



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Tuesday 7 May 2024

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Jordan Crugnale, Daniela De Martino, Paul Edbrooke,
Wayne Farnham, Paul Hamer, Lauren Kathage, Nathan Lambert, Alison Marchant,
Paul Mercurio, John Mullahy, Kim O’Keeffe, Meng Heang Tak, Jackson Taylor and Iwan Walters

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll

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 ¹	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 ²	South Barwon	Ind	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 ⁵	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Famham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden ³	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will ⁴	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam	Prahran	Greens	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole ⁶	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Wight, Dylan	Tarneit	ALP
Kathage, Lauren	Yan Yean	ALP	Williams, Gabrielle	Dandenong	ALP
Kealy, Emma	Lowan	Nat	Wilson, Belinda	Narre Warren North	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Jess	Kew	Lib

¹ Resigned 27 September 2023

² ALP until 29 April 2024

³ Sworn in 6 February 2024

⁴ ALP until 5 August 2023

⁵ Resigned 7 July 2023

⁶ Sworn in 3 October 2023

Party abbreviations

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

CONTENTS

QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS

Energy policy	1511
Ministers statements: public transport fares	1512
Child sexual abuse	1513
Ministers statements: Veterans Card Victoria	1513
Women's Asian Cup	1514
Ministers statements: vehicle registration fees	1515
Rental Dispute Resolution Victoria	1515
Ministers statements: Get Active kids voucher program.....	1516
Road safety	1517
Ministers statements: cost of living	1518

CONSTITUENCY QUESTIONS

Croydon electorate.....	1519
Wendouree electorate.....	1519
Gippsland South electorate	1519
Bayswater electorate	1519
Polwarth electorate	1519
Monbulk electorate.....	1520
Brunswick electorate.....	1520
Bass electorate	1520
Mornington electorate	1520
Broadmeadows electorate.....	1521

BILLS

Financial Management Amendment (Gender Responsive Budgeting) Bill 2024	1521
Introduction and first reading	1521
Statement of compatibility.....	1522
Second reading.....	1522
State Taxation Amendment Bill 2024	1524
Introduction and first reading	1524

BUSINESS OF THE HOUSE

Notices of motion and orders of the day	1524
Notices of motion	1524

PETITIONS

Dederang battery project.....	1524
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DOCUMENTS

Budget papers 2024–25	1525
Documents	1525

BILLS

Estate Agents, Residential Tenancies and Other Acts Amendment (Funding) Bill 2024	1525
Council's amendments.....	1525
National Electricity (Victoria) Amendment (VicGrid) Bill 2024.....	1525
Council's agreement.....	1525
Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024.....	1526
Royal assent	1526
Appropriation (2024–2025) Bill 2024.....	1526
Appropriation.....	1526
Introduction and first reading	1527
Statement of compatibility.....	1528
Second reading.....	1528
Appropriation (Parliament 2024–2025) Bill 2024	1537
Appropriation.....	1537
Introduction and first reading	1537
Statement of compatibility.....	1537
Second reading.....	1538
Appropriation (2024–2025) Bill 2024.....	1538
Appropriation (Parliament 2024–2025) Bill 2024	1538
Concurrent debate.....	1538

MOTIONS

Community safety	1539
Community safety	1539

BUSINESS OF THE HOUSE

Adjournment	1539
-------------------	------

CONTENTS

MEMBERS STATEMENTS

Holocaust Remembrance Day.....	1539
John Spooner.....	1539
Better Health Network, Parkdale	1539
Country Fire Authority Stawell brigade	1540
Health funding	1540
Minister for Agriculture	1540
Mother's Day	1540
North East Link.....	1541
<i>Mamma Mia</i>	1541
Anzac Day	1541
Anzac Day	1542
Point Cook Cup	1542
Japan Karate Association, Point Cook	1542
Gendered violence	1542
Albert Park electorate football clubs.....	1543
Port Melbourne Primary School	1543
State forest access	1543
Housing.....	1543
West Gate Tunnel	1544
Creekstone Estate, Tameit	1544
Monash Interfaith Gathering	1544
Voluntary Outreach Club.....	1544
Mackie Road Neighbourhood House	1545
<i>Il Globo</i>	1545
Ethnic Communities Council of Victoria.....	1545
Albion Street, Brunswick West.....	1545
Kidsafe Victoria.....	1545
Gladstone Park Secondary College	1546
Budget 2024–25.....	1546
Drug harm reduction	1546
Reservoir road safety.....	1546
International Workers Memorial Day	1547

BILLS

Estate Agents, Residential Tenancies and Other Acts Amendment (Funding) Bill 2024	1547
Council's amendments.....	1547
Confiscation Amendment (Unexplained Wealth) Bill 2024.....	1547
Second reading.....	1547

ADJOURNMENT

Berwick electorate roads.....	1597
White Night Ballarat	1597
Rural and regional roads	1598
Queen Street bridge, Altona	1598
South-West Coast electorate roads	1599
Middle Park Primary School	1600
Bus route 364	1600
Energy policy	1600
Mildura electorate family violence services	1601
Mordialloc electorate level crossing removals	1601
Responses	1602

Tuesday 7 May 2024

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

James Newbury: On a point of order, Speaker, I want to raise with you a concern about an individual who has been on the precinct very regularly over recent days, who has reportedly said, ‘7 of October is the’ – expletive – ‘beginning of it. You’re going to have plenty of 7 Octobers coming – plenty of it – and the next 7 October is going to ... kick your arse’. I am very concerned about this person potentially committing a crime, the threats and incitement of the words that he has used and the fact that he is regularly on the parliamentary precinct.

The SPEAKER: The Manager of Opposition Business can come and see me later in my office in relation to that matter.

Questions without notice and ministers statements

Energy policy

John PESUTTO (Hawthorn – Leader of the Opposition) (12:05): My question is to the Premier. Federal Labor energy minister Chris Bowen told industry representatives in Melbourne last week that:

... with current supplies of gas dwindling, new supply will be needed ...

In light of this, why is the Premier opposed to any new onshore conventional gas production in Victoria?

Jacinta ALLAN (Bendigo East – Premier) (12:06): I thank the Leader of the Opposition for his question, because when the Leader of the Opposition asks his questions it often gives me the opportunity to correct the misinformation that he holds. I do not know whether he is briefed incorrectly or he is deliberately trying to spread this misinformation, but it gives me the opportunity to provide the information to the Leader of the Opposition that he appears to need, which is that there is exploration going on right now. There is exploration going on right now, but our overall settings when it comes to supporting the Victorian community – this includes households and business – on the journey that we are on and that we need to take through our energy transmission are to support and increase the growth in the renewable energy sector in our state.

We are doing this for two simple reasons: it is a more secure future energy supply and also it is cheaper. It is a cheaper energy supply. You do not just have to take my word for it; I point to the last quarterly update from AEMO, which reported Victoria’s energy prices going down, particularly as a consequence of the increasing proportion of renewable energy in our energy mix. Also, if the Leader of the Opposition needs further evidence of how our pathway to increasing renewable energy as our energy mix in this state is working, the recent draft finding from the Essential Services Commission shows that the Victorian default offer – I am looking at the energy minister – was I think \$112 lower than what it had previously been.

We will continue to operate in facts. Those facts are that climate change is real and we have to take action in terms of transitioning our energy mix –

James Newbury: On a point of order, Speaker, on relevance, the question did relate to the federal minister’s quote that current supplies of gas are dwindling, and I would ask you to bring the Premier back to that question.

The SPEAKER: The Premier was being relevant to the question that was asked.

Jacinta ALLAN: I was being directly relevant to the question that went to government’s policies and actions in this area. I was saying that we need to take action. We need to take action because climate change is real. You just have to ask those communities that over the first few months of this

year were impacted by flood, fire and the devastating wind event that we saw tear through this state. We are seeing more and more natural disasters come through our state with greater ferocity. We also, as part of that, know that we have to increase renewable energy, and I hope this question is a sign of days gone by when those opposite stopped and blocked renewable energy projects. I hope they are putting that stopping and blocking in the past and will join us in transitioning Victoria to more renewable energy that provides cheaper and more secure energy for our state.

John PESUTTO (Hawthorn – Leader of the Opposition) (12:09): In her answer the Premier said that gas exploration is underway as we speak. Can the Premier please inform the house where that exploration is taking place?

Jacinta ALLAN (Bendigo East – Premier) (12:10): The advice I have from the energy minister is that there are nine exploration licences underway right now around the onshore gas fields. This is all a pretence. Those opposite might want to perpetuate the culture wars around climate change. That is a choice for them.

Members interjecting.

The SPEAKER: Order! I would hope that when a question is asked the house will be able to hear the answer.

John Pesutto: On a point of order, Speaker, the Premier is debating the question. Can I ask her to address the question.

Mary-Anne Thomas: On the point of order, Speaker, the Premier was being directly relevant to the supplementary question, and I ask that you let her continue.

The SPEAKER: I ask the Premier to be mindful of the question and to come back to the question.

Jacinta ALLAN: Whilst this exploration is going on, we are also going to do everything we can to increase our renewable energy mix. Can I also say that does include, as we continue to see more investment in solar and wind and in battery storage, that we also need to invest in the transmission that gets this renewable energy source – a more secure, cheaper energy source – to households and businesses. So I hope this is a sign that the opposition are going to join us on this journey and put the culture wars of the past to rest.

Ministers statements: public transport fares

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (12:11): I rise to update the house on how the Allan Labor government's regional fare cap is helping Victorian families. Public transport fares should not discriminate against regional Victorians or indeed those wanting to visit our regions, which is why we introduced the regional fare cap, meaning that no matter where you are – whether you are in metro or regional Victoria – you pay no more than \$10.60 a day.

A few weeks ago I was in Geelong to celebrate one year of these fairer fares – one year in which we have returned over \$50 million to the pockets of Victorians. Whether you are on the Ballarat line, the Gippsland line or the Geelong, Warrnambool, Shepparton or Albury lines, you will pay no more than \$10.60. Of course the Premier knows that a return trip on the Bendigo line has dropped from \$68.80 to how much? \$10.60. We are putting more money back into the hands of Victorians every single day, boosting our regional economies and helping people stay connected with loved ones.

We can do this because, unlike those opposite, we invest in public transport. The Leader of the Nationals might well remember when his crew sold off V/Line. Not only that, they shut down train stations in Maryborough and Ararat, just to name a couple. In contrast, our record in public transport is all about investment, whether it is slashing fares or delivering 2000 extra train services per week, 20,000 extra bus services per week, brand new rolling stock and major station and train line upgrades. I could list many, many more. We are getting on with delivering the public transport network that

Victorians need and deserve. That is why our government is proud to say a very big happy birthday to the regional fare cap – 22 million trips in its first year, and here is to 22 million more.

Child sexual abuse

Michael O'BRIEN (Malvern) (12:14): My question is to the Premier. Last week the opposition put forward a bill to remove a legal loophole to stop perpetrators of historical child sex offences from walking free on suspended sentences. This reform was recommended by a royal commission in 2017 and accepted by the Labor government in 2018 but six years later is still being exploited by paedophiles in this state. Why is the Premier blocking the closure of this legal loophole?

Jacinta ALLAN (Bendigo East – Premier) (12:14): I thank the member for Malvern for his question, and at the outset can I acknowledge the survivors and those impacted by historical sexual child abuse. We are as one when we utterly condemn these horrendous crimes against some of our most vulnerable in our community. I want to say to the member for Malvern – and I am sure he is aware of this – that our laws already align with the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. Judges are already required to consider current sentencing practices when sentencing someone who has committed child sexual abuse.

I simply make this invitation to the member for Malvern: in the interests of making genuine reform and change in this area, I would suggest that we reach out outside of this chamber, not bring these matters immediately to the floor of this chamber. As the member for Malvern knows well, it is the responsibility of government to bring bills to the floor of the Parliament, because we have the resources to make sure that the bills that are drafted and come to the Parliament, particularly on these complex areas, do not contain other unintended consequences. That invitation stands for the member for Malvern, who I understand may be interested in genuine reform, and I suggest he works with the Attorney to achieve it.

Michael O'BRIEN (Malvern) (12:16): This year the Labor government in this chamber prioritised a bill to fix typographical errors in legislation instead of closing a legal loophole that allows convicted child sex offenders to benefit from suspended sentences. Given six years have passed since the Labor government committed to changing this law, how much more pain will victims of historical child sexual abuse be forced to endure before the Premier acts?

The SPEAKER: The question is a rhetorical one. I will allow it to go through because it does relate to the primary question.

Jacinta ALLAN (Bendigo East – Premier) (12:16): My answer to this question is the same as the answer to the substantive question. We have a big and busy legislative program, where we are implementing election commitments, where we will be introducing a raft of budget bills later this afternoon, and we will continue to work on areas of reform in our justice system, particularly where it is focusing on supporting the most vulnerable members of our community.

Ministers statements: Veterans Card Victoria

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (12:17): I rise today to update the house on how the Allan Labor government is helping our veterans with the cost of living. At the last election we committed to introducing the Veterans Card Victoria, and we have delivered. Our state is home to more than 100,000 veterans, and our government is committed to recognising their service and sacrifice. I would also like to acknowledge the record attendance at Anzac Day services across Victoria. Whether it was at the shrine dawn service, the march on St Kilda Road or the Anzac Day match at the MCG, Victorians were out in numbers paying tribute.

Since we launched the Veterans Card Victoria in July last year we have had over 15,000 veterans sign up, which is just fantastic. But we are not done yet. We want every veteran in Victoria to access the card and its benefits. This card is a first for our nation, and I know members have been out and about in their local communities supporting veterans to get on board, including the member for Lara, the

member for Wendouree, the member for Pascoe Vale and many others in this place who are passionate advocates for veterans. Whether you have served a day or had a long career in the defence force, you can sign up and save. Our veterans have done so much for our state and country. The Allan Labor government is helping with the cost of living for veterans, for families and for all Victorians.

Women's Asian Cup

Sam GROTH (Nepean) (12:19): My question is to the Minister for Tourism, Sport and Major Events. The government failed to make a bid to host the Women's Asian Cup matches in 2026. Is it the case that Labor could not afford to make a bid?

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:19): I have got to say that the member for Nepean has a bit of form in this. He asks these questions with absolutely no basis or no context. What he is effectively ignoring is the fact that every single jurisdiction in the country and many licence-holders want to come here, and we have such an impressive calendar. We have full venues. Frankly, if you want to talk about one event, as significant as it may be, you need to be in the context of every other event, and the fact is that our major events calendar, right from the Australian Open, 1.1 million –

Sam Groth: On a point of order, Speaker, on relevance, the question did not relate to the rest of the major events that may be here in this state. It related directly to the bid on the Asian Cup and the Matildas.

The SPEAKER: The minister was being relevant to the question and was clarifying it in relation to other events.

Steve DIMOPOULOS: I thank the member for raising a point of order, but context matters. He is literally picking one event and an impressive game as in world football – soccer – and it reminded me that I think the Matildas left Australia to play in the Olympics on behalf of this country. It qualified where? Right here in Melbourne. That is right: right here in Melbourne. It also reminds me of the fact that we are the only place in the country to host very, very soon, on 24 May, Tottenham Hotspur.

James Newbury: On a point of order, Speaker, *Rulings from the Chair*, including Speaker Maddigan, have found that the reply must address the question. We are more than halfway through a response, and the minister has not yet addressed the question. I would ask you to bring him back to the question and its relation to the particular bid.

The SPEAKER: The minister was being relevant to the question that was asked.

Steve DIMOPOULOS: The reality is there are only 365 days of the year, and on every single one of them there is an event on in this state – every single one of them. In fact the record visitor spend in Victoria of \$37.8 billion indicates that. Every single region in this state has grown in visitor spend. Melbourne is still the number one preferred destination for overnight recreational visits – number one preferred destination in the whole of the country. People wish they had the F1 in their city or state. People wish they had the tennis open in their city or state. People wish they had the grand final until 2059. We have so much content, including soccer content, and we are very, very proud of the Matildas, whose home base is right here at La Trobe University. Of the whole country, the home base of the Matildas is right here at La Trobe University.

Sam GROTH (Nepean) (12:24): Given the government invested \$42.29 million of taxpayer funds into that Home of the Matildas facility, why then did the minister betray the Matildas and their Victorian fans by failing to bid to host Women's Asian Cup matches in 2026?

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:24): I thank the member for his question. It is a pretty significant investment, and if you think about the investment – I am not sure if the member has been out there – this is not just for the Matildas. It is actually for the ParaMatildas and it is for the

Young Matildas. There are about seven Matildas national squads that will actually have their home base there. In fact I have got to say to the member for Nepean, on Wednesday 22 May we have got A-League All Stars Women playing Arsenal Women. So Arsenal Women, EPL, are coming to play here, and, guess what, the A-League Women have some Matildas in them. We are providing opportunities not just through the Olympic qualifier, but we are also providing opportunities through this showcase match with the EPL and A-League All Stars Women. Fundamentally, this government has one of the proudest calendars in major events globally.

Members interjecting.

The SPEAKER: Would the member for Malvern like to leave the chamber?

Ministers statements: vehicle registration fees

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) (12:25): I am delighted to update the house on how the Allan Labor government is providing cost-of-living relief to thousands of Victorian drivers by making rego free for apprentices. Rego has been free for eligible Victorian apprentices since July last year, and in that time 31,290 Victorians have each saved up to \$876. Let us think about that for a minute. That is about \$27 million back in the pockets of our hardworking apprentices since last year.

We know tradies need their vehicles to get to and from each job. They should not be worrying about where to find the cash for their rego. They should be getting out and about, getting the skills they need for the jobs they want. And now that we have eased this pressure on their budgets that is exactly what they are able to do. The member for Thomastown will know how important this is for the apprentices at Melbourne Polytechnic, and the member for Geelong will have seen the benefits for students at the Gordon Institute. I know the members for Wendouree and Eureka will know how much of a relief this is for students doing their apprenticeships through Federation Uni in Ballarat.

We on this side of the house are serious about helping families, which is why we have reduced other costs of keeping the car on the road, including short-term rego payments so the cost does not come in one big hit; giving safe drivers 25 per cent off rego renewal fees and saving them over \$7 million a year; making learners and probationary licences and online tests free; and making learning to drive more accessible, supporting almost 2500 disadvantaged new drivers every year through free supervised driving experiences through the L2P program. This has empowered almost 15,000 learners to clock up almost 800,000 hours getting their Ps. Whilst those on the other side try to look busy, often wandering around with their Pensky files, we are getting on with the job of easing the cost of living for Victorians.

Rental Dispute Resolution Victoria

Tim McCURDY (Ovens Valley) (12:28): My question is to the Minister for Consumer Affairs. In September 2023 the government announced Rental Dispute Resolution Victoria, a one-stop shop to resolve tenancy disputes. Over seven months later, nothing has been established. When will Victorian renters be able to access help via Rental Dispute Resolution Victoria?

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (12:28): I thank, very genuinely, the shadow minister for his question, because it is unusual to get a question in this place, particularly in consumer affairs, and it is nice to see the opposition finally taking an interest in an area that is of such great value to the constituents of all of us in this place. That goes to Rental Dispute Resolution Victoria, which the member has mentioned, but also our broader work as part of the housing statement. Much of that conversation around the housing statement has focused on getting more housing stock into the market, which we know is very, very important in terms of dealing with many of the other pressures that we know exist through the housing and rental markets, but there is also our work to ensure that renting is

fairer for all Victorians. We made a number of commitments to that end as part of the housing statement, whether it be making renting fairer by restricting rent increases between successive fixed-term rental agreements, whether it be through banning all types of rental bidding, whether it be through protecting renters' personal information –

James Newbury: On a point of order, Speaker, on relevance, the question asked specifically when the Rental Dispute Resolution Victoria program would be set up, and I would ask you to bring the minister back to that specific question.

The SPEAKER: I cannot direct the minister how to answer a question. The question was quite specific. The minister will come back to the question.

Gabrielle WILLIAMS: The question related to a commitment we made as a part of the housing statement, which is the very thing I am talking to in outlining the suite of commitments that were made. I ran through a few of those and would have gone on to also talk about the commitment to extend notices of rent increases and notices to vacate from 60 to 90 days, as well as a range of initiatives that targeted our real estate agents sector and ensured better training and of course the commitment around Rental Dispute Resolution Victoria, which is a commitment to streamlining and making cheaper and fairer the rental dispute process for Victorian renters.

Our work is well underway in delivering on that entire package of reforms as a part of the housing statement. We will have more to say about that in due course, save to say that this is a significant body of work. I should also say I think it is fair to say, particularly in contrast to the position of the opposition, that our track record on delivering for renters speaks for itself: 130 rental reforms already delivered – opposed by those opposite, I must say – and many more underway which will come to this Parliament in due course. I look forward to the support of my shadow minister and all of his colleagues in that work, and I expect now, given his interest in this issue, that that support will be forthcoming when the time comes.

Tim McCURDY (Ovens Valley) (12:32): Will decisions made by Rental Dispute Resolution Victoria be appealable at VCAT?

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (12:32): Again, thank you to my Shadow Minister for Consumer Affairs for his further question on the important matter of Rental Dispute Resolution Victoria. What we have been very clear about in describing the function of Rental Dispute Resolution Victoria is that it will be faster, fairer and cheaper, encouraging earlier intervention and resolution of residential tenancy disputes and easing the pressure on VCAT. That is really important, because we know that VCAT can often be costly, and it can often be time-consuming for both renters and agents alike. RDRV will be designed to provide resolution strategies, information and conciliation services as a separate and complementary scheme to VCAT, and my department is working closely with VCAT on that operational detail.

Tim McCurdy: On a point of order, Speaker, on relevance, the question was: will it be appealable at VCAT?

The SPEAKER: The minister was being relevant to the question.

Gabrielle WILLIAMS: As I was saying, my department is currently working closely with VCAT on the operational detail of that new body, and while we are progressing that work we will also be working with stakeholders to make sure we get it right.

Ministers statements: Get Active kids voucher program

Ros SPENCE (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (12:34): I am very pleased to update the house on the very successful and popular Get Active kids voucher program. As I have informed the house previously, this program was

established through the 2020–21 state budget to reduce cost-of-living pressures on Victorian families and address cost as a barrier to participating in sport, with eligible kids given vouchers of up to \$200 to cover the costs of equipment, uniform and registrations. When we introduced the voucher program we said that we would provide more than 100,000 vouchers to Victorian families, and we have well and truly passed that goal, with almost 150,000 vouchers provided to date.

In the latest round of the program registered activity providers still have until 21 May to redeem vouchers, and we have set a record for inclusive participation, with almost 15 per cent of voucher recipients identifying as having physical or sensory disability. In this round only 16 per cent of participants had never previously participated in a sport or activity, and this figure is steadily declining in each round of the program. What this tells us is that families are using these vouchers and their experience in sport is so positive that they are coming back and accessing the vouchers again over future rounds, as well as enjoying all of the physical and mental health benefits that come with participating in sport and recreation. These vouchers are proving to be hugely popular across a wide range of sports, including basketball, soccer, swimming, gymnastics, cricket and AFL. The Allan Labor government were the first to introduce a voucher program in Victoria, because we know that providing cost-of-living relief matters to all Victorian families.

Road safety

Danny O'BRIEN (Gippsland South) (12:36): My question is to the Minister for Roads and Road Safety. Do Victoria's roads meet the government's safety standards?

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) (12:37): I thank the member for his question. As he would be aware, there is the Road Management Act, and we have got crews out there on the road network looking at the state of our roads all the time. This builds on our record investment in road maintenance, which gives us a 10-year horizon of \$6.6 billion.

John Pesutto interjected.

Melissa HORNE: No, you're right, it's not a joke. In fact just a couple of weeks ago I was down in the member's electorate looking at some of the rehab work that had been done in North Foster, seeing the road crews that were down there, seeing the regional manager who was down there and seeing the work that had been done. In fact they had actually done it to a different standard because of the difference that was occurring with the heavy vehicles down there in that electorate. They were looking at the volume of –

Danny O'Brien: On a point of order, Speaker, on the question of relevance, the question was about: do Victoria's roads meet government safety standards? I ask you to bring her back to the question.

The SPEAKER: I cannot tell the minister how to answer a question. The minister was being relevant to the question that was asked.

Melissa HORNE: As I was saying, we are constantly looking at innovative ways to make sure that our roads are being maintained. We have got that record level of investment. In fact as I was saying, down in North Foster we have actually used different technology to be able to make sure that that road is performing better for the vehicles that it is carrying. However, we do have crews out there all the time making sure that our roads are performing correctly and making sure that they are being repaired.

Danny O'BRIEN (Gippsland South) (12:39): A survey undertaken for the minister's department in January 2023 found that 91 per cent of roads were rated poor or very poor. Given this, are our roads safe for Victorians to drive on?

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) (12:39): What I would say to the member is that we need to disaggregate the way that the roads are being maintained and also road safety, because road safety –

John Pesutto: No, that's just a convenience.

Melissa HORNE: No.

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

Melissa HORNE: As we are well aware, most of the road toll is being caused by driver error, so do not politicise the safety of drivers with the condition of our roads.

Danny O'Brien: On a point of order, Speaker, on the question of relevance, I asked if Victoria's roads were safe to drive on. I did not ask about the road toll or any other messages the minister might want to be asked about. I ask you to bring her back to the question.

The SPEAKER: The minister was being relevant to the question.

Melissa HORNE: What I would say is that in October 2022 we had significant flood events. In fact we had flood events that covered 63 of the 79 local government areas. This had a significant impact on our roads, which is why we responded to be able to get crews out on the roads, fixing our roads, and have also got that 10-year funding horizon for road maintenance.

Ministers statements: cost of living

Jacinta ALLAN (Bendigo East – Premier) (12:41): I am pleased to update the house on the action we are taking to support Victorians with the challenges that they are experiencing as a result of cost-of-living pressures. We know that this is the number one issue facing families in our state today. It shows up as the dollar figure at the register when you finish your weekly shop, as the cost of your power bills to heat your home and to keep the lights on and also in education. It also can come as a result of the investment in new uniforms, books, camps and excursions. We know household budgets are tighter than they have ever been before, and we on this side of the house know that Victorians are relying on us to provide them with the support to get them through.

We already have a strong foundation, particularly in education, on which we are supporting Victorian families. More than 40 million school breakfasts have been served at schools across the state, giving kids the best start to their day. That is better than cutting Fresh Fruit Friday, like those opposite did. There is our Smile Squad providing free dental to thousands of students.

James Newbury: On a point of order, Speaker, a number of rulings have shown that it is out of order for a minister to use a ministers statement to attack the opposition. I put to you that that is exactly what the Premier is doing on the day they are about to cut funding promised at the election.

The SPEAKER: Manager of Opposition Business, I would have ruled on your point of order, but I rule it out of order.

Jacinta ALLAN: A point of fact: Fresh Fruit Friday was no longer under the former Liberal government. But we have got Smile Squad providing free dental to students in schools, free glasses as well and free kinder providing families with a saving of up to \$2500 for every child. Also, as we have heard from the Minister for Public and Active Transport, whether you are jumping on the train in Bendigo or you are jumping on the train in Bairnsdale – and that train in Bairnsdale will be one that is made here in Victoria, running on a train line that the Labor government reopened – you only have to pay \$10.60 for that fare. We are going to continue to get on and support Victorian families right across the state.

Constituency questions

Croydon electorate

David HODGETT (Croydon) (12:44): (620) My constituency question is for the Minister for Education. When will Yarra Road Primary School receive their much-needed funding to enable them to replace portables that are no longer fit for purpose? The staff and especially the students at Yarra Road Primary School deserve to work and learn in classrooms that are not falling down around them, and this long overdue upgrade needs to be prioritised now.

Wendouree electorate

Juliana ADDISON (Wendouree) (12:45): (621) My constituency question is for the Minister for Roads and Road Safety. How will the new roundabout that is under construction at Dyson Drive and Ballarat-Carngham Road improve traffic flow and make the intersection safer for my community? Our government is keeping Ballarat moving by investing in intersection upgrades across my electorate. We have delivered traffic lights at Loreto College, making it safer for students as well as for runners, cyclists and drivers accessing Lake Wendouree and Victoria Park. At Gillies Street in Lake Gardens the new traffic lights have made it easier and safer to cross the Gregory Street intersection as well as improved access to the Wendouree train station. Further, Alfredton and Lucas residents now have an alternative route to the lake, gardens, shopping centres and sporting facilities in our north. The new traffic lights at the Delacombe town centre service the busy shopping and entertainment precinct as well as Winter Valley and Bonshaw, our important growing suburbs. I look forward to the minister's response.

Gippsland South electorate

Danny O'BRIEN (Gippsland South) (12:46): (622) My question is to the Minister for Roads and Road Safety, and the information I seek is a progress update on stage 2 of the Leongatha heavy vehicle bypass. When I say an update, there has been no funding yet for stage 2 of the Leongatha heavy vehicle bypass. This is a situation stage 1 created. It is known to locals in Leongatha as 'kamikaze corner' because it is a shocking intersection, where visitors and locals alike do not know where they are meant to be going or where they are meant to be turning. There are issues with the bike trail straight through the middle of town as well. More than 1000 people signed a petition several years ago to get this intersection fixed, and I would like the minister to explain when this intersection is going to be fixed and when stage 2 of the Leongatha heavy vehicle bypass will actually proceed.

Bayswater electorate

Jackson TAYLOR (Bayswater) (12:47): (623) The Knox athletics track is undergoing a huge redevelopment. Big thanks to Knox council for putting in much of the funding to deliver this important work. I was proud to secure \$250,000 from the Allan Labor government to help secure the full scope. It was great to have the minister come out recently and inspect ongoing works. I know our community is excited to see them wrap up and have the track back up and running. My constituency question is to the Minister for Community Sport. When will construction be complete on works at the track? In case you missed it, the project will deliver replacement of the track with a new World Athletics certified synthetic surface, new 200-lux LED lighting, new concrete pathways, an accessible entry, a new scoreboard and timing system, shade structures, fencing and much more. All in all, it is a huge project that will greatly benefit Knox locals.

Polwarth electorate

Richard RIORDAN (Polwarth) (12:47): (624) My question is to the Minister for Roads and Road Safety. The question I have is: in this year's state budget, will extra funds be allocated for Polwarth roads – namely, the Blue Church intersection, the Winchelsea-Deans Marsh Road–Cape Otway Road intersection and the notorious strip of Princes Highway west through the Stony Rises. These three projects have been on constant delay since around 2019. The Princes Highway section in particular is

now down to a 60-kilometre zone on the number one highway here in the state of Victoria. These are urgent repairs. The community have tired of waiting for them, and they are eagerly anticipating your budget announcements this year to actually get these projects underway and finished so that the people of Polwarth can travel safely across major roads and through major intersections in the Polwarth electorate.

Monbulk electorate

Daniela DE MARTINO (Monbulk) (12:48): (625) My constituency question is to the Minister for Planning. Minister, what is the Allan Labor government doing to protect our green wedges, particularly those located across my district of Monbulk? Apart from the corridor following the Belgrave train line, Ferntree Gully, some parts of The Basin and a few small pockets around Gembrook, Montrose and Monbulk, the vast majority of the land in the seat of Monbulk is zoned green wedge. The Dandenong Ranges and foothills is a unique area of our state, which I would claim is the most beautiful part of Victoria, if not Australia. This land has been protected to one degree or another since the early 1970s, when the *Planning Policies for the Melbourne Metropolitan Region* report first identified that the values of the land, across the ranges and amongst other regions, should be preserved. The new plan for Victoria, which was recently released, outlines 20 actions to protect Victoria's green wedges and agricultural land. It is a topic I am often asked about by my constituents, and I look forward to the minister's response about how the Allan Labor government will protect our precious, beautiful and unique part of this state.

Brunswick electorate

Tim READ (Brunswick) (12:49): (626) My constituency question is for the Minister for Roads and Road Safety. As reported by Andrea Bunting in the *Brunswick Voice*, around 30 people are injured each year along Melville Road, Dawson Street and Grantham Street. Since 2022 two people on foot or on a bicycle have died. Pedestrians are particularly at risk, with one in eight of Merri-bek's pedestrian injuries occurring on these roads. Last week the government's recent road safety inquiry recommended that this government facilitate or promote lower speed limits, prioritise infrastructure that separates vulnerable road users from motor vehicles and improve signalised pedestrian crossings. What actions will the government take to improve safety for vulnerable road users along Melville Road, Dawson Street and Grantham Street?

Bass electorate

Jordan CRUGNALE (Bass) (12:50): (627) My question is to the Minister for Planning. What are the time lines for working with the residents impacted by the Wonthaggi north-east environmental audit overlay? This issue is causing concern for residents. Understandably residents are anxious to understand what impact this has on their properties and are keen to have information on any possible contamination of their properties. Residents covered by the EAO have organised a community meeting to discuss these issues. They want to get the information. Many have contacted me directly. They are concerned, as I said, about the potential contamination of their properties. I have been pleased to hear that all agencies, including Bass Coast Shire Council, the Victorian Planning Authority and EPA, are working together to work with affected residents. I want to stress how important this issue is to my community. I am absolutely focused on getting this sorted and with urgency, and I thank the minister and her department for working on it as well.

Mornington electorate

Chris CREWETHER (Mornington) (12:51): (628) My constituency question is for the Premier. On the budget, will the Victorian government voluntarily report on their procurement, operations and supply chains under Australia's Modern Slavery Act 2018? Under this act entities above a \$100 million threshold must annually report on modern slavery in their operations and supply chains, but constitutionally the Victorian government and councils are not obligated to report. The act, though, does allow for voluntary reporting. Victoria is exposed and must tackle slavery within its budgetary

systems. That includes when purchasing solar panels involving Uyghur forced labour or investing in train rolling stock with, say, a risk of forced labour in North Korea, or stopping dodgy labour hire contractors in backpacker hostels from enslaving workers in horticulture and undercutting honest farmers on price, or in backing local manufacturing, nail salons and massage parlours where some humans have been treated like animals and local jobs and businesses are lost when they are unfortunately and unfairly forced to compete with slave labour. Within this budget I urge the Victorian government to take the scourge of modern slavery seriously.

Broadmeadows electorate

Kathleen MATTHEWS-WARD (Broadmeadows) (12:52): (629) My constituency question is for the Minister for Roads and Road Safety, and the question I ask is: has the light sequence been changed recently at the pedestrian crossing on Pascoe Vale Road in Glenroy near the intersection with Post Office Place? This intersection serves as a major crossing point for the busy Glenroy shopping strip and, importantly, provides access to the train station and bus interchange for the large population living west of Pascoe Vale Road. I believe pedestrians should have priority at this intersection. However, a number of people, including me, now regularly experience long delays waiting to cross the road. I am concerned that the long delays are causing some people to risk crossing the road against the lights due to impatience. Traffic flow also seems to be affected, and I am told that traffic is banking up sometimes all the way to the ring-road exit. Separately, I also continue to advocate for the installation of a red-light camera at this location to reduce the risk of vehicles running the red light.

Bills

Financial Management Amendment (Gender Responsive Budgeting) Bill 2024

Introduction and first reading

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (12:53): I move:

That I introduce a bill for an act to amend the Financial Management Act 1994 in relation to gender-responsive budgeting and for other purposes.

Motion agreed to.

James NEWBURY (Brighton) (12:54): I seek a brief explanation.

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (12:54): This bill puts in place arrangements aimed to continue the government's commitment towards gender-responsive budgeting, making sure that the decisions that government makes with respect to impacts upon particularly women are not adverse to their interests but indeed assert and improve their interests. It requires an obligation upon decision-makers, therefore, to make those decisions in a transparent and obvious way, and requisite changes to the Financial Management Act 1994 are made accordingly.

Read first time.

Tim PALLAS: Under standing order 61(3)(b), I move, by leave:

That this bill be read a second time immediately.

Motion agreed to.

Statement of compatibility

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (12:57): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Financial Management Amendment (Gender Responsive Budgeting) Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act (Vic) 2006*, (the **Charter**), I make this Statement of Compatibility with respect to the Financial Management Amendment (Gender Responsive Budgeting) Bill 2024.

In my opinion, the Financial Management Amendment (Gender Responsive Budgeting) Bill 2024 (the Bill), as introduced to the Legislative Assembly, is compatible with the human rights set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The purpose of the Bill is to amend the *Financial Management Act 1994* (the FMA) to:

- a) include in the principles of sound financial management a requirement to consider and promote gender equality and inclusivity in the pursuit of spending and taxing policies
- b) provide for a statement of the gender impacts of the budget to be prepared in association with the budget for each financial year
- c) provide for the Minister to request a gender impact assessment (GIA) in relation to any matter under the FMA. This is intended to be used in limited circumstances where the *Gender Equality 2020* (GE Act) does not apply.

The Bill makes no consequential amendments to other legislation.

Human Rights Issues

No Charter rights are limited by the Bill. The Bill broadly promotes the rights enshrined in section 8 of the Charter by embedding gender responsive budgeting (GRB) practice into the FMA. In particular, the Bill promotes section 8(2) of the Charter which provides that every person has the right to enjoy their human rights without discrimination, and section 8(3) which sets out the right to equality before the law and equal protection of the law.

I therefore consider that this Bill is compatible with the Charter.

Tim Pallas MP
Treasurer

Second reading

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (12:57): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

Gender inequality negatively affects the lives of women, girls and gender diverse people. It continues to be a persistent challenge with gender gaps affecting outcomes for Victorians. Today, the Victorian Government fulfils its commitment to introduce Gender Responsive Budgeting into legislation. By embedding Gender Responsive Budgeting into legislation, we are acknowledging an inherent role of government to ensure gender impacts are considered through the funding process, which is one of our more powerful tools for effecting positive change. This is an important next step in the journey toward gender equality for all Victorians.

Victoria has been leading gender equality efforts in Australia, with our historical gender equality achievements starting back in 2016, with the release of *Safe and Strong: A Victorian Gender Equality Strategy*. This was followed by the publication of a Gender Equality Budget Statement with the *2017–18 Budget* and every year since, then the passage of the nation leading *Gender Equality Act 2020* and the introduction of Gender Responsive Budgeting practices in 2021. Building on these achievements, this Bill will keep Victoria at the forefront of gender equality in Australia.

Gender Responsive Budgeting is fundamental to promoting gender equality through the way budgets are constructed and funds are collected and spent, to ensure that better gender equality outcomes are achieved. Gender Responsive Budgeting does not mean a specific 'budget for women'. Instead, it aims to reduce inequalities between women, men and gender diverse people by requiring gender analysis of how all budget policies affect them differently.

In Victoria, the practice of Gender Responsive Budgeting started with the *2022–23 Budget* and has continued to grow and become more mainstream across the Victorian Public Service. Setting legal foundations will help ensure its sustainability in the longer-term, ensuring that Governments of the future continue to address the specific needs of all Victorians.

Embedding Gender Responsive Budgeting within Victoria's primary financial management and accountability legislation – the *Financial Management Act 1994* – demonstrates our commitment to ensuring that good and responsible budgeting also considers and promotes gender equality. Incorporating these provisions into the FMA signals that gender analysis is fundamental to good budgeting practice and highlights the role the budget has in achieving gender equality.

Turning to the specific provisions of the Bill:

This legislation establishes a high level, overarching principle; ensures gendered reporting as part of the budget; and builds on the existing requirements of the *Gender Equality Act 2020* to help ensure that gender is considered as part of key revenue and expenditure decisions.

The *Financial Management Act 1994* set out principles of sound financial management that the Government must follow. These principles include consideration of financial reporting, taxing and spending policies, and disclosure of financial information. The Bill adds a new principle to include a commitment to gender equality and inclusivity, thus binding future governments in Victoria to Gender Responsive Budgeting as a fundamental principle of financial management. This principle will be supported by specific tools and practices which are not necessarily legislated as they may continue to change and evolve over time.

Accountability and transparency are important elements of all reform. The Bill includes a requirement for the annual budget papers to include a statement of the gender impacts of the budget. The legislation does not specify details of what must be published. This provides flexibility for future governments to determine the form of this statement, while requiring governments to report on the overall impacts of the budget. This flexibility ensures that reporting stays fit for purpose as governments, the economy or Victoria change with time.

Finally, the Bill will also empower the Treasurer to request a Gender Impact Assessment in relation to any matter under the FMA. In most cases, major policy or funding proposals would meet the *Gender Equality Act 2020* requirement for a Gender Impact Assessment of having a **direct and significant impact** on the public. However, if there are circumstances in which policy or funding proposals **do not** meet this requirement, the Treasurer will be able to use this power to require Gender Impact Assessments. Examples might include funding for business case development, or funding for pre-commercialisation research – where the impact on the public is not direct and is not likely to manifest until many years and many steps later. It is intended that this power only be used to create additional requirements, beyond those of the *Gender Equality Act 2020*. There is no circumstance in which this power can be used to lessen the requirements of that Act.

The Bill has been the subject of extensive consultation within Government to ensure that the proposals were necessary and practicable.

This Bill will not only deliver on the Government's commitment to embedding Gender Responsive Budgeting practice for the future, but will help to move us closer to that vision where all Victorians are able to live in a safe and equal society, have access to equal power, resources and opportunities and are treated with dignity, respect and fairness.

I commend the Bill to the house.

James NEWBURY (Brighton) (12:57): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until tomorrow.

State Taxation Amendment Bill 2024*Introduction and first reading*

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (12:58): I move:

That I introduce a bill for an act to amend the Duties Act 2000, the Environment Protection Act 2017, the Gambling Taxation Act 2023, the Land Tax Act 2005, the Payroll Tax Act 2007, the Planning and Environment Act 1987, the State Taxation Acts and Other Acts Amendment Act 2023, the Taxation Administration Act 1997 and the Victorian Conservation Trust Act 1972 and for other purposes.

Motion agreed to.

James NEWBURY (Brighton) (12:59): I seek a brief explanation of the bill.

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (12:59): The bill seeks to introduce changes that the government proposes as part of its budget legislation, which we will move to shortly.

Read first time.

Tim PALLAS: I move, by leave:

That this bill be read a second time immediately.

Leave refused.

Ordered to be read second time tomorrow.

*Business of the house***Notices of motion and orders of the day**

The SPEAKER (13:00): General business, notices of motion 19 and 27 and order of the day 5, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 5 pm today.

Notices of motion

Notice given.

*Petitions***Dederang battery project**

Tim McCURDY (Ovens Valley) presented a petition bearing 1310 signatures:

Issue:

This petition of residents in Victoria and visitors to the Kiewa Valley draws to the attention of the Legislative Assembly of Victoria the widespread and clear community opposition to the proposed Battery Energy Storage System (BESS) to be based in Dederang by Mint Renewables, and the environmental concerns that such a facility entails.

Action:

The petitioners therefore request that the Legislative Assembly of Victoria calls on the Minister for Planning to reject this proposal due to the widespread community opposition, the risks to community health and wellbeing, concerns about the environmental impacts on this sensitive environment, the loss of prime agricultural land, the increase of bushfire risk in a high bushfire risk area, and the impacts on landscape and tourism in an area covered by a significant landscape overlay.

Ordered that petition be considered tomorrow.

*Documents***Budget papers 2024–25**

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (13:03): I table, by leave:

2024–25 budget information paper, ‘Gender Equality Budget Statement’;

2024–25 budget ‘Overview’;

2024–25 budget paper 1, ‘Treasurer’s Speech’; and

2024–25 budget paper 4, ‘State Capital Program’.

Documents**Incorporated list as follows:****DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:*Financial Management Act 1994:*

2024–25 Budget Paper No 2 – Strategy and Outlook

2024–25 Budget Paper No 3 – Service Delivery

2024–25 Budget Paper No 5 – Statement of Finances (incorporating Quarterly Financial Report No 3)

2024–25 Department Performance Statement

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

Kingston – C203

Victorian Planning Provisions – VC255

Statutory Rules under the following Acts:

Crimes Act 1958 – SR 29

Financial Management Act 1994 – SR 28

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 29

Documents under s 16B in relation to the *Health Complaints Act 2016*:

Revised Health Complaint Handling Standard 2023

Bills**Estate Agents, Residential Tenancies and Other Acts Amendment (Funding) Bill 2024***Council’s amendments*

The SPEAKER (13:04): I have received a message from the Legislative Council agreeing to the Estate Agents, Residential Tenancies and Other Acts Amendment (Funding) Bill 2024 with amendments.

Ordered that amendments be taken into consideration later this day.

National Electricity (Victoria) Amendment (VicGrid) Bill 2024*Council’s agreement*

The SPEAKER (13:05): I have received a message from the Legislative Council agreeing to the National Electricity (Victoria) Amendment (VicGrid) Bill 2024 without amendment.

Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024*Royal assent*

The SPEAKER (13:05): I inform the house that today the Lieutenant-Governor gave royal assent to the Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024.

Appropriation (2024–2025) Bill 2024*Appropriation*

The SPEAKER (13:05): I have received the following message from the Lieutenant-Governor, accompanied by the estimates:

In accordance with the requirements of section 63 of the *Constitution Act 1975* the Lieutenant-Governor, as the Governor's Deputy, recommends to the Legislative Assembly that an Appropriation be made from the Consolidated Fund for the purposes of a Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2024/2025 and for other purposes, and hereby transmits to the Legislative Assembly estimates of the Expenditure requiring annual appropriation in the financial year 2024/2025.

Estimates tabled.*Interjections from gallery.*

The SPEAKER: Order! Clear the upper gallery. The house will pause while the upper gallery is cleared. The upper gallery will be cleared. I ask members to remove themselves from the chamber.

Public gallery cleared.**Sitting suspended 1:07 pm until 1:17 pm.**

Jacinta Allan: On a point of order, Speaker, I am requesting that you undertake an investigation into the security breach that has just occurred in the public gallery this afternoon. This is an ongoing pattern of behaviour. The Legislative Assembly, indeed the Parliament of Victoria, should be a place where debate is undertaken respectfully either on the floor here or in the building, but with that comes a responsibility for everyone to follow the rules and for everyone to behave appropriately. I have been here for many years, and I have never seen such an ongoing pattern of behaviour breaching our safety – and I use the words ‘our safety’ deliberately: it is staff, the staff in the building and the staff in the chamber, and it is all of us too as members of Parliament.

I appreciate that with the conflict in the Middle East many of us – all of us, I would suggest – are absolutely devastated by the loss of human life and the injury and conflict that is going on in the Middle East, but what we should be doing here in Victoria on the floor of the Parliament and in our community is providing support, not driving further division. That does not save one life, that does not change the course of the conflict in the Middle East, and we should be doing everything we can to provide support to people in our community for whom an incident like that that we have just witnessed is only going to cause greater distress. It is only going to cause greater division. It is not going to stop the conflict in the Middle East, and it is a breach of our safety that leaves all of us feeling unsafe. It is on that basis, Speaker, that I ask that you undertake a review and appropriately report back to the Parliament on what has occurred here. Were these individuals signed in, who was signing them in and how were they able to have access to this building? But also I want to be clear: I request having this review in the context of ensuring that the public gallery can remain available for the public to come in to see democracy in action and to see the contest of ideas and debate and ensuring that that is something that remains available to the public into the future.

James Newbury: On the point of order, Speaker, the coalition supports entirely the proposition put forward by the Premier in relation to the incident that just occurred. May I also put on record the thanks, I am sure, of every member in terms of the staff who managed the incident. That was a distressing incident for everybody in this place, and the staff acted quickly and did an incredible job

of looking after all of us. The coalition has put for quite some time our concerns about these issues. This is now the third occasion, as the Premier pointed out, where this place has been shut down because of behaviour of that nature. I think enough is enough, and I would hope not only that we investigate but that we can all work together to make sure that that is the last time that we see behaviour of that nature in this place.

David Southwick: On the point of order, Speaker, I support the Premier's point of order. Could I further add, on the safety around this precinct, that we have just seen a display of appalling behaviour today. It is something that none of us should have to put up with and none of us should have to deal with. But can I say that those protesters after they left the chamber took up a position up the top end of the steps, which is the precinct. We have been talking about the precinct and safety within the precinct, and I think it is really important for us to look at the rules around who and when, in terms of people being able to protest. The public steps at the front are for anybody quite freely to be able to make their point, but these protesters have gone well and truly beyond that, making us all feel very unsafe. The fact, as alluded to this morning, that one of those protesters has called for many, many October 7s, plenty of October 7s, coming is very, very confronting and threatening, and no-one should have to deal with that and no-one should have to put up with that in any workplace. Enough is enough. This has to stop.

Further, we have a member in this place, the member for Richmond, that is wearing a keffiyeh as a political statement in this chamber. I take offence to that. There is no place for those kinds of symbols. If I came here with an Israeli flag today, I am sure many people would also equally take offence and ask me to take it off. I ask you to deal with the member for Richmond and the political statement that she is trying to make wearing that keffiyeh in the chamber.

The SPEAKER: That is a separate point of order, member for Caulfield. On the point of order raised by the Premier and the Manager of Opposition Business in relation to security, I will take that on notice.

I ask the member for Richmond to remove the scarf, please. Is the member for Richmond prepared to remove her scarf? Member for Richmond, I ask you to leave the chamber for an hour and a half.

Member for Richmond withdrew from chamber.

James Newbury: On a point of order, Speaker, the coalition will support the government in a naming should they wish to name the member because of her repeated pattern of behaviour and the behaviour that she displays in this place. I would suggest that the government may wish to name the member, and the coalition would support that naming.

The SPEAKER: It is not up to the government to name a member. I have removed the member for Richmond from the chamber, and I will be speaking to the member for Richmond. Further incursions in relation to paraphernalia relating to either side of the conflict that we are witnessing, which is distressing everybody, will be treated with the most serious act, which is naming.

Introduction and first reading

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (13:25): I move:

That I introduce a bill for an act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the government for the financial year 2024–2025 and for other purposes.

Motion agreed to.

Read first time; under standing order 61(3)(a), ordered to be read second time immediately.

Statement of compatibility

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (13:30): In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility for the Appropriation (2024–2025) Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (Vic) (**Charter Act**), I make this statement of compatibility with respect to the Appropriation (2024–2025) Bill 2024.

In my opinion, the Appropriation (2024–2025) Bill 2024, as introduced to the Legislative Assembly, is compatible with the human rights protected by the Charter Act. I base my opinion on the reasons outlined in this statement.

Overview of Bill

The Appropriation (2024–2025) Bill 2024 will provide appropriation authority for payments from the Consolidated Fund for the ordinary annual services of Government for the 2024–2025 financial year.

The amounts contained in Schedule 1 to the Appropriation (2024–2025) Bill 2024 provide for the ongoing operations of departments, including new output and asset investment funded through annual appropriation.

Schedules 2 and 3 of the Appropriation (2024–2025) Bill 2024 contain details concerning payments from advances under section 35 of the *Financial Management Act 1994* (Vic) and payments from the Advance to Treasurer in the 2022/2023 financial year, respectively.

Human Rights Issues**1. Human rights protected by the Charter Act that are relevant to the Bill**

The Appropriation (2024–2025) Bill 2024 does not raise any human rights issues.

2. Consideration of reasonable limitations – section 7(2)

As the Appropriation (2024–2025) Bill 2024 does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 7(2) of the Charter Act.

Conclusion

I consider that the Appropriation (2024–2025) Bill 2024 is compatible with the Charter Act because it does not raise any human rights issues.

TIM PALLAS MP
Treasurer

Second reading

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (13:30): I move:

That this bill be now read a second time.

We are here today on the lands of the Wurundjeri people and I acknowledge them as traditional owners.

I pay my respects to their elders, past and present, and the Aboriginal elders of other communities here today.

The Allan Labor government is committed to truth, treaty and self-determination for First Peoples.

Speaker, as I stand here today to deliver the Victorian budget 2024–25, times are tough for many Australians, indeed for many around the world.

Inflation is hurting. Interest rates are higher, and the cost of groceries, petrol and bills continues to rise.

That's why this budget is focused, firstly, on helping families.

From help with the cost of living, to investments in education, health care, road and rail – we want to make life easier.

Secondly, this is a budget focused on fiscal discipline, making sensible decisions that respond to the challenges ahead.

It considers our two big problems – high inflation and workforce shortages – and how best to manage them.

And thirdly, this is a budget for the future – we want our prosperous economy to stay strong.

In this budget we're making sensible choices. We're helping families. And we're building a strong future for Victoria.

Sensible decisions

As the world deals with challenging economic times, we need to face reality and make clear-headed decisions.

Just as inflation has impacted families – it's also impacting our economy.

Rising prices of materials, labour and transportation have pushed up construction costs by around 22 per cent since 2021.

It's not just cost pressures – we're facing workforce pressures too.

Unemployment remains around its lowest level in nearly 50 years – and more Victorians are working than ever before.

That's good news. But it also means we're constrained by limited workforce capacity.

Infrastructure Australia estimates that demand for workers exceeds the current national public infrastructure workforce by 129 per cent.

To put it another way, Australia is already 229,000 workers short of what we need.

This worker shortage is hitting our construction projects, but it's also hurting our caring and social sectors. Early childhood worker vacancies are three times higher than in 2019.

Speaker, at the height of the pandemic we stepped in and used our state's balance sheet to protect household budgets. This underlaid our strong economic recovery.

Now it's time for government to recalibrate, ensuring our investments are right for today, and tomorrow. This year's budget makes a range of sensible and disciplined decisions, while continuing to invest in the health, education, transport and housing Victorians need.

It responds to the capacity constraints in the economy, and inflation, that we're seeing worldwide.

It does this by taking the following four actions: investing in workers' skills to tackle labour shortages; aligning our infrastructure program to better reflect workforce capacity; supporting Victorian families with targeted cost-of-living help; and stabilising, then reducing, net debt to GSP, in line with our strategy.

Speaker, with high global inflation, the International Monetary Fund, in its recent report on Australia, says now is the time for governments to adapt infrastructure investment to economic capacity.

We're recalibrating with a clear path forward, backed by disciplined decisions.

Expenses are growing at 2.2 per cent per year on average in this budget, below average nominal economic growth at 5.3 per cent – so we are shrinking the size of government as a share of the economy.

We're also responsibly managing our capital program, with new capital investment lower than recent years. Infrastructure investment is expected to decline from a peak of \$24 billion in 2023–24 to \$15.6 billion by the end of the forward estimates. That doesn't mean going from feast to famine. In this budget we will progressively return the capital program to pre-COVID levels, to better align with the ability of our economy to deliver.

A sustainable, ongoing pipeline will provide certainty to the construction industry, and help them to build critical social and economic infrastructure for all Victorians.

Right now, we're delivering a number of city- and suburb-shaping projects, including the Metro Tunnel, the West Gate Tunnel and the North East Link.

At the same time, we have a huge amount of funding tied up with the Melbourne Airport rail project. We need to be realistic about the project and its timeline.

We've made the sensible decision to acknowledge the project is now at least four years delayed.

We're also winding up COVID-era programs that are no longer needed, as we move into a new phase.

We'll reduce the government's advertising spend, and decrease office space across the Victorian government, reflecting the changed nature of work.

Our Best Start, Best Life reforms are transforming early childhood with free kinder, increased hours and government-owned child care.

But with sustained low unemployment continuing to impact our workforce capacity, we're going to roll these reforms out a bit more gradually, ensuring we give the workforce time to build up and skill up.

We're taking a similar approach with the rollout of our mental health and wellbeing locals.

To give us the time to ensure we have the people and skills we need, this budget pursues a more gradual approach to the rollout of our mental health and wellbeing locals. That gives us the opportunity to train and recruit the required workforce – and it also makes sure we're learning from the rollout of the first two stages.

Breakthrough Victoria was set up to help the economy recover and grow jobs after the pandemic – but with those tasks well underway, we will extend the fund's investment profile from 10 to 15 years, giving Breakthrough Victoria more time to review and be selective about quality investments.

Speaker, as the world faced a raging global pandemic, we laid out a four-step strategy for our economy to survive and emerge stronger than ever.

The first and most important step was to let the Victorian government's balance sheet absorb the blow of the pandemic – protecting jobs, businesses, families and the community.

Our steps 2 and 3 were about returning to surpluses. We achieved step 2 by delivering an operating cash surplus in 2022–23, which continues over each year of this budget and forward estimates.

We remain on track for step 3, and this budget forecasts an operating surplus in 2025–26 that is higher than previously predicted.

The government is forecasting operating surpluses of \$1.5 billion in 2025–26 and \$1.6 billion in 2026–27, an improvement from the 2023–24 budget update.

The operating surplus is then forecast to increase further to \$1.9 billion in 2027–28.

As a proportion of GSP, net debt is projected to be 24.4 per cent in June 2025 before reaching 25.2 per cent in 2026–27 and then declining to 25.1 per cent in 2027–28.

Economic indicators show our plan is working – our economy is now estimated to be almost 11 per cent larger, in real terms, than before the pandemic.

That growth is predicted to continue, with Deloitte Access Economics forecasting Victoria's economy will outpace all other states over the next five years.

Business investment in Victoria is leading the nation at almost 6 per cent higher than the national average growth.

It's clear – businesses are backing our plan.

Our disciplined and sensible decisions mean that now, with this budget, we've been able to deliver on step 4 – stabilising net debt as a percentage of GSP, for the first time since the pandemic.

That means we can add a new step to the Allan Labor government's fiscal strategy.

That is – the reduction of net debt to GSP.

This updated fiscal strategy is right for our times – with a firm focus on driving new growth across our state, while also acting to reduce debt.

To put this into perspective, our economy is worth about \$600 billion today, but by the end of the forward estimates it will be worth nearly three-quarters of a trillion dollars. The strength of this growth is helping drive a reduction in net debt to GSP.

Helping families

Speaker, this is a budget about helping families.

With the cost of living higher, we know how kids' school expenses – things like uniforms, camps and excursions – can really add up.

That's why we're going to help families with a one-off \$400 school saving bonus, to land right at the start of the next school year.

It'll cover a range of school expenses, including the extras that make school fun.

We're helping kids stay active, with vouchers of up to \$200 for eligible families, to fund sporting memberships, uniforms and equipment.

We'll give eyesight tests to more students in schools, tripling our free Glasses for Kids program.

Just like our Smile Squad's free dental check-ups in schools, it'll save families money – and the hassle of getting kids to appointments.

Since 2014 we've invested more than \$8 billion to transform early childhood education and development. This budget invests to keep delivering free kinder, saving families up to \$2500 per child.

We're also helping keep bills down with clean energy initiatives, like a \$38 million boost for energy efficient hot-water heater subsidies, and \$6 million for more interest-free loans on solar battery storage systems in homes.

Reflecting the Allan Labor government's priorities – children and young people – this budget continues to invest in our kids and our classrooms.

Speaker, we promised to build 100 new schools by 2026, and this budget delivers on that promise.

Seventy-five new schools are open, nine more are underway, and this year's budget invests \$1 billion in 16 more new schools and additional stages at two recently opened schools.

We'll upgrade 25 existing schools, with \$227 million for things like new learning spaces, sports fields and playgrounds.

Speaker, great teachers change lives, and in this budget we are investing \$139 million not only to get more teachers in our schools, but also importantly, to keep the ones we have.

We're helping schools create job-sharing and part-time leadership roles, offering teachers more flexibility and work-life balance.

When crisis or illness strike, there is nothing we want more than world-class health care for ourselves and our loved ones.

This government has invested \$59 billion into our healthcare system – and the workers we need to run it – since taking office in 2014.

We have 60 per cent more doctors, 40 per cent more nurses, and almost 40 per cent more healthcare workers, than we did a decade ago.

From that base, this budget now delivers the biggest investment in our healthcare system, ever.

It includes an unprecedented multiyear investment of more than \$11 billion for services to meet the future health needs of Victorians, including more than \$8.8 billion in operating funding for hospitals.

This is the biggest single investment in our hospital system in the state's history.

We are enormously grateful for the talent and dedication of Victoria's health workforce, and we will never forget the sacrifices they made through the pandemic, and continue to this day.

Our investment in this budget secures the financial sustainability of our health sector, so our healthcare workers have what they need, to keep providing world-class care.

We've shifted care closer to home, with targeted interventions to get people better more quickly, and to reduce pressure on emergency departments.

We're investing over \$900 million to upgrade the Austin Hospital's emergency department, and to deliver a new ED and more beds at the Northern Hospital.

We're funding Monash Medical Centre with nearly \$500 million to expand. It will get more maternity care, operating suites and intensive care beds.

And we're helping Ambulance Victoria maintain life-saving services, with \$146 million to support ambulance capacity.

We all know that nothing is more central to our safety and wellbeing than having a home.

But right now, many families are getting priced out of the market.

That's why this budget provides a further \$700 million boost to the Victorian Homebuyer Fund – helping more Victorians realise their dream of owning a home and setting up our partnership with the federal government's help-to-buy scheme.

Our housing statement, released last year, also lays out a plan to increase housing in areas close to jobs and transport.

We're investing \$107 million to progress our ambitious housing agenda, creating the conditions needed for 800,000 new homes to be built over the next decade.

Building a home is a big venture, and we want Victorians to feel safe from being ripped off when they take this on.

We're strengthening the Victorian Building Authority, and we're protecting people building or renovating their home, with better access to domestic building insurance.

We're helping keep communities safe, with programs to keep at-risk and vulnerable people out of the justice system and to address the causes of offending.

And we're delivering some of the strongest gambling reforms in Australia, with \$165 million for Gambler's Help services, education and research.

It's a travesty that women and girls are still experiencing family violence.

In Australia, one in three women over 15 years of age has experienced physical violence, and one in five has experienced sexual violence.

Ten years after the 2015 Royal Commission into Family Violence, we have implemented all 227 recommendations through an investment of \$3.8 billion.

But as we are seeing daily, tragically, there is still more we need to do.

This year's budget invests a further \$211 million to keep women and children safe, with interventions to prevent family violence and to help victim survivors – including funding to stop violence before it starts, with targeted investment in prevention.

Speaker, regional Victoria matters to this government.

Since first taking office, we have announced more than \$45 billion of funding into the hospitals, TAFEs, schools, roads and rail that country communities need.

This government has introduced and retained the lowest regional payroll tax rate in the country – and it's paying dividends.

More than 170,000 jobs have been created in regional Victoria over the past nine years – right now we have more people employed in regional Victoria than ever before.

This budget keeps that focus. We're building four new schools and upgrading seven more, and supporting families with the cost of living.

We're beginning to operate the expanded Latrobe Regional Hospital, and delivering a new mental health and AOD emergency department hub for Ballarat Base Hospital.

And we're investing in V/Line, with \$133 million to support the regional rail network, including operating new train yards, stations and VLocity trains.

This year's budget will spend \$964 million to maintain our state's road network this coming year alone – including extra funding to clean up the damage from flooding.

This is nearly double the average annual spend of \$493 million between 2010 and 2014.

A positive future

Speaker, this is a budget that looks towards a big and prosperous future, with Victoria set to hit 10 million residents by 2050.

When we came to government in 2014, we immediately got on with delivering world-class roads and more public transport.

These projects are transforming our state, creating thousands of jobs along the way.

We are proud of the generational infrastructure legacy we are creating.

Since 2014, we have committed \$120 billion to planning, building, operating and upgrading Victoria's transport network.

Our Big Build – including the level crossing removal program, the Suburban Rail Loop, West Gate Tunnel and North East Link – will transform the way Victorians travel.

These assets will also hugely strengthen our state's economy, and a stronger economy pays off debt faster.

The Metro Tunnel will open next year: the biggest and most city-changing public transport project since the city loop opened more than 40 years ago.

This year's budget provides \$233 million to get us ready for the excitement of day one at the Metro Tunnel – for training drivers, timetabling and final testing.

Speaker, the Victorian economy has created more than 560,000 jobs since September 2020, the highest jobs growth in the nation – accounting for about one in three of all jobs created nationwide over this period, and one in seven of all people employed in Victoria.

We've supported thousands of jobs through our Big Build, we will have trained 17,000 nurses by the end of the forward estimates, and we have invested \$32 million to incentivise doctors to become GPs.

We've invested \$370 million to bolster the early childhood workforce, and we're setting up training centres to create our clean energy workforce.

But with skills shortages in certain areas, it's never been more critical to build the workforce of the future, today.

This budget builds on our record with more than \$550 million for skills and training, including \$394 million to continue access to training and free TAFE, with its 80-plus free courses; \$117 million to continue supporting the TAFE network for students and teachers; \$11 million to support apprentices, trainees and their employers; and \$16 million to skill up more mental health professionals for the future.

We're also helping workers to upskill or change careers, with \$32 million for retraining in high-priority industries like disability services, clean energy and construction.

Building a big future for Victoria means helping business owners invest and grow.

That's why this past year we've worked with industry leaders to progressively abolish stamp duty on commercial and industrial properties.

This is a landmark reform that will make it easier for businesses to set up, invest in new land and buildings, and move locations.

It will create 12,600 jobs, and increase the size of the Victorian economy by up to \$50 billion over the next 40 years.

Broader economic benefits aside, it means businesses pay \$266 million less in stamp duty over the forward estimates – as shown in this year's budget.

This is about supporting business and growing the economy – an inclusive economy, that leaves no-one behind.

Speaker, our early intervention investment framework builds a better future by helping people early, before their problems get critical.

It puts evidence at the heart of budget decision-making, seeking out proposals with the greatest impact, and it measures outcomes over time.

For example, five initiatives in this year's budget set out to help victims of family violence, providing safety early, while also aiming to change perpetrators' behaviours.

Overall, we'll fund \$167 million to deliver these services, generating at least \$175 million of financial and economic benefits, as well as, critically, helping people.

It's our fourth budget to use this groundbreaking framework, with an overall \$1.1 billion invested across 28 initiatives in this budget alone.

Over the past four budgets we've funded \$2.7 billion for early intervention projects, expected to generate benefits of \$3 billion, in a double dividend that also helps Victorians.

We expect a return of up to 1.3 times the funding for service delivery, making this smart and effective spending that saves money and, most importantly, improves lives.

Building a better future also means dealing with the past – the Allan Labor government is proud to walk with First Peoples in Victoria towards truth and treaty.

Together with the First Peoples' Assembly of Victoria, we established Australia's first formal truth-telling process, the Yoorrook Justice Commission, in 2021.

This budget invests in self-determination and support for First Nations peoples, including \$6.8 million to extend the commission as the state's first truth-telling process.

We're delivering better education for Aboriginal students in Victoria.

And we're investing \$51 million to improve shared decision-making with First Nations people, and to get a greater understanding of our state's history into schools.

Building a better future means preparing ourselves for a changing climate, and for extreme weather events.

Over this summer we've already had floods and fires, with more than 40 homes lost to blazes near the Grampians. Storms left thousands of households without power.

In this budget we're helping communities hit by catastrophic weather events, with more than \$300 million to rebuild and recover.

We're funding new fire trucks for the CFA and Fire Rescue Victoria, supporting our frontline emergency crews.

And we're investing \$25 million to support the State Control Centre, the heart of our emergency response system.

Following our move away from native timber logging, we're making sure Victorians can experience and enjoy our forests.

This budget provides \$11 million to support the work of the Great Outdoors Taskforce, which will advise on future uses of our state forests.

This includes the nearly 2 million hectares of state forest previously used for timber harvesting.

An additional \$105 million will help restore native forests, promote biodiversity, and maintain roads for bushfire access.

And we're providing \$290 million to create jobs for former forestry workers in forest and fire management.

We've brought back the State Electricity Commission – to cut carbon emissions, generate cheaper energy and support thousands of jobs.

And this budget invests more than \$18 million to plan for offshore wind generation, and \$17 million to continue planning, and designing, a renewable energy terminal at the Port of Hastings.

We're investing \$85 million to help shield Victoria's agriculture sector and natural environment from biosecurity risks.

We're providing \$44 million to the Environment Protection Authority to crack down on illegal dumping and other waste crimes which threaten our environment.

And we're investing \$17 million into our state and national parks, so they can be enjoyed by all Victorians.

Speaker, as a community, we have a lot to be proud of in building a fairer, more equal Victoria for women and girls.

But, gender inequality remains all too common – here, and around the world.

Our Labor government introduced gender-responsive budgeting three years ago, to get fairer outcomes for women.

I'm proud to be embedding gender-responsive budgeting into law this year, making Victoria the first state to do this.

It's all part of building a safe and fair future, with equal opportunity for everyone.

Speaker, in the past 10 years we have faced natural disasters and a global pandemic – but it has still been a period of success and growth for Victoria.

Cast your mind back to 2014 and before we came to government, when the state's unemployment rate reached a peak of 7 per cent – and up to 14.6 per cent for young people.

Infrastructure was groaning with the burden of a growing population, but nothing was being built. The state was grinding to a halt.

Ten years ago, our schools were at capacity, Victorians only knew cuts and closures.

A decade later, our agenda has launched careers and jobs for thousands of people, and we can be proud that the Victorian economy powers the nation.

We have steered this state through natural disasters and a global pandemic, and shown we can navigate any terrain, with strong leadership, and compassion.

Only with clear-headed and firm decisions can we ensure the best future not just for us, but for our children, and our grandchildren.

We make our best decisions when we consider the generations to come, and take their needs fully into account, as we work to make a better world.

This country recently lost a great Victorian, and a great Australian, in Simon Crean.

Two decades ago, he described what a civilised society should aspire to be:

... a country where anyone, regardless of where they live or how much they earn, can get the same standard of medical care when they get sick; a country where education is available on the basis of ability, not ability to pay; and a country that protects its natural environment for future generations to enjoy. That is the sort of civilised society I want Australia to be.

It is in fact the sort of society the Allan Labor government is making a reality in this state.

Because at its best, good government enables, enlightens, enriches, enhances, and empowers – each and every member of its community.

To do so we must embrace the challenge of today without abandoning the opportunity of tomorrow.

Speaker, it is my honour and privilege to deliver my 10th budget as Victorian Treasurer.

But the hard work must continue.

This budget addresses the tough realities of our times with sensible and disciplined decisions.

It puts care for Victorian families at its heart.

And it lays the path to a bright and prosperous future.

I commend this bill to the house.

Members interjecting.

The SPEAKER: Order! Member for Nepean, you can leave the chamber for half an hour.

Member for Nepean withdrew from chamber.

Brad ROWSWELL (Sandringham) (14:03): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until tomorrow.

Appropriation (Parliament 2024–2025) Bill 2024

Appropriation

The SPEAKER (14:03): I have received the following message from the Lieutenant-Governor, accompanied by the estimates:

In accordance with the requirements of section 63 of the *Constitution Act 1975* the Lieutenant-Governor, as the Governor's Deputy, recommends to the Legislative Assembly that an Appropriation be made from the Consolidated Fund for the purposes of a Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2024/2025 and for other purposes, and hereby transmits to the Legislative Assembly estimates of the Expenditure requiring annual appropriation in the financial year 2024/2025.

Estimates tabled.

Introduction and first reading

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:04): I move:

That I introduce a bill for an act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2024–2025 and for other purposes.

Motion agreed to.

Read first time; under standing order 61(3)(a), ordered to be read second time immediately.

Statement of compatibility

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:05): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Appropriation (Parliament 2024–2025) Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (Vic) (**Charter Act**), I make this statement of compatibility with respect to the Appropriation (Parliament 2024–2025) Bill 2024.

In my opinion, the Appropriation (Parliament 2024–2025) Bill 2024, as introduced to the Legislative Assembly, is compatible with the human rights protected by the Charter Act. I base my opinion on the reasons outlined in this statement.

Overview of Bill

The purpose of the Appropriation (Parliament 2024–2025) Bill 2024 is to provide appropriation authority for payments from the Consolidated Fund to the Parliament in respect of the 2024–2025 financial year.

Human Rights Issues

1. Human rights protected by the Charter Act that are relevant to the Bill

The Appropriation (Parliament 2024–2025) Bill 2024 does not raise any human rights issues.

2. Consideration of reasonable limitations – section 7(2)

As the Appropriation (Parliament 2024–2025) Bill 2024 does not raise any human rights issues, it does not limit any human rights, and therefore it is not necessary to consider section 7(2) of the Charter Act.

Conclusion

I consider that the Appropriation (Parliament 2024–2025) Bill 2024 is compatible with the Charter Act because it does not raise any human rights issues.

TIM PALLAS MP

Treasurer

Second reading

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:06): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The Appropriation (Parliament 2024–2025) Bill 2024 provides appropriation authority for payments from the Consolidated Fund to the Parliament in respect of the 2024/2025 financial year, including ongoing liabilities incurred by the Parliament such as employee entitlements that may be realised in the future.

Honourable Members will be aware that other funds are appropriated for parliamentary purposes by way of special appropriations contained in other legislation. In addition, unapplied appropriations under the *Appropriation (Parliament 2023–2024) Act 2023* have been estimated and included in the Budget Papers. Before 30 June 2024, the actual unapplied appropriation will be finalised and the 2024/2025 appropriations will be adjusted by the approved carryover amounts under section 32 of the *Financial Management Act 1994* (Vic).

In line with the wishes of the Presiding Officers, appropriations in the Appropriation (Parliament 2024–2025) Bill 2024 are made to the departments of the Parliament.

The total appropriation authority sought in this Appropriation (Parliament 2024–2025) Bill 2024 is \$285,008,000 (clause 3) for Parliament in respect of the 2024/2025 financial year.

I commend the Bill to the House.

James NEWBURY (Brighton) (14:06): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until tomorrow.

Appropriation (2024–2025) Bill 2024**Appropriation (Parliament 2024–2025) Bill 2024***Concurrent debate*

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:06): I move, by leave:

That this house authorises and requires the Speaker to permit the second reading and subsequent stages of the Appropriation (2024–2025) Bill 2024 and the Appropriation (Parliament 2024–2025) Bill 2024 to be moved and debated concurrently.

Motion agreed to.

*Motions***Community safety**

David SOUTHWICK (Caulfield) (14:07): By leave, I move:

That this house expresses concern at the planned anti-Israel protest at Monash University, which states 'Zionists are not welcome on campus', notes the toxic environment created by anti-Israel protestors has made students feel unsafe on campus, condemns hateful protests and affirms students' rights to safety on campus.

Leave refused.

Community safety

David SOUTHWICK (Caulfield) (14:07): I move, by leave:

That this house notes that an anti-Israel protestor on the steps of Parliament made terrorist threats, saying there would be plenty of October 7s coming, notes that protestor behaviour has been raised with the Presiding Officers and calls on the parliamentary authorities to refer the matter to police.

Leave refused.

*Business of the house***Adjournment**

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:08): I move:

That the house, at its rising, adjourns until Tuesday 14 May 2024.

Motion agreed to.

*Members statements***Holocaust Remembrance Day**

David SOUTHWICK (Caulfield) (14:09): Yesterday was Holocaust Remembrance Day, where we say 'Never again'. Unfortunately never again is now, when we are seeing unprecedented rises in antisemitism and people just not feeling safe on our streets, on our campuses and even outside our Parliament. It is unfortunate that we see this, but I do want to highlight some of the champions that are doing some wonderful things.

On Sunday I joined with the Jewish Museum of Australia state library walk with volunteer expert guide Terry Ashton. Terry has been volunteering for 25 years, showing the important connections from the Jewish community and our City of Melbourne. Thank you, Terry, for doing this and showing many Jews and non-Jews just how important the significance of the Jewish community has been to our city of Melbourne.

John Spooner

David SOUTHWICK (Caulfield) (14:09): Melbourne-based cartoonist John Spooner began in the 1970s, and his work has appeared in many Australian and international publications. He has won many awards, including four Walkley awards and six Stanley awards. On Sunday the Liberal Friends of Israel awarded John with a certificate of appreciation to thank him for his unwavering support to the Jewish community, particularly since the events of 7 October. While many journalists have failed to call out Hamas and the terror events along with Israel's obligations to defend its citizens from such terrorists, John has continued to be a truth teller and a voice of reason during these very difficult times.

Better Health Network, Parkdale

Tim RICHARDSON (Mordialloc) (14:10): Recently I joined the Minister for Health to open upgrades to Better Health Network's facilities in Parkdale. Formerly known as Central Bayside Community Health Services and brought together under Star Health and Connect Health &

Community, Better Health Network provides a range of allied health services in our local community. It was great to see the new facilities that are being delivered as part of a \$2.6 million project upgrade as part of the Metropolitan Health Infrastructure Fund.

I want to give a big shout-out to the leadership there: former chair of Better Health Network Janice Munt, a former member for Mordialloc and Parliamentary Secretary for Health – an outstanding leader in the south-east and indeed across Victoria; and the former Cain government minister Peter Spyker, who is an outstanding champion for community – you see Peter around Cheltenham all the time – and to see him there at the opening was really amazing. Central Bayside Community Health, the legend and story goes, was established in the back of Peter Spyker's electorate office. Things have changed these days, but such was his determination to establish this service that now has hundreds of employees and so many volunteers, that he put it together in the back of the electorate office.

To Deb Stuart, the former CEO of Central Bayside Community Health, for all her leadership and advocacy in building this great project and to the workers that put this together and then the incoming CEO as well, thank you for the work that has been done. Amanda Murphy is coming in and is doing an outstanding job. It was great to join the Minister for Health to celebrate another milestone in health care and allied health services in the Mordialloc electorate.

Country Fire Authority Stawell brigade

Emma KEALY (Lowan) (14:12): I note in the budget that has just been handed down that there has been funding allocated for fire services, and I urge the Treasurer, the Premier and of course the minister responsible to consider the urgent need for a new tanker at Stawell brigade. Also, they are looking for a new station. They need to acquire land in the first instance, and so at least, as a very, very first step, I hope that the government can secure land for the future build of Stawell brigade.

Health funding

Emma KEALY (Lowan) (14:12): I would like the Minister for Health to categorically rule out forced amalgamations for health services across the state where health services have nominated to go down a partnership model, which has been in place for decades. I actually was the first signatory to the Wimmera Southern Mallee Health Alliance, which was a working partnership for hospitals in that part of the state. I know of many hospitals who have said, 'We do not want to amalgamate. We do not want to merge under Ballarat. We don't want to see a future erosion of local governments, local decision-making for staff, but most importantly local services.' So I ask the minister to rule out that hospitals who have elected to go down the partnership model will not be forced to amalgamate with larger health services. I do note in the budget papers that the Rural Health Infrastructure Fund has been scrapped. I condemn the government for that. We need to continue investment in our rural health services and not just kick them to the kerb as we force them to merge into the larger regional health services.

Minister for Agriculture

Emma KEALY (Lowan) (14:13): I have a question for the Minister for Agriculture. What is she doing to – (*Time expired*)

Mother's Day

Juliana ADDISON (Wendouree) (14:13): On Mother's Day we honour our mums. We celebrate the joys of motherhood and pay tribute to the women in our lives who are mother figures. I am sure this will be a particularly special day for first-mums-to-be, including the members for Ripon and Kew, and those celebrating their first Mother's Day. I look forward to spending Sunday with my magnificent mum and two of the best mums I know, my sisters. We are a government that has proudly amplified the voices and experiences of mothers and those wanting to become mothers. Through our early parenting centre in Ballarat, we will provide specialised support for mums closer to home. The EPC will provide expert advice to parents experiencing challenges with sleep and settling and feeding as

well as extra care for babies and toddlers with additional needs. We are also investing in the Best Start, Best Life program. Importantly, these landmark reforms are not just about providing the best early education to our littlest learners but about supporting Victorian mums by giving them more options, including returning to work and providing relief for family budgets. The Allan Labor government is also supporting women who want to become mums, with our fairer and affordable public fertility care in Victoria. We have invested \$120 million to deliver the landmark program to support thousands of Victorians every year to access these services, delivering up to 3375 treatment cycles and helping people save up to \$10,000. I am also sending my love to everyone grieving for their mum this Mother's Day and the mothers grieving for a lost child.

North East Link

Matthew GUY (Bulleen) (14:15): The Manningham council and Manningham residents have again been shafted by the Labor Party in this budget. We woke up this morning to find that the North East Link has blown out again. How can this be? How can a project that was meant to cost \$6 billion and ends up going to 12 then end up going to 16 and has blown out again? The people in Golden Way – they are up all night from noise – they have been shafted. The people in Rocklea Road who are dealing with dust and traffic issues, they have been shafted. The Veneto Club who were told that their access would not be affected, who were lied to, have been completely shafted, as has Marcellin. Marcellin, which had access off Bulleen Road, now have access through a back street, with a student population of over a thousand people, and are now dealing with broken promises from a government who could not care less. Templestowe Road people – they have been left in traffic chaos most mornings from a government that has completely lied to them.

The DEPUTY SPEAKER: Order! The member knows that term is unparliamentary.

Matthew GUY: The councils were made to sign non-disclosure agreements. The residents were made to sign non-disclosure agreements. All people wanted, when the construction of a major project was occurring, was fairness and decency and openness and all they got instead from this Labor government was to be screwed, and that is what Labor thinks of Manningham.

Mamma Mia

Nick STAIKOS (Bentleigh) (14:16): I have 90 seconds to congratulate Our Lady of the Sacred Heart College and De La Salle College on their production of *Mamma Mia* – to the cast Poppy McLaughlin, Niki Georgas, Skyler Sahaley, Jordan Genovese, Max Jones, Madeleine Di Conza, Ella McKinnon, Archie Cannington, Madeline O'Donnell, Emilia Brusco, Noak Ockwell, Alex Roach, Jonathan Paola, Oscar Smith; singers Grace Martinez, Lara McGuinness, Isabel Stewart, Charli Arvanitakis, Nicholas Crabtree, Dylan Kilby, Maxwell King, Matilda Robertson, Adi Smit, Annaliese Tilstra, Ruby Worth; dancers Tianna Kamal-Eddine, Sarina Azad, Zara Greco, Kristina Tsagatzones, Amelie Philipsz, Sophie Littlefair, Charlotte Johnstone; to the ensemble Zara Bennett, Phoebe Bull, Olivia Casey, Matilda Fleming, Emma Gannon, Abby Kerr, Adrian Jackson, Sophia McClellan, Michael Napolitano, Anoushka Peck, Shradha Powell, Rhianna Shanahan, Ruby Sonogo-Sassman, Stanley Trilsbach, Jaida Thomas, Annabell Wiltshire, Grace Woodhouse; to the band Jasmine Gutierrez, Jerry Dong, Andrew Nguyen-Doan, Thomas Fish, Liam Murphy, Riley Woods, Ava Ronchi, Oliver Walsh-Dummett, Sebastian Hall, Ryon Bullard, Carmen Thomas-Scrutton; and to the crew Campbell Anderson, Molly Andrews-Dodds, Ruby Burns, Angelina Gomez, Grace Pribilovics, Jessica Murray, Chloe Herat, Valentina Intemerato, Macy Gleeson, Matilda Kerr, Mia Sax, Lachlan Frazer, Christopher Wilson, Kristian Ristevski, Arman Mulcahy, Ruby McKeown, Faith Little; and to the production team, particularly my old drama teacher, Julie Freeman-Smith.

Anzac Day

Jade BENHAM (Mildura) (14:18): Over the week of Anzac Day I travelled to France to represent my electorate and my hometown of Robinvale in Villers-Bretonneux for the 40th anniversary celebration of the twinning of the two towns. In 1984 after a visit to the French battlefields by Alan

Wood, who was then the member for Swan Hill, the towns of Villers-Bretonneux and Robinvale were twinned. In 1984, 18 people made the trip to formalise the connection. This year I was one of five, including me, Stuart King of Swan Hill Rural City Council and Ryan McClure representing the Robinvale Villers-Bretonneux Association. It was an honour and a privilege to accept the invitation from the Australian ambassador to France Gillian Bird PSM to attend the dawn service at the Sir John Monash centre and the Anzac Day services in Bullecourt as well as lay a wreath at the French town's service. The Anzac day AFL match between France and Australia was a magnificent event, even if Australia did lose for the second year in a row.

We were also part of the inauguration of the world map at Robinvale Place in the beautiful little village where we were made to feel like long-lost family. Thank you so much to Mayor Dinouard, Feirou Hamdane council CEO, councillors Danielle, Isabel and Andre, Marie-Paul for exceptional translation skills, Xavier and the ABA for all the hard work they do, Sylvane and the Franco-Australien Association and Ian Boyd and the Villers-Bretonneux Association in Robinvale for all the work they do to keep the relationship thriving. It was four days I will never forget, and I cannot wait to welcome you to our town over the next year and beyond.

Anzac Day

Mathew HILAKARI (Point Cook) (14:19): Recently I had the honour of attending the Anzac Day dawn service held by the Point Cook Football Club at Saltwater Reserve. It was a moment of reflection and remembrance that grows each year. I would like to thank the club's president Ivo Havard, vice-presidents Dean and Sam and all of the committee for hosting this solemn event for our community. Lest we forget.

Point Cook Cup

Mathew HILAKARI (Point Cook) (14:20): Just this weekend I had the opportunity of watching the fourth iteration of the Point Cook Cup, contested by the Point Cook Centrals, the Sharks, and the Point Cook Football Club, the Bulldogs, down at Featherbrook oval. The Sharks had a win, their first of the four games. The cup enters their clubrooms for the first time. Well done to Todd and all of the team, and we look forward to the reverse fixture at the Point Cook footy club later this year.

Japan Karate Association, Point Cook

Mathew HILAKARI (Point Cook) (14:20): I would also like to thank sensei Bryan and the Japan Karate Association in Point Cook for inviting me along to their dojo in Point Cook to see the dedicated members of their growing club. I would like to extend my best wishes to Isaac and Preshena, who are off to the world championships in Japan in October this year at the Takasaki Arena. Isaac has been training for karate for eight years, since the age of four. I would just like to mention the late Australian karate legend Takaatsu Nishimura for identifying his talent early on. Both Isaac and Preshena are doing amazing things, and we are all so proud of them. Congratulations for getting there.

Gendered violence

Ellen SANDELL (Melbourne) (14:21): One woman in Australia is killed every four days by men's violence – every four days this year alone. As a woman standing in this place, that makes me absolutely furious, and it also makes me terrified. Women around the country are furious and they are terrified, because this is a national emergency, yet what have we seen from politicians in the last few weeks? Hardly anything – hardly anything new to tackle this emergency. Politicians are not treating this like an emergency.

As women we are in an impossible situation. We cannot go walking alone at night – we might be killed. We cannot go running during the day, because we might be killed. We cannot stay in our own homes, because that is the place we are most likely to be killed. We are told, 'Don't stay in a violent or coercive relationship because you might be killed' but also, 'Don't leave, because that's when you're at the highest risk of being killed.' What will it take for politicians to stand up and not just say

this is unacceptable but act like it is unacceptable? Actually fund violence services properly. Actually fund public housing so that women fleeing family violence do not have to choose between violent relationships at home and living in their cars. Actually raise the rate of income support so women fleeing family violence can survive. This is an emergency, and we need to do something about it.

Albert Park electorate football clubs

Nina TAYLOR (Albert Park) (14:22): There is lots happening in the seat of Albert Park. I was very pleased to be able to attend two jersey nights for South Melbourne Football Club, one the more formal one that included all the teams and then a specific female-focused jersey night. I must say the South Melbourne Football Club have really been at the forefront of the development of football. I want to commend them in particular on really fostering inclusivity in the club and their all-abilities teams. This is really fantastic. It sends a good message to the local community as well.

I also attended Middle Park Football Club's gala event – not quite what you think. It was actually at JL Murphy Reserve, with parents on the barbecue and kids everywhere playing sport, which is absolutely fantastic. I must commend this club, because they have really ramped up support for females in the club and club leadership. They have 30 per cent female membership, with the target of fifty-fifty by 2027.

Port Melbourne Primary School

Nina TAYLOR (Albert Park) (14:23): I would also like to commend the finalists of the ResourceSmart Schools Awards. The Friends of Port Melbourne Primary School garden group, comprising 18 members, combines horticultural expertise with a passion for learning. Renowned for their resourcefulness, the group builds gardens using recycled and donated materials and hosts the Wednesday garden club. The team created a memorial garden and a sensory garden and contributed to the Melbourne pollinator corridor initiative. The Wednesday garden club offers students hands-on experience in planting and maintaining green spaces, fostering connections with local diversity and community action.

State forest access

Wayne FARNHAM (Narracan) (14:24): I rise today to talk about the Central Highlands state forests and the lack of consultation by Engage Victoria with my community. What they do not realise is that if they decide to lock down the bush in my area, these regional communities will suffer greatly. At the moment we enjoy activities like prospecting, horseriding, hiking, four-wheel driving, motorbiking, fishing, camping and whatever other outdoor activities you can think of – hunting et cetera. The problem is they have not consulted properly. They did not consult properly, not even an ad in the local paper, and they were stunned when word got out and 300 people turned up to the meeting in Drouin. Not only have regional Victoria lost native timber into their local economy, if they lose this, these local economies will die – at places like Noojee, where motorbike riders go; Walhalla; Willow Grove; and on and on, right up to Erica and all over my region. It affects the whole region. We have lost native timber. That has put a dint in our economy. The only thing we have now is tourism, and if they shut these parks down we will lose that as well and these local economies will die. It is not good enough by this government. They said they were going to govern for all Victorians. Do what you said you were going to do.

Housing

Dylan WIGHT (Tarnait) (14:25): Right across Australia finding an affordable home is becoming harder than ever before. That is why this government has been working hard to provide accommodation, because Victorians deserve nothing less. Recently I joined my federal colleague the member for Lalor Ms Joanne Ryan for a housing round table with local stakeholders. We met with Uniting Wyndham, Unison, Melbourne City Mission, Westjustice, the mayor Cr Jennie Barrera, the Salvation Army, Findex Werribee, Safe Steps, Orange Door and Werribee Victoria Police as well as

Anglicare Victoria and GenWest. It was fantastic to meet with all the representatives to discuss some of the fantastic work being done by the Victorian and federal governments. This includes the 130 homes underway and 210 completed in Wyndham alone since 2020 as part of Victoria's big build. There are also 43 transitional housing properties in Wyndham to assist those fleeing horrible situations including domestic violence in their home. I thank the federal member for Lalor for her work in putting together this round table. *(Time expired)*

West Gate Tunnel

Katie HALL (Footscray) (14:27): 2025 is going to be a very big year in Melbourne's inner west. As well as the new Footscray Hospital and the Metro Tunnel opening, the West Gate Tunnel will be opening. The West Gate Tunnel will deliver for Melbourne's inner west the road infrastructure that we need to get trucks off our roads. I am thrilled that in today's budget there is an allocation of \$10.2 million to deliver enforcement cameras across roads in Melbourne's inner west, which will have a truck ban. Twenty-four hours, seven days a week trucks will not be allowed to go down those streets – unless, for example, it is a Coles truck delivering groceries to someone's house. They will be banned. For our community for decades we have been fighting for the road infrastructure we need to make sure that our air quality is improved and that we do not have to put up with trucks using local roads, because we just have not had the infrastructure that we have needed. So next year when the West Gate Tunnel project opens I am so pleased that we will have the enforcement cameras we need to make sure that the tunnel does what the tunnel is meant to do and keep trucks off local roads in Melbourne's inner west.

Creekstone Estate, Tarneit

Sarah CONNOLLY (Laverton) (14:28): Every year thousands of families choose to call Wyndham home. When they make this choice they are often purchasing homes in new estates and purchasing a house and land package. They get all the glossy flyers and they are sold a dream of the future amenities that will be built in a particular estate that will support their quality of life. But what they realise once they move into their home is that the dream that they were sold is not real.

This time it has happened to Creekstone Estate in my electorate. Residents from this estate were promised traffic lights onto Dohertys Road from Settlement Road to allow for safe entry into and out of the estate. This intersection is the only entry and exit from the estate, and residents are still waiting for the developers to deliver on their commitment to the estate. The failure to deliver this infrastructure is putting families at risk as they try to get in and out of their estate without the assistance of traffic lights. It is dangerous and, frankly, unsatisfactory on behalf of the developer Macson Developments. They need to step up to the plate and deliver on their promise, which also includes – would you believe it? – a bridge over Skeleton Creek. Wyndham City Council have written to the developers indicating that they will not be issuing statements of compliance until the works are completed. I want my community to know that I stand with them and I support Wyndham council in getting Macson Developments to fulfil their promises and build the dream they sold to folks in my community.

Monash Interfaith Gathering

Eden FOSTER (Mulgrave) (14:30): I rise today to congratulate the Monash Interfaith Gathering on their wonderful annual harmony lunch, with its focus on human rights and responsibilities. I had the pleasure of representing the Minister for Multicultural Affairs and listening to guest speaker Professor Billy Todd speak on our human rights responsibilities. I am proud to be part of a government that is committed to supporting Victoria's multicultural and multifaith communities. Since 2014, through the multicultural affairs portfolio, we have provided more than \$6.3 million towards projects supporting the Monash community.

Voluntary Outreach Club

Eden FOSTER (Mulgrave) (14:30): I also take this opportunity to congratulate the Voluntary Outreach Club on a wonderful luncheon fundraiser recently. The Voluntary Outreach Club is a

charitable organisation formed in 1982 that assists the disadvantaged and poor in Sri Lanka, most of whom, due to socio-economic conditions, live in underprivileged and challenging circumstances. The Voluntary Outreach Club organises social events, luncheons and a New Year's Eve dinner dance for fundraising to assist those in Sri Lanka and for community and social interaction.

Mackie Road Neighbourhood House

Eden FOSTER (Mulgrave) (14:31): Recently I also visited the Mackie Road Neighbourhood House to attend their Chatty Cafe. I had a wonderful time speaking with constituents that enjoy a weekly get-together and had the pleasure of meeting Billy, one of the regular attendees, who makes all newcomers welcome. I want to thank Billy and the team at Mackie Road Neighbourhood House and all that were there for a great conversation.

Il Globo

Anthony CIANFLONE (Pascoe Vale) (14:31): On 15 March I was honoured to say benvenuto to the Prime Minister of Australia the Honourable Anthony Albanese at the new *Il Globo* newspaper offices and studios at 35–37 Melville Road in Brunswick West. Founded in 1959, the iconic *Il Globo* continues to connect and inform the Italian–Australian community 65 years on via its newspaper, radio, online and now *Il Globo* TV platforms. It was un piacere to welcome the PM alongside Senator Raff Ciccone, the member for Wills Peter Kalil, the editor of *Il Globo* Dario Nelli, senior journalist Riccardo Schirru and all the other amazing journalists and staff at *Il Globo* to celebrate such a momentous occasion.

Ethnic Communities Council of Victoria

Anthony CIANFLONE (Pascoe Vale) (14:32): I was also molto contento to join the Minister for Multicultural Affairs and Minister for Mental Health Ingrid Stitt at Coburg Lake on 10 April to announce a \$230,000 Victorian Labor government investment to launch the Ethnic Communities Council of Victoria mental health and wellbeing project, designed to support ECCV to deliver better mental health outcomes across diverse communities through promotions, awareness, workshops, capacity building, resources and support. It was pleasing to join the ECCV chair Eddie Micallef, CEO Mo Elrafihi, Multicultural Mental Health Network chair Dr Judy Tang and dozens of other social service organisations and representatives to celebrate the funding and also for a comprehensive roundtable discussion on the stigma and barriers experienced by culturally and linguistically diverse communities in accessing mental health services, which I look forward to continuing to advocate on.

Albion Street, Brunswick West

Anthony CIANFLONE (Pascoe Vale) (14:33): On 15 April I was delighted to also announce a \$100,000 investment by the government and TAC towards improving road safety along Albion Street in Brunswick West.

Kidsafe Victoria

Josh BULL (Sunbury) (14:33): On Friday night I was absolutely delighted to join friends and supporters at the Kidsafe gala ball, a wonderful setting for such an important and special night as we came together to raise funds, raise awareness and build upon the profoundly important work that Kidsafe has done now for over four decades. Kidsafe work at a national level with partners such as government departments, industry bodies, education providers, health professionals, the media, community groups and volunteer organisations to address child safety injury issues. Many were there, including the Honourable Bill Shorten, Minister for the National Disability Insurance Scheme and Minister for Government Services, and his wife Chloe, who gave an excellent speech; the fantastic member for Narre Warren South, who was rightfully acknowledged for his wonderful work through an award – congratulations, member for Narre Warren South; the member for Glen Waverley; Lee Tarlomis in the other place; Erica Edmonds and fellow board members as well as the unstoppable

CEO Mel Courtney. It was an incredible night. I send huge congratulations to the board and Mel and say thank you to each and every person who attended.

Gladstone Park Secondary College

Josh BULL (Sunbury) (14:34): I also want to take this opportunity briefly to congratulate staff, students, parents and friends of Gladstone Park Secondary. As announced in today's budget, they will receive more than \$11 million to upgrade and modernise this incredible school. This builds upon a strong, sustained investment in local education within our community, and this government will continue to get on and get it done.

Budget 2024–25

Sam GROTH (Nepean) (14:34): Following the budget – the Treasurer has delivered his 10th budget – it just looks like absolutely more of the same for my electorate down in Nepean: no funding for Rosebud Hospital once again, and of course the coalition made that commitment at the 2022 election, to rebuild Rosebud Hospital. It is something that is desperately, desperately needed by my community, and we are still absolutely committed to getting that hospital built. Once again, no funding for critical infrastructure in my electorate, including the Jetty Road overpass, and we know this government did not put to use the \$70 million of funds that the previous Liberal federal government put on the table. It was sitting there for multiple years and this government refused to use it, and there is still no funding for that. There is no funding for consistently requested pedestrian safety improvements across Point Nepean Road and Marine Drive down in Safety Beach that many of my constituents continue to call for. There is no mention of Flinders Pier, and it was something that was a huge community campaign a couple of years ago. It was heritage listed, but it is one thing to put a pier on the heritage register; you have got to actually fund it to make sure it gets the necessary works to make sure it actually stays standing for the test of time. Dromana Pier – the residents of Dromana have been waiting for funding for that now for a couple of years. There is no mention of Dromana Pier. Once again Nepean is completely neglected by this Treasurer, completely neglected by the Labor government and completely neglected by a Premier that fails to acknowledge the southern Mornington Peninsula even exists.

Drug harm reduction

Nathan LAMBERT (Preston) (14:36): We have been out doorknocking in Reservoir recently, and I wanted to raise a couple of issues on behalf of local residents. The first is nitrous oxide abuse. You see a lot of those little canisters around playgrounds and parks in Reservoir – nangs, as they are known – and if you go into shops along Edwardes Street that sell tobacco, you can purchase them there. There is a legitimate concern in the community about their effect on people's health, especially young people, and I thank the relevant ministers for their engagement.

Reservoir road safety

Nathan LAMBERT (Preston) (14:37): The second issue concerns traffic and road safety. As we know, a lot of suburban streets in places like Reservoir are only 6.5 metres wide, and because we have done a lot of townhouse subdivisions in those areas there are cars permanently parked on both sides. That means there is a fairly narrow gap of only 3 metres for traffic to go through, and there are a lot of concerns with that, but people locally are particularly concerned about the fact that in most places it is still legal to drive 50 kilometres per hour through that gap, and unfortunately a small number of people drive even faster. I do think there is a case for automatically zoning such roads to 40 kilometres per hour, and where they are through roads, certainly installing speed bumps and other traffic-calming measures. I refer specifically to Invermay Street, Darebin Boulevard, Whitby Street, Cuthbert Road and other streets in the Reservoir area. And I should add, where there is a panelbeater or a sportsground at the end of the road that generates even more parking, those traffic management and safety issues get worse.

International Workers Memorial Day

Luba GRIGOROVITCH (Kororoit) (14:37): Sunday 28 April was International Workers Memorial Day, a day which the union movement is very proud of and one that will always remain important to us. It is a day on which we remember and mourn all working people killed at work. As of 28 April, 55 people in Victoria were killed at work or as a result of work over the last 12 months. That number, 55 deaths, is just far too many, and that is not counting the thousands more who were injured at work over the last 12 months. For every worker killed by machinery, collisions or falls, there are also uncounted others killed by prolonged exposures to hazardous materials or the cumulative impact of work on their mental health. We remember and we mourn them too. Every single death at work is avoidable – every single one. A death at work occurs because an employer decided that worker safety was not a priority for them or not as important as their profits. Health and safety at work is neither a perk to be bargained for nor a favour to be asked. It is our right. That means that we need strong unions, and to all of my constituents in Kororoit, I say to them: join your union today. Remember and mourn the dead and vow to fight like hell for the living.

Bills

Estate Agents, Residential Tenancies and Other Acts Amendment (Funding) Bill 2024

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 1, page 2, lines 7 to 9, omit all words and expressions on these lines.
2. Clause 1, page 2, line 10, omit “(e)” and insert “(d)”.
3. Clause 20, lines 11 and 12, omit all words and expressions on these lines.
4. Clause 20, line 13, omit “(b)” and insert “(a)”.
5. Clause 20, line 15, omit “(c)” and insert “(b)”.
6. Clause 21, omit this clause.
7. Clause 22, omit this clause.
8. Long title, after “**Public Records Act 1973**” omit “to abolish the Public Records Advisory Council”.

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (14:39): I move:

That the amendments be agreed to and the following amendment be made to the bill:

1. Clause 19, omit this clause.

This is done to rectify a drafting error in the original amendment that passed through the upper house to ensure that the intent of that amendment is met.

Tim McCURDY (Ovens Valley) (14:40): This is as a result of a genuine drafting error around clause 19 in the other place, and this amendment will resolve that situation. We thank the government for their action to resolve this situation, and we will be supporting the motion.

Motion agreed to.

The DEPUTY SPEAKER: A message will now be sent to the Legislative Council informing them of the house's decision.

Confiscation Amendment (Unexplained Wealth) Bill 2024

Second reading

Debate resumed on motion of Anthony Carbines:

That this bill be now read a second time.

Michael O'BRIEN (Malvern) (14:40): I am sure this is not going to be the most commented on piece of parliamentary procedure today, the Confiscation Amendment (Unexplained Wealth) Bill 2024, but nonetheless, as the member for Malvern and Shadow Attorney-General, I am pleased to rise to speak on it. At its heart this bill is about trying to get more money into government coffers at the expense of those who – I cannot even say those who are associated with organised crime, because this bill does not actually have a nexus of people subject to the orders proposed in this bill. There is no requirement that they have committed a crime, but I will come to that shortly.

What is interesting is that a very quick perusal of the budget just handed down indicates that it is quite clear why the government wants to get money from any sources it can. Court Services Victoria, which is the independent agency which funds Victoria's courts or provides services to Victoria's courts, has had an absolute cut of \$19.1 million in the forthcoming budget. That is a real cut, and then when you add CPI to that, that is a really significant cut. I would love to think that this government is putting forward this bill as a means of targeting organised crime and targeting drug traffickers, but maybe it is really just that this government are so broke they are cutting money to our courts and they are cutting money to our justice system and maybe they actually think, 'Well, maybe the drug barons have got some money and we can tax them.' I would like to think that there is a little bit more to it than that. I will have a lot more to say about this budget because from a justice system point of view it is absolutely appalling.

When it comes to this bill, members here on both sides will know that I am very passionate about another issue in the Attorney-General's portfolio. I do sometimes question this government's legislative priorities. I appreciate that this bill is not on the government's legislative program today and we will continue debate past today. I raised in question time that we have got a serious issue with the loopholes that are currently benefiting historical child sex offenders. I do not understand why the government will not act. When I asked the Premier about it in question time today – Deputy Speaker, you were there – the Premier did not indicate she actually had a problem with what we wanted to do. It was more a case that the government was still thinking about it. I just ask, 'Literally, how many years is it going to take?', because the government's legislative priorities seem to be about fixing typos and grammatical errors in acts and not closing loopholes that benefit paedophiles.

Sonya Kilkenny: On a point of order, Deputy Speaker, on relevance, I ask you to ask the member to come back to the bill before us.

Michael O'BRIEN: On the point of order, Deputy Speaker, the lead speaker traditionally has some latitude, and I think it is fair enough for me to point out the legislative priorities of the government to set the context for debating the detail of this bill.

The DEPUTY SPEAKER: Thank you, member for Malvern. I would encourage the member for Malvern to continue on the bill.

Michael O'BRIEN: I will return to the bill, Deputy Speaker, gratefully accepting your guidance and wisdom but noting that this government's priorities can be seen through its legislative program, with what it chooses to prioritise and what it chooses to avoid, and that says a lot about the government and the people in it.

This Confiscation Amendment (Unexplained Wealth) Bill seeks to provide a third pathway for the government, through the police and through the DPP, to obtain assets from people who it believes are not worthy of them. I will be fair and set the context. The original confiscation pathways were established by the former Liberal-Nationals government in 2014, and there are two pathways that were established to try and seek to get the ill-gotten gains of those who are serious criminal players. We do not want to see these people, with all the damage they inflict on society, profiting from that. We want to remove the profit motive. We want to make these people think twice before they engage in things like organised crime and drug trafficking, things that cause so much damage in our community. When we introduced that legislation – and it was passed on a bipartisan basis I note – it

provided two pathways for the confiscation of assets. One was what you might call the person pathway, and that required a reasonable suspicion that a person with an interest in property valued at over \$50,000 was engaged in serious criminal activity. That was the person pathway. The other pathway was known as the property pathway, and that was based on a reasonable suspicion that property of any value was not lawfully acquired. You will notice that in both of those pathways there is a link, there is a connection, there is a nexus, with criminality. In relation to the person pathway, there had to have been a reasonable suspicion the person had engaged in serious criminal activity, and for the property pathway, again a reasonable suspicion the property was not lawfully acquired.

This bill is different. This bill simply says that if the police on reasonable suspicion believe that a person cannot explain their wealth and that there is a \$200,000 gap between the person's explicable wealth and inexplicable wealth, then the onus now reverses and it is up to that person to justify to a court how they got their assets. There is no requirement to demonstrate any criminal activity whatsoever. Now, this is a very big change, and it is one that I think we need to think carefully about, because we all in this place and outside this place in our state have a presumption of innocence. There is the expectation that unless you have done something wrong, you do not have to prove you are innocent. If somebody wants to allege you have done the wrong thing, they need to put forward the proof, and usually it is on the balance of probabilities if it is a civil matter or beyond reasonable doubt if it is a criminal matter, and it is up to the state, it is up to the Crown, it is up to the DPP, to meet that burden of proof to that standard of proof.

As a citizen, generally the expectation is you do not have to say a thing. The onus is on those who bring the charges against you. But this is different, because this says that if a police officer on reasonable suspicion believes that you cannot explain a gap between your explicable wealth and inexplicable wealth and that gap is more than \$200,000, then you need to justify to a court what your assets are and how you got them and demonstrate you came by them in a lawful manner. Otherwise, if you cannot meet that burden, you are subject to an unexplained wealth restraining order in the first place. I will come back to this, but under this proposed bill there is an ability for the police and the DPP, through a court, without notice to the respondent to seek an order to restrain you in using your assets even before you know there is an issue about it. I will come back to that.

The idea of saying the onus now switches to the citizen and they have to prove that they came by their assets in a legal way even if there is no suggestion of criminality is something which, on the face of it, is certainly a big change from our principles of law in this state and one that the onus is on the government to justify. I understand the government's view that we have organised crime figures, drug traffickers and other people – well, perhaps not drug traffickers but organised crime figures who perhaps direct criminal activity rather than necessarily doing the dirty work, if I can put it like that. The government's concern seems to be that there are people who try and maintain an arms-length distance from the actual crime but they direct it, they coordinate it and they certainly financially profit from it. That is the type of situation that the government seeks to address. I think most people would say that as a principle we do not want organised crime kingpins benefiting from their ill-gotten gains, because it simply encourages that activity. But the question is: what safeguards are there in place to ensure that an ordinary citizen who has no connection with criminality is not going to be subject to this sort of process? This is where I think the government needs to do a bit more work.

I consult, as is my wont, with professional organisations when justice bills are brought into this house. I consulted with the Victorian Bar Council and the Law Institute of Victoria (LIV). I certainly would not call them capital-C conservative organisations but they are probably small-c conservative organisations in that I do not generally regard them as being in favour of radical change. I have not necessarily known them to be particularly strong in expressing discontent with government legislative proposals, but I was interested – I was possibly even a little bit surprised – when both organisations, both the Victorian Bar and the Law Institute of Victoria, wrote to me and said that they oppose this bill. They oppose it because they do not believe that the government has sufficient safeguards in it to protect genuinely innocent people.

I will quote from a letter by Mr Adam Awty, who is the chief executive of the Law Institute of Victoria, written to me, dated 22 April 2024. I will just go through the executive summary, because I think that these concerns deserve to be put on the record so that government members can respond to them:

The LIV opposes the Bill and does not support the introduction of the proposed new, third pathway into Victoria's unexplained wealth confiscation regime.

The LIV holds this view for the following reasons:

- Firstly, the criteria for the restraint and forfeiture of wealth under the proposed new pathway would not require a nexus to criminal activity to be established, meaning that it is insupportably broad;
- Secondly, and relatedly, the absence of a nexus to criminal activity means that the Bill may have unintended consequences for family members of subjects – who may have limited or no knowledge about the sources of the subject's wealth owing to the subject's control of the family's finances.

I pause at this point to say we are rightly, in this Parliament and as a society, discussing the importance of agency within family relationships, particularly agency of people in family relationships threatened with family violence. Sadly, we know the lived experience of many people is that there are many instances in which one partner in a relationship does not necessarily have a lot of agency. They are kept in the dark about what is happening. I think that is exactly the sort of matter that the Law Institute of Victoria is adverting to in this letter. Before members opposite get their talking points from the advisers box and start jumping up and down, and given we are talking about the importance of tackling family violence and issues about coercive control and other matters, I do think that this is a legitimate concern that the LIV has raised. I return to the letter:

- Thirdly, the LIV considers there to be no need for the new proposed pathway in light of the existing regime, which is already adequate to secure the targets of the Bill.
- Finally, the LIV submits that each of the factors mean that the extent to which the proposed new pathway would interfere with fundamental human and property rights, protected by the *Charter of Human Rights and Responsibilities* 2006 ... cannot be justified.

We are not talking about a letter from Liberty Victoria or from the sorts of organisations who you might regard as traditionally being fierce advocates for civil liberties in all circumstances. We are not talking about a letter coming from those lawyers who tend to have as their clients the people who may be the subject of this sort of bill. We are talking about the Law Institute of Victoria. A former Labor Premier of this place, John Cain, is a former president of the Law Institute of Victoria, so I would hope the members opposite will not be disparaging the LIV and they will actually grapple with the issues that the LIV has put front and centre on this matter.

Sorry, I thought the member for Tarneit had something to say. That is all right. That is okay. I have been a good boy, member for Tarneit and Deputy Speaker. I have not strayed at all, apart from the first 5 minutes. I thought this would be a very interesting point of order, but no, he is just stretching his legs. That is okay. That is all right. Hopefully he can shake off Carlton's loss, like I am trying to do after last Friday.

Returning to the bill, I think these are legitimate concerns that the Law Institute of Victoria has placed on the agenda. In the interests of time I will not go through all of the matters that were raised with me by the Victorian Bar, but I do note that the Attorney-General has been provided with the same feedback as I have from the Victorian Bar. I am assuming the LIV might have also provided that to the government, but I cannot speak for them. The summary is:

In these circumstances, the Bar does not support the additional pathway that is proposed by the Bill.

When you have significant learned organisations such as the bar and the law institute flagging not just concerns but opposition to the bill, I think it is something that should give all of us pause for thought.

When I was considering these issues and weighing up my recommendations to my colleagues I really wanted to look at what safeguards are involved. What if somebody is absolutely innocent and they have no involvement with criminal activity whatsoever? Is there anything to stop them being a subject

of one of these orders? On a technical level I think the answer is no. As I said, there is no nexus with criminality. If a police officer believes on reasonable grounds that somebody's wealth exceeds by more than \$200,000 their explicable wealth, that is the basis for an application to be made. Moreover, there can be an earlier application, as I referred to before. An unexplained wealth restraining order can be made. This can be made ex parte – it can be made without notice to the person who is the subject of it. The police and the DPP could conceivably march into a courtroom and say of any one of us, 'A police officer has sworn an affidavit. They believe that', for example, 'the member for Carrum's explicable wealth is \$200,000 less than her actual wealth, and therefore we want you to freeze the assets until such time as we can bring this matter to court,' whereupon the member will then have to discharge the burden of proof to explain where those assets came from.

There might be a whole raft of reasons why people have assets which may not be explicable on the surface. It may not be explicable to a police officer. These days people can make money from lots of different sources. There are side hustles. I will not go into all of them; it would take me too long. They might be the sorts of side hustles which people do not necessarily want everyone else to know about, but they may be legal. So the question is: what safeguards does the bill have in place to ensure that people who are genuinely innocent, who have committed no crime, are not put through the wringer of potentially having a restraining order against their assets and then having to front up in court and justify themselves – 'Why have you got this asset? Explain where it came from' et cetera.

I asked the government about safeguards, and the government said, 'There are a number of different safeguards that apply. There are obviously the police's own policies that apply in terms of what they choose to investigate, and then there are the DPP's policies in terms of what they choose to prosecute.' Can I say that having seen everybody associated with the Lawyer X scandal walk free, because the DPP refused to allow Justice Geoffrey Nettle from the Office of the Special Investigator to bring charges, and having seen the DPP walk away from pursuing the charges over 800 deaths through the hotel quarantine scandal, there are probably a few people in the community who do not necessarily say that the discretion of the DPP is the greatest safeguard to anybody's individual rights, and I am putting that mildly. Saying that we rely on the discretion of the DPP has not helped those who were victims of the Lawyer X scandal, and it certainly has not helped those who were relatives of those who died in the hotel quarantine scandal. It has not helped them get justice, relying on the discretion of the DPP.

Nina Taylor: On a point of order, Deputy Speaker, with respect, I believe the member for Malvern is straying far and wide and would be better to focus on the subject matter of the bill.

The DEPUTY SPEAKER: I will not uphold the point of order.

Michael O'BRIEN: I refer to a note provided by the Attorney-General's office, where we did ask about safeguards et cetera, and it specifically refers to this:

The Policy of the Director of Public Prosecutions provides for matters that the DPP will have regard to in determining whether to make an application for a restraining order under the Confiscation Act, including whether the relevant statutory thresholds are met.

So there is no question that the judgement of the DPP, the discretion of the DPP, the DPP's policy, is front and centre in terms of whether innocent Victorians can rely on any protection under this bill. I am making the point – and I appreciate the member for Albert Park's discomfort – that the DPP has demonstrated as an office that it cannot be trusted to stand up for justice in the interest of Victorians on every occasion. I think there would be any number of victims of crime who might have had dealings with the Office of Public Prosecutions who would confirm they have concerns. I do not have any personal issue with the DPP or with the staff of the DPP, but for the government to say that the safeguard is relying on DPP policy on prosecution, which obviously includes discretion, is no safeguard at all. It is not a safeguard at all, given we have a situation where the Director of Public Prosecutions in this state wields an enormous amount of power and that officer is effectively unaccountable for it.

If a minister exercises power, the minister is responsible. They are answerable in the Parliament. Where we have other agencies that exercise executive power, including IBAC, they are accountable in the Parliament. They appear before the Integrity and Oversight Committee. The IBAC is not a judicial office; it exercises executive power. The Director of Public Prosecutions exercises executive power – not judicial power, executive power – but where is the accountability for the DPP? Where does the DPP ever appear before a parliamentary committee to justify its policies, for example?

It is interesting – I do not have the decision here, but I am sure I will get it into *Hansard* at one point – that there was an issue recently where former Supreme Court Justice Lex Lasry was the subject of a complaint by the DPP in relation to a matter where His Honour decided to effectively enter an acquittal or to knock off charges for a matter in the Supreme Court. In the Court of Appeal the three judges – I think it is three judges in the appeal court – looked at the DPP and what their office was, and there were words to the effect that the accountability for the DPP is not in the judicial system, it is in the political system. I make the point that we have no accountability in the DPP. If we ask the Attorney-General to justify why the DPP might have a certain policy, the Attorney-General will say, ‘Well, the DPP is independent. I can’t answer that.’ This is why we have the IBAC Commissioner appearing before Parliament. Frankly I think it is time – as they do in the House of Commons, in the mother of parliaments – to look at having some accountability for the Director of Public Prosecutions in this state. They are wielding enormous power. They have enormous discretion in how they use that power, and I believe it is appropriate that there be some accountability through the democratic chamber of Parliament as to how that is exercised. So you will excuse me if, when the government says, ‘Well, the DPP’s prosecution policies are a safeguard,’ I am not necessarily convinced.

It is for this reason that I do not know that this bill is really in the right position to go forward at the moment. I do not know that the government has really listened to the bar, I do not know that the government has really listened to the Law Institute of Victoria and I do not know that the government has addressed the concerns about somebody who may be completely innocent being caught up in the use of this new third pathway that is proposed. For that reason I move:

That all the words after ‘That’ be omitted and replaced with the words ‘this house refuses to read this bill a second time until the government commits to:

- (1) consulting properly with stakeholders, including the Law Institute of Victoria and the Victorian Bar, to consider and address their concerns; and
- (2) assuring Victorians that the bill contains sufficient safeguards to adequately protect the rights of innocent people with no involvement in criminal activity.’

I move that reasoned amendment, and I do challenge the government to find something in it that is objectionable. I have put on the record the eloquently expressed concerns of the Law Institute of Victoria and the concerns of the bar. They are hardly rabble-rousers, hardly radical organisations. As I say, John Cain, former Premier of this Parliament, was a president of the Law Institute of Victoria. So I think it is about time that the government consults, and maybe it is an opportunity for the new Premier to demonstrate a little bit of a change in demeanour from her predecessor by actually consulting, maybe listening. That might actually be helpful.

As to the second part of the reasoned amendment I have just moved, all I ask is that the government assure Victorians the bill contains sufficient safeguards to adequately protect the rights of innocent people with no involvement in criminal activity. I do not think that that is too much to ask. I say that at this point the opposition will not be opposing the bill, but that does not mean that we are waving it through. We are putting these genuine issues on the record. It would do all members well to consider those issues. The trouble we get here is that the government thinks it is the font of all wisdom. The government thinks it knows everything and that no-one else in the Parliament knows anything. Even when the government sit around for six years refusing to close loopholes that they agreed to close, which paedophiles are benefiting from today, they think they know better.

Vicki Ward interjected.

Michael O'BRIEN: No, I will not be giving it up, Minister. That is the point. What the government has done is abysmal. It is appalling. If you had spoken to victims of historical child sexual abuse, as I have, you would not be saying 'Give it up' –

Vicki Ward: On a point of order, Acting Speaker, I think I am being misrepresented here. I have met with victim-survivors. In fact I met with one directly on Friday in my electorate. I completely understand where the Shadow Attorney-General is coming from. However, I would ask that he not make the inferences that he is making around the support of paedophiles. Tread carefully.

Michael O'BRIEN: On the point of order, Acting Speaker, I did not say the minister did not meet. I am saying she should meet; I am saying the government should meet. I am very happy to arrange a meeting with Stewart Carter, whose life –

Vicki Ward interjected.

Michael O'BRIEN: Well, excellent. Then why aren't you supporting my bill?

The ACTING SPEAKER (Meng Heang Tak): I will rule on the point of order. There is no point of order.

Nina Taylor: On a point of order, Acting Speaker, I am just going to request that the member for Malvern return to the bill.

Michael O'BRIEN: What a waste of space. The Acting Speaker had already said there was no point of order.

Members interjecting.

The ACTING SPEAKER (Meng Heang Tak): There is no point of order.

Vicki Ward: On a point of order, Acting Speaker, we have seen in this place that where there are demonstrations of disrespect, we have made it very clear on this side of the chamber that disrespect is not conducive, it is not helpful, to doing business in this place. By calling another member in this place a waste of space, as the member opposite did, is shameful. I ask the member to withdraw that comment.

Michael O'BRIEN: On the point of order, Acting Speaker, I did not call the member a waste of space. I said her point of order was a waste of space because you had already called me. You had already ruled out the point of order and I was already coming back to the bill. I will not be misrepresented by the minister.

The ACTING SPEAKER (Meng Heang Tak): I will rule on the point of order. There is no point of order.

Michael O'BRIEN: Thank you. I appreciate your ruling, Acting Speaker. This is a bill where we have to be very careful that we do not put innocent people, particularly innocent women who may be in relationships where there is family violence or coercive control, through the wringer of an unfair process. I urge the government to consider my reasoned amendment and support it accordingly.

Nina TAYLOR (Albert Park) (15:10): I am very pleased to rise to speak on this important legislation. At its core the bill will amend the Confiscation Act 1997 to strengthen Victoria's existing unexplained wealth laws by introducing a third unexplained wealth pathway that better targets unlawfully acquired wealth. From that point I would like to proceed to seek to acquit some of the concerns that have been raised in the chamber. I believe it is important to have a robust debate, and no-one is seeking to oppose the core premise of that in this chamber. That is the benefit of prosecuting legislation in the Parliament.

With regard to who has been consulted on the bill, firstly, the bill has been developed in consultation with key stakeholders including Victoria Police, the Office of Public Prosecutions, the Supreme Court of Victoria, the County Court of Victoria, the Magistrates' Court of Victoria, Victoria Legal Aid and

the Criminal Bar Association, and the Police Association Victoria supports the bill. With regard to the issue of safeguards, it is fair and well to raise that question, and I would not seek to oppose the premise of raising that question; it is a very important element.

Why are these reforms being made? Let us look to the core of this bill. What is the purposive element? Why are we putting these amendments before the Parliament? Gaps in the current Victorian confiscation framework can impede unexplained wealth laws from capturing the unexplained wealth of senior organised crime figures who distance themselves from direct offending. The introduction of a new unexplained wealth pathway that removes the requirement for a nexus with serious criminal activity is essential to ensuring law enforcement in Victoria can effectively target the unexplained wealth of high-level organised crime figures who are able to distance themselves from criminal offending while reaping significant financial benefits. The new unexplained wealth pathway is not limited to property that a person currently owns or has an interest in and involves a financial assessment of a person's wealth.

Additionally, the bill adopts a broad definition of 'wealth' that captures all interests in property owned by a person, under the effective control of a person or expended, consumed or disposed of by the person whether by gift, sale or otherwise. It also includes any service, advantage or benefit provided to the person or at the person's request or direction. This will allow the unexplained wealth scheme to prevent the use of unlawfully acquired wealth to fund lavish lifestyles while legitimate income is used to fund property and other significant purchases. These improvements to the unexplained wealth scheme are critical to disrupting serious and organised crime in Victoria and keeping our community safe. I completely appreciate the sensitivity and the nuance within this context, absolutely, but of course the fundamental premise of these reforms is very, very important if we are to properly advance the disruption of organised crime.

Further to the question of no nexus, the new unexplained wealth order does not require a nexus, as has been stated in the chamber, between unexplained wealth and serious criminal activity to be established. Removing the nexus to serious criminal activity enables law enforcement in Victoria to have a mechanism to effectively target unexplained wealth of senior organised crime members who distance themselves from criminal offending – and I apologise for a slight bit of repetition there, but I am trying to get to the heart of the particular concerns that were raised about this element of the changes being put forward – but play a pivotal role in the movement of funds, property and favours in criminal organisations.

The scheme also imposes a high-value threshold – looking at some of the caveats, the safeguards – to ensure it is appropriately targeting unexplained wealth of senior figures. Specifically, a court may only make an unexplained wealth order where it is satisfied that a person's total wealth exceeds their lawfully acquired wealth by \$200,000 or more. I want to explore the issue of safeguards further. I concur that this is a very important element that has been built into the core tenets of this bill. So what are the safeguards? There are a range of safeguards, both the existing safeguards that apply under the Confiscation Act and new safeguards provided in the bill. These ensure that the new unexplained wealth pathway targets serious cases, is applied fairly and balances the rights of individuals with the need to ensure wealth that has not been lawfully acquired is not available to fund further criminal activity or to be used and enjoyed. I should say that, very importantly, the safeguards apply at all stages of the unexplained wealth process.

Key safeguards that apply when a court is making an unexplained wealth restraining order in relation to the new pathway before an application for an unexplained wealth order may be determined include: court discretion to tailor an unexplained wealth restraining order to provide for reasonable living and business expenses if satisfied that these expenses cannot be met from unrestrained property or income, and the ability for persons other than the respondent to an unexplained wealth order to apply to the court for an order excluding their interest in property from the restraining order where satisfied that the interest was lawfully acquired or the restraint of the property would be manifestly unjust.

Key safeguards that apply before an unexplained wealth order may be made include: the ability for a court to order Victoria Legal Aid to provide legal assistance to a person who is unable to pay for a lawyer to represent them in their unexplained wealth proceedings; a requirement that the court must be satisfied that the suspicion that led to the application for the order is reasonable; the \$200,000 threshold for unexplained wealth orders, which ensures the laws are targeted at the most serious unexplained wealth cases; court discretion to reduce the amount of the unexplained wealth order or to refuse to make the order if it would be manifestly unjust – and I am just reiterating that point because obviously it is a fundamental element; court discretion to provide relief from undue hardship by reducing the debt imposed by an unexplained wealth order; and requiring that the person receive a payment from the disposal of forfeited property.

The court may not determine an unexplained wealth order until any pending exclusion order applications from third parties are finalised. Further, the bill also extends exclusion order arrangements so that they apply at the point of enforcing an unexplained wealth order through the forfeiture of property. Third parties with an interest in property before it was forfeited may apply to have their interest excluded on the basis that it was lawfully acquired or the forfeiture of the interest would be manifestly unjust, and you can see that I have reiterated the point ‘manifestly unjust’ per se because this is obviously a critical element when you are looking at the fairness of the application of an unexplained wealth order.

Certainly, as I said at the outset, the government welcomes the conjecture and the discussion in the chamber. That is the purpose of debating bills. We are not suggesting that no-one should be able to raise particular concerns with regard to legislation that is before the chamber, so I do want to say that respectfully with regard to the concerns that were raised by the member for Malvern.

I should say that another benefit – I am loath to use the word ‘benefit’, actually – another element that affirms the pathway of this bill when we are looking at the existing pathways as opposed to the reforms in this bill is that the new unexplained wealth order does not require connection to crime. Now, there is a further element that I just want to draw out here. This simplifies the process and will better enable law enforcement to target individuals, primarily senior figures in criminal organisations, who seek to distance themselves from offending. We can see the very important element of having consulted with Victoria Police and those who have to seek out particular individuals or otherwise who may be involved in this kind of serious criminal activity. Obviously we have consulted with very good purpose, because it is in no-one’s interest, least of all any members of the Victorian community, that we do not take appropriate steps or resile from advancing mechanisms to help assist in tackling serious and organised criminal activity.

One other element that I want to raise in the time that I have left is to do with the mechanisms that will be available to support the existing and new confiscation powers. Recognising that the existing and proposed confiscation powers require supplementary powers to be operable, the bill includes three ancillary powers that will support Victoria Police and the Director of Public Prosecutions. When we are looking at the process elements, the first is a freezing order. This is an order used generally by law enforcement as a temporary measure to prevent the dissipation or disposal of assets while the DPP assess whether there are reasonable grounds to make a restraining order application. The second is a production order. I am not going to have time to get to the heart of that, but I am noting that it is an element here. Finally, the third is a monitoring order.

Tim McCURDY (Ovens Valley) (15:20): I am delighted to rise and make a contribution on this Confiscation Amendment (Unexplained Wealth) Bill 2024. Before I do, I just want to touch on a couple of the points that the member for Albert Park made. I just notice she cherry-picked the organisations who support this bill but did not want to mention those who do not, like the Law Institute of Victoria and the Victorian Bar, as was pointed out by the member for Malvern. I do hope that as other government members speak, because they all seem to have the same notes, they are all gone through – we do not get those speaking notes; we actually write our own – and that some of the government members will raise and talk about some of the issues that we have mentioned, including

those who oppose this bill and why they oppose it. Let us hope we get a little bit more of that as other speakers come forward.

As was raised by the member for Malvern, this was first introduced by the coalition in 2014. We also note the criminal element move very quickly and they adapt very quickly, so it is important that the government – that we all – stay one step ahead.

Tim Richardson interjected.

Tim McCURDY: We need to stay one step ahead, member for Mordialloc, because if we do not the criminal element just gets away with way too much.

The current scheme, as we have heard, has two pathways. First of all, there is the one known as the person pathway, where somebody has wealth or property value greater than \$50,000 and there are some serious criminal activity concerns or suspicions. The second pathway is where the property was not acquired lawfully, and that is known as the property pathway. We know in the reading of this bill that it will introduce a third pathway that the DPP can apply to the courts if they suspect there is somebody with unexplained wealth that exceeds \$200,000 and that is without suspicion of unlawful activity. If this \$200,000 cap is proved, the responsibility is then on the accused, and there are some concerns in that as has been raised by the member for Malvern.

In my mind we certainly have to give Victoria Police all the support we can. Under the current government I think VicPol are fighting with one hand tied behind their back sometimes, whether it is bail laws or whether it is the move-on laws – certainly VicPol are very frustrated. We want to give them the opportunities to fight criminals on a fair basis rather than having one hand tied behind their back and a blindfold on.

We know that the current government has made life easier for the perpetrator than for the victims, and I think this leads to Victorians feeling unsafe and being unsafe. People have the right to not only be safe but to feel safe. We know that aggravated burglaries and carjacking and assaults have gone through the roof, and we do deserve better, particularly with this current debate around domestic violence. It is an issue that has not just come about, and I want to give a shout-out to the member for Mildura for her courage yesterday in making sure that the world can see domestic violence is not just associated with one socio-economic level, it is right across the board – a big shout-out to the member for Mildura. As I say, it is not just an explosion that has come from nowhere; domestic violence has been going on for some time. I think that while we continue to use a wet lettuce on criminals, if there are no consequences, then that is where the concerns come in and crime goes up.

In terms of this bill, we also talk about criminals making fools out of us when they can just laugh off the fact that they have got unexplained wealth. At the moment they just get away with it because they can pretty much thumb their noses at VicPol and walk away and say, 'Nothing to see here.' That is why we certainly do want to give the laws to the DPP and VicPol, but at the same time we want to make sure that they are accountable as well. We do not want the criminals to be untouchable, but we also want to have some account. The member for Malvern has raised on numerous occasions about how we can do that.

The member for Malvern put forward a reasoned amendment which states:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government commits to:

- (1) consulting properly with stakeholders, including the Law Institute of Victoria and the Victorian Bar, to consider and address their concerns; and
- (2) assuring Victorians that the bill contains sufficient safeguards to adequately protect the rights of innocent people with no involvement in criminal activity.'

Again, I think that is a sensible reasoned amendment, and I do hope that the government listens. They can listen and work with us, or will they just show arrogance and think that Labor knows best? I think we can work together in this space to make sure that we come up with a better resolution.

Tim Richardson interjected.

Tim McCURDY: And it is, member for Mordialloc – it was our idea, and we are just trying to improve the changes that you are making, because quite often when Labor make changes they get it wrong and we are back in this place a couple of years down the track making further changes. We are saying that hopefully we can bypass that and make those changes earlier rather than later.

We have heard that the Law Institute of Victoria opposes this, mainly due to the absence of the nexus to criminal activity. The member for Malvern was quite adamant that there is a reason why they are opposing it, not just because they just do not like it. There is a genuine reason, and I think they need to be listened to because the law institute and the Victorian Bar have considerable experience in this area, and I think they are the experts that we should be listening to.

On face value VicPol do a fantastic job. I have no problem with that. On face value, at the coalface, they do an excellent job. But I also have concerns, like the member for Malvern. It only takes one dodgy officer, one dodgy person in the DPP, and some of us have seen that firsthand, and certainly the safeguards that are in place are not adequate to say that we have just got to rely on police policies and DPP policies, because I do not think that is the case. At what stage do the safeguards become a risk? I think it is from the beginning. You have only got to look at ‘slug-gate’ as an example of an individual who gets, I suppose, accused by an individual, by a group, and all of a sudden they end up in court with a massive legal bill that you cannot jump over – you lose your career, you lose your entire business and so many people lose their jobs. That is why you need safeguards in all areas. As the member for Malvern has pointed out, the safeguards do not appear to be adequate. We would like the government to work with the opposition and the Victorian Law Institute and the Victorian Bar to make sure those safeguards are genuine and they will actually work, because it is important that we do so.

As I said earlier, this legislation was first raised by the Victorian coalition, with the two-pathway system. This is a third pathway, and for the most part I think it is a genuine improvement to the way we have it, but there are still those safeguards that we need to look into. I just hope the Victorian government considers the reasoned amendment moved by the member for Malvern, otherwise we can sometimes, as I say, see ourselves back here in no time making further changes. You do not have to listen to the Victorian opposition – it does not happen very often, so I am not expecting that – but you could listen to the Victorian Bar and the Law Institute of Victoria because they truly are the experts. I hope that some common sense prevails, if not today then at some time in the next two weeks before it gets to the next house.

Josh BULL (Sunbury) (15:29): I am pleased to have the opportunity to contribute to debate on this important piece of legislation before the house this afternoon, the Confiscation Amendment (Unexplained Wealth) Bill 2024. This Allan Labor government is of course committed to working with Victoria Police and all of our agencies to ensure that our community is kept safe and to ensure that each and every day we are working with those agencies and right across local communities to tackle all of those challenges, many and varied, that come before local communities.

What we know and understand to be true is that fair, reasonable and balanced legislation that comes before the house both in this space and right across all of our portfolio responsibilities is incredibly important. That is why we are committed to ensuring that we are supporting the work of our agencies. I want to take the opportunity to acknowledge the work of those agencies, in particular in this instance Victoria Police, who I know in my local community do outstanding work each and every day, 24/7, to make sure that our community is supported, and broaden that to our agencies and to emergency services right across the state.

In terms of this piece of legislation that is before the house this afternoon – and it has not been up for very long, I must say, in terms of debate – I will go back to the fair and reasonable assessment of what is before the house. We have introduced this piece of legislation to ensure that we work incredibly hard with those agencies to support them in the wonderful work that they do. This goes to making sure that we are taking the advice, listening to the experts and updating the powers and resources that are required in what is a very complex space. This is in many respects an area that we know we have a constant challenge with. We know there is always a battle to ensure that our laws, our programs, our initiatives and all of the work that goes into community safety, which is incredibly important, are incredibly contemporary. This goes to some of those challenges we saw quite a number of years ago with the community safety statement, where this government addressed what was a very significant issue within our community and worked very closely with those agencies I mentioned earlier and not only worked with those agencies but provided the funding, the resources, the technology and the investment to recruit and drive what I think has been a really significant change within our state.

This bill before us seeks to disrupt serious and organised crime in Victoria by strengthening Victoria's unexplained wealth scheme to better target leaders of organised crime groups – a very important matter. The Confiscation Act 1997 targets the ill-gotten gains of criminals and is recognised as a key tool in disrupting, dismantling and deterring serious and organised crime. The bill has had significant work around three agencies that work together to achieve the objectives of the asset confiscation scheme of the 1997 act – Victoria Police, who I have mentioned, who conduct the asset confiscation investigations; the Office of Public Prosecutions, who conduct litigation associated with administering the asset confiscation scheme; and the Department of Justice and Community Safety, who manage and sell restrained and forfeited property respectively. As I mentioned earlier, these are important measures that go to tackling what is a significant issue. More work is needed in this space, and that is exactly why this piece of legislation is before the house.

The bill performs a range of measures – and I have heard other members speak about those thus far – those being the amendment of the Confiscation Act 1997 to introduce a third unexplained wealth pathway in part 4A of the act and the enablement of the DPP to apply to a court for an unexplained wealth order if there are reasonable grounds to suspect that that person's wealth exceeds their lawfully acquired wealth by \$200,000. If the respondent does not prove the wealth was lawfully acquired, then the court may order them to pay the state the value of the unexplained wealth. The bill broadens the definition of 'wealth' to include wealth that has been consumed or expended as well as services, advantages and benefits provided to a person to better capture senior crime figures who distance themselves from direct offending. It incorporates a range of safeguards, including a new court discretionary power as well as the extension of existing relief and undue hardship provisions, to ensure the reforms are appropriately aligned with the policy intent of the bill. It also makes other minor amendments to improve the operation of various provisions and ensure consistency between the current provisions and the proposed new provisions.

What we know is that by taking these steps and these important measures we are providing those agencies with the authority to act on behalf of the state to send a really strong, clear and powerful message to those that want to do the wrong thing and in many ways benefit from significant and massive profit – and this is the key point – that is obtained illegally. These additional powers will go to ensuring that these measures are in place to act both as a deterrent and as a really powerful and practical tool for when wrongs are committed. The opportunity then will be to go down the pathway and the process of ensuring that these measures, these important steps, are taken.

We on this side of the house know and understand – obviously the state budget was handed down today – that we have had the opportunity to deliver over the past 10 years. It is hard to believe in many ways that this is the 10th budget today, but we have the opportunity to ensure that right across all portfolio areas there is significant investment in all of the things that make our community safer and better and fairer – opportunities within education, opportunities within health. We are also taking the necessary steps to provide the power and the resources, as has been done through this piece of

legislation, to ensure that our agencies have what they need to address many of the instances where a wrong is done. We should make no mistake: we need to be constantly vigilant in this space, to ensure that we are listening to those within local communities and those within the field, those agencies, departments and our legal system that work incredibly hard to make sure that we are providing all of the support and all of the policy framework and the legal tools that are needed within this space.

What we want is to ensure that each and every Victorian has a right to a safe, harmonious and decent life. We know there should be an opportunity to be free from violence and free from harm, to be free from those that are knowingly and actively choosing to break the law in so many instances and in so many examples. I do not have to tell any member of this house the damage that causes, because we know and understand those. What is important is that we are continuing to invest in a whole range of services that go to these matters and to make sure that we are taking that fight right up to those that continue to want to do the wrong thing, but it must be in a fair, balanced and reasonable way. That is why we will continue to work with all of those agencies to make sure that we have legislation that comes before the house that is fair, reasonable and balanced. It is important to note that we will continue to make sure, as I mentioned at the start of my contribution, that we invest. We will continue right across local communities, both within my electorate and all over Victoria, to provide those powers and those resources in each and every way. I commend the bill to the house.

Brad BATTIN (Berwick) (15:39): I rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. I first of all take up one of the issues in relation to the member for Albert Park, who during her contribution said we welcome having a robust debate on legislation here in this Parliament. I find it interesting that that would be brought up in this debate when the member for Malvern put forward a reasoned amendment but they failed to allow any actual debate when it came to child sex offences after the member for Malvern put that forward – the government shut down that debate before it even started. That is not how the Parliament should operate. We should be having that open, honest, robust debate, particularly when it comes to legislation that would ensure we protect child sex victims and not child sex offenders. For a government to not allow that was very disappointing.

You would think that would be the only one, but as the member for Malvern said, there was legislation that was put forward around fixing typos. We put a piece of legislation forward in relation to machetes that was shut down by this government. They did not want to have that debate at all, so if you are talking about robust debate in this place, to shut down the debate when it comes to machetes and then go and bring their own legislation that they actually admit does nothing actually is not robust debate. If they had allowed ours to go through, we would have had stronger legislation to stop machetes here in Victoria. Then we actually went on and put legislation forward for the serial killer in Frankston, but we were told yet again that we could not come in and introduce that legislation. The government said they wanted to have open and robust debate yet months later brought forward legislation that was identical.

We are talking about community safety here in these pieces of legislation and when it comes to the Confiscation Act 1997. The reasoned amendment is important because it comes back to that community consultation. It comes back to consultation with the people outside of the Parliament who have a knowledge and understanding of how the law works and will generally go through and have discussions with many within their field who they represent to see how this will impact not just their clients but also the broader community and making sure that legislation coming through here is workable, achievable and not unfair. I think it is really important that we do consult with those organisations, and an organisation like the Law Institute of Victoria is not one that I would say should be laughed at. They are a serious organisation who have come forward raising concerns specifically around this piece of legislation.

Members interjecting.

Brad BATTIN: What a disgrace. As I will continue to say – and I am talking to the Labor Party, I am not talking to any specific individual – maybe the Labor Party could go out and consult and

genuinely have that consultation. As I have said, this is around community safety. The member for Sunbury said that the Victoria Police do a wonderful job in his community, and I endorse that. I think they do a wonderful job in your community. They do a wonderful job in mine. They do a wonderful job in the member for Malvern's. They do a wonderful job across the whole state. But if you genuinely want to make changes to give Victoria Police the powers and opportunities to ensure that we can reduce crime, then you would not be in this budget cutting funds for the community programs that they run, which is already in that budget, or you would be ensuring at the moment we could fill the 1200 vacancies that currently sit in Victoria Police across the state – 1200 vacancies.

Every time we have had squads graduate, I hear the academy is full. If you go back through the last three government gazettes, when you look at Victoria Police, more police have resigned than have come through the academy. Now, maths says that means we have got a reduction in the number of police, but worse still more than 300 years of experience, on average, is resigning each time these resignations come through. This is a real problem when it comes to Victoria Police, because if they continue to have more people resign than come in, you are creating an issue where there is more pressure on those wonderful police officers that are there to protect us now. The work expectations on them increase, the stress on them increases and there is a higher chance of them taking stress leave, and at the moment we have more than 800 currently on stress leave here in Victoria. So there are 1200 vacancies and 800 people on PTSD or stress leave. That is 2000 people in the Victoria Police currently unavailable, on top of the fact the Victorian government promised they would have 502 additional police officers in Victoria by the end of 2024. But what we are seeing again in this budget is police numbers continuing to decline. So if you are going to bring in legislation like the confiscation amendment bill and you are going to amend the Confiscation Act to give the police more powers – and the Police Association Victoria, as you have stated, have supported it – then you need to make sure that they have got the capability to ensure that they can enact that legislation and protect the community.

Organised crime in Victoria is out of hand. It is every day in the media. It is getting to a stage where we are seeing firebombing of cigarette stores. We have got a new war on the streets. We have got more people being shot. We are seeing organised crime using young people to go and commit crimes. Last week we saw a report where a young person was paid just \$500 to go and commit a horrendous crime of throwing a fire bomb through a tobacco store in Melbourne. These organised criminals are making a fortune out of the fact that they are blowing up the legal tobacco sellers. They are trying to take over a market that is there, and they are using those opportunities that are available.

It does not matter how good the legislation is if you do not have the police available to go and police that and ensure that they can take these people off the street – or even better, getting proactive police patrols out there so crimes like this do not happen. We have continued to see from this government spin inside this place rather than actions out in the community, and the community is worse off for it. Crime is continuing to increase here in Victoria. Those are not my figures; the Crime Statistics Agency, the government agency, continues to say that crime is increasing. Crimes particularly against the person continue to increase across Victoria. Crimes using knives continue to increase here in Victoria. These are all things that send fear through so many people out in the community, and it is important that when we give the powers to anyone who is going to be using them that we have got the capability within the Victorian police force to ensure that they can work with this legislation to deliver it and provide us a safer place.

The reasoned amendment came around because, as was said by the member for Malvern, it was to do with the consulting and making sure we consult properly with those agencies. Some have come back, like the Law Institute of Victoria, and have raised some concerns particularly around the criteria for restraint and forfeiture of wealth. Under the proposed new pathway, they would not require a nexus to criminal activity to be established, meaning this is insupportably broad. Secondly, it relaxes the absence of the nexus to criminal activity. If we are going to be bringing in this legislation, I think it is pretty important that we do ensure there is a nexus between this and the criminality here in Victoria.

What we do know is that with those who do have unexplained wealth, they can be and should be investigated in the right circumstances, but we still need to make sure that we are protecting those that are innocent. I think in this Parliament, whilst we have got a responsibility and a role to ensure that the greatest offenders in our state are investigated and prosecuted and charged and hopefully taken off the streets, the reality is we also have to make sure that we protect those who are innocent in our community.

The Law Institute of Victoria have put their views forward, and the reason they have sent them off to the Shadow Attorney-General is because they know that the Victorian government refuses to listen to them. They are not alone. The Victorian Bar also wanted to have their concerns addressed, which was refused again by the Victorian government. What we have seen in here so far from the speakers that have stood up, including the member for Albert Park, is that they continue to say, 'We want the robust discussion in here and the robust debate.' We would actually say the most important part of this debate was prior to coming into this place. The most important part of the debate was going out to those organisations and understanding the impact of this on every person that could be investigated. They should have gone back to not just the police association – we note the police association do support it – but also Victoria Police to say, 'Have you got the capability to deliver on this, and what are the extra resources that you will require to ensure that we can deliver this and take people off the street and investigate this thoroughly?' Do the police force at the moment have the capability with police numbers here in Victoria? They probably would say privately – I know they will not come out and say it publicly – 'At the moment, Minister, we're struggling. We just do not have the numbers here available. We can't even open 43 stations that used to be 24 hours a day when they were required; we have to close them overnight between 8 and 16 hours, meaning that we are leaving communities more and more unsafe.'

I think it is really important, if we are going to bring in these pieces of legislation, that we ensure that the capability is there, and at the moment this government cannot guarantee that. The member for Sunbury was right. This should be around community safety, but I do say to the Labor government: your budget is not about community safety. You are cutting everything in relation to community safety in the Victorian budget this year, including prevention programs, youth justice and Victoria Police. It is about time that you actually put actions in place, not just pieces of legislation here that have not been consulted on properly.

Lauren KATHAGE (Yan Yean) (15:49): I am happy to pick up where the member for Berwick left off. The member has made the factual point that organised crime makes a lot of money. They do – they absolutely rake it in – and we have seen through the Lunar taskforce and other police activity their efforts to address that. I was going to let the member for Berwick know what we are doing there, but that is fine if he wants to leave the chamber.

He was concerned that they are making a lot of money, and it is true. I have heard this myself through the current inquiry into tobacco from a detective superintendent in the anti-gangs division. What he told us was that where you can make an impact is by shifting the incentives. So if something is low risk and high reward, then people are more likely to do it. It is a motivating factor in crime. What this bill does is disincentivise it by making it higher risk and lower profit, because we will be confiscating the profits that are garnered by incorrect means.

The member for Berwick further stated that he believes that the nexus with crime should be maintained. But we heard from the same detective superintendent that I was referring to before that the people that you see on the ground committing offences where you can make a connection to crime – I am saying now – are more like patsies. They are not the high-level players that this bill is targeting. By keeping that tight nexus with criminality all you are doing is meaning that the person in the jet or the person in the Lamborghini that is benefiting from this and does not have to get their fingers dirty directly in a crime can get off scot-free and keep their wealth. Well, we do not want to let them.

I was with my daughter; I picked her up from school and stopped by Woolies on the way home to get some groceries for dinner. And later on that evening as I sorted out my daughter's uniform I found a toy in her pocket – a toy in her pocket that was not her toy. And I asked her, 'Where did this come from?' The first thing she told me was that a crow had dropped it into the yard – because we do have a crow that drops eggs into the yard.

Cindy McLEISH: On a point of order, Acting Speaker, I think the member has drifted quite a way from the bill, and I ask you to bring her back.

The ACTING SPEAKER (Meng Heang Tak): That is not a point of order.

Lauren KATHAGE: Poetry and analogy are not dead. She gave me other explanations for where she had come across this toy, but really they were not true explanations – and this bill is about explaining wealth. So she got driven back to the grocery store and was made to apologise, and Mum had to pay for the toy and she did not get it. If people have something they should not have and they cannot explain why, then it does not belong to them, and so the purpose of this bill is to ensure that the wealth and the proceeds of crime –

A member interjected.

Lauren KATHAGE: it gets worse; I have got another one coming, just wait – are not incentives to continue the behaviour that leads to those ill-gotten gains, as they say. This bill empowers the authorities to freeze assets and grants them enhanced capabilities to compel people to account for and potentially forfeit wealth and expenditures they are unable to demonstrate were lawfully acquired.

We do have a deep commitment to ensuring that organised crime is disrupted and disturbed in our state, and this bill is part of the efforts towards that. I spoke earlier about Taskforce Lunar. We did hear last year that one of the new policies that this government has introduced is cashless gaming, because we know that one of the ways that people launder ill-gotten gains is through gaming machines, so another way that we are addressing ill-gotten gains is through introducing cashless gaming cards. There are lots of different things that this government is doing to disrupt organised crime in our state. Along with it not being good for them to have income through means that are not right, they also use this income to then commit further crimes or to be involved in things such as arms, human trafficking, drugs and the like. So disrupting that profit cycle of organised crime has a compounding effect for good in this place.

I return to the member for Berwick's desire that the connection to crime remains in place. Although the member for Eildon was shocked to hear about the little crime gang in my house, there is a reason that we need to make sure that it is not just through a connection to crime. We could consider my big girl passing on the toy to her little sister and her little sister perhaps not being involved in taking it from Woolies but still benefiting from that. It will make sure that we target not just those who are potentially patsies but also those who are orchestrating or running the crime rings, as my big daughter does at my house.

Sometimes people can be as flash as a rat with a gold tooth; I do not know if you have heard that saying. Sometimes people are looking well above their station through their vehicles and through their lifestyles, and I think it is completely right that this government is looking to crack down on people who are benefiting through and from crime.

To make sure that upon being requested to explain their wealth people do not dispose of or interfere with that, a restraining order can be taken out immediately to preserve that person's interest in the wealth and it can also act as security for that wealth. If it is deemed to be needed to be taken, then that serves as a security for the government. That is one of the mechanisms that this bill introduces. There is another power, which is the monitoring order. That requires financial institutions, like banks, for example, where somebody has an account with them, to give information to a law enforcement authority, because we cannot have people using financial institutions as a way to hide their wealth.

People will generally have 90 days after the order is made, and it can be for the full amount or it can be for a reduced amount.

There are protections in place. Those opposite raised concerns – we heard from the member for Ovens Valley and others – that it was an attack on the presumption of innocence, but the law is not shifting the burden of proof; the law is only shifting the burden of proof regarding the source of assets, not the commission of a crime. It could be contended that people with assets would be able to easily demonstrate how they were gained, and so the presumption of innocence remains for a crime, but people with unexplained wealth could and should explain how they came about it. There are judicial oversight and review processes that will help ensure that the law is applied fairly and correctly. As it is part of our government's continued work to disrupt organised crime in this state, I commend the bill to the house.

Cindy McLEISH (Eildon) (15:59): As I contemplate my contribution today, I have that groundhog day feeling again. Probably once every week we have to put forward a reasoned amendment because the government have not done the work on a bill that they need to have done, and today is no exception with the Confiscation Amendment (Unexplained Wealth) Bill 2024. We have seen the Shadow Attorney-General the member for Malvern put forward a reasoned amendment because the government have failed in their efforts to consult. We know they have failed in their efforts to consult not only because those groups tell us but also because the member for Albert Park in her contribution mentioned who they consulted with, and that left out who they did not consult. There are some pretty big omissions when you think about the Victorian Bar and the Law Institute of Victoria, which you would think when we have a bill that is very much a legal bill about legal matters would be instrumental in having input. However, I will come back to that.

At the moment we have a bill here that extends on a bill that was put forward in this place by the Attorney-General in the Napthine government, the former member for Box Hill Robert Clark. He introduced the original unexplained wealth laws in 2014 under the Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014. It was supported then by the Labor opposition. I do want to make it clear, though, that despite us putting forward a reasoned amendment we will not be opposing this bill.

Unexplained wealth is something that makes sense to a lot of people when you think about what it means. You see movies and you hear things on the news about how somebody got all of that wealth, and it just does not add up. Originally there were a couple of pathways, and this bill now proposes to put in a third pathway. One of the existing pathways was if there was a reasonable suspicion that somebody who had greater than \$50,000, unexplained, was engaged in illegal activity. The second one at that time was if there was property of any value gained illegally, not lawfully acquired. So one of them was illegal activity, being criminal, and the other one was obtaining it unlawfully.

As it stands at the moment the DPP or appropriate officers can apply to the court for an unexplained wealth restraining order. If the police think this does not add up and wonder what to do about it, they certainly need to provide some proof. They have to put an affidavit forward, and the DPP or the appropriate officer can apply to the court for this unexplained wealth restraining order. They have to think things do not add up, but they need to provide a little bit of evidence along those lines. The onus then is on the respondent to establish ownership, which would include documentary evidence. We have got a new arm this time that is being introduced if there is a suspicion that the wealth that they have exceeds what you would ordinarily expect their wealth to be by \$200,000. And you can often think that. People go, well, this person might earn so much in these activities, or they might be unemployed or they might not do that, but they seem to have this unexplained wealth, and how does that work? The issue here is that there is no obligation on the Crown to prove any nexus between this unexplained wealth and criminal activity. It is pretty much as we have heard: guilty until proven innocent.

I have got a couple of examples of unexplained wealth that I personally have been involved with. One was with my brother, who was questioning one of his friends who seemed to be buying quite a bit of property and sending his parents overseas. Eventually my brother's friend fessed up to my brother that he had actually won TattsLotto. He had won a significant amount of money in TattsLotto, so you would hope somebody –

Michael O'Brien interjected.

Cindy McLEISH: I do not know if you know him. You might know him. It was a number of years ago. He had lawfully won this money in TattsLotto, and we are talking above \$200,000 here. Also, when I was the CEO of a sporting organisation we had a bookkeeper, and I was going through all of the things that we needed to do, the checks and balances, to make sure that there was a very clear and accountable trace of all of the money. It was a not-for-profit, so every cent counted. I was explaining it to this young lady, and she said, 'Oh, no, no, don't worry. I get it. My old boss is in the Mount Gambier jail.' He had embezzled huge amounts of money from a very large and well-known company that many of us in this place would know. He had been doing it, as they do, very sneakily.

When the board thought about it, they found out he had doctored balance sheets and things like that. The notes that he would give the board meeting had all been doctored, and they accepted it all on face value because this person had never done anything wrong. He was not there one day – and this is why a lot of these people never take holidays – and they said, 'Can you just ring Westpac bank and check with Westpac that we've got the current balance? It's about \$5 million or \$6 million.' The bank said, 'You closed that account six, seven years ago.' They had not known that it had been, because it had been presented time and time again. Then the penny started dropping, and they thought, 'Actually, he was buying this property and he was buying that property, and he was buying that.' When they started to add it up, they thought, 'How could he have afforded so much on his salary?' I think this is part of what we have here. It is not just about drug barons and drug lords; there are other people in corporate life who embezzle money. I think in this instance if that organisation had suspicions – well, they did go immediately to the police because they had the proof at that point – and the police got involved, you would say this wealth exceeds what you would ordinarily expect this person to have.

One of the reasons that we have this bill before us now is that it came first of all through Victoria Police, because they had concerns that the original bill was not quite picking up everything that it could have been and some of the crooks are quite clever at distancing themselves from the dirty work on the ground – they might use other people, intermediaries. So this is something that the police wanted to put forward. I am pleased the police did put that forward and the government have moved on this, but the government needs to do a lot more to help support police. We heard the former policeman who is the member for Berwick talk about some of the strains on the police force at the moment and how disappointed many of them are in the government and how much support they need to stay in the job rather than have this mass exodus that they have at the moment. Nevertheless they have put this through, and the government have picked this up.

But there are a couple of concerns, and this is something I alluded to at the start, which is why we have put the reasoned amendment forward, because in the government's work around bringing this bill to the Parliament, they did not do all of their homework, and they need to do a lot better on their homework. Specifically, they did not consult with the Law Institute of Victoria and also the Victorian Bar. I have a letter before me from the law institute, and I will read part of the summary here:

The LIV opposes the Bill and does not support the introduction of the proposed new, third pathway into Victoria's unexplained wealth confiscation regime.

And they have a whole bunch of reasons. The government needs to talk to the law institute and explore and work through those reasons, because there is still an opportunity for the bill to be made better

between houses; they could do a little bit more work. Equally, the president of the Victorian Bar Georgina Schoff says:

In these circumstances, the Bar does not support the additional pathway that is proposed by the Bill.

Clearly when organisations like the law institute and the Victorian Bar have serious concerns, it is up to the government to show they are a serious government and not the joke that they have become by actually doing the right work and the consultation, because each week we come here and have to put a reasoned amendment through to say to the government, 'Do your homework; do it properly.' It has just not been good enough, what they have done.

In addition, one of the things that we have identified that is really important is to have a statutory review of the amendments – a three-year review of the amendments – so that they are not just lost. If they are working well, great; if they are not working well, okay, what can be tweaked further? I think that those are things that the government really does need to take on board, that reasoned amendment and the textual amendments that will be introduced in the other place. I think the government need to really lift their game.

Again, I also question the government's priorities. They have not done all their homework here, but they were very quick to condemn last week the private members bill that the Shadow Attorney-General had put forward – and he had done all of the work – about the loophole that exists whereby paedophiles can actually escape sentencing because of suspended sentences. The government need to look at that closely. It has been six years; they need to pick up their game there too.

Gary MAAS (Narre Warren South) (16:10): I too rise to make a contribution to the Confiscation Amendment (Unexplained Wealth) Bill 2024. Before I go to the specifics of the bill, I would at the outset just like to give a little bit of a shout-out to our incredible community legal centres throughout the state, who do wonderful work. Out my way we have the South-East Monash Legal Service, a really terrific service. I was absolutely rapt that in today's 'Helping families' budget they have received some funding as well, and that is to continue their Sporting Change program. They really do put the 'community' into community legal centre by partnering with schools, providing another means of access to justice through that program and having lawyers in schools. It really is a tremendous thing, so a big shout-out to them and indeed all of our community legal centres.

Onto the bill, the bill aims of course to disrupt organised crime in Victoria by strengthening the state's unexplained wealth scheme. There is no place for crime of any kind, including organised crime, particularly where profit comes at the expense of peddling harm against Victorians. The bill strengthens the unexplained wealth scheme to better target leaders of organised crime groups by making amendments to the Confiscation Act 1997. This bill was first introduced to target the gains of criminals and assist in deterring and dismantling organised and serious crime. Our government will now make it harder for those involved in organised crime to continue living those lavish lifestyles with unlawful wealth. It follows through on the government's commitment to the community safety statement, which aimed to review Victoria's asset confiscation and unexplained wealth laws.

In essence, the bill adds a third pathway that results in an unexplained wealth order based upon a reasonable suspicion. The unexplained wealth orders framework in the Confiscation Act comprises two circumstances where someone may be subject to an unexplained wealth restraining order. Those two pathways are the person pathway, where a person with an interest in property valued at over \$50,000 is engaged in serious criminal activity, and the property pathway, where property of any value was not lawfully acquired. What the bill is proposing to do is to add that third pathway, which will enable the Office of Public Prosecutions to apply to a court for an unexplained wealth order if there are reasonable grounds to suspect a person's wealth exceeds their lawfully acquired wealth by at least \$200,000. It will also not require a connection to crime. This simplifies the process and will better enable law enforcement to target individuals, primarily senior figures, in crime organisations who often seek to distance themselves from crime. Thirdly, it will enable the incorporation of a range of

safeguards, including a new court discretionary power, an extension to existing relief and undue hardship provisions.

What the amendment bill will do is it seeks to disrupt and prevent organised crime groups from having and enjoying the wealth which they have acquired unlawfully. If a person cannot satisfy the court that their wealth was lawfully acquired, they need to pay the state the equivalent value of that unlawfully acquired wealth. Currently the onus is on police officers and prosecutors to prove a link between a criminal and their wealth. This has been a barrier to successfully charging offenders in the past. The bill will remove this requirement, and it means organised crime leaders must prove how they obtained their wealth. We know what this type of wealth looks like. It is flashy cars, fancy yachts and big hotels, and it is an example of the type of wealth that does not match up with what is being told to authorities like the ATO.

In having a chat to some of my staff about this bill, we were just trying to think of some crime figures – fictional crime figures – where this might apply. The suggestion came through of Walter White from *Breaking Bad* – a fabulous series. A chemistry teacher in the ice trade with a side hustle of a car wash –

A member interjected.

Gary MAAS: I have met my KPI of including *Breaking Bad* in this speech. It does represent a complete and utter disrespect of the law. It is disheartening to the public to see people who are involved in the black market flaunting that wealth with those types of material objects that I before mentioned. The bill confronts the black market and asks figures within it to explain themselves and those ill-gotten gains. If they cannot prove it, they lose it. If a person cannot demonstrate they obtained these objects legally, they likely will not have them for much longer. Previously this sort of misalignment might have fallen through the cracks, but this new confiscation power means that these activities can be questioned and penalised. This bill is another tool to use against those who perpetuate civil disobedience, disrupt society and disrespect the law. Our state's current confiscation scheme is relatively strong; however, that gap in the scheme has allowed sophisticated senior organised crime leaders to take advantage of that system.

Amendments to the bill include safeguards to ensure that they accurately target those perpetuating uncivil acts, and these include the court's discretion to refuse to grant an unexplained wealth order if it would be manifestly unjust to do so, ensuring that the pathway is utilised consistently to prevent unreasonable and disproportionate outcomes. The bill recognises the impact this pathway may have on those unsuspecting dependents. It will ensure the extension of existing relief and undue hardship provisions to those unsuspecting third parties or dependents. This will help to mitigate the impact of any blowback of an unexplained wealth order.

In conclusion, we know that this bill will, when passed, reduce the power of those involved in organised crime, particularly those senior crime figures who use underlings to move property or money and reap the financial benefits. It is a change that will incorporate the complex and insidious ways these figures go about moving money, such as consumable wealth and wealth that has been gifted, disposed of or expended. Our Allan Labor government is committed to curbing this behaviour and ensuring people are not encouraged to continue to keep engaging in it. It is particularly pertinent to the younger people who might be attracted to these displays of wealth. We do not want them climbing those ranks of organised crime and getting involved in that sort of dangerous activity or being taken advantage of by senior crime figures.

The bill complements other work by the Labor government in protecting our community – work such as the Major Crime and Community Safety Legislation Amendment Act 2022, which enhances powers around cybercrime, cryptocurrency seizures and electronic and specialist search powers. We are doing this because perpetrators of these crimes should not be able to get away with or flaunt their actions. I really would like to commend the work of our Attorney-General and the work indeed of our Minister for Police in putting this bill together. It is an excellent bill, and I commend it to the house.

Danny O'BRIEN (Gippsland South) (16:19): I am pleased to rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024 before the house today and to join with my factional colleague – the O'Brien faction, the member for Malvern – in supporting his reasoned amendment on this legislation but noting that we are not opposed to this legislation from the very real perspective that of course we will always want to do what we can to stamp out crime and particularly organised crime as it occurs in this state. I must say that when I first read the excellent bill report of my factional colleague, I did initially have a little bit of a concern. I will come to that.

Basically, the current unexplained wealth confiscation program currently has two pathways. One is a person pathway, and that is where there is a reasonable suspicion that a person with an interest in property valued over \$50,000 is engaged in serious criminal activity. That is the person pathway. And the other is based on a reasonable suspicion that property of any value was not lawfully acquired. That is the property pathway. This legislation goes a step further and effectively introduces a situation where once a case has established that there is a \$200,000 gap between an accused's actual wealth and their lawfully acquired wealth, then the responsibility is on an accused to justify that their wealth was lawfully acquired. When I first read this my initial concern was that there is no obligation on the Crown to prove any nexus between any unexplained wealth and criminal activity. That was the bit that I went, 'Ooh, that is a bit of an issue.' We always want to target criminals, obviously, but this sort of legislation potentially could catch someone who is completely receiving money on a legal basis. However, that is probably unlikely to be the case because you should always be able to prove where you got the money from. Nonetheless this is an issue that has been raised by the Victorian Bar and the Law Institute of Victoria, among others, and is the reason why the member for Malvern has moved the reasoned amendment that he has that there should be a bit further discussion on this issue and particularly some clarification to ensure that no-one who is not undertaking criminal activity can be caught up in this new third way approach.

I think that is appropriate, but as previous speakers have indicated, what this legislation is really about is making sure that police and the courts can target the Mr Bigs or Mrs Bigs or Ms Bigs or Mx Bigs, whichever you would prefer –

Steve Dimopoulos interjected.

Danny O'BRIEN: It has been a long day, Minister. It has been a long day. There are clearly circumstances – and the member for Narre Warren South went to a fictional account, but there are probably many actual accounts that we could deliver here in this place or that certainly police could talk about where the Mr Bigs are doing nothing directly themselves but are the subject of ill-gotten gains if you like. So this legislation gives the police and the courts the opportunity to target them on the basis of simply the income that they are unable to account for. I think it is important, as I said, that we tackle crime on every level. We on this side, the Liberals and Nationals, will always seek to ensure that criminals are being stopped and that crime is being reduced.

It is a particular concern in my electorate. I have got a constituent mobile office day on Thursday. What are the two issues that a half a dozen people have already raised with me? Land tax and crime on the streets.

Michael O'Brien interjected.

Danny O'BRIEN: Two types of theft, indeed. I note that –

Tim Richardson: He is just nailing zingers.

Danny O'BRIEN: Do not throw me off, member for Sandringham. Now I am really throwing zingers, member for Mordialloc – the glimmer twins over there down on the bayside. Sorry, Acting Speaker, I have been distracted by the member for Mordialloc. But crime is a serious issue. We have seen in the budget today – I am very pleased that Mr McIntosh, the member in the other place, has

announced half a million dollars towards the rebuilding of the Fish Creek Football Netball Club. That is of course very welcome. It is something I has been speaking to the minister about.

A member interjected.

Danny O'BRIEN: No, I did not get an invite, and I do wonder whether the member actually deliberately chose a lower house sitting day to go and announce this, but the point being that the Fish Creek Football Netball Club needs new clubrooms because a thief broke into their clubrooms, stole whatever he stole, a number of things – he or she – and then burnt those clubrooms to the ground. A club that has been around for 130-odd years lost most of that history, and not only that but a focal point for a small country town. That particular event happened as part of a wave of crime down the South Gippsland Highway that started at the Meeniyan IGA, which got rolled. It went to the Yanakie motocross club. I think it was the same event that ended up in Alberton in Yarram. We are seeing this increasingly in South Gippsland, which is historically a very low crime area and I think is now being seen as a very soft target for criminals coming out of the south-east of Melbourne in particular, some of them local. We are seeing that because of the very, very thin blue line that we have in South Gippsland in particular. We recently saw the long-serving sergeant at Leongatha retire from his post. We had an appointment of a new sergeant to that post in I think it was February this year. In my attempts to go and see the new sergeant I was thwarted by leave and a few other things, and now I am told that new sergeant has retired and moved on. That is just a symptom of the issues that we have with the lack of police in my electorate.

What does that mean? What it means is the actual crime rate has risen dramatically across Gippsland South. Since the election of the Labor government we have seen a 66.6 per cent increase in the crime rate in the South Gippsland shire, a two-thirds increase in the crime rate. That, as I said, has come from a low base, but it has led to serious concerns from my community about security in their towns, about theft, burglaries and robberies but also just generally antisocial behaviour – the hoon driving that is happening in places like Leongatha, Loch and Korumburra – and some of the activities. Again, some of it is being perpetrated by young people who feel in many areas they can do it almost with impunity. That is an issue, again, as I mentioned, that people are wanting to come and talk to me about this week, as they have been for a number of months now.

I should add that the other parts of the electorate have not been left alone. Wellington shire's crime rates have increased 11.7 per cent since 2014, and even Latrobe city, which I think has the second highest municipal crime rate after Melbourne, has risen 9.7 per cent. We have got a serious issue with crime at both ends of the spectrum: the Mr Bigs and the organised crime that this legislation in particular is tackling but also at that local area level, where it is a significant concern.

As I said, I am very happy for the Fish Creek Football Netball Club. I have been working with the minister and with the club for a long time, since that event late last year, to get some state government funding to rebuild. That is fantastic, although \$500,000 will not go very far in what will probably be a \$4 million, \$5 million, \$6 million project, so I hope this is simply a down payment on what the government is proposing. The community would like not just the money to rebuild; they would like the resources to see our community is much safer, whether that is to stop people who are hoon driving on our local roads and streets or whether it is to stop the burglaries and the other criminal activity that is happening in small country towns, where historically people left the door open and where they did not lock their cars. People are having to change their attitude and they are having to change their practices because of the lack of safety that we now have in this state. That is a significant concern. It is a concern about the livability of those regions, and certainly it is something that the government needs to do better on.

This legislation, I think as the member for Malvern indicated, will have an amendment to insert a review into this after three years to ensure that we have in fact got it right, in the event that the government does not accept our reasoned amendment. We think that is sensible. We think this bill should pass but there should be more discussion on it before it does.

Tim RICHARDSON (Mordialloc) (16:29): It is great to rise and speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. I was intently listening to the member for Gippsland South, a former Public Accounts and Estimates Committee colleague and someone that I have admired for some time, but I thought someone had confiscated the bill from him because he was miles off. Forget about confiscation on this legislation, someone had confiscated the bill book. He had gone miles off, and it leads me to the point that I think we can now guarantee that there are not notes circulated by those opposite amongst their colleagues, because they are not on a consistent theme or frame here.

We had the member for Ovens Valley before, who had an interesting commentary on how we came to this bill and this proposition, one that the member for Ovens Valley claimed as their intellectual property from 2014 but then went on to say was unacceptable and an unreasonable proposition, to find ourselves with this bill, which I thought was an interesting argument to have with yourself on your feet. To say it was your idea but then to say you were wrong in your idea was an interesting proposition to put forward.

Michael O'Brien interjected.

Tim RICHARDSON: And long may I continue to be a strong progressive member of the left, just for the member for Malvern's reference. I am a very happy member of the left, and I will continue to be. But we divert off.

This is really important legislation. I want to come to where the opposition find themselves, because the member for Malvern has presented what is I think an important reflection of the Law Institute of Victoria, and I know he is a learned friend from some time ago. But it is interesting because of those in shadow cabinet, some are very hard on the law and order. There are some that would not have accepted this coming forward, a discussion that looks like you might be diverting a little bit off from the wishes and ambitions of Victoria Police – that is, to strengthen these powers and strengthen this approach. It is a curious intellectual discussion where you say, 'Well, we're not opposed to this bill, but we're not quite backing in Victoria Police's recommendations and their proposition that we need greater powers. We want to have an intellectual discussion.' It was interesting seeing some members speak and really tussle with that notion that they are actually opposing that by putting this reasoned amendment.

We know what a reasoned amendment is. To not be opposed and then have a vote that says it should not proceed until further notice is being opposed in principle on it. It is delaying the bill. I mean, it is written in size 14 font, so it is not that deep. It literally says we will just sort of sit back and wait, even though it has gone through a significant amount. There is a view that has been put forward. They are opposed to the view of our law enforcement. There were a few that curiously said on the record, 'We're very supportive of the police.' There were some that put forward the view that we are not doing enough and went off from this bill, even though we have strengthened police powers in a range of different law enforcement frames by listening to the recommendations of the Chief Commissioner of Police and supporting the officers that are charged with this responsibility on behalf of Victorians.

But when it comes to this I just think it is very curious that the member for Malvern was able to get an intellectual argument up in shadow cabinet that I do not think the majority of shadow cabinet would have realised some of the ramifications of – that is, in principle opposing a strengthening through the Confiscation Amendment (Unexplained Wealth) Bill 2024. So it is a curious thing. They might address this up in the upper house, but we support the views of Victoria Police. We support the strengthening of these powers.

I mean, unless you have got a 13-leg multi on Sportsbet or you have got some way of tracking back some wealth that you put on, what is the reason for having hundreds of thousands of dollars? It is a reasonable ask. It is an ask that the Australian Taxation Office would put forward, and in a context where we see more sophistication and more technological advancement in organised crime, which has

cost just in recent years estimations of up to \$60 billion to Australians, we need to make sure that we give Victoria Police every element of discretion there. It is not going to clip the person who suddenly got a bit lucky – and we saw the kid the other week who caught the million-dollar fish up in the Northern Territory. It is not going to clip the ticket of someone who has got an inheritance or who has come to find a bit of coin under the desk.

We are talking about Victoria Police having a threshold for investigation that says, ‘That person, we believe, has acquired a significant amount of wealth.’ It is clearly stated in the minister’s second-reading speech, with the threshold being set with the intention of it being at that serious level. So when you are sending all those signals to law enforcement and when you are sending the signals on what a court might have to interpret down the track, it is not the miscellaneous who came to be in coin or the investment that took off. We will always have an ability to prove that nexus, because the inverse question, which the Australian Taxation Office would have and which Victoria Police would have from a law enforcement standpoint, would be: ‘How did you come to be in possession of hundreds of thousands of dollars of wealth that we can’t track back through your earnings, through trusts, through inheritance or through any luck that you might have got?’ If you cannot explain that then there is a serious issue there, and that is exactly what Victoria Police are putting forward. And they should be respected in the powers that have been requested and put forward.

Colleagues like my parliamentary colleague the member for Albert Park and Parliamentary Secretary for Justice really went to the significant detail on that, but I think it goes to the point around that real nexus question: it should not be the threshold that then undermines the ability for Victoria Police and specialist taskforce groups. All of us will know how this is structured or have a perspective on how these matters are brought to be, yet for the particular division out of Victoria Police, who through operational procedures are monitoring or assessing or going through months-long intelligence gathering, it is not the innocuous, ‘Oh, hang on, someone’s running around with a new car now. We’re just going to sort of wander in.’ It is such a trivial argument to undermine this bill to suggest that. It is significant intelligence gathering. It is taskforce work. It is dedicated surveillance and police work that goes in. It takes countless hours to get to the point of even considering it. It is not like the innocuous person that sort of wanders in who has been described or alluded to by those opposite, and I think it cheapens the huge abilities of the counter fraud, the intelligence and the corruption work that is done by Victoria Police. It undermines some of their sophistication to suggest that they will just stumble into pinging people or going through that.

There was somebody who implied something, and I will not name the member, because I think there is a bit of a lived experience – there is more context than what he was trying to allude to. But the suggestion that Victoria Police may incorrectly pursue someone, as was implied in their speech, was a curious proposition to put forward. We have police conduct, we have oversight by the Ombudsman and we have oversight by the Independent Broad-based Anti-corruption Commission. The suggestion then that it could be misused is an interesting reflection on Victoria Police and the integrity they put forward on behalf of Victorians, and it might be something for those opposite to clarify that they are not meaning they do not respect or value the judgement of serving Victoria Police officers to make that call on behalf of Victorians where they believe someone has acquired unexplained wealth that might be of an illegal nature and then seek orders and powers to say, ‘Well, where has that come from?’

When we think of the context of the significant harm, the impact, the huge taxpayer dollars that are forgone, the lack of tax revenue, the harm that happens in organised crime, the corruption and a range of other criminalities that happen, the resourcing of that in the hundreds of millions through Victoria Police and their sworn officers, it is a significant impact on Victorians and their way of life. It undermines us as a society. So I think this is an important element.

The third tranche of reforms in this space is really important work that carries on a legacy of delivery for Victoria Police both as sworn members and in powers that have changed over time. I have said this before and I will keep saying it again: we all owe a great debt of service to those emergency service

workers that put themselves in harm's way or dedicate their life and passion to the service of others. That is what Victoria Police members do each and every day in our community and across Victoria. We know the impact on them and how that wears people out over time – the trauma they see, the exposures they have to people who have gone through a range of challenges or struggles and the risks that they confront. We know a lot of the people in these taskforces and a lot of the people in the specialist groupings in Victoria Police investigations are anonymous in their work for the safety of them, their wellbeing, their families and anyone associated with them – such is the high-risk and dedicated nature. They make that choice on behalf of all of us to make us safer and create a more fair and equitable outcome into the future.

Those that act in the shadows for the benefits of others, we give them a big shout-out. Know that the work that you do each and every day is valued, even though it might not be in the public space. It might have to be then announced at the assistant commissioner level, but each and every day they are toiling away on behalf of Victorians, and we really appreciate them. We are really happy to see this bill brought before the Parliament. It is an important strengthening of Victoria Police's powers, and I commend the bill to the house.

Chris CREWETHER (Mornington) (16:39): I rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024, a bill which seeks to strengthen the unexplained wealth regime by better targeting leaders of serious organised crime and preventing the use and enjoyment of wealth obtained illegally. In Australia as a whole it has been estimated that crime costs us nearly \$36 billion a year, with drug-related crime representing a significant proportion of this cost. I can tell you that organised crime and crime in general is out of control in Victoria in particular. According to Assistant Commissioner Martin O'Brien, Victoria has become the epicentre of organised crime in Australia, with motorcycle gangs and crime groups fighting for control, for example, of the tobacco trade, with the profits often being funnelled back into the weapons trade, the drugs trade and human trafficking. As the member for Gippsland South said before, we have seen a two-thirds growth in the crime rate. I have heard from many on the peninsula and in my electorate of Mornington about increased break-ins and an increased crime rate, which is evidenced in the statistics for the peninsula, particularly in youth crime.

Social media has also made it easier than ever for serious criminals to show off the proceeds of their crimes, shore up power and influence and threaten their competition, as well as recruit new members and more. These flashy displays of wealth often seem attractive to young recruits, particularly if and where there is little consequence for these actions even when they are caught. Therefore it is necessary to have robust organised crime legislation in place to stop criminals from profiting from their nefarious activities and encouraging crime and to return any money obtained illegally back to the community.

As the member for Malvern stated, it seems, though, when considering this bill contextually that this bill was brought forth to rake in more money – and as much money as possible – for the state coffers, particularly when we have seen today projections that debt will rise to \$187.8 billion by 2027–28, with interest growing to \$25 million a day. Victoria is indeed broke, with a growing debt level and growing interest payments, which as we have seen under this government has meant 54 new taxes, cuts and less money being available for services and infrastructure as well as for tackling crime. Victoria is broke and needs all the money that it can get, whether that be from innocent Victorian families, bikies or drug traffickers – money is money to this government.

Under the Confiscation Act 1997 there are two pathways under which the DPP can apply for the forfeiture of the property of these suspected criminals. One is based upon a reasonable suspicion that a person with an interest in property value at over \$50,000 is engaged in serious criminal activity; the other is based on a reasonable suspicion that the property was not acquired lawfully. In both these pathways there is a nexus with criminality.

Amongst several other measures, clause 24 inserts new division 1A into part 4A of the principal act, introducing a third pathway which will allow the DPP to apply to a court for an unexplained wealth

order if there are reasonable grounds to suspect that a person's wealth exceeds their lawfully acquired wealth by at least \$200,000. Once this is established, the third pathway puts the onus on the accused to justify that their wealth is lawfully acquired. An application for an unexplained wealth order must be supported by an affidavit from a police officer setting out any relevant matters and stating that the police officer suspects that a person has wealth that exceeds their lawfully acquired wealth by \$200,000 or more, thus setting out the grounds for the suspicion. The person does not have to be suspected of criminal activity, nor is there an obligation on the Crown to prove any nexus between any unexplained wealth and criminal activity.

The bill also has the purpose of providing for the imposition of debt to the state on and for the forfeiture of property of a person who is unable to satisfy a court that their wealth was lawfully acquired. The previous pathways were dependent on the person having the wealth on them or a direct link to criminal activity; for example, owning or having a controlling interest in an expensive house or car in their name. For the first time consumable wealth and wealth that has been gifted, disposed of or expended, such as through the hiring of a yacht or a hotel penthouse or adult services, will be captured. This is a positive step in the right direction as it makes it substantially difficult for crime bosses to make use of any loopholes.

There are, though, concerns with this bill. This bill generally calls into question two principles which need to be balanced appropriately in order to ensure a fair society. The first is the presumption of innocence and indeed the presumption that an individual should not have to usually explain the provenance of their personal assets in the absence of demonstrated criminality. There should of course be a high threshold for when the government can intervene and actively confiscate one's property. Prima facie, such conduct is in violation of norms of property ownership, freedom of citizens from unnecessary interference by the state and the right to power. It is a coercive exercise of power not to be taken lightly. Yet on the other hand there is a significant public interest in organised crime figures like drug traffickers who profit from their illegal activity being subjected to stronger laws to confiscate wealth. These criminals cause irreparable harm to our community and are a menace for police officers, and it is wrong that these Tony Soprano wannabes can splash out on fancy cars, yachts, Rolexes and strippers while other Victorians suffer as a result of their criminal behaviour.

Overall the legislation must be measured and balanced in its approach, safeguarding essential rights while punishing those who perpetrate harm to our community. Unfortunately, like many pieces of criminal justice legislation that come through this house, it fails to strike the appropriate balance. In fact this bill has been actively opposed by the Law Institute of Victoria and the bar, who believe the third pathway to be completely unnecessary and too broad without the appropriate safeguards in place to protect innocent people.

The bill has been criticised by the Law Institute of Victoria on the basis that:

... the criteria for the restraint and forfeiture of wealth under the proposed new pathway would not require a nexus to criminal activity to be established, meaning that it is insupportably broad ...

The fact that the legislation does not require the establishment of this nexus raises the likelihood that assets will be confiscated from innocent people. This is a disproportionate amount of power to place in the DPP, providing them with a great amount of discretion to apply to the courts for the confiscation of one's assets. Furthermore, there is no statute of limitations when it comes to confiscating wealth, with anything that you have used and enjoyed in the past being fair game. Indeed statutes of limitation exist to provide legal certainty and prevent the seemingly indefinite pursuit of past actions, so technically through this bill anything in your past that exceeds the threshold amount of money is fair game if you have not kept your receipts.

In the past there has also been criticism levelled at the unexplainable wealth framework in Victoria and across Australia for the potential hardship caused to a defendant's innocent family members and other blameless third parties who may have an interest in the targeted property. There are safeguards in this bill that seek to prevent this, with the court being able to refuse to make an unexplainable wealth

order if they determine that making the order would be manifestly unjust. In addition Victoria Legal Aid is available when a person is unable to pay privately for a lawyer to represent them in their unexplained wealth proceedings, and there is privilege against self-incrimination, relief from undue hardship, a requirement of evidence of the wealth alleged and more. I should note that the imposition of the \$200,000 minimum threshold ensures that the new wealth pathway is only targeted towards the most serious of cases.

Moreover, while there are safeguards in place, there are still valid concerns that this bill imposes grossly disproportionate, unnecessary and draconian powers on the state to confiscate personal property without there being a nexus between criminality and unexplained wealth. In light of this I greatly support the amendments put forward by the member for Malvern, calling on the government to properly consult with stakeholders like the Victorian Bar and the Law Institute of Victoria to see how we can improve this bill. I also support the requirement of a statutory review of the amendments tabled in Parliament after three years of operation.

Overall we need to look at what we can do to stop crime and to prevent crime. We do need to take action to stop people gaining unexplained wealth and to contribute that back to the state for use elsewhere where there has been criminality, but we need to get the balance right. We have seen a growing crime rate here in Victoria, and we have seen a growing crime rate on the peninsula, where I am. We have seen this Labor government, those opposite, oppose some of these measures we have brought recently, even in the last sitting week at Parliament in relation to child sex predators and trying to close the loophole there. We need to actually take action, and I would hope that the Labor government would support some of these measures we are bringing to tackle the crime rate here in Victoria.

Dylan WIGHT (Tarneit) (16:49): It gives me great pleasure to rise this afternoon to speak in favour of today's bill, the Confiscation Amendment (Unexplained Wealth) Bill 2024. This bill represents a significant legislative effort by the Victorian government to enhance its ability to combat serious organised crime. By targeting unexplained wealth the bill aims to disrupt serious and organised crime by targeting leaders of groups and particularly their digital assets. We know – I think all of us know in this chamber – that the way that criminals and organised crime figures do business in 2024 is significantly different to the way that they did business in 1997, and that is exactly why we are in here now updating the legislation. I will go through some examples during this contribution.

The Allan Labor government, as I have said in this place before, takes the safety of Victorians incredibly seriously. In fact it is one of our number one priorities. We have heard the member for Mordialloc praise the efforts of Victoria Police, and that is why those on this side of the house support Victoria Police in the huge nature that we do. As I said, the approach is intended to disrupt the economic foundations of organised crime groups and deter future criminal activities, because why should criminals, why should organised crime figures, be able to enjoy the spoils of their ill-gotten gains? Why should criminals who are benefiting, for the absolute most part, on the misery of their victims, on the misery of Victorians, be able to get away with that and enjoy the spoils of their ill-gotten gains?

I have been listening relatively intently to some of the contributions from those opposite – from the member for Malvern, from the member for Gippsland South, who is still at the table, and of course the member for Mornington, who came just previous to me – and, as is pretty typical in this place: 'We support the bill, but we're going to move a reasoned amendment, so we're not going to debate it anymore until we can come to an agreement.' A part of the issues that have been raised by those opposite is that they do not want somebody that is innocent and is not a criminal to get tied up in this piece of legislation. I thought I would just maybe furnish those opposite with a practical example that I think makes sense.

We have got a guy, a 38-year-old male – let us call him Greg. Greg does a tax return every single year – let us say he has done it for the last five years – and every time Greg does a tax return it comes

up that Greg earns a minimum wage. He pays his taxes on his minimum wage as he should, and he goes to his accountant and he does his tax return. What Greg also does on the weekends is spend his time travelling across the state in his Tesla Cybertruck. He has got a wine cellar full of Penfolds Grange that he has recently purchased, and he likes to hire a 100-foot yacht and go out yachting on the weekends as well.

Members interjecting.

Dylan WIGHT: Greg is single. I think it is fair for us to assume that Greg does not have a magic money tree in his backyard that he is pulling cash off every single weekend. I think it is fair to assume that Greg has not hit the quaddie 100 times at every metropolitan meet in Australia on the weekends. Indeed, like the member for Mordialloc said, if he did then he could hand over his Sportsbet account and he could prove what he has done. I think it is pretty fair to assume that Greg, if he is unable to prove where that cash came from – and the threshold is incredibly high; we are talking about \$200,000 – may be involved in some shady activities.

To go to the \$200,000 threshold, we are not talking about your typical tradie that does a cashie on the weekend. To be fair, the ATO may have something to say about that, but we are not talking about something that low level, where a tradie is doing a cashie or being paid for a service of that nature in cash. We are talking about going and holding accountable some of Australia's largest criminals, largest criminal syndicates – people, as I said earlier in this contribution, that are benefiting from the abject misery of their victims and of Victorians.

The existing framework, as I said earlier, which comes under the Confiscation Act 1997, provides mechanisms for asset confiscation, but it has shown limitations in how effectively it is able to reach the sophisticated methods used by high-level criminals to disguise their wealth. Put simply, as I said earlier, criminals in 2024 are doing business and hiding their wealth far differently to how criminals were in 1997. We are not too far from Lygon Street here. These are very, very different days to what we may have seen back in those days in terms of going to different businesses and collecting protection money and doing those sorts of things. The way that criminals do business now is significantly different.

Just to go through a few examples of what we are dealing with here as to how criminals are hiding their money in ways that they were unable to do back when this previous piece of legislation was passed in 1997, the really obvious one, which I think people have probably spoken about in several contributions, is virtual currencies and digital payment services. We are talking about bitcoin and we are talking about digital currencies. Lots of criminals are not just hiding their assets in these digital currencies but trading in these digital currencies as well, and that is their currency of choice to be paid in for whatever service they may be illegally providing. Online gaming – a criminal gets onto an online gaming platform and then puts a whole bunch of ill-gotten gains into their account on that online gaming platform to be able to try and hide their wealth in that manner as well. Money scams – I think we have spoken lots about the different scams that have been operating in not just Victoria but Australia both in the media and in this place in recent times, as well as work-from-home scams.

To reiterate, the ways that criminals are doing business in 2024 are significantly different to what they were in 1997, and we need to give Victoria Police the tools to be able to combat that. We are not talking about your really small-level criminals; we are not talking about tradies that may be doing cash jobs on the weekend trying to avoid some tax. We are talking about a threshold of \$200,000. Now, if you cannot explain where \$200,000 has come from, then frankly I think that that is an issue. If it is gambling winnings, you can show that really easily. If it is an inheritance, you can show that really easily. How somebody has come across \$200,000 of cash without, as I said, the magic money tree out the back I think would probably be something worth explaining.

With the very short amount of time that I have left in my contribution I would like to acknowledge once again Victoria Police, and I will give my guys at Wyndham North police station in Tarneit a plug

as I am going. They are there and charged with the responsibility of keeping our community safe. That is one of the fundamental principles of all of us being here, and it is one of the most important things to the Allan Labor government: keeping our community safe. We say it time and time and time again. This is just another example of a fantastic piece of legislation to be able to do that, and I commend it to the house.

Wayne FARNHAM (Narracan) (16:59): I am happy to rise today to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. It has been a very interesting day listening to the contributions that have come forward. As previous speakers have indicated, we do not oppose this bill, because we on this side of the chamber believe law and order is important, especially as it has been pointed out to everyone lately – and we see it in the media day after day after day – that crime is out of control. If this bill goes towards catching the bigwigs in all of this, we think that is a positive thing. The member for Malvern did an exceptionally good job on his report, and after going through the bill and listening to the bill briefing he has come up with a reasoned amendment, which I will touch on later. The bill is aimed clearly at getting the bigwigs of crime – trying to grab those people that profit off everyone and get the minions to do the hard work for them – and I think this is a good way to try and capture those people and make those people responsible. It is probably a little bit like, I think, the Racketeer Influenced and Corrupt Organizations Act in the United States. It is a little bit similar to that, where they can go after the bigwigs.

I do understand that \$200,000 is a fair threshold, but I have listened to a lot of the contributions today, and the member for Tarneit said significant intelligence will be poured into this to try and find those people. Significant intelligence will be used to try and weed out these people to find out how they are gaining their wealth, and then they will have to explain it. This bill is a little bit, ‘You are guilty until proven innocent.’ It is, ‘How did you get this wealth? You must explain that to me.’ That is pretty well what it is. It really goes against how law is: you are innocent until proved guilty. This one is the other way round, and that is why the reasoned amendment has been brought up.

I was very, very surprised to learn that the government did not actually consult with the Law Institute of Victoria and the Victorian Bar Council. I would have thought those would be two bodies that you would consult with, as they have considerable knowledge in this area and would have actually –

Members interjecting.

Wayne FARNHAM: There is a bit of a sideshow going on back there, but that is all right. I will get back to this. I would have thought those two bodies in particular you would consult with, because they could have a fair bit of input into this bill, and this is why the reasoned amendment has come forward.

When we talk about the amounts of resources it is going to take to investigate this, to me that is a concern. We all know on both sides of the chamber that Victoria Police do an exceptional job, but we also know that Victoria Police at the moment are understaffed, and this is a concern when it comes to the resources to try and prove guilt or to do the research to actually find the people that are profiting from this. It comes back to the resources. In my area we are understaffed. Police are constantly under pressure in my area, even on little crimes like break-ins et cetera.

Maybe we should apply this principle to youth crime. Maybe if you find a 16-year-old kid with \$10,000 cash in his pocket, you should ask him, ‘Where did you get that from?’ As we know at the moment, youth crime is out of control. We see them breaking into houses and we see them stealing cars, and they are probably selling them off to someone higher up the food chain. That would be my assumption. Some of them are joy-riding. I was talking to a fellow in Warragul the other day that had had his premises broken into. He is a gym owner. They broke into his gym and stole about \$100 worth of gear, but they caused \$3000 damage in doing it. His words to me were, ‘It would have been cheaper if I’d left the front door open,’ which is fair enough in that situation. Maybe if the police are out and about and we have some unexplained wealth from youth crime, this bill could extend to them so maybe

the victims of crime could get their front doors fixed. At the moment it is an issue right across the state. I am not going to say it is just in my electorate; it is not. It is right across the state. We hear the member for Brighton get up quite often and talk about the break-ins that are happening in his area. The compensation of victims is starting to become a big problem in this state.

I do take on board what the previous member stated about crime having changed in this state. Absolutely it has changed; criminals now are a lot more advanced than they were 20 years ago. I actually do not disagree with anything he said there, because they do use cybercrime and we all know people who have been scammed. That happens every day. They do use cyber technology to get rid of their ill-gotten gains. You see them sitting back there in Dubai by the pool, and it is all going through the internet, it is all used on cybercrime, and I think they are the ones we really have to target. I mean, cybercrime in Australia is now at severe rates. We hear the scams now are costing everyone hundreds of millions of dollars, and they are scamming people that can least afford it.

I had two constituents just the other day that got scammed out of \$10,000, an older couple, retired, who cannot afford it. These are the people we need to be going after; these are the people that are really making life hard. And it is always our older generation that get caught up, because they are not computer-savvy. They do not get how things work. They get a phone call from someone saying, 'I'm from the ATO; you owe us \$10,000,' and they rightly panic; their heart goes in their mouth. They have never had a tax bill in their life, and they go, 'How do I owe this money?' And then that money is scammed out of them. So with the significant intelligence that is going to be required to work with this bill, I hope that is also used to fight cybercrime, because I think that is very significant at the moment and something where I can see a lot of, especially as I said, our older generations coming undone.

Earlier I pointed to the reasoned amendment that the member for Malvern has put forward. It is quite reasonable. The first point is:

consulting properly with stakeholders, including the Law Institute of Victoria and the Victorian Bar, to consider and address their concerns ...

I think that is fair and reasonable. I do not think anyone in here could really argue with that or the second point, being:

assuring Victorians that the bill contains sufficient safeguards to adequately protect the rights of innocent people with no involvement in criminal activity.

I think that is quite pertinent as well, because there can be, as we know with certain bills that pass through this place, an unintended consequence. I am not saying the government is going to deliberately lock up innocent people by any stretch of the imagination, but there can be an unintended consequence of bills that come through this place, that innocent people do get caught up. That is why the member for Malvern has put these amendments forward. I do not think they are too onerous. I think the government should look at them. They are not in there out of malice; they are there to support the bill. I will leave my contribution at that.

Sarah CONNOLLY (Laverton) (17:09): I too rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. As previous members in this place have talked about, the aim of this bill is to continue our government's efforts in tackling organised crime in this state by strengthening our government's confiscation powers. I would like to start my contribution this evening by just saying that although it is great to see a long-term Labor government like ours get on top of a legislative and particularly law reform agenda in this state, it disappoints me no end, particularly as a western suburbs MP, to stand here in this place talking about legislation we are having to introduce to tackle crime – and not just crime. We have been in this place recently talking about issues pertaining to particularly youth crime and machetes and firearms, which I will talk about in just a moment, that we have brought before this place and indeed to organised crime, particularly by people that are old enough to know better and do better.

This bill before the house is actually really important, because it acts upon an important commitment made by our government in the *Community Safety Statement 2018–19* to go ahead and review Victoria's asset confiscation and unexplained wealth laws. In many ways this bill is the result of extensive work undertaken by a department of incredible individuals who have really thought about this bill and what needs to go in it to ensure that it is going to work and do what it is intended to do. I would like to thank the department staff that have been involved in getting the bill to this stage.

Previous achievements in this space include the Major Crime and Community Safety Legislation Amendment Act 2022, and we know this strengthened law enforcement's ability to identify and seize digital assets. This bill is actually the next step that will build upon that act. It is not the first bill to come before this Parliament this year relating to crime, as I have said. In the last sitting week in March the Council passed the Firearms and Control of Weapons (Machetes) Amendment Bill 2024, which I did indeed speak here in this place on. That clarified that machetes are a controlled weapon, something I know that folks in my electorate feel incredibly strongly about. They have talked to me to no end about it, and it is something that I also share serious concerns about, which is why it was such a great thing to see that bill passed and enacted into law.

It is also a great opportunity for me to say that the Sunshine local police are holding a community safety forum. I think it is this week or next week. I know that I am actually going to be in attendance, as I know that many residents will be. I do encourage residents who want to have a full and frank conversation around community safety – it is not just around crime but community safety – in our local Brimbank area to go ahead and attend that. I will indeed put up another social media post encouraging locals to go ahead and hear from local police the facts of what is going on in our local community and what police are doing to go ahead and make our community that bit safer. But the good thing is that here in this place our job is to introduce and pass bills, just like that firearms and machetes amendment bill that we have put in. That is our job here in this place. Indeed in that last sitting week in March it was a good thing to do to go ahead and pass that bill. We do know that the firearm prohibition orders have been very successful since they were first introduced in 2018, and the changes we have gone ahead and made will ensure that they are more effective while still balancing individuals' rights to be served appropriately.

But today this bill, as members here in this place have talked about, is about unexplained wealth – wealth that people probably should not have. It should be obvious to most people that one of the main motivations of crime is money and accumulation of wealth. Throughout the years, theft has been the number one recorded offence in Victoria, with the number of recorded theft offences last year totalling just over 290,000. If it is not money that has been stolen, chances are that it is a valuable piece of personal property that has been stolen to be sold or pawned for cash. At an organised crime level, what we know is that money can come about through illegal sales and indeed the black market.

We know that more often than not unexplained wealth can play a really important role in facilitating and fuelling criminal activity. Because organised crime has an economy of its own, which this wealth gives life to and perpetuates, confiscation powers are really important powers and laws that we can introduce. That is what we are dealing with here today. They come in handy because it means we can disrupt the unexplained wealth that is used to fuel criminal enterprise. What we do know is that whilst our existing laws in this space work well enough, they need to be improved to better target sources of unexplained wealth. This bill changes this by introducing a new unexplained wealth order.

Under the current arrangements the Director of Public Prosecutions is actually empowered to apply for forfeiture of property of a person who is reasonably suspected of criminal activity or if they are reasonably suspected of owning property that they did not lawfully acquire. When this order is made, the person who owns the property is required to prove that they acquired it legally. If they cannot, it is forfeited to the state. The order introduced in this bill functions exactly the same, but it does not require a connection to criminal activity for an application to be made, and that is an important differentiation. This comes with further requirements for an application for this order to be made, in that the unexplained wealth must exceed \$200,000. In this instance the person is still required to prove that

their wealth was acquired legally, and if they are unable to do so the court can go ahead and impose a debt requiring them to pay the state the value of any wealth the court is satisfied was not lawfully acquired. The existing laws and orders dealing with unexplained wealth have a threshold of \$50,000, and this will indeed be retained.

The other part of the new order that is really important to understand is that this applies to a much broader definition of 'wealth'. Currently the existing pathways are limited to property that a person currently owns or has an interest in, so what this bill will do is expand the definition of 'wealth' under the act for the purposes of this new power only to include and capture all interests in property that can be owned by a person. Importantly, the broader definition is going to capture things like gifts, services provided and advantages or benefits received by an individual person, because what we know is that when it comes to organised crime, individuals and groups in this space will trade in more than conventional currency such as money and such as property, and this definition is going to help us better target those markets much, much more effectively.

Whilst this new order might seem to some a little bit extreme, it does come accompanied by some important balances. Balance is really important when introducing a new law or new power. The bill will allow the court to refuse to make or reduce the value of an unexplained wealth order if it believes that doing so would be completely unjust. We do not want to see disproportionate outcomes or unreasonable decisions made that end up creating significant unfairness on individuals. In addition to this the bill is also going to allow for a person who is subject to an unexplained wealth order to be able to seek a reduction on any total debt payable on the grounds of undue hardship or forfeiture, which they can do within 60 days of such an order being made by the court.

This bill is a really important one. It helps us take another really big step forward to cracking down on organised crime and making our state safer. I do, in wrapping up my contribution this evening, want to give a big shout-out to the men and women in this state that keep us safe, and they are Victoria Police. They work tirelessly 24/7, round the clock day in, day out, regardless of public holidays and other things to keep our communities safe. In the conversations that I have had on many, many occasions down at the three big cop shops in Melbourne's west – Sunshine, Wyndham North and indeed Werribee police stations – the police officers are just so dedicated to ensuring that our community not only feel safe but are indeed safe and safer. I do want to give them a big shout-out and thank them for everything that they do. I think this is a bill that is going to go and make Victoria Police's job a whole lot easier in cracking down on unexplained wealth and criminal activity in our community, and I commend the bill to the house.

Eden FOSTER (Mulgrave) (17:19): I am happy to stand here today and contribute to the debate on the Confiscation Amendment (Unexplained Wealth) Bill 2024. This legislation provides greater powers to courts to be able to seize property without the need for conviction, and it is necessary to fight organised crime across the state and give law enforcement the powers they need to keep our state safe. The current unexplained wealth scheme, introduced in 2014, allows for the restraint and forfeiture of a person's property without the need for conviction. The current scheme has two pathways for seizure, the first based on a reasonable suspicion that a person with an interest in property valued over \$50,000 is engaged in serious criminal activity and the second based upon a reasonable suspicion that property of any value was not lawfully acquired. The Confiscation Amendment (Unexplained Wealth) Bill 2024 provides courts with a third avenue: to seize property based upon a reasonable suspicion that a person's wealth exceeds their lawfully acquired wealth by at least \$200,000. The minimum value threshold of \$200,000 is intentionally set at a high bar. This is to ensure that unexplained wealth orders are only targeted toward the most serious of cases and reduce the risk of targeting low-level offending or other non-organised crime related contexts.

The purpose of this legislation is explicitly to target organised crime, so this acts as a way to ensure other criminals do not get caught in the proverbial crossfire. To add to this point, requiring a police officer to form a reasonable suspicion before an application can be made ensures that applications are only made on a proper basis. A person only needs to prove their wealth was lawfully acquired in

circumstances where the suspicion is reasonable. The unexplained wealth order will be made if a person cannot satisfy the court that their assets were lawfully acquired. They will then be required to pay the state the equivalent value of their unlawfully acquired wealth.

We also want to make sure that this amendment is not used as a weapon against low-income people that have an asset worth \$200,000 or more, usually a house, but are unable to afford a private lawyer to defend themselves. So if a person is unable to pay privately for a lawyer to represent them in their unexplained wealth proceedings, they may apply for assistance from Victoria Legal Aid. A person may also apply to the court to order Victoria Legal Aid to provide that legal assistance to them.

The effect of an unexplained wealth restraining order is to preserve a person's property or interest in property while unexplained wealth order proceedings take place. The restraining order also acts as security for the payment of the debt in the event the court grants an unexplained wealth order. If a person cannot satisfy a court that they have lawfully acquired their wealth, a court may order them to pay the state the value of anything they cannot prove was lawfully acquired. A person subject to an unexplained wealth order will generally have 90 days to pay the amount the court has ordered. This time period may change subject to factors that the court may consider before an order is made. This new avenue of courts aims to overcome limitations under the existing pathways to better disrupt and target senior organised crime figures, who distance themselves from actual offending while reaping significant financial benefits. To achieve this, the new pathway explicitly does not contain a relation to criminal activity, unlike the other avenues. So effectively, the only people who are going to be negatively affected by this legislation are organised crime ringleaders. The changes, for the first time, capture consumable wealth and wealth that is gifted, disposed of or expended, such as the hiring of a yacht, hotel penthouse or adult service, for example. These changes are the culmination of extensive work to deliver on the government's commitment in the *Community Safety Statement 2018–19* to review Victoria's asset confiscation and unexplained wealth laws.

But preventing crime, including organised crime, across the state must involve both a carrot and a stick approach. Last year my colleague the Minister for Crime Prevention, alongside the former Premier, made an additional \$1 million investment to support the expansion of the Pivot program, which is a local program that covers the cities of Casey, Dandenong and Frankston. Pivot supports young people aged 12 to 23 who are at risk of being involved in the criminal justice system, offering tailored support, plans and therapeutic and family-based interventions to address the challenges they face. As a former mayor of the City of Greater Dandenong, I saw the benefits that this program had amongst our young people. Programs like Pivot that provide opportunities for people at risk to upskill, access employment and build relationships within their community are so important to provide people at risk with those opportunities, because it reduces the chances that these young people reoffend and it means that they have a career that they can point to and be proud of. That is just so important, and something that gets lost a lot in these kinds of debates and discussions. As a psychologist and someone who has worked with young people, I see the importance and the value in these programs.

To link that back to the organised crime aspect of this bill, if you are a young person who has been incarcerated previously and has little in the way of skills, training or a career, then you would be far more likely to become involved in organised crime and provide financial gain to the ringleaders that this bill is targeting. Compare that to the young person from the south-eastern suburbs who has previously been in equally rough circumstances, except now they become involved in the Pivot program or an equivalent program funded by the state government's youth crime prevention program across the state and build meaningful connections within a workplace and education or training facility such as a high school or TAFE. That young person is going to be less likely to reoffend and more likely to have a better standard of living with better income throughout their working life, and they are going to be able to contribute positively to their local community in comparison to what would have been the case had these preventative and rehabilitative programs not existed.

To come back to the youth crime prevention program, this government has invested over \$40 million in that program since 2016, and I am incredibly happy to say that in the budget presented by the

Treasurer today, the youth crime and early intervention project will receive \$6.63 million to be expanded to more police service areas, including Greater Dandenong, which covers half of my electorate. The youth crime and early intervention project plays a critical role in reducing reoffending and ensuring more young people will be supported and diverted away from custody. I am proud of the fact that this program is being expanded in my electorate.

On that stick I mentioned before, on top of our reforms to unexplained wealth orders, we have the highest number of police on the beat of any state or territory in the country. We have invested a record \$4.5 billion into Victoria Police to recruit more than 3600 additional police officers and to deliver statewide career expos and a recruitment campaign to attract more young people to the police force. We are making sure that Victorian streets are safe for workers, for families and for children, and we want to make sure that Victoria is the safest state in the country. That is why earlier I talked about the need for both a carrot and a stick approach. You want to give at-risk people the opportunities they need to get out of a cycle of poverty or crime or both, but you also need a criminal justice system that can protect people. I think this government has found the right balance there, and I think this legislation is a step further in the right direction on top of additional funding commitments made in today's budget.

I just want to finish my time – I know I have got a little bit there – by saying that I am extremely happy to support this legislation. It is great legislation. This government is taking the challenge of organised crime seriously, and if our organised criminals are the ones that are affected by it, so be it. I think that is probably the best outcome. I am confident that this will lead to fantastic outcomes. I know my community backs this government and our ambitions, and I commend this bill to the house.

Anthony CIANFLONE (Pascoe Vale) (17:28): On my birthday today I rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. In doing so I would like to begin by acknowledging the good work of the Attorney-General, the Minister for Police, the minister for community safety, the Minister for Corrections and all other relevant ministers who have brought this bill to the chamber. I would like to also commend the work of Victoria Police, justice and corrections staff and all of our emergency service workers and community and social workers on what they all do every day to keep our community safe. I would particularly like to acknowledge the member for Malvern, even though I do not agree with a lot of what he says, including on this bill. The fact that he has had the stamina to stay in here throughout this entire debate and listen to every contribution I do truly acknowledge, so good on you, member for Malvern.

All Victorians have the right to feel safe and be safe in their homes, their communities and their workplaces. Every day as a government we are working through our agencies, entities, departments and non-government organisations to help support Victorians to lead safe lives that are free of violence, crime and the fear of crime. That is why since 2014 we have continued to make record investments of more than \$4.5 billion through Victoria Police to deliver Victorians the modern, world-class policing service they deserve, which has included a \$1 billion investment towards new and upgraded police stations, more than 3600 additional police officers since 2014, \$214 million in funding to roll out tasers to all frontline police officers and PSOs and significant investments and initiatives towards crime prevention and early interventions to address the root causes of crime, many of which the member for Mulgrave actually just touched on.

Along with our investments to support Victoria Police to ensure they have the frontline tools to identify, investigate and combat crime across our local schools, ensuring we also provide the appropriate accompanying legislation to prevent and deter crime, especially organised crime, which infiltrates and underpins a vast portion of overall criminal activity, is absolutely critical. According to the Australian government's Australian Institute of Criminology's 2020–21 report estimating the costs of serious and organised crime in Australia, serious and organised crime across the country costs Australians between \$24.8 billion and \$60.1 billion per annum. Broken down, the report sets out that an estimated \$16.5 billion of that is associated with illegal drug activity; \$9.4 billion is associated with organised fraud; \$6.4 billion is associated with consequential serious and other types of organised

crime; \$4.9 billion is associated with illicit commodities, including tobacco and vaping and the like; \$3.5 billion is associated with cybercrime – we have heard a lot of talk in this debate about how organised crime has evolved over the last decades and in recent years, and cybercrime is particularly where it is continuing to evolve at rapidly concerning rates, particularly with the evolution of AI; \$2.3 billion is associated with the enablers of such organised crime – that is, people who have infiltrated throughout government and non-government ecosystems to allow that type of crime to continue and pass through; and \$700 million is associated with direct crimes against the person and individuals such as the victims.

While these figures outline the economic consequences of organised crime on communities, the reality is that the full socio-economic impacts of such serious offending are far more substantial to the businesses, families and individuals who are directly impacted. There is also the cost incurred by government to identify, prevent and mitigate against such crime that we must also take into account. Again referring to that report, between \$16.4 billion and \$43.7 billion in total is invested by governments across Australia in preventing and mitigating against organised crime. These costs are associated with law enforcement, the criminal justice system, other government agencies, the private sector and also individuals in the community to prevent and respond to such crime. That is why this bill is so important.

The bill seeks to disrupt serious and organised crime in Victoria by strengthening Victoria's unexplained wealth scheme to better target leaders of organised crime groups. The bill will amend the Confiscation Act 1997 to strengthen Victoria's existing unexplained wealth laws by introducing a third unexplained wealth pathway that better targets unlawfully acquired wealth. The bill introduces a new unexplained wealth order, which can be sought in relation to individuals reasonably suspected of possessing wealth exceeding their lawfully acquired wealth by at least \$200,000. Unlike existing pathways, as we have heard, this new unexplained wealth order does not require a connection to crime. This simplifies the process and will better enable law enforcement to target individuals, primarily senior figures in criminal organisations that seek to distance themselves from offending. The bill also introduces a new related unexplained wealth restraining order. This is a court order that sets out that no property or interest in property to which the order applies is to be disposed of or otherwise dealt with by any person except in the manner and circumstances, if any, specified in the order. The effect of an unexplained wealth restraining order is to preserve a person's property or interest in property while unexplained wealth order proceedings take place. The restraining order also acts as security for the payment of the debt in the event that the court grants an unexplained wealth order.

Victoria's existing unexplained wealth scheme currently enables the DPP or an appropriate officer to apply for the forfeiture of the property of a person who is reasonably suspected of criminal activity or who is reasonably suspected of owning property that they did not lawfully acquire. The person with an interest in the property must prove the property was lawfully acquired or it will be forfeited to the state. The thresholds in these existing unexplained wealth pathways are \$50,000 in relation to property in which a person has engaged in serious criminal activity and has an interest, but there is no threshold for property that was not lawfully acquired.

Although our existing confiscation scheme is relatively robust, there are gaps in the scheme that sophisticated senior organised crime members have continued to take advantage of to the detriment of Victorians, particularly those organised crime group members who distance themselves from direct offending but continue to play a pivotal role in the movement of funds, property and favours in criminal organisations. As a result the new unexplained wealth pathway broadens the existing pathways in those two substantive ways that I referred to earlier.

The bill enables the DPP to apply to the court for an unexplained wealth order if there are reasonable grounds formed by a police officer to suspect the person's wealth exceeds their lawfully acquired wealth by at least \$200,000. The minimum value threshold surpasses the \$100,000 jurisdictional limit of the Magistrates' Court, so an unexplained wealth order application may be heard by either the County Court or the Supreme Court. However, the Magistrates' Court may still hear an unexplained

wealth order application if all parties to the proceedings agree by consent. The minimum value of \$200,000 is intentionally set as a high bar to ensure that those unexplained wealth orders are targeted towards those most serious cases and reduces the risk of targeting low-level offending or other non-organised crime related contexts.

Furthermore, requiring a police officer to form a reasonable suspicion before an application can be made ensures the applications are only made on a proper basis and that a person need only prove their wealth was lawfully acquired in circumstances where suspicion is reasonable. The unexplained wealth order will be made if a person cannot satisfy the court it was lawfully acquired. They will then be required to pay the state the equivalent value of their unlawfully acquired wealth. Effectively, respondents will need to prove it or lose it. This new unexplained wealth pathway will remove the requirement for that nexus or connection to a serious criminal activity.

With the time I have got remaining, I would like to turn to acknowledging and thanking for their work my local Victoria Police members, who will be working in many ways to implement various aspects of this legislation in due course and who work daily to keep the suburbs of Pascoe Vale, Coburg and Brunswick West safe. In doing so, it was an absolute pleasure to welcome our new Merri-bek local area commander Inspector Andrew Markakis, who I recently had the chance to meet with, to his new role and to have an excellent discussion about the good work of local police in keeping our streets safe. With an extensive policing and crime prevention background and being a long-time local resident of the northern suburbs, Inspector Markakis is very familiar with the many local community safety priorities of local businesses and residents, and I look forward to working with him and his entire team across the Fawkner and Brunswick police stations to keep making the community safe.

On 2 May 2024, I just want to point out, the Rotary Club of Pascoe Vale hosted the 13th annual Community Policing Awards for the Merri-bek police service area at the Pascoe Vale RSL. Among the nominees three Merri-bek police members stood out for their exceptional contributions. Ultimately, it was Sergeant Dan Cove who emerged as the deserving recipient of the award, rewarded for his exemplary leadership in crime prevention and his outstanding achievements in enhancing community safety. Sergeant Cove and his team focused on volume crime, drug trafficking and antisocial behaviour in areas of priority patrol locations, retail locations and high-rise residential locations across Merri-bek over a seven-month period, following crime fiends, including aggravated residential and commercial burglaries, theft of motor vehicles, drug offences and traffic enforcement. A total of 106 offenders were processed over this time. The award also recognised and commended the efforts of Sergeant Dan Leach and Senior Constable Kim McKeown, who were duly recognised, underscoring their significant roles in promoting community wellbeing. There are a number of other initiatives that the local police under Inspector Markakis are overseeing: proactive and high-visible attendance patrols at priority locations, including Victoria Street Mall off Sydney Road, which I have had the minister visit as well; targeting firearm prohibition orders; Operation Mosaic; and person of interest investigations.

On 22 May, coming up, the Merri-bek police will host a community neighbourhood policing forum at the Coburg town hall, which I really look forward to attending and encourage all local residents to attend. They will be talking about a range of issues around crime trends, crime prevention, young people and many other issues. I commend the bill.

Katie HALL (Footscray) (17:38): I am pleased to make a contribution on the Confiscation Amendment (Unexplained Wealth) Bill 2024. Of course the aim of this bill is to continue the government's efforts in tackling organised crime, and I am very proud of our police and the work they do. Any resources they require of course the government acts upon, and it takes the advice of the Chief Commissioner of Police.

I would like to take up where the member for Pascoe Vale left off and acknowledge at the outset the work of our local police in Footscray. I acknowledge the really complex and challenging day-to-day work of being a police officer. I had an insight into that when I worked for Victoria Police for a period

of time in the crime department, and I am always proud to speak about Victoria Police. I would encourage any young person to take up a career in policing. I am proud to let people in my community know that our police academy is full and that we have more police in Victoria than any other jurisdiction in the country.

There is nothing I dislike more locally than seeing sometimes some of the derogatory things police have to put up with. I was appalled by some of the commentary of the Victorian Socialists around defunding the police. Not only do we see the impact police have in this sort of important work, but we have spoken a lot about family violence in recent weeks in this place, and I take my hat off to Victoria Police officers, who work day in, day out to keep people in our community safe. I would like to commend the work of Inspector Paul Morgan in Footscray; I would like to thank him for the work he has done meeting with local traders to support them. I also acknowledge the work of Minister Carbines, who late last year came out with me to meet with traders to discuss some of the concerns that they had about crime in Footscray. Often crime is underpinned by a whole range of other complex issues, and we are grappling with some of those issues in Footscray right now. The police have made themselves available through their coffee with a cop program, where members of the community and business owners can come and raise their concerns in an informal environment with people from Footscray police. I am really grateful for their work to continually engage with the community and their work in proactive policing.

This bill adds to some of our recent reforms. In the last sitting week in March the Legislative Council passed the Firearms and Control of Weapons (Machetes) Amendment Bill 2024. In addition to clarifying that machetes are a controlled weapon – something that I know the community feels very strongly about – the bill also made a number of important changes to firearm prohibition orders, which are one of the tools our government has to neutralise organised crime by getting weapons and firearms away from criminals; we know that that is a very successful tool that police have had since they were first introduced in 2018. The changes that we have made will ensure that they are more effective while still balancing an individual's right to be served appropriately.

What we are dealing with in today's bill is the issue of unexplained wealth. Of course theft offences are a major concern to people in Victoria, and if it is not money that has been stolen, sometimes it might be a valuable piece of personal property that has been stolen. At an organised crime level of course money can come about through illegal sales and the black market. Because organised crime has an economy of its own that this wealth gives life to and perpetuates, unexplained wealth can play an important part in facilitating and fuelling criminal activity. So the work of this bill to expand the definition of 'wealth' and 'unexplained wealth' is an important additional tool for Victoria Police. Whilst the laws in this area work well enough, we always need to be looking at opportunities to improve and to innovate, because that is what the criminals are doing – we know that from the changes in technology and the work that police have to do to constantly stay ahead of criminal syndicates and individuals.

Under the current arrangements the Director of Public Prosecutions is empowered to apply for a forfeiture of property of a person who is reasonably suspected of criminal activity if they are reasonably suspected of owning property that they did not acquire lawfully. When that order is made, the person who owns the property is required to prove that they acquired it legally, and if they cannot, it is forfeited to the state. The order introduced in this bill functions the same, but it does not require a connection to criminal activity for an application to be made. This comes with further requirements for an application for this order. The unexplained wealth must exceed \$200,000. In this instance the person is still required to prove that their wealth was acquired legally, and if they are unable to do so, the court can impose a debt requiring them to pay the state the value of any wealth the court is satisfied was not lawfully acquired. The existing laws and orders dealing with unexplained wealth have a threshold of \$50,000, and this will be retained. This threshold applies to serious criminal activity and allows for debts to be recovered in the Magistrates' and County courts, where the jurisdiction threshold is \$100,000.

Ultimately what this additional order will do is allow Victoria Police and the DPP to pursue senior organised crime figures who may be involved in the movement of money and property associated with organised crime without having to go through so many hoops to catch them out. This includes instances of money laundering, as an example, where the person holding the money is not necessarily involved in serious criminal activity being investigated but is playing an important role in hiding the proceeds of crime. The other part of this new order that is important to understand is that it broadens the definition of 'wealth'. This bill will expand the definition of 'wealth' under the act for the purposes of this power, to include and capture all interests in property that can be owned by a person.

Victorians can know and be assured that when it comes to community safety our government, the Allan Labor government, is committed to supporting the police and the investigative powers they require to pursue this sort of criminal activity. Unexplained wealth has an important role in fuelling and perpetrating organised criminal activity, and providing police officers with the tools that they need to seize it and take it out of circulation is a very important part of that work. As a government, I think we must always be looking to the police, seeking their counsel and their advice on the resources and the tools that they need to do their job as effectively as possible – and again I would like to acknowledge the work of Victoria Police and thank them for their important work.

Iwan WALTERS (Greenvale) (17:48): It is a great pleasure to rise to contribute to the Confiscation Amendment (Unexplained Wealth) Bill 2024, which builds on the Confiscation Act 1997 to provide police and law enforcement with the tools they need to target the ill-gotten gains of criminals. I think this is an important bill because it seeks to disrupt, to dismantle and to deter serious and organised crime across our community, which we have heard from many contributions today is a constantly evolving and inherently dynamic situation where the tools of law enforcement need to keep pace with the cunning and criminal ingenuity of that serious organised crime milieu and whereby the tools of law enforcement need to keep pace with that constantly evolving and dynamic space.

It puts me in mind of Al Capone and the way in which law enforcement in the United States, in Illinois, went after Al Capone, a notorious gangster of course of the Depression and interwar period in the US, the prohibition era. The analogy is not perfect, I admit, but the effect nonetheless was the holding to account of Al Capone on the basis of his unexplained wealth and the failure to pay tax upon it. In effect he was prosecuted and imprisoned, I believe, in Alcatraz ultimately for tax evasion, not tax avoidance critically, as fans of *The Simpsons* might recall but for his failure to pay tax, whereby it was difficult for prosecutors to stick charges relating to perhaps the more substantive actions of racketeering, of bootlegging, of murder and of the, as I say, more tangible crimes. They were harder to stick because the evidence was not there, because so often it was the underlings who were immediately responsible for the conduct of those, and the clean hands of Al Capone enabled him to avoid prosecution for those. But tax evasion did in fact stick.

One of the reasons for that is that it is very difficult to hide land and physical assets. Criminals can engage in criminal conduct, and very often there are superficially legal facades that are used to hide the proceeds – in effect to launder the proceeds – of crime. So criminal activity can be hidden – exist in the shadows. But land – physical assets – cannot. They are inherently there. They are tangible; they are physical. In some respects it speaks to perhaps Treasurers' desires across Australia and across the world to have broad-based land taxes as sources of revenue, because they are administratively simple. They enable tax revenue raising authorities to very easily raise that revenue in a way that it is difficult to hide the burden upon a taxpayer. But I am digressing into matters which are best discussed I think next week.

I do want to talk about the importance of responding to community expectations and the way in which this bill does that, because I think serious and organised crime, if it is not confronted, if it is not interrupted – if prosecutors, if law enforcement, do not have the tools they need to counteract it – leads almost inexorably to the breakdown of social norms and of standards. If, for example, there is a perception that fundamentally crime pays; if there is no dignity or reward in doing the right thing by community, in maintaining the kind of mutuality that I think underpins a civilised community; and if

there is the idea that crime is the way to get ahead, it inevitably has a deleterious impact upon the community in which we all live. I think that really emphasises the need for legislation that goes to the heart of the capacity for criminals almost to get away with it – to profit at the expense of others, at the expense of the harm they perpetrate upon the community, whether it is through drug trafficking or gun running or other forms of organised crime that inflict a real harm but perhaps result in the accrual of a private reward to them. I think we could all speak to the impact of crime in our communities and the deeply insidious impact that has upon people's trust in their neighbours and in their confidence and security in where they live. These are really fundamental things that I think as a state government, as a polity, we are responsible for. That is why I do say this is an important piece of legislation – because I think it goes towards strengthening people's confidence in their community and in the capacity of the law enforcement agencies who serve us all to be able to intercede and to ensure that those who perpetrate crimes are not able to get away with it scot-free.

I would like to touch at this juncture upon the broader issue of money laundering in Australia. It is better regarded as the purview of the federal government, so I am conscious of jurisdictional competence here. I do not want to make this a partisan issue, but we had nine years of Liberal and National government, during which time there was no progress made on tranche 2 legislation in the context of anti-money-laundering and counterterrorism-financing initiatives of the Financial Action Task Force, an international body which works effectively to bring market-based democracies together to ensure that there are no loopholes in the global financial system and to ensure that criminals do not have the capacity to move money around willy-nilly and to slip it through the back door into jurisdictions like Australia, where we have the rule of law. If money can be effectively disguised and laundered into basically things like real property, that is then safe from law enforcement. Tranche 2 legislation would bring designated non-financial businesses and professions into the orbit of anti-money-laundering laws in Australia. That did not happen for nine long years under the Liberal-National government. Despite talking at many, many turns and despite being criticised by international bodies like the Financial Action Task Force and many others, they did not progress those laws. The Attorney-General currently is engaging in consultation with a view to bringing legislation before the Parliament.

The reason I talk about that federal issue is because the Law Council of Australia was vociferously opposed, in a 2020 submission that it made to an inquiry into tranche 2 legislation, to expanding AMLCTF – anti-money-laundering and counterterrorism-financing – provisions to designated non-financial businesses and professions, much as they are to this bill. Like the member for Pascoe Vale, I admire the Shadow Attorney-General for sitting through this debate, having introduced a reasoned amendment, but I do disagree with his reasoned amendment. The idea that the Law Institute of Victoria are the arbiters of all knowledge on this issue is an erroneous one, much as I think the Law Council of Australia was wrong in its submission to oppose the expansion of tranche 2 legislation at the federal level.

I want to thank the Attorney and her colleagues for the important work they have undertaken across government to prepare this bill. I also want to thank Victoria Police for the work they do in my community, and I think in all of our communities, every day to counteract the insidious impact of not just low-level crime but organised crime given, as I say, that corrosive impact that it has upon our communities. I want to come back to that key point: if law enforcement, whether it is police, whether it is the Department of Justice and Community Safety or whether it is the Director of Public Prosecutions – I note that all of them have an important role to play in the confiscation system that is enabled by the 1997 legislation, and I thank them all for the work they do in that space – are not empowered with tools that keep pace with criminality, then it does have a material and deleterious impact upon communities that we represent. When the perception that crime pays takes root – when there is not confidence that if you do the right thing by your neighbour, by your colleagues or by those around you, you will have a fair reward for a fair day's pay – that there is an easy way to the top and it is through crime, that results in the breakdown of community cohesion and social order more broadly, with deeply pernicious effects.

This bill is an important one because of the way that it seeks to provide those tools to keep pace with the constantly evolving and dynamic world of crime. I am conscious of some of the concerns that the Shadow Attorney-General raises. I do note that there remains provision for courts to have discretion to prevent manifest injustice. I think there are important safeguards. I think they are indicative of the work that the Attorney and her team have done across different dimensions of government and the sector more broadly. While I am glad that this has the support of the house, I do note the reasoned amendment moved by the Shadow Attorney, and I have taken some issue with that. I hope the bill has a speedy passage more broadly.

Steve McGHIE (Melton) (17:58): It is always great to follow the member for Greenvale's contributions; they are always worth listening to. I rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. Under this legislation we are making it much easier for Victoria Police to do their job. There are barriers which have been identified to government that get in the way of being able to keep us safe. The Confiscation Amendment (Unexplained Wealth) Bill 2024 amends the Confiscation Act 1997 to strengthen and improve Victoria's existing unexplained wealth laws by introducing a new unexplained wealth order that better targets unlawfully acquired wealth. The bill also makes other minor amendments to give effect to the new pathway and improves the operation of the Confiscation Act 1997.

I would like to extend my sincere thanks to the Attorney-General and her team, who have worked so hard to get this legislation underway. I would like to acknowledge the Attorney-General's words in the media only last week. The Attorney-General said:

It doesn't matter if you spend your money on yachts, mansions or fancy hotel rooms. If you get it from doing a crime, we're going to take it off you ...

I think that is a fantastic statement by the Attorney-General. That is the principle of this legislation: that if people have acquired wealth through circumstances that are not legitimate, then clearly they should not continue to have those assets.

I also obviously want to make reference to the budget today, the 'Helping families' budget. Of course I know other colleagues have raised this, and this is about the total package of \$28.78 million being extended to the community legal services. I want to give a shout-out to the Brimbank Melton Community Legal Centre and the work that they do with constituents in my electorate. I know my colleague over in Kororoit and her constituents know the great work that the Brimbank Melton Community Legal Centre do, and I applaud them for all of that work.

Unexplained wealth laws together with confiscation powers work to provide a robust response to the blatant and gross display of ill-gotten gains. It serves to deprive the highest levels of crime groups of their unlawfully acquired wealth. We have probably all lived in suburbs where we have been quite suspicious of characters within our suburbs who all of a sudden have these \$200,000 cars or \$300,000 cars even though you know that those individuals do not hold down a legitimate job. We have probably all seen it in the suburbs. They have probably raced off at the lights beside you and things like that, and you question it at times. So anyway, it is not for those who go to work and pay their taxes that this legislation is a worry; this is definitely designed to target those who engage in, organise and facilitate serious organised crime. Under the changes, criminals will be forced to prove how they acquired their wealth through legitimate means or face losing it entirely. If you have got it through legitimate means, it should not be too hard to explain it. If you have not received those assets through legitimate means, then you may have trouble explaining it, and that is the purpose of the bill.

The Director of Public Prosecutions can apply for an unexplained wealth order from the courts when police have reasonable grounds to suspect a person's wealth exceeds their lawfully acquired wealth by at least \$200,000. Our current system of asset confiscation requires that it needs to be demonstrated that the assets must be connected to illegal activities, triggering confiscation protocols. This bill is an important string in the bow that disrupts organised crime and takes back what was illegally obtained.

If you indulge me for a minute, I am reminded of the recent passing of a gentleman by the name of Russell Manser. He was a survivor of institutional sexual abuse and a convicted former bank robber. He grew up in the western suburbs of Sydney, very close to where one of my team members comes from, but he would often speak about how he grew up idolising those who would disappear from the suburbs and come back three, six or 12 months later with a tan, obviously having been pumping on iron for quite a while because they were all muscled up, and of course driving around in flashy cars. Of course that flashy expenditure has the additional negative impact of making a life outside the law seem attractive to many young recruits. That is not what we want to see. We see these characters in suburbs thinking they own the suburbs but also too high on their own importance with their flashy cars and their pumped-up bodies and their tattoos all over them and things like that and exploiting the wealth that they have created. We do not want our younger generation following in those footsteps, and I think this legislation hopefully can nip it in the bud as soon as possible when we see these characters within our communities.

We know that when money is laundered it does not just pull up and stop at the rivers or at the border. There are laws in place in Western Australia and similar ones exist in New South Wales, and this legislation just brings Victoria into line and shows the magnitude of this problem. It is not just a state-based problem; it is right across the nation and can cross borders. Boys with their toys and those sorts of things would have no genuine way of accounting for how they got the money to pay for them, and that is who this bill is directed at. Certainly if they cannot explain it, then they will not continue to keep it. Spending \$200,000 on yachts, on cars or on hotels – if that is genuine, they do not have to worry. But if you are hiding private jets in your children's names, this is for you. We have got examples of that and other examples overseas, and I will come to those shortly.

If you cannot explain how you got your fancy cars, your flashy yachts or the money that you spent on hotels and strippers, this legislation is specifically for you and your friends. Again, this just highlights the type of lifestyle that these characters live. For those who think that this is not a big deal and it is not happening and this place should be getting on with sorting out issues that do affect everyone, I will remind them that according to John Coyne from the Australian Strategic Policy Institute:

It's hard to find organised crime groups who aren't trying to money launder across borders.

That is a pertinent point, and that is what we have got to be careful of. That is why these laws are so important.

While this legislation is targeted at those who seek to take advantage of Victorians through illegal means, the consequences of their crimes are wide reaching, and of course this legislation will have a beneficial impact for all of us. Currently powers require police and prosecutors to prove that identified wealth was obtained illegally, and this legislation obviously reverses that onus. If you are alleged to have more wealth than you legally obtained and provably earned, we need you to explain it to us, and hopefully, again, in a lot of situations that will not be explicable for some of these characters.

The member for Greenvale referred to Al Capone, and I want to refer to a matter that happened in the Indonesian courts, where this character was engaging in criminal behaviour and a missing \$26 million. This gentleman was deemed to be the perfect husband, and it was a typical organised crime situation. He announced to the world that he signed over a private jet to his two-year-old son in trying to hide the criminal takings that he had. That matter is before the Indonesian courts. I do not want to give any of our crime figures any ideas of what they might be able to do, but these are some of the things that are happening in other places, and it is crazy.

I do want to give a shout-out to my local VicPol members for the great work that they do on a daily basis in keeping us safe but also dealing with crime and organised crime not just in the localised areas but across the state. I know that many members have referred to their local branches of VicPol. It is a very difficult job. It is difficult to track down organised crime, and they are up against it all the time, but let me say they do an amazing job and full credit to them. For our government to pass the laws that

will support them in doing what they do, I think full credit goes, as I said, to the Attorney-General and her people and the Allan Labor government. I commend the bill to the house.

Michaela SETTLE (Eureka) (18:08): It is a pleasure to rise to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. It is always a delight to follow the member for Melton and his considered and interesting debate on this topic; I do thank him for his contribution. He cited an example of someone giving away an aeroplane to their two-year-old child, and of course one of the incredibly important elements of this bill is that we are broadening the definition of 'wealth' to include wealth that has been disposed of. That is something that this bill serves to address, and I thank the member for Melton for highlighting it.

It is interesting with this bill that there are so many ways that we need, as a government and as a community, to tackle crime, but of course money is probably the singular motivating factor. It is an incredibly important motivating factor for crime bosses, so it is right and sensible that we work to address their capacity to accumulate that. Let us take away the motivation and let us see the impact that that must have. As I say, it will be a disruption, we hope, to those serious crimes.

I was going to commence my contribution by discussing what happened with Al Capone, but I understand that I have been beaten to the chase. The highlight I wanted to make is that really when we are coming up against these organised crime figures the word in there is 'organised'. They are organisations, and they are set up to make sure that the boss at the top is untouchable. Indeed what happened with Al Capone is that the way that he was in the end brought down was through tax legislation. Whilst that might seem a fun fact to use at a trivia night, it is in fact an important thing to understand that we as government have to use the levers and the tools at our disposal. And indeed this bill, which addresses the confiscation of unexplained wealth, really is one of those tools. It is an important amendment, the Confiscation Amendment (Unexplained Wealth) Bill 2024, because it seeks to disrupt serious organised crime groups by preventing the use and employment of wealth that has not been lawfully acquired. It is important to point out that this is an amendment to a bill that has been there and has worked well as we went along. What is really important about this amendment is that it adds this third element to it.

I do respect enormously the member for Malvern and do listen to his contributions, and I understand what he talks about in terms of burden of proof and so forth. Many of the contributions from the other side have been about the loss of that nexus with criminal activity. I can understand that we have to protect our legal system and its blind justice, if you like, but what is so important about this bill is indeed that removal. The reason for that is that, as I say, organised crime – the feature is in its name – is an organised system. Too often the people at the top are not the people that are committing the day-to-day crime, but they are certainly the people that are benefiting from that crime. While I understand the member for Malvern's hesitation around that connection with the direct criminal activity, it is almost something that is fundamental to the bill, because what we are really trying to achieve through this amendment is to make sure that everybody is held accountable and not just the bloke that gets caught doing the torching of the tobacco shop. We have heard today about those situations where people are paid \$500 to go off and torch a tobacco shop, and as much as that person needs to be held to account it is incredibly important that we hold to account the people that are giving those instructions and creating that. That is why that separation is so important in this bill, because it means that we can really look at the people that profit from crime but are not necessarily on the streets committing it. In many ways I suppose they are the people that are most motivated by the money, and they are the people that really are driving a lot of this crime. If there were not those structures, we would not see this with this same sort of impact. It is important that those people are also held accountable by the law, and that is why the removal of that nexus is so important.

The bill enables the Director of Public Prosecutions to apply to a court for an unexplained wealth order if there are reasonable grounds. Something else I think is really important to understand in that debate about the nexus with crime is that what we are doing is increasing that figure to \$200,000. Previously, under the Magistrates' Court, it was a \$50,000 or \$100,000 limit. What this does is it says we are

looking here at big spends. It is not about Larry the pawnbroker doing something, it is really about getting those people at the top. Once they start to look at that \$200,000, it in itself acts, if you like, as a safeguard. Really we are looking at people that are displaying fairly lavish lifestyles without the ability to explain where that wealth came from. As I said, the threshold is a safeguard in there, but it is really there to ensure that unexplained wealth orders are only targeted to the most serious of cases – as I said, we are really looking at those people at the top. It requires a police officer to form a reasonable suspicion before an application can be made. That is important to understand. We are not opening this up to any old person being able to make those claims. A police officer has to provide information that says ‘There is a reasonable question here that needs to be answered’. Effectively, what we are asking people to do here is to prove it or lose it. I think that is an important part of making sure that everybody is paying their way.

On many levels we look at corporate taxation and the big global companies that are not paying their tax. Those people have an extraordinary amount of wealth behind them, and what probably frustrates me more than anything is that they are not contributing to our community – they are not contributing to Victoria. Whilst I am not keen on having gang leaders contribute to Victoria, I certainly do not think that they should be able to enjoy a level of wealth that many people cannot. As I say, while I understand the member for Malvern’s discussion on that nexus, I think it is almost the essential part and commitment in this bill that it allows us to look more broadly.

As I said in my opening remarks on the member for Melton’s comments about getting rid of your assets by giving them to your two-year-old children, I think that another really important element in this bill is around that broadening of the definition of ‘wealth’, which now includes wealth that has been disposed of. It is too easy for people to put their property in their child’s name or another family member’s name. What this bill will mean is that that is not good enough; if suddenly your two-year-old is a millionaire, we still need to know where that money came from. So I think the broadened definition of ‘wealth’ is a very important part of the bill.

The mechanisms available to support the existing and new confiscation powers recognise that the existing and proposed confiscation powers require supplementary powers to be operable, and that is what this bill does. There is the capacity for a freezing order. There is also a second, a production order requiring a person to produce documents, and the third is a monitoring order, which will require a financial institution to give information to a law enforcement authority.

What I would say about this bill is that we know that money is really fundamental to crime and that this bill is about making sure we put an end to organised crime.

Nick STAIKOS (Bentleigh) (18:18): I rise to make a contribution on the Confiscation Amendment (Unexplained Wealth) Bill 2024. I have got to say over the time that this government has been in power the government has always made sure that it has responded to the way crime has changed. It has ensured that it has given Victoria Police the resources that they need, and it has made sure that it has been ready to make changes to laws to ensure that we are responding to crime, because crime is really a dynamic situation, as we have heard from other speakers today. For example, it is astonishing to think today that in the late 1980s there were on average 20 bank robberies a week in Melbourne. Every day you would wake up and you would know that in Melbourne that day there would be a couple of bank robberies. Obviously, we do not really have bank robberies these days – I mean, we do not have banks these days, let us be honest. But at the same time crime has changed in that regard. We now have more sophisticated methods of crime. There are more sophisticated methods of committing fraud. I know that our Victoria Police are always turning their attention to how they tackle those changes, as is the government, and this bill very much is part of that. It really is a necessary amendment that seeks to strengthen our tools in combating serious and organised crime in this state.

This bill reflects our commitment to closing any gaps that exist in our current legal framework that may allow criminal leaders to financially benefit from unlawful activities while distancing themselves from direct involvement. The need for this amendment is clear, and the Allan Labor government

understands this. Organised crime poses a threat to Victoria, not only to our justice system but to the very fabric of our community safety. Those who profit from crime against hardworking, law-abiding Victorians should not be able to get away with it.

The existing unexplained wealth provisions under the Confiscation Act 1997 have been effective, but as criminal activities evolve, so too must our strategies to counter them. This bill introduces a crucial third pathway for targeting unexplained wealth, enabling the Director of Public Prosecutions to apply to a court for an unexplained wealth order without the necessity of linking the wealth directly to a serious criminal offence. This is a significant addition, as it targets those at the top of the criminal networks who often are the most insulated from our existing framework, whereby they can manipulate their power over lower level criminals to financially benefit from their criminal actions while escaping enforcement. Additionally, the bill expands the definition of 'wealth' to include not just assets tangible but also indirect benefits to capture all interests in property owned by a person or under the effective control of them. This will include property that criminals attempt to distance themselves from through a web of financial and accounting measures. This ensures that those who fund their lifestyles through criminal means are not beyond the reach of justice.

As I mentioned, this bill introduces a new unexplained wealth order, which the Director of Public Prosecutions and police may seek if they reasonably suspect a person's wealth of exceeding their lawfully acquired wealth by at least \$200,000. Once this order has been sought through the appropriate court, the person under suspicion of ill-gotten gains must then prove to the court that their wealth was lawfully acquired – effectively a prove it or lose it situation. A person subject to an unexplained wealth order will generally have 90 days to pay the amount the court has ordered, though this may change subject to factors the court considers before an order is made. If this payment is not made in the time required, then the property that has been subject to the order will be forfeited to pay the debt. If this does not satisfy payment of the debt, the state has the power to take civil enforcement actions to recover the outstanding amount. The debt does not expire. All proceeds of this forfeited property are to be paid back into consolidated government revenue.

The purpose of this act is to catch only those most serious of cases. That is why the threshold is set at \$200,000 – to prevent the capture of lower level unorganised offending that does not pose the same threat to Victorians. The bill also creates the unexplained wealth restraining order. This prevents those who are under suspicion of criminal activity and unexplained wealth from disposing of their assets prior to formal proceedings. These changes are prudent and appropriate. Strong powers are necessary in order to counter the well-organised and sophisticated criminal networks that unfortunately continue to profit off ill-gotten gains in Victoria.

In addition to enhancing our capacity to target high-level organised crime, the bill is designed with careful consideration for fairness and rule of law to ensure that the measures are used proportionately and appropriately. The bill requires that police officers have formed a reasonable suspicion before any application can be made. This ensures that there is a proper basis for all applications and that people only need to prove their wealth where the suspicion is reasonable. The bill includes a range of safeguards. In particular it permits the court to exercise discretion to adjust the value of the unexplained wealth order – that is, if they believe the order to be manifestly unjust. The order may also have a significant impact on unintended third parties connected to those subjected to an order, particularly those who are dependants. As a result of this concern, the bill includes an exclusion order enabling a third party with shared interest in property under the order to make an application to court to exclude their lawfully acquired share in the property.

As I said at the outset, this government has always stood ready to provide Victoria Police with both the resources and the powers that they need to keep our communities safe. That is why today Victoria has the largest police force in Australia. It is because of our government – it is because our government has invested \$4.5 billion in additional police members, in fact an additional 3600 funded police officers. We have also invested in 19 new police stations, and we have upgraded 15 more across Victoria. More recently, this government has announced an investment of \$214 million to equip over

10,000 Victoria Police and PSOs with tasers. All of these investments are very important investments in ensuring that we keep our communities safe.

I am very fortunate in my electorate of Bentleigh. We are in the southern metropolitan police division. I have a great relationship and an ongoing dialogue with all of our local police, from our superintendent to our two district inspectors, who cover my electorate, to the senior sergeants. I am very fortunate to be able to raise with them directly issues that are brought to me by my constituents, and they are always responsive.

Our Victoria Police members know that they have the backing of this government to ensure that they have both the resources and the powers to do their jobs, because their jobs are really difficult jobs. We certainly honour the work that they do in ensuring that we are keeping the community safe, and this bill really is part of that. It is part of ensuring that we are making sure that people who, with I guess the evolving technology, have found more creative ways of hiding wealth gained by dishonest methods, indeed by criminal methods. We are ensuring that we are cracking down on that.

This change is a vital tool in our ongoing fight against organised crime and reclaiming any ill-gotten gains. This bill enables us to target the often hidden wealth of criminal leaders, creating a fairer system of justice and safeguarding our community. I commend the bill to the house, and I wish it a speedy passage.

Mathew HILAKARI (Point Cook) (18:28): It is always a pleasure to follow on from the member for Bentleigh. The member for Bentleigh did rightly talk about some of those quality relationships with Victoria Police, ensuring that our communities are safe. This bill is of course an addition to that safety for our community. It goes without saying that I am very thankful to the Attorney-General in the other place, but also the ministerial staff who provide just extraordinary hours in bringing together bills like this. So I do thank them – and for their work with stakeholders as well. I know that a very important element of this bill is that discussion with stakeholders. I will come back to that a little bit later, following on from the member for Eildon.

This bill amends the Confiscation Act 1997 to strengthen the existing unexplained wealth laws by introducing a third unexplained wealth pathway. The intent of this bill is to better target unlawfully acquired wealth. The two pathways that already exist are important, but this seeks to fill those gaps that do exist. The first pathway is where a person has more than \$50,000 in unexplained wealth and is a serious criminal who has been involved in serious criminal activity. The second pathway is where property is reasonably suspected of not being lawfully acquired.

I did like the explanation of one member earlier – that the bill shifts the burden of proof on unexplained wealth, not on crime itself. We have talked a lot about the nexus between these two matters, but \$200,000 is the required amount of unexplained wealth, and this is an extraordinary amount of wealth that is unexplained. I think for many of us on this side of the house it is hard to imagine being in a circumstance of knowing somebody who has \$200,000 of unexplained wealth, because it is just a lot of money. It is the sort of money that you hope to bring together to put on a mortgage. That is the sort of money we are talking about – something that is life changing for people. To have it be unexplained is something that is very difficult to fathom. I think the member for Tarneit, my neighbour, said that you have got to be pretty good at picking a quaddie week in, week out. Knowing the member for Tarneit – and I hope he takes this in the friendly manner, the neighbourly way, that I seek to say it – I think he has given more to the taxpayers when he has been trying to put some money on quaddies than he has received from any of those betting agencies. I do wish him the best of luck in all future bets that he does make – just a couple of bucks on the nose I think is what he usually goes for.

The member for Eildon did say that the opposition were not opposed to this bill, which I do appreciate. But she clearly had some concerns, and they were around a failure to consult, in her view. I just would say that there has been substantial consultation on this bill, with Victoria Police and the Office of Public Prosecutions. We have engaged with the Supreme Court, the County Court and the Magistrates'

Court – ticking off a whole bunch of courts there – as well as the Criminal Bar Association and Victoria Legal Aid. I do take the genuineness with which she puts forward that there is consultation that she would like to see further occur, and I encourage those bodies to reach out on those occasions when bills are presented to them, and consultation can occur.

I do want to just talk a little bit about the community that I represent. One of the things that I would just like to reflect on, particularly on budget day, is the enormous investment that we are making into the criminal justice system. This bill is part of that, but I did want to mention the Wyndham law courts, which are currently under construction in the East Werribee district. Some of these matters may end up in these courts should this bill be sufficiently supported across the Parliament. This is an extraordinary investment in the criminal justice system in the community that I represent, and I certainly am very thankful for the Attorney-General's support in making sure these courts are built – the biggest law courts outside of the CBD, with 13 law courts. Those people who have courts in their own communities would know – I see the member for Wendouree, and the member for Wendouree would know – just how substantial 13 law courts in a community is. It includes the Magistrates' Court, the Children's Court and VCAT – an extraordinary facility. I look forward, over the next year, to those being up and running and operational for the community I represent. It will also bring great legal jobs to the area.

I did recently visit the Sunshine courts and the Visy centre, which is supported by Westjustice. I know that there is an important role to play in this place in thinking about how we can make sure people are diverted from the criminal justice system. I thank Melissa Hardman, a director of Westjustice, and Caitlin Caruana for making so much time available to me. In fact former senator Patricia Crossin, who is from the Northern Territory originally, is a director there as well. They work every day to divert people away from the criminal justice system.

Alongside those Wyndham law courts that are being built is the largest police station outside of the CBD, down in Werribee. Very many members here will be pleased to hear that we are also building a police station in Point Cook, which is something that is well sought after by the community and is very appreciated. It is going on the same site as the State Emergency Service, a real emergency services hub in the area. We have got a lot going on in the community focused on the justice system.

I did want to just pick up what the member for South Gippsland said. I know he is an avid listener to these contributions. I look forward to being with the father of the Public Accounts and Estimates Committee. I did in a previous contribution say he was the grandfather of PAEC, but that is not true; he is the father of PAEC. He did make some contributions asking where we think this money was coming from, and I think that is an important point that he was making. We are asking the question 'Where is the money coming from?' in this unexplained wealth bill. I did like his contribution, though, on Mr and Ms and Mrs. He did spend some time on that and presented some mirth, but it would have been great if he had some more opportunity and some more time to speak on a bill like this; 10 minutes is often not enough.

I did note that the member for Bentleigh talked about the police academy being absolutely full with 3600 additional police officers. The member for Eureka I think said it best, and it was carried on by the member for Bentleigh, by saying this legislation is really a bit of a 'prove it or lose it' piece of legislation. I think that is a good sentence or phrase to characterise what we are seeking to achieve with this.

Just to go to the bill a little bit more directly, this does provide a new pathway, a third pathway, for the unexplained wealth order and enables the Director of Public Prosecutions or an appropriate officer – it looks like I am going to run out of time to go too deeply into this bill, but I will try my best –

Paul Mercurio interjected.

Mathew HILAKARI: Go longer? The member for Hastings is always asking me for a few more words, and I do appreciate that.

It does include a broad definition of 'wealth'. As the member for Bentleigh said, bank robberies may certainly be down on the list of criminal activity of yesteryear, but there are substantial ways that people are making money out of criminal ventures, and we seek to make sure that those people are held accountable and that unexplained wealth is accounted for. It does provide a broad definition of 'wealth', this bill, because many people who are engaged in unlawful activity are using that to fund what are described appropriately as lavish lifestyles. There is discretion, of course, given to the courts as one of the protections that we have alongside this bill – and of course we should give discretion to the courts to make or refuse or reduce the amount payable under an unexplained wealth order. But there are also protections for people.

I do just want to acknowledge the great police taskforce that is engaged in this area. Sometimes it has been characterised by those opposite that this bill will just seek to gather wealth by some sort of random doorknocking exercise where people will turn up and say, 'Oh, you've got a Monet hanging on the wall,' and, 'I like the Picasso and all these cars inside your garage,' like it is some sort of random activity. It is actually as a result of really great police work and a taskforce of professionals going and chasing down this unexplained wealth. So while I would always love to have longer to talk about such important bills, I commend the bill to the house and wish it a speedy passage.

Meng Heang TAK (Clarinda) (18:38): I should give my 5 minutes as extension time to the good, hardworking member for Point Cook. I am very delighted to rise today to join the member for Point Cook and the many members before me to speak on the Confiscation Amendment (Unexplained Wealth) Bill 2024. As we heard, this is another important bill and one that seeks to disrupt serious and organised crime in Victoria by strengthening Victoria's unexplained wealth scheme.

We have seen that community safety has been the real priority for this Allan Labor government, and we have been clear that criminal activity has no place in Victoria, which is why we are here delivering record investment and increased powers for Victoria Police to crack down on crime and hold perpetrators to account. I would like to join, once again, the many members before me who have made contributions. We have invested more in our police force than any other state or territory – with a record investment of more than \$4.5 billion since 2016, delivering more than 3600 new sworn police officers as well as world-class intelligence systems, new technology and new and upgraded police stations – and we have seen that investment continue in this year's budget. I would like to take this opportunity also to thank Victoria Police for their vital work in keeping the community safe, and we will continue to give them the resources that they need to deter and disrupt crimes across the state.

Not long ago, with many of the members of the Public Accounts and Estimates Committee (PAEC), I listened directly to members of the police and also to victims in part of our committee hearings about proceeds of crime. This is one way to disrupt and also to deter one of those crimes. Once again, I would like to thank Springvale police station, although it is not directly part of Clarinda anymore. I lived in Springvale for much of my youth. Growing up in those parts, I know the community opportunities for refugees and migrants like me but also the challenges in terms of growing up in a less privileged part of the state. We saw many, many times – and I include some close friends who had difficulties during their teens – some things that no-one wants to experience. For me and my siblings growing up as young children we had a situation I would not want to go back to where we had to walk fast past, at the time, Safeway and the Springvale train station and all of that. For that reason I commend the effort and the bravery of our Springvale police in doing their work keeping us safe day in, day out. We are really lucky to have Springvale police station serving our community and to receive great service from approximately 90 police personnel that make up the staff there. There are a whole host of challenges across the Clarinda district and the City of Greater Dandenong and City of Kingston. Springvale police station does an amazing job, and I once again would like to commend them and thank them for their work.

Coming back to the bill, I am really, really proud of a government that supports and invests in this important work. I have mentioned the government's record investment of \$4.5 billion, delivering more than 3600 sworn police officers, emerging and new technology and additional support, including

33 family violence specialist police, who are particularly welcome and important. Our record investment has continued, including in PSO recruitment.

This is another important bill and one that seeks to disrupt serious and organised crime in Victoria by strengthening Victoria's unexplained wealth scheme to better target leaders of organised crime. I appreciated listening keenly to the honourable member for Malvern and his contributions about the nexus of criminality with unexplained wealth. This bill will amend the Confiscation Act 1997 to strengthen Victoria's existing unexplained wealth law by introducing a third unexplained wealth pathway that better targets unlawfully acquired wealth. The bill will introduce a new unexplained wealth order, which can be sought in relation to individuals who are reasonably suspected of possessing wealth exceeding their lawfully acquired wealth by at least \$200,000. We heard from the hardworking member for Point Cook that \$200,000 is a lot of money for a struggling family with growing children. Unlike the existing pathway, this new unexplained wealth order does not require a connection to crime. This simplifies the process and will better allow law enforcement to target individuals, primarily senior figures in criminal organisations who seek to distance themselves from offending.

Again, we heard firsthand in part of the PAEC hearing in Shepparton not long ago and here in the building next door about how the proceeds of crime can be used or have been used to support what we call a lavish lifestyle. Therefore the bill also introduces the new and related unexplained wealth restraining order. This is a court order that sets out that no property or interest in the property to which the order applies can be disposed of or otherwise dealt with by any person except in the manner and circumstances specified in the order. Finally, the effect of an unexplained wealth restraining order is to preserve a person's property or interests in property while unexplained wealth order proceedings take place. The restraining order also acts as a security for the payment of debt in the event of the court granting unexplained wealth.

So these are very strong measures that add another deterrent to those thinking of engaging in serious criminal activity, which is positive. I am proud to support this measure here today, and I am proud to be part of a government that is committed to community safety and committed to investing in the supporting of our police. Once again, we have seen our record investment into Victoria Police over the recent year, and we have seen that in the budget handed down today also. There are some important community safety investments and projects included there, such as the youth crime prevention and early intervention project. That is a \$6.63 million project supporting the youth crime prevention and early intervention project and the critical role that it plays in reducing reoffending and ensuring more young people will be supported and diverted away from custody.

In the remaining time I would also like to acknowledge and commend the effort of the member for Cranbourne for convening youth catch-up meetings with the Minister for Multicultural Affairs about diverting people away. I was very keen to listen to many of the project leaders, the younger generation and the future leaders for our community, so I commend that effort. It is a wonderful thing that we listen to our community members, who not long ago were told that Dandenong was not safe and to not come out at night-time. At the time I was the mayor of Greater Dandenong. I commend the bill to the house.

John MULLAHY (Glen Waverley) (18:48): Thank you, Acting Speaker. If you can indulge me on this, it will probably be slow and painful for me. It is usually a pleasure to rise on a bill, but I am struggling a bit today. I rise in favour of the Confiscation Amendment (Unexplained Wealth) Bill 2024. From the outset I would like to thank the Attorney-General from the other place and the Minister for Police. Both of their teams have put an immense effort into this piece of legislation and more broadly into ensuring the safety of the Victorian community.

For a little bit of context, since coming to government we on this side of the house have invested billions into Victoria Police – \$4.5 billion in fact – which makes a significant difference on the ground across our community. It has resulted in 3600 new sworn police officers on the ground on patrol in

Victoria, including in the Glen Waverley district. I have the privilege of actually having the Victoria Police Academy in my district, right on top of the hill there in Glen Waverley. I am very happy to have them there. It is a landmark that is hard to miss driving around my community, and I am proud that our up-and-coming VicPol recruits are being trained on training grounds in the mighty Glen Waverley district. I am very pleased to inform the house that the Victoria Police training academy is at capacity, with regular double-squad graduations. It is a case in point of our Allan Labor government investing in the boots on the ground.

That is not the only way we are supporting police and the important work that they do to fight crime in the community, because when the Chief Commissioner of Victoria Police asks the Minister for Police or the Premier for new tools they need, our government is here to listen, reflect and act. It is that which this bill is all about – strengthening the tools in the toolkit for Victoria Police and law enforcement officials.

For some context, we already have a detailed piece of legislation in place, the Confiscation Act 1997, which gives Victoria Police and the Office of Public Prosecutions the power to seize the unexplained wealth of criminals in this state. It is an important tool, but we need to do more to ensure that nobody in this state can commit crime and use those proceeds to bolster their wealth. That is why we are making the reforms today as a consequence of two pieces of previous work. The first is our *Community Safety Statement 2018–19*, in which the Victorian Labor government committed to a comprehensive review of Victoria's asset confiscation and unexplained wealth laws. It is a review that has been thoroughly undertaken and backed by government, and it resulted in two pieces of legislation. The first is the Major Crime and Community Safety Legislation Amendment Act 2022, which passed this place in the last Parliament. It is an act that made a range of improvements to the justice and community safety laws of our state, including improved powers for law enforcement agencies to identify and seize digital assets. Today's piece of legislation goes a step further, with new powers to disrupt serious organised crime in our state and stop these entities from enjoying their wealth earned off the back of illegal activities.

In Victoria's existing Confiscation Act 1997 there are currently two pathways for the state to confiscate illegally obtained wealth, and with this bill before the house we have listened to the experts and our law enforcement agencies and are adding a third mechanism to strip illegally gained wealth from the hands of criminals. Under these amendments the Director of Public Prosecutions will be able to apply for a new order, an unexplained wealth order. What does that actually mean? Well, if there are reasonable grounds that someone's personal wealth exceeds their lawfully acquired wealth by at least \$200,000, then that person will have to prove how their wealth was lawfully acquired. If they cannot, then the courts will have the power to make them pay that wealth to the state. Importantly, the bill before the house also expands the definition of 'wealth' so we can better legislate to capture the senior crime figures who often distance themselves from wealth-generating offending. That expanded definition will now also include wealth that has been consumed or expended as well as services, advantages and benefits provided to a person. I think it is a very welcome change, because there is a clear expectation in our community that crime and especially organised crime has no place in the Victorian community.

It is not just what we say, it is what we mean as a government. A case in point is our \$4.5 billion investment to put more boots on the ground across our great state, all from the terrific police academy that sits atop Glen Waverley in my community. As I mentioned before, the academy is full to the brim and pumping out regular double-squad graduations of Victoria's newest police officers, officers who are spending more time on the beat and less time behind desks, keeping our communities safe. If the house will indulge me, I would like to thank each and every one of our serving members of Victoria Police for the work they do day in and day out to keep our community safe. Our government is proud to have your back, and we will do so for as long as we have the pleasure of sitting on these benches.

On a local level, I am very grateful to have a strong working relationship with our terrific Victoria Police members, whether that be our Whitehorse area commander, our Monash area commander or

the senior sergeants at Forest Hill station or Glen Waverley police station. My thanks go to each and every one for your leadership and also for your team and the ongoing commitment to protecting our community.

Beyond that, there are so many people behind the scenes that make our criminal justice system tick smoothly, and my thanks go to all those Victorians too, whether they be in the Office of Public Prosecutions or Department of Justice and Community Safety, those who staff our courts or indeed our federal counterparts.

Policing and the disruption of serious organised crime is a shared task and a shared effort the Allan Labor government is committed to supporting. This is very serious work, and it requires a serious and ever-evolving response. We know that criminals and especially serious organised crime groups are constantly changing their tactics and trying to evade authorities and make a profit off the back of illicit activities and ultimately off the backs of hardworking Victorians, but as they change, so do we. Our government always stands ready to listen to our law enforcement agencies like Victoria Police, and when the Chief Commissioner of Police tells us he needs something to change or Victoria Police needs a new tool for the toolkit, we have a terrific Minister for Police and Attorney-General who are here to listen and act. The bill before the house is an example of just that – listening to law enforcement, understanding how we can better target our crime prevention efforts and drafting legislation to make it a reality. I am proud to commend this bill to the house, and I wish it a speedy passage.

Paul EDBROOKE (Frankston) (18:55): I am very proud to rise on the Confiscation Amendment (Unexplained Wealth) Bill 2024, and I have heard some amazing contributions from members on this side. I am I guess a little bit confused, and I know I cannot throw to the floor here, but I have heard people on the other side of the chamber talking about how people might be innocent, and it got me thinking: who in our community has \$50,000 or \$200,000 in unexplained wealth? Who would have that sitting around? Maybe someone could put their hand up if they do. I would like to be friends with them; it is their shout tonight. If they did have that down the back of their couch, what would be the chances of that being unlawfully gained wealth? It is a very basic question.

How would you get, say, \$100,000 to \$200,000 in your account or in cash? It could be that you have been gambling or you have had a windfall on TattsLotto, and thereby you would be taxed on it. You would have receipts or a stub – something to prove that when asked. It could be a cashie, but we will not go down that road; that should be getting taxed, so that would be illegal anyway. It could be shares or dividends; well, CommSec are going to give you an invoice of all your transactions. You could have sold a house or you could have sold a car, but of course you would have receipts or else you could not register that car, and also you would have to pay stamp duty with the State Revenue Office (SRO), as the member for Point Cook so rightly points out, and you would have to pay other taxes too. Maybe you just found a suitcase full of money down at the beach, in which case you would probably hand that suitcase in, if you like. The law as to – what I am aware of – how they would deal with it is that if no-one claims that suitcase then it can come to you. I certainly have not found a suitcase down at Kananook station.

No-one, I think, in this debate has satisfied my question of: if you have \$200,000 in assets or cash or by the definition of ‘wealth’, which in this bill is all interests and property that can be owned by a person, how can you have that if you cannot explain that? So we can go and say it is unexplained wealth, which most people will be able to explain – they would have the aforementioned things, such as receipts; they would be able to explain it to the SRO; they would pay tax on it; they would be able to explain their windfalls; they would be able to explain their stocks or dividends. Otherwise, really it is essentially called unlawfully gained wealth. I think that is where this bill is really strengthening the tools we have got for Victoria Police; they have obviously asked for these extra powers. But I lack that understanding, I guess, of who in our community might have a spare \$200,000 or a block of land or a house or a jet ski or a ute, a Maloo ute maybe, or maybe a Harley, maybe a tattoo parlour – maybe that is where they launder their money – and not be able to explain that legally. If that is the case and they

are innocent, they can explain it legally. If they cannot explain it legally, it is unlawful and they got that money or they gained that wealth unlawfully.

I would like to take this opportunity, though, in the small time I have left to thank Victoria Police for all the work they do. I know we have heard everyone throughout the chamber talking about the police today, but they do have a complex and challenging job. They do turn up to things that our nightmares are made of, and they make order out of chaos, and they do it very, very well. I have had the privilege of working alongside them many, many times, and we have had many laughs, but they do their job very, very well and I am proud that we are the government that has employed more police on the beat than ever and filled that academy. They deserve all the resources and all the legislation we can give them to make their job as easy as possible, and this is part of that tranche of legislation that this government is proud to bring to the house, and I commend the bill to the house.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Berwick electorate roads

Brad BATTIN (Berwick) (19:00): (641) My adjournment is for the Treasurer, and the action I seek from the Treasurer is to join me on a drive along Berwick-Cranbourne and Berwick-Narre Warren roads, Thompsons Road and around the Clyde North area to understand the traffic impact of failing to fund the upgrade for the Thompsons Road roundabout, because again we see in this budget that it appears to be missing. It has been delayed, pushed out to 2029, so the hope for the community is that you have got to vote Labor yet again to try and get a roundabout through the area in Clyde North.

Everybody knows down in Clyde North that we have seen a rapid increase in the population through that area, but what we have not seen is the funds come through to ensure that we have got the services that are required and the infrastructure so people do not have to get stuck on Clyde Road and Berwick-Cranbourne Road and can actually get to work or home in a decent time. What people are saying to me at the moment is that when they leave home down in Clyde North it takes as long to get directly to the Princes Highway as it does to get into the city, so it is taking them the same time to travel a few kilometres on one road in Clyde North as it is 45 kilometres on the Monash Freeway. Other members will know the Monash Freeway is not exactly the greatest way to travel, but to get to the Monash Freeway is already a huge challenge. The traffic issues and traffic concerns down there are massive.

So I am saying to the Treasurer: this is the best way to sort this out as fortunately, though some might say unfortunately, none of the local members – the members for Narre Warren North, Narre Warren South or Bass – live in that area and understand what the traffic is like. If our Labor members lived locally, maybe they would understand exactly what it is like to travel on those roads. I invite the Treasurer down. I will take him for a drive in my car along the streets, and we will understand exactly what the impact is on the communities in my area. If the Treasurer will join me, I am sure and confident he will bring that funding forward.

White Night Ballarat

Juliana ADDISON (Wendouree) (19:02): (642) My adjournment matter is for the Minister for Tourism, Sport and Major Events, and the action I seek is for the minister to visit my electorate of Wendouree for White Night Ballarat on 1 June. White Night is coming back to Ballarat to light up our city in 2024, and everyone is invited. After five dark years White Night returns to Ballarat to illuminate our city.

In 2017 Ballarat made history as the first regional Australian White Night, and what an incredible night that was, for Ballarat after dark had never looked so extraordinary. Once again White Night will transform Ballarat into a city of light through installations, lighting, exhibitions, street performances, film, music, dance and interactive events. The event is a vibrant and inclusive celebration of immersive art and community participation for everyone to enjoy. Importantly, White Night is family friendly, open to all ages and free to attend, but it is probably best to bring the little ones earlier in the night. No registration is required to attend, and everyone can just show up and have fun.

When White Night was held in Ballarat previously in 2017, 2018 and 2019, it transformed our city and attracted record crowds. Revellers of all ages were spellbound by the illuminations on our heritage buildings, streetscapes and laneways as well as by great live entertainment. Ballarat loves White Night and the boost it brings to the local economy. When White Night was last held in Ballarat, in 2019, it attracted more than 40,000 visitors and generated \$2.8 million in economic impact for the region.

White Night not only lights up Ballarat but provides an important opportunity to showcase our city's world-class hospitality venues, including Hotel Vera, Itinerant Spirits, Meigas, the Provincial, Hop Temple, Pancho, Roy Hammond, the Sporting Globe, Underbar, Kilderkin Distillery, Mitchell Harris, Black Vault, Babae, the Goods Shed, Ragazzone, Grainery Lane, Renard and the Gravy Spot. I warmly invite everyone in this chamber and across Victoria to organise a trip to Ballarat with family and friends for the first weekend in June. Rain, hail or shine, this event will proceed, unless it is deemed unsafe to do so. Come to Ballarat for the weekend. Visit Sovereign Hill, the Art Gallery of Ballarat, Ballarat Wildlife Park, the Eureka Centre, Lake Wendouree, our botanic gardens and our city's distilleries.

White Night will commence at 6 pm and conclude at midnight. There will be lots of live music throughout the night on the Evening Star and Last Chance stages. For more information visit whitenight.com.au. The Ballarat community looks forward to warmly welcoming visitors to our beautiful city on the first day of winter. Remember to rug up, and get ready to enjoy an extraordinary night out in Victoria's best regional city. I look forward to the minister's response.

Rural and regional roads

Tim BULL (Gippsland East) (19:05): (643) My adjournment tonight is to the Minister for Roads and Road Safety, and the action that I am seeking is for the minister to address this increasing road condition crisis we have in the state. In today's budget it was very alarming to see that the roads maintenance budget is 16 per cent lower than what it was in 2020. In my electorate – and I am sure others who represent other electorates around the state, particularly in rural areas or peri-urban areas, must notice it – the condition of our roads is just getting gradually worse all the time, to the stage that they are nearly at crisis level and beyond repair. I have got truck drivers and bus drivers who have driven our roads for 20, 30 years coming into my electorate office saying they have never seen our roads so bad. We were hoping that today we would get a little bit of respite and that we would have a massive funding increase that would start to set us on the right path to recovery, but instead we have a figure allocated for road maintenance that is still 16 per cent below the 2020 level. Whether a Treasurer's advance is required or whether there is some hidden money there somewhere, I call on the roads minister to please take action and fix this crisis before it gets any worse.

Queen Street bridge, Altona

Mathew HILAKARI (Point Cook) (19:06): (644) My adjournment matter is for the Minister for Public and Active Transport, and the action that I seek is that the minister joins me on a visit to Queen Street bridge in Altona Meadows over Laverton Creek. I have had to change my adjournment today because the budget has changed things. It was a call for action, for the minister to see exactly how dangerous this area is for cyclists and pedestrians and the distances that people have to go to traverse that area safely, if they are one of those. But I am very thankful for this Labor government for funding it in today's budget –

A member interjected.

Mathew HILAKARI: amazing – so it is actually a bit of a celebration point in time for the community I represent. The community, I know, absolutely love this project, because more than 1 100 of them signed a petition to say that we needed this important safety feature for our community. I thank the minister very much. I also thank the Minister for Roads and Road Safety, the member for Williamstown. The member for Williamstown has been an absolute champion for this piece of infrastructure, but so have some of our other colleagues in local council – Cr Diana Grima and the current mayor Cr Matt Tyler – and all those community activists, who I just want to thank for their ongoing support and effort to see this happen. I do look forward to the minister coming out for more of a celebration than an activation.

South-West Coast electorate roads

Roma BRITNELL (South-West Coast) (19:08): (645) My adjournment matter is to the Premier, and the action I seek is in relation to the Premier visiting South-West Coast and experiencing firsthand our absolutely atrocious roads, because witnessing them firsthand is the only way to truly comprehend the severity of the situation. Our roads are in such poor condition. They are dangerous. This was never more evident than recently on the Cobden-Warnambool Road, a major thoroughfare, where five accidents occurred within a week. Tragically, it took the death of one of these motorists to spark the government into action to start fixing the road. The sheer number of neglected roads in our region is staggering. In fact it has become far easier and less time consuming to compile a list of roads that are in good condition. It is a disgrace that an area as vital as South-West Coast, which is renowned for its thriving and economically significant food and fibre sector, must deal with such appalling infrastructure.

I have lost count of the number of times I have been contacted by individuals and transport companies who recount tales of damage sustained from the treacherous condition of the roads, including cracked windscreens, battered chassis, mangled wheel rims and shredded tyres. Even more concerning is the effect these conditions are having on driver health. I recently spoke to a truck driver who told me that he needs to wear a support belt to alleviate back pain from the constant jolting he experiences driving on our roads. This driver is only in his 30s and his back pain is so bad he cannot even bend over to put his boots on. What kind of government allows our roads to deteriorate to the extent that they become a hazardous workplace? Aside from causing injuries and accidents, inadequate road infrastructure leads to inefficient transport, which in turn hampers the business endeavours of those in South-West Coast. As a result, farmers and other export businesses struggle to maintain international competitiveness.

Addressing the roads issue not only bolsters the economic prospects of the region but also generates income for the state. It is regrettable that the current government fails to grasp this fundamental concept, demonstrating their repeated incompetence in financial management. Choosing efficiencies over escalating taxes is not just common sense, it is essential; yet this government insists on burdening hardworking Victorians with unprecedented tax hikes due to their fiscal mismanagement and project blowouts.

However, beyond financial implications, our neglected roads pose a serious risk to the safety of south-west Victorians. Every member of our community deserves the peace of mind of a safe journey home each day. The Premier and past Premiers' avoidance of our region is becoming quite ridiculous. A visit to South-West Coast would provide a long-overdue acknowledgement of our community's significance to the state and would offer perhaps the chance to see firsthand the disgraceful state of our roads. If the Premier had bothered to visit before today's budget announcements, we would have seen an appropriate injection of funds. Instead we see 16 per cent less money to fix our roads than was allocated four years ago.

Middle Park Primary School

Nina TAYLOR (Albert Park) (19:11): (646) My adjournment matter is for the Minister for Education. The action I seek is for the minister to visit Middle Park Primary School and see how the amazing and newly announced \$8.8 million in funding will deliver much-needed benefits to the school community. I am absolutely ecstatic Albert Park has secured this much-needed funding for this fabulous school community. The Allan Labor government has now a 10-year-long reputation of investing extensively in our school communities, with the upgrading and construction of new schools across Albert Park and the state. The \$8.8 million is just one example of the Allan Labor government helping families in this year's state budget, so I invite the minister to visit Middle Park Primary and provide an update to the school about the budget delivery. I look forward to the minister's attendance.

Bus route 364

Nicole WERNER (Warrandyte) (19:12): (647) My adjournment matter is for the Minister for Public and Active Transport, and the action I seek is for the minister to investigate the safety issues of the route 364 bus through the residential roads of Highfield Avenue and Wellington Park Drive in Warranwood. This issue was brought to my attention by a constituent, Ms Carly Bridger, who reported a troubling incident involving her son's vehicle. His car, while parked legally along Highfield Avenue, was struck and damaged by the 364 bus. This incident is not merely about property damage; it highlights a critical safety hazard on a road that is frequently congested, particularly during school drop-offs and pick-ups.

Highfield Avenue serves as a route for several local schools, including Warranwood Primary and Melbourne Rudolf Steiner School, and is densely populated with pedestrians, particularly schoolchildren. The road itself is narrow and ill-equipped to handle the large buses that navigate this route among heavy pedestrian traffic and parked cars. Increased congestion over the years has exacerbated this situation, with traffic jams becoming a common sight along Wellington Park Drive and Highfield Avenue, particularly at peak times. The current bus route not only endangers parked vehicles but also poses a significant risk to pedestrians, our children, who might find themselves in harm's way if we fail to act. One suggestion to fix the problem is to reroute the bus to travel via Wonga Road, where the road is wider and can more easily accommodate the large buses. To quote one constituent:

Congestion around the area has increased since we moved here ... and it's nothing to see cars banked up along Wellington Park Drive and Highfield Ave as far as the eye can see, especially at school pick-up with the increased number of vehicles and pedestrians making it an accident just waiting to happen.

Therefore I implore the Minister for Public and Active Transport to conduct a comprehensive review of the bus route along Highfield Avenue. Immediate action is needed to prevent future incidents. We have a duty to ensure the safety of our community, and addressing this dangerous traffic condition is imperative. I trust that the minister will treat this with the seriousness it warrants and take swift action to ensure our local streets are safe for all in our community who use them.

Energy policy

Gary MAAS (Narre Warren South) (19:14): (648) The matter I wish to raise is for the attention of the Minister for Energy and Resources and concerns the recent reduction in energy prices, thanks to renewable energy. The action that I seek is that the minister provides an update on this renewable energy price drop and its likely benefit to constituents in my electorate of Narre Warren South. Constituents often contact my office regarding their concerns about their electricity bills, and our government continues to provide support, with the previous multiple power saving bonus rounds, the Victorian default offer, concessions for the vulnerable and a move towards more affordable, more reliable renewable energy.

Because of our record investments in renewable energy, Victorians currently pay the lowest electricity prices in the country. We know that renewable energy is the cheapest form of new energy you can

build, unlike those opposite, who want more expensive fossil gas and nuclear power. Last year renewables generated 38.6 per cent of the state's power, a doubling from five years ago, with the goal to achieve 95 per cent renewable energy generation by 2035. The revival of the SEC of course is accelerating the transition to renewable energy, reducing power bills and emissions. Despite the scaremongering, climate denying and continued pushing of old, expensive forms of power by many in the opposition, Victoria is moving into the future and is on track to be a world leader in renewable power generation, which should benefit households in my electorate. I look forward to sharing the minister's response with my community.

Mildura electorate family violence services

Jade BENHAM (Mildura) (19:16): (649) My adjournment matter is for the Minister for Prevention of Family Violence, and the action I seek is for the minister to visit Mildura and meet with some of the wonderful service providers in the family violence space. With the highest rates of family violence in the state – there are on average five cases reported each and every day, and that is just the ones that are reported, and that was during the 2022–23 reporting period – Mildura should be the focal point for the government to take action on this issue.

As was reported in the media this week, I have some lived experience in this space, and now I call on the minister and the government to engage with those like me and the organisations on the ground who are already doing the work in their local communities – organisations like Mallee Accommodation and Support Program, or MASP, as they are very affectionately known on the ground, who acquire and provide housing for those who need it. But there is always more to be done. There is Mallee Family Care, who I am in constant contact with and who are currently stretched to capacity, filling gaps where other organisations cannot and upskilling their current staff. Teresa and her team are working tirelessly to find suitable accommodation and support for families fleeing violence in the home. There are other organisations, like Mallee District Aboriginal Services, Orange Door and the multidisciplinary centre, who have been crying out for an upgrade because they have been at capacity and outgrowing their current venue for the last 20 years. Several years ago a building and land were purchased to develop a new three-storey MDC on Deakin Avenue, but thus far no-one has been able to get answers, and it seems to be the problem often within this cycle.

So I invite the minister to come and have some candid conversations with local organisations on the ground who understand what is needed in local communities and regions like Mildura. We know that the solutions do lie locally and should be community led, because that is what is needed in places like Mildura, and that is not going to be the same as what is needed somewhere like Footscray. It is going to be different to what is needed in Moe, in Gippsland. It is even different to what is needed an hour down the road in places like Ouyen or Robinvale, much less Murrayville, which is out on the Mallee track, and it is those on the ground that are best placed to offer feedback, ideas and hopefully actions that could actually save a life. Enough is enough. Enough talking – it is time for action. The action I seek as a matter of urgency is a visit from the Minister for Prevention of Family Violence to take some practical action now and put that budget money where her mouth is.

Mordialloc electorate level crossing removals

Tim RICHARDSON (Mordialloc) (19:18): (650) My adjournment this evening is for the Minister for Transport Infrastructure, and the action I seek is for the minister to update my community on the progress of works for the Parkdale level crossing removals. This is a significant upgrade for my community along the Frankston train line. The Allan Labor government is committed to a level crossing free Frankston train line, and it was the Andrews government that started this significant investment in our local community. A lot of people said at the time that removing level crossings on the Frankston line was a dream – that it would not occur, it would not happen. Now we see the commitment to transform these communities, to transform these precincts, but also the creation of thousands of jobs that support a pipeline of investment, and we hear constantly of the multiplier effect

and benefit that that provides where precincts are upgraded and more aspiration comes into the areas when they are revitalised.

The Parkdale level crossings are two level crossings at Warrigal Road and Parkers Road. We hit the halfway point recently. The piers have gone up, the beams are going in and we have seen that transformation take place – the greater open space outcomes and the safety improvements. We have seen a lot of near misses through there. There are 20,000 vehicles that pass through there on average each and every day, and this is one of the more highly populated areas for education in our area with a number of schools and a lot of people coming into the region as well. So it makes sense to improve those safety outcomes. But also with the metro rail tunnel expected to come on line next year we want to make sure that we can run more services and not be impacted by the boom gates being down for longer, creating greater congestion and having an impact on safety. Removing the Parkdale level crossings makes sense. It is a real transformational project, and it will make our community more accessible and safer.

I want to give a big shout-out to the traders who are doing it tough during this time, but Parkdale people support their village. They turn up each and every day, and we see people coming from far and wide to make sure the traders and businesses are supported during this time. I want to give a shout-out to two businesses – a brand new Greek restaurant in Parkdale and Hello Annie, a clothing store – that have opened up during the construction works. That is the confidence that businesses have in Parkdale, to open up during construction works. It shows what Parkdale has to offer and how great the village community is. We are really looking forward to how those works will transform the area. My adjournment this evening is for the transport infrastructure minister, and it is to ask for an update on the level crossing removal outcomes at Parkdale.

Responses

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (19:21): The member for Berwick asked the Treasurer to join him on a drive on the roads in his electorate, particularly around the Thompsons Road roundabout in Clyde North. We are building a new police station in Clyde North; it is a very exciting project. I will be sure to pass the member for Berwick's matter onto the Treasurer. The member for Wendouree raised a matter for the Minister for Tourism, Sport and Major Events asking that he visit White Night Ballarat, a huge event for the Ballarat community. That is on 1 June; my mother's 70th birthday, I should point out. We will make sure that this Ballarat significant major event is passed on to the minister. Can I say also that I will be joining the member for Wendouree tomorrow for a number of major racing investment announcements in Ballarat, and it was good to be in Ballarat just yesterday with the member for Wendouree. I appreciate her support.

The member for Gippsland East raised a matter for the Minister for Roads and Road Safety to address road conditions and take action to deal with conditions across country roads in his electorate. The member for Point Cook raised a matter for the Minister for Public and Active Transport to visit his electorate, particularly around Laverton Creek and the bridge over it, and to do that as soon as possible for some actions that he would like to see covered there. The member for South-West Coast raised a matter for the Premier, and the action was to come to her electorate of South-West Coast to experience the local roads there. I will be sure to pass that on to the Premier. I was pleased to be in the member's electorate last week, with 30,000 others at the Warrnambool Racing Carnival, which generates some \$15 million in economic activity in Warrnambool.

Brad Battin interjected.

Anthony CARBINES: I did struggle to pick a winner, member for Berwick, but Count Zero and Stern Idol certainly stood out for their efforts.

The member for Albert Park and Parliamentary Secretary for Justice – doing amazing work – raised a matter for the Minister for Education and Deputy Premier seeking as an action a visit to Middle Park

Primary School. There is some multimillion-dollar redevelopment happening there through her good work, and she is keen to see him visit her electorate. The member for Warrandyte raised a matter for the Minister for Public and Active Transport to investigate, particularly around Highfield Avenue and the narrow roads around Warranwood Primary School and others, issues around bus access, other traffic and congested roads, which is having an effect, with parked cars and the like, around school drop-offs in particular. The member for Narre Warren South raised a matter for the Minister for Energy and Resources particularly around the reduction in energy prices, and the action he sought was around an update on the renewable energy price drop and the work that has been done there that his constituents have been contacting his office about to make the most of in this cost-of-living pressure point.

The member for Mildura raised a matter for the Minister for Prevention of Family Violence. She is seeking a visit from the minister and extended an invitation to meet with family violence service providers – a shout-out of course to Mallee Family Care and the amazing work that they do. I did want to place on record, on behalf of all members, the contribution of the member for Mildura in sharing her personal story publicly over the past week, which I think will give great strength and encouragement to so many women and those who seek to end violence against women in relation to family violence. I look forward to joining the member for Mildura on other matters around mid-July, on the 26th in particular, around the Mildura Cup and Country Racing Victoria hosting their annual conference up there. I also look forward to joining her, because as police minister I also have a very significant role and I know she works closely with Victoria Police, who unfortunately have a lot of work to do in Mildura, as they do in all stations across the state in their work around family violence.

The member for Mordialloc raised a matter for the Minister for Transport Infrastructure. He raised a matter in relation to the Parkdale level crossing removals – there are two of those, thanks to his hard work – and he is keen to visit and view those and discuss the progress with the Minister for Transport Infrastructure. I will be sure to pass on that inquiry. I commend all those matters from other members to the house.

The DEPUTY SPEAKER: The house stands adjourned until next Tuesday.

House adjourned 7:26 pm.