will be individual factors involving particular cases and particular litigants that we cannot possibly foresee. So I think it is important to establish what the test is and that it is in the interests of justice, but the application of that test is one that is more appropriately left to judges, magistrates, tribunals and other judicial members.

The bill also seeks to update some of the measures in relation to court security, in particular in relation to seizing particular items that should not be in court. Every year or so we see a story about the number of offensive weapons which are seized here at Parliament House from members of the public seeking to undertake tours, presumably not with any intention of seeking to do harm to any of the people who work in this building. These are members of the public who perhaps do not even think twice about the idea that they are carrying something which is an offensive weapon. I know from my own past experience as a barrister that the same thing happens in courts. We have security screenings at courts and we have security screenings at Parliament for a reason – because there is a need to protect the people who work in these places. There are often heightened sensitivities and heightened emotions from time to time, both in courts and in Parliament, and it is appropriate that people who are visiting any of those institutions be screened. I think the measures in this bill do clarify the exercise of the power of court security, staff or authorised officers to seize prohibited items. It requires authorised officers to form the view that there are reasonable grounds to believe an item is prohibited before seizing or retaining it. I do think that that is appropriate.

Part 3 of the bill makes amendments relating to coronial investigators. The bill will implement recommendation 2 of the findings of the coronial inquest into the death of Tanya Day. It will do so by providing clarity around the role of police coronial investigators into reportable deaths. It will give effect to recommendation 29 of the Royal Commission into Aboriginal Deaths in Custody and recommendation 42 of the Victorian parliamentary Law Reform Committee's review of the Coroners Act 1985. In particular the bill inserts new section 15A into the Coroners Act 2008, which gives explicit power to a coroner to direct a coronial investigator at all stages of an investigation. Subsection 15A(2) then imposes a duty on a coronial investigator to comply with a reasonable and lawful direction of the coroner. Again, the opposition believes that these reforms are unobjectionable in themselves.

There is I think an important safeguard, and that is contained in section 15A(3), which sets out two circumstances in which a coronial investigator is not required to comply with a direction from the coroner. One is where the Chief Commissioner of Police considers a direction to be unreasonable, and the second is where the chief commissioner considers that complying with the direction would likely compromise a criminal investigation. Given we do know that coronial proceedings and criminal investigations can often operate in parallel time frames, I think it is important that we have those safeguards contained in the bill to provide the chief commissioner with the discretion to have a police coronial investigator not comply with a direction if that would compromise a criminal investigation.

Part 4 of the bill deals with amending the Spent Convictions Act 2021, and the provisions seek to remove unintended eligibility barriers to having convictions spent. This act has been in the news

recently. There have been some concerning reports about a number of people who have used opportunities created by this act, people convicted of quite serious offences – sexual offences, sexual assault offences and worse – who have nonetheless managed to have those convictions determined to be spent. This has caused great distress to some of the victims of those people, and this was something that was flagged by the opposition at the time that act originally went through the Parliament. We did express real concern that those measures in the bill could be used, could be abused, by people convicted of very serious sexual offences to effectively hide from the broader world the fact of their crimes. Those recent reports indicate that is exactly what is happening.

That is a matter that I do believe the government needs to seriously reconsider. I do not think anybody demurs from the idea that people who make mistakes in their lives should have the opportunity to repent and should have the opportunity for a fresh start, but we also acknowledge that when somebody commits a crime that causes grievous injury to others – grievous physical injury, grievous psychological injury, the sort of injury that lives with people for a lifetime – the idea that they could avail themselves of what I would say are loopholes created by this government's Spent Convictions Act to effectively hide their crimes from the wider world is I think a retrograde step. But in terms of the measures in this bill, while the measures contained in this bill would expand eligibility for accessing the Spent Convictions Act, I do not believe on the face of it that they would suffer from the same problems that I have just referred to in the substantive act.

What this bill does is outline exclusions from a custodial term. That would include drug rehabilitation, home imprisonment, intensive correction, a residential treatment order and any part of a term that was suspended or elapsed without being served. That is all relevant because to be eligible to have a conviction spent, obviously a custodial term is directly relevant to one's eligibility to apply. So by clarifying that it only refers to actual time served or the time to which one was sentenced for imprisonment, this would have the effect of widening eligibility.

As I said, while I have some grave concerns about the way in which the act is currently being used and abused by certain people convicted of sexual offences and while the government was warned about this at the time of the passage of the principal act, these changes in themselves do not seem to create any particular concern for that being repeated.

In terms of young offenders, the bill also removes the requirement that children and young offenders must be sentenced under specific legislation in order to be eligible to have convictions spent under sections 9(1)(a) and 11(1)(a) of the Spent Convictions Act 2021. Again that does appear to be a sensible measure and one that was probably a bit of an oversight in the debate around the principal act, but that is now being resolved through this bill, and that change is not one to which we object.

The bill also includes further exemptions to the disclosure of spent convictions information. There has been some concern raised by people within the court system that their ability to share information about particular individuals or even share research and statistical analysis has been compromised by the provisions of the Spent Convictions Act. That clearly does not appear to be the intention of either the government or the Parliament more broadly in the principal act, but nonetheless concerns have been raised that the operation of that act may strictly limit people in the court system and their ability to do their jobs, so the bill seeks to address those concerns. For specific disclosures, authority is given to disclose spent convictions to prescribed persons or bodies, and the bill provides safeguards to ensure that identified data is not made publicly available. Clause 23 states it is not an offence to publish de-identified information. So again, while noting that the Liberal and National parties have expressed concern about the extent to which the Spent Convictions Act is being used – and in some circumstances, we say, abused – by some, these changes do not raise any particular red flags for us. In terms of the consultation that we have undertaken with various stakeholders in the community, no concerns have been particularly raised there either.

We go from spent convictions to firefighters presumptive rights compensation legislation. This is quite the omnibus bill, and we go around the world in many ways. Clause 26 of the bill adds an additional

three cancers to schedule 1 of the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019, while clause 27 adds a further three cancers to the third schedule of the Forests Act 1958. Those three cancers are ones which particularly affect and impact female firefighters: cervical, ovarian and uterine cancers. During the bill briefing – and I am grateful to the Attorney-General and her office and to the Department of Justice and Community Safety for the bill briefing and the opportunity to have matters raised and questions answered – I did ask the question about whether there was much of an evidential base for the addition of these three cancers. Do we know the extent to which female firefighters have greater exposure to these three forms of cancer compared to women working in other occupations? I admire the candour, and I think the answer was to the effect that there is not a large evidence base at this point in time. But I understand and support the government's willingness and endeavours to try and ensure that our firefighting services are open to all. We would not want to see women discouraged from seeking to join or remain as firefighters if they were concerned about the impact that that career could have on their physical health. So to that extent the opposition party certainly supports the addition of those three cancers to the presumptive rights compensation legislation list. I understand that other political parties have introduced bills in other places dealing with further questions or further initiatives on this particular issue. I will leave that to my colleague the Shadow Minister for Emergency Services in the other place to deal with those matters. This is a discrete issue to be dealt with today and it is one that the opposition parties support in terms of those additions.

The bill also seeks to make amendments in relation to the legal profession in part 6. It amends the legislative framework for the register of disciplinary action for Victorian lawyers. The idea is to increase consumer protections and better align with the frameworks in other participating jurisdictions of the uniform law scheme. Clause 29 of the bill amends section 150E of the Legal Profession Uniform Law Application Act 2014 to create a 28-day time limit for appeal or review of disciplinary action. This means that the Victorian Legal Services Board will be able to publish any details of a determination or unsatisfactory professional conduct finding on the register of disciplinary action after this time has elapsed.

The Law Institute of Victoria (LIV), whom I obviously consult on these sorts of matters, did raise some concerns about this. I should just say I am very grateful to the law institute, to the Victorian Bar and other legal organisations who actually take the time to respond to my requests for feedback on these bills. They are often quite lengthy, quite technical bills. I know that these are membership-based organisations. They do not have the resources of a government with public service departments. They rely often on a very small professional staff or in fact the input of their own members. So just let me take the opportunity to place on the record my great thanks to the Law Institute of Victoria and the Victorian Bar for the real effort they put into analysing bills in these areas and providing responses and feedback. I will quote from the letter I have received from the chief executive of the Law Institute of Victoria, Adam Awty, on this matter. He says:

Section 105E currently provides that disciplinary action must not be recorded on the register or provided to a member of the public until the time limit for an appeal or review has expired, or the outcome of an appeal or review has been determined. As such, new section 150E will have the effect of permitting disciplinary action to be recorded on the register immediately.

It goes on to say that the LIV opposes this proposal. He says:

The LIV recognises that publicly available disciplinary registers fulfil the important function of promoting consumer protection by providing public access to information about professional service providers. The LIV further recognises that the value of such registers is grounded in their capacity to convey accurate and timely information.

He then goes on to say:

Whilst acknowledging the consumer protection imperative underpinning the desire to ensure the RODA is as accurate and up-to-date as possible, the LIV emphasises the reputational damage and potential injustice caused to practitioners whose details are published on the RODA in circumstances where the relevant decision is later quashed.

I understand where the law institute is coming from on this particular matter. They are obviously advocating strongly in the interest of their members, as you would expect any good professional organisation to do. Their view is that whilst a disciplinary finding against one of their members can be appealed, even if it is appealed a lot of damage could be done in the meantime if that person's name is put on a register for the whole world to see. It might be that that finding is subsequently overturned on appeal, but the LIV's view is the damage has been done. I think that that is a consequence which is very hard to avoid when we are talking about a justice system in which people can face criminal conviction without any bar on that being reported, even though that conviction may be subject to a subsequent appeal and quashing. Obviously there have been a number of very high profile matters in this state in recent years where a person has been found guilty on one or two occasions and yet ultimately that person's conviction was quashed, notwithstanding the fact they spent a very long time in prison.

That is the way our legal system operates – it is not necessarily fair; it can be extremely unfair to individuals who have findings made against them which are subsequently overturned on appeal. But the alternative would be to try and put some sort of gag order on courts or tribunals announcing what their rulings are or people being able to publish what their rulings are until an appeal process has concluded or until the time for lodging an appeal has expired.

In terms of trying to balance the rights – the right to free speech, the principle of open courts, which I referred to earlier, the right for individuals to not have their reputations unnecessarily damaged and also the right for consumers to be informed at the earliest possible time about findings about professional services providers – I do think that on this occasion the government has got the balance right. I say that knowing that this will undoubtedly lead to some harsh individual cases. It will undoubtedly lead to situations where somebody has a finding made against them for professional misconduct which is subsequently overturned, and that is very unfortunate. In politics we see this all the time. I think of people such as former New South Wales Premier Nick Greiner, who had a finding against him made by their Independent Commission against Corruption. It was subsequently quashed by the Supreme Court of New South Wales, but the damage had been done in the meantime. Far be it for me to compare lawyers and politicians, but we are all –

Gabrielle Williams: Many of us are one and the same.

Michael O'BRIEN: Some of us are both. Some of us, Minister, have the disadvantage of wearing both hats. But that is the challenge we face and I think it is the burden we have to bear, because the greater public interest in having timely information about disciplinary findings against lawyers does outweigh the fact that from time to time there will be individual cases of injustice caused by the publication of a finding which is subsequently overturned or quashed. I acknowledge the concerns of the Law Institute of Victoria – I hope I have faithfully reported them – but I do think that in this particular instance the overall community benefit and public interest do support this particular proposal in the bill.

The bill also clarifies a number of matters where there have been some suggestions whether they are summary offences or indictable offences; this is contained in clauses 31 and 33 of the bill. These are professional misconduct matters, particularly in relation to defalcation matters in relation to trust accounts, which are obviously very serious matters. The bill seeks to clarify that these are indeed indictable offences and that, while they can be tried summarily, they will be regarded as indictable offences. Obviously that has the benefit for investigators of removing the 12-month limitation, because one cannot prosecute a summary matter after 12 months, whereas if it is an indictable matter triable summarily, that 12-month time limit does not apply. The opposition supports those matters as well.

The bill makes technical amendments to the Children, Youth and Families Act 2005 to support the introduction of electronic case management in the Children's Court of Victoria, which will allow certain documents to be filed electronically. Again, that would seem to be a sensible modernisation of matters.

The bill amends the Jury Directions Act 2015, and it does so by seeking to clarify that certain jury directions are available in a sexual offence trial regardless of whether the prosecution is required to prove a lack of consent. There has been some concern within the judiciary, within the legal profession, where consent is not an element of the offence, whether certain jury directions are applicable. The government, through this bill, seeks to clarify that those jury directions which apply to a number of sexual offence matters are still applicable even if consent is not an element of the offence.

I do note that in seeking the feedback from the legal profession – and again I thank the Law Institute of Victoria for their efforts in that – the LIV said:

Noting the complex nature of the proposed reforms, as the LIV has not had the opportunity to review the amendments in detail or consult with its members, it is unable to comment on these amendments.

Obviously if the profession, whether it is the LIV or the bar or individual practitioners, raises concerns between here and the other place about whether there are any technical issues with these changes, I would hope that the Attorney would be mindful to give those a full hearing, but at the moment, given we have had no negative feedback on these particular matters and they do seem to be fairly unobjectionable on the face of them, the opposition will not oppose those matters either.

There are some minor technical amendments to the Criminal Procedure Act 2009 to allow authorised officers and inspectors under the Dairy Act 2000 and the Meat Industry Act 1993 – it is great to see the Leader of the Nationals here; he must have known I was going to talk about the Dairy Act and the Meat Industry Act as he came into the chamber – to witness statements that are used to prosecute matters in court under those acts, which currently falls to others such as police, so this is an expansion of who can actually witness those statements.

In the last couple of minutes I just want to briefly refer to VCAT-related amendments. VCAT has had some significant damage done to its jurisdiction in recent years by a number of court decisions, one of which effectively decided that VCAT is not able to consider matters that involve federal law. The jurisdiction of VCAT, it being a state-based tribunal, does not extend to federal law, so any proceeding brought in VCAT which seeks to raise federal law issues is ultra vires for VCAT – it is outside its jurisdiction. This bill seeks to amend that in a number of ways. It expands the class of VCAT members who can make orders to transfer federal jurisdiction matters to a court for determination. It provides courts with the power to extend the limitation period for federal jurisdiction matters that are referred to them by VCAT and to preserve the rights and liabilities of parties involved in previous VCAT decisions which are no longer valid due to the matters having an indirect connection to federal law.

These I think are all quite sensible, but there are other issues with VCAT which still need to be resolved. One of those has been brought to my attention by a constituent who also happens to be a member of legal counsel, and it involves the issue with water businesses and a VCAT decision that found that they are not subject to the Limitation of Actions Act 1958. As a consequence they sort of fall between two stools, and there is no limitation on people's abilities to bring actions against water businesses on certain matters. The Attorney's office has advised me they are aware of this issue and they do intend to address it in a subsequent bill, so I am pleased to have that assurance that (1) it is on the government's radar and (2) that it is being actively worked on and will be the subject of legislation in the future. With those words I again confirm the opposition will not be opposing this particular bill, and we wish it a speedy passage.

Gabrielle WILLIAMS (Dandenong – Minister for Mental Health, Minister for Ambulance Services, Minister for Treaty and First Peoples) (13:59): In the short time available to me before we go to question time I am going to rise in support of the Justice Legislation Amendment Bill 2023 and of course thank my colleague the Attorney-General for bringing forward these important reforms. As we have just heard from our opposition lead speaker, this bill makes a really broad range of changes to the operation of the justice system across many pieces of legislation, and as the Minister for Treaty and First Peoples I wanted to use my time today and my remarks to focus on the elements of the bill that overlap with those portfolio responsibilities – and there are several aspects of this bill that intersect

with those responsibilities. Whether it be through numerous coronial inquests or the powerful testimonies that we have recently heard at the Yoorrook Justice Commission, we know that our criminal justice system –

Business interrupted under sessional orders.

Questions without notice and ministers statements

Commonwealth Games

John PESUTTO (Hawthorn – Leader of the Opposition) (14:01): My question is to the Premier. When asked about the gag order inserted into the \$380 million compensation settlement, Commonwealth Games Australia told yesterday's Senate committee inquiry that they 'didn't ask for it' and 'didn't suggest it'. Why did the Andrews government demand that a gag order be included in the settlement?

Daniel ANDREWS (Mulgrave – Premier) (14:01): I thank the Leader of the Opposition for his question, and I would take issue with the way he has described the terms of –

John Pesutto: Someone had to ask for it.

Daniel ANDREWS: No, I am taking issue with the way you have described the standard form.

Members interjecting.

Daniel ANDREWS: Well, it is very difficult. The Leader of the Opposition asks a question and then is completely uninterested in the – you know, yap, yap, yap, yap, trying to gag everyone else, it would seem. That is what he is trying to do. The Leader of the Opposition has asked his question. I wonder, does he want an answer.

John Pesutto: Yes.

Daniel ANDREWS: Okay, good. So the first point: I am taking issue with the way the Leader of the Opposition has described the standard form – the standard terms – within a commercial settlement. That is the first issue. The second issue –

John Pesutto: They're not mandatory.

Daniel ANDREWS: Well, they are.

John Pesutto: They are not mandatory terms.

Daniel ANDREWS: Goodness me. Again, I make the point yet again –

Members interjecting.

The SPEAKER: Order! Through the Chair. The Leader of the Opposition will come to order.

Daniel ANDREWS: The Leader of the Opposition seems unwilling and disinterested in the answer. The only thing that cannot be talked about is the opening bid that the Commonwealth Games Authority put on the table, similarly the opening bid we put on the table and the back and forth across the negotiating table. That is the only thing we cannot talk about. Much as I might like to be able to stand up and say what the opening bid was from the other side – because it was a fair bit higher than where we settled – that would be a breach of the agreement, and that would do only one thing: it would send us off into a lawyers' picnic. Again, the Leader of the Opposition can actively, wilfully misdescribe this agreement all he likes. It will not make it true. The only things that cannot be disclosed are the opening bids and the back and forth across the negotiating table – nothing more, nothing less. These are standard provisions within a commercial settlement. I would have thought someone who at least pretends to be a lawyer would know that.

The SPEAKER: I will call the Leader of the Opposition on a supplementary question. I hope that members will want to hear the answer.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:04): Thank you, Speaker. Commonwealth Games Australia told the Senate committee inquiry that all legal and negotiating costs linked to the settlement were subject to the gag order, which we know was demanded by the Andrews government. Knowing that there is intense public interest in the \$380 million compensation payout, will the government lift its gag order and allow Commonwealth Games Australia and the other parties to speak publicly about the Commonwealth Games debacle?

Daniel ANDREWS (Mulgrave – Premier) (14:04): Again, the Leader of the Opposition seems to be under the impression that if he says something often enough it will become true – that if he says something often enough his warped sense of reality, his wholly insufficient and warped sense of reality, will become true. I reject each and every one of the imputations and assertions in his question. The Leader of the Opposition can keep on asserting whatever he likes. It will not make it accurate. It will not make it true. Again, someone –

John Pesutto: And it won't disclose it.

Daniel ANDREWS: Well, again, I am not at liberty to go to only what their opening bid was, what ours was and the back and forth across the negotiating table – standard terms in a commercial settlement. I would have thought that the Leader of the Opposition, who at least pretends to be a lawyer, would know this.

Members interjecting.

The SPEAKER: The member for South-West Coast can leave the chamber for half an hour.

Member for South-West Coast withdrew from chamber.

Ministers statements: renewable energy

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (14:05): I am very excited to inform the house on how Victoria's leadership in renewable energy is world leading and is now being recognised globally. I was pleased to announce today that Victoria has been admitted as the first subnational government member of the prestigious Global Offshore Wind Alliance, joining countries like Denmark, Spain, Belgium, Japan, the United Kingdom, Germany and the USA and leading developers of the offshore wind energy sector. It is because of this leadership that Victoria will have a seat at the global table to accelerate offshore wind power across the world, delivering at least 2 gigawatts by 2032 in Victoria, 4 by 2035 and 9-gigawatt capacity by 2040. And that is not all. Victoria is leading on renewable energy; delivering thousands of jobs – 59,000 by 2035; putting downward pressure on bills; and lowering emissions. Since 2014 we have tripled our share of cheap renewable energy. We are up there with 37 per cent of our electricity.

It is not just the big projects that we are leading in. Right now more than 233,000 Victorian households have solar panels installed, thanks to our bill-busting Solar Homes program, not to mention that more than 14,000 household batteries and hot-water systems are also now going gangbusters. Our targets of 95 per cent renewables by 2035 and net zero by 2045 are world leading, make no mistake about that. While those opposite talk about looking into bringing nuclear energy to Victoria and declaring that, it would lock in large, long-term bill increases for decades. This government is delivering more renewable energy and government-owned energy led by the SEC, and we are getting it done.

Members interjecting.

The SPEAKER: Members will be removed from the chamber without warning. I will not tolerate this level of interjection.

Commonwealth Games

John PESUTTO (Hawthorn – Leader of the Opposition) (14:07): My question is to the Premier. Commonwealth Games Australia told yesterday's Senate committee inquiry that it was working with the Andrews government to fix budget blowouts in April 2023, up to seven weeks before the state budget. This directly contradicts comments made by the Premier and Deputy Premier, who both said the cost blowout became apparent in the days leading up to the decision to cancel the games. Why did the government cover up the budget blowout on the Commonwealth Games for months?

Daniel ANDREWS (Mulgrave – Premier) (14:08): The short answer is we did not. That is the short answer. We did not.

Members interjecting.

Daniel ANDREWS: Oh, goodness. Honestly, the way question time works is that the Leader of the Opposition can ask a question and then at least pretend –

John Pesutto: And then we get an answer.

Daniel ANDREWS: 'We did not' is an answer to your ridiculous question. We did not. And I have then got another 2½ minutes here, where I might give you a bit of a lecture on how it works, because you ask your question and then you should at least pretend to listen to the answer. This will clear it up.

Cindy McLeish: On a point of order, Speaker, on relevance, the Premier is breaching the standing orders, and he knows that.

The SPEAKER: Order! I ask the Premier to make his comments through the Chair.

Daniel ANDREWS: I was asked about the government's approach to these matters and there was an assertion about what Commonwealth Games authorities had said, had provided in testimony to the Senate inquiry yesterday, and I do not know that the way the Leader of the Opposition presented the testimony from Commonwealth Games authorities is in any way accurate. I then perhaps strayed to indicate, as I think I am probably uniquely placed to be able to comment on it, what it is like to sit in that chair. I did once sit in that chair for what I term to be the minimum amount of time. I was there no longer than I needed to be; I was there a little bit longer than I reckon you will be. But still I did four years in that seat, and in that time I learned that you ask the questions and then you at least pretend to listen to the answers. I think I probably did. I spent not one day longer than I wanted to in that seat. I think I spent longer than you will.

Cindy McLeish: On a point of order, Speaker, I renew my previous point of order. The Premier has wavered a long way from the question, and he needs to come back to answering the question.

The SPEAKER: Order! The Premier has concluded his answer.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:11): Given that the government was talking to Commonwealth Games Australia about a budget blowout in April 2023, why did the government deliberately mislead Victorians by failing to reveal the Commonwealth Games cost blowout in the May state budget?

Daniel ANDREWS (Mulgrave – Premier) (14:11): The Leader of the Opposition is completely wrong, completely incorrect. I reject the assertions and the allegations. I cannot reject the bluff and the bluster. That is all a matter for you. Go and have a lie-down, because you are getting very, very agitated. I fear for your blood pressure.

Members interjecting.

The SPEAKER: Order! The Leader of the Opposition will cease interjecting across the table.

James Newbury: On a point of order, Speaker, under standing order 108, several times today and repeatedly the Premier is referring to people inappropriately. I would ask you to ask him to refer to members by their correct titles.

Members interjecting.

The SPEAKER: Order! The member for Frankston! Premier, I ask you to refer your comments through the Chair, and I ask the Leader of the Opposition to also cease interjecting and to refer to members by their correct titles.

Daniel ANDREWS: Thank you, Speaker. Thank you for your guidance. I will abide by your ruling. The Leader of the Opposition just indicated that I should go to the Senate to be lectured by Senator Bridget McKenzie about probity, about honesty, about integrity. It will be a cold day, I tell you. The Senator for Victoria is known for one thing and one thing only: sports rorts. I will say it again: sports rorts. That is all she has ever done. If the Leader of the Opposition wants to be her spokesperson, if the Leader of the Opposition wants to be sports-rorting Bridget McKenzie's spokesman, good luck to him.

Ministers statements: Big Housing Build

Colin BROOKS (Bundoora – Minister for Housing, Minister for Multicultural Affairs) (14:13): I wish to update the house on the Andrews Labor government's Big Housing Build. This massive program delivering more social and affordable housing is all the more critical given the pressures on all parts of the housing continuum right across the country at the moment. I just want to highlight a couple of great examples of our Big Housing Build. Last week I met the residents of the wonderful 42-apartment development in Bell Street, Heidelberg Heights – beautifully designed, energy-efficient, comfortable homes for people who have come off our social housing waitlist. I know it is a project that is well supported by the Minister for Police, the member for Ivanhoe. It was developed with Unison Housing. Another great development is the Markham estate in Ashburton. I have had the privilege of visiting that particular development with the member for Ashwood, and it is a great development – 111 modern public housing apartments being delivered. It is set amongst 67 affordable housing apartments as well. These are modern, energy-efficient and comfortable homes for people who need them the most. These are just a sample of the 12,000 social and affordable homes that we are building right across the state.

Importantly, the Big Housing Build is also generating around 10,000 jobs a year. When you visit these builds, as I have done with the Premier many times, you see the hundreds of brickies and concreters and chippies and tilers and plumbers and the paramount tradespeople – the sparkies – all busy building even more homes. This is the biggest investment in our nation at the moment in social and affordable housing and it is the biggest in our state's history. It is making a difference to Victorians' lives, particularly those Victorians who need it the most.

Members interjecting.

The SPEAKER: I ask the Leader of the Opposition to cease referring to members by their names. They have titles that I would ask you to refer to them by.

Budget 2023–24

Brad ROWSWELL (Sandringham) (14:15): My question is to the Treasurer. According to Moody's, Victoria's total debt is predicted to hit a shocking \$226 billion by 2026–27. Why did the government cover up the true level of debt in Victoria in the May state budget?

Members interjecting.

The SPEAKER: Order! The Assistant Treasurer will come to order.

Brad ROWSWELL: Why did the government cover up the true level of debt in Victoria in the May state budget, hiding the fact that the state is more broke than the budget stated?

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (14:16): I do not know where to start. I suppose I have got to thank the member for Sandringham for the question, because it gives me the opportunity to school him in the basic principles of accounting – principles that have been effectively applied –

Members interjecting.

The SPEAKER: The Leader of the Opposition will come to order. The Premier will cease interjecting.

Tim PALLAS: The member for Hawthorn is the worst thing to happen to Hawthorn since Buddy went to Sydney.

Members interjecting.

The SPEAKER: Order! Members on my right will come to order.

James Newbury: On a point of order, Speaker, I would ask you to bring the Treasurer back to the question.

The SPEAKER: I ask the Treasurer to come back to the question.

Tim PALLAS: There are two measures, both of which are available and can be read in the budget. There is net debt, and there is gross debt. If you want to go to gross debt, go to budget paper 5. It is hidden away in budget paper 5. But let us look at net debt. Under the issues of net debt, what the state has been able –

John Pesutto interjected.

Tim PALLAS: Speaker, I seek protection from the caterwauling that is coming from the member for Hawthorn.

The SPEAKER: I have asked the Leader of the Opposition to cease interjecting several times.

John Pesutto: I apologise to the Treasurer. I'll leave him alone.

The SPEAKER: Leader of the Opposition, I did not call you to make comment in the chamber.

Tim PALLAS: The member for Hawthorn has my standing acceptance of his apology, provided we have his standing continuing good behaviour. On the issue of the Moody's announcement – such as it was, of course, coming out in July – basically what they were doing was effectively looking at the risk profile of any state. They said Victoria had an underlying strength to its economy compared to its peers. Let us remember that Victoria is travelling 10 per cent faster, on the last published data, than any other state in this nation. Let us not forget that we are also producing more jobs in not just percentage terms but absolute terms.

On the issue of debt, this government has been pursuing and producing a very clear fiscal strategy. That fiscal strategy has been meeting its measures of regard. Importantly, those opposite do not appreciate the difference between gross debt, which incorporates the debt incurred by organisations that are trading organisations of the state that have to service their own debt, and net debt, which is funded through the budget sector. The measures that we have applied are the same measures that those opposite applied each and every year that they were in government. Yes, we hid it by applying accounting standards authorised and approved by the Auditor-General.

Brad ROWSWELL (Sandringham) (14:20): By 2026–27 the interest Victorians will pay on Labor's record state debt will increase to around \$10 billion, more than the government will spend on

ambulance services over the next four years. When will the Treasurer admit that Labor's mismanagement is hurting Victorians by making it harder to get an ambulance?

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (14:20): I thank the member for his question, but I will restate the point: this government has always prioritised the wellbeing of the Victorian people and Victorian businesses. We have used our budget throughout the trepidations of the pandemic to look after households and to ensure that they remain whole, and we set our priorities clear and simply: to do that and to continue to do that as a government. That is why the budget repair strategy that we have put in place, the economic growth strategy that we have put in place, is demonstrating exactly how strong the Victorian economy is. As a government we will continue the efforts to deal with the challenges that we confront with regard to debt, but let us be very clear that as a government the strategies we have put in place are working. We are the only government in the nation that have a fiscal strategy that we have been held to account for and demonstrated progress each and every year.

Ministers statements: education system

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (14:22): I rise to update the house on how well Victorian students have done in this year's NAPLAN results – top of the nation. Victoria has ranked either first or second in 16 out of 20 NAPLAN domains, higher than any other state or territory. This government has invested \$31 billion in Victorian schools, teachers and students, and this investment is supporting the ongoing academic outcomes and improvements in this state. Victoria leads the nation in primary reading, with more than 70 per cent of our year 3 students in that category and nearly 80 per cent of our year 5 students in the strong or exceeding proficiency levels. In addition to our high achievers, Victoria has either the lowest or second-lowest proportion of students needing additional support in all 20 domains.

We know that there will always be more work to do, and to make sure no student gets left behind we will continue the unrelenting focus that we have had on students who need additional support, whether that be through our tutor learning initiatives or in our new programs that are rolling out across our schools in mental health and wellbeing, which play a really important role in ensuring all students can achieve their potential when they are at school. Earlier this year the opposition spokesman for education in the other place wrote 'most monkeys can read better than Victorian primary students'. Whilst they continue to disparage our hardworking teachers and students here in Victoria, we will continue to be proud of what our achievements are and the extraordinary efforts of our students.

Schools funding

Brad ROWSWELL (Sandringham) (14:24): My question is to the Minister for Education. By 2026–27 the interest Victorians will pay on Labor's record state debt will increase to around \$10 billion, more than the government currently spends on primary and secondary school education. Does the minister support the government's policy to spend more on interest payments on debt than on school education?

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (14:25): I welcome the opportunity to talk about this government's \$31 billion investment in education since we came to government, and certainly I am proud of the fact that this government continues to top our classes when it comes to NAPLAN results but also in regard to being able to lift those students that need that additional assistance up into higher categories. Victoria has had the largest increase in the number of government schools over the last five years of any other state, and we built more schools last year than any other state did in the nation. Participation, continuation of retention rates for 15- to 19-year-olds absolutely exceeds the national average. So this state continues to lead, continues to invest and is proud of that.

Brad ROWSWELL (Sandringham) (14:26): When will the minister admit that Labor's mismanagement is hurting Victoria's schoolchildren?

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (14:26): I want to take the opportunity to thank our teachers for their contribution in making sure that we are getting fantastic outcomes across our school system no matter what sector that is. Our ROGS data, the national reporting, shows that Victoria has had a 39.6 per cent growth in total recurrent expenditure for government schools since 2014. This is clearly the highest of all jurisdictions in Australia. We are making the biggest investment in education, and that is because we are proud to be the Education State.

Ministers statements: transport infrastructure projects

Jacinta ALLAN (Bendigo East – Minister for Transport and Infrastructure, Minister for the Suburban Rail Loop) (14:27): Leadership is about investing in projects for Victorians both for today and planning and delivery for tomorrow, and of course that is exactly what the Andrews Labor government is doing. It is exactly what we are doing. Let me give you some examples of projects that have been put in the too-hard basket by some, but we have got on and delivered those projects because that is exactly what Victorians need.

Members interjecting.

The SPEAKER: The member for Caulfield will come to order. The Leader of the Opposition!

Jacinta ALLAN: Let me start with the Metro Tunnel, a project that is now a full year ahead of schedule. Do you know where it sat for four long years between 2010 and 2014? Do you know where it sat? In the Liberal Party too-hard basket, because they were not prepared to show any leadership to step up to the plate, work through the challenges of delivering projects and get on and support the future needs of the city.

Do you know what also sat in that too-hard basket? Level crossings. When the then Labor opposition said, 'You know what? We're going to give this a crack. We're going to get rid of 20 by 2018 and another 50 by 2022', they said, 'Oh, that's all too hard. You can't do that'. Today 72 are gone, we are well ahead of schedule and every single one of these level crossings has been opposed by the Liberal Party. We will get on and deliver the projects our growing city and state need.

Payroll tax

Emma KEALY (Lowan) (14:29): My question is to the Minister for Health. With Labor's record state debt set to approach \$226 billion, the government's decision to apply payroll tax on healthcare professionals will drive up out-of-pocket expenses and make it harder for Victorians to see a doctor. How many doctors will stop bulk-billing or leave private practice as a result of the government's new health tax?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (14:30): I welcome the opportunity to respond to the question from the member for Lowan because it gives me that opportunity to outline exactly how things are playing out in the world of primary care. Can I say this: primary care across the nation is broken, and the reason for that rests very clearly in the hands of the former Liberal–National parties, who neglected primary care when they were last in government for almost a decade.

Members interjecting.

The SPEAKER: It is very disrespectful to the member on their feet to be interjecting like you are. I would ask the Minister for Health to continue, without interjections across the table.

Mary-Anne THOMAS: Thank you very much, Speaker, but I do welcome this newfound interest that those on the other side seem to have in primary care.

John Pesutto interjected.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mary-Anne THOMAS: Not a word did we hear from them when their mates were last in power in Canberra. They would not speak out then against the issues that general practitioners –

Members interjecting.

The SPEAKER: The Assistant Treasurer can leave the chamber for half an hour. Member for Eildon, you can leave the chamber for half an hour.

Assistant Treasurer and member for Eildon withdrew from chamber.

Emma Kealy: On a point of order, Speaker, on relevance, the question was specific to Labor's new health tax and the impact it will have on the number of doctors in the community. I ask you to bring her back to the question.

Jacinta Allan: On the point of order, Speaker, the minister was being entirely relevant to the question that was asked, because it went to the operation of the GP system. Secondly, it astonishes me that the members opposite could have even understood a word the minister was saying, because they were not listening. Their screaming across the table at the minister was such that it would be impossible for the member for Lowan to have taken this point of order.

James Newbury: On the point of order, Speaker, the minister had strayed from the question and was not being relevant, but points of order are not an opportunity either to make political points.

Members interjecting.

The SPEAKER: Order! The minister was being relevant to the question that was asked. I would ask all members to show some respect to the member on their feet.

Mary-Anne THOMAS: Thank you very much, Speaker. Let me be clear that earlier this year the Treasurer and I met with representatives from primary practice. We met with the RACGP, we met with the AMA and we met with others, and we were very clear at that point, in that meeting, that when it comes to payroll tax absolutely nothing has changed. There has been no change. There has been zero change to the way in which the payroll tax operates.

Members interjecting.

The SPEAKER: Order! Before I call the Premier, I cannot hear the minister's answer.

Daniel Andrews: On a point of order, Speaker, the minister has been asked an important question. She is endeavouring to answer it. I am not 3, 4 feet from her, and I cannot hear a word she is saying because of the incessant interjections of the Leader of the Opposition, who still simply fails to appreciate that you ask the question and then you at least pretend to listen to the answer. The constant interjections, talking people down, talking over people, is a gross –

Members interjecting.

Daniel Andrews: And you make my point for me right now. Thank you so much. It is against the standing orders, and the Leader of the Opposition ought to be counselled.

John Pesutto: On the point of order, Speaker, in responding to the Premier's comments: we ask a question, we want an answer. The question was simple: how many doctors will stop bulk-billing? It is a very simple question.

The SPEAKER: Order! First, I will make a ruling on the Premier's point of order. I would ask members to cease interjecting. I cannot hear the answer. Other members cannot hear the answer. But also it is so disrespectful to the person who is on their feet. If it was you on your feet, you would not want people to be interjecting. Leader of the Opposition, you did not raise a point of order.

Mary-Anne THOMAS: Thank you very much, Speaker. I might take the opportunity to outline that our government has done more to support primary practice and general practitioners than any

other government in the state. We have of course opened 27 priority primary care centres. It is the state government that is funding access to free health care through our priority primary care centres. Not only that, our government has announced and is delivering on our commitment to growing the general practice workforce here in Victoria, because the real challenge and the real problem is –

John Pesutto interjected.

The SPEAKER: Order! Leader of the Opposition!

Mary-Anne THOMAS: that 10 years of neglect has meant that primary practice and the general practice specialty is feeling real pressure, and that is because of the failure of the previous Liberal–National parties government in power for almost a decade –

Emma Kealy: On a point of order, Speaker, on relevance, the question was specific to the Labor government’s new health tax. I ask you to bring the minister back to the question that was put.

The SPEAKER: I cannot compel the minister how to answer the question. The minister was being relevant to the question that was asked. The Leader of the Opposition will cease interjecting across the table.

Mary-Anne THOMAS: The answer to the member’s question is clear: no state government has done as much to support general practitioners as the Andrews Labor government, and we will continue to do that.

Emma KEALY (Lowan) (14:36): The government’s decision to apply payroll tax on healthcare professionals will force sick Victorians to delay treatment. Dr Aziz, a GP in Melbourne, told the *Age* that Victorian patients are already:

... delaying treatment and presenting to hospital emergency departments rather than seeing their doctor.

Has the minister received any advice about the impacts of the government’s health tax on emergency department wait times?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (14:37): Let me be very clear, because it would seem that the member for Lowan is wilfully not wanting to know the answer to the question. The answer is this: there has been no change to the way in which payroll tax has been applied in this state.

Members interjecting.

Mary-Anne THOMAS: I will take up the interjections further and say that it is indeed the State Revenue Office that makes these decisions. The Treasurer and I met with and outlined this to the RACGP and to the AMA. We gave them a letter. We provided them with clarity. Again, let me just be clear: no state government has done more to support general practitioners in this state than the Andrews Labor government.

Emma Kealy: On a point of order, Speaker, on relevance, the question was specific to how the Labor government’s new health tax will impact wait times at emergency departments. I ask you to bring the minister back to the question.

The SPEAKER: The minister has concluded her answer.

Ministers statements: employment

Daniel ANDREWS (Mulgrave – Premier) (14:39): I am delighted to be able to rise to inform the house and all Victorians about Victoria’s leading position in relation to job creation. We are delighted. Right across our Victorian community –

John Pesutto: Yes, Martin Foley.

Daniel ANDREWS: And Gordon Rich-Phillips, so there you go. You did not get the memo, did you? I am telling you, I have not got enough time to list all the former Libs who cross Collins Street and ring me, text me: ‘Can I get on a board?’ And maybe one day you will be doing the same. I will make sure you have got my number. But I was not so much talking about unemployment, I was talking about job creation, something that is of no interest to those opposite. We have created more than 500,000 Victorian jobs since September 2020.

Bridget Vallence: On a point of order, Speaker, on relevance, in the budget there was a 55 per cent cut to job creation in the state budget under the Andrews Labor government, so –

The SPEAKER: I would ask the member for Evelyn to have a look at the standing orders. That is not a point of order.

Daniel ANDREWS: Could you stop the clock while I recompose myself after that stunning attack. I was talking about –

Members interjecting.

Daniel ANDREWS: Well, it was not really an attack, and it was far from stunning. It was a joke, frankly, because while other people make light of this, we are getting on and creating hundreds of thousands –

John Pesutto: It is job creation for your mates – for your mates.

Daniel ANDREWS: If only the Leader of the Opposition’s inane interjections and volume created jobs, we would have full employment.

James Newbury: On a point of order, Speaker, under standing order 118 it is out of order to make personal imputations on both the member for Evelyn and the Leader of the Opposition, and that is what the Premier has done for the entirety of question time. It is entirely out of order, and I would ask you to bring him back to his own question.

Jacinta Allan: On the point of order, Speaker, if the Manager of Opposition Business wants to invoke standing order 118, he would want to be very careful, because every word that comes from the Leader of the Opposition’s mouth is rude and insulting to every single member on their feet. If he wants to do this, we will make sure we call out the Leader of the Opposition at every opportunity.

Members interjecting.

The SPEAKER: Order! Imputations against members are against the standing orders, and all members should take note of that – on both sides of the house.

Daniel ANDREWS: More than 500,000 Victorian jobs since September 2020 – that is 140,000 more jobs than the next best state performer. It is not a one-horse race, it is a competitive process, and we are doing better than everyone by a considerable margin. Regional unemployment, of particular note, is 2.4 per cent, the lowest in the country and the lowest in our state’s history, and that is fantastic news for regional Victoria. This government will continue to work hard to create more jobs, to create opportunity, to improve services and to give people every opportunity so that we can continue to our leading position – something the Leader of the Opposition would know nothing about.

Constituency questions

Eildon electorate

Cindy McLEISH (Eildon) (14:43): (290) My question is to the Minister for Planning. Upper Yarra locals have been waiting for the Warburton Mountain Bike Destination project for many years and want to know why the project is caught up in red tape and government bureaucracy and when it will be given the go-ahead. After completing the most stringent of planning processes to establish the project, including undertaking an environment effects statement, council is now required to undergo

further assessments as part of the planning scheme amendment approval process. After millions of dollars and significant time involved, the minister has accepted the recommendations of an expert independent assessment panel for most of the project to proceed. The Warburton Mountain Bike Destination project is funded by all levels of government and will deliver much-needed jobs and economic stimulus for the Upper Yarra. It is the only project in the region that is shovel ready and can offset some of the jobs that will soon be lost due to the closure of the native timber industry. It should not be caught up in red tape, and everyone wants to know when it will get the go-ahead.

Glen Waverley electorate

John MULLAHY (Glen Waverley) (14:44): (291) My question is to the Minister for Employment. Minister, how is the Andrews Labor government's sick pay guarantee benefiting Glen Waverley constituents? The sick pay guarantee is a nation-leading reform which is making a tangible difference to casual workers in the Glen Waverley electorate. For too long casual workers have been faced with the impossible choice: go to work sick to pay the bills and put food on the table or stay home but forgo a pay cheque. In modern, prosperous Victoria this should not have been a reality for casual workers. Under the landmark sick pay guarantee, casual workers are able to access 38 hours of sick and carers pay every year funded by the Victorian government. Accessing the scheme is easy; it takes just 5 minutes to sign up on the Service Victoria website or on the Service Victoria app. Once your details are confirmed, you will be able to access a week's worth of sick and carers pay at a minimum wage. It is a win not just for the wellbeing of the individual worker but also for their colleagues and our whole community. I am proud to be part of an Andrews Labor government that is working hard to protect our casual workers.

Shepparton electorate

Kim O'KEEFFE (Shepparton) (14:45): (292) My constituent question is to the Minister for Education, and I ask: what is the future plan for the current Verney Road School site when the school relocates to the former Wanganui Park Secondary school site? This will leave another redundant site in a residential area. We have had a number of former secondary school sites sitting locked up and redundant since the amalgamation of all four of our secondary state schools, which are also all located in residential areas. People living in these locations want community pride returned to their neighbourhoods. The school sites have had boarded up windows and the area is an eyesore, with the Verney Road school site looking like the next one in line.

Bellarine electorate

Alison MARCHANT (Bellarine) (14:46): (293) My question is for the Minister for Roads and Road Safety. Minister, could you please provide an update on the Andrews Labor government's plans to increase pedestrian safety when crossing roads in my electorate of the Bellarine? I have received concerns from members of my community, including school bus drivers, about the accessibility and safety of pedestrian crossings in my electorate, especially at the intersection of Shell Road and Grubb Road in Ocean Grove. Could the minister please provide an update on whether the government has any plans to provide new crossings in this area. With the population growth that we have seen on the Bellarine, traffic on our roads is only getting busier. Therefore updating our road crossings to ensure the safety of pedestrians in crossing roads is more important than ever. I know the Bellarine community would greatly appreciate it if there were upgrades to make sure that this ensures the safety of both adults and schoolchildren when crossing this busy road in this region.

Polwarth electorate

Richard RIORDAN (Polwarth) (14:47): (294) My question this afternoon is to the Minister for Local Government, and the question that I ask this afternoon is: will the minister guarantee the funding that had been arranged under the Growing Suburbs Fund to the Surf Coast shire? The Surf Coast shire has now been working for quite some time on its indoor pool project; a considerable amount of that funding comes from the Growing Suburbs Fund. Peri-urban councils were shocked after the most

recent state budget, where the funding for the Growing Suburbs Fund was slashed from \$50 million to only \$10 million. Of course regional Victoria is becoming very used to this government's approach of late, when only on Friday they announced an even bigger cut to regional Victoria – they are getting excluded from the \$10 million completely. Surf Coast shire sits alongside Baw Baw and other shires that have been relying on this extra support to local government in the fastest growing regional communities in the state. They do not have that funding. The Surf Coast needs its pool. Will that funding be guaranteed?

Laverton electorate

Sarah CONNOLLY (Laverton) (14:48): (295) My question is for the Minister for Health. At the last election our government committed to creating and implementing 20 new women's health clinics right across Victoria. These hubs are intended to function as a one-stop shop for women seeking medical treatment or advice for health issues or conditions that are mostly related to women, such as sexual and reproductive health. We know that too often mainstream health care has a record of underdiagnosing or overlooking health issues that relate mainly to women. Women make up half of our population. The health issues that affect us are not niche but are something that affect us on a daily basis. That is why we are changing that by ensuring that our hospitals have the resources needed to treat and advise on these very issues. In Melbourne's west, three of these clinics will be up and running – at Werribee Mercy, Sunshine Hospital and Footscray Hospital, all of which I am very proud to say service my electorate of Laverton. My question for the minister is this: what benefit will these hubs have for women across the Laverton electorate?

Melbourne electorate

Ellen SANDELL (Melbourne) (14:49): (296) My question is to the Minister for Energy and Resources. I was recently contacted by Jan, a constituent of mine in North Melbourne, who wants to get her apartment off gas. Getting off gas in their apartment block, however, requires upgrading their outdated electrical substation so they can source more electricity. The current system is so poor, people cannot even install new reverse-cycle air conditioners, but their local distributor Powercor wants to charge \$4040 just to investigate the matter and advise on whether they can provide extra power and upgrade the substation. If Powercor says the work cannot proceed due to lack of capacity, Jan does not get that fee back. So I would like to ask the minister: what is the government doing to ensure that apartments like Jan's can get off gas and become electrified and to stop companies like Powercor charging these exorbitant fees to do so?

Pascoe Vale electorate

Anthony CIANFLONE (Pascoe Vale) (14:50): (297) My constituency question is for the Minister for Environment. What are the next steps to progress the rollout of the Victorian Labor government's container deposit scheme across the suburbs of Pascoe Vale, Coburg and Brunswick West? As I said in my first speech, the environment is fundamental to all life on earth. That is why, along with taking real action to combat climate change, investments to grow our recycling and circular economy are just as important as we strive to build healthier and more sustainable communities. In this respect I am very proud to be part of an Andrews Labor government which is embarking on the most ambitious strategy in the state's history to deliver a new world-class recycling system. Supported by a record investment of \$515 million, the *Recycling Victoria: A New Economy* strategy sets out Victoria's plan for a cleaner state with less waste and pollution while creating more jobs through a new four-stream waste and recycling system – the purple bin – investments to strengthen the waste and recycling industry with new infrastructure, the introduction of new recycling laws and governance to support best practice and a statewide ban on single-use plastics. However, a key pillar of course is the introduction of Victoria's first ever dedicated cash-for-cans scheme, the container deposit scheme, which will reward the return of used cans, cartons and bottles for recycling.

Rowville electorate

Kim WELLS (Rowville) (14:51): (298) My question is to the Minister for Roads and Road Safety. When will the traffic lights at Henderson and Kelletts roads in Rowville be turned on? Upon checking the VicRoads website I noticed that once again the time frame for the completion of the Henderson and Kelletts roads intersection has been extended. In response to a question from my office to the minister, the minister said that the intersection would be completed and the lights turned on in August, yet now VicRoads are saying that there will be further delays.

Eureka electorate

Michaela SETTLE (Eureka) (14:51): (299) My question is for the Minister for Roads and Road Safety, and I ask the minister for information regarding pedestrian safety on Main Street in Bacchus Marsh. Main Street is a major thoroughfare in Bacchus Marsh for local traffic. It is also a high-volume pedestrian area, with locals visiting the numerous cafes and restaurants and of course the village. I have heard from my community their concern with pedestrian safety on Main Street following several accidents involving pedestrians using the zebra crossing outside the village. Locals have told me they are experiencing distress as they look for alternative ways to cross this very busy street safely. Can the minister please provide information on what is being done in Bacchus Marsh to improve pedestrian safety and promptly consider upgrades for Main Street?

Rulings from the Chair**Unparliamentary language**

The SPEAKER (14:52): Before we return to the Justice Legislation Amendment Bill 2023, Acting Speaker Hamer referred a point of order to me to consider in the last sitting week. As I understood it, the member for Lowan took a point of order, drawing attention to what she considered to be unparliamentary language used by the member for Frankston regarding the member for Euroa by way of an interjection as the member for Euroa finished her remarks on a bill. Some time after the next speaker, the member for Monbulk, had received the call to speak on the bill, the member for Lowan took the point of order. In response to the point of order, the member for Frankston sought to clarify his remark and suggested the interjection was misunderstood. The Acting Chair referred the issue to me to consider.

I make the following observations: all members should use parliamentary language at all times, and while interjections can add to the spirit of debate and may be critical of a member's performance, they should not be used to disparage a colleague personally, regardless of intention or context. I do not intend to revisit the specifics of this point of order but remind all members to observe the requirements about appropriate language.

In addition, I further note that points of order should be taken at an appropriate time. The point of order on this was not made immediately, which meant the member for Monbulk's time was curtailed by members speaking on an issue that had nothing to do with her speech. In this case the point of order should have been taken immediately, and I rule that point of order out of order.

Bills**Justice Legislation Amendment Bill 2023*****Second reading*****Debate resumed.**

Gabrielle WILLIAMS (Dandenong – Minister for Mental Health, Minister for Ambulance Services, Minister for Treaty and First Peoples) (14:54): Before I had my contribution somewhat disrupted by a very lively question time, I was in the process of lending my support to the Justice Legislation Amendment Bill 2023 and highlighting that the remarks that I wish to make are those that pertain to my responsibility as the Minister for Treaty and First Peoples. I was saying that, whether it

be through numerous coronial inquests or powerful testimonies that we have recently heard at the Yoorrook Justice Commission, we know that the criminal justice system has too often failed Aboriginal and Torres Strait Islander people. The structural inequities across many, many systems have led to an over-representation of Aboriginal and Torres Strait Islander people in our justice system and sometimes very poor outcomes within our justice system for them.

We know that addressing this injustice requires engaging with those systemic barriers that lead to that over-representation. It is why we have, here in Victoria, chosen structural reform, particularly through pursuing truth, treaty and voice, the first jurisdiction in the country to action all three elements of the *Uluru Statement from the Heart*. But while we progress that important work, we know it is also important to progress urgent reform that needs to take place right now. So the bill before us today does that in a few key areas by making some critical changes that will reduce, for example, the risks of deaths in custody. The bill will help to address the over-representation of First Peoples in our justice system through a range of key changes to the operational nature of the system. It re-emphasises the custody notification criteria to ensure that the Victorian Aboriginal Legal Service, better known to many of us as VALS, is notified whenever a person that is taken into custody advises police that they identify as First Nations, irrespective of police's assessment of a person's identity. VALS plays a really critical role in ensuring that Aboriginal people who come into contact with our justice system are able to access prompt and culturally appropriate legal assistance. We know the outcomes for them are much better when they have that assistance available to them.

Previously, prior to these changes, the investigating police officer needed to be of the opinion that a person is Aboriginal, and I think we can all see on the face of it that that is clearly fraught. This amendment, which effectively enables self-identification, is really important. It also, importantly, responds to a recommendation from the report of the Parliament's Legal and Social Issues Committee's inquiry into Victoria's criminal justice system. I want to take the opportunity to acknowledge the work of that committee, which was chaired by Ms Fiona Patten in the other place in the last term, which made a suite of recommendations and delved deeply into the issues of over-representation of Aboriginal and Torres Strait Islander people in the justice system.

The bill also implements legislative recognition of the role of police coronial investigators as distinct from police. This reform was recommended by the recent coronial inquest into the tragic death in police custody of First Nations woman Aunty Tanya Day. This aims to increase public trust in coronial investigators by cementing their independence from police, and it is also in alignment with recommendation 29 of the Royal Commission into Aboriginal Deaths in Custody as well as recommendation 42 of the Victorian parliamentary Law Reform Committee review of the Coroners Act 1985. Until now, coronial investigators have not had a formal role under existing legislation. This has meant, effectively, that their engagement and approach to working with the Coroners Court has been somewhat unclear. Coronial investigators' function is usually to attend a scene where there has been a reportable death and assist the coroner by preparing a report of the death, which can involve making relevant inquiries to ascertain, for example, the identity of the deceased and their next of kin. These reforms will formalise that role and also allow a coroner to direct a coronial investigator who will be required to comply with reasonable and lawful directions. In making that change we are effectively improving the accountability and transparency involved in that function. It will also of course reduce potential conflicts of interest where police coronial investigators are investigating deaths where police themselves were involved.

Beyond these reforms and ensuring the safety of people in custody, it is critical that we continue to pursue reforms that help us meet our Closing the Gap commitments. I would like to think that that is an objective that is shared on all sides of this house, even if we have sometimes, and particularly at the moment, different ways of getting there. Alongside our commitments under the *Victorian Aboriginal Affairs Framework 2018–2023*, falling within both those sets of commitments is a commitment to eliminate the over-representation of Aboriginal people in our justice system. As we all know from the

Royal Commission into Aboriginal Deaths in Custody, reducing the number of Aboriginal people in prisons and police custody is fundamental to also reducing the risk of deaths in custody.

As Minister for Treaty and First Peoples I am acutely aware of just how much work is ahead of us in that area. To realise that substantive change, we really must work alongside and walk with First Peoples. We must listen to them and learn from them and make sure that we are being led by their experience and that we are listening to their ideas about solutions. The Yoorrook Justice Commission, the nation's very first truth-telling body, is currently inquiring into both historic and ongoing injustices against Aboriginal people across all areas of social, political and economic life. As many of you know, the commission will shortly hand down its interim report, which will contain recommendations for further reform of the justice system. I look forward to considering those recommendations and the reform work that is handed down by the commission.

In winding up my remarks, I want to just add my thanks not only to the commissioners for doing that important work, but also to the many people who have given testimony to the commission and in doing so have often relayed personal trauma and told their stories, many of them horrific, all with the view to improving our systems and structures so that those experiences do not have to be perpetuated in our system and that others do not have to experience the same types of pain they did. Testimony like that is often given at great personal cost, and we should never be flippant about what goes into allowing people to speak about these matters, let alone for the commissioners to hear about them and to come up with thoughtful ways of recommending change. To that end, it is also worth acknowledging the work of the First Peoples' Assembly of Victoria, who will carry forward much of this work through the process of treaty.

This is about a foundational, transformational and structural change, because this is going to be the only way that we start to finally shift the dial on those Closing the Gap targets and priorities that we as a state and all of our counterparts have agreed to. I have often been given cause to reflect on the fact that if the definition of stupidity is doing the same thing over and over again and expecting a different outcome, then we really need to be open to doing things differently if we are going to finally start shifting the dial and ensuring that we can be driving better outcomes for First Nations people here in this country. Whether it be by improving life expectancy, which still sits about 10 years behind the non-Aboriginal population, whether it be by reducing over-representation in our justice system, as this bill goes partly to, or whether it be by improving child removal rates – which are still at record highs here in Victoria and indeed the stats are not great across the nation – or any other number of measures that we too often are given cause to reflect upon and feel ashamed by, we need to start doing things differently, and truth, treaty and voice are an essential part of that.

Martin CAMERON (Morwell) (15:03): I also am pleased to stand to talk about the Justice Legislation Amendment Bill 2023. Firstly, thanks to the member for Malvern, who led off today and spoke, as he said, about a wideranging bill with a lot of stuff in it, and it is terrific to be able to listen to both sides of the house talk about this legislation amendment bill. What we are trying to do on both sides here is to make sure that we get everything right for people in the community as we move forward with this bill.

The bill seeks to improve the operation of the Victorian legal and justice system by implementing the following reforms: making certain temporary provisions in the Court Security Act 1980 and the Open Courts Act 2013 permanent, with appropriate modifications, to assist the courts and tribunals to operate safely and efficiently; legislatively recognising the role of police coronial investigators to give effect to recommendation 2 of the Tanya Day coronial inquest findings, recommendation 29 of the Royal Commission into Aboriginal Deaths in Custody and recommendation 42 of the Victorian parliamentary Law Reform Committee review of the Coroners Act 1985 – as you can see, the bill is cleaning up a few technical terms and changing a few things, which is just for the benefit of the general community and population; amending the Spent Convictions Act 2021 to address unintended barriers to eligibility to have convictions spent, and data sharing and judgement publication; and amending the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform)

Act 2019 and the Forests Act 1958 to expand presumptive rights legislation to three additional female-specific cancers. As you see, it is a wideranging bill. Of course we need to look after our firefighters, and it is going to be especially beneficial if we can have these cancers recognised and put into legislation for particularly our female CFA members as they go forward.

We are amending the Legal Profession Uniform Law Application Act 2014 to clarify the application of the legal profession uniform law in Victoria and to enhance protections for Victorian consumers of legal services by enabling the register of disciplinary action taken against lawyers to be updated immediately and amending the Children, Youth and Families Act 2005 to support the rollout of an electronic case management system portal in the family division of the Children's Court. Also, this amendment bill is amending the Jury Directions Act 2015 to clarify that certain jury directions are available in all sexual offence trials; making minor and technical amendments to the Criminal Procedure Act 2009 to allow specified employees under the Dairy Act 2000 and the Meat Industry Act 1993 to witness statements that are provided in a criminal prosecution brief; addressing various legal and procedural issues in respect of VCAT's jurisdiction by amending the Victorian Civil and Administrative Tribunal Act 1998, the Wrongs Act 1958, the Limitation of Actions Act 1958 and the Domestic Building Contracts Act 1995; acquitting a recommendation of the parliamentary inquiry into the Victorian criminal justice system to require mandatory notification of the Victorian Aboriginal Legal Service where a person taken into custody self-identifies as an Aboriginal by amending the Crimes Act 1958; and amending the Victoria Police Act 2013 to maintain the existing ability to prescribe fees for the provision of a broad range of police services.

On the streets in the Latrobe Valley, law and order, which takes in everything that we are talking about here today, is a really hot topic with the constituents down there. Last week I was at a community safety committee which is organised by our local Latrobe City Council. We have all the police come from the different towns, and we sit down in a bit of a forum and discuss what the topics are and what is happening in each of our towns. The community safety committee know about the safety of our older constituents, who are feeling vulnerable and unsafe on the streets, whether they be going into the front of the Traralgon plaza to do their shopping, where we have young and old people starting to mill around and cause unrest down there, or whether it is at the Morwell bus exchange in the main street of Morwell. These are things where we are actually speaking to the community and they are giving us feedback on what needs to be done.

The proposed changes to the Spent Convictions Act include removing the onerous requirements for children and young people to allow them to have their convictions spent. This will give children and young people a chance to be rehabilitated and reintegrated into society despite past offending, especially if they have been caught up in that system where they have offended before and have reoffended, and try to break the cycle and have an avenue to get them out, so to speak.

Undoubtedly this is a positive outcome for the broader community, providing this is accompanied by strategies to prevent youth offending in the first instance – so prevention – thereby reducing the need for spent convictions. We can do other programs around our local municipalities to stop them the first time that children and youth make a decision when there is an opportunity to do something that is untoward. If we have got these programs, it will prevent them at the very start from doing that, and it just takes the pressure off the judicial system moving forward. This can be done by increasing public housing and providing more resources for mental health services, accessible and stronger drug and alcohol health treatment options and addressing domestic and family violence in its infancy.

I have spoken about this before in the chamber. We have a youth space program in Morwell which up until the end of last year was being funded by the Andrews Labor government. It is an absolutely fantastic program. I have been there before and spoken about it. There were 500 youths that actually accessed this facility. I sat down and spoke with them last week. Their numbers have increased from 500 to 700 people accessing the youth space program at the moment. So we are doing what we can diligently behind the scenes to see if we can get some more funding from the government. This is a program that shows that it works and, going back to what I was saying before, it actually stops the

process of youth criminals being thrown into that system. We are trying to stop it at the source and give them other options and pathways where they can see a way out of the life they are leading now, whether it be going in there and having a shower or getting something to eat or being put in touch with services. This is what we need to be able to do to help out our youth. As I said, the youth space program in Morwell is a fantastic set-up, and hopefully we can do some more work in that area.

As the member for Malvern said, it is a very wide-ranging bill with amendments that we are dealing with. I have just been able to touch on a few bits and pieces of it. As he said, we will not be opposing this amendment.

Nina TAYLOR (Albert Park) (15:13): I am very pleased to be able to speak on the Justice Legislation Amendment Bill 2023. I will also say it is pleasing that the opposition are not seeking to oppose this bill. There are some really important reforms, and they certainly are consistent as part of our government's ongoing reform agenda with the justice system, not only in researching and consulting extensively with stakeholders but actually delivering on those reforms.

I will zone directly, in the time that we have, initially on the presumptive rights expansion. We know that our Andrews Labor government has a proud record of supporting workers, including through the delivery of the firefighters presumptive rights compensation scheme. Our government extended our landmark presumptive rights reforms to ensure that FRV and CFA vehicle and equipment maintenance workers who attend fires and may be exposed to carcinogens present at fire events have the same presumptive rights as volunteer firefighters. This bill is seeking to provide fairer access to compensation for women under an expansion to the Andrews Labor government's presumptive rights scheme. This will be achieved by including primary-site cervical, ovarian and uterine cancers to the scheme's prescribed list of cancers.

The Minister for Emergency Services announced the commitment to adding the three female-specific cancers to the existing legislation on 9 June 2023, and we can see by the fact that we are in the chamber debating this specific issue here and now that the government has acted quickly to bring the necessary bill to the Parliament to enact this change expeditiously as well. We know that firefighters and personnel provide an invaluable service to community, and this requires them to work in inherently dangerous conditions and exposes them to carcinogens. The presumptive rights scheme means that if people are diagnosed with the specified cancers, they do not need to prove that the cancer is directly attributable to their service in order to access compensation. I said from the outset that the expansion of presumptive rights to include these additional cancers follows – and this is very important – consultation with stakeholders to ensure more equitable access to cancer compensation. Our government said we would consult on these cancers, and this bill is really another example of our government delivering on its commitments.

We want to enact these changes quickly to afford our growing number of female firefighters the same rights and protections as their male counterparts. It is the right thing to do. I will note there is a lack of international research into female-specific cancers in firefighters because there are not that many at this point in time. But of course we know that in the modern era, when we are increasingly focused on gender equity, the equalisation, for want of a better word, of men and women, having more and more women in professions that once were specifically for males is ever evolving. Those restrictions, can we say, to date, because of the number of firefighters in international research with regard to female-specific cancers, should not mean that those women who have joined the profession should miss out. Accordingly, it can be difficult to prove a particular event or exposure caused the development of these cancers, but this is not a reason to not take this step forward. Certainly that priority for equalisation or for creating a fairer system is why we are at this important juncture taking this reform forward.

Our presumptive rights scheme has already provided peace of mind and support for literally thousands of career and volunteer firefighters, so we know that it is delivering on what it set out to do. Presumptive rights for cervical, ovarian and uterine cancers will be subject to a qualifying period of 10 years to align with other Australian and international jurisdictions, and I note that the scheme will

continue to be administered by WorkSafe Victoria. Importantly, and I think this is also an important aspect when we are looking at adding further categories to the presumptive rights scheme, the proposed changes will not impact existing entitlements to the scheme. FRV, CFA and Forest Fire Management Vic firefighters and vehicle mechanics are all covered under the scheme equally, so that is a really important aspect as well. Our Andrews Labor government will continue to work with our fire agencies' personnel and volunteers to ensure they are supported on and off the ground. They are certainly some very important reforms coming through.

As has been discussed, there are many important aspects to this justice legislation. I would like to zone in on the element pertaining to lawyer misconduct. We know it can be hard to find the right lawyer. I myself went through an admission process, and I certainly found that you do consider carefully all the duties that are imposed as a lawyer and you want to make sure that you fulfil those duties to the absolute best of your ability. However, there are unfortunately – and I would say it is a minority – those who might do the wrong thing, and there can be a significant power imbalance in the event that that occurs. That is why this bill will strengthen the consumer protections available for Victorians to engage legal services and clarify potential uncertainties about how the legal profession uniform law applies in Victoria.

Due to a legal technicality, the offences of improperly taking money from a trust account and destroying regulated property have been subject to a 12-month limitation period, meaning that action needs to be taken within 12 months of that conduct occurring. Often this kind of wrongdoing takes time to detect, so the bill makes it clear that the 12-month time frame does not apply to these offences. That is a really important clarification.

To be as objective as possible, I will say it can be hard for consumers to know if the lawyer they are considering using has behaved poorly in the past. I think you want some peace of mind when you are engaging the services of a lawyer to, as best as possible, know that you can rely on them to do the right thing and to fulfil their duties. So the bill will allow the Victorian Legal Services Board to publish details about lawyers that they determine have engaged in unsatisfactory professional conduct immediately within the 28-day period in which the lawyer can seek to appeal the determination. Of course if any action is successfully appealed, that information must be removed.

I understand the delicate nuance of this situation, because in the event that initially you are put on the register and then after it was found that you were not guilty of the particular misconduct that that certainly would be disconcerting, and I understand that there might be concerns about what that might do to one's reputation. However, this has to be seen within the broader context that this particular change within the legislation brings Victoria in line with other uniform law jurisdictions and is consistent with how comparable professions like doctors and engineers manage publishing information about bad behaviour. So when we see it within that broader context, we can see that it is actually a reasonable change. It is not unreasonable, if I can put it that way, to expect lawyers to adhere to that particular bar or those particular standards, and these changes make sure that consumers will have up-to-date information, just as they would in any other uniform law jurisdiction, which will help them make informed decisions. So we are thinking about consumers and making sure that they have some sense of comfort with their decision on engaging a lawyer, and conversely when we reflect on the fact that the majority of lawyers, I would like to think, are doing the right thing, it gives them comfort knowing that if they are not on that register, more likely than not, that lawyer will undertake the duties appropriately as well. It also sends a clear message that lawyers who do the wrong thing will be held to account, and I think that is appropriate.

Jess WILSON (Kew) (15:23): It is a pleasure to rise today on the Justice Legislation Amendment Bill 2023, and I would like to start by thanking the Shadow Attorney-General, the member for Malvern, for his contribution this morning. As he noted, this is a piece of legislation that we will not be opposing, as it does provide a relatively large range of uncontroversial fixes to a number of pieces of justice legislation aimed at improving the operation of our justice system as a whole. I think we have heard contributions from both sides of the house today speaking to the importance of making

sure we have a justice system that is operating for Victorians and a justice system that is operating efficiently. Many of the amendments outlined in this bill to the various pieces of legislation it seeks to amend will make it a simpler process, a more transparent process in many cases and a clearer process as to what are the responsibilities and the requirements of those operating in the space.

The bill itself seeks to amend a number of pieces of legislation and seeks to clarify pieces of legislation, including the Open Courts Act 2013, looking at alternatives to physical court hearings. It seeks to amend the Coroners Act 2008 and the Spent Convictions Act 2021 regarding the facilitation of information sharing and access. As we have heard a number of members speak about, it does seek to amend the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 around expanding the presumptive rights scheme to include three additional cancers under that piece of legislation, making sure that as we see the growth in the number of female firefighters in Victoria, we are ensuring that the legislation keeps pace with that. I will speak more broadly about that a little later.

It also seeks to amend the Legal Profession Uniform Law Application Act 2014; the Children, Youth and Families Act 2005 by looking at how electronic case management can be deployed in that space; the Jury Directions Act 2015 around a number of important changes around sexual offence cases; the Criminal Procedure Act 2009 by looking at who may witness statements in briefs; the Victorian Civil and Administrative Tribunal Act 1998; the Wrongs Act 1958; the Limitation of Actions Act 1958; the Domestic Building Contracts Act 1995 regarding recent court decisions by making sure that the federal issues can play out under VCAT and other judicial bodies; the Crimes Act 1958 by looking at ensuring the Victorian Aboriginal Legal Service are contacted in all cases where a person is taken into custody who identifies as Aboriginal; and the Victoria Police Act 2013 by correcting errors in previous amending legislation.

To touch on some of these briefly, the changes to the Open Courts Act make permanent a number of measures that were due to expire in October this year that were put in place during the pandemic. These include the power to require compliance with pandemic orders made in accordance with the Public Health and Wellbeing Act 2008 regarding the fact that authorised officers can exercise those powers beyond pandemic orders to ensure compliance with health and safety obligations to court employees and court users. Essentially, the provisions will mean that in the event of a future pandemic court officers will be empowered to enforce not only the relevant pandemic orders but also measures necessary to safeguard the health and safety of court users. We know that during the pandemic courts still had a role to play. We know that many courts were able to shift to online to help the justice system to continue during that time, but the backlog caused in that has had a long-term impact on our justice system, something that continues to this day.

The amendments relating to the coronial investigators look at giving explicit power to a coroner to direct coronial investigations at all stages of an investigation and impose a duty to comply with reasonable directions of the coroner. They make clear that the coroner is directing the coronial investigation rather than relying on the current arrangements, which are currently a convention with the police. So they put in place clearer directions, and the coroner will be responsible for that.

The amendment to the Spent Convictions Act seeks to remove unintended barriers to spent convictions by narrowing that definition from 'term of imprisonment' to 'custodial term'. The custodial term does not include drug rehabilitation, home imprisonment, intensive correction, a residential treatment order or any part of the term that was suspended or elapsed without being served. For youth offenders this bill removes from the requirement that children and young offenders must be sentenced under specific legislation in order to be eligible to have convictions spent.

I spoke briefly before about the changes to the firefighters presumptive rights compensation legislation. The original purpose of this bill was to provide a rebuttable presumption to claim compensation under the Workplace Injury Rehabilitation and Compensation Act 2013 for career firefighters and volunteer firefighters who are suffering or will suffer from specified forms of cancer.

This is to ensure that there is more equitable access to cancer compensation for eligible personnel. It will remove barriers to that compensation. Previously, it has been difficult to prove a particular event or exposure caused the development of that cancer due to the significant number of incidents that our brave firefighters respond to throughout their careers. The expansion of presumptive rights recognises the invaluable service that firefighters and personnel provide to our community. I know everyone in this place is very proud of the work that their local firefighters do and that the CFA does in times of need, particularly over the summer months and the peak bushfire seasons. The expansion of this presumptive right for three additional cancers under this piece of legislation will particularly ensure that female-specific cancers are listed. The additional three cancers will impact female firefighters in particular by including cervical, ovarian and uterine cancer.

There are amendments to the legal profession. We heard from the member for Albert Park the process that you go through when you are admitted as a lawyer and the duty that you undertake to the court, to the client and to the legal profession more broadly. This amendment seeks to ensure that there is a 28-day time limit for appeal or review of disciplinary action. This means that the Victorian Legal Services Board will be able to publish any details of a determination on unsatisfactory professional conduct on the register of disciplinary action after this time has elapsed. The bill clarifies that the offences of causing a deficiency in trust and the improper destruction of a regulated property are indictable offences and that they will be triable summarily. It is incredibly important that there is trust in our legal profession, that people are able to ensure that when they seek representation, seek to undertake the services of a lawyer, they are able to trust that lawyer, and this piece of legislation will go further there.

A few more important amendments are around the introduction of electronic case management under the amendment to the Children, Youth and Families Act 2005. This will allow for the electronic filing and issuing of documents, creating a more efficient system. The amendment to the Juries Act 2000 looks to clarify that certain jury directions are available in all sexual offence trials regardless of whether the prosecution is required to prove a lack of consent. This seeks to remedy errors made in 2002 when the juries directions were worded in a way that was unnecessarily referenced to a lack of consent. So it is seeking to amend a previous change to the legislation and ensure its proper reading within this omnibus bill.

It also looks at a number of changes, particularly around VCAT-related amendments, that have come about as a result of recent court decisions that held that VCAT has no power to hear matters that involve the exercise of federal jurisdiction, including matters where there is indirect connection to federal law. This has potentially invalidated a number of VCAT decisions and required the referral of matters initiated in VCAT to courts that can exercise that federal jurisdiction. These reforms will expand the class of VCAT members who can make orders to transfer to a federal jurisdiction and provide courts with the power to extend the limitation period for federal jurisdiction matters referred to them by VCAT. This is an important change that will affirm that VCAT holds power previously assumed by VCAT and the legal profession and applies more broadly around the Domestic Building Contracts Act 1995 as well, which is very important, given we have seen a number of ongoing issues in the domestic building industry. The opposition does not oppose this bill and we appreciate the number of reforms it seeks to undertake.

Steve McGHIE (Melton) (15:33): Today I rise to contribute to the debate on the Justice Legislation Amendment Bill 2023. I am pleased that the opposition are not opposing this bill, and I acknowledge all the contributions so far. Like in most weeks in this place, we are making some very important amendments to a number of acts, chiefly the Open Courts Act 2013 and the Court Security Act 1980. It addresses some of the ways in which the Spent Convictions Act 2021 operates. There are a great deal of important changes in this legislation. I do not think 10 minutes will allow me to go to all those amendments, but I will give it a crack on the areas that have taken my interest and of course what concerns the Melton community and right across Victoria.

These amendments detail our proposal to create efficiencies, safety and accessibility in our courts. I want to acknowledge the member for Albert Park's contribution in regard to speaking to that part of the amendments. Certainly we are making some temporary measures permanent, including pieces in the Open Courts Act 2013 and the Court Security Act 1980, with some changes to improve outcomes for those of us who rely on the legal system. Strengthening these bills through these amendments improves how our courts operate and updates them with today's technologies to make them more accessible. That is exactly what we want – for people to have free access to our court system. Of course one point is about remote access, and I do not think it is out of step to say that I feel like we are still catching up to the lightning-speed changes that business had to make in early 2020. This bill wants to make sure that people can still participate in court hearings even when they are not physically present, and keeping our legal system up to date with technology and the way Victoria works today is really important. Joining a court hearing from your own home or office is about convenience and fairness.

This bill also looks at situations where physical attendance might not be the best option, when health risks or accessibility might be of concern. The bill allows the courts the flexibility to find alternatives to having people show up in person. This is about balancing safety and justice. By supporting this bill we are supporting a legal system that is modern, efficient and inclusive. It means that no matter where we are or what our circumstances are, we can still be part of court proceedings where necessary, and it means justice is not limited by physical barriers.

I also welcome the introduction of the self-identification amendment. If an Indigenous person tells me that they are Aboriginal, my personal opinion should not come into that consideration. We take it on their word that they are Aboriginal. By changing the threshold for mandatory reporting to the Victorian Aboriginal Legal Service we increase the self-governance of our Indigenous people, and through self-identification triggering mandatory reporting we see improvements to the treatment and the futures of this vulnerable cohort of Australians. It is another way that the Andrews Labor government is improving the lives of all Victorians. Of course in instances where Victoria Police may be of the opinion that a person is Aboriginal but that person might be unable to self-identify for a range of different reasons, a notification to VALS is still permitted. Access to culturally appropriate legal assistance improves the outcomes for those individuals. It also leads to the saving of lives, and it keeps families together.

Just one of the reasons that the upcoming referendum is so vital is we are at the precipice of righting some horrific wrongs and voting yes to the introduction of the Voice to our constitution and the recognition and respect that go along with that. I notice the member for Kew is at the table here. She has publicly come out supporting the yes vote for the Voice, and it is a shame that not more of her colleagues have come out in support of the yes vote for the Voice. But you never know; they may do; they may be flushed out at some stage. I commend the member for Kew publicly coming out about the yes vote.

I want to acknowledge of course our wonderful firefighters who have returned from and still currently are in Europe and in Canada assisting with those extreme fires overseas. I know that Minister Stitt from the other place welcomed back 45 firefighters in June after a month-long deployment supporting Canadian personnel across Alberta and British Columbia. Those fires are expected to burn until the snow comes later this year. We have seen those tragic fires overseas, and clearly we will be heading into a dire fire season here if what has happened in the Northern Hemisphere is any indication. We sent 148 forest fire management personnel to those fires overseas – 95 firefighters and 53 incident managers and plant operators – and of that cohort of firefighters and fire personnel, 40 women were part of that deployment. It is fantastic that we can support our friends in other countries with our great fire expertise from here in Victoria, and of course they will return to look after and protect us in the upcoming fire season here. We all know what the effects of climate change are now in regard to these extreme disasters that are happening around the world.

Investing in training and upskilling for our firefighters is vital, and last week in Melton the crews of Toolern Vale, Rockbank, the Melton fire brigade, Coimadai, Bacchus Marsh, Eynesbury and Mount

Cottrell as well as others came together to do just that in a training exercise. I have certainly written letters to a number of those units, both Toolern Vale and Rockbank, in support of them seeking additional equipment to be able to perform their duties in protecting our local communities, in particular in such a fast-growing area. I want to shout out to our local firefighters and commend them for all the work that they do and, as I say, the way that they protect us. Both the FRV firefighters but also the CFA and the Forest Fire Management Victoria crews do an amazing job. They are unsung heroes at times, and we really support them in all their efforts. We have 140,000 volunteer firefighters who make up our unique system in bushfire response. They do a wonderful job, and we thank them all for that. This legislation speaks specifically to the dangerous nature of their work and the training of our firefighters. This legislation includes those three areas of female cancers – uterine, ovarian and cervical cancers – for our firefighters.

As the former head of a union, I know how dangerous first-responding roles are, and the safety and wellbeing of our dedicated firefighters and fire services personnel are of the utmost importance. It should be that when someone sustains an injury at work they are able to be rehabilitated and compensated through a proper injury scheme, that being our WorkCover scheme. For too long women's cancers have been overlooked, and I am proud of this government and the work of the Attorney-General to fix these issues. Of course it is undeniable that these individuals expose themselves to profound risk and perils in the line of their duty. Obviously when they are heading towards a fire, we are all running away from it, so it is an amazing role that they play. We take for granted that they just fight these fires and nothing will ever happen to them – they go home in a normal state; they go home in a normal physical state. We do not even understand how some of these cancers will evolve over the many years.

As I say, we introduced our presumptive legislation for firefighters previously and then added to that the mechanical people in the fire services, and now we are adding these three female cancers to be included in the presumptive legislation. Obviously there has been some discussion around extending that even further. I think we have got to get this bill passed in this house and the other house. I know that the Attorney-General has alluded to the fact that there could be further discussion about other cancers that could be introduced based on the proper research and data that is available to us, but let us get this bill done. It is a very important bill in supporting our firefighters across the board, but also there are some significant changes to other acts. I am going to run out of time, so I am not going to get to those. But this is an important bill, and I commend this bill to the house.

Peter WALSH (Murray Plains) (15:43): I rise to make a contribution on the Justice Legislation Amendment Bill 2023. As previous speakers have said, this is an omnibus bill that amends a significant number of pieces of legislation, some of more consequence than others. It clarifies to confirm temporary changes to the Open Courts Act 2013 and the Court Security Act 1980 that were made during the pandemic, such as supporting remote public access and other alternatives to physical court hearings. There were some learnings out of COVID that have actually streamlined some of those issues, which have been clarified in this piece of legislation. It amends the Coroners Act 2008 in relation to coronial investigators. It amends the Spent Convictions Act 2021 to facilitate information sharing and to increase access to that particular scheme.

It amends the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 and the Forests Act 1958 to expand the firefighters presumptive rights schedule to include cervical cancer, ovarian cancer and uterine cancers – and I will come back to that after I have been through the rest of the purposes of the bill. It amends the Legal Profession Uniform Law Application Act 2014 and the Criminal Procedure Act 2009 in relation to offences and disciplinary action. It amends the Children, Youth and Families Act 2005 to support the introduction of electronic case management in the family division of the Children's Court. It amends the Jury Directions Act 2015 in relation to sexual offence cases. It amends the Criminal Procedure Act 2009 in relation to persons who may witness statements in briefs. It amends the Victorian Civil and Administrative Tribunal Act 1998, the Wrongs Act 1958, the Limitation of Actions Act 1958 and the

Domestic Building Contracts Act 1995 in response to recent court decisions. It amends the Crimes Act 1958 to ensure the Victorian Aboriginal Legal Service is contacted in all cases where a person taken into custody identifies as Aboriginal, and it amends the Victoria Police Act 2013 to reinsert the regulation-making provisions erroneously omitted in earlier amending legislation.

There are two things I want to particularly draw the attention of the house to in my contribution, and they are the amendments to the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019, and this is in both the firefighters' legislation and the Forests Act 1958. As the opposition, we are supportive of these particular clauses being inserted. I think it is part of the modernisation of that presumptive rights compensation, as now both genders are very active in the fire services. I know in the CFA there have been women involved for a long time, and this actually starts to recognise that they can have some issues with cancers and issues with their health because of what they do as firefighters. So this is modernising legislation and is not before time on those particular issues.

Can I give a big shout-out to our CFA volunteers, both male and female, who continue to protect our community. For political reasons Peter Marshall and the United Firefighters Union have gone to war with the volunteers. For political reasons the Andrews government has sided with the UFU and not with the volunteers far too often, in my personal opinion, and that has led to quite a few volunteers actually hanging up their helmets because they do not believe they were being respected enough by the government of the day. We have seen a decline in the volunteer numbers. I think the issues around how volunteers have been treated from a training point of view and the fact that some of the mandatory training they have to do is done at times that are inconvenient or impossible for people that have to make a living as well as be a volunteer are to the detriment of the volunteer numbers that we have in Victoria, and I think that whole structure needs to be changed to be friendly to volunteers that make a commitment out of their own time and have an impost on their own family lives to keep our community safe. The least that the fire service could do is bend a little bit to make sure that training times and the structure of training are more friendly to families where one member or other in the family gives up their time to be a volunteer. My observation from talking to CFA members is that they believe there is a deliberate strategy just to make it harder and harder for volunteers to do the work they do in protecting our community.

From our side of politics, we are extremely supportive of the volunteer structure of the CFA and at the time opposed the fact that Fire Rescue Victoria had staff seconded across to the CFA rather than the CFA having their own dedicated staff to manage the CFA. That is something I personally would like to see returned. The very first role I had in public life was as a secretary of the local fire brigade. Through that you actually learned a lot. There is a lot of paperwork, and for a secretary now there is a lot more paperwork than when I was a fire brigade secretary, but you actually get to appreciate what everyone does in volunteering to keep our community safe. I would like to see the government and particularly Fire Rescue Victoria be more receptive to the needs of volunteers when it comes to training and how they are involved in the CFA in the future to protect our community.

The other issue that I would like to make some comments on is around Victoria Police. This particular piece of legislation talks about reinserting a regulation-making provision that was erroneously omitted in the earlier amending legislation, but I suppose that opens the door for me to speak about the great job that our one-man police stations do and the fact that I think police command – and I know the government says 'We're hands off; this is a command issue; we can't interfere in this' – saying that they are effectively going to close about 90 one-man stations across regional Victoria is an absolute disgrace. Those one-man police station officers, both male and female, are a unique breed of police. They know how to be involved in their community and to actually stop a lot of things happening before they happen because of their community involvement, and I think it is wrong that they will be drawn away to keep 24-hour stations operational. I am told by some in the police force that they are concerned that it will not stop at the one-man police stations; they will be drawn back into the major regional centres or into Melbourne to keep 24-hour stations open. Ninety-odd police officers are not going to

make a huge difference to the rosters at those 24-hour police stations. There is a real concern by some in the police force that this will go one step further, and at the stations with what is called ‘a sergeant and three’, which are in the larger regional towns, there will be a risk that they will start to be drawn back in to keep the 24-hour stations open as well. We are going to see a domino effect as country police are drawn into the major regional cities or into Melbourne to fill the rosters, because the numbers that the government has used about police recruitment just have not delivered with those retiring and those who are off on various provisions of sick leave. There are just not enough police to fill the roster that is there that needs filling. So there is a very real risk that our country communities will not be protected by their one-man police station officers, and in our larger country communities there is a risk that those sergeant-and-three stations will find that they are being drawn back into the major regional centres to fill the roster to keep the 24-hour stations open. It cannot be ‘them or us’; the police are there to police the whole state. It was interesting – an article was in the *Weekly Times* about those 90 police officers and the actual physical percentage of the geographic footprint of Victoria and just how much of Victoria 90 police officers actually police. So I would urge police command and I would urge the Andrews government to use whatever influence they can with Victoria Police to make sure that they see the folly of their ways in actually closing down or drawing those police away.

They will never close them, because that is bad publicity for the Andrews government, but they will make sure they are de-staffed – that the staff are actually drawn away. We can ask a question about closing the Gunbower police station in my electorate or closing the Pyramid Hill or the Boort police stations in my electorate, and the government will say, ‘No, we’re not closing them’. But they are effectively de-staffing them by making sure there is never a police officer there, similar to what they do with some of the schools in Victoria. The Andrews government have not closed any primary schools but they have de-staffed quite a few, and in my electorate there are a number of schools that have effectively been closed because no teachers have actually been made available at that particular school. So given this piece of legislation deals with the Victoria Police Act 2013, can I put a strong plea to the government and to police command to make sure that those one-man police stations are kept open and the sergeant-and-three stations do not have staff drawn away to the major regional centres.

Lauren KATHAGE (Yan Yean) (15:53): I rise to speak on the Justice Legislation Amendment Bill 2023 and in particular a section which I am sure is of great interest to the Leader of the Nationals as the Shadow Minister for Aboriginal Affairs, and that is the amendment to the Crimes Act 1958 to ensure that investigating officials must contact the Victorian Aboriginal Legal Service in all circumstances where a person taken into custody advises police that they are an Aboriginal person. This is a further strengthening of the safety net for Aboriginal people who are taken into custody. Previously it has been already required that VALS are notified when an Aboriginal person is taken into custody. However, self-identification was not the only and sufficient definition of an Aboriginal person; instead the investigating official had to be of the opinion that they were and did not need to have regard for any statement made by the person. What this seemingly small step for the justice legislation – but what I would consider a large step for Aboriginal self-determination – does is put back into Aboriginal people’s hands the right to self-identify as an Aboriginal person.

Of course we are all aware of the Aboriginal deaths in custody report from 1991, and I was only seven years old when that report came down. Sadly, it is still relevant for us today. Just a few short years after the Aboriginal deaths in custody report, I met Senator Neville Bonner AO, Australia’s first Aboriginal parliamentarian. I was in grade 7, and he spoke with us about Aboriginal over-representation in the Aboriginal justice system. Looking back now, I understand a little bit more about the context or the times that he was speaking from, but at the time, regrettably, I just did not really understand. Neville Bonner had already been working hard for decades on Aboriginal justice by then. He was born up in Tweed Heads, a Jagera man, and during his youth worked as a rural labourer on properties around Queensland and northern New South Wales. In 1945 he relocated to Palm Island and became a foundation member of the Palm Island Social and Welfare Association. I think for so many people, me included, being involved in community work you cannot help but then somehow be drawn to politics as you seek to create change. It was the same for Neville Bonner. By the early 1960s

he had developed an interest in politics: he was involved in the One People of Australia League, OPAL, in Ipswich in Queensland, and he was its president for many years.

I do need to inform the house that he joined the Liberal Party in August 1967. You know what, 1967 – that year should ring a bell. It was just months after the referendum enabling the vote that Neville Bonner joined the Liberal Party. He was third on their Senate ticket at the next election and did not get up but then entered Parliament on a casual vacancy and was later able to win elections in his own right. He described himself as having ‘an all-consuming burning desire to help my own people’, and in 1974 he moved a motion that the Senate acknowledge Aboriginal and Torres Strait Islander peoples as the prior owners of the Australian continent. We have a lot to thank Neville Bonner for, not least of all the fact that he crossed the floor on some 34 occasions, so we thank him for that as well. I was just young, I was in year 7, and I did not realise who I was speaking to or who I was learning from – these generations of activists, these generations of leaders that we have been lucky enough to build our current community environment on.

A while after that I took a walking tour in university of Aboriginal services and their histories – legal services and medical services and how they were established. What we learned was how they were established by people who stood up. These services were established by activists, people who had a voice and who worked for their community. This is the character of Aboriginal community controlled organisations (ACCOs) around Australia. This is their foundation. It is organisations like the Victorian Aboriginal Legal Service, and VALS is the service that we are talking about in the legislation before us today.

Why is this change, this seemingly minor change, so important, and why are we still talking about Aboriginal deaths in custody? It is quite straightforward. I recall as a university student standing with an older friend as her daughter was driven away in a windowless van from the courthouse to the jail and her sobbing and her fear. Looking back now as a mother, I understand a little bit more about the worries that would have been passing through her mind at the time. Regrettably, again, I did not fully understand. You see, the Aboriginal deaths in custody report set down on paper the risks already well known by Aboriginal members of the community. It was a landmark report, and sadly it is still relevant. But the context has changed; the system has changed since then. In Victoria, for example, this government has the *Victorian Aboriginal Affairs Framework 2018–2023*.

This framework is built on the deeply held understanding, belief, commitment, conviction, deeply known truth that Aboriginal people know what is best for themselves, their families and their communities. Because self-determination is the human right that underpins the work of this government, we truly believe in Aboriginal self-determination, and the framework that this government follows to guide us in this comes about from extensive community engagement – more than 600 Aboriginal Victorians sharing their views and their visions. We heard from elders, community members and Aboriginal organisations in a range of settings: community halls, Aboriginal co-ops and ACCOs that I was speaking of previously. There is a diversity of views, but we did hear common themes at that time, and the work of the government really, truly, we acknowledge, is being built on the contribution of generations of Victorian Aboriginal leaders, and we thank them so much for that.

I do want to say that Aboriginal self-determination is not a new concept, but it is gaining currency in the news because it is time for us to put pen to paper – I guess like we did with the report – with things that Aboriginal people know deeply in their hearts to be true and a growing number of non-Aboriginal Australians know to be true and that is that Aboriginal self-determination works. It works. They hold the knowledge and expertise about what is best for themselves. There are numerous studies in Australia and overseas that show that better outcomes are gained when Aboriginal people are able to determine their own outcomes. We know it is what the community wants, and we know that it is a human right under instruments that we are signatories to, such as the United Nations Declaration on the Rights of Indigenous Peoples.

As I said, this seemingly small change to the Crimes Act, where an Aboriginal person themselves is the authority to say ‘I am an Aboriginal person’ rather than the investigating official, may seem like a small change, but in fact this is the true identity politics that those opposite are obsessed with worrying about. This is the identity that you need to be concerned with – that of Aboriginal people who stand up and say, ‘I am an Aboriginal Victorian. I have a view. I care for my community. Listen to my voice’. So I hope all those opposite will join with us and the member for Kew in proudly writing three letters – Y-E-S – at the upcoming referendum.

Chris CREWETHER (Mornington) (16:03): I rise today to speak on the Justice Legislation Amendment Bill 2023 before us not only as the member for Mornington but also as the Shadow Parliamentary Secretary for Justice and Corrections. This is generally a sensible omnibus bill that will implement important changes to a number of existing acts – namely, the clarification and confirmation of changes to the Open Courts Act 2013 and Court Security Act 1980 made during the pandemic, as well as amendments to the Coroners Act 2008, Spent Convictions Act 2021 and Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 – and in relation to the legal profession and more.

On presumptive rights legislation I would first like to comment on what has been, I guess, a particularly salient issue lately, and that is the presumptive rights compensation legislation for our firefighters. Clause 26 of this bill adds three cancers to schedule 1 of the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019, and clause 27 adds a further three cancers to the third schedule of the Forests Act 1958. Many firefighters in my electorate of Mornington and nearby, such as Matt from Mount Martha or Greg from Frankston and indeed from across Victoria, have contacted me about this and related legislation. While many female firefighters will be protected by these amendments – more than 5000 operational female firefighters and mechanics – the Andrews government is still failing to protect firefighters who develop thyroid, pancreatic, skin and lung cancer and malignant mesothelioma.

Our brave Victorian firefighters put their lives on the line to protect life and property and in doing so are exposed to a cocktail of toxins and carcinogens – indeed up to 10,000 different toxins, which are the by-products of combustion within a structure fire. I acknowledge at this time many of our local firefighters in my electorate and nearby, whether from Mornington CFA or Mount Martha, Moorooduc, Mount Eliza, Baxter or Frankston CFAs or indeed across from the electorate in, say, the member for Nepean’s electorate or the member for Hasting’s electorate. In 2022 the federal government built upon its presumptive legislation for federal firefighters by increasing the number of prescribed cancers. This leaves now a situation where firefighters, for instance, at Tullamarine airport are protected by an expanded list of cancers but FRV firefighters just a few kilometres away are not. The irony is that Victorian firefighters could be fighting the same fire yet do not have the same protection.

I want to go further in this regard and note that it would not be the first time that the Andrews government has allowed for inconsistent laws for our firefighters. I have both written and spoken in Parliament about how many Victorian firefighters are barred from returning to their jobs due to mandates preventing them from doing so. This means less firefighters protecting Victorians. Bizarrely, these same firefighters can volunteer as firefighters at the same fire station doing the exact same work they would be doing if they were formally employed but cannot be paid for doing so. Indeed a recent response from the Attorney-General to a representation that I made on behalf of several firefighters in my electorate and nearby indicates that both Country Fire Authority and Fire Rescue Victoria are now in the process of reviewing mandates. While this indicates that hope is on the horizon, it is simply not good enough, and I again call on the Andrews government to take a strong position on this issue and ensure that remaining mandates are abolished for firefighters.

Further on this justice amendment bill, it will implement recommendation 2 of the Tanya Day coronial inquest findings to provide clarity around the role of police coronial investigators in coronial investigations into reportable deaths, essentially giving effect to recommendation 29 of the Royal Commission into Aboriginal Deaths in Custody and recommendation 42 of the Victorian

parliamentary Law Reform Committee report. These changes are important, particularly for our Indigenous community. I particularly note that, having formerly worked on a native title claim up in Queensland and with the Australian Institute of Aboriginal and Torres Strait Islander Studies and in Indigenous affairs in relation to the department of agriculture federally as well, these changes are so important for our Indigenous community and Indigenous Victorians. Such a procedural initiative is important, as noted, and welcomed to ensure that during coronial investigations the powers of the coroner and coronial investigator are transparent and that the investigation is conducted as smoothly and as independently as possible.

Importantly, the justice bill also includes several VCAT-related amendments in part 10, such as clauses 64 to 75, which provide certainty around the jurisdiction and rights of parties in impacted cases. The reforms will essentially (1) expand the class of VCAT members who can make orders to transfer federal jurisdiction, (2) provide courts with the power to extend the limitation period for federal jurisdiction matters referred to them by VCAT and (3) preserve the rights and liabilities of parties involved in previous VCAT decisions which are no longer valid due to the matters having an indirect connection to federal law. Indeed recent court decisions have held that VCAT has no power to hear matters that involve the exercise of federal jurisdiction, including matters where there is only an indirect connection to federal law. This has potentially invalidated a number of VCAT decisions and required the referral of matters initiated in VCAT to a court that can exercise federal jurisdiction. Cases like *Thurin v. Krongold Constructions* deal with these issues, where the Victorian Court of Appeal held that VCAT, which has primary jurisdiction over domestic building disputes in Victoria, can no longer hear domestic building disputes involving the interpretation or application of federal legislation. Cases like this demonstrate the potential to cause disarray in not only the domestic building list of VCAT but other lists as well, as questions relating to federal legislation often permeate disputes before VCAT. Because of the Victorian Court of Appeal's decision, such matters must now be transferred out of VCAT and relisted, with associated delay and increased expense, in a court. The ease with which a VCAT matter can be converted to a federal matter has become a live issue in recent years, and I imagine it will be for some time. Such ease means that there is wide scope for matters to stall in VCAT only to be referred out. Already it is difficult for the court and litigants to navigate the murky and sometimes upended waters of VCAT, and we should be exercising every measure possible to make the process smooth and accessible for litigants in particular.

In relation to the Spent Convictions Act 2021, in part 4, clauses 16 to 25, the bill amends the Spent Convictions Act 2021 by expanding the eligibility for a spent conviction order by narrowing the definition from 'term of imprisonment' to 'custodial term' under new section 5A. The new definition only includes periods when someone is physically detained or imprisoned and excludes non-custodial sentences such as suspended sentences. There are other important technical changes outlined in new section 5B, subsections (2), (4) and (5), as well. While these amendments to the act are welcome, there are still grave concerns held about the Spent Convictions Act, which were touched upon by my colleague the member for Malvern. While I of course acknowledge the importance of low-level criminals moving on with their lives and not allowing one or two mistakes to loom over them forever, the Spent Convictions Act has meant that offenders convicted of serious violent offences and even sex offenders can apply to have their convictions disappear from the record. These hearings are held in secret, completely isolating the victims, the media and the public. While this may be justified for those who have been wrongly convicted, that means for the last 13 months, since the legislation came into effect, offenders have been having their records wiped clean: a sex offender potentially living next door to your family and young children or, worse, in a spare room you have rented out or, say, a violent criminal applying for a job without anyone knowing their history – you name it. That is not to say that people should not have the opportunity for redemption, which I do believe in, but those who are taking on such people should have the right to know their history. While opening up these proceedings to the public would perhaps compromise the confidentiality of the offender, there is no reason why these hearings could not be open to the media, who could then report on them, potentially without identifying the parties. As such, while the spent sentencing amendments in this justice bill are

welcome, there is much more work that this Andrews government should be doing which they are not doing, and that goes widely across the justice and corrections space.

On that note, before I conclude, I would like to note the presence today of Sabe Saitta from Mount Martha in my electorate, who was in the chamber with me today and has received an award via a representative of the Queensland Corrective Services, who is also here with us today. I acknowledge his bravery and service in the corrections field and that award for an act that he did over 27 years ago.

To conclude, back on the bill, the opposition will of course not be opposing this bill, which is largely an omnibus bill. But again I note that this bill touches upon a wealth of other policy areas where the Andrews government simply needs to do more.

Alison MARCHANT (Bellarine) (16:13): It is a pleasure to also rise and add my contribution to the Justice Legislation Amendment Bill 2023. This bill is really about getting on with that ongoing business of improving our justice system. As we go into a third term of government, it is a really important part of our legislative work that we do. This bill is important in maintaining a fair, efficient and effective legal system that responds to those ever-changing needs and that complexity of society. It ensures that laws remain relevant, they are just and they are aligned with the principles of a democratic and equitable society.

As we have heard from contributions today, there are a whole range of changes and amendments that this bill speaks to. It will do several things, but I thought I would touch on a couple of those today that are of interest to me. One, I would like to speak about the bill making changes to enhance the administration of justice by improving those efficiencies, clarifying legislation uncertainties and further supporting the courts and tribunals. These changes ensure that Victoria's legal systems are inclusive for all Victorians and get that balance right of safety with opportunities for rehabilitation. I would also like to speak, secondly, on the bill expanding the firefighters presumptive rights legislation to include three female-specific cancers – cervical, ovarian and uterine. This bill, thirdly, also implements some changes recommended by the Tanya Day inquest, and I will speak to those. If I have time I would also like to speak about ensuring those consumers have up-to-date information in relation to lawyer misconduct.

Speaking to that first part, making permanent those remote hearings and court security arrangements, if we do not make these changes they will lapse in October this year. The bill confirms that the authorised officers can use their existing powers to effectively manage court and tribunal premises in response to public health risks. This of course was very evident during the pandemic. Government had introduced temporary measures to allow the courts and tribunals to use a variety of technologies and continue to operate remotely. These measures were very much a success, really, and helped support public access to those hearings.

These provisions will authorise officers to restrict access to courts and tribunals by giving reasonable directions for the health of all people on premises. This is when a pandemic declaration is in force. The reason is to give those courts and tribunals the confidence and flexibility to introduce measures, and I believe it will help mitigate delays to the administration of justice. It is really important to note here that this is not an expansion of authorised powers for those authorised officers. This is simply clarifying that the powers can be used to respond appropriately to those public health events.

Just on the measures to amend the Open Courts Act 2013, this bill will continue to support – as I have spoken about – remote public access so courts and tribunals can continue to have remote hearings as part of their business-as-usual operation. It also allows courts to provide alternatives to physical access. We know that ordinary hearings must be held in open court in accordance with the Open Courts Act. This is really just to satisfy the open justice approach that we have, but this concept of open court really has traditionally meant open in a physical sense. With the technological changes that we have seen, we need to be flexible. Public and media attendance is really an important part of that process, and it obviously promotes scrutiny and builds confidence in our system, but those technological advances that

we have had and having remote hearings have allowed us to have a different openness to our courts, for example, through live streaming. I just want to note at this point that the circumstances and risks that may be identified in doing those things will be taken into account when they assess which method is best in the interests of justice. This amendment, as I have said, will be a positive step in addressing some of the backlog and reducing the number of hearings that need to be adjourned. We know that these reforms are supported. They can manage their premises safely and digital technology can be administered in the justice system in a flexible, effective and efficient manner.

The second point I want to speak about is addressing that this bill does expand the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 to include the three female-specific cancers, cervical, ovarian and uterine. The Victorian government has acknowledged there are significant risks and dangers to our firefighters and other fire service personnel. They are exposed in the course of their service. In recognising that, in 2019 the government did legislate the firefighters presumptive rights compensation scheme. It is a scheme that recognises the invaluable services provided by firefighters. Earlier this year the government did make that commitment to expand this scheme, and we have acted quickly to bring this bill and these changes. The presumptive rights scheme does mean that if people are diagnosed with specific cancers they do not need to prove that the cancer is directly attributed to their service in order to access this compensation. This will ensure more equitable access to cancer compensation for female firefighters. With the growing number of female firefighters, having the same rights as their male counterparts is absolutely the right thing. At this moment I would like to thank our own local firefighters on the Bellarine, who do a tremendous job keeping our communities safe. The contribution they make to the Bellarine is immeasurable, and I would like to thank them.

With the time that I have got left, I will touch on a few other things that this bill does do. This will implement recommendation 2 of the Tanya Day coronial inquest, making sure that there are changes to clarify the role of police coronial investigators in coronial investigations. This bill will allow the coroner to direct coronial investigators, who will be required to comply with reasonable and lawful direction. This will improve the transparency and independence of our system and provide a clear framework around their role. This is also about making sure we reduce any potential conflict of interest where police coronial investigators are investigating deaths where police were involved. I note that these changes are particularly important for our First Nations community.

Finally, part of the amendment is to ensure that consumers have up-to-date information about lawyer misconduct. We know that finding the right lawyer may be hard, but when you do have a lawyer that does the wrong thing there is a significant power imbalance there. There are changes in this bill that will talk to making sure that our consumers are protected and that wrongdoings are transparent. That sends a clear message to lawyers who do the wrong thing that they will be held to account.

In conclusion to this debate today, in summary, this bill does make a whole variety of amendments, but ultimately it is about improving our justice system. As new challenges and new issues and technologies have emerged, justice legislation does need to be updated to address these changes efficiently, and the legislation that we are putting forward today does that. Amendments help rectify and promote equal treatment under the law, regardless of factors such as race, gender, socio-economic status and other characteristics. This bill is certainly important in maintaining a fair, an efficient and an effective legal system that can respond to the ever-changing needs and complexities of our society. It ensures that the law remains relevant and aligns with those principles of a democratic and equitable society. It is a pleasure to speak on this bill, and I commend the bill to the house.

Ellen SANDELL (Melbourne) (16:23): I rise to also speak briefly on this omnibus bill, the Justice Legislation Amendment Bill 2023. As many other speakers have canvassed, the bill does quite a number of things. One of those things is improving the spent convictions scheme, which the Greens absolutely support. Another is that it ensures that the Victorian Aboriginal Legal Service is notified when an Aboriginal person is taken into custody, which is really important, especially to tackle the scourge of deaths in custody of First Nations people here in Victoria. It also does a number of other

things which the Greens absolutely support. The one part of the bill that I want to focus on, though, is the presumptive rights cancer compensation scheme for Victorian firefighters, and I will focus my speech on this element of the bill as it is an area that needs some improvement and which we have amendments to.

First of all, it is really great to see this bill come before the house and Labor take the move to add another three cancers – cancers which mostly affect women – to Victoria’s presumptive rights scheme. We know that firefighters are exposed to many chemicals and conditions that are known to be carcinogenic, and that is because of the work that they do protecting us. It means that they put themselves in harm’s way to protect the rest of us, and therefore it just makes sense and is more than fair to make sure that they are looked after if they do contract cancer because of this. That is why the state government and the Greens supported presumptive rights legislation for firefighters in the first place. In fact it was something that the Greens pushed very hard for. We pushed very heavily for this legislation early on, and it was in fact Greens MLC Colleen Hartland in the upper house – I know Labor does not like to think that they were not the first and it was not their idea, but if we look back over the record, it was Greens MLC Colleen Hartland in the upper house first bringing this issue to the Victorian Parliament. I am sure that the Labor members of this house can go and look back to those years, around 2014, 2015 –

Mathew Hilakari: She was a Labor member first.

Ellen SANDELL: She was a Labor member first? I do not think so. She is a Green through and through, let me tell you. She is a proud unionist, but she is also a very proud Green. Also, our federal Greens leader Adam Bandt actually wrote the private members bill for the federal firefighters presumptive rights legislation that became the law in the Commonwealth Parliament, and since then we have seen several Labor and Liberal governments pass and extend schemes at the state level.

The state scheme here in Victoria currently only lists 12 cancers. The issue with that is that it stands in contrast with federal legislation, which covers 21 cancers linked to risks from firefighting. It does not really make any sense that state and federal firefighters would have different rights. If federal firefighters are called, say, for example, to a fire at the airport and their state colleagues are working just down the road, potentially even on the same fire, why should one group have access to certain protections if the other group does not? We surely cannot have a scheme that essentially expects two groups of Victorian workers to run into the same burning building but only compensate one group if they are injured doing so. So we do need consistency with the federal scheme and with equivalent schemes in other states. Currently this bill proposed by the state Labor government is only proposing to add three more cancers to the list, so that means that federal firefighters will still be significantly more protected than our state firefighters. In Victoria 15 cancers will be covered versus 21 federally, so we do need to fully align our scheme with the federal scheme and include those further six cancers in Victoria to make the schemes equal. That is why I am putting forward amendments today to cover all 21 cancers, and under standing orders I wish to advise the house of these amendments to this bill and request that they be circulated.

Amendments circulated under standing orders.

Ellen SANDELL: These amendments will mirror the Greens bill, the Firefighters’ Presumptive Rights Compensation Legislation Amendment Bill 2023, which the Greens introduced in the upper house of Victoria’s Parliament two weeks ago. Extending the scheme to include these additional cancers will make our scheme comparable to the schemes currently operating in other states as well as internationally. Crucially, this bill is not just about compensation for those who contract cancer, although of course that is incredibly important; putting all 21 of these cancers in legislation means that these workplaces where our firefighters are will have more incentive to help prevent exposure to carcinogens and to identify harm and disease early on. So if this legislation means that more firefighters are able to access early screening for cancers, for example, or workplaces offer more protection, then surely that is a really good thing. As I mentioned earlier, it is something that we have

been champions of. I am pleased to see that all parties have actually been able to work together on presumptive rights legislation across the country. In this spirit of multipartisanship I ask that all parties help to finish the job and support these amendments that am putting forward today to fully align the Victorian scheme with the federal scheme so all our firefighters have the same protections.

On a personal note, I want to share a little bit about some of my personal reason for being passionate about this issue. Of course I am very passionate about protecting all Victorian workers and our firefighters in general, but my dad was involved in firefighting for a number of years. He worked with the Department of Sustainability and Environment and Parks Victoria for than two decades, including playing a significant role in the Black Saturday bushfire response amongst many, many other fire events. In 2014, just before I was elected, he passed away from cancer. He had two different types. I am not suggesting it was caused by exposure to chemicals as part of his work. I know that many were exposed to chemicals a lot more than he was. We were in the country, so he was not necessarily always attending chemical fires, for example. He was not always also a frontline responder. But who knows, maybe there was a contributing factor there. I do not think that we will ever know, and I think that there will be many, many families that are like mine, maybe in the back of their mind just wondering the same thing. Many will know for sure that their family member's cancer was caused in part because of the work that they did to protect the community; many will not know. But it is more than reasonable and more than fair that people who protect us then have protection as well.

It really is the least we can do to assist these families and assist these firefighters when they face that horrible situation but also to introduce legislation that does everything that we can to try and prevent it happening in the first place. I very much commend this bill, not just this part about presumptive rights but all the other elements of the justice legislation to the house, including commending the amendments that I have circulated.

Meng Heang TAK (Clarinda) (16:30): I am delighted to rise today to speak on the Justice Legislation Amendment Bill 2023. This is another important bill that we have on the agenda this week and one that I am really happy to have the opportunity to speak on. There are wideranging amendments that will introduce miscellaneous changes to support the courts and VCAT, implement recommendations regarding police coronial investigators and improve the operation of various justice and legal acts. Further to this, there are also important changes to expand the firefighters presumptive rights legislation to include three female-specific cancers, and I will come back to that a bit later.

As I mentioned, there are a wide range of amendments being made here and an important host of amendments being made to our justice legislation. The first of the various justice changes is with regard to open courts, mainly for open courts to permanently have remote hearings and court security for management of the court premises, which would otherwise lapse on 26 October 2023. Just talking about open courts, last week I had the opportunity to show off to two of my friends from other jurisdictions our legal system – our court system – here, and it was amazing when they told me about the legal systems in other countries. The open courts that we have here and also the remote court hearings allow access for those who would not otherwise be able to make the trip, especially with the Children's Court, which involves sensitive information. We do have a lot of inquiries through the electorate office seeking assistance, advice and services related to court matters, and I have been really impressed with some of the remote hearing functions and am glad to see some of those functions continue here with these amendments.

Moving on, there are further amendments to recognise the role of police coronial investigators. This is related to the Royal Commission into Aboriginal Deaths in Custody's recommendation 29 and recommendation 2 of the Tanya Day coronial inquest, coming after the tragic death of Yorta Yorta woman Tanya Day in 2017. Of course we are really glad to see those recommendations being progressed here today, and a lot has happened since the inquest, which also recommended decriminalising public drunkenness. Just earlier this month there was some exciting news on the Collingwood sobering-up centre, and we have all heard about that. We know the issue of public drunkenness is one that has been discussed over many decades, and this vital reform will ensure some

of the most vulnerable people in our community are not met with stigma or locked up unnecessarily. Every Victorian deserves a safe place where they have access to the support that they need. For those battling with addiction or their mental health, a jail cell is not the place where they ought to be.

I have been proud to see the extensive trial at Gertrude Street in Fitzroy and the health-led response modelling that has highlighted the importance of these services for many and that access to a permanent sobering-up centre may be the difference between life and death. I was very excited and proud of the announcement earlier this month that the Andrews Labor government will establish a dedicated sobering-up centre in Collingwood, keeping people who are intoxicated in public safe by treating public drunkenness as a health issue and not a crime.

The plans are for a 20-bed centre. It is part of the new health-led response modelling following the passing of the legislation decriminalising public drunkenness, which will see current offending transition away from a justice-based response in November this year. I am very happy to see the advancement there on the Collingwood initiative as well as the advancement of the recommendations on public drunkenness and the recommendations here in this bill to recognise the roles of police investigators. In addition there are also changes to the Children, Youth and Families Act 2005 to support the introduction of the electronic case management system portal in the Children's Court family division.

These are positive changes. These changes clarify that certain jury directions are available in all sexual offences trials. As well there are changes to spent convictions. As I said last week, I had the opportunity to actually talk to two friends, lawyers from other jurisdictions, other countries basically, and also to visit the actual court and to have explained and to see how jury directions work and the application they have in our court system. As we have heard, it is also important that they will remove the unintended limitations of eligibility for under-18s to have convictions spent, with the removal of requirements that they must have sentences under specific legislation and adding a new defined custodial term to provide certainty about when the conviction can be spent.

I would like to move on quickly through the remaining changes. There are changes to legal professions law to clarify consumer protections by enabling the registering of disciplinary action taken against lawyers to be updated immediately – and this is very important. As we have heard, other speakers before me have already contributed on these very important changes. As well there are changes to criminal procedure amendments to allow specific employees under the Dairy Act 2000 and Meat Industry Act 1993 to witness statements that are provided in criminal prosecution briefs. Finally, there are various amendments to address issues in respect of VCAT's jurisdiction in response to a recent court decision; amendments to the Crimes Act 1958 to require mandatory notification of the Victorian Aboriginal Legal Service where a person taken into custody self-identifies as Aboriginal; and amendments to the Victoria Police Act 2013 to maintain the existing ability to prescribe fees for the provision of police services. I have mentioned a wide range of important and necessary changes right across our justice legislation and justice system and change that I am very happy to support here today.

I am very happy to support the changes here to expand the presumptive rights legislation to include three additional female-specific cancers in the presumptive rights scheme for firefighters, as we have already heard. So all in all there is progress being made here today and we are delivering some very good results. I would like to thank everyone from the district that made contact with me and my constituency and thank them for all the amazing work of keeping our community safe. I am talking about our firefighters' and CFA volunteers' hard work to keep our community safe. And we had a really positive result in our budget, namely in Clarinda and next door in the electorate of the hardworking member for Mordialloc. There is some really positive investment in the facilities and equipment that they need to stay safe, and we are investing half a million dollars for Keysborough CFA to plan for station upgrades so our hardworking volunteers there can continue keeping our community safe. So I am really proud to support that important investment, and I am very proud to support these important changes here in front of us today. I commend the bill to the house.

Annabelle CLEELAND (Euroa) (16:40): I rise today to speak on the Justice Legislation Amendment Bill 2023, a bill that we do not oppose. This omnibus bill is rather uncontroversial, making several fixes to the wording and clarity of various pieces of justice legislation. This is a bill that we have seen in other forms previously, with the Justice Legislation Amendment Bill 2022 passing through both chambers last year. Much like this bill, last year's version was introduced to make a number of minor but necessary amendments to existing justice legislation and to help clarify the law and support procedural improvements. A similar bill was also passed through both chambers the year prior to that, with several temporary COVID-19 measures for our justice system implemented through these changes. While these bills may appear to be merely a formality, they introduce necessary changes and ensure that legislation relating to our justice system is kept relevant and appropriate – well, at least for another year. I will run through some of the changes this year's bill will address and what kind of impact these changes will have. From looking through the bill, there are 11 key areas where changes are made, with nearly all areas of our justice system covered, including courts, criminals, coroners, police, lawyers, firefighters, juries and tribunals.

One of the amendments will be to clarify and confirm temporary changes to the Open Courts Act 2013 and the Court Security Act 1980. These amendments apply directly to court proceedings and include supporting remote public access, proposing alternatives to physical court hearings and making changes to the enforcement powers of court officers. These were initially introduced as temporary fixes during the pandemic and were due to expire on 26 October this year. Under these new provisions, court officers will be empowered to enforce not only relevant pandemic orders but also measures necessary to safeguard the health and safety of court users. At the same time court officers exercising their power to seize prohibited items will need to demonstrate reasonable grounds that an item is prohibited before taking this action. The accessibility of court proceedings also features heavily in these amendments, with changes upholding the legality of holding these proceedings online should it be necessary. There are also updates to account for some modern realities we face with the justice system, particularly when it comes to digitisation of records and management.

The Spent Convictions Act 2021 is updated to facilitate information sharing and increase accessibility within the scheme. This also intends to provide safeguards to ensure that identified data is not made publicly available, although clause 23 does state it will not be an offence to publish de-identified data. The Children, Youth and Families Act 2005 is also amended, with a focus on supporting the introduction of electronic case management in the family division of the Children's Court. These reforms will allow certain documents to be filed electronically, a necessary update to the system, considering the digital world we now live in.

The Coroners Act 2008 is another section of our justice legislation that is amended, with recommendations for coronial inquest findings being implemented as well as recommendations from the Royal Commission into Aboriginal Deaths in Custody. Additionally, through amendments to the Crimes Act 1958, the Victorian Aboriginal Legal Service is now contacted when a person taken into custody identifies as Aboriginal. This must be done within 1 hour of the person being taken into custody or, if not practicable to do so, as soon as it is.

The Victoria Police Act 2013 will be amended too, correcting what seems to have been the inadvertent removal of regulation-making powers to prescribe fees for services provided by police officers, PSOs and Victoria Police employees. The legal profession also is included in these amendments, with language changes to remove current impediments to prosecution, including hefty delays. For juries, the Jury Directions Act 2015 is amended to clarify that certain jury directions are available in all sexual offence trials, regardless of whether the prosecution is required to prove a lack of consent. This remedies errors made in 2022, when new jury directions were worded in a way that unnecessarily references a lack of consent. A new section in this legislation provides that, if an absence of consent is not an element of the offence, the direction still applies in the same way as some other sexual offences.

I want to quickly touch on some of the changes that will be made through this legislation to tribunals such as VCAT. These amendments are in response to recent court decisions that seem to shrink the

jurisdiction of VCAT and to provide certainty about the jurisdiction and rights of parties in impacted cases. The reforms to VCAT will expand the class of VCAT members who can make orders to transfer federal jurisdiction matters to a court for determination as well as provide courts with the power to extend the limitation period for federal jurisdiction matters referred to them by VCAT. They will also preserve the rights and liabilities of parties involved in previous VCAT decisions which are no longer valid due to the matters having an indirect connection to federal law. Recent court decisions held that VCAT has no power to hear matters that involve the exercise of federal jurisdiction, including matters where there is only indirect connection to federal law. This has potentially invalidated a number of VCAT decisions and required a referral of matters initiated in VCAT to a court that can exercise federal jurisdiction.

Lastly, there are some crucial changes made to amend presumptive rights compensation for firefighters. This is done by adding an additional three cancers to schedules in both fire services legislation and the Forests Act 1958. The additional three cancers impact female firefighters and include cervical, ovarian and uterine cancers. Firefighters are the backbone of many regional towns, with CFA volunteers being such an essential part of our communities. So often they show a selfless determination in the face of danger, and it is time that they were supported accordingly by this government. While it might initially be difficult for some to grasp the necessity of these changes, they are covering several bases of our justice system that require updates and clarity.

Our justice system has suffered in recent years, with outrageous backlogs in our courts and tribunals and difficulties with increasing crime in regional areas. Recent data from the Crime Statistics Agency have shown a rise of both criminal incidents and the number of offences recorded in my region during the past year. In the Mitchell shire, which includes many towns in the Euroa electorate, there has been a 10 per cent rise in criminal incidents and a 13.5 per cent rise in offences recorded. These are primarily offences relating to breaches of family violence orders, theft, assault and drug offences. Benalla has had similar jumps, with criminal incidents well above the state average and 921 criminal incidents recorded in the last calendar year – for a town with a population of 14,000. Even reading the newspapers recently there has been an alarming amount of violent crime, with shootings, stabbings and break-ins.

I will not oppose any legislation that encourages a more effective and efficient justice system, but while an effective justice system is important, so is the need to invest in our police's resources and preventative support services. Just this week we have been hearing chatter about the one-person police stations across Victoria that are under threat. Sadly, like much of the government's policy we see introduced, this will be of particular detriment to regional towns, including those in my electorate. Violet Town, Stanhope and Pyalong are all home to one-person stations in my electorate, and each one of these towns is set to be negatively impacted by this change. These small country towns are often too far away from any major centres for a response within a reasonable time, and the loss of a single-officer station equates to further pressure on incident response times. We need more cops, not less. Police in small towns are more than just the local officer. They are an integral part of the community and have to balance the fine line of enforcing the law and being mates with locals. This is another example of small country towns being sacrificed in the name of bureaucracy and decisions being made in Melbourne. The Andrews Labor government needs to fix its issues with police recruitment and retention and keep its hands off our single-officer police stations in rural areas.

Bronwyn HALFPENNY (Thomastown) (16:48): I also rise to speak in support of the Justice Legislation Amendment Bill 2023. As previous speakers have mentioned, this bill provides the mechanism to amend numerous pieces of legislation. Each one of these individual amendments – I think there are around 11 of them – could actually be an individual bill to be debated in Parliament, but of course sometimes it is much more efficient to bundle up amendments into one bill to be debated and presented to the Parliament and have those items dealt with in one go. In doing that there is a power of work that is required to look at all those pieces of legislation, not only the 11 pieces of legislation which we are talking about amending today but also of course any consequential pieces of

legislation and what the effects will be on those. This shows how complicated and difficult it can be to amend and change legislation but also how absolutely important it is to do so, because often legislation changes because of changes in community attitudes.

It might be because of changes in the way we do things. It might be because of advancements in technology or other advancements. Of course it could also be due to scientific evidence that means that further changes to legislation are required. It could also be experiences that have come across as a result of the legislation, which may indicate it is not doing exactly what it ought to do. It is very important that we have legislative changes for justice, to ensure that we have a system that is very fair and equitable, and that we make sure that our legislation, whatever it is, applies to everybody equally and for the best possible outcome.

I am just going to talk about a couple of the amendments. Of course with the 11 that are in here I could go on for far more than 10 minutes, but I will just talk about a couple of the amendments that are being proposed. The first one is around the amendment to the Court Security Act 1980 and the Open Courts Act 2013. The amendments that are proposed and that we are discussing today are really about things that occurred when we changed the way we do things. It may also be because in those changes we found that it is more equitable, and this is the case with the amendments to these two pieces of legislation. Basically they came about as a result of the terrible pandemic and the need for the courts to do things a bit differently, both in the use of remote appearances and videoconferencing. All of us would remember at the very start of the pandemic how proficient we became with things like Zoom and Teams and all the videoconferencing and group video things that we were doing at the time to keep ourselves connected and also working. The courts were using this type of technology to ensure that the virus did not spread but also to ensure justice was served and people had their day in court and were not on remand for indefinite periods as a result of the inability to open the courts in person due to the terrible pandemic that we were facing and trying to control at that time when we were not sure what was going to happen. The other aspect of this legislation is around some of the security measures that were required at the time. Some of those were put in on a temporary basis, and it has been demonstrated that they have worked and made things a little bit easier without infringing on people's rights. Therefore those changes are also part of these amendments that we are talking about. In terms of the use of videoconferencing, there was a review of this, and it did in many cases in remote areas provide better access and better engagement for people in those areas to participate in court hearings and also watch what was going on.

The second one that I would like to also talk a little bit about are the changes to the Coroners Act 2008. This amendment is about ensuring that the coroners themselves are the ones that can direct a coronial investigator, because of course a coronial investigator is actually a police officer that is nominated by the Chief Commissioner, but it may not always be that the coronial inquiry is the same or in step with a police investigation. It may well be that there is a conflict of interest. If the terrible situation of a death has occurred and there has been some form of involvement by police – I am not saying in a deliberate sort of way – for example, in cases of Aboriginal deaths in custody, of course there ought to be an independent process to ensure that justice is done, that the matter is properly investigated and that the police and their actions are also properly investigated. This is why there is an amendment to ensure that the coroner themselves has control over the coronial investigator. This is nothing new – this is the sort of thing that is happening in other jurisdictions in other states – and it means that it is a fairer system with more impartiality. As I have said, it was also a recommendation in the Royal Commission into Aboriginal Deaths in Custody and it has been the subject of parliamentary committee recommendations. This is the time to make this change and make sure that the Coroners Act is in step with other states and also ensure that little bit more independence.

The third amendment that I would like to talk about is the amendment to the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 and the Forests Act 1958. Of course I think we all know about the firefighters presumptive legislation. Presumptive legislation is really just based on the science and the evidence, where particular diseases are caused by

particular occupations, and those diseases are spelt out so that there is not a situation where in each case that a person in that occupation contracts that disease or illness they then have to prove that it is linked to the illness that they have – for example, that the chemicals or some other practice are linked to the illness that they have and the sort of exposure that they have had and every little minute detail of what happened. It is assumed that, for example, if you worked with lead in days gone by and you have lead poisoning, it is an occupational disease, and you will be compensated for it. So the presumptive legislation for firefighters is not new in principle, even in the workers compensation legislation as we have it. For many years and decades there have been provisions for industrial disease. There is a schedule of those diseases and the occupations that are related to those, and therefore there is a presumption that the illness was a result of that occupation. What we are doing here is including some additional cancers. It is always awful to think about your work actually causing serious illness and in some cases terminal illness, and of course we do not want to see anybody dying at work. But I guess the issue with firefighting is that often firefighters are coming into contact with all sorts of chemicals – often unknown – and mixtures of all sorts of things. I know the Fiskville inquiry that I chaired many years ago looked at the Fiskville CFA training college and how terrible the chemical contamination was there and the way that people were exposed. So it is really important that we update again based on evidence to ensure that other cancers are included as a result of that evidence.

Paul EDBROOKE (Frankston) (16:58): It is a pleasure to rise this afternoon to speak on the Justice Legislation Amendment Bill 2023, and I thank the Attorney-General and her team for this bill and their briefings as well. The context behind this one is of course enhancing the administration of justice by improving efficiencies, by clarifying legislative uncertainties and by supporting courts and tribunals to respond to case backlogs and to effectively manage their premises. It also responds to recommendation 2 from the Tanya Day coronial inquest findings, which I think everyone in this house would be intimate with. It will give effect to recommendations from the Royal Commission into Aboriginal Deaths in Custody and the Victorian parliamentary Law Reform Committee review of the Coroners Act 1985. It also ensures Victoria's legal and justice systems are inclusive for all Victorians, consistent with government cost recovery principles, appropriately balanced rehabilitation opportunities and community safety considerations, and it responds to a recommendation from the report of Parliament's Legal and Social Issues Committee inquiry into Victoria's criminal justice system.

We have heard quite a bit from those opposite in regard to this bill. I think where they are accurate and correct is that it is somewhat of an omnibus bill. It makes amendments to the Court Security Act 1980, the Open Courts Act 2013, the Coroners Act 2008, the Spent Convictions Act 2021, the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 and, with that, the Forests Act 1958, which we will go to in a second. It amends the Legal Profession Uniform Law Application Act 2014, the Children, Youth and Families Act 2005 and the Jury Directions Act 2015. It also makes minor technical amendments to the Criminal Procedure Act 2009 and it amends the Victorian Civil and Administrative Tribunal Act 1998, the Wrongs Act 1958, the Limitation of Actions Act 1958 and the Domestic Building Contracts Act 1995 to address various legal and procedural issues.

I would like to thank the previous speaker, the chair of the Fiskville inquiry, who we heard from just then. That was a very, very important inquiry for everyone in Victoria but especially for firefighters. Those opposite at the time were campaigning to keep Fiskville open against the facts and the foundation of evidence that this was a facility that was poisoning people to the point where we now know the board at the time had EPA reports telling them that. Thank you to everyone that was on that inquiry. It led to quite a lot of the reforms that we have seen this government carry through.

Just on that, obviously I have spoken about this amending the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 and that is actually to carry through a previous commitment to include three additional female-specific cancers. I well remember a time where in 2013, I think it might have been, we had a minister who had said that there was no link that they could draw between firefighters and cancer – going from not having enough

science to now having firefighters covered. I am not saying that things will not change in the future, because they obviously will as more evidence and more scientific facts come to light about the dangers of that particular profession, but I am a proud member of the Andrews Labor government that stood here and even went through the Good Friday incident in the other house, where we saw members of the opposition come in on Good Friday after saying they were leaving, and there was a pairing agreement in that. But we will not rehash history. It is good to see three cancers added to this list.

One of the things that has been spoken about is what those presumptive rights mean and what that presumption is legally. For the profession of firefighting, I think it comes down to the fact that when firefighters, male or female, are responding to a job they often do not know what they are going to. It could be a car accident, it could be a hazmat incident, it could be a house fire or an industrial fire, but they do not know what is actually on fire at the time. They can make some kind of size-up decisions on arrival, they can tell certain things by the colour of the smoke and whatnot, and that is of course why they are provided with the protective equipment that they have – breathing apparatus, different styles of turnout gear, flash hoods. The one thing we do know from international science is that at the moment we have not got any way of preventing firefighters from being exposed to unknown carcinogens, and they come from a range of fires, a range of things that firefighters are exposed to. But we know from that international scientific research that there are certain types of cancers that firefighters are predisposed to because of their work, and legally that has been able to be proven and that is why we have this presumption that if a firefighter is diagnosed with a certain cancer, if they have been working in that job for a certain time, whether it be as a volunteer or a permanent firefighter, that is actually because of their work and the work they have done for this community and the government will provide that coverage for them. It has been interesting to hear that some of the opposition are still fairly confused about the volunteer and staff separation there. It is my understanding that regardless of whether you are staff or a volunteer, you are covered by this legislation.

As someone who was fairly heavily involved in its inception and its rollout, that is what we spoke to people about; that is what we agreed to do. You find yourself as a former firefighter going to funerals, and all too often, but certainly there are firefighters now who are better off because of the legislation that this government has put in place. That is just one part of this omnibus bill that is coming through today.

There is another really important part of this bill that I think has been touched on by some members on this side of the house. People have been talking about the Voice and whatnot with it, but it is actually to ensure that our First Nations people can identify as First Nations and that a legal service is actually notified. That is really important. We have heard about self-determination, and that has been spoken about quite a bit in this chamber this afternoon. Self-determination is something that we cannot speak about enough and cannot take action on enough. Obviously there are reforms that we are putting in place: we have got the First Peoples' Assembly. We have got a referendum on the Voice that is really important, and that is going to become, I guess, more and more a feature of everyday life as we move towards that campaign.

Certainly it is something that this bill allows people to self-nominate as someone of Indigenous heritage, and that is really important for other agencies to know about – other Aboriginal agencies, like Victorian Aboriginal Legal Service. I think it is an amendment to the Crimes Act 1958 in fact that specific investigating officials can retain that discretion to notify VALS in the absence of self-identification. Victoria Police did apparently show some concern that it may conflict with those principles of self-determination. VALS have confirmed quite a few things and that it is appropriate to be notified in all circumstances where a person might be taken into custody.

Once again, it is really quite an interesting piece of legislation. We talk about omnibus bills all the time, and we pick and choose what we might like to talk about, but certainly in this climate, where we are actually just about to step into a national reform – hopefully – I hope people can find it in their hearts to vote yes for an Aboriginal Voice to our constitution. The understanding is that we need to not just move forward with that but also with bills like this to make sure that we are doing the right

thing. We are a progressive Labor government that people know, and they acknowledge the work we do. Certainly in my area there is a very conscious effort to make sure that we do the right thing. I think people are considering that and people are thinking about that. People are actually educating themselves on why we need to do this and what the history is. There are generations of people that maybe did not have that education. So this bill goes a long way across the context of many of these legislative objectives to do the right thing, whether it be with firefighters or whether it be with our Aboriginal community and our legal community. I commend the bill to the house.

Dylan WIGHT (Tarnait) (17:08): It gives me great pleasure this evening to rise and contribute to the Justice Legislation Amendment Bill 2023. This is an omnibus bill, as has been mentioned by previous speakers, that goes to amending 11 different areas. The heart of the bill is really about refining Victoria's justice system. This bill tackles the crucial issue of firefighters presumptive rights and expands that coverage to include three specific female cancers: cervical, ovarian and uterine. It is a change that is so incredibly important given that we now have a large portion of female firefighters here in Victoria, something that Victorians and this government are indeed incredibly proud of, but it also goes to the fact that we would like to recruit many, many more female firefighters going forward.

On that point, and on presumptive rights, I think that it is important just at the start of my contribution that I speak briefly to the contribution of a few of those opposite but perhaps in particular the member for Mornington, who stood up earlier – I was lucky enough to be in the chamber – and spoke about the fact that he had consulted with members of his community and did not think that this legislation went far enough. Just to be abundantly clear, the Liberal and National parties, the coalition that sit opposite us, have opposed presumptive rights for firefighters and for workers in that industry every single step of the way. When we passed legislation for presumptive rights for firefighters in the CFA and in FRV, the Liberal and National parties opposed it. When we extended those rights to maintenance workers, both with the CFA and with FRV, the Liberal and National parties opposed it. So the audacity of the member for Mornington to stand up here this afternoon and tell us that the Andrews Labor government is not going far enough in presumptive rights, quite frankly, is incredible. If it was not for the Andrews Labor government, if it was up to those opposite, nobody working in those industries in Victoria would have presumptive rights right now. They would not have presumptive rights right now.

Furthermore, presumptive rights for workers in those industries has always been based on science. It has always been evidence-based. It has been an incredibly important part of it. So what we have right now is a situation where we can here this week pass legislation which includes those three very, very important cancers in relation to female firefighters and maintenance workers; we can pass that legislation to strengthen presumptive rights once again. The fact remains that for the list of cancers that the member for Mornington would like to include the work just simply has not been done for us to be able to stand here with confidence and say that with an evidence-based model we can include those cancers right now. Furthermore, what it would do if we were to wait for that work to be done is hold up those three cancers that are being included as part of this legislation. It would take longer for those rights to be offered to workers in those industries.

This bill also embraces the information gathered across the Tanya Day inquest, the Royal Commission into Aboriginal Deaths in Custody and the Victorian Parliament Law Reform Committee's review of the Coroners Act 1985. The bill's overarching aim is to bolster the administration of justice by streamlining processes, clarifying ambiguities and lending support to courts and tribunals.

Now, the roots of this bill trace back to a commitment made during a parliamentary debate in 2021 – a parliamentary debate that I was not in this place for but a parliamentary debate that I have a really clear and strong memory of because I was working for the AMWU at the time. During that debate they committed to consider scientific evidence in the expansion of presumptive rights for forest firefighters. And I also remember around the same time that we extended presumptive rights to cover maintenance workers with both the CFA and with FRV. I would like to commend the AMWU and the ASU in Victoria on all the work they did in lobbying for those changes – changes that were so

incredibly important and, once again, changes that those opposite did not support. Once again, for them to come in here and tell us that we are not going far enough is a bit of a laugh. As I said, this legislation was borne out of that debate, and today we aim to fulfil that commitment.

The expansion of presumptive rights is a significant step towards ensuring fair access to compensation, as I said, particularly for women, who now make up a significant portion or cohort of that workforce that are covered by presumptive rights. We hope indeed into the future that they will make up an even more significant cohort of that workforce that are covered by presumptive rights, and absolutely the hope is that this legislation will continue to encourage that. With a strong track record of supporting workers, the Andrews Labor government has championed the firefighters presumptive rights compensation scheme. Building on this foundation, the government extended the presumptive rights reform to include FRV and CFA vehicle and equipment maintenance workers, as I spoke about just before, aligning their rights with those volunteer firefighters who face carcinogens at fire events. This current bill aims to take the commitment further by broadening access to compensation for women within the presumptive rights scheme. Specifically, the bill proposes the inclusion of primary site cervical, ovarian and uterine cancers in the prescribed list of covered cancers in line with an announcement made by the Minister for Emergency Services on 9 June this year. Recognising the urgency of this change, the government promptly introduced this bill to the Parliament, and that goes to what I said earlier about the need to include these cancers now, given that we are doing this and have always done this on an evidence-based model.

Firefighters and personnel undertake a vital role in our community, and I would like to briefly, with the time that I have left, touch on the incredibly important role that firefighters play in my community of Tarneit and Hoppers Crossing. I am lucky enough to have two fire stations in my electorate – one FRV station in Tarneit as well as the Truganina CFA. Truganina is just outside of my electorate, but the Truganina CFA depot is actually within Tarneit. Those volunteer and career firefighters play such an integral role in keeping my community safe, whether that be from accidents at home, from house fires, or from grassfires in some of the vacant land that still exists around my community. This legislation is aimed at protecting those that are protecting our community, and I commend the bill to the house.

John MULLAHY (Glen Waverley) (17:18): I rise to speak in favour of the Justice Legislation Amendment Bill 2023, and from the outset I would like to thank all of those who have contributed to making the bill a reality, from the relevant ministers and their advisers in departments through to the many activists who have been agitating for the reforms contained in this bill. While it is, as my colleagues have already reflected upon, an omnibus bill of sorts with a variety of legislative changes, that does not make it any less important.

There are two significant elements of this bill I would like to take a moment to address today. The first has come about because of a deep tragedy, namely the passing of proud Yorta Yorta woman Tanya Day. On 5 December 2017 Tanya boarded a V/Line train in Echuca bound for Melbourne, but she never made it to Melbourne that day. Instead she was taken off the train at Castlemaine and arrested for public drunkenness and taken to Castlemaine police station. She went for hours in her cell unchecked. In the process she fell multiple times, hitting her head and suffering a brain injury. Tanya died in the days afterwards.

In the aftermath of her passing, Tanya's family and community campaigned together with human rights lawyers from the Human Rights Law Centre and the Victorian Equal Opportunity and Human Rights Commission. Thanks to their campaign, the coronial inquest into Tanya's death took into account the role of systematic racism in her death and made a number of important recommendations for reform. Of these recommendations two were directed to the Attorney-General. The first was the recommendation to decriminalise public drunkenness and repeal the associated section in the Summary Offences Act 1966. I am proud to stand here today before you as part of an Andrews Labor government that has done just that. After receiving and accepting the coroner's recommendations, the then Attorney-General the Honourable Jill Hennessy appointed an expert reference group to examine how we best shift from a custodial criminal response to public drunkenness to a health-based response,

because we know that public drunkenness is not a moral issue or a legal issue, it is a health issue, and this government believes it is best viewed through a health and wellbeing lens. That is why we passed legislation, which came into effect in November last year, to this very effect, removing public drunkenness from the statute books and replacing it with a health-based response.

That being said, we are here today because the legislation before us implements the important second recommendation made by the coronial inquest into the death of Tanya Day. The inquest recommended to the government that the powers of the coroner should be clarified, especially around the role of directing police officers during coronial inquests. While these powers have been established informally, until now they have not been bound in legislation. Today this bill changes that for the better. By providing this clarification and codifying these powers in law, we will improve transparency and accountability in the justice system. Just like the recommendation to decriminalise public drunkenness, this recommendation is not new. In fact this is a changed form of recommendation 29 of the Royal Commission into Aboriginal Deaths in Custody and recommendation 42 of the Victorian Parliament Law Reform Committee report into the Coroners Act 1985. In hearing of the need for this reform from the royal commission, from the Law Reform Committee and now from the inquest into the death of Tanya Day I am proud to be part of a government that is taking real action and delivering that positive change. In doing so we will be making Victoria's justice system more fair and more transparent for all, and that is deeply important for both our justice system more broadly and the healing journey of Tanya Day's family and community.

In addition to this important reform, this bill before us today, the Justice Legislation Amendment Bill 2023, makes important steps forward in expanding presumptive rights for firefighting staff across Victoria. Firefighters do invaluable work in our community. It is something many of my colleagues have already spoken about in this place, and I would like to give a shout-out to the two firefighters I am aware of in our Labor caucus, the member for Frankston and the member for Pakenham. I am more than happy to be corrected if there are any further firefighters –

A member interjected.

John MULLAHY: And the member for Bass; I do apologise.

Members interjecting.

John MULLAHY: The member for the Benambra – excellent. Firefighters, whether they are part of Fire Rescue Victoria, the CFA or the organisation that makes up Forest Fire Management Victoria, all do critical work in keeping our community safe. Whether they are responding to structure fires or bush or grassfires or arriving – often first – at the scene of traumatic accidents, the Andrews government truly appreciates their service. So often in their work they are exposed to carcinogens, which puts their health at high risk. Many end up developing cancers as a consequence of their work and service in keeping our communities in Victoria safe. For too long firefighters have had to fight hard to access compensation after a cancer diagnosis, with difficulty in linking the diagnosis to a particular event or exposure. The challenge is only compounded by the fact that, at the same time, these Victorians also have to take on one of the hardest health challenges one can face.

For this reason the Andrews government is proud to have commenced a presumptive rights scheme for firefighters diagnosed with cancers which are likely due to their work protecting our community. The scheme first commenced operation in 2019, and it means individuals diagnosed with specific cancers do not need to go through the arduous process of proving a direct link to workplace exposure, because the science and research tells us their diagnosis is likely due to their service. This landmark reform has provided peace of mind to thousands of firefighters and their loved ones since it was introduced, and has seen hundreds of claims made since the scheme came into effect back in 2019.

But we are not stopping at that initial piece of legislation that brought this scheme into being. As a government we are working to expand the scheme so more firefighters have access to the justice and comfort afforded by this important reform. This includes recent expansion of the presumptive rights

scheme to cover the CFA and FRV vehicle and equipment maintenance workers who also attended fires in their career. But we are not stopping there. Today marks another step in the expansion of the scheme. The bill before the house will ensure three female-specific cancers – namely, cervical, ovarian and uterine cancers – are included in the presumptive rights scheme. Just like the existing scheme and similar models across Australia and overseas, presumptive rights will be subject to a 10-year qualifying period. It will continue to be managed by WorkSafe Victoria and will cover FRV, CFA and Forest Fire Management Victoria firefighters and vehicle mechanics equally. I am proud to be part of the Andrews Labor government for taking this important step to protect our firefighters and provide the resources they need both when fighting fires and when fighting for their wellbeing.

I truly hope this comes as good news to the thousands of firefighters across the state. In particular I would like to give a shout-out to those based in two fire stations in my electorate, FRV station 28 in Vermont South and FRV station 31 in Glen Waverley, and I extend that shout-out to all those in the eastern and southern D1 districts more broadly. Thank you sincerely for the work that you do every day to keep our communities safe. This government stands with you in providing the resources you need to do your jobs well. On this side of the house we say the last thing you need when fighting the evil that is cancer is trying to prove the specific cause of your illness – because the science and the research tell us that the job is highly likely the cause, and we believe the science. That is what this legislation is about.

The bill is all about improving Victorians' access to justice. As legislators it is absolutely our responsibility to create a stronger and fairer justice system for all, and the Justice Legislation Amendment Bill 2023 is a strong step in that direction. Whether you are a female firefighter diagnosed with cancer because of your work fighting the bureaucracy to access compensation, or whether you are a family member of Tanya Day who has spent years fighting for a fairer and more just world, this bill is for you – for those fighting for a more equitable society – and I am proud to be part of a progressive Andrews Labor government that has your back every day that it has the privilege of being in government. I am pleased to commend the bill to the house.

Anthony CIANFLONE (Pascoe Vale) (17:27): I rise to speak in support of the Justice Legislation Amendment Bill 2023. As we have heard from the debate thus far, this is a wideranging omnibus bill that amends a number of acts to support and improve the operation of Victoria's justice and legal systems. It is a bill which seeks to do a number of things, as we have heard, but I will just run through those as quickly as I can. It seeks to amend the Court Security Act 1980 and the Open Courts Act 2013 to permanently embed temporary measures for remote hearings and management of court premises which would otherwise lapse on 26 October 2023. The bill amends the Coroners Act 2008 to make the coronial system more transparent by providing coroners with an explicit power to direct coronial investigators in coronial investigations. The bill amends the Spent Convictions Act 2021 to address unintended barriers to eligibility to have convictions spent, data sharing and judgement publication. The bill amends the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 and the Forests Act 1958 to expand presumptive rights legislation to include three additional female-specific cancers, which we have heard about just recently from the last contributors.

The bill amends the Legal Profession Uniform Law Application Act 2014 to clarify the application of the legal professional uniform law in Victoria and enhance protections for Victorian consumers of legal services by enabling the register of disciplinary action taken against lawyers to be updated immediately. The bill also amends the Children, Youth and Families Act 2005 to support the rollout of the electronic case management system portal in the family division of the Children's Court. And the bill amends the Jury Directions Act 2015 to clarify that certain jury directions are available in all sexual offence trials.

The bill makes minor and technical amendments to the Criminal Procedure Act 2009 to allow specified employees under the Dairy Act 2000 and the Meat Industry Act 1993 to witness statements that are provided in criminal prosecution briefs. It also amends the Victorian Civil and Administrative

Tribunal Act 1998, the Wrongs Act 1958, the Limitation of Actions Act 1958 and the Domestic Building Contracts Act 1995 to address various legal and procedural issues to identify certainty in respect of VCAT's jurisdiction and processes in response to recent Supreme Court decisions. The bill also amends the Victoria Police Act 2013. When combined, each of these reforms will help to ensure that we continue to improve the operation of Victoria's justice and legal system for a modern, fair and contemporary setting.

However, it is part 11 of this bill that I really would like to focus the substantive part of my contribution on. Part 11 of the bill makes changes to the Crimes Act 1958 to ensure that the Victorian Aboriginal Legal Service, VALS, is contacted in all cases where a person taken into custody identifies as Aboriginal. This change is important to ensuring that the Victorian Aboriginal Legal Service is able to provide prompt and culturally appropriate legal assistance to First Nations people who come into contact with the justice system, a key factor in tackling the over-representation of Aboriginal people in custody. Whenever an Aboriginal person is in custody, Victoria Police are required to notify the Victorian Aboriginal Legal Service. However, currently a notification is only required where an investigating official is of the opinion that that person is of Aboriginal descent. While an official must take any statements by the person into account, a statement of self-identification is a consideration, rather than a mandatory trigger for notification. The amendment in this bill will make sure that a statement of self-identification as an Aboriginal person always meets the threshold for mandatory notification, regardless of any other factors or opinions held by investigating officials. Investigating officials may still notify the Aboriginal legal service if they know or are of the opinion that the person is of the First Nations community. This may be in circumstances where the person is unwilling or unable to self-identify or, for example, if they are unwell.

This amendment responds to a recommendation from the report of the Parliament's Legal and Social Issues Committee inquiry into Victoria's criminal justice system, and it is this parliamentary committee report, which underpins this reform contained in this bill, that I would like to draw the house's attention to. On 3 June 2020 the Legislative Council resolved:

That ... the Legal and Social Issues Committee ... inquire into, consider and report ... on various issues associated with the operation of Victoria's justice system, including ...

- (1) an analysis of factors influencing Victoria's growing remand and prison populations;
- (2) strategies to reduce rates of criminal recidivism;
- (3) an examination of how to ensure that judges and magistrates have appropriate knowledge and expertise when sentencing and dealing with offenders, including an understanding of recidivism and the causes of crime ...

But it is section 4.3 of the report that I draw the house's attention to and which specifically considered the experience of Aboriginal Victorians with the criminal justice system, where on page 151 of the report it states:

Most Aboriginal Victorians never come into contact with the criminal justice system. However, those who do are more likely to have long-term, sustained contact.

... Aboriginal Victorians are overrepresented throughout the criminal justice system. Intergenerational trauma, culturally unresponsive institutional structures, complex disadvantage and racism place Aboriginal people at greater risk of ...

coming in contact with the criminal justice system or becoming the victim of a crime, compared to other populations of our community.

The Victorian Aboriginal Community Services Organisation explained in its submission ...

Due to the ongoing effects of colonisation, Aboriginal people experience adverse outcomes across almost every social determinant, including lower levels of employment, reduced access to healthcare and housing, financial disadvantage, increased rates of family violence and adverse health outcomes. This economic and social disadvantage directly contributes to the overrepresentation of Aboriginal people in Victoria's criminal justice system.

The facts and statistics set out in the inquiry's report outline these issues and challenges very, very clearly and starkly and show that, despite good-faith efforts by governments of all persuasions over many years, we still have so much more to do to support First Nations communities, and this of course all begins by listening and not lecturing. I refer the house to page 61 of the inquiry's report, where the Victorian Government and Corrections Victoria

... told the Committee that Aboriginal Victorians 'continue to be over-represented in the prison population when compared with the prison rate of all people in prison.'

...

- In 2010, the imprisonment rate for Aboriginal adults was 1,106.4 per 100,000 Victorian Aboriginal adults. In 2020, the rate for Aboriginal adults had risen to 1,837.7 per 100,000 Victorian Aboriginal adults.

This is contrasted with:

... figures with the general adult imprisonment rate, which was 107.2 per 100,000 Victorian adults in 2010 and 135.1 per 100,000 Victorian adults in 2020 –

stark indeed –

- Between 30 June 2010 and 30 June 2020, the number of incarcerated Aboriginal people rose by 148% ...
- The average age of Aboriginal Victorian prisoners is 34.5 years, however 7% of the Aboriginal prison population were 50 years and older, a 3% growth from 2010 numbers.

... between 2009 and 2019, there was a 774% increase in number of unsentenced Aboriginal Victorians within the prison system, totalling 48% of all Aboriginal prisoners for the 2019 year.

In the Victorian prison population, Aboriginal women are also over-represented. Data notes that in 2020 more than one in 10 women in prison were Aboriginal. In response to these stark figures, and as stated by the Victorian Aboriginal Legal Service submission, which is quoted on the very first page of the inquiry's report, they say:

Given the many inquiries and royal commissions into the criminal legal system, it seems safe to conclude that we have reached consensus. That is, we all agree that the current system and approaches are failing ... to reduce offending, and to lead to just outcomes. If we are serious about addressing this, we need root and branch reform of the criminal legal system.

Based on the evidence and submissions that were received by the committee, they put forward over 70 recommendations for reform, including recommendation 58, which specifically called on the Victorian government to:

... identify and remove barriers to culturally appropriate bail processes for Aboriginal and Torres Strait Islander peoples, and in particular:

- support the Victorian Aboriginal Legal Service to continue to facilitate the Custody Notification Service in conjunction with increases in demand ...
- amend ... the Crimes Act 1958 ... to provide that an investigating official must contact the Victorian Aboriginal Legal Service in all circumstances where a person taken into custody self-identifies as an Aboriginal person ...

I acknowledge and commend that this bill today goes towards fulfilling much of that recommendation. However, another key theme that emerged from the committee's report was the need to enable self-determination by First Nations communities as part of the criminal justice system to better address longstanding and systemic issues that they experience. At the heart of the Victorian government's approach in this regard is the state's commitment via the Aboriginal affairs framework to partner with First Nations communities to improve Aboriginal justice outcomes and family and community safety and to reduce their over-representation in the Victorian criminal justice system. The Victorian government's approach essentially is to listen to and to partner with First Nations communities on issues that impact them deeply.

While at the state level we continue to do more in partnership with the Aboriginal community to address these longstanding issues, there is also so much more we can do at the national level. That is why the

proposal to recognise Aboriginal and Torres Strait Islander people as the traditional custodians of the land by enshrining a Voice to Parliament in the constitution is so critical. Victoria has been the first jurisdiction in the nation to action voice, treaty and truth – all three elements of the *Uluru Statement from the Heart* of 2017. We have long been guided by the principle of self-determination in our work with First Nations people and will continue to work in partnership to deliver on these elements. That is why I will be voting yes at the upcoming referendum, because it is time we listen to First Nations people about the issues that directly impact them. I commend the bill to the house in that regard.

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (17:37): I move:

That the debate now be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Statute Law Amendment (References to the Sovereign) Bill 2023

Council's agreement

The ACTING SPEAKER (Jordan Crugnale) (17:38): I have received a message from the Legislative Council agreeing to the Statute Law Amendment (References to the Sovereign) Bill 2023 without amendment.

Motions

Budget papers 2023–24

Debate resumed on motion of Mary-Anne Thomas:

That this house takes note of the 2023–24 budget papers.

Wayne FARNHAM (Narracan) (17:38): I am glad to rise again and continue my contribution to take note of the 2023–24 budget. Before I had to sit down the other day, I was just winding up on the timber industry, and now I am going to come to the West Gippsland Hospital and my concerns and my constituents' concerns about the funding that this government has done in this budget paper for health. Now, at the election they committed about \$4.2 billion, and in this budget there is only \$320 million committed, which is about 8 per cent of that commitment, to start seven hospitals. The constituents in Narracan and West Gippsland are very concerned about this hospital. It is something that my community has been waiting a very long time for, and to have \$320 million allocated for seven hospitals is nowhere near what is required to build the West Gippsland Hospital. The government committed \$610 million to \$675 million to build that hospital, and with this 8 per cent and not knowing even how much of that \$320 million will be given to West Gippsland Hospital, my community has obvious concerns. I have asked the minister to tell me how much he has allocated, and that information is still not forthcoming.

But what surprises me in this budget – well, it should not be a surprise, as it is a cruel budget and a cruel budget for every hardworking Victorian in Victoria, obviously – is I do not understand why the government has hit these hardworking Victorians with the property tax. These were Victorians with investment properties. Through COVID they were the good Samaritans of COVID. For two years they either froze their rent, discounted rent or did not even charge rent. They have suffered. A lot of people were owed tens of thousands of dollars through COVID. Now on the back end of that interest rates have gone up. Their interest rates have gone up. The average mortgage has gone up \$1000 a month. For the government to turn around now and hit them with a property tax – this will affect 2.5 million Victorians, because they cannot afford to keep this up. They just cannot afford it. The people that own these investment properties cannot bear the cost anymore. Those costs will get passed down to renters, there is no doubt about that, because they have to survive as well. This property tax is going to affect 2.5 million Victorians, and I do not think the government has thought about that. I think it is cruel, what

they have done to these people who own investment properties – the people that were, in my opinion, the good Samaritans of COVID, and I do not think that anyone in this chamber can argue with that.

But what is concerning me now is the debt level. We have gone from \$171 billion to \$226 billion of forecast debt. I know the government has budget blowouts on every project they do; I did not expect a blowout of the debt. I thought they could have got that right, but obviously not. \$226 billion of forecast debt costing in interest \$15 million a day today. \$15 million a day is phenomenal. For \$15 million a day for two weeks in my electorate I could have got a \$3 million road study. I could have got two new primary schools for Warragul and Drouin. I could have got a 24-hour police station for Drouin. I could have fixed the Tynong North Road intersection – which is dangerous, and it is only a matter of time before there is a fatality there – that the government seems to be ignoring. I could have fixed the Thorpdale slip, which 70 per cent of Australia's potatoes come off in B-doubles, and they have got to go down this dangerous road that continually is ignored by this government. I could have got a sewer for Walhalla, which I am desperate to get, because they are under pressure there. I could have got funding for major roundabouts in Warragul and Drouin, which are underfunded at the moment. I could have fixed Davey Drive in Trafalgar as well. I could have done all that for two weeks interest – two weeks interest only.

For anyone on this side of the chamber to tell me this is a good budget, I could not disagree more. I could not disagree more because what we are seeing now is over 7600 businesses have closed since this time last year. That is telling me that the business community of Victoria has lost confidence in this government. It is the only way I can explain it, because if businesses are up and about, they do not shut the doors. The increase of WorkCover premiums from 42 per cent to 75 per cent is killing businesses. They just cannot cope with this budget and what the government has done. I had Leigh Rees, a contractor that I have known for many years, in my office the other day. Leigh's WorkCover premium has jumped from \$22,000 to \$37,000, a \$15,000 increase, and he has got to try and absorb that cost. Well, he cannot absorb it forever; he will have to pass it on, and if he passes it on, it makes him uncompetitive in tenders. This budget is killing business in Victoria.

Then I will talk about the Commonwealth Games – or the con games, as we like to call it on this side of the chamber. It was phenomenal that the government went ahead even putting in a submission for this, and when I look at the Commonwealth Games budget paper that was put out by the government – and we are talking a \$4.4 billion blowout from the best-case scenario to now – what amazes me about this is when you read it at the bottom it says part of the problem with this was accommodation shortfalls in the regions increasing costs. This is a problem with the city-centric government, because if they got out of Spring Street and they went to the regions, they would have known there were accommodation issues. Anyone in the regions pretty well scratched their head and said where's everybody going to stay, so for the government to actually blame that on accommodation shortfalls is phenomenal. It is phenomenal because that is what happens when you do not get out of the city. That is what happens when you do not get to the regions to see what is actually going on.

They should never have put in a bid for these games because they did not do the homework. They did not do the homework on the Commonwealth Games. I believe the government knew about this quite a while ago, and I believe this because in the federal budget there was no money from the Prime Minister to these Commonwealth Games. Why is that? The Prime Minister and the Premier are pretty good mates. We have seen them cooking with gas on barbecues, so we know they like their gas. We have seen them cooking with gas, and I believe the Premier probably rang him up and said, 'Don't give us any money, because we're cancelling'. I think the Premier knew well before that these games were going to be cancelled. The Premier knew that they could not deliver them. They did not have the resources to deliver these games. They never had the resources to deliver these games, and that is why we have blown over \$600 million again. It is \$600 million for zero.

You have got to forgive the regions if they do not believe the government is going to invest in their legacy, because they have just pulled the Commonwealth Games. Regional Victoria is very sceptical of this government, and they have every right to be, because with regional Victoria this government

continually breaks promises. That is what people are getting angry with and that is why people down our away and in the member for Morwell's community are upset, because they continually undermine regional Victoria.

Just in closing, in my last 40-odd seconds, I would like to point out the Assistant Treasurer's comments to the member for Nepean in the last sitting week about what comes first: the election comes first, then the budget. I can guarantee you if this budget had come before the last election, there would not be as many members over on that side the chamber. I can guarantee you that. If the Assistant Treasurer really wants to do Victorians justice, if he really wants to make a difference to their cost of living, maybe he should give them some share advice before he signs a contract.

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (17:47): I rise to speak on the motion noting the 2023–24 budget papers. I am thrilled to speak on this motion, as the budget continues to deliver fantastic outcomes for our education system and helps us to deliver critical services that Victorians need and deserve.

As Minister for Education it is great to continue the work that really is this government's landmark in terms of Education State reform, one that is leading the nation in so many ways. During this government's first eight years in government, we invested \$27.1 billion into education across the state. This investment delivered first-class facilities throughout our new schools and school upgrade programs. It has meant critical one-on-one support has been available, particularly for students experiencing social challenges and mental health challenges and certainly students with a disability. It has ensured that we have a strong teaching workforce, because teachers are the absolute backbone of our education system. Can I take this opportunity to thank the former Minister for Education James Merlino for his dedication to improving Victoria's education system and for some of the great results that we are seeing today because of his legacy. We are also seeing the results of these investments in Victoria's nation-leading results in NAPLAN, which I talked about earlier in this place. We are home to the best student-to-teacher ratio in the country, and Victoria is building almost half of all new schools across the entire country.

This budget continues that critical work. It invests a further \$3.1 billion to ensure that all Victorian students have access to an education system that will support them to thrive. This will ensure we continue to build on the incredible progress that we have made since coming to government. The budget invests a further \$2 billion into our school infrastructure program, building on the unprecedented \$14.9 billion investment we have made in buildings, upgrades and extensions to our schools.

Earlier this year I had the pleasure of officially opening 13 new schools across our state in the first week of term 1. It was so exciting to see the joy of students coming to school for the first time in these new facilities in their new uniforms – with massive pride – as well as the pride on the faces of the educators teaching them. This is all part of the government's commitment to building 100 new schools by 2026, with a further 14 schools set to open their doors next year. This latest budget provides \$594.2 million to deliver nine new schools, to plan for a further three and to buy land for future schools. This package will also deliver the second stage of two recently opened schools to deliver additional student placements across our growth areas. It also provides funding to deliver capital upgrades to 47 schools as well as funding to start planning and designs for upgrades at a further 54 schools. We are also investing a further \$450 million in upgrading and modernising non-government schools across the state. One-third of all Victorian students attend non-government schools, and this investment will help improve the contribution that they make.

This investment in schools infrastructure will ensure that we can continue delivering state-of-the-art facilities for schools across the state. This means new classrooms, new gyms, new STEM centres and new performing arts centres. We are also continuing to invest in essential maintenance and compliance, ensuring that our schools are maintained to an appropriate standard and that they are accessible by everyone. On top of the extensive improvements to school facilities across the state, this

investment will create 3800 jobs across the construction sector in boosting our schools. Labor is doing what matters: investing in great local schools and supporting local jobs in construction across the state.

But we know that even with the best facilities a great education is only possible if we invest in our teaching workforce, and that is exactly what this budget does. It includes \$241.7 million of additional funding for targeted initiatives to attract more teachers and additional support for lesson planning. This budget will deliver placement support for pre-service teachers in hard-to-staff schools like in regional and rural areas; flexible working arrangements and enhanced opportunities for school leaders to be able to work part-time; measures to attract more First Nations people into teaching roles; and an expansion of re-engagement services to get teachers back into the profession. I want to thank the Department of Education and Training for the work they have done in outreaching to those teachers that are currently registered but not in our classrooms. They are doing a great power of work to bring them back into our classrooms. To reduce the workload, we will provide high-quality lesson plans, curriculum development resources and professional development opportunities. These measures focus on recruiting more teachers and reducing the teacher workload, ensuring that Victoria remains the state in which to become a teacher.

This budget also provides funding to continue supporting student health and wellbeing and fostering better learning environments, because we know that kids do better when they are happy at school and well engaged. It includes additional funding for the Schools Mental Health Fund and Menu to ensure schools have the support they need to address the wellbeing of their students and the challenges that we have seen in recent years. There are additional investments to support critical health and wellbeing programs, including the primary school nursing program and student support services. We are also increasing support for anti-bullying programs including Safe Schools, and the wonderful I Can program, a program that has been designed and is delivered by individuals and experts with neurodiverse challenges themselves to support and uplift kids that have neurodiverse outcomes and diagnoses. We are continuing to provide free period products in all government schools across the state. We are making these investments because we recognise that the physical and mental health of students is critical to a good education.

Students with a disability will also benefit from additional support, building on the government's \$1.6 billion commitment to disability inclusion reforms across our system. This budget includes an additional \$244.8 million to support students with a disability and their families. These include an expansion of the specialist outside-school-hours care to 30 specialist schools – this is an absolute game changer to so many families with kids with disabilities; the introduction of NDIS navigators to every specialist and inclusion school; and funding for the Students with Disabilities Transport Program to deliver six new services. We will also provide grants for specialist schools to build hydrotherapy pools. Applications opened two weeks ago, and I encourage specialist schools who do not have a hydrotherapy pool to apply. This is all about having better resources on campus for kids.

This budget also includes measures aimed at tackling disadvantage and boosting inclusion through targeted cost-of-living measures for Victorian families. This means investing \$105.4 million into essential support for student learning, including providing the breakfast club program to 1000 schools across the state, funding for school uniforms and other essential items and funding to provide glasses to kids who need them and cannot afford them. We are providing \$168 million in funding for the Camps, Sports and Excursions Fund. This is an increase to the payments that families from low socio-economic backgrounds can apply for, because we know these kids deserve to have equitable access to education opportunities both inside and outside the classroom. This funding will ensure that students from as many families as possible can continue to partake in school activities like camps.

This budget prepares students for jobs – the jobs of the future – supporting the rollout of One VCE. We will build six new tech schools to provide more than 62,000 additional secondary school students with access to high-tech STEM learning. Acting Speaker Crugnale, if you have been to one of these techs, you will know that they are extremely impressive, and the work they are doing is absolutely nation-leading. We will also support Victoria's shift to a clean energy future by establishing the Clean

Energy Equipment Fund for tech schools to be able to expand in this area and developing the clean energy VET pathway. We will also be supporting an additional 10,000 students to access work experience in in-demand industries such as clean energy.

There are more initiatives in this budget that I could keep going on about, but I need to also turn to some of the outcomes that have been beneficial in my electorate of Sydenham. But before I do that, I just want to say that this budget truly delivers on the commitment of quality education, and it really does ensure that Victoria will maintain its status as the Education State.

This budget is also about providing the services and critical infrastructure that matter to locals and getting on with what we promised, and I am thrilled that we are providing \$9.5 million to make sure that the students at Sydenham–Hillside Primary School are thriving in modern facilities. The Sydenham and Hillside campuses are the heartbeats of their respective communities, and this funding will ensure that they have the learning spaces they deserve. This will include a significant expansion across the school, with major upgrades to three buildings across two campuses, including new fencing, oval resurfacing and synthetic turf upgrades to the soccer pitch at the Sydenham campus, and will also accommodate better spaces for our staff. Can I thank the outgoing principal Peter Devereux for his advocacy and many, many years of leadership in the education sector but particularly his years that he gave at Sydenham–Hillside and the vision that he had. I wish him all the luck in his retirement.

This budget also includes \$800,000 to deliver a new dog park in the Sydenham electorate, which will ensure locals and their furry friends have an off-leash dog park at their doorstep. I am really looking forward to taking my own little Molly and Murphy out to enjoy this new facility once it is completed.

Sport is a really big part of our community, and I am so proud that we are delivering a new sports precinct and the planning for that at Sydenham Park. Five hundred thousand dollars will go towards the planning and delivery of a sporting precinct at this site, which is so needed by our local clubs. The park itself, Sydenham Park, is a phenomenal space, and I am glad that we are delivering an ongoing commitment to enable the community to enjoy this park, as it has been closed off to the community for over 30 years now. The doors will be opening soon for our community to be able to enjoy this fantastic park.

This budget also is backing community organisations that provide critical services for young Victorians across Sydenham, in particular the \$1.53 million that goes towards Le Mana Pasifika to continue their hard work. The team support more than 2000 young Pasifika kids every day to stay engaged in education and to be involved in their local community.

We know that prevention, diversion and early intervention are the most effective, responsible ways of reducing youth crime. That is why we are providing \$7.3 million to expand the embedded youth outreach program across Brimbank, Melton and Shepparton police areas. We are also growing support for young people and their families from the South Sudanese community, the Somali community and Afghan backgrounds across Brimbank. We will continue to work with these community groups in tackling the critical youth disengagement that is occurring.

I am really proud to be delivering every election commitment made to the people of Sydenham whilst also planning for the future of our growing western suburbs. This government will not waste a moment in continuing to do exactly what matters. That includes looking after our local areas, looking after the electorate of Sydenham, but most importantly looking after our Education State.

Bill TILLEY (Benambra) (18:01): I just love getting the opportunity to rise in this place and speak after a true believer, but anyway, let me by way of context say: *pseudologia fantastica*. It is a psychiatric syndrome where patients represent certain fantasies as real occurrences. The National Library of Medicine in the US says psychiatrists commonly encounter this in emergency. The patient presents with an elaborate web of deceptions, including grandiose claims. I reckon those experts might want to jump on the first available plane and have a look at this Labor budget to further their understanding of this condition and how they can claim ‘doing what matters’.

This budget is a mix of half-promises, self-aggrandisement, fantasy and delusion. Everyone knows what a budget is. We have got one at home with all those kids and everyone travelling through. It is a realistic balance of income against expenditure – and the bank of Dad, for all those kids that are listening at home, is closed. We do them at home. We use them when we need to make a major purchase like a car, but unlike this government, when families in Benambra are looking for a people mover they are not googling Aston Martins or Lamborghinis. When they do their shopping, they are not ordering caviar, nor are they looking at booking a table at Vue de Monde. But what we are signing up for in this budget is a consequence of unbridled and unhinged spending on Melbourne-centric projects, a debt projected to climb to \$226 billion by 2026–27 that has shackled every home in this state with an \$87,000 debt.

A member interjected.

Bill TILLEY: Yes, absolutely I do. Look at them. Look at them out there – believers, true believers all of them over that side.

Members interjecting.

The ACTING SPEAKER (Paul Edbrooke): Through the Chair, member for Benambra.

Bill TILLEY: It is a debt fuelled not by COVID but \$30.7 billion in major blowouts on Melbourne projects. Regional Victoria, which is the place I love the best – it is the place that I call home – looks at your tunnels and realises that this is why our roads are killing people and why there is no money for new schools. Following the Minister for Education those observations are interesting – from the true believer when it comes to education – but I will get to that a little bit later. Why are business owners looking to shift across the river into New South Wales? The people in my patch look at these budget dollars, these telephone numbers, and go, ‘So what is the Labor government doing for us?’ What are they doing for the roads where the pavement is crumbling, potholes are shredding tyres, inadequate drainage closes roads and there is the need for traffic lights to manage traffic? Bruce Campbell, a cracker bloke, a real, true Victorian and Aussie from Bullioh wants to know how much longer the Murray Valley Highway will be one lane controlled by traffic lights. This was going back to the end of last year and the beginning of this year. The budget came in at the end of May, and guess what – not a single thing has been done to fix two of those traffic lights. There are now three on the Murray Valley Highway in my patch. The Murray Valley Highway, for those who do not know, goes all the way from Corryong to Mildura. Anyway, how does this budget, the one that was handed down in May, the one that no-one from the government wants to speak to, because here we are with only 25 per cent of speakers – I will not digress on that. This is going to the guillotine on Thursday and there are still a lot of people that have not been able to speak, particularly from the ALP, and that have not been able to truly represent their constituencies.

How is this budget going to ease the rental crisis in Wodonga or any other smaller town in the Benambra patch? How does this budget help Wodonga’s Marilyn Hitchcock, who has been waiting three years for a knee replacement, to get that operation inside the next three years? How does this cut 3522 people on Albury Wodonga Health’s elective surgery waiting list? Now, I know where the Minister for Health is at the moment. She might have hung up by now from the meeting that she was having with Albury Wodonga that commenced at 5:30. She might have got a bit cranky with them. But anyway, I digress.

A member: Have you taken it up with the New South Wales government? Albury Wodonga.

Bill TILLEY: What would you know about border life? You are the one, aren’t you? You are the one – of all of those millions of sperm, you are the one that made it, aren’t you? Good on you, brother.

The ACTING SPEAKER (Paul Edbrooke): Through the Chair, member for Benambra.

Bill TILLEY: How does this budget encourage businesses to set up in Victoria? Through the Chair; sorry, Acting Speaker. When will the families of Tangambalanga and Kiewa get a new school – one

where the school buildings are not a hotchpotch of buildings that have been repeatedly renovated? Now, in Tangambalanga, if you could appreciate, there are two large developments. Our infrastructure from taps and toilets, our water authority – they need to work harder. I know the Premier, and I know that there needs to be a hell of a lot more work done in that regard, because we have a housing crisis, and the infrastructure is not going in because the boards of these water authorities that we have right throughout the state of Victoria are too busy talking about gender or First Nations people, God help me, or other matters. They have a primary role, and that is taps and toilets and getting infrastructure into the ground.

Members interjecting.

Bill TILLEY: They are the water authorities, so be offended if you like. Now, when will the families of Tangambalanga be able to get this infrastructure and build their home, their dream, raise their family, go to work and live a lifestyle that is fantastic? Some of you should try it.

But anyway, how does this budget offset this government's ban on residential gas? How the hell are we going to cook, keep our homes warm and keep our hot water? Because I tell you what, there is a little story: my gas hot water system broke a week ago after 23 years. It is the first gas hot water system I have had to replace, and do you know what I replaced it with?

A member: A heat pump.

Bill TILLEY: Another gas hot water system. It was great because I love my gas. The coalition love their gas.

A member: You would have got a rebate.

Bill TILLEY: I know, I have had a lot of phone calls from those people. I love playing with them. But the point I make is that this government is misstepping this. There need to be baby steps to renewables. None of us disagree about the pathway to decreasing our carbon footprint. Then again, I like increasing my carbon footprint when I have my V8 and I have my diesel, but I do have an electric car – a golf cart. Oh, here we go. Here is the other one that made it.

Darren Cheeseman: On a point of order, Acting Speaker, my hearing seems to be slurring the honourable member's words. I think he could slow down a little bit so that we can follow what he is contributing to this debate.

The ACTING SPEAKER (Paul Edbrooke): I take it there is no point of order, but I will say to the member to stick to the motion.

Bill TILLEY: Thank you, Acting Speaker. Now, listen up. The only certainty from this budget in my part of the world was Labor ending the native timber industry in a secret cabinet meeting just the day before the budget. That will cost 25 jobs in a little town, remote, called Corryong. It might not sound like a lot of people, but 25 jobs in the Corryong township is devastating. When the government members and the Greens – if the Greens ever turn up – go home tonight they should have a good look at their furniture. Have a damn good look at the furniture in your own home and whether it is cheap overseas knock-offs or whether it is quality, made from Victorian hardwood. Have a good look at your furniture. If it is the latter, Victorian hardwood furniture, you lot should pass legislation to have it seized or forfeited. With this decision to shut down the native timber industry you have surrendered the right to possess it yourselves. You have surrendered the right to possess it yourselves because you have shut down this industry, a great Victorian manufacturing industry. You have closed it down. Anything less is hypocritical.

Our punters in the Benambra district look at the budget through a lens of local knowledge, things they know to be true – like that ambos need a peak period shift in Wodonga to save people's lives, stop the ambulance drain from the regions and cut some of the state's worst waiting times for lifesaving ambulances in the shires like Towong and Indigo. I ask the member for Melton – I have had some

good conversations with him over the last couple of months about some other matters – to please stop looking at the data and please support us in the resources. Get Danny Hill to back us up as well. They know our nurses – their relatives, their mums and dads – are backing up from shift to shift to cover the shortfall in numbers. The people of the Benambra district know that their mothers, their aunties and their grandfathers have been waiting for years for elective surgery.

They know you cannot find a teacher. Your teachers union says there are 1000 vacancies across the state. Acting Chair Edbrooke, you have often said that you are an ex-teacher yourself. You know what it is like. You have been in the profession. Schools are almost shanghaiing people off the street to fill their teacher vacancies. This is in country and rural Victoria. That is how bad it is getting. The people in my patch laugh at the free TAFE. They know the automotive reconditioning apprentice who has not seen a formal class in 12 months. For God's sake, this kid is terrific. He is an apprentice, and he has not had a formal class. He has had to extend his apprenticeship because of free TAFE. Oh, there he is.

Dylan Wight: There he is.

Bill TILLEY: Nice vest.

Dylan Wight interjected.

Bill TILLEY: No, come up. Do not run away. Come back in.

They know the would-be patisserie cook who cannot get into a course or the security guard looking for training. My locals hear the talk of the new trains and know that it is a myth for commuters, who are being forced to stand or sit on the floor of a carriage for an hour trip to Melbourne. The point I make is the minister has recently made a trial that is going to try and work. It should not be a trial, it should be permanent. You should be able to know that when you book a train ticket, you are going to get the train. You should not have to stand on a train on a long-haul passenger service from regional Victoria. Anyway, I will continue those constructive and mature conversations with the Minister for Public Transport. He has responded particularly well at this stage, and I commend him and will continue to work on that – but he is not there yet, all right? He is not quite there yet.

Our punters also see road crews, and they see them overwhelmed. They live in the community. We have a beer with them in the pub. We know what pressure they are under.

Members interjecting.

Bill TILLEY: Oh, absolutely. No, beer is the nectar of life, and somebody should learn that and know that the people at the front line delivering those services know how badly this government is deceiving people. They are dads at the dinner table. They will have the money to do the repairs. They cannot do the maintenance. Roads are failing, and the 40-kilometre-an-hour signs, traffic lights and detours are the default position. Take a weekend drive and come up and see us. You can see the potholes. You can see the lights. You can see the damage to not only the sides of the road but the drainage. It is an absolute disgrace.

Metro versus country – I mean, we talk about votes and data and everything. We will come to an election in a few years time. I have only 2 minutes – I have got plenty more to say. But anyway, the point I make is we should stop dividing country and regional Victoria with metro, and we know that, and there should not be competition on population. But I digress.

Fishing clubs – have a look at the great outdoors that we share along the Murray River and the fishing clubs that want infrastructure. The minister is in the other place. We are seeking that our boat ramps be repaired. We have got people that have been living there for two years but the authorities will not do anything about changing that. These are grassroots Victorians that just want to go and live a lifestyle, but this budget and this government's administration fail us miserably.

Going on to footy: local footy and netball clubs want to know how they can fund change rooms that allow both men and women and that have hot water and canteens that do not look like whitegoods throwaway bays at the tip. There is a hole in the funding model that needs fixing, absolutely.

Right across Victoria we are coming into finals season. These clubs are the lifeblood of our community. On Sunday I was at the knockout round of the Tallangatta league. It was huge day – big crowds came from everywhere. It is not the Ovens and Murray; I am talking about the Tallangatta league. It was a great game. The seniors match between Chiltern and Barnawartha was great; those young men played hard. The girls were playing their netball; it was a terrific match. I look forward to the Bloods – Chiltern – and Beechworth playing next weekend down at Sandy Creek. That club is desperate for help. Chiltern is desperate for help for country football and netball. Anyway, I have run out of time. I have a lot more to say, but thank you for the opportunity.

Chris COUZENS (Geelong) (18:16): I do not know how I am going to follow that. I am very pleased to talk about the budget that is being delivered for my community of Geelong, and I know my community are very excited about it. One of the reasons they are excited is we have delivered on every budget commitment and every election commitment from the time we were elected in 2014. My community are very excited about the commitments that we have made and know that we will deliver on those. It was great to have the Minister for Education not long ago in this chamber talking about education and what we have done over the years and what we are doing in this particular budget and what was done by the previous Minister for Education.

In Geelong we have delivered on every primary school and every secondary school in terms of major commitments bar one, East Geelong Primary School, which we in this budget committed \$3.39 million to upgrade. That community are very, very excited. They have waited quite some time for this redevelopment. It will provide new classrooms and facilities for those students, and it will make a real difference to that school, that major upgrade.

We also have a \$36 million commitment to the Gordon TAFE to provide a disability services hub. Geelong has the NDIS, the TAC, WorkSafe Victoria. Why wouldn't we have a full training facility based at our amazing TAFE, the Gordon TAFE, in Geelong? Again, my community is really excited that that new facility will be built on the city campus and provide the much-needed training that disability support workers need. It will also focus on providing the best possible facilities for students with disabilities. The planning is underway, and there is a lot to be excited about on that particular one.

My community was also very excited about the women's health focus and the funding of \$58 million to create 20 comprehensive women's health clinics across the state – Geelong got one of those. I recall the Premier's announcement about that. The medical professionals who are working in women's health at Barwon Health were in tears at the announcement. They could not believe that we are going to get a fully functioning women's health clinic which will later go into the amazing new women's and children's hospital to be built in Geelong in the coming years.

The other really exciting one for me in particular was the funding to Strong Brother Strong Sister, who are a First Nations organisation in Geelong who provide support to young Aboriginal and Torres Strait Islander kids and provide an amazing service to those kids. Some years ago – about four years ago – a couple of the young First Nations people took their own lives, and there was a concerted campaign from within the Geelong community, including Strong Brother Strong Sister and the traditional owner group, the Wadawurrung community and the Wathaurong community, to have something put in place to support those young people and look at a suicide prevention program. So Strong Brother Strong Sister came to the fore and came up with a model, which we have since funded. Again in this budget we funded them to continue that really valuable work. It is so important to First Nations communities in my electorate, and I am sure in other electorates, that they have that suicide prevention program operating which is led by community. It is led by the community; they know what their young people need and the support they need. And it has been highly successful, with fantastic results coming from it, so I am really pleased that we have continued to provide that funding.

In Bannockburn, which is a new part of my electorate since the last election, we have been doing an enormous amount of work. The sporting infrastructure, the youth hub and the facilities there for young people have been amazing. In this budget we have funded \$400,000 to upgrade the Scout hall. Scouts are big out in Bannockburn; they love going to the Scouts. I had a meeting with them, and the young people were really excited about the fact that we were going to upgrade their hall so they could continue to do what Scouts do.

Then there is the SES, which was another really exciting one. The SES in Bannockburn really needed new facilities. They were co-located with the CFA in overcrowded conditions. They had been advocating for some years to have their own facility located a bit further away, so I was really pleased that we committed the \$7.16 million for them to be able to do that. And the SES, as we all know, provides an amazing service to our community when we need it. Bannockburn SES are no different, and they wanted to make sure they had all the facilities so that they could go out and support their community and in fact other communities, because they were out in other areas during the last round of major floods, helping around Rochester and those communities out there. They are very excited about having that new modern and safe facility that they have been asking for for some time.

We have a lot of different community organisations around Geelong that have benefited from our budget commitments. One of those is Volunteering Geelong, who have provided an amazing service to our community, supporting people to do training and to volunteer in the many, many services that we have across Geelong. They provide a great service, and we have provided them with \$100,000 as an investment into looking at their training and what else they can do across the community. I know during the periods of COVID lockdown people were coming to me saying we want to volunteer. I did not necessarily know those people, so I was not going to say go and help the elderly people down the road without knowing who they were. So Volunteering Geelong took that role because they screen people; they do all the checks that are necessary. They did an amazing job during COVID, and they deserve every support that we can give them, so I was really pleased that they were able to get that funding. There is the Bluebird Foundation, who provide real community engagement projects across Geelong, engaging people from all ages, particularly younger people. Whether it be art or craft or music, all those sorts of things, this organisation has done some amazing work across the Geelong community, so I was really pleased that they were able to get \$100,000 to continue their work over the next 12 months, and they were very excited about that.

The Belmont Lions at Winter Reserve – the Belmont football and netball club – are a great club who in fact have a very strong Indigenous connection. Many of their players are from the Aboriginal community. There is a very strong focus on that. In fact they were doing events like NAIDOC and Indigenous rounds before anybody else was. They are a very significant club in our community. I was really pleased that we were able to commit \$1 million for them to provide new netball facilities – change rooms and a new netball court, something that they do not currently have. The City of Greater Geelong has made significant budget cuts. There is some negotiation going on now. I think the change rooms are the priority. But certainly they have really welcomed that commitment to \$1 million. I will be making sure that we do provide as much assistance and support as we can to get that over the line.

The other really important one is Pako Festa. We have a really vibrant multicultural community who every year come together and celebrate multiculturalism in Geelong. We very strongly believe we need to fight to keep that – to not allow racism, hate speech or those sorts of things to come into our community. There is a very strong multicultural community in Geelong that holds that festival every year. It gets over 100,000 people all along Pakington Street. Every year it is not something you want to miss. I do not think I have ever missed one. It has been going for about 25 years. It is really exciting. The whole community looks forward to it, and everybody comes in for that day along Pakington Street. Multicultural communities showcase their culture. They do their dancing, their foods – all sorts of things. Everyone, from little children to elderly people, gets to enjoy that day. I am really pleased that we have committed \$200,000 a year over four years – so \$800,000 – to Cultura, who run the event, for our multicultural communities to continue the amazing Pako Festa.

I would also like to comment on the supporting treaty and self-determination commitments that we have made as a government. This is really significant. There were significant budget commitments in the last budget, including \$35 million to support 25 self-determining Aboriginal community controlled health organisations to strengthen their workforce capacity and deliver more episodes of care to Aboriginal Victorians and of course, importantly, to meet Victoria's commitment under the Closing the Gap national agreement.

There is \$17 million to improve justice outcomes for Aboriginal Victorians. We know how important that is. There is \$14 million to attract new and returning First Peoples into teaching degrees and government school teaching roles. That is really significant. I know that in my community we have been pushing really hard for that – to have more First Peoples doing their teaching degree and moving into our local schools.

There is also \$10 million to continue Aboriginal community infrastructure programs to help advance employment and social and economic development opportunities for Aboriginal Victorians; \$6.4 million to continue to support traditional owner corporations negotiating a recognition and settlement agreement package to ensure traditional owner groups are able to negotiate on an equal footing; \$3.9 million to continue the First Nations Legal & Research Services; \$3.9 million for an Aboriginal-led early parenting centre, which is fantastic; \$2.6 million to strengthen the Aboriginal heritage officer program and the Budj Bim cultural landscape world heritage rangers program. If you have not been to Budj Bim, I encourage you to go and check it out. It is absolutely amazing. And there is \$1.4 million to deliver Aboriginal cultural events and awards celebrating and remembering Victorian Aboriginal culture and history.

There is so much in this budget, and I am going to run of time. We have been delivering, as I said, in Geelong. My community are really excited about what we have delivered and what we are about to deliver over the next 12 months or so. We have certainly covered off on key areas, whether it be education, sport or general community organisations. That is really important to my community.

Tim READ (Brunswick) (18:30): I want to focus particularly in this budget take-note address on dental care and on education. One of the important points about dental care is that it is not funded at all really by the federal government. There is dental care available for healthcare card holders which is state funded and obviously targeted towards low-income Victorians and more vulnerable families. It is important to remember that when people have to wait too long for dental care, everybody pays in the end. The complications of bad teeth affect the health budget and the health system as well as the individuals. Dental infections often take people to hospital emergency departments with pain and other complications. Poor dental health is also a risk factor for heart disease – quite a significant risk factor. In fact in the 2020–21 financial year there were 17,000 hospitalisations in Victoria for preventable dental conditions, and having bad teeth affects all sorts of social outcomes, including employment. So it is in everybody's interest that we look after the teeth of all Victorians, not just those who can afford to go to the dentist.

Unfortunately there was no additional funding for public dental care in the state budget, so over the next 12 months we will not see an increase in dental healthcare service funding for adults, but this is desperately needed. The government's current public dental outputs cater for about one-fifth of the eligible population, and that leads to enormous blowouts in waiting times. But the government has still failed to bring funding in line with population growth and demand.

At the budget estimates hearings this year the Minister for Health made assurances that the statewide public dental wait times had reduced to just under 15 months on average. That improvement, however, was largely attributable to a one-off voucher scheme designed to deal with COVID waiting list blowouts. But freedom of information data has shown that that 15-month average wait conceals marked variations between postcodes. For example, the average wait time in June this year in Richmond was 45 months; in Warrnambool, 38 months; and in Brunswick, 29 months. And these are for healthcare card holders who are eligible for public dental care but are not effectively getting it

because of these extraordinarily long waits. Obviously public dental care does not really lend itself to ribbon-cutting announcements. It is not quite as marketable as something like the Smile Squad, an excellent initiative targeted at children. But a government that truly cares about the worst off in Victoria would be doing more to look after their teeth.

I want to turn now to some funding issues in my electorate of Brunswick, which now includes Carlton North and Fitzroy North. It was really good in this budget to see the CERES environment park funded to the tune of \$1 million over two years for their community enterprise precinct plan, and I was very pleased to see funding finally start flowing to Carlton North Primary School after years of work by the member for Melbourne to highlight the multiple needs there. However, there was nothing else in the budget for schools in the Brunswick electorate. For example, Brunswick Secondary College have been looking to renovate a wellbeing hub to accommodate mental health professionals to support many of their students. They have needed \$1 million for that for some time, and that need has grown since we first raised it with the government. Analysis by the opposition, incidentally, revealed \$241 million in new projects in government-held seats versus \$14 million in seats held by the coalition. I do not know if the Greens were part of that analysis, but it would be a shame if children across Victoria were having their education funding affected by the voting of their parents.

There is a particular issue that is unique to the inner city, to the suburbs that are a hundred years old or more, and that is that the schools face very high bills for basic maintenance. Buildings that are well over a hundred years old often are taller buildings requiring scaffolding for repair work. They have steeply sloping slate roofs, often with leaks in them, and second-floor windows with rotting frames, which can cost a lot of money to replace or to paint even. The annual maintenance budget for these schools is only really enough to paint a few classrooms, and any structural work requires extra funding, which generally only appears after schools have become dangerous. It is clear that schools with century-old buildings need a higher maintenance budget.

Some other issues in Brunswick schools include playgrounds flooding due to inadequate drainage and needing remediation work on playground surfaces, windows and roofs deteriorating, walls cracking, planned works not being finished due to cost blowouts and parents actually chipping in money for school maintenance, and overcrowding due to bad conditions, particularly at Brunswick Secondary College, although that recently looks to be improving, which is great. Then there are staffing issues, particularly exacerbated by the teacher shortage: overwork – teachers often doing additional hours unpaid because of their passion and commitment and faced with a high administrative burden.

The chronic underfunding in public schools is something obviously that has been going on for a long time. Funding agreements are to be renegotiated next year, and that is an opportunity for Victoria to fully fund public schools to 100 per cent of the schooling resource standard, something that Victoria is falling behind on. Again, funding for visiting teachers, in this case specialist disability teachers, has recently been cut, and while we were told that education cuts would not be on the front line, I think that these teachers certainly are there.

I want to briefly raise a couple of other issues. We know that as part of the transition away from fossil fuels, which gets more urgent every day, we need to electrify all our homes, and with 2 million of Victoria's homes connected to gas, that is going to be a huge multidecade task. Currently Victoria has a very narrow range of subsidies for low-income households to electrify. It makes sense to start with low-income households, absolutely, but we need to do more to encourage owners of rental properties – landlords – to electrify to cut the power bills of their tenants. It is difficult policy work because we do not necessarily want to throw money at investment properties; however, the people who are going to save money as a result will be their low-income tenants. So it is worth looking at ways, using low-interest loans and subsidies, to speed up the electrification and insulation of Victoria's rental housing stock. The budget unfortunately contained no significant funding for a wholesale program to insulate and electrify Victorian homes over the next decade, which is something we really need to get moving on.

I will just conclude with a couple of remarks about health department cuts. We have noticed obviously, and it has been well reported, that the public health units were severely cut in this budget. It is worth going back a couple of years and remembering how unprepared we were for the recent pandemic, and cutting public health again entails a risk that we will be underprepared for the next. However, we do not have to wait for the next pandemic for public health units to be useful. There is a lot of important work, both in infection control and in chronic disease control, for public health units.

I will just pick one example. Congenital syphilis – that is, babies born with syphilis – is something that did not exist in Victoria for many years, but it has reappeared within the last decade: just one baby one year and one the next, and then two and recently three. Babies being born with syphilis is an unusual thing, and it is a sign of a health system breaking down. It is a sign of a Third World health system. I am not saying our health system is Third World, but it is a sign of people falling through the cracks. Syphilis is very easy to diagnose and treat in pregnancy. Babies should not be born with syphilis at all in Victoria – not at all. There was an outbreak in the 1980s in New York due to a crack cocaine epidemic, there is congenital syphilis in war-torn countries like Yemen, but it should not be happening here. There is some work for our public health units.

In the 1990s the incidence of syphilis in Victoria fell to almost zero – this is syphilis in adults. I think two cases was the low point in 1999, and it fell because people were scared of catching HIV; there was not good treatment for HIV. Then it doubled every year through the 2000s, and for the last decade or so it has been over 1000 cases a year. Initially mostly it was in gay men, but it has spread into heterosexual populations. Most people who are pregnant go to the doctor and have a syphilis test, and in the unlikely event that it is positive it is one of the few infections that can still be cured with penicillin. It is that easy to fix. But you have got to fix it before 20 weeks gestation, because if not, congenital syphilis has a death rate, if it is untreated, approaching 50 per cent, combining stillbirth and perinatal death, and a disability rate of around 25 per cent. So it is worth just raising it now and again. We have raised it before in this place but it is something that cannot be ignored, and it is worth investing some money in syphilis control in this state. We had two cases a year not that long ago, and we ought to be able to get it back down there. I will conclude there.

Paul MERCURIO (Hastings) (18:42): I rise to speak to this motion that takes note of the 2023–24 budget and discuss what it will mean for not only my electorate of Hastings but the broader community across our great state. I am happy to talk about the good things, because there are plenty of good things, but firstly I would like to just say thank you to all of the dedicated and hardworking staff at Treasury for assisting with putting this budget together and thank them for all the work they will do in the future. I also want to thank my colleagues in Parliament for the hard work they put into this budget. It certainly is not an enviable task.

A member: Thank you.

Paul MERCURIO: You are welcome, but I am glad it is you putting the effort in and not me. I am terrible with money.

Last year this government took an optimistic and positive plan to the good people of this state, unlike some opposite who chose to use hate, division and negativity to spruik whatever they were trying to sell. Victorians chose love, unity and a positive plan that includes better hospitals, more schools and more support to combat the cost of living. This budget will be delivering on every single commitment made at the last election. Not only will we be doing that, we will also be repaying the COVID debt in a measured and sensible way.

‘Doing what matters’ – we have all heard it countless times, but it will never get old, because that is exactly what this government does. This government listens to the community, hears the community and does what matters to them. Now, here are just a few things that really do matter: \$1 billion to bring back the State Electricity Commission to re-establish government-owned energy and invest in renewable energy – and the profits will go back to Victorians; \$400 million to deliver the fourth round

of the \$250 power saving bonus to help with your energy bills and provide an opportunity to change your provider and save money, because of course providers will not just tell you how to save money; \$320 million to help deliver major investment at seven hospitals across Victoria to make sure that everyone receives high-quality health care; \$235 million to support students with disability and their families, because no one should be left behind or left out – I am extremely proud to be part of a government that supports inclusion for all; and \$186 million to expand the eligibility for VET subsidies, allowing more Victorians to get the training they need for the jobs in high-demand industries. Our state is growing and we will need the infrastructure and skilled jobs to accommodate that, and now it is just a little bit easier to transition. There is \$91 million to work towards providing 50 local mental health hubs and continue to deliver on the community-based services.

I am very happy to say nine locals have already opened and I believe another 12 are expected to open in the coming months. This is something that is extremely close to my heart. I am very pleased to be part of the Andrews government that has made a record investment into mental health and is committed to implementing all the recommendations of the Royal Commission into Victoria's Mental Health System. That drives me to be here. There is \$46 million to train the next generation of paramedics and introduce our first specialist paramedic practitioners, who will assist our paramedics and allow them to respond to more call-outs. That is just a portion of some of the wonderful work on the way.

We will also be continuing and expanding on key programs. We have continued our ongoing investment in our kids' future by providing kinder services for three- and four-year-olds for free. We know that young families are doing it tough at the moment, and with this awesome initiative they will save on average \$2500 per child per year. We are making sure that there are no barriers to early childhood education and providing a level playing field for every Victorian family. That is doing what matters. Just touching on that note, I am sure we can all agree that one of the most important things – if not the most important thing – we do in this place is try to make the future better for kids, and not just better for some kids but better for every kid. This is all being done by the Andrews Labor government's record investment into childhood and pre-prep with the Best Start, Best Life reform. I have mentioned it already, but when something is so good, you just want to talk about it more than once. We have made kinder free for three- and four-year-old kids in participating services right across the state. Then kids can transition from four-year-old kinder to pre-prep, which is a universal 30-hour-a-week program of play-based learning, which will set them up for every possible success before heading into the primary school system.

Not only are we providing more kindergarten options, we are also moving forward to address the dire need that there is currently in child care. We will be establishing 50 government-owned and affordable childcare centres. I hear stories all the time of people in my community that cannot get their kids into the local kindergarten and cannot get them into those in neighbouring communities, so we have made the decision not to wait for other levels of government to forge ahead and to start the work ourselves, because the community deserve it and they should not have to wait any longer.

I could talk more about what this government is achieving and will continue to achieve, but I do not want those on the other side to feel too inadequate – that would not be fair. On the campaign trail I often heard from opponents that 'Labor doesn't care about the peninsula or the electorate of Hastings', 'Labor doesn't do anything in the electorate of Hastings' and so on. However, that is simply not true. Even with the little, if any, advocacy we had from the previous member, this Labor government has invested and will continue to invest in the electorate of Hastings, and I am using that wonderful seat at the table to help drive that further.

I will run through some of the projects and things that have been done in the formerly Liberal-held seat, so I should not expect too much resistance from the other side in relationship to money only going to Labor seats. I will start with roads. The Andrews Labor government invested to improve the once extremely congested roundabout on Western Port Highway intersecting with Cranbourne-Frankston Road. Before the upgrade, during peak hours it was a mad dash, risking life and limb, to enter the

roundabout and to find your way out safely. That is why we have upgraded it to an intersection with lights – to improve congestion, have a much better flow of traffic and importantly reduce accidents. We have also continued more work along Western Port Highway to upgrade key intersections for the growing communities in that area. Additionally, the roundabout at the intersection of Warrandyte and Baxter-Tooradin roads has been completely revamped, with the resurfacing of Golf Links Road also – all part of the Andrews Labor government's suburban roads upgrade. I am very happy – and I spoke about it earlier today – that we secured funding for pedestrian safety upgrades at the Somerville roundabout. This funding was in the previous budget, and I am happy to say that works have now commenced. Only recently, unfortunately a young girl was crossing at the crosswalk and was hit by a car. She was obviously quite shaken. I am very happy to say she is well, and I am so happy to see these improvements start. I will continue to advocate for further traffic upgrades to that roundabout.

Before I continue I just want to mention two quotes my staff found in *Hansard* that are attributable to the former Liberal member for Hastings. On 6 June 2019, under the title of 'Frankston Hospital funding', Mr Burgess said – and I am sort of paraphrasing, yes – the Premier and the Treasurer had misled and short-changed the people of Frankston and surrounding areas by asking for their votes by promising more than half a billion dollars to build an 11-storey Frankston Hospital upgrade, including a full storey for people suffering from mental illness. In the other quote, under the title 'Somers Primary School', on 24 February 2022 – and I say again that I am paraphrasing – he said: Premier, when you were first elected you promised Victoria you would govern for all Victorians. My community is a part of Victoria, and ever since you were elected and made that promise you have systematically ignored my community.

Now, Deputy Speaker, you are probably wondering why I told you that, and I am going to tell you why. I mentioned before the record investment this government has achieved for early childhood services and education. That record investment has been felt over Victoria and indeed in the electorate of Hastings. Since 2017 this government has provided through various funding streams over \$19 million for early childhood. This funding has included free kinder, COVID-19 support packages, infrastructure improvements, technology equipment and more, because we know how important it is to provide for every child in every single part of Victoria, no matter who your MP is.

Not only has this government supported the electorate of Hastings with early childhood funding but it has also continued funding to our health services. We have provided over \$9 million to Peninsula Health for different services, which include critical plant items and essential infrastructure for acute services. Peninsula Health have services across the City of Frankston and the Mornington shire and have given fantastic and loving care to all of their patients.

I also know that many of my constituents visit the fantastic Frankston Hospital, which has received continued and much-needed funding for health services, and – this is the good bit – that includes a \$1.1 billion redevelopment of Frankston Hospital, which will deliver a new 12-storey clinical service tower, a main entrance, 130 beds, new spaces for mental health and oncology services and 15 new operating theatres. I was recently onsite with the Premier, the Minister for Health, the member for Frankston and the Minister for Planning to oversee the continued expansion of this redevelopment. It really is quite spectacular, and it is happening.

I have also had the great pleasure to visit schools in my electorate. As a matter of fact I have visited all of my schools – and in fact a couple several more times. I am committed to improving services for them and building on the work that has been done and continues to be done by this government. Now, here is the good part –

Jordan Crugnale: Oh, there's more.

Paul MERCURIO: Yes, there's more. Over \$25.6 million in funding and grants has been shared amongst schools across the electorate of Hastings – over \$25 million – while the Liberal member sat in his office saying he could not get any money for them. Earlier in the year I visited Western Port

Secondary, who are building new spaces for their junior and senior schools, thanks to a \$10 million grant from the Andrews Labor government, and the works should be finished, hopefully, at the end of this year. In total over \$40 million has been invested in our kids' futures through early childhood to primary and then to secondary school in the electorate of Hastings.

Additionally, over \$740,000 was provided to the Mornington Peninsula Shire Council for the Somerville recreation hub to deliver 300-square metres of skating and outdoor recreation space, which also includes a half-court basketball ring, parkour circuit and some trampolines. I was proudly involved in the skate park project when I was a councillor, and I am happy to say that, having a seat at the table as a councillor, I was able to get lighting put on that park so they could actually skate at night, which makes a lot of sense and is also a good use of our money.

Just because my electorate has not had a seat at the table for 12 years has not meant that we have missed out from the great things this Andrews Labor government has done. Now that we have a seat at the table and a voice to be heard, it can only mean better and greater outcomes for the good people of the electorate of Hastings. That is what they deserve, that is what they have been needing for a long time and that is what they are telling me they want.

That brings me to the 2023–24 budget. I will run through this very quickly. Actually, because I was a brand new person running, unfortunately I was not expected to win. The Treasurer told me this at lunch. I ran at the election with \$200,000 worth of promises. My Liberal opponent, who was expected to win, ran with a grand total of \$800 million worth of promises. It did not really work out. I am very grateful to the Premier and the Treasurer for recognising this electorate and topping up my electorate's money. This is my first budget. I am looking forward to many more budgets. There will be many more. I will continue to advocate for my community. I know that the Andrews Labor government will continue to advocate also, and we are grateful.

Jade BENHAM (Mildura) (18:55): I wish it was my pleasure to speak to the take-note motion on the 2023–24 budget papers, but alas, this one hits hard, especially for those in rural and regional Victoria. It is hard. I have only got a few minutes, so let us talk about the most important thing that comes across my desk every single day, and that is health care, in particular the Mildura Base Public Hospital. Yes, it is now public. And now what? We do not have a master plan. This budget hits hard for anyone who gets sick or injured in the Sunraysia region. The Mildura Base Public Hospital, although back in public hands, has been completely ignored by the Andrews Labor government since being returned.

If you get injured, however, on Saturdays there is the private sector. One of our brilliant GPs Dr Travis Taggart has taken the initiative to run injury clinics so that when people get injured on a Saturday – which inevitably happens with football, netball, hockey, whatever it is – he is there through private funding, supported by the league, supported by Ryan Legal, to make sure that people that do get injured can actually be seen that day and then referred to the proper care on Monday, so they do not have to wait for up to 30 hours in the emergency department (ED). It hits hard.

The Mildura Base Public Hospital has been ignored by the Andrews Labor government through the election campaign, when we committed \$750 million to a new hospital. It was ignored in this budget, and now the public are being blatantly ignored with the lack of a master plan available to the public. Instead it has been deemed an internal working document, despite me asking for it several times in this place and previously my predecessor also asking for the master plan. But no, 'It's a public hospital – we'll keep those documents and the plan private. We'll keep it to ourselves.' What indeed are they hiding? It is a public hospital now – which they bang on about all the time – so what exactly are they hiding? It should be public for everyone to see exactly where we are going, exactly what the plan is. They have been screaming out for years for 30 additional ED beds, drastically needed, particularly when you are waiting for 30 hours in the ED to be seen and sometimes having to be treated in a hallway or in the waiting room or wherever we can find space. Our region is bursting at the seams. We have already outgrown the hospital and desperately, desperately, need a new one.

We were very optimistic that the master plan would pave the way and would show us what the plan is. The previous health minister promised that there would be a master plan due in this year. That was over 12 months ago, and yet the Mildura community and the wider Sunraysia region are still waiting. No such luck. I have in fact even asked. I invited the Minister for Health to Mildura to present this master plan to the public in a public hospital so that we could all see it – and she did come to Mildura. She came last week to announce \$14 million for medical records upgrading – \$14 million. Now, coming from a digital background, medical records are important, obviously, but who is having a lend of who? We are out of patience.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Caulfield electorate telecommunications infrastructure

David SOUTHWICK (Caulfield) (19:00): (311) My adjournment tonight is to the Minister for Planning, and the action that I seek is that the minister work with the Glen Eira council and telecommunications providers to address signalling issues within our community. In the past 18 months the strength of telecommunications signals in Elsternwick, Ripponlea and Caulfield South has deteriorated significantly. Many of the residents have advised me that they have corresponded with their various telecommunications providers and with the council, and unfortunately there has been no resolution. In the community we had a survey that suggested that emergency phone calls cannot be made to 000, which leads to life-threatening situations. There are public safety matters that arise, particularly when constituents cannot communicate with relevant authorities, which also puts them further at risk, and elderly constituents have been unable to reach out to family members when they are in need. Those working from home also are finding it very difficult at the moment, and local businesses reliant on telecommunications are having issues with that as well. In Elsternwick they have got situations where many of the small businesses on Glen Huntly Road cannot even use an EFTPOS machine to transact, and we have had situations where many of those traders have had to go out onto the street with their EFTPOS machine to get a signal to be able to make that transaction. It is very much Third World, and it has got to be rectified. I would ask if the minister could liaise with the various telecommunications providers and the council and get a solution to ensure that those living in Elsternwick, Caulfield South, Ripponlea and surrounds are connected as they rightly should be.

Endeavour Hills ambulance station

Belinda WILSON (Narre Warren North) (19:02): (312) My adjournment matter is directed to the Minister for Ambulance Services, and it is in regard to the Ambulance Victoria station in Endeavour Hills. The action that I seek is that the minister comes to visit the station to meet the hardworking first responders that are there. The paramedics and staff at the station do incredible work for our area, providing essential healthcare services for those who need them the most. In July and August we have recruited an additional 118 paramedics, and since 2014 we have also doubled the paramedic workforce. This is because the Labor Andrews government is committed to backing our ambos, because we know what they do, and that is save lives. I am looking forward to visiting the station with the minister very soon.

Power saving bonus

Emma KEALY (Lowan) (19:03): (313) My adjournment matter is for the Minister for Energy and Resources, and the action I seek is for the minister to urgently extend the power saving bonus to provide cost-of-living relief for families and businesses who are really struggling with rising cost-of-living expenses and particularly the skyrocketing power bills that we are seeing right across the state. In fact I have had businesses who have come to me saying they have had an increase in their power

bills of around 30 per cent. This is something they simply cannot absorb, and they are wondering why on earth the Labor government have had a policy about renewables but have not moved quickly enough and on the other side have reduced supply. They have shut down coal-fired power stations, and they have cut down gas energy in the state. There is less supply, it is pushing up prices and it is businesses and families who are paying the price for that.

I know that the \$250 power saving bonus has made an enormous difference to so many people across my electorate, and I would like to give a shout-out to all of the neighbourhood houses right across my electorate who are providing needed support, particularly for older people and pensioners who are not computer literate, who need that additional set of helping hands to help them to apply for that power saving bonus. The \$250 has made such a big difference to so many people who simply are looking at otherwise not being able to heat their homes over winter and are turning off the fridge at certain times of day. It really does make a massive difference to them.

I would particularly like to give a shout-out to Charlie at Horsham Neighbourhood House. Charlie has been a breath of fresh air in the Horsham Neighbourhood House. He is an amazing human being, and he is really giving back to a community which is new to him, providing so many supports to people who otherwise would not be connected to the wider Horsham community and even helping them to learn new skills, new tips and tricks and of course to apply for things like the power saving bonus, which helps to take the pressure off the day-to-day living expenses. I really think it is important that the government do extend the power saving bonus. It expires this Thursday at midnight. I would urge anybody in my electorate who has not yet applied for the power saving bonus through this round to immediately get online, contact my office if they like, or their local neighbourhood house, and make sure that they are getting that additional financial support to help take the pressure off those rising living expenses.

Just to bring it back to my adjournment matter, we really need to see this ongoing. We are seeing so many additional costs put on families and businesses at this point in time – it is the wrong time for this program to come to an end. There is no other program that is more important at this point in time for every Victorian than for the power saving bonus to continue. I would like the government to consider having it automatically applied to power bills, and also to look at increasing that level. In fact for pensioners in Western Australia, they get \$1000 on their power saving bonus. So please, I urge the Minister for Energy and Resources to extend the urgently needed power saving bonus.

Ararat West Primary School road safety

Martha HAYLETT (Ripon) (19:06): (314) My adjournment matter is for the attention of the Minister for Roads and Road Safety. The action I seek is that the minister joins me in Ararat to inspect the safety of the school crossing at Ararat West Primary School. I have been contacted by many concerned local parents who fear their kids are not safe to cross the current school crossing on Banfield Street. The lollipop lady does not feel safe to go out on the road, as cars fly over the hill and seem to not want to stop to allow young kids to cross the road. Police also often have to patrol the area and enforce the speed limit, with many local motorists not obeying the current speed limit of 50 kilometres per hour. I am eager to see improvements made for pedestrian safety around Ararat West Primary School so that our local kids can get to and from school without fear of a horrible collision. I would welcome the chance for the minister to inspect the crossing with me and discuss how we can improve it for Ararat West Primary School students and the broader community.

Energy policy

David HODGETT (Croydon) (19:06): (315) My adjournment matter is for the Minister for Energy and Resources, and the action I seek is for the minister to urgently consult with all stakeholders from the gas industry over the government's shock decision to ban gas connections in new homes from 1 January 2024. Minister, the ban on connections for new homes to the reticulated gas network locks the Victorian community into higher gas and electricity prices in the future. It also puts Victorians at a disadvantage by removing the opportunity for the use of renewable gases in the future. Despite your

claim of savings costs on energy bills, you continue to deny transparency by not releasing the modelling on how these savings will be achieved. The claim that an all-electric home costs the same to build as a gas and electric home has not been reflected in the market, with all-electric homes by major builders costing substantially more. With this ban on gas you are jeopardising the reliability, security and affordability of all energy for all Victorians.

Furthermore, replacing locally manufactured appliances with fully imported appliances will offshore 4000 Victorian jobs and cost consumers more. I am aware that the gas industry is on its own decarbonisation path, which will see renewable net zero carbon gases replace traditional fossil fuels in pipe networks, allowing customers to transition to net zero appliances at the lowest capital cost compared to electric appliances. The pathway to a decarbonised future must be at the lowest cost, not just at any cost. So I ask again the minister to meet and consult with key gas industry stakeholders to discuss her reasonings for placing a ban on gas connections in new homes and allow those impacted by the decision to have some input or at least be consulted.

Minister, I have received a great many representations from gas manufacturers, industry reps, associations, plumbers et cetera et cetera. The consistent message I hear is no consultation, no debate, no consideration of the hardship this is going to cause to Victorians and no reasonable time to readjust given to the hundreds of thousands of Victorians who will be adversely impacted. Furthermore, why has the government made this announcement at a time when Victoria's *Gas Substitution Roadmap* is scheduled for review before 1 January 2024? Will the government not like the outcome of this review? Why? Again, the action I seek is for the minister to urgently consult with all stakeholders from the gas industry over the government's shock decision to ban gas connections in new homes from 1 January 2024.

Fruit2Work

Sarah CONNOLLY (Laverton) (19:09): (316) My adjournment is for the Minister for Corrections in the other place, and the action I seek is that the minister join me to meet with Fruit2Work at their factory in Laverton North. Now, as the minister may well be aware, Fruit2Work is a fantastic social enterprise and charity that operates throughout Melbourne delivering fruit boxes. Where they shine is that their workforce is comprised of folks who have previously been imprisoned, giving them the chance to turn their lives around and get back on their feet. I am very proud to say that amongst Fruit2Work members no-one who has worked there has gone on to reoffend.

I had the pleasure of visiting their site just a few weeks ago, and it was incredible to see just how big that enterprise has grown since I visited last in I think 2019. Their warehouse has doubled in size. There are now 18 trucks, creating more jobs and opportunities for people in our community who have hit rock bottom to get their lives back on track, which is why I would greatly welcome the minister coming out with me to meet with Rob and Simon and the team in Laverton North to see what they have been able to accomplish over the past four years and, more importantly, to see firsthand how they have been able to change the lives of people working at Fruit2Work.

Cost of living

Sam HIBBINS (Pahran) (19:10): (317) My adjournment matter is for the Treasurer, and the action I seek is for the Treasurer to take bold action to help people who are struggling with the skyrocketing cost of living. It is clear from the many responses to our cost-of-living survey that so many people are struggling to pay the bills, struggling to pay the rent, cannot afford food, cannot afford to access health care like mental health support or to see a dentist, and it is clear that this is affecting people in profound ways, negatively impacting people's mental health. The constant worry, stress and anxiety about being able to afford food and pay the rent is significantly reducing people's quality of life. People cannot afford to visit their family, even when they are sick. They cannot afford to spend time with their friends or even have a social life. It means that people are experiencing severe hardship, particularly those on income support. Putting off accessing health care because they cannot afford it, choosing between paying their rent and affording food, going without food, going without heating in their home – these are examples of what people have told us. Caitlin from Bayswater said:

I'm constantly going between coles, Woolies and Aldi to find the cheapest food items, and even then, I can only really afford 2 meals a day.

Tamara from Mildura said:

The rising cost of living has made it hard to eat properly, I've got 3 children and it's difficult to give them a proper diet because healthy food is so expensive,

I've come off almost all my mental health medications because they simply cost too much ...

Ian from St Kilda said:

I don't purchase the food or quality of food I used to. As a result I'm not eating as well as I used. I've just been diagnosed with diabetes and the diet I now need to follow is expensive.

Alexandra from Armstrong Creek said:

The stress of not knowing if I'll be able to feed my kids at the end of a pay cycle means I end up neglecting all my personal needs ...

As a society we just should not be in a situation where so many people cannot afford to pay for food, the bills, the health care or rent, and it is happening at a time when profiteering corporations like the supermarkets and the big banks are posting record profits off the back of the skyrocketing cost of living. Governments have the power to step in and stop these profiteering corporations from ripping people off. People have told us loudly and clearly that they want to see the wealthy and profiteering corporations pay their fair share of tax to help fund cost-of-living relief and create the society that we really want to live in, and it is clear they want to see direct government action to stop these corporations putting up energy prices, to stop them putting up rent and to stop them putting up the cost of food. I urge the government to take bold action.

Footscray electorate community safety

Katie HALL (Footscray) (19:13): (318) I wish to raise a matter with the Minister for Police, and the action I seek from the minister is for him to visit my electorate of Footscray and join me in meeting with some of the local business owners and traders groups in both Footscray and West Footscray to discuss matters of local safety. I have been recently approached by a number of traders who are seeking advice on this topic for their businesses. Many of these are hospitality venues that experience some additional challenges due to later operating hours.

I have met with local council – the City of Maribyrnong's mayor and CEO – to raise these issues and discuss the possibilities for urban design improvements that might help promote safety through greater activation and additional lighting, and I will continue with this engagement. I have also recently met with the local police inspector to discuss ideas that might assist traders. It is understood that there are complexities involved in addressing matters of public safety, and I would welcome the minister's visit to meet with local business owners and to explain in person the proactive community policing initiatives underway that will continue to support them.

Portland Bay fishing

Roma BRITNELL (South-West Coast) (19:15): (319) My adjournment matter is for the Minister for Outdoor Recreation, and the action I seek is for the minister to issue an interim fisheries notice to protect Portland Bay from netting from Lawrence Rocks to the mouth of the Fitzroy River. Several decades ago, after years of overfishing, the fishing community recognised something needed to change or fishing would not be sustainable in Portland, so in 1994 a handshake agreement was struck that determined there would be no commercial netting done in Portland Bay. Fish like the King George whiting and snapper fish were at the dangerously low levels of becoming extinct. It should be applauded that the Portland community were so proactive several decades ago, and consequently we have bountiful fishing supplies today. Since then commercial and recreational fishermen have coexisted in harmony for decades, honouring their gentlemen's agreement.

Due to the recent banning of commercial fishing in Port Phillip Bay and other locations along the Victorian coastline, the Portland community are rightly concerned that some of the 150 commercial licences that are currently held in Victoria will now relocate and start netting around Portland Bay, putting Portland's fish stocks at risk. Current fishing regulations ban commercial fishing in Portland Bay over holiday periods such as Christmas, Easter and school holidays, and the local community would like to see this extended all year round. From the locals' experience, without the ban the bay's marine ecosystem will be decimated once again and Portland will lose its status as a recreational fishing haven, also risking losing the thousands of recreational fishing tourists that come to Portland from across Australia every year.

The Portland community has proven that tourism, recreational fishing and commercial fishing all benefit when working in harmony, and it is crucial to make sure they continue to do so. The local community, the local recreational fishing community and the local commercial fishing operators found a way to do this 30 years ago, and it has been working successfully ever since. The respect of those who live and work in their own backyard and the wealth of knowledge that they have should be appreciated. Locals know what locals need to do. Local farmers and fishermen are often accused of harming the environment they live in, yet the opposite is more often the truth. They value environmental stewardship because they care deeply for the land, as they traditionally have had a focus on passing this on to future generations, and their stewardship in setting up agreements like this to protect the fish is a perfect example. As I said, they were successful in doing it before, so we need to ensure they can continue to do this in the future.

Local fishers and the community request the minister to formalise the existing handshake agreement into regulation to secure the future of Portland Bay. Minister, over 6000 signatures have been contributed to a petition. It demonstrates just how galvanising the issue is in the community of Portland, who clearly want to see the future of recreational fishing, tourism and commercial fishing continue in a sustainable way.

Melton health services

Luba GRIGOROVITCH (Kororoit) (19:17): (320) The adjournment I wish to raise is for the Minister for Mental Health. The action I seek is for the minister to meet with the mental health staff of the Melton Community Services and Melton Health Hub to discuss the valuable services that they provide for the local community. On that note, I should mention that the member for Melton and I had the privilege of attending a meeting of HACSU – Health and Community Services Union – members the other week at this facility, and it was just great to get a real insight into what they do.

But I go back to my question and to my adjournment. It has been more than two years since the Royal Commission into Victoria's Mental Health System. I am proud that the Andrews government have embarked on the biggest reform of the mental health system in our nation's history, including the single largest investment in mental health in Victoria's history, so that we can deliver on every single recommendation from the royal commission. With work now underway on more than 90 per cent of the royal commission's recommendations, we are not wasting a minute, building a system that works for every Victorian to receive care as soon as they need it, no matter where they live.

That is why we are hiring thousands of new nurses and mental health support staff and opening new mental health services. It is also why we are delivering more mental health beds to alleviate pressure on our emergency departments, freeing up these doctors and nurses to care for other patients whilst ensuring acutely ill Victorians receive immediate and specialised treatment. Whether it is walk-ins, community-based care or acute hospital treatment, we are making treatment more accessible for all Victorians. I want to thank the minister for the work that is being done to rebuild the mental health system. I am particularly proud that there is widespread recognition that this workforce is the most valuable asset of our mental health system, and that is why we have committed to doubling our workforce by 2031.

Responses

Ros SPENCE (Kalkallo – Minister for Prevention of Family Violence, Minister for Community Sport, Minister for Suburban Development) (19:19): The member for Caulfield raised a matter for the Minister for Planning, and the action being sought was that the minister work with Glen Eira council and telecommunication providers to address issues within his electorate. The member for Narre Warren North raised a matter for the Minister for Ambulance Services. The action being sought was for the minister to join with the member and meet local first responders at Endeavour Hills ambulance station. The member for Lowan raised a matter for the Minister for Energy and Resources. The action being sought was for the minister to urgently extend the power saving bonus to provide cost-of-living relief, and like the member for Lowan did, I am sure that we all encourage every Victorian that has not already applied to get in and apply for that power saving bonus and take advantage of that wonderfully popular Andrews Labor government initiative.

The member for Ripon raised a matter for the Minister for Roads and Road Safety, and the action being sought was for the minister to join with the member in Ararat to inspect the safety of the school crossing at Ararat West Primary School. The member for Croydon raised a matter for the Minister for Energy and Resources also, and the action being sought was that the minister consult urgently with stakeholders in the gas sector to discuss the decision to ban gas connections at new homes. The member for Laverton raised a matter for the Minister for Corrections. The action being sought was that the minister join with the member to visit Fruit2Work at their factory in Laverton North to see what they have been able to achieve in the past four years. The member for Prahran raised a matter for the Treasurer, and the action being sought was that the Treasurer take bold action to provide cost-of-living relief.

The member for Footscray raised a matter for the Minister for Police. The action being sought was for the minister to join with the member and visit local business owners and traders in Footscray and West Footscray to discuss proactive safety initiatives, including those through urban design improvements. The member for South-West Coast raised a matter for the Minister for Outdoor Recreation, and the action being sought was for the minister to issue an interim fisheries notice to protect the sustainability of fishing in Portland Bay. The member for Kororoit raised a matter for the Minister for Mental Health, and the action being sought was for the minister to meet with mental health staff at – and I did not get the name of the service correctly, but it was something in Melton community services. My apologies to the member.

I will refer all of those matters appropriately.

The DEPUTY SPEAKER: The house now stands adjourned until tomorrow morning.

House adjourned 7:22 pm.