



# **Hansard**

## **LEGISLATIVE ASSEMBLY**

### **60th Parliament**

**Tuesday 2 December 2025**



**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 (from 27 September 2023)

Daniel Andrews (to 27 September 2023)

**Deputy Leader of the Parliamentary Labor Party and Deputy Premier**

Ben Carroll (from 28 September 2023)

Jacinta Allan (to 27 September 2023)

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

Jess Wilson (from 18 November 2025)

Brad Battin (from 27 December 2024 to 18 November 2025)

John Pesutto (to 27 December 2024)

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

Sam Groth (from 27 December 2024)

David Southwick (to 27 December 2024)

**Leader of the Nationals**

Danny O’Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

**Deputy Leader of the Nationals**

Emma Kealy

**Leader of the House**

Mary-Anne Thomas

**Manager of Opposition Business**

James Newbury (from 13 October 2025)

Bridget Vallance (from 7 January 2025 to 13 October 2025)

James Newbury (to 7 January 2025)

## Members of the Legislative Assembly

### 60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lister, John <sup>7</sup>	Werribee	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel <sup>1</sup>	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 <sup>2</sup>	South Barwon	Ind	O'Keeffe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim <sup>8</sup>	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 <sup>9</sup>	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden <sup>3</sup>	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will <sup>4</sup>	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 <sup>5,6</sup>	Prahran	Ind	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 <sup>10</sup>	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Westaway, Rachel <sup>11</sup>	Prahran	Lib
Kathage, Lauren	Yan Yean	ALP	Wight, Dylan	Tarneit	ALP
Kealy, Emma	Lowan	Nat	Williams, Gabrielle	Dandenong	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Belinda	Narre Warren North	ALP
Lambert, Nathan	Preston	ALP	Wilson, Jess	Kew	Lib

<sup>1</sup> Resigned 27 September 2023

<sup>2</sup> ALP until 29 April 2024

<sup>3</sup> Sworn in 6 February 2024

<sup>4</sup> ALP until 5 August 2023

<sup>5</sup> Greens until 1 November 2024

<sup>6</sup> Resigned 23 November 2024

<sup>7</sup> Sworn in 4 March 2025

<sup>8</sup> Resigned 6 January 2025

<sup>9</sup> Resigned 7 July 2023

<sup>10</sup> Sworn in 3 October 2023

<sup>11</sup> Sworn in 4 March 2025

#### Party abbreviations

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

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**Tuesday 2 December 2025**

**The SPEAKER (Maree Edwards) took the chair at 12:04 pm, read the prayer and made an acknowledgement of country.**

*Members*

**Shadow ministry**

**Jess WILSON** (Kew – Leader of the Opposition) (12:05): I advise the house of changes to shadow cabinet arrangements, and I make them available to the house.

*Bills*

**Health Safeguards for People Born with Variations in Sex Characteristics Bill 2025**

*Introduction and first reading*

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (12:06): I move:

That I introduce a bill for an act to provide support for the making of decisions about certain medical treatment for persons who have an innate variation in sex characteristics, including provisions about the giving of informed consent to the decisions, panels of persons who may give approvals about the decisions, prohibiting the medical treatment in certain circumstances and other related matters and to amend the Victorian Civil and Administrative Tribunal Act 1998 to provide for review processes for those decisions and for other purposes.

**Motion agreed to.**

**Emma KEALY** (Lowan) (12:06): I ask the minister for a brief explanation of the bill.

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (12:06): The Health Safeguards for People Born with Variations in Sex Characteristics Bill 2025 will establish an act to strengthen safeguards for people born with variations in sex characteristics, often known as intersex variations. The bill establishes safeguards against non-urgent deferrable medical interventions in infancy and childhood, requires best practice multidisciplinary clinical oversight and ensures that procedures are delayed wherever possible until the person can participate in decisions about their own body.

**Read first time.**

**Ordered to be read second time tomorrow.**

**National Gas (Victoria) Amendment Bill 2025**

*Introduction and first reading*

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (12:07): I move:

That I introduce a bill for an act to amend the National Gas (Victoria) Act 2008 and for other purposes.

**Motion agreed to.**

**James NEWBURY** (Brighton) (12:08): I seek a brief explanation of the bill.

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (12:08): The National Gas (Victoria) Amendment Bill 2025 gives the Minister for Energy and Resources the power to make orders to direct the pipeline owner and service provider and the Australian Energy Market Operator to upgrade Victoria's regulated gas transmission pipeline network to maintain gas supply and gas quality. This power is necessary to ensure that critical pipeline infrastructure projects are built in time to maintain adequate

supplies of gas to Victorian homes and industry. This power guards against the misalignment of interests that exist between pipeline monopolists and energy consumers as a direct result of the privatisation of Victoria's gas transmission pipeline network.

**Read first time.**

**Ordered to be read second time tomorrow.**

**Children, Youth and Families Amendment (Supporting Stable and Strong Families) Bill 2025**

*Introduction and first reading*

**Ben CARROLL** (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (12:09): I move:

That I introduce a bill for an act to amend the Children, Youth and Families Act 2005 to provide for responsibilities of supporting stable and strong families partners in relation to supporting stable and strong families and to consequentially amend the Child Wellbeing and Safety Act 2005 and for other purposes.

**Motion agreed to.**

**Nicole WERNER** (Warrandyte) (12:10): I seek a brief explanation of this bill.

**Ben CARROLL** (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (12:10): Thank you, member for Warrandyte. The Children, Youth and Families Amendment (Supporting Stable and Strong Families) Bill 2025 will introduce nation-leading support for strong and stable families. A new scheme in Victoria, it will create shared responsibility across ministers, departmental heads and Victoria Police to provide the necessary support for vulnerable children, young persons and families. Ministers will be required to table plans in Parliament every two years as to the actions they will take to support this cohort of vulnerable children, and at the conclusion of these plans they will table in Parliament their progress on those actions. The Children's Services Coordination Board will provide governance support for the scheme through the amendments in this bill.

**Read first time.**

**Ordered to be read second time tomorrow.**

**Justice Legislation Amendment (Community Safety) Bill 2025**

*Introduction and first reading*

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:11): I move:

That I introduce a bill for an act to amend the Children, Youth and Families Act 2005, the Crimes Act 1958, the Criminal Procedure Act 2009, the Magistrates' Court Act 1989 and the Youth Justice Act 2024 and for other purposes.

**Motion agreed to.**

**James NEWBURY** (Brighton) (12:11): I seek a brief explanation of the bill.

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:11): The Justice Legislation Amendment (Community Safety) Bill 2025 will amend the Children, Youth and Families Act 2005, the Youth Justice Act 2024 and the Crimes Act 1958 to address increasing levels of crime in Victoria and respond to increasing community concern about serious violent offending, particularly by children.

**Read first time.**

**Sonya KILKENNY**: Under standing order 61(3)(b), I advise the house that the representatives of the other parties and independents have been provided with a copy of the bill and a briefing in accordance with the standing order. I will therefore move the second reading immediately.



*Statement of compatibility*

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:14): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Justice Legislation Amendment (Community Safety) Bill 2025:

**Opening paragraphs**

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this Statement of Compatibility with respect to the Justice Legislation Amendment (Community Safety) Bill 2025 (**Bill**).

In my opinion, the Bill, as introduced to the Legislative Assembly, is in part, incompatible with the human rights set out in the Charter. The measures in the Bill constitute significant limits on the fundamental rights of children who are by their nature a vulnerable cohort, which require a very high standard of justification in order to be compatible with rights. While it is my strong view that the Bill is necessary to address compelling and pressing community safety concerns brought about by unprecedented incidents of serious and violent offending by children, my acknowledgement of incompatibility accepts the inherent difficulty in meeting this high standard of justification. I base my opinion on the reasons outlined in this statement.

**Overview of the Bill**

The purposes of the Bill are to:

- a. amend the *Crimes Act 1958* (**Crimes Act**) to:
  - i. increase the maximum penalties for specified serious, high-harm offences. These proposed reforms seek to ensure that sentences for these offences adequately reflect the gravity of the offending, particularly in cases involving high levels of culpability;
  - ii. introduce a new knife crime offence, criminalising the use of a knife by a person in the commission of specified indictable offences;
  - iii. amend the existing offence of carjacking to include the presence of a child victim in the car as a standalone element of the offence; and
  - iv. make any other consequential amendments that are required;

**(Crimes Act reforms)**
- b. amend the matters the Children’s Court must have regard to under the *Children, Youth and Families Act 2005* (**CYF Act**) when sentencing a child, to reflect certain sentencing principles in the *Youth Justice Act 2024* (**YJ Act**) with modifications (before the full commencement of the YJ Act), including:
  - i. the sentencing principle in section 204 of the YJ Act – protection of the community from reoffending (‘community protection principle’); and
  - ii. the sentencing principle in section 207 of the YJ Act – impact on victims (‘victim principle’); and
- c. amend two sentencing principles in the YJ Act before they commence:
  - i. the ‘community protection principle’; and
  - ii. the sentencing principle in section 208 of the YJ Act – minimum intervention (‘minimum intervention principle’).

**((b) and (c) together the sentencing principle reforms)**
- d. amend the CYF Act and YJ Act so that the Children’s Court no longer has jurisdiction to hear and determine specified serious, high-harm offences for 15- to 17-year-olds and to require uplift for other age cohorts and offences unless exceptions apply (**uplift reforms**).

**Human rights issues**

The human rights protected by the Charter that are relevant to the Bill are:

- the right to equality (section 8);
- the right to life (section 9);
- protection from torture and cruel, inhuman or degrading treatment (section 10);
- the right to the protection of families and children (section 17);
- the right to liberty and security of the person (section 21);
- the rights of children in the criminal process, including that children be brought to trial as quickly as possible (section 23);

- rights in criminal proceedings, including that a child charged with a criminal offence has the right to a procedure that takes account of that child's age and the desirability of promoting the child's rehabilitation (section 25);
- the right not to be tried and punished more than once (section 26); and
- retrospective criminal laws (section 27(2)).

For completeness, in addition to these primary rights affected by the Bill, it is acknowledged that the amendments in the Bill will cause more children to receive custodial sentences and longer sentences will be available than those currently imposed by the Children's Court. A sentence of imprisonment necessarily involves the limitation of other rights, including freedom of movement (section 12), the right to privacy (section 13(a)), the rights to practice religion and enjoy cultural rights (sections 14(1)(b) and 19), freedom of expression (section 15(2)), right to peaceful assembly and freedom of association (section 16), the protection of families and children (section 17) and the right to property (section 20). This is the result of the deprivation of liberty and the powers held by officers in charge of custodial facilities that are necessary to maintain good order and security of the facilities and the welfare of detained persons. The family unit will also be affected when a family member is made subject to an imprisonment order. As all these limitations are a lawful and necessary consequence of a sentence of imprisonment, I do not propose to discuss these secondary impacts in detail, beyond acknowledging the wide range of human rights that are limited by a sentence of imprisonment.

#### ***General importance of the Bill***

As my below discussion on the human rights limits imposed by the Bill will largely draw on a common purpose, to avoid repetition, I will set out the importance of the Bill's purpose first.

The Bill is aimed at addressing pressing and substantial concerns, which are of sufficient importance to justify limiting rights. The Bill seeks to address increasing levels of crime in Victoria and to respond to increasing threats to community safety from serious, violent offending, including by children. Following a rapid review into Victoria's justice system settings announced by the Premier in February 2025, government has progressed reforms to increase community safety, including strengthening bail laws. Despite these reforms, Victoria continues to experience high crime rates. Victoria Police report that child crime (aged 12 to 17) remains at the highest levels since electronic records commenced. Children are overrepresented in serious and violent crimes such as home invasions and carjacking with approximately half of alleged offences incidents for these offences in the past year being linked to offenders under 18. In the last year, Victoria Police has arrested thousands of youth offenders as part of Operation Trinity (home burglaries and car thefts) and Operation Alliance (youth gangs).

This Bill is a response to these significant incidents of youth crime, which are of deep concern to the government and the Victorian community. The Bill contains reforms targeting specific offending which, whether or not it is committed by children, has significant and harmful impacts on victims. Offending involving serious violence causes a wide range of serious harms. These harms affect not only the immediate victim but also the child, their family, and the wider community. The harms caused by violent offending tend to be deeper and more long-lasting than those associated with non-violent youth crime.

Home invasions and carjacking, particularly when aggravated, are some of the most serious offences because of the gravity of harm they cause, which can be wide-ranging and enduring. This includes physical harms as a result of violence in the commission of this offending, psychological and emotional harms arising from the loss of security of home and the impact on families (including young victims). There are also social harms from the resulting fear that in turn erodes community trust, increases collective anxiety and reduces social cohesion. There is also strain on emergency services and resulting costs to the economy relating to the destruction of property and the provision of increased security measures. This offending is high profile and ultimately contributes to a loss of public confidence in safety.

The Bill seeks to reduce the instances of this offending by increasing deterrence, accountability, punishment and statutory denunciation of such offending. This is done by ensuring that people who commit such offences are subject to higher penalties and liable to being sentenced to adult sentences, irrespective of them being children. This sends a strong message to offenders and the community that those who commit these offences will face severe consequences. The Bill prioritises community safety and recognises the impact of serious, violent offending on victims, including on the enjoyment of their human rights under the Charter.

#### ***Increasing criminal penalties***

##### ***Promotion of various human rights***

Clauses 3 to 7 of the Bill increase the maximum penalties for, respectively, causing serious injury intentionally in circumstances of gross violence, causing serious injury recklessly in circumstances of gross violence, aggravated home invasion, and aggravated carjacking. As these offences involve a victim being seriously

injured, or having their home or property interfered with, increasing the maximum penalties that apply for these offences increases the deterrence, denunciation and punishment for such offending, in order to protect the community. This in turn safeguards and protects various human rights of members of the public, including their rights to life (section 9), security of person (section 21), privacy of home (section 13), and where victims may be families or children, protection of families and children (section 17). It provides courts with scope to sentence serious offenders to a period of imprisonment that is proportionate to the gravity of their offending, facilitating community safety from further unlawful and dangerous behavior.

Clause 7 sets a higher maximum penalty for recruiting a child to engage in criminal activity, which promotes the right in section 17(2) of the Charter. This right provides that every child has the right to such protection as is in their best interests and is needed by them by reason of being a child. Clause 7 recognises that children are particularly vulnerable and provides courts with scope to impose higher sentences for adults who recruit children to engage in criminal activity. This sends a strong message to the community that adults who recruit children to engage in criminal activity will face tougher penalties.

***New offence of using knives in the commission of certain indictable offences and broader offence of carjacking***

Clause 9 inserts into the Crimes Act the offence of using knives in the commission of certain indictable offences. Clause 10 amends the offence of carjacking in section 79(1) of the Crimes Act to insert a new element of the offence in relation to the presence of a child victim in the car.

***Promotion of various human rights***

The rights to life and security of person have been interpreted internationally to impose positive obligations on a state to take reasonable measures to safeguard life and protect against personal violence, including by ensuring its criminal law framework provides adequate and effective accountability for the commission of acts of violence. Similarly, the Charter imposes obligations on the State to ensure the protection of children and families (section 17).

Knife crimes can be fatal or cause serious, long-term injury. Criminalising the use of a knife by a person in the commission of the following indictable offences (see new section 195X(2), inserted by clause 9) recognises the serious impact knife crime has on victims and community safety:

- causing serious injury or injury intentionally or recklessly (sections 16–18 of the Crimes Act);
- assault (section 31(1)(a) Crimes Act);
- affray (section 195H Crimes Act); and
- violent disorder (section 195I Crimes Act).

Similarly, the presence of a child victim during the commission of a carjacking or aggravated carjacking offence can cause significant harm to the child. Amending the offence of carjacking to include the presence of a child victim in the vehicle as a standalone element of the offence protects the life of those victims while sending a strong message to the community that such conduct will not be tolerated.

In recent times, young children have been the victims of carjackings where offenders have stolen a parked car with a child in the back seat. Disregard for children's safety is an aggravating feature of this offending, which will now be appropriately captured by clause 10. This in turn promotes the protection of Victorian children and their families.

***Right to be presumed innocent until proved guilty (section 25)***

Clause 10(2) inserts an element of strict liability in the amended carjacking offence so that it is immaterial whether or not the accused knew that there was a child in the vehicle at the time of stealing it. This also impacts the offence of aggravated carjacking because committing carjacking is one element of that offence. The imposition of a strict liability element engages section 25(1) of the Charter, particularly when that offence is liable to a penalty of imprisonment. The right is considered a fundamental one, which requires a legitimate and sufficiently important purpose to justify any limit.

To the extent that the imposition of a strict liability element to an indictable offence punishable by imprisonment constitutes a limit on the presumption of innocence, in my view it is reasonably justified. The purpose of this amendment is sufficiently pressing and important and is directed at safeguarding the child victim from the inherently traumatic experience of being present during such an offence. A child passenger who is present during a carjacking is not simply a bystander but is a direct victim. The experience exposes them to a uniquely severe set of harms due to prospect of direct physical danger, acute psychological trauma, and developmentally specific vulnerabilities. These harms can be both

immediate and long-term, including social, developmental, and family harms. Introducing a strict liability element is an appropriate response to the impact of carjacking on child victims, who in many circumstances

have no capacity to protect themselves. This vulnerability to severe harm remains present regardless of whether the offender intended to commit the carjacking involving the child, or had any prior knowledge of the child's presence. In this way, the need for strict liability element mirrors that which is commonly accepted in a regulatory context where there is a need to protect the safety of vulnerable persons who are entirely dependent on the care and compliance with the law of other people. Finally, I note that the remaining elements of the offence of carjacking must still be proven by the prosecution, including the fault elements relating to the act of stealing the vehicle.

To the extent that the amended carjacking offence limits the right in section 25, it is a reasonable and justified limitation.

*Right not to be tried or punished more than once (section 26)*

Section 26 of the Charter protects a person's right not to be tried or punished more than once for an offence in respect of which that person has already been finally convicted or acquitted in accordance with law.

The maximum penalty for the new knife crime offence will be 3 years imprisonment, which is on top of the maximum penalty for the specified indictable offence.

Currently, knife-related offences focus on the possession, use or carrying of a particular weapon (for example, sections 5AA and 6 of the *Control of Weapons Act 1990*). There are also general offences, which capture the possession of an offensive weapon during the commission of the offence (e.g. aggravated burglary and armed robbery). In those matters, the use of a particular weapon such as a knife is considered during sentencing and the type of weapon is considered an aggravating factor. If the court determines that the use of a knife increases the seriousness of the offending, it may reflect this in the sentence imposed. However, consideration of whether such conduct aggravates a person's offending is not required by statute and accordingly occurs to varying extents.

I consider that providing for this new offence will not limit the protection against double punishment. Once the new knife offence is introduced, it is possible that elements of this offence could also establish other offences or be considered an aggravating factor in sentencing. Nevertheless, the new knife crime does not displace the common law rule against double jeopardy nor the rule against duplicity, which protect an accused from being the subject of multiple prosecutions or convictions arising out of the same set of facts. As such, an accused will still be protected from the court imposing 'double punishment' for the use of a knife in the commission of an offence.

***Mandatory uplift reforms***

The mandatory uplift reforms in Part 4 of the Bill will amend the CYF Act and the YJ Act so that children aged 15–17 at the time of the alleged commission of, and who are charged with, any of the following designated offences:

- aggravated home invasion (section 77B Crimes Act);
- aggravated carjacking (section 79A Crimes Act);
- home invasion (section 77A Crimes Act);
- intentionally causing serious injury in circumstances of gross violence (section 15A Crimes Act); or
- recklessly causing serious injury in circumstances of gross violence (section 15B Crimes Act) –

are removed from the jurisdiction of the Children's Court and (if the child is committed to stand trial) dealt with by the County Court, where they can be sentenced according to the *Sentencing Act 1991* (**Sentencing Act**), if they are found guilty (noting the Supreme Court and County Court also have access to sentencing options under the CYF Act and later the YJ Act in appropriate circumstances – see CYF Act section 586(1) and YJ Act section 241(1)).

*Protection of children (section 17(2)) and criminal process rights of children (sections 23 and 25(3))*

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. This provision is modelled on article 24(1) of the International Covenant on Civil and Political Rights and its scope is informed by the Convention on the Rights of the Child and other relevant United Nations materials. The right protects important values, including bodily integrity, mental health, dignity and self-worth.

What is in a child's best interests will depend on the specific circumstances of the child or group of children and the particular decision being made or action being taken. The level of protection required will ordinarily differ depending on the age of the child, in recognition of the progressively developing capacities of the children. The scope of section 17(2) in the youth justice context may be informed by the United Nations Standard Minimum Rules for the Administration of Justice ('Beijing Rules'), which require youth justice systems to emphasise children's wellbeing and ensure that responses to children and young persons within

the youth justice system are proportionate. The Supreme Court has indicated that the right requires the state to ensure the survival and development of the child to the maximum extent possible.

In the context of youth justice and sentencing, the right is given effect to by a youth justice framework that emphasises rehabilitation and diversion from the criminal justice system, and where the court is empowered to impose a sentence that is connected to the provision of relevant supports to address the drivers of a child's offending. The right also emphasises child sentencing principles that promote minimal intervention and mandate that a custodial sentence is only to be imposed as a last resort and for the minimum appropriate period.

Sections 23 and 25(3) of the Charter protect the rights of children in the criminal process. In this Statement, the rights in sections 23 and 25(3) are referred to collectively as 'rights of children in the criminal process'.

Section 23(3) provides that a child who has been convicted of an offence must be treated in a way that is appropriate for their age. Age-appropriate treatment may incorporate matters such as minimising stigma, preservation of family relationships, primacy given to rehabilitation when sentencing children, and the modification of the criminal process to promote the positive development of the child and protect their particular vulnerability. It also extends to requiring separate facilities for children deprived of their liberty, including distinct, child-centered staff, personnel, policies and practices.

Under section 23(2), an accused child must be brought to trial as quickly as possible. This right has been interpreted as imposing an obligation to take positive steps to proceed as expeditiously as possible within what the circumstances will allow.

Section 25(3) provides that a child charged with a criminal offence has the right to a procedure that takes account of their age and the desirability of promoting their rehabilitation. This right is directed at ensuring that children can effectively participate in the legal process. It may require procedures that are targeted to child defendants (such as ensuring the provision of age-appropriate explanations) and that assist them to effectively participate in the proceeding. The right in section 25(3) may also require courts to take steps to ensure that the trial process does not expose a child defendant to avoidable intimidation, humiliation and distress, and may require alternative measures to criminal proceedings to be adopted where appropriate.

The Bill is relevant to these rights because the mandatory uplift reforms will remove the Children's Court jurisdiction to hear and determine certain offences committed by 15- to 17- year-old children. This will affect children's substantive and procedural rights as follows:

- The higher courts can impose longer sentences on those children for the uplifted offences under the Sentencing Act, which were previously only available to adult offenders (other than in the limited existing circumstances of uplift). This affects a child's entitlement under the section 17(2) right to a sentencing framework that emphasises rehabilitation and minimum intervention.
- It will require children committed to trial for those offences to instead stand trial in the higher courts, which are not a specialist jurisdiction dealing exclusively with children. This affects a child's entitlement to an age-appropriate process that is best provided by the Children's Court.
- It will increase the scope for children to receive terms of imprisonment that will be served in adult custodial facilities, where the conditions of detention are more burdensome than those which would apply in a youth justice facility and not designed for the developmental needs of young people.

Accordingly, I consider that these reforms limit the rights protected by sections 17(2) and 23(3) of the Charter. Under the Charter, these rights may be subject only to reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom taking account the relevant factors in section 7(2), which are considered below.

#### *Nature of the rights*

I have discussed the scope of the relevant children's rights, above. These rights are ultimately directed towards protecting the vulnerability of children and as a result, are given particular weight above the rights of other members of the community. These rights require pressing and significant countervailing interests in order for any limitation to be justified.

#### *Importance of the purpose of the limitation*

As I said out above, the purpose of these uplift reforms is to protect the community from the threat of serious and violent offending by children aged 15 to 17 years by ensuring that they are sentenced in the higher courts, which are well equipped to deal with such offending and which have the capacity to apply the sentencing options that are appropriate to address the nature of the offending. The uplift reforms are intended to send a strong message to offenders and the community that these offences will not be tolerated and will be subject to severe consequences. These purposes embrace punishment, denunciation and deterrence. In this regard, the interests of the individual child are balanced with the interests of the community, including safety and

maintaining confidence in the criminal justice system and the rights of the community to liberty and security (section 21) and their right to life (section 9).

*Nature and extent of the limitation*

The nature and extent of the limitation on these human rights will be as follows.

Adult sentences

The maximum length of a custodial sentence that can be imposed in the Children's Court is 3 years for any offence. As a result of the mandatory uplift reforms, children aged 15 years and over charged with any of the mandatorily uplifted offences will now face sentences as follows:

- aggravated home invasion and aggravated carjacking – up to 25 years (to be increased to a maximum life sentence under clauses 5 and 6 respectively);
- intentionally causing serious injury in circumstances of gross violence – up to 20 years (to be increased to a maximum of 25 years under clause 3);
- recklessly causing serious injury in circumstances of gross violence – up to 15 years (to be increased to a maximum of 20 years under clause 4); and
- home invasion – up to 25 years (maximum penalty not amended by the Bill).

The framework of the Sentencing Act has a much stronger focus on punishment and deterrence, as compared with the strong focus on diversion, rehabilitation and minimum intervention in the CYF Act and YJ Act. As a result, it is expected that the mandatory uplift reforms will lead to more children receiving custodial sentences than in the Children's Court, these sentences being longer than those imposed by the Children's Court, and more sentences of imprisonment being imposed (which the Children's Court does not have available as a sentencing option).

However, I note that the CYF Act already provides for certain serious offences to be outside of the jurisdiction of the Children's Court, and these matters are currently heard and determined in the higher courts.<sup>1</sup> This existing uplift scheme in the CYF Act is reproduced in the YJ Act but has not yet commenced. It was considered compatible with Charter rights in the statement of compatibility when the Youth Justice Bill 2024 was introduced. The Bill seeks to expand the range of offences for which the Children's Court does not have jurisdiction to include other serious offences that I consider cause similar grave harm to the community.

Aggravated home invasion and aggravated carjacking offences are currently known as 'Category A serious youth offences' under the CYF Act. Where these crimes are committed by children 16 years and over, they are currently subject to a requirement that they will be heard and determined by the higher courts unless exceptions apply. This is in recognition of the gravity of these offences and the grave impacts of this kind of offending on victims. In many cases children charged with these offences are already subject to the jurisdiction of the higher courts and may only be sentenced to a youth justice centre order or youth residential centre order in exceptional circumstances. Home invasion, intentionally causing serious injury in circumstances of gross violence and recklessly causing serious injury in circumstances are currently known as 'Category B serious youth offences'. This means that the Children's Court must consider uplifting the offence to the higher courts.

Currently under the CYF Act the tests for uplift of Category A and B serious youth offences operate only in respect of offenders aged 16 years and over. In making 15-year-olds subject to the mandatory uplift, the Bill represents a significant limitation of the rights of those children under the Charter because of their vulnerability.

Being subject to adult sentences under the Sentencing Act (meaning likely longer sentences and sentences in an adult prison) is a significant limitation on the right to protection of children, given that detention can be particularly criminogenic for children, and on the right of children convicted of an offence to appropriate treatment for their age.

However, as noted above, the Supreme Court and County Court have an existing power to sentence under the CYF Act (or YJ Act, when it commences) in appropriate circumstances. This will have the effect of ensuring that limitations on the right to the protection of children's best interests and the right of children to appropriate treatment, are in some cases justifiable and proportionate.

Limitations on procedural rights

The uplift reforms will have implications for a child's procedural rights, including that:

- preparation for trial before the higher courts may result in a comparatively longer period of time elapsing before the matter is heard than if it was determined summarily in the Children's Court; and

- the higher courts are not a specialist jurisdiction dealing exclusively with children, and do not provide the same standard modifications (both procedurally and in terms of the physical characteristics of the court) that are a primary focus of the Children's Court, which is focused on giving the best effect to a child's participation and prospects of rehabilitation.

That said, these rights are still afforded a level of protection in the higher courts, which will go some way to reducing the extent of these limitations. The higher courts may still give effect to children's procedural and fair hearing rights under section 6(2)(b) of the Charter. This includes that the trial be conducted in accordance with established criminal procedures directed at safeguarding a fair hearing, and ensuring a criminal charge is determined without unreasonable delay.

A higher court will also still be obliged to modify its procedures to ensure the effective participation of a child accused, such as ensuring the provision of age-appropriate explanations and that the trial process does not expose a child defendant to avoidable intimidation, humiliation and distress.

However, I recognise that, in practice, a non-specialist court will not have the same capacity to give effect to a child's procedural entitlements to the same standard as the Children's Court, and that, despite the higher courts being obliged to give effect to these rights, in practice, it is more likely a child accused will experience a reduced standard of enjoyment in relation to their procedural rights in circumstances that may constitute a limit on the right.

#### Consequential limitations relating to accommodation in adult prisons

The expansion of the uplift provisions enlivens a broader range of circumstances for the imposition of a sentence of imprisonment, which will expose a child to the prospect of being imprisoned in an adult prison.

While a sentenced child does not have an express right under the Charter to be segregated from all detained adults, they do have a right to be treated in a way that is appropriate for their age, as well as their general right to protection as is in their best interests, having regard to their developmental needs.

The legislative framework and conditions of detention in adult facilities will be more burdensome than those which would apply in a youth justice facility and will constitute an interference with these rights. Adult prisons do not provide the same level of access to youth-specific, specialised rehabilitative interventions available to a child in a youth justice custodial facility. Further, there is greater prospect for isolation in prison, particularly on protective grounds where a child may be separated from other prisoners to ensure their safety, which can involve necessarily restrictive conditions to effect that protective separation, including time confined in a cell, reduced use of common facilities and limited communication with other prisoners. The conditions in adult facilities are such that they may result in a limitation of children's rights, as well as other rights associated with detention, to a greater extent than a child would experience in a youth justice facility.

However, for completeness, the reforms do not alter the discretions of the Adult Parole Board that exist in CYF Act and the YJ Act to transfer a child from prison to an available youth justice custodial centre where it is appropriate and suitable to do so, and where that child can reasonably be safely and appropriately accommodated there. Accordingly, the legislation will still provide for the child to be accommodated in an age-appropriate way, where the statutory criteria for doing so are satisfied.

#### *Relationship between limitation and its purpose*

I consider the expansion of the mandatory uplift is directly related to the overall purpose of punishing, deterring and denouncing this offending, and ultimately ensuring greater community protection.

However, I recognise that the interplay between criminal punishment and child offending is complex, and that there are contrary authoritative views as to whether such measures are capable of significantly reducing youth offending. These views go to the multiple interacting causes of youth crime, the developmental characteristics of children, and whether longer sentences more likely to be served in prison, standing trial in a higher court and potentially being subject to more burdensome conditions of detention, are as effective a deterrent for children as for adults.

#### *Less restrictive means*

In my view, and noting the multitude of interacting causes for this offending, I consider there to be no less restrictive means reasonably available. These reforms to mandatory uplift expand on an existing scheme, which do not appear to have struck the necessary balance to respond to serious, violent youth offending.

#### *Conclusion*

In my view, the reforms serve a pressing and important purpose, where there is no less restrictive means available. They expand the existing mandatory uplift scheme to new offences that are considered to be of the requisite seriousness to warrant elevation to this category.

However, on balance I acknowledge that the reforms interfere with fundamental protective and criminal process rights of children to a significant extent, in circumstances where other jurisdictions and international bodies have deemed such an approach to be incompatible with children's rights. I also recognise the body of evidence that questions whether harsher punishment is an effective deterrent for children. For these reasons, I accept that this expansion of the mandatory uplift scheme is likely to be incompatible with the Charter.

While the existing uplift scheme was considered compatible with Charter rights when the *Youth Justice Bill 2024* was introduced, these reforms, as noted above, represent an expansion of the scheme. In particular, these reforms, in applying to children aged 15 to 17 years, are likely to affect a larger cohort of children, who by virtue of their age may be more vulnerable than those captured by the existing uplift scheme. Further, the scheme will apply to a broader range of offences, resulting in significant limitations on children's rights. I take very seriously the need to engage in the analysis contemplated by the Charter in introducing these measures. However, the Victorian Government considers these reforms are an important part of addressing serious, violent youth crime in Victoria.

***Requirement of uplift for specified offences unless exceptions apply***

The Bill also requires charges for the offences listed above to be uplifted from the Children's Court to the County Court when committed by children aged 14 years (at the time of the alleged offending) unless exceptions apply. Consequently, children aged 14 who commit relevant offences will be able to stand trial in the Children's Court only where one of the legislative exceptions applies.

Further, charges against 14- to 17-year-olds for carjacking (section 79 of the Crimes Act) will also be subject to the same requirement of uplift to the County Court unless one of the same exceptions apply.

The amendments provide that the Children's Court must not hear and determine these specified charges for children in these age groups unless: the child or prosecution requests the charge be heard and determined summarily, and the Court is satisfied that the sentencing options available to it are adequate, and any of the following apply:

- it is in the interests of the victim or victims that the charge be heard and determined summarily, or
- the accused is particularly vulnerable because of cognitive impairment or mental illness, or
- there is a substantial and compelling reason why the charge should be heard and determined summarily.

***Protection of children (section 17(2)) and criminal process rights of children (sections 23 and 25(3))***

As previously stated, the vulnerability and special status of children is recognised under several provisions of the Charter including when they are involved in the criminal justice system: sections 17(2) (best interests), 23(2) (brought to trial as quickly as possible), 25(3) (procedures that take into account age and rehabilitation) and 23(3) (treated in an age- appropriate way following conviction).

These amendments also engage these rights. As noted above, uplift to the County Court will affect the sentencing of affected children, and will likely mean that more children will receive custodial sentences that are longer than those imposed by the Children's Court.

For applicable circumstances, offences will be uplifted unless a number of specified criteria are made out. These may include that the accused is particularly vulnerable or there is a compelling reason why the charge should be heard summarily (in the Children's Court).

While the test for uplift of 14-year-old children is in parts, protective of children's rights, given it remains open to the Children's Court to consider these matters involving a 14-year-old accused in those circumstances (as opposed to the mandatory nature of the uplift reforms discussed above applying to 15- to 17-year-olds), I accept that the burden of satisfying the legislative criteria will lie with the accused, and this will likely constitute a limit.

Further, I recognise that the uplift test for carjacking will operate to treat children more harshly than adults, as an adult defendant can have a carjacking charge tried summarily in the Magistrates' Court without needing to satisfy legislative exceptions from uplift. This will also limit the right to equality (section 8) by directly treating a child unfavourably on the basis of a protected attribute, being their age.

Accordingly, for the same reasons as my discussion concerning the mandatory uplift, I also accept that the tests for uplift of 14-year-old children and 14- to 17-year-old children for carjacking are likely to be incompatible with the human rights in sections 17(2), 23 and 25(3) of the Charter, notwithstanding that the extent of the limit is more confined than the mandatory uplift provisions. While it is my strong view that these reforms serve a legitimate purpose to safeguard community safety and increase deterrence, denunciation and punishment for such offending, I accept these reforms do so in a way that significantly limits fundamental rights of children in circumstances that other jurisdictions and authorities have



considered to be incompatible with these rights, and where contrary views exist as to the efficacy of longer custodial sentences for child offenders in terms of achieving the deterrent aims of the Bill.

### **Sentencing principles**

Part 3 of the Bill relates to the sentencing principle reforms. Division 2 of Part 3 amends sentencing principles in the YJ Act. Clause 12 amends the community protection sentencing principle in section 204 of the YJ Act and clause 13 amends the minimum intervention principle set out in section 208 in the YJ Act. Clause 12 removes the reference to ‘noting that efforts to support rehabilitation and positive development of the child are the most effective ways to reduce reoffending’ from the community protection sentencing principle in section 204 of the YJ Act. Clause 13 removes the reference to ‘with a custodial sentence imposed as a last resort and for minimum period appropriate and necessary’ from the minimum intervention principle in section 208. Since the YJ Act was developed and passed, the context of serious, violent offending by children and young people in Victoria has changed. The amendments seek to address concerns about the effectiveness of sentences to protect the community from further offending by a child and the need to protect victims of youth offending. While these provision of the YJ Act have not yet commenced, I consider these amendments are relevant to rights under the Charter.

Clause 11 in Division 1 of Part 3 amends section 362 of the CYF Act to amend some of the matters to be taken into account when deciding which sentence to impose on a child. This clause amends section 362(1)(g) to provide for consideration of the need to protect the community from ‘any further reoffending by the child’, rather than ‘violent or other wrongful acts’. Clause 11 also adds the requirement to consider the need for the sentence to: recognise the impact of the child’s offending on any victim, provide opportunities for the child to restore any harm caused by the offending and take into account any steps the child has taken to restore such harm, to the extent the child has the capacity to do so.

Human rights protected by the Charter that are relevant to the sentencing principle reforms are:

- the protection of families and children, including the right to such protection as is in the child’s best interests (section 17(2));
- the right to liberty (section 21);
- children in the criminal process, including that a child convicted of an offence must be treated in a way that is appropriate for that child’s age (section 23(3)); and
- rights in criminal proceedings, including that a child charged with a criminal offence has the right to a procedure that takes account of that child’s age and the desirability of promoting the child’s rehabilitation (section 25(3)).

The scope of the rights protected by sections 17(2), 23 and 25(3) are discussed above.

Section 21 of the Charter provides that every person has the right to liberty and security, including the right not to be subject to arbitrary arrest or detention. This right is concerned with the physical detention of the individual, not mere restrictions on freedom of movement. A person’s liberty may legitimately be constrained only in circumstances where the relevant arrest or detention is lawful, in the sense that it is specifically authorised and sufficiently circumscribed by law, and not arbitrary, in that it must not be disproportionate or unjust.

### ***Protection of children (section 17(2)), criminal process rights (sections 23(3) and 25(3)) and the right to liberty (section 21)***

As noted above, the sections previously added to the YJ Act that will be amended by this Bill promoted children’s rights in the Charter and, while these provisions have not yet commenced, the amendments to them made by the Bill remain relevant to the rights under sections 17(2) and 21 of the Charter.

The CYF Act amendment broadens the scope of the prioritisation of the protection of the community from violent and wrongful acts to protection of the community from any reoffending. These changes to sentencing principles and matters to be taken into account when imposing a sentence may increase the possibility that a court would impose a custodial sentence and consequently may limit rights under sections 17(2) and 21. Further, the amendments may limit the rights of children in the criminal process, namely the right in section 23(3), which provides that a child convicted of an offence must be treated in a way that is appropriate for that child’s age and section 25(3) that a child charged with a criminal offence has the right to a procedure that takes into account that child’s age and the desirability of promoting the child’s rehabilitation.

Under the Charter, these rights may be subject only to reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom, taking into account the relevant factors in section 7(2), which are considered below.

*Nature of the rights*

As noted above, the rights in sections 17(2), 23 and 25(3) are ultimately directed towards protecting the vulnerability of children and, as a result, are given particular weight against the rights of other members of the community. These rights require pressing and significant countervailing interests in order to be justifiably limited.

In respect of the right to liberty and security of person (section 21 of the Charter), it is accepted that the right does not grant complete freedom from arrest and detention. Rather, the right in section 21 relevantly protects against arbitrary detention, and contains a number of procedural safeguards for the deprivation of liberty.

*Importance of the purpose of the limitation*

The purpose of the sentencing principle reforms is to ensure the YJ Act and the CYF Act better reflect that sentences imposed on children must consider community safety and impact on victims, while retaining the need for sentencing to promote whole-of-system responses and engage multiple service systems for rehabilitation outcomes to be achieved. The amendments seek to balance the interests of the individual young person with the interests of the community, including safety and maintaining confidence in the criminal justice system and the rights of the community and victims to liberty and security (section 21) and their right to life (section 9).

*Nature and extent of the limitation*

The nature and extent of the limitation on the rights protected by sections 17(2), 21, 23(3) and 25(3) of the Charter will depend on the relevant circumstances of the child being sentenced in accordance with the amended principles. In isolation, the sentencing reforms directly limit these rights by removing the reference to rehabilitation and positive development of the child from the community protection principle in section 204 of the YJ Act, and removing the reference to custodial sentences being imposed as a last resort and for the minimum period appropriate and necessary from the minimum intervention principle in section 208 of the YJ Act. I recognise that the principles being removed incorporate elements of international standards that some authorities regard as constituting the minimum standards for protecting human rights of children, or to which there is positive obligation to promote. Accordingly, this enlivens a question as to their compatibility, in terms of whether the removal of the statutory promotion of such principles is capable of being justified under any circumstances.

I do consider that any limitation of relevant rights affected by this amendment will be mitigated by the fact that the YJ Act will continue to explicitly provide that common law sentencing principles and rules applicable to the sentencing of children continue to apply, except to the extent of any inconsistency (section 202).

Furthermore, other YJ Act sentencing principles have not been amended by the Bill, such as considering the individual characteristics and vulnerabilities of the individual (section 206 of the YJ Act), rehabilitation and positive development of the child (section 203), and the specific sentencing principles that must be taken into account when the Court is sentencing an Aboriginal child (section 365). Accordingly, I consider the YJ Act framework still contains many appropriate safeguards in sentencing.

*Relationship between limitation and its purpose*

I recognise that there may be questions about whether the important purpose of community protection is rationally connected with the sentencing principle reforms. These principles have been reconsidered having regard to the changed context of serious, violent offending by children and young people in Victoria and are an important measure to address that offending and protect the community.

*Less restrictive means*

I recognise that less restrictive means, such as the fact that the YJ Act reforms had yet to commence, may be said to be available to achieve the purposes of the Bill and the sentencing principle reforms. As noted above, however, the context of serious, violent offending by children in Victoria has changed since the sentencing principles in the YJ Act were developed and passed by the Parliament. The more restrictive means proposed by the sentencing principle reforms seek to address concerns about the effectiveness of sentences to protect the community.

*Conclusion*

While these reforms will not interfere with common law protections and residual safeguards in the YJ Act that will continue to apply, I accept that the amendments to these statutory principles are likely to be out of step with the above human rights in how they have been universally interpreted, in a manner that may not be capable of being justified. This is particularly with regard to the removal of principles that promoted fundamental aspects of the children's rights. However, the government intends to proceed with these reforms notwithstanding the conclusion that they are incompatible with the Charter.

**Retrospective effect of sentencing principle reforms**

Section 27(2) of the Charter provides that a penalty must not be imposed on any person for a criminal offence that is greater than the penalty applied to the offence when it was committed.

The sentencing principle reforms will apply to the sentencing of an offender on or after commencement, regardless of whether the offence was committed before the commencement of the reforms. In practice, I consider the right against retrospectivity is only engaged with respect to the amendment of sentencing considerations under the CYF Act. Given it is anticipated the Bill will commence before the YJ Act, amendments to the YJ Act sentencing principles will not have scope to operate retrospectively.

The retrospective application of amendments to the sentencing considerations under the CYF Act will limit section 27(2), as the practical effect of these reforms is that a child who has committed a relevant offence prior to the commencement of these reforms may have imposed on them a greater penalty than they may have received for the offence when it was committed. This may include imposing a sentence of detention rather than a community disposition, or imposing a longer sentence of detention than would previously have been imposed.

I consider these amendments rebalance the sentencing considerations to be applied under the CYF Act, which may influence the sentence that a court imposes. However, the amendments do not of themselves lift the maximum penalty that can be imposed, and do not otherwise affect a court's discretion to impose an appropriate sentence in the circumstances.

That said, I recognise that these transitional provisions operate on sentencing principle reforms in this Bill that I have already considered to be incompatible with Charter rights. I consider that retrospectively applying these reforms to offences that have already been committed is likely to exacerbate this incompatibility. Accordingly, I conclude that the retrospective effect of these reforms is, on balance, likely to also be incompatible with s 27(2) of the Charter.

**The Hon. Sonya Kilkenny**

**MP Attorney-General**

<sup>1</sup> These offences are murder, attempted murder, manslaughter, child homicide, homicide by firearm, arson causing death, and culpable driving causing death: CYF Act s 516(1); YJ Act s 156(1)(a).

*Second reading*

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:14): 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 Justice Legislation Amendment (Community Safety) Bill 2025 (Bill) will implement the Government's *Adult Time for Violent Crime* policy, delivering serious consequences for children who commit violent crimes that hurt victims and the community.

The Bill builds on significant reforms passed by Parliament this year to protect the community, including bail reform, strengthening victim safety and perpetrator accountability measures relating to family violence and creating a new 'post and boast' offence targeting those who publish material that seeks to glorify criminal behaviour.

Equally, the Bill lays the foundations to support the broader elements of the Government's Serious Consequences, Early Interventions plan to reduce youth crime and crime committed by children in Victoria.

Specifically, the Bill delivers on the Government's commitments to:

- ensure children aged 14 and above who commit specified violent crimes face the prospect of adult sentences in adult courts
- increase maximum penalties for the violent crimes of most concern to the Victorian community
- create a new knife crime offence, and expand the existing offence of carjacking
- change the sentencing principles that Courts must apply in relation to all children, to reflect the importance of, and give greater priority to, community safety and the impact of offending of victims, and to remove the statutory requirement that jail is a 'last resort' for children.

**Children accused of high violence offending will be dealt with by an adult court and face the prospect of adult sentences if found guilty**

Currently, few children face trial in an adult court with a jury. Under Adult Time for Violent Crime, we will change the status quo and deliver serious consequences for children who commit brazen, violent crimes that devastate victims and the community.

The offences of home invasion, aggravated home invasion, aggravated carjacking, and intentionally or recklessly causing serious injury in circumstances of gross violence will have to be heard in the County Court if the accused child is 15 to 17 years old – without exception. If the child is 14, the matter will be heard in the County Court unless certain circumstances apply. These circumstances include the accused child's cognitive impairment or mental illness, substantial and compelling reasons why the matter should be heard by the Children's Court, or when it is in the victim's best interests for the matter to proceed in the Children's Court. The trial and sentencing of children aged 14 to 17 years old for carjacking will also be heard in the County Court unless these circumstances apply.

We know that there is a core group of young offenders engaged in serious and repeated aggravated burglaries and armed robberies – and the community has had enough. That is why the Bill provides legislative guidance that the Children's Court considers repeat and serious aggravated burglaries and armed robberies as relevant when it is deciding whether exceptional circumstances exist that will move the matter to the County Court.

Any related indictable offending that occurs alongside uplifted serious and violent conduct must also be heard in the County Court, unless certain circumstances apply. The Bill provides that a related offence means an indictable offence founded on the same facts as the uplifted offence, or that together forms part of a series of offences of the same or similar character (where, for example, the Court will weigh up things like how close together in time the offences were, as well as where the offences occurred, and their similarity to each other, in deciding whether they are related and uplift is warranted).

**Longer maximum sentences, including life imprisonment, for violent offences**

There is growing community concern that serious offenders are not being held accountable for their criminal behaviour.

To deter and denounce incidents of serious violent and confrontational offending, this Bill will introduce higher maximum penalties for certain offences that cause a high level of fear or harm to victims and which erode the community's sense of safety and security.

The Bill amends the Crimes Act 1958 to increase the maximum penalties for:

- Aggravated home invasion, from 25 years' imprisonment to life imprisonment
- Aggravated carjacking, from 25 years' imprisonment to life imprisonment
- Intentionally causing serious injury in circumstances of gross violence, from 20 years' imprisonment to 25 years' imprisonment.
- Recklessly causing serious injury in circumstances of gross violence, from 15 years' imprisonment to 20 years' imprisonment
- Recruiting a child to engage in criminal activity, from 10 years' imprisonment to 15 years' imprisonment.

Maximum penalties provide guidance to courts about the Parliament's view of the gravity of a particular offence and are a mandatory consideration for courts determining appropriate sentences. Higher maximum penalties will give courts broader scope to impose more severe sentences for the most serious cases, better reflecting the community's expectations. These offences target objectively serious conduct. Increasing the maximum penalties denounces this conduct in the strongest terms and helps ensure that people who commit these offences will face appropriately strong consequences.

The Bill will also add recruiting a child to engage in criminal activity to a list of indictable offences that can be heard summarily, ensuring that the offence can continue to be heard in the Magistrates' Court where appropriate after the maximum penalty is increased.

**Principles for sentencing children will emphasise community safety, recognise impact on victims and remove reference to 'custody as a last resort'**

The Bill makes changes that will prioritise the consideration of community protection and impact on victims when young people are sentenced. Right now, judges are guided by legislative principles that are often out-of-step with the community's expectations and don't always recognise what victims have been through.

The Bill addresses this by changing the sentencing considerations that apply in the Children's Court under the current Children, Youth and Families Act and the principles that will apply when the Youth Justice Act

commences in full. The amended decision-making principles in the Children's Court will reflect those used for adults. That means that:

- judges will be required to emphasise community safety in sentencing decisions
- judges will have to consider the impact of a child's offending on the victim, and provide opportunities for the child to try to restore the harm they caused
- 'custody as a last resort' will be removed from sentencing principles.

Together, these changes will guide judges to appropriately focus on protecting the community from reoffending and holding offenders to account.

**New and amended offences will better respond to community concerns about knife crime and carjacking that puts children at risk**

The prevalence of knife crime has had a significant impact both on community safety and the community's perception of safety – using knives to commit serious and violent offences increase the level of harm caused by crime, exacerbating community concerns and fear. To specifically target and denounce the use of a knife in this way, the Bill introduces a new offence into the Crimes Act that recognises the additional criminality associated with using a knife in the commission of certain serious offences.

While existing laws can capture the underlying conduct (such as causing serious injury) or carrying or possessing a weapon generally, they do not specifically criminalise the use of a knife in committing certain serious offences. The new offence provides additional accountability, sending a strong message that the use of a knife in this way elevates the seriousness of offending, and acknowledges the devastating impact that knife crime has on victims and the broader community.

The new offence criminalises the use of a knife when committing the following serious offences:

- intentionally or recklessly causing injury or serious injury
- assaulting or threatening to assault with intent to commit an indictable offence
- affray, and
- violent disorder.

The scope of the new offence captures antisocial conduct that is of increasing community concern but aims to minimise the risk of giving rise to overlapping charges or double punishment. Other offences such as carjacking and home invasion are also of significant concern, including when knives are used. However, they are not included in the new offence because they already have an 'offensive weapon' element (e.g. home invasion and armed robbery) or they have an aggravated version that involves having or using an 'offensive weapon' – such as carjacking, which is covered by aggravated carjacking, or theft, which is covered by aggravated burglary or armed robbery.

The new offence will carry a three-year maximum penalty. This is in addition to the penalty for the underlying serious offence. For example, if a person is found guilty of an affray and using a knife when committing that offence, they may be sentenced to a maximum of five years imprisonment for the affray and up to three years imprisonment for the knife crime offence.

A person can only be found guilty of the knife crime offence if they have been found guilty of the relevant underlying offence. However, the Bill makes clear that a person may be charged with the knife crime offence before they are found guilty of the underlying offence. It is expected that the relevant offence and the knife crime offence will generally be charged and proceed together through the court system.

The term 'knife' is not defined in the Bill so its ordinary meaning will apply. This is broad enough to capture a range of knives, such as machetes, that are often used in the commission of serious offences. The term 'use' is also not defined as whether or not a knife is used in the commission of the offence will depend on the circumstances of each case. For example, this could include using a knife to stab someone resulting in a serious injury or holding a knife and threatening violence during a public fight (affray).

Creating a stand-alone knife crime offence sends a clear message: anyone that uses a knife to injure another person or during a brawl, will face serious consequences.

The Bill also amends the offence of carjacking in the Crimes Act to provide that the offence will apply if a person steals a vehicle with a child victim under the age of 10 present in that vehicle. Currently, carjacking requires a person to steal a car and use force (or put or seek to put another person in fear of being subjected to force).

Recently, innocent children have been caught up in incidents where a person steals a car where a child is already inside. These alleged offenders may not have even turned their mind as to whether anyone is in the back seat. Such brazen acts of violence are terrifying for children and their parents and carers.

The Bill will ensure that in these circumstances, an accused person does not need to use force or put someone in fear to be prosecuted for carjacking. The fact that they have stolen a car with an innocent child inside is sufficient to constitute carjacking, which accurately reflects the seriousness of the conduct.

The Bill makes it clear that it is irrelevant whether the accused knew or was reckless as to whether the child was in the vehicle at the time. This is similar to the home invasion offence, which provides it is irrelevant whether the accused knew or didn't know that there was someone in the home.

As with the current carjacking offence, this conduct will attract a maximum penalty of 15 years imprisonment.

I commend the Bill to the house.

**James NEWBURY** (Brighton) (12:15): I move:

That the debate be adjourned.

**Motion agreed to and debate adjourned.**

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (12:15): I move:

That debate be adjourned until later this day.

**James NEWBURY** (Brighton) (12:15): The coalition will not be opposing the government ramming through this legislation in what has been anticipated –

*Members interjecting.*

**James NEWBURY**: I am speaking to the matter – in a rush of legislation in what is anticipated to be a 5 o'clock guillotine on this bill. A 5 o'clock guillotine has been anticipated on this bill, which will mean some 2 hours of debate on this bill – a very, very short debate on this bill. Of course the coalition has been calling for action for years, and now at the eleventh hour, when frankly the *Herald Sun* has put up some cases that the government has felt uncomfortable about and the Premier has been asked about them in press conferences, the government has come along with a bill and is ramming it through the chamber because it does not want the broader community to see the detail of the bill. They do not want the community to see the weakness of the bill and the loopholes that are in the bill. Only in Victoria can an offender choose not to be dealt with as an adult in an 'adult crime, adult time' bill. Can you imagine?

**Matt Fregon** interjected.

**James NEWBURY**: Section 157, Deputy Speaker.

**The SPEAKER**: Order! Member for Brighton, through the Chair.

**James NEWBURY**: Through the Chair, Speaker, only in Victoria will offenders in certain circumstances be able to opt out of being treated as an adult. They will be able to request to be dealt with as a child – what a system. I mean, I tell you what –

**The SPEAKER**: Order! I remind members that it is not okay to pre-empt debate and what is in the legislation that we are currently introducing to this house.

**James NEWBURY**: Of course, Speaker. In broad terms on the procedural debate I am setting out the coalition's concerns and on the procedural matter the reasoning why the government is trying to ram this legislation through. Of course I am not going to take the full allocation of 30 minutes – as painful as it is for me, as I am sure you can all imagine – because I know that we will be debating this later and many of my colleagues would like to debate this legislation, but it is an important opportunity to put on record how quickly this government is trying to ram through this legislation. It is weak and it is full of loopholes, and that is why this legislation is being pushed through this chamber. It is important to note that. It is important for the house record to record that. The coalition has been calling for serious laws, for serious action and for serious consequences in this state for years. In fact we have drafted legislation and given it to the chamber to try and ask – to try and plead, frankly, with this government to seek action, so I do think it is important to put on record in this procedural debate that

we are concerned about the way the government is managing this legislation. We understand what they are doing. We understand why they are trying to hide the fact that this legislation is weak and full of loopholes. We will, as you pointed out, Speaker, be making that debate in substance later today, when the government has indicated to us that this bill will be very, very briefly debated – very, very briefly – and we will talk about that in the government business program debate. But we did want on record our concerns about the way this legislation is being managed and our concerns with it.

**Tim RICHARDSON** (Mordialloc) (12:19): This is an extraordinary set of circumstances where those opposite, who claim to be the thought provokers of this, have then the audacity to block debate by members of this Parliament on the very bill that would be –

*Members interjecting.*

**Tim RICHARDSON**: By time – commitments that those opposite have complained will be taken away from a piece of legislation coming forward. What is the point of establishing a procedural motion here, a procedural motion to hold up the substantive nature of the debate? What is the point of this? What is the tactic that has gone into this that suggests that we should chew up the Parliament's time on whether or not –

**James Newbury** interjected.

**Tim RICHARDSON**: Well, those opposite brought on in their tactics the procedural motion. The geniuses on that side cannot find a role for the member for Sandringham or the member for Brighton in a Treasury capacity. The Leader of the Opposition needs to do everything. Clearly, tactics are also under the command of the Leader of the Opposition –

*Members interjecting.*

**The SPEAKER**: Member for Nepean, this is your last warning.

**Tim RICHARDSON**: because to bring on a procedural motion now only strangles the time to speak on the bill.

**Sam Groth** interjected.

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

**Member for Nepean withdrew from chamber.**

**Brad Rowswell**: On a point of order, Speaker: relevance.

**The SPEAKER**: I ask the member for Mordialloc to talk to the procedural motion before the house.

**Tim RICHARDSON**: We have gone 22 minutes into this sitting week of three days, and we have a situation where the coalition has brought a procedural motion that the member for Brighton is suggesting that he is regretting in this circumstance right here today. He is now saying that their time on this legislation will be confined and their time in this place dedicated to this important bit of legislation. They are now narrating – ironically, Speaker, because I know that you have sat here and listened to debate after debate – that it has been rushed through after saying that we were not bringing it forward. Now they are saying it is being rushed through. You could not get a more contradictory, out-of-control strategy. It is literally 22 minutes in –

**Brad Rowswell**: On a point of order, Speaker, I renew my earlier point of order.

**The SPEAKER**: On the point of order, member for Mordialloc?

**Tim RICHARDSON**: The abuse of tactics of using a procedural motion to constrain the discussion on government business –

*Members interjecting.*

**The SPEAKER:** Order! On the procedural motion, member for Mordialloc.

**Tim RICHARDSON:** We have a situation here where the member for Brighton is putting forward that this is being rushed through after those opposite have claimed time and time again that this needs to be brought on as soon as possible. Here we are today on one of the last sitting weeks when we are bringing forward this important legislation for discussion on behalf of Victorians, and how important this legislation is. The work that has been done to get to this point requires a situational urgency like the Premier has talked about and like the Attorney-General has talked about. That is why the urgency of this motion and the urgency of the work that has been done is on behalf of Victorians. Its time, its passage and its capacity require that as well, not the ventilations from the member for Brighton that were put forward but listening directly to people that have been impacted to bring this discussion on behalf of Victorians.

That is what this important legislation will do, that is what we have been charged with and that is what a compassionate, inclusive leader like the Premier and an amazing Attorney-General do in bringing that forward and having flexibility in the work that has been done, not some of the tactics that we see from those opposite that are all over the place and some of the ventilations from the member for Brighton around intentions here. We are not about the politics here; we are about the outcome. When you see procedural motions put forward, when you see some of those opposite hypothecating, ventilating, sniping and all kinds of different things, you see what it is really about. Some of these actions from those opposite, where tactics are out of control on that side, are looking pretty flat. There are a few out the back there I am really worried about. I will be asking for a cup of tea a bit later on.

**Brad Rowswell:** On a point of order, Speaker, I renew my point of order once removed.

**The SPEAKER:** Member for Mordialloc, on the point of order?

**Tim RICHARDSON:** I was going to say it really slowly, with lots of purpose and looking up to the camera. No, I will come back to relevance –

**The SPEAKER:** Member for Mordialloc, you can resume your seat. The member for Mordialloc will stay in his seat.

**Gabrielle DE VIETRI (Richmond) (12:24):** I rise to speak against this motion. This bill is not urgent and the government should go through the normal bill process. What does seem urgent is the Premier's desperation to be re-elected. Like so many responses to community safety, the major parties' political judgement seems to get more tunnel-visioned, more narrow-minded and more punitive the closer it gets to an election. This is what happened in 2018. This is what happened in Queensland, where Labor and the Liberals engaged in a race to the bottom that hurt the most vulnerable and disadvantaged in their community. And we are seeing it again here in Victoria, just a year out from an election that is now pushing this government into a crime and punishment, more prisons, more police perspective, without caring about the impacts that this will have by reducing community safety now and in the long term.

These changes that they are trying to get rushed through – I will not call them reforms because they are shockingly regressive – not only threaten to breach our own charter of human rights and responsibilities but they would also directly conflict with Australia's binding human rights obligations under international law, including the United Nations Convention on the Rights of the Child, which require that imprisonment be a last resort and that children be treated according to their developmental capacity. Now, barely a year since this Parliament passed the Youth Justice Act 2024 –

**Sonya Kilkenny:** On a point of order, Speaker, I appreciate that the member for Richmond is on her feet and I was reluctant to interrupt. However, this is a procedural motion, and I do ask that the member comes back to the procedural motion before the house.

**The SPEAKER:** I remind the member for Richmond that this is a procedural debate and to stick to the procedure of introducing a bill.



**Gabrielle DE VIETRI:** The reason why this bill is not urgent and that the government should go through the normal processes is because it has been barely one year since the Parliament passed the Youth Justice Act 2024, which explicitly states that imprisonment be used as a last resort here in Victoria. Now this government is suddenly deciding that it is absolutely urgent to wind back its own reforms? How on earth can you trust this Labor government and Jacinta Allan as Premier with this absolute backflip that they are now saying is absolutely urgent?

In this bill that is being proposed, children aged 14 to 17 found guilty of committing aggravated burglary or aggravated carjacking could be sentenced to life in prison. Should we be rushing that? Should we be rushing through that kind of life-changing law? That is sentencing that is equivalent to murder. This bill will send children who allegedly commit a range of offences to the County Court rather than the Children's Court, and that will mean that children will not be seen by magistrates who have specialisation in child development.

**The SPEAKER:** Order! Member for Richmond, this is a procedural debate. I ask you not to stray into discussion of the bill.

**Gabrielle DE VIETRI:** Should we be rushing through a bill that does all of these things? Is it really that urgent that we cut down the time that we have to examine this bill for consultation with the relevant human rights and community legal organisations, with those advocates and experts who know exactly how this bill will impact those who are most vulnerable? Should we be rushing that through? Is that the kind of government that this is?

Real community safety comes from addressing the causes of youth offending, and rushing this bill through will not address them. Poverty, trauma, racism, social isolation, insecure housing, lack of support – real community safety comes from addressing these things, and this government is not rushing that through. Community-led, culturally safe, trauma-informed programs keep children connected to school, family and culture and reduce reoffending. These services work, and yet they remain critically underfunded. The Victorian Labor government is not rushing through any of those things, but they are rushing in more police and more prisons and they are increasing the budgets to those areas. Victoria must invest urgently in early intervention, in diversion, in prevention and not rush through measures that are proven to entrench cycles of harm.

**Sarah CONNOLLY (Laverton) (12:29):** I was quick to stand on this one; I would not say rushing to stand on it. What I would say to the member for Richmond in following her contribution is that this is not a matter of rushing through legislation, this is about getting things done. Even though the member for Richmond has only been in this chamber for the last three years – and part time, I must say – she will very soon realise that Labor governments on this side of the house get things done, and that is exactly what we are doing with this bill.

I cannot wait to speak on this bill. My community and people in Melbourne's west – people in the real world, people that the member for Richmond should spend more time hanging around and talking to and she would have a much better understanding of what people in the real world are saying about this – want to see this bill go through. They are tired of the talking, they are tired of the squabbling and they are tired of the political pointscoring of those opposite. They want us to get on and move this bill, to talk about this bill and get it through this place and become law, and I cannot wait to stand and make a contribution on this bill later today. This is about getting things done. Sometimes, yes, it has to be done quickly, and we are going to be doing it this week. This bill is something our community want to see, and they can rely on this side of the house to have their back and get this done.

**Will FOWLES (Ringwood) (12:30):** It has been suggested by members of the government that this is about moving quickly. We have a situation with this bill, with this disgraceful process, that we have gone from press release to in three weeks putting a bill in the chamber, and yet suddenly we have to ram through the bill with 2 or perhaps 3 but probably 2 hours of debate. We got the bill at 3 o'clock yesterday. We were briefed on it at 10 this morning. This is being done with unseemly haste, and the

only justification for the outrageous haste is politics. It has got nothing to do with the policy, because if you look at the policy side of this there is almost no justification for what the government is proposing. For 11 years the government has taken a range of actions which stand strictly in contrast to the content of this bill, and there is no justification for it being rammed through in this way. I cannot remember a time in my seven years in this place when a bill has been introduced and bashed through both houses in the same week, perhaps one of the pandemic emergency bills – perhaps. This is not an emergency – make no mistake. We are talking about substantial reforms to the justice system. We are talking about substantial reforms to youth justice and sentencing, and yet there is no evidence base for it. There is not even an opportunity to discuss the evidence base for it or the lack of an evidence base for it, because here we have a government ramming through a bill with almost no debate. It is an absolute disgrace.

I am sure there are members of the government caucus who do not support the bill. I mean, if you believe the press speculation, the Attorney-General herself does not support the content of this legislation, but there will be plenty of members over there who would stick to their principles and say, ‘We don’t agree with the substance of this bill,’ because for the last 11 years they have voted up legislation that stands in strict contrast to the content of this disgraceful piece of legislation.

If it is not bad enough that the legislation is bad, we are now looking at this unseemly haste of jamming through this place with 2 hours of debate a major set of reforms to youth justice in the state of Victoria – a major regressive set of reforms. They are using the most right-wing process that has been used in the life of this government for the most right-wing bill in the life of this government. I am not surprised that coalition members are supporting it going through, because it frankly sits more in their bailiwick to be introducing legislation like this. The paradox is, if Labor were sitting in opposition they would be howling and screaming about this process. They would be howling and screaming about the bill. But because they are on the Treasury benches they are in fact the arbiters of this disgrace. It is an absolute travesty of the processes of this place. It is an absolute betrayal of the working people who put these people into government. It is an absolute betrayal of young people in our state. It is an absolute betrayal of the Westminster traditions of having things properly considered and debated in this place. It is simply not good enough – not good enough for the government to be wedging this through in such an appalling timeframe and not good enough for the government to be turning its back on a whole series of reforms, including reforms led by ministers who are sitting in this chamber today, on youth justice and raising the age. Remember that debate. It was not that long ago where the government was arguing for the polar opposite of the matters contained in this bill. This is a shameful abuse of the parliamentary processes and it is a shameful abuse of those who voted this government in, because this government is now turning its back on 11 years of reforms and unwinding those reforms in a thoroughly disgraceful fashion.

It is absolutely unbelievable that the government is prepared to engage in such base politics in order to secure re-election, or purportedly to secure re-election, and turning its back on the evidence, turning its back on young people, turning its back on Indigenous Victorians, turning its back on a whole range of people who have skin in the game here and turning its back, most importantly, on the evidence.

I disagree with both government and opposition members. This is a bill that should be considered properly. I support the member for Richmond in what she says. This should be considered properly because it is a substantial bill. This is not emergency legislation. It should not be being rammed through the two chambers in this Parliament in the space of a week. This is unseemly haste for an ill-conceived bill that stands in stark contrast to the values that this government purported to be elected on, the values of its membership and the values, I dare say, of a very great number of the government caucus. This bill should not be debated in this way.

**Assembly divided on motion:**

*Ayes (76):* Juliana Addison, Jacinta Allan, Jade Benham, Roma Britnell, Colin Brooks, Josh Bull, Tim Bull, Martin Cameron, Anthony Carbines, Ben Carroll, Anthony Cianflone, Annabelle Cleeland,

Sarah Connolly, Chris Couzens, Chris Crewther, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Wayne Farnham, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Sam Groth, Matthew Guy, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, David Hodgett, Melissa Horne, Natalie Hutchins, Lauren Kathage, Emma Kealy, Sonya Kilkenney, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Tim McCurdy, Steve McGhie, Cindy McLeish, Paul Mercurio, John Mullahy, James Newbury, Danny O'Brien, Michael O'Brien, John Pesutto, Pauline Richards, Tim Richardson, Richard Riordan, Brad Rowswell, Michaela Settle, David Southwick, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Mary-Anne Thomas, Bridget Vallence, Emma Vulin, Peter Walsh, Iwan Walters, Vicki Ward, Kim Wells, Nicole Werner, Rachel Westaway, Dylan Wight, Gabrielle Williams, Belinda Wilson, Jess Wilson

*Noes (4):* Gabrielle de Vietri, Will Fowles, Tim Read, Ellen Sandell

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

*Business of the house*

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

**The SPEAKER** (12:41): General business, notice of motion 52 and orders of the day 9 and 10, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 5 pm today.

**Notices given.**

*Petitions*

**Liddiard Street, Hawthorn, pedestrian safety**

**John PESUTTO** (Hawthorn) presented a petition bearing 10 signatures:

**Issue:**

This petition of residents in Victoria draws to the attention of the Legislative Assembly As a resident of Hawthorn with young children. I find walking down Liddiard St (Hawthorn), extremely unsafe. It has very tight footpaths, cars drive down Liddard St at a very fast pace and there are many young children (and young adults with Swinburne Uni) that live around this area.

**Action:**

The petitioners therefore request that the Legislative Assembly call on the Government to install a pedestrian crossing on Liddiard St Hawthorn or to reduce the speed limit to 40 km/h permanently.

**Ordered that petition be considered tomorrow on motion of Wayne Farnham.**

**Melton police resources**

**Luba GRIGOROVITCH** (Kororoit) presented a petition bearing 457 signatures:

**Issue:**

This petition of residents in Victoria draws to the attention of the Legislative Assembly the City of Melton, is one of the fastest growing municipalities in Australia with rapid population growth. There has been an increase in crime recorded in the region and residents are increasingly feeling concerned about community safety.

**Action:**

The petitioners therefore request that the Legislative Assembly request that the Government urgently review policing needs in the City of Melton and make Caroline Springs a 24-hour Police Station.

**Ordered that petition be considered tomorrow.**

**Davey Drive–Princes Highway, Trafalgar, traffic lights**

**Wayne FARNHAM** (Narracan) presented a petition bearing 75 signatures:

**Issue:**

This petition of residents in Victoria draws to the attention of the Legislative Assembly To the Hon. Minister for Roads and Road Safety and the Victorian State Government,

We, the undersigned residents and concerned members of the Trafalgar and West Gippsland community, urgently call on the State Government to prioritise and fund the installation of traffic lights at the intersection of Davey Drive and Princes Highway, Trafalgar.

This intersection has become increasingly dangerous for both motorists and pedestrians, especially during school pick-up and drop-off times. Families, elderly residents, and school children regularly struggle to cross safely, putting lives at risk every day.

A recent Road Safety Study conducted by the Department of Transport has formally acknowledged the need for traffic lights at this location to improve road safety. The study confirms what locals have been saying for years – this intersection poses a serious hazard.

We are now seeking community support to ensure that this project receives the necessary funding in the 2026 State Budget.

**Action:**

The petitioners therefore request that the Legislative Assembly install Traffic Lights on the Princes Hwy and Davey Drive Trafalgar. DTP have already done due diligence and have agreed that the intersection is a high priority for the installation. Hon Melissa Horne MP has acknowledged the need we now need the funding to implement the infrastructure.

**Ordered that petition be considered tomorrow.**

**Emergency Services and Volunteers Fund**

**Richard RIORDAN** (Polwarth) presented a petition bearing 845 signatures:

**Issue:**

This petition of residents in Victoria draws to the attention of the Legislative Assembly to the increase of emergency volunteers fund (old fire service levy).

**Action:**

The petitioners therefore request that the Legislative Assembly abolish any change to the fire service levy. If passed this tax will disadvantage rural Victoria costing our primary producers thousands of dollars annually.

**Ordered that petition be considered tomorrow on motion of Wayne Farnham.**

*Committees***Scrutiny of Acts and Regulations Committee***Alert Digest No. 17*

**Gary MAAS** (Narre Warren South) (12:49): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 17 of 2025, on the following acts and bills, together with appendices:

Control of Weapons Amendment (Establishing Jack's Law, Use of Electronic Metal Detection Devices) Bill 2025

Justice Legislation Amendment (Vicarious Liability for Child Abuse) Bill 2025

Justice Legislation Further Amendment (Miscellaneous) Bill 2025

Local Jobs First Amendment Act 2025

Victorian Early Childhood Regulatory Authority Act 2025

Worker Screening Amendment (Strengthening the Working with Children Check) Act 2025.

**Ordered to be published.**

**Electoral Matters Committee***Inquiry into the 2025 Prahran and Werribee By-Elections**Inquiry into Victoria's Upper House Electoral System*

**Dylan WIGHT** (Tarneit) (12:50): I have the honour to present to the house two reports from the Electoral Matters Committee: a report on the inquiry into the 2025 Prahran and Werribee by-elections, together with an appendix, extracts from proceedings and transcripts of evidence; and a report on the inquiry into Victoria's upper house electoral system, together with an appendix, extracts from proceedings, minority reports and transcripts of evidence.

**Ordered that reports, appendices, extracts from proceedings and minority reports be published.**

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

Auditor-General – Report on the Annual Financial Report of the State of Victoria: 2024–25 – released on 24 November 2025

Fire Services Implementation Monitor – Report 2024–25 (*replacement for copy tabled on Tuesday 18 November 2025*)

Judicial Entitlements Panel – Own motion recommendations report 2025

*Parliamentary Committees Act 2003* – Government response to the Integrity and Oversight Committee's report on the Inquiry into the Performance of the Victorian integrity agencies 2022–23 – released on 1 December 2025

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

Glen Eira – C276

Greater Geelong – C480

Greater Shepparton – C251

Mansfield – C57 Part 1

Melbourne – GC243

Mildura – C127

Port Phillip – GC243

Stonnington – C359

Towong – C42

Victoria Planning Provisions – VC298, VC301

Wangaratta – C86

Statutory Rules under the following Acts:

*Agricultural and Veterinary Chemicals (Control of Use) Act 1992* – SRs 119, 120

*Building Act 1993* – SR 125

*Drugs Poisons and Controlled Substances Act 1981* – 124

*Funerals Act 2006* – SR 121

*Residential Tenancies Act 1997* – SR 123

*Retirement Villages Act 1986* – SR 122

*Subordinate Legislation Act 1994* – Documents under s 15 in relation to Statutory Rules 113, 117, 121, 122, 124 and 125.

*Bills***Victorian Early Childhood Regulatory Authority Bill 2025***Council's agreement*

**The SPEAKER** (12:52): I have received a message from the Legislative Council agreeing to the Victorian Early Childhood Regulatory Authority Bill 2025 without amendment.

**Early Childhood Legislation Amendment (Child Safety) Bill 2025***Council's amendments*

**The SPEAKER** (12:52): I have received a message from the Legislative Council agreeing to the Early Childhood Legislation Amendment (Child Safety) Bill 2025 with amendments.

**Ordered that amendments be taken into consideration later this day.**

**Consumer Legislation Amendment Bill 2025****Parks and Public Land Legislation Amendment (Central West and Other Matters) Bill 2025****State Taxation Further Amendment Bill 2025****Victorian Early Childhood Regulatory Authority Bill 2025****Voluntary Assisted Dying Amendment Bill 2025****Restricting Non-disclosure Agreements (Sexual Harassment at Work) Bill 2025***Royal assent*

**The SPEAKER** (12:52): I inform the house that on 25 November 2025 the Lieutenant-Governor gave royal assent to the Consumer Legislation Amendment Bill 2025; the Parks and Public Land Legislation Amendment (Central West and Other Matters) Bill 2025; the State Taxation Further Amendment Bill 2025; the Victorian Early Childhood Regulatory Authority Bill 2025; and the Voluntary Assisted Dying Amendment Bill 2025. Today the Governor gave royal assent to the Restricting Non-disclosure Agreements (Sexual Harassment at Work) Bill 2025.

**Justice Legislation Amendment (Vicarious Liability for Child Abuse) Bill 2025****Justice Legislation Further Amendment (Miscellaneous) Bill 2025***Appropriation*

**The SPEAKER** (12:53): I have received messages from the Governor recommending appropriations for the purposes of the Justice Legislation Amendment (Vicarious Liability for Child Abuse) Bill 2025 and the Justice Legislation Further Amendment (Miscellaneous) Bill 2025.

**Restricting Non-disclosure Agreements (Sexual Harassment at Work) Bill 2025***Clerk's corrections*

**The SPEAKER** (12:53): Under joint standing order 6(1), I have received a report from the Clerk of the Parliaments that she has made the following correction in the Restricting Non-disclosure Agreements (Sexual Harassment at Work) Bill 2025. Council amendment 2, agreed to by the Assembly, inserts the words 'and acknowledgment' after the word 'agreement' into clause 10 of the bill. She has inserted another 'e' into the word 'acknowledgment' so that it reads 'acknowledgement'. The correction ensures the spelling of the insertion is consistent with the wording in the rest of the bill.

*Business of the house***Program**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (12:54): I move:

That, under standing order 94(2):

- (1) the order of the day, government business, relating to the Justice Legislation Amendment (Community Safety) Bill 2025 be considered and completed by 5 pm on 2 December 2025; and
- (2) the orders of the day, government business, relating to the following bills be considered and completed by 5 pm on 4 December 2025:

Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025

Justice Legislation Amendment (Vicarious Liability for Child Abuse) Bill 2025.

While this is the last full sitting week of the 2025 year, we have some very significant and important bills to debate in this place this week. The Allan Labor government is absolutely committed to working hard every day to respond to the needs of the Victorian community and to ensure that we use our time in this place to legislate to address those needs. That is why we have a very important bill that we are debating today, the Justice Legislation Amendment (Community Safety) Bill 2025.

There is absolutely no doubt that the Victorian community is looking for government to do more when it comes to addressing issues regarding community safety, but it is also very clear that the Victorian people want our government to do everything that we can in order to reduce crime before it happens and particularly to target young offenders and ensure that we can divert them from criminal pathways and create an environment where they can become productive members of our society. Nonetheless when we have children who are committing brazen, violent crimes, our government believes that they should face serious consequences in the justice system. The Premier and the Attorney-General announced that we would implement our adult time for violent crime policy via a bill, and we have turned that bill around and brought it to this house. We will debate it today, such is the seriousness of the issue and our government's commitment to addressing this issue of real concern for people in Victoria. We are absolutely committed to boosting community safety. We believe that all Victorians should feel safe in their homes, in their workplaces and out on our streets, enjoying all that our great city and state have to offer, and that is why this bill will be debated today.

Another very important justice bill is the Justice Legislation Amendment (Vicarious Liability for Child Abuse) Bill 2025. I know that there are many members on this side of the house who will want to make contributions to this bill. It will also enable them to reflect on our government's longstanding commitment to addressing institutional child abuse head on. We have already taken a number of significant steps, and we have been a leader in implementing reforms from the Royal Commission into Institutional Responses to Child Sexual Abuse. This bill that is to be debated today works directly to address the impacts of *Bird v DP*. The decision of the High Court in *Bird v DP* overturned a decision of the Victorian Supreme Court, upheld by the Court of Appeal, that extended vicarious liability to relationships that are akin to employment. This bill is designed to close a loophole that has allowed organisations to evade accountability because their abuser was not formally employed. We are not going to stand by and allow this loophole to continue. That is why this bill is in this place this week to be debated in this chamber.

Finally, the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025 delivers on a commitment that was made to introduce legislation to amend the principal act to include a trailing liability scheme for rehabilitation of declared mines, which are currently the three Latrobe Valley coalmines.

**Martin Cameron** interjected.

**Mary-Anne THOMAS:** I look forward to the member for Morwell speaking effusively in support of this bill. This is part of our government's commitment at all times to the people of the Latrobe Valley, people who this government has worked tirelessly for to ensure that we have a just transition as we see the selling up of old coal-fired power stations by the private sector and the necessary transition to renewable energy. Mine rehab and post-closure arrangements should be funded by mine licensees. This is a really important government business program, and I commend it to the house.

**James NEWBURY (Brighton) (13:00):** The coalition will be opposing the government business program. It is another instance of the government mismanaging the chamber. As we spoke about earlier today, the coalition of course will not be opposing the legislation in relation to the 'adult time for adult crime' legislation that will be considered later today. However, we are concerned by the way the government is managing the chamber.

Can I have just a moment's indulgence, noting that it is the final government business program for the year, to say that I think it is important that the house acknowledges the incredible work of the people in this chamber and more broadly the Parliament to make this place operate throughout the year. The coalition want to put on record our thanks to the clerks. The clerks are incredible people. We just heard only a moment ago of the Clerk of the Parliaments picking up an issue in a particular amendment that came through both chambers. The clerk picked up a small issue in that amendment post the fact, which just goes to show, I think, the incredible work that the clerks do in picking up things that perhaps we have not picked up and perhaps the government has not picked up. They are working at all hours to make sure that the legislation that goes through the chamber is as good as it should be for Victorians. But more broadly, when we sit late hours, the clerks are here, and so too are the attendants. The attendants are here working incredibly hard to support us and support the Parliament's operation. To the security staff, who keep the building safe, and more broadly all of the staff – the Hansard staff and every single member of parliamentary services who makes sure this Parliament operates – thank you for everything that you do. You do an incredible job.

Beyond just the parliamentary staff, to all of our own staff in terms of members of Parliament, thank you very much for the work that you do throughout the year. I know in my own office I have an incredible staff. Elouise Ager my office manager, Allie Hawkins, Victoria Morgan and Edward Bourke work very, very hard. I am sure that is so not just in my office but in all of our offices. I am sure every member of Parliament would thank their staff for the work that they do in ensuring that we have the information and the support that we need in terms of communicating with our constituency, ministers and their staff in terms of the work they do as well more broadly. I think we should all take the opportunity, with this being the last government business program, to thank all of them for the work they do and, as I said earlier, parliamentary staff for their incredible work. We have had a number of sitting days this year where we have sat very, very late without any anticipation of doing so, and those staff have been here, so thank you.

The coalition will not be supporting the government business program, because of the haphazard way that the government is proposing to manage this week. We raised concerns about that in an earlier debate, but we will be raising concerns now through the government business program procedural motion that the government is mismanaging this chamber yet again. That should not reflect on the substance of the matters to be dealt with. Two of those bills I will be speaking to in more detail, one of them today, and we will unfortunately not get the opportunity to debate it in the time that we should, because of the 5 o'clock guillotine, so the coalition will be opposing the government business motion.

**Lauren KATHAGE (Yan Yean) (13:05):** I rise to speak in support of the government business program. I would like to reflect on and thank the member opposite for his quiet, considered, dulcet tones as he opposed the government business program, because it reminds me of a story I know well, *Goldilocks*, because today it is too fast and last week it was too slow. Which one is it? I know today those opposite are coming in to say, 'Whoa, whoa, whoa, Nelly, this is too fast,' where previously they were whipping the horse. I would like to say that they need to stop flogging that horse, because we are here to do what the community has asked us to do. I note that they have already wasted 30 minutes of



talking with the procedural motion, when my community have said to me they are sick of talk. They do not want talk. They do not want the politics that we continue to see from those opposite. They want action, and that is what we are delivering with this government business program – the program that those opposite are opposing. They do not want us to bring the community safety work to this place today. They are opposing it. They do not want it here, which means in effect, they think it should be next year, after Christmas. They want to leave for the Christmas period without the work being implemented. I think that shows you that for those opposite it is about talk, it is about politics but it is not about action.

When I look at the government business program for this week, to me, I can really see that each of the bills we are talking about are about securing a safer and better Victoria for the children. We can see, for example, with the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025 that we want our children and the future generations of Victoria to have a good environment left to them and that after the profits are taken and the stations are powered down we return to the natural state that people can walk through and enjoy. I come from a coalmining family, so of course we love to see people doing well in that industry. Now that the investment is moving on to renewable energy, we would like to see those places returned to how they were.

We want children to be safe from crime, and we do not want children to be committing crime. We want to give them a good future. That is why we have our Justice Legislation Amendment (Community Safety) Bill 2025 today, so that on the one hand children are protected from being victims of crime, and children are also prevented from becoming perpetrators of crime. These are two key things that we are achieving there for children. And of course as we heard the Leader of the House say, there are organisations who are evading accountability for harming children. There is a lack of equity for victim-survivors based on the employment status of their abuser. As the Leader of the House said, that is a loophole that we will be closing through our work this week, because we want children to be safe when they are under the care of other organisations and we want there to be stronger deterrents and incentives for organisations and churches to be child safe, and these organisations should redouble their efforts to make sure that every child is safe when they are in their care.

So you can see what I am saying: that each of these bills supports a safer, fairer, more equitable and greener Victoria for our children today and also for the future generations of Victorians who are coming. That is why I am really proud to stand here as a member of the government supporting this government business program. Whatever fairytales those opposite want to believe or spin, story time is finished for them, and we are getting on and getting the job done.

**Jade BENHAM** (Mildura) (13:10): Story time has not finished, not at all. Let us be a little bit more enthusiastic about what was supposed to be the last full sitting week and full government business program of this Parliament for this year. Alas, time management in this place is a shambles, a shemozzle if you will. In fact I looked up 15 other words for ‘shemozzle’. Shall I go through them? It is not the bills that are on the business program that we are opposed to, as the Manager of Opposition Business said, it is the time management in this place and the hypocrisy that comes about when we are having an extra sitting day, after being called back for an extra sitting week, and yet when the member for Kew proposed during the winter break to return to Parliament early and have an extra week then to fix the childcare crisis we could not do that. That would have been a better idea, to come back from holidays earlier and get all of this stuff sorted out, because the community was crying out for all of these changes then too. It has taken until now and a downward turn in the polls to understand that these things need to be changed. The time management in this place is a shemozzle, it is unstable, it is a madhouse, it is bedlam, it is a circus, it is a dog’s breakfast, it is a maelstrom, if you will.

Turning to the bills on the program for this week, the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025 is largely to do with coal overlays, and I know my good friend and colleague the member for Morwell will be championing at the bit to contribute to that bill, which is of great interest to the people of the Latrobe Valley. The justice bills that are also on the

program for this week are of great interest to every Victorian. Albeit 18 months too late, this is a step in the right direction.

It is not a case of those on this side of the house opposing the bills. On the contrary, we oppose the absolute circus that this chamber has become and the time management or lack thereof. I spoke about this a few weeks ago. If there had been a bit of foresight or recognition that the Victorian community has been crying out for changes in justice legislation for the past three years at least, then we could have got this done without having to have extra sitting weeks and extra days, to introduce bills and then debate them and guillotine them on the same day, which makes an absolute mockery of the Westminster system of government and the conventions that go along with it. We hold those conventions and the Westminster system in this state and in this nation dear; they are sacred, and they should not be contradicted and made a mockery of like the Allan Labor government has done. That is what we are opposed to, so yes, we will once again oppose the government business program.

But I will follow the Manager of Opposition Business in thanking the staff and the clerks who have put in a huge effort and who pivot at any given time to make sure that these changes, these swift changes, and the diversion from convention can be accommodated. For that, they should be absolutely applauded.

We will be opposing the government business program, not because of the bills in it but because of the – let me find another one – absolute clamour that this chamber has become. Not only that, when you have to return for one day from the north-west of the state, logistically, and selfishly for me, it is not easy. I am 6 hours away and to return for one day when there is a school awards program is quite difficult. A bit of pre-planning and forethought on these things would be much appreciated, as would a – what is the word I am looking for; I have not got my thesaurus up now – uniformity or a commitment – that is the word I am looking for – to the conventions of the Westminster system of Parliament, which is far from what we have seen in this chamber thus far.

**Pauline RICHARDS** (Cranbourne) (13:15): I am very pleased to speak in favour of this true Labor government business program. I am very much looking forward to getting out my thesaurus, because I was interested in hearing the member for Mildura use a thesaurus to consider chaos, when it appears to me that chaos might have been the language that has been used by many members of the Victorian community to refer to their partners in the coalition, the Liberal Party.

**Will Fowles**: On a point of order, Deputy Speaker: relevance.

**The DEPUTY SPEAKER**: There is some rebuttal, but the member for Cranbourne to return to the government's business program.

**Pauline RICHARDS**: I was taking up the language that was used and referring directly to the language used by the member for Mildura. But boy, am I very pleased to be able to speak about how hard working this government is to deliver on the types of reform and the types of absolute priorities that we are focused on, which are the same priorities as the community that we serve. Before I speak about the hundred pieces of legislation that have been passed since our Premier stepped into the role of serving the community as the Premier, I do want to say how relieved I am that it appears the casting call behaviour of those opposite who were looking to audition for roles appears to have come down a notch as we speak to the bills in front of us rather than this high-octane banging of the table that we have certainly seen in the last couple of weeks.

I do pay credit to the extraordinary work of the ministers in government, and I do need to particularly call out the Minister for Climate Action, Minister for Energy and Resources and Minister for the State Electricity Commission, because once again we have another piece of legislation that speaks to the important work that happens in our mineral resources sector. This Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025 has been brought forward again to make sure that our state is nurtured and cared for in a way that balances perhaps what those on the crossbench from the Greens political party and those opposite might sometimes come at cross-purposes and have

different views on. Once again we are going to have the opportunity to debate, ensuring that our energy system is sustainable, that we do care for the future and that we have all of the levers in place to make sure that our mining sector does take responsibility and step in for rehabilitation.

I am very pleased that the member for Wendouree is here, and I do pay credit to the member for Frankston for the extraordinary work in ensuring that this Justice Legislation Amendment (Vicarious Liability for Child Abuse) Bill 2025 is here for us to consider this week. This is really difficult subject matter. The complexity of the issues that have been canvassed and the way that we bring legislation to this place are navigated to ensure that people are cared for and looked after in what we know to be the most difficult and awful experiences. Ensuring that we amend the Wrongs Act 1958 to retrospectively and prospectively expand vicarious liability for child abuse from employment relationships is something that I am proud of. I do particularly want to pay credit to the Attorney-General for the hard work that has gone into this and also acknowledge other members in this place and particularly the burden and pain that this has brought to their communities. As we have heard today, I pay credit to those who have made the case for why we do need to respond with important legislation that ensures our community can stay safe. There is a little bit of speaking out of both sides of their mouths from those opposite, as I think was perfectly articulated by the member for Yan Yean, who pointed out the way that people say we are too fast or we are too slow. We are just right; she is right.

**Chris CREWTER** (Mornington) (13:20): I rise to speak on the government's business program today, but, like the member for Brighton, I want to start by seeking your indulgence, in what might be my last chance to speak on this this week, to thank the Speaker, to thank you as the Deputy Speaker and to thank the speaking panel and all the clerks and staff of the Parliament who do such a great job not only this week but throughout the whole year. In addition, I would like to thank all the MPs and their staff as well. As a whip, I have to work closely with whips across many different parties, so I would like to acknowledge the member for Mildura from the Nationals; of course the member for Cranbourne; the member for Narre Warren North, who put up with me, from the Labor whips panel there; and also the member for Richmond from the Greens; indeed we have to work closely together to ensure that this Parliament operates smoothly. In addition of course there are a few others that I work with from across the chamber, so thank you to them as well, including the Leader of the House and the Manager of Opposition Business.

I would also like to acknowledge my own team: I have Donna, Rob, Massimo and Bec who make up my part-time and full-time staff; they have been with me for three years now, and consistently – knowing the stress of Parliament, the fact that they have stuck with me for those whole three years is a credit to them. In addition to that I have a number of casual team members like Val and Susanne who have also been with me for three years, and in addition 18-year-old Taj, who started with me this year, and Daniel, who both work on a casual and volunteer basis.

Going now to the government business program, we are of course opposing the government business program. This has been a shambles, as we have seen not just this week but in a number of weeks this year. Once again, we had a government business program sent out with the Justice Legislation Amendment (Vicarious Liability for Child Abuse) Bill 2025 and the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025 on Thursday evening, but then last night we got an updated government business program, also adding the Justice Legislation Amendment (Community Safety) Bill 2025, and once again we will have insufficient time to properly debate that, with the guillotine occurring and divisions at 5 pm today with minimal debate. This indeed reflects this year where we have had an extra sitting week. We have had sittings that have run to 2 am on a number of occasions. We also have an extra sitting day next week. It shows the disorganisation when it comes to this Labor government.

Now I want to go into the bills that are up this week. We of course have the justice legislation amendment bill with vicarious liability. The High Court's decision in *Bird v DP* created real uncertainty for survivors whose abuse occurred in institutions where the perpetrator was not

technically an employee. There are good arguments to ensure that institutions cannot escape accountability simply because of how they choose or chose to structure their staff and arrangements., yet if the government was serious about good lawmaking it would ensure sufficient time this week for a detailed, careful consideration that such a complex bill deserves, including its interaction with existing abuse and limitation statutes and the practical implications for community organisations, churches, schools and government bodies; instead we get a program that squeezes debate and shuts down opportunities for proper scrutiny in consideration in detail, and there is a big risk that while intentions are good, we can have potential unintended consequences.

Now to the mineral resources bill, and on the face of it the objective sounds okay – a trailing liability scheme to make sure the big Latrobe Valley coalmines, Hazelwood, Yallourn and Loy Yang, are properly rehabilitated. However, when you read the detail in this bill it goes much further; it creates a new callback power where the minister can issue remedial directions to former licensees and related entities, potentially years after they have left the site, forcing them to carry out or pay for rehabilitation. This can capture anyone with a significant financial benefit or influence, and yet the government has carefully exempted itself, its agencies, state-owned enterprises and local government. So there is a lot more here that we should have a lot more time to debate.

Lastly, what has been added to this government business program at the last minute is this so-called adult time for violent crime bill: the Justice Legislation Amendment (Community Safety) Bill 2025, which was introduced only last night. This government has no credibility when it comes to fighting crimes, and Victorians cannot trust them when we have had weakened consequences, weakened bail laws, gutting of police and so much more over the last few years.

**Ellen SANDELL** (Melbourne) (13:25): (*By leave*) The Greens will also oppose the government business program as a matter of democracy but also as a matter of principle. Two hours is absolutely not sufficient time for a debate, particularly when on the government business program we have a harmful, panic-fuelled crime bill to put kids through the adult court system and jail them for life, which is being rushed through today with unprecedented speed and lack of consultation. This bill does not warrant urgent passage through this Parliament. There is no justification for bypassing the standard scrutiny and deliberation that every piece of legislation should receive, particularly legislation that is going to fundamentally change the way that kids are dealt with through our court and prison systems. What is being treated as urgent by this Labor government, however, is the Premier's campaign timetable and her desire to win an election.

As we edge closer to an election, the government – joined, as usual, by the opposition and the headlines in the *Herald Sun* – are reaching for the same tired, punitive playbook that surfaces every single election time here in Victoria and makes crime a political football, but at whose expense? At our children's expense, and at the expense of our morals here in Victoria. These changes drag Victoria backwards. They contravene our own Charter of Human Rights and Responsibilities and are irreconcilable with Australia's international human rights obligations. Under this bill children will be put through the adult court system, where they could face life sentences – children. And we know that these laws will have a disproportionate impact on First Nations children as well as children from other marginalised communities – children who are already over-represented in our prisons because of systemic racism, disadvantage and discrimination.

The thing is, the evidence shows that these punitive, harsher sentences do not even work to keep our community safe – they do not even work – and Labor is doing them anyway. In fact these kinds of punitive laws with harsher sentences just push young people – the evidence shows this – further into reoffending. But Labor does not seem to care about this. They do not seem to care about the evidence or the facts when it comes to these laws. All they care about is getting headlines and panicking in response to a *Herald Sun* headline so that they can win an election to stay in power – but stay in power for what? If this is what the Labor Party stands for now in Victoria, then heaven help us. If the goal is genuine community safety, then the path forward would not be more punitive sentencing that the evidence shows does not work. The member for Yan Yean, someone who I respect and I have worked

with, has said that the Labor Party wants children to 'have a good future'. But putting them through the adult court system where they will spend 25 years to life in prison – is this a good future for these children? There is some real doublespeak happening when it comes to the Labor Party in Victoria at the moment.

We know that real safety comes from tackling the underlying drivers of youth offending. If we wanted to keep the community safe, we would actually look at the root causes of crime, not just the *Herald Sun* headlines. We would look at programs that actually keep young people housed, healthy and engaged with school, family and culture. But what has Labor done? The exact opposite. They have cut these programs. They have cut crime prevention programs. They have not looked to Glasgow and the Scottish model that actually halved violent crime.

**A member** interjected.

**Ellen SANDELL:** No, you have invested \$5 million in those programs. It does not even make up for the money that the Labor Party has cut when it comes to crime prevention. There is some serious doublespeak happening over that side of the chamber on the Labor benches.

Community safety in Victoria is chronically underfunded, mental health is chronically underfunded, alcohol and drug rehabilitation is chronically underfunded. Public housing is being demolished by this Labor government. But do you know what does get the money? Police and prisons. Police and prisons get money from the Labor Party, but community safety, housing, mental health – no, they are at the bottom of the pile. A good government would choose evidence over fearmongering. Instead, Labor is choosing headlines and fear so they can win the election. Do you know who suffers? It is at the expense of children's lives, and I think that is an absolute shame from the Labor Party. We will not be supporting the business program.

**Assembly divided on motion:**

*Ayes (50):* Juliana Addison, Jacinta Allan, Colin Brooks, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (29):* Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Will Fowles, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Rachel Westaway, Jess Wilson

**Motion agreed to.**

***Members statements***

**Metro Tunnel**

**Emma VULIN** (Pakenham) (13:36): Last week I went to visit State Library station to have a sneak peek before the grand opening of all five Metro stations on Sunday. I joined Minister Williams, the member for Sunbury, the CEO of Guide Dogs Victoria Nicky Long and vision impaired Victorians Lucy, Rob and Lucan. It gave us an opportunity to have a tour of the new station and experience the fantastic accessibility features. The stations have escalators and lifts at every entrance, customer service counters, and help points for travellers needing assistance. The stations also have wide

platforms, braille signage, tactile ground surface indicators, hearing loops and accessible and Changing Places toilets. The feedback was that these new stations remove much of the anxiety related to people living with a disability wanting to use public transport independently.

### **Learner driver training**

**Emma VULIN** (Pakenham) (13:37): A recent milestone in our household has been my son getting his learners permit. With nearly 20 hours of driving now under his belt, he is improving as a learner, and I am improving as a learner-driver supervisor, but we can both benefit from some expert advice. That is why we will be making use of the myLearners driving program, which provides an in-car lesson with a qualified instructor to build on our skills. This initiative is free to all supervising drivers and learners aged between 16 and 19 with 10 to 30 hours driving experience. And you can register online through VicRoads. Happy and safe travels to you, Sage, on the many roads that life will take you. I love you, son.

### **Croydon electorate Christmas card competition**

**David HODGETT** (Croydon) (13:37): Today I rise to acknowledge and thank all the children from my electorate who entered my 2025 Christmas card competition. This year we asked primary school children in the electorate to draw a magical Christmas, whilst children aged five and younger could enter our colouring competition, with winners to be featured on my Christmas card. My office was thrilled to receive so many wonderful entries. It is terrific to see so many wonderfully talented young artists from within the community. With so many fantastic entries, choosing the winners was not easy. I would like to congratulate both Grace Lee from Kilsyth Primary School and Elsa from Croydon Primary School, joint winners of the 2025 Croydon electorate Christmas card competition, whose drawings will feature on the front of my Christmas card this year. Grace Lee drew a colourful snow globe filled with presents, candy cones and Snoopy asleep on top, while Elsa drew a happy elf. Also featured on the inside of my Christmas card are drawings by Penny from Good Shepherd Primary School and Lara from Kilsyth Primary School. The winner of the colouring competition was Riley, whose work will feature on the back of my Christmas card. Thank you again to all who entered, and congratulations to our winners and those with featured drawings.

### **Narre Warren South electorate student leadership awards**

**Gary MAAS** (Narre Warren South) (13:39): It is that time of year again when I have the pleasure of visiting the wonderful local primary and secondary schools to present my community spirit and leadership (CSL) awards. This award goes to very well deserving students who have made outstanding contributions to their school and wider community throughout 2025. Local schools nominate students who have displayed kindness, compassion, participation, commitment and leadership. It is the best experience to visit these schools and see the proud teachers, classmates and parents, who gather to celebrate awardees' achievements at an assembly or presentation ceremony. I look forward to the upcoming school visits this month.

I am very proud to announce the following winners of the 2025 CSL awards: Lucille McKenzie from Strathaird Primary School; Vitorina Faavae from Hampton Park Primary School; Anya Hassan from River Gum Primary School; Daksha Ranju from Kilberry Valley Primary School; Frishta Didar from Coral Park Primary School; Nandini Chandapeta from Narre Warren South P-12 College primary school; Ava Waters from Tulliallan Primary School; Desten Seufatu from Courtenay Gardens Primary School; Marli Weston from Lynbrook Primary School; Truc Nguyen from Hampton Park Secondary College; Dakota Barrowman from Lyndhurst Secondary College; and Aleesha Cornford from Alkira Secondary College. Congratulations to them all. These are fantastic winners for all of that work produced. All of these students are so well deserving. We are in good hands with the next generation.

### **Online services**

**Tim BULL** (Gippsland East) (13:40): Many Victorians, mostly seniors, are being left behind by this government's push for online systems only. It is creating a digital divide, discriminating against

those who do not have email, the required devices or the digital literacy levels needed. Seniors are far more vulnerable to online fraud, yet Labor forces them into digital-only systems by removing other options. I will give you four examples of this: Victoria's veterans card requires registration via the Service Victoria app and an email address; the Game Management Authority requires hunters to do their test online; the CFA volunteer exemption is entirely online and very complex, with no paper-based alternative; and the Victorian Seniors Card is an online application only. This discrimination has to stop. We need this government to provide offline alternatives for our senior Victorians.

#### **V/Line services**

**Tim BULL** (Gippsland East) (13:41): Current V/Line services are forcing some passengers to stand or sit in the aisle all the way from Bairnsdale to Melbourne. We have recently had this government announce free weekend travel on V/Line services. I asked the minister if the rolling stock would be provided, and I got no answer, so clearly there is going to be no additional rolling stock. It is a waste of time providing these services when we do not have the capacity to take these passengers.

#### **Raymond Leslie Yates**

**Daniela DE MARTINO** (Monbulk) (13:42): Ninety seconds is simply not long enough to pay tribute to Raymond Leslie Yates, a remarkable man and a giant of the Monbulk community whose passing leaves a profound void. Yesterday we gathered to celebrate his life and hear from those who knew him best across the many roles he held in his 86 years. They were overwhelming in their praise for a man known for his kindness, wisdom and deep commitment to serving others. Every encounter with Ray was a privilege. When he spoke with you, he made you feel like you were the only person in the room, with a smile that travelled all the way to his eyes, and his contributions were extraordinary.

Principal of Monbulk Primary School for 28 of his 38 years there, he left an indelible mark on the thousands of young minds who attended in his time and remembered every single one of their names decades later. Ray ensured that the Building the Education Revolution building at Monbulk Primary was a one-of-a-kind music centre shaped like a grand piano. The Living and Learning Centre exists in Monbulk because of him, as he had the foresight to insist a kindergarten be co-located with the school two decades ago. He served as a Shire of Lillydale councillor for over 20 years, including two terms as president, and he was tireless in his determination to leave this place better than he found it.

He was the embodiment of our community's heart. Beloved husband to Cathie, devoted father to Richard and Samuel, adored stepfather and poppa to Clare, Marcus and their families. On behalf of the Monbulk community, I extend my deepest condolences to them all. In the words of a young person reflecting on his passing, 'If the world was run by Ray Yates, it would be a wonderful place.' Indeed. Vale, Raymond Leslie Yates.

#### **Stonnington City Council**

**David SOUTHWICK** (Caulfield) (13:43): What happened at Stonnington council last night was a disgrace. Instead of uniting the community, they showed division and chaos by not allowing a menorah to be displayed for Hanukkah. This is disgraceful, particularly when the community is dealing with what they have been dealing with, and I call on the council to rethink this appalling decision.

#### **Caulfield Volunteer Awards**

**David SOUTHWICK** (Caulfield) (13:44): Last week we celebrated our Caulfield Volunteer Awards. Forty-two volunteers were recognised across six different categories: community, food relief, sport, health and welfare, spiritual engagement and education. I want to particularly thank the Community Bank Caulfield Park branch of Bendigo Bank for their great support and partnership – Jeff Kagan, the chair; Leah Boulton, board member and my partner in crime in running these awards for a number of years; and Naava Eckstein of the community engagement team – for awarding \$13,000 from the bank to our volunteers. A big shout-out to our winners: Thursday Girls Group Incorporated,

Jodi Webb; Council of Christians and Jews, Alex Kats; Mazon Australia, Joanne Loewy Irons; Maccabi Victoria, Gary Lasky; Mecwacare Jubilee House, Marianne Peisl; B'nai B'rith Courage to Care, Harry Kamien; Parents and Friends of Caulfield Primary School, Yayoi Yamamoto and Maya Bartlett; Young Jewish Professionals, Brian Berger; and Chevra Hatzolah Melbourne, Yumi Friedman. These are great volunteers doing an amazing job for our community. Thank you for what you all do.

### **Metro Tunnel**

**Josh BULL** (Sunbury) (13:45): What a historic and incredibly significant day it was on Sunday to join the Premier, the Deputy Premier, the Minister for Transport Infrastructure and of course outstanding colleagues as so many travelled on the first train through the Metro Tunnel. This was an incredibly significant and important moment for our city and for our state, made possible because of the thousands of workers that have done such a wonderful job in delivering this project, because of Victorians who backed this project at three successive elections and because of so many that have contributed so much to make this a reality and to make this happen. Led by the Premier, this is of course what real and tangible delivery looks like: five new stations, twin 9-kilometre tunnels and a direct connection between the Sunbury line and the Cranbourne–Pakenham line setting our city and our state up for the future, all made possible of course by making sure that we are committing to such a significant and long pipeline of projects. What was most significant, what was most important on Sunday, was to see the elation, the excitement and the incredible response from the Victorian community. I want to thank every single person who has played a role in this project, and I want to thank every single person who loves the Metro Tunnel.

### **Evelyn electorate community organisations**

**Bridget VALLENCE** (Evelyn) (13:46): Christmas is a joyous time of year, and to everyone across my electorate, my local community, I wish you a merry and safe Christmas. But Christmas can be a challenging time for people, especially as cost-of-living pressures are biting harder this year. I want to give a shout-out to the tremendous work of some of our local groups that focus their efforts on those who are doing it tough, determined to ensure that everyone feels valued and can enjoy some Christmas cheer at this time of year.

Rotary Club of Lilydale is again running the Christmas wishing tree gift appeal, together with Anchor Community Care and Lilydale police. Our thanks in particular to Anne and Gerry van Horick and Simon Tirchett and Lilydale Rotarians for this incredible initiative. Gifts, particularly for teenage children, can be dropped off unwrapped to many local shops, including my electorate office in Main Street, Lilydale, for children in foster care and kinship care and local struggling families to ensure that they receive a gift at this time of year.

Holy Fools, led by Neal Taylor, are on a mission to create 200 Christmas hampers filled with non-perishables and festive treats to bring hope, dignity and joy to individuals and families doing it tough this season. Thanks to Holy Fools volunteers for putting together these hampers from donated items, which can be dropped off to Felix House in Hutchinson Street, Lilydale.

Rotary Club of Wandin is again putting on its wonderful Christmas car and bike show, raising vital funds for vulnerable kids needing care at Royal Children's Hospital. Well done to Peter Johnson, Gavan McIntyre, Brian Hodgson, Pat Cullen in past years and Wandin Rotarians for this amazing initiative.

### **Thomastown electorate neighbourhood houses**

**Bronwyn HALFPENNY** (Thomastown) (13:48): Over the past week I had the opportunity to visit all the neighbourhood houses within the Thomastown electorate to celebrate the essential and uplifting work that they do, beginning with the Thomastown Neighbourhood House at their new home at the Thomastown West hub. The AGM and following lunch was the most enjoyable AGM I have ever attended. In addition to essential business, Liz is a very talented performer and really entertained us.



There was singing and laughter and sharing in the joy of togetherness. This is what neighbourhood houses in the electorate do, as well of course as providing programs, courses and events, whether they support the Jeeran Arabic-speaking playgroup at Thomastown and other playgroups, meditation classes, the Friendship Cafe – and the list goes on. Then there is the Lalor Neighbourhood House, run by centre manager the dynamo Meredith Budge: English language courses, homework club, cafe, beautiful gardens that have actually won an architectural design award – again, the list goes on. Then there is Creeds Farm Living and Learning Centre run by Antoinette and staff. There are men's groups, playgroups, table tennis programs, craft, music, coffee and chats, exercise groups – again, the list goes on. Neighbourhood houses do so much heavy lifting in support of local communities. I have a lot of postcards – they are calling on the Labor government to provide some more funding. We have substantially increased funds to neighbourhood houses, and they do such great work.

#### **John O'Connor**

**Jade BENHAM** (Mildura) (13:49): I want to pay tribute to Victoria Police superintendent John O'Connor, who last week retired after an extraordinary 40 years of service. Superintendent O'Connor has been a steady, respected and deeply committed leader in policing in Mildura and across the north-west.

#### **Mildura electorate tourism and events**

**Jade BENHAM** (Mildura) (13:50): Mildura has shone brightly at the Victorian Tourism Awards, where our region once again proved why we are the place people travel to, return to and rave about. All Seasons Holiday Park took out gold, showcasing the very best in family-friendly, regional accommodation. Murray Region Tourism's Mates of the Murray campaign earned silver, highlighting the power of collaboration along our river communities, and the Mildura Visitor Information Centre claimed bronze, recognising the exceptional work of the team who are often the very first friendly faces visitors meet. These awards are a huge testament to the hardworking operators, volunteers and staff who keep our tourism industry vibrant and welcoming year round.

I will just squeeze in one, maybe two more. A massive congratulations to Ben Gowers, who has just won the 2025 Australian hot air balloon long jump competition. Only in Mildura can we celebrate world-class motorsport, world-class tourism products and world-class ballooning all in the same week. And well done to everyone who was involved in and who attended the massive Lenny Kravitz and Jet gig at Mildura Sporting Precinct last Friday night. We did get all of the rain we needed three months ago.

#### **State Emergency Service Craigieburn unit**

**Iwan WALTERS** (Greenvale) (13:51): Last Friday it was a real pleasure to join with the Craigieburn SES unit for their annual awards ceremony, and I just want to take a moment to acknowledge and thank each member of the Craigieburn SES unit for the work that they do every single day, in weather that may be utterly terrible, to keep our community safe, often in really difficult circumstances. As I reflected last Friday, these volunteers are extraordinarily professional in every single way other than for the fact they do not get paid. They do this through their sense of commitment to community and a true sense of altruism. So I am delighted that as a government we are backing our volunteers so they do not have to be rattling the tin and dipping into their own pockets in order to serve our community in a voluntary capacity. Thank you to Omar, to Harminder and to the entirety of the Craigieburn SES unit for hosting me and for the work that they do every single day to protect our community.

#### **Greenvale Secondary College**

**Iwan WALTERS** (Greenvale) (13:52): It was wonderful to have the Deputy Premier at Greenvale Secondary College last week. We had the chance to speak with students and to hear from them about their aspirations, not just for their studies but for their community as well.

**Feskova Australia**

**Iwan WALTERS** (Greenvale) (13:52): Congratulations to Feskova Australia for hosting yet another wonderful cultural evening last week. President Anandam Pillay and his team speak with a united voice for the Fijian Indian Australian community, and I am deeply grateful for their input.

**Attwood House Community Centre**

**Iwan WALTERS** (Greenvale) (13:52): I just want to take a moment to acknowledge the incredible team at Attwood House Community Centre. Sil, Rick and the board and all the management team do an incredible job supporting our community.

**Keith John Anderson**

**Wayne FARNHAM** (Narracan) (13:52): I rise today to pay tribute to Keith John Anderson, who yesterday was farewelled by our local community. Today's *Warragul Gazette* carries the headline 'Tributes flow for "a favourite son"', and that is the best description of Keith. Keith, at 78, was the longest serving journalist at our *Gazette*, and his dedication to his community and country is something he was intensely proud of. Born and bred in Drouin, a journalist, a Vietnam veteran, a community contributor and, most importantly, a proud father, Keith will be missed by all in our community, and today I thank him for his passion and service to our region.

**Superannuation**

**Wayne FARNHAM** (Narracan) (13:53): On another issue, I was absolutely astounded at the Premier's idea that superannuation funds should now start funding infrastructure projects in Victoria. I do not know if the Premier is aware of this or not, but superannuation funds are legislated to make money not lose money. I do not know what superannuation fund in Australia would look at Victoria as a viable option for infrastructure investment when they have \$50 billion worth of budget blowouts, they cannot run a project on time and they do not return value for money. And I tell you what, if the Premier wants to go after super funds, how about the Premier put her superannuation in first and then worry about everyone else's.

**Felicitations**

**Juliana ADDISON** (Wendouree) (13:54): I want to wish my community and everyone here at Parliament a very happy and joyful Christmas. I hope you can spend some quality time with those you love and have a well-deserved break. I extend my heartfelt thanks to everyone who works in the Parliament for the support you provide to us all throughout the year, particularly the clerk and her office, the Environment and Planning Committee secretariat, the catering team, security, the attendants, the tours and customer services team, building and grounds services and the procedure office. I also want to acknowledge and thank my wonderful electorate office team: Christy, Amelia, Hayley, Ella and Aditi. I am so grateful for your hard work, your good humour and your dedication to all things Wendouree. You are a pleasure to work with.

Across Ballarat we have so many great local businesses. This Christmas I encourage everyone to shop local and support businesses and jobs in our community. It is truly the gift that keeps giving. I want to give a big shout-out to all those who are working over the Christmas and new year period, providing frontline services. Thank you for the work you do, keeping our community safe and cared for over the festive season. And importantly, I would like to invite community members to pop by my office with donations to help fill boxes for the reverse Advent calendar. This is an amazing initiative that Ballarat embraces each year, and it celebrates the true spirit of Christmas by supporting those who need it the most. And a reminder to everyone: please drive safely over the holidays so we can all have a merry Christmas and a happy new year.

**Electricity infrastructure**

**Tim READ** (Brunswick) (13:55): Victoria burnt about 39 million tonnes of brown coal in 2023–24, just 3 per cent less than four years earlier, and coal emissions fell by about the same amount. But the percentage of renewable energy made by renewables in Victoria went up by 13 per cent in that time. While we applaud Victoria's increase in wind and solar, it is barely cutting our emissions because we are using more electricity, and Victoria's construction of renewables appears to be slowing. No wind farms have reached financial close in Victoria in this term of Parliament. Gippsland's offshore wind auction has just been delayed. Onshore wind projects are bogged down in planning processes, and construction of the Western Renewables Link has not even begun. If we fail to reach our target of 95 per cent renewables by 2035, that will be because the Allan Labor government failed to act now rather than in the 2030s. Victoria's Labor government can and must (1) cut electricity demand by investing in and mandating more energy efficiency in homes and businesses (2) facilitate and invest in wind power, particularly onshore, which is cheaper and faster to build, and (3) build those high-voltage transmission lines. Every day Labor delays, we burn another 100,000 tonnes of the world's most polluting coal and we make climate change worse. That is not the kind of climate action we need.

**Wally Tew Reserve, Ferntree Gully**

**Jackson TAYLOR** (Bayswater) (13:57): It is all happening at Wally Tew Reserve in Ferntree Gully. I was out there the other day with the local member for Monbulk touring the new facilities at Wally Tew Reserve, and they are absolutely coming along a treat. This is another election commitment ticked off by me and the member for Monbulk, a \$3.2 million project of course backed in by the good Minister for Community Sport, who has just joined us in the chamber: \$2 million from the state government and \$1.2 million from the local council for new canteen facilities, new amenities, new changing facilities, a brand new balcony. It is going to be the best spot to watch cricket and football in the gully. A big thankyou to everyone involved in the project, particularly to the Ferntree Gully cricket and Ferntree Gully football and netball clubs. Thank you to all of you for all your advocacy and for driving this project.

**Wantirna Reserve**

**Jackson TAYLOR** (Bayswater) (13:58): Another election commitment has been ticked off in the Wantirna Reserve dog park and playground. This was a really proud achievement of mine, something that I started back when I was in local government on Knox council, and to now see it come to fruition and to see all the doggos out there living the dream, it was on for young and old. It was fantastic. Cavoodles and German shepherds alike were enjoying the new playgrounds and new facilities. I am very proud that the Allan Labor government has ticked off the local dog park in Wantirna.

**Boronia train station**

**Jackson TAYLOR** (Bayswater) (13:58): Works have now started at Boronia station, the biggest investment in Boronia in a generation by any level of government. Major works kick off next year with a new Boronia station precinct due for completion by the end of 2026. The Allan Labor government is getting things done in Boronia.

**Electricity infrastructure**

**Peter WALSH** (Murray Plains) (13:58): Australian Council of Trade Unions secretary Sally McManus has said she does not see a problem with workers breaking laws where the laws are unjust. The laws that the Allan Labor government have inflicted on farmers, a right to entry to their farms by VicGrid and the fines to be imposed if they do not allow entry, are unjust, and I do not see a problem with farmers breaking those laws to protect their rights. In fact I commend those farmers and their neighbours for actually standing up for each other against these draconian laws. These laws were introduced because the Labor government made such an abysmal job of consulting these farmers about VNI West. Compulsory acquisition of these farmers' land, again, is unjust. The Allan government has treated these farmers with total disregard for their human rights. The Victorian Farmers Federation

now has 6000 signatures on its petition to protect farmland in Victoria, particularly from the Labor government, who have little or no regard for private property, country people or farmers – we are just there to be used and taxed to fund Labor's debt from cost blowouts on Melbourne infrastructure. What is happening is unjust and needs to be called out. If it is good enough for the union movement to support breaking unjust laws, it is good enough for country people to break those laws.

**Business interrupted under sessional orders.**

**The SPEAKER:** I acknowledge in the gallery the Honourable Mick de Brenni, member for Springwood in the Queensland Parliament.

*Questions without notice and ministers statements*

**Suburban Rail Loop**

**Jess WILSON** (Kew – Leader of the Opposition) (14:01): My question is to the Premier. There were 100 executives at the Suburban Rail Loop Authority last year, at a cost of almost \$33 million. Premier, how many police could be employed for \$33 million?

**Jacinta ALLAN** (Bendigo East – Premier) (14:02): I am delighted to have the opportunity, provided by the Leader of the Liberal Party, to talk about how our government is delivering the Suburban Rail Loop. Guess what, to deliver this city-shaping project you need people. You need people doing the hard, detailed work.

**Cindy McLeish:** On a point of order, Speaker, on relevance, the Premier has already indicated she has no intention of answering the question and –

**The SPEAKER:** Order! I ask you to raise points of order in the correct format. The Premier has only been on her feet for 20 seconds. The Premier will continue.

**Jacinta ALLAN:** I remind the Leader of the Liberal Party that to get on and deliver the vitally important projects our growing city and state need, the projects that are about building for the future of this great state, you need to employ a few people. You need to employ people who are expert engineers, planners, the people who do the detailed design work –

*Members interjecting.*

**The SPEAKER:** Order! Members will be removed without warning. I know this is the last sitting week of the year, but there is no excuse for being disruptive in the chamber – bar one.

**Brad Rowswell:** On a point of order, Speaker, in keeping with your previous rulings I will not repeat the question. It was a very narrow question. The Premier, I contend, is debating that question.

**Mary-Anne Thomas:** Speaker, it is clear that there is no point of order. The Premier was not debating the question. She was taking the opportunity to answer the question and outline the work of the people employed at the SRL, and indeed I am sure the Premier looks forward to talking about Victoria Police as well.

**The SPEAKER:** I ask the Premier to come back to the question.

**Jacinta ALLAN:** I know for those opposite, who have never delivered or supported a major project in their lives, that it comes as a bit of a mystery how you get these projects delivered. It is a bit of a mystery for them. Indeed I remember questions like this in the early days of delivering the Metro Tunnel, the same project that those opposite called a hoax, which is now open.

*Members interjecting.*

**The SPEAKER:** The member for Melton can leave the chamber for half an hour.

**Member for Melton withdrew from chamber.**

**The SPEAKER:** It would be nice to –

*Members interjecting.*

**The SPEAKER:** Order! I am on my feet. The member for Glen Waverley can leave the chamber for half an hour.

**Member for Glen Waverley withdrew from chamber.**

**The SPEAKER:** I will not tolerate this kind of disruption in the chamber. Show some respect to each other.

**Danny O'Brien:** On a point of order, Speaker, on the question of relevance, I ask you to bring the Premier back to the question.

**The SPEAKER:** The Premier will come back to the question.

**Jacinta ALLAN:** I was asked about both the delivery of the Suburban Rail Loop and the support of our government for Victoria Police, and I remind the Leader of the Opposition that we have backed Victoria Police. We have more police here in Victoria than any other state, and not only do we have more police, we are backing them with the tools and the powers and the resources that they need to keep our community safe. I thank Victoria Police for the work that they are doing in keeping our community safe, and we back them. We back our Victoria Police. We give them the additional funding, and I remember –

**Brad Rowswell:** Speaker, I renew my earlier point of order. The question was a very narrow question – I will not repeat the question – but the Premier throughout her answer thus far has been debating that question.

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

**Jacinta ALLAN:** The point is we are employing more Victoria Police, we are backing Victoria Police and we are delivering the Suburban Rail Loop. We are delivering it as we delivered the Metro Tunnel, which those opposite called a hoax, and we have delivered the West Gate Tunnel, which will open in coming weeks – another project. Do you know what that has in common with the Metro Tunnel? It was opposed by those opposite, and I will add to that the comparison with the Suburban Rail Loop – opposed by those opposite. They have never supported a major project that is about investing in our city and state.

*Members interjecting.*

**The SPEAKER:** The member for Rowville can leave the chamber for half an hour.

**Member for Rowville withdrew from chamber.**

**Jacinta ALLAN:** When you look at the Metro Tunnel, it is about building for the future, and that is exactly what we are doing with the Suburban Rail Loop.

**Sam Groth:** On a point of order, Speaker, answers to questions must be direct and succinct, and I put to you the Premier has been neither.

**The SPEAKER:** The Premier was being relevant to the question that was asked. The Premier has concluded her answer.

**Jess WILSON (Kew – Leader of the Opposition) (14:08):** Victoria is facing shortages of police, teachers and health workers, but today we have learned the government is spending over \$466,000 on recruiters to hire yet more executives for the Suburban Rail Loop Authority. How is spending tens of millions of dollars on executives for the SRL fair for the 61,000 Victorians on surgery waiting lists?

*Members interjecting.*

**The SPEAKER:** The member for Nepean is warned. Member for Eureka! Member for Mordialloc! It would be nice to have a quorum at the end of question time in the chamber.

**Jacinta ALLAN** (Bendigo East – Premier) (14:09): I will say this to the Leader of the Opposition: we have employed more teachers, we have employed more nurses, we have employed more police. None of this would happen under the \$11.1 billion black hole that the Leader of the Opposition cannot explain.

**Brad Rowswell:** On a point of order, Speaker, I refer you to standing order 118 regarding imputations or improper motives attributed to a member, and I suggest that the Premier is doing such at the minute. I would ask you to ensure that she desists.

**The SPEAKER:** The Premier did not refer to any particular member of Parliament.

**Jacinta ALLAN:** Victorians are offended by your \$11.1 billion black hole, and so should you be.

**Brad Rowswell:** On a further point of order, Speaker, the Premier just reflected upon you.

**The SPEAKER:** The Premier to continue.

**Jacinta ALLAN:** Bring back the member for Brighton in a hurry. What is fair is making sure those vital public servants – the teachers and nurses and police officers who are delivering vital frontline services – have the connections to get around our great city and state. The Metro Tunnel, the West Gate Tunnel and the Suburban Rail Loop are projects that get people home safer and sooner and to where they want to go. Alongside investing in the future of our city and state, we are making it fairer by building those vital connections to support people to get to where they want to go.

#### **Ministers statements: Metro Tunnel**

**Jacinta ALLAN** (Bendigo East – Premier) (14:10): About that great Metro Tunnel, I was absolutely delighted and proud to join more than 70,000 Victorians on Sunday to catch the very first trains through the Metro Tunnel. There were families, there were students, there were workers and there were plenty of gunzels as well, all coming to witness the biggest transformation to our rail network in more than 40 years, and didn't Victorians just love it. Obviously not every Victorian, but everyone else did. They walked into the State Library –

**Bridget Vallence:** Speaker, just to be factual, I wonder if the Premier will say it was \$2.6 billion over budget for the Metro Tunnel.

**The SPEAKER:** The member for Evelyn will resume her seat. The Premier to continue.

**Jacinta ALLAN:** Victorians walked into the State Library station and saw platforms deeper than Marvel Stadium.

**Sam Groth** interjected.

**The SPEAKER:** Member for Nepean, this is your last warning.

**Jacinta ALLAN:** They rode those Victorian-made high-capacity trains through the brand new tunnels and used the longest escalators in Melbourne through our most beautiful new stations, looking forward to that brand new era for our city. This is what great cities do. They make it easier to get around, fairer for people to access universities, health care and work and easier to get home to the people you love.

A lot has been said in recent days about the Metro Tunnel project, but some made this observation: they called the Metro Tunnel a waste. The Leader of the Liberal Party described the Metro Tunnel as a waste. No surprise from the Liberals, who previously called it a hoax, said it would divide our city, refused to fund it and indeed cut funding to the Metro Tunnel. Well, it is real, it is open and it is

happening. Passengers are using it right now to connect around our city and state. This, at its heart, is a fairness project. It is about giving people fair, better access to the services they need and the jobs they rely on, and it connects them to opportunities for the future.

### **Suburban Rail Loop**

**Jess WILSON** (Kew – Leader of the Opposition) (14:13): My question is to the Premier. Why has the government spent almost \$200,000 on indoor plants for the Suburban Rail Loop Authority?

**Jacinta ALLAN** (Bendigo East – Premier) (14:13): We are getting on with delivering the Suburban Rail Loop, and I say this: I do recall a time when questions were being asked about how we were delivering the Metro Tunnel and the West Gate Tunnel. I do recall those questions, and they all came from the same place of not supporting these projects. The Leader of the Liberal Party has already said –

*Members interjecting.*

**The SPEAKER:** The member for Malvern can leave the chamber for half an hour.

**Member for Malvern withdrew from chamber.**

**Danny O'Brien:** On a point of order, Speaker, on the question of relevance, I ask you to bring the Premier back to the question.

**The SPEAKER:** Come back to the question, Premier.

**Jacinta ALLAN:** This is the same opposition that have never supported a major project. They do not support the Suburban Rail Loop.

**Sam Groth:** Further to the point of order raised by the Leader of the Nationals, the Premier is denying your ruling straightaway, Speaker.

**The SPEAKER:** It is not a point of order to suggest someone is not obeying my rulings. The Premier will come back to the question.

**Jacinta ALLAN:** They clearly do not support the workers who are building the Suburban Rail Loop, because if they did they would support them and thank them for the work they are doing.

**Jess Wilson:** On a point of order, Speaker, I am happy to make available to the house a copy of the contract for \$200,000 for pot plants.

**The SPEAKER:** That is not a point of order, Leader of the Opposition. The Premier has concluded her answer.

**Jess WILSON** (Kew – Leader of the Opposition) (14:15): A very simple follow-up: will the Premier commit to cancelling this wasteful contract?

**Jacinta ALLAN** (Bendigo East – Premier) (14:16): The only people talking about cancelling projects are those opposite. We will never cancel or block the projects that our growing city and state need.

### **Ministers statements: transport infrastructure**

**Melissa HORNE** (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (14:16): Sunday was a historic day with the opening of the Metro Tunnel, a transformational project that is the largest addition to the public transport network in 40 years. In just a few weeks time we will be making the largest change to the road network in decades with the opening of the West Gate Tunnel. These monumental projects make it easier for people to move around our ever-growing city, be they accessing more frequent and more reliable public transport services or saving travel time on our roads. These projects will deliver massive benefits for commuters. They support and create jobs while helping Victorians get to work, home and school. The West Gate Tunnel will deliver a massive productivity dividend by getting trucks more efficiently in

and out of Australia's busiest container port and off local roads. The freight industry will benefit from the West Gate Tunnel through direct connections to the port at Mackenzie Road and Appleton Dock Road, bypassing 17 sets of traffic lights to keep heavy vehicles moving. The local community will benefit from 24/7 truck bans on six local roads in the inner west, plus a night-time and weekend curfew on Williamstown Road, thanks to the tireless advocacy of the member for Footscray Katie Hall and the local community.

We know that building infrastructure delivers results that Victorians want and need. Already we have seen the Wurundjeri Way extension embraced by commuters, with more than 10,000 people a day choosing to bypass Melbourne's CBD to continue their journey to the south-east. It saves people time and gets them to where they need to go faster. The excitement in the community is palpable, with 70,000 people choosing to ride the new Melbourne Metro on the weekend and two weeks ago 50,000 people participating in the West Gate Tunnel's discovery open day. There is little doubt that the people of the western suburbs and right across Victoria know that on this side of the house we are creating jobs and building infrastructure.

*Members interjecting.*

**The SPEAKER:** The member for Point Cook can leave the chamber for half an hour.

**Member for Point Cook withdrew from chamber.**

#### **Machete amnesty**

**Jess WILSON** (Kew – Leader of the Opposition) (14:18): My question is to the Premier. Yesterday the Premier claimed the government's machete bin program:

... has been (successful). It has dried up the supply of these dangerous and deadly weapons ...

Yet within the past week two schools were locked down in Berwick after an eight-year-old boy was stabbed on school grounds, a machete brawl in Doreen between two groups forced the local Woolworths into lockdown and in Viewbank a 17-year-old was charged after an aggravated burglary where a machete was produced inside a family home. Will the Premier guarantee that knife crime will fall in the next release of crime statistics?

**Jacinta ALLAN** (Bendigo East – Premier) (14:19): Different Liberal leader, same undermining of the work of Victoria Police – the same approach at undermining the hard, good work of Victoria Police to keep our community safe. Those opposite might be wondering why they even bothered.

**Brad Rowswell:** On a point of order, Speaker, in relation to standing order 118 regarding imputations, on that occasion I contend that the Premier directly made an imputation against the Leader of the Opposition, assuming a perspective that she most certainly does not hold.

**The SPEAKER:** I ask the Premier to come back to the question.

**Jacinta ALLAN:** I was only comparing you to the member for Berwick, for the benefit of the member for Sandringham. This is the same approach of undermining the work of Victoria Police. On the advice of Victoria Police to get these dangerous and deadly weapons off our streets by bringing into effect the first machete ban in the nation, the advice of Victoria Police in order to safely dispose of these weapons was to have the disposal units located out the front of police stations, and as a result of the work through Victoria Police, the machete ban and of course too the increased powers we have given to Victoria Police – those stop-and-search powers that they have now – we have seen more than 28,000 of these dangerous and deadly weapons taken off the streets. I thank Victoria Police for the work that they have done in drying up the supply of these dangerous weapons. Not only has there been an amnesty on machetes, but from 1 December, so today is day 2 of the machete ban, there are serious consequences for people found –



**Brad Rowswell:** On a point of order, Speaker, I will not repeat the direct question that was asked, but the Premier is not directly responding, as is required under standing orders, to the question that was asked, asking for a commitment.

**The SPEAKER:** I cannot tell the Premier how to answer the question. The Premier was being relevant to the question.

**Jacinta ALLAN:** This work continues. As I was saying, as of yesterday, when the machete ban came into full effect following the conclusion of the amnesty, there are serious consequences for people found carrying one of these dangerous and deadly weapons. They can face jail time. They face serious penalties, and that is because we have not only given police the additional resources, we have also made it very clear that there will be serious consequences for any individual carrying one of these dangerous and deadly weapons.

**Jess WILSON** (Kew – Leader of the Opposition) (14:22): Yesterday the Premier claimed that 9000 weapons had been surrendered through the machete bin program. This program cost Victorians \$13 million while knife crime continued. Can the Premier confirm this program cost \$1444 per knife surrendered?

**Jacinta ALLAN** (Bendigo East – Premier) (14:23): Again, this is the same repeat pattern of behaviour from the Liberal Party in undermining the good and important work of Victoria Police, and I absolutely condemn this repeat pattern of behaviour from the Leader of the Liberal Party.

**Bridget Vallence:** On a point of order, Speaker, the Premier is debating the question.

**The SPEAKER:** The Premier will come back to the question.

**Jacinta ALLAN:** The work of Victoria Police in drying up the supply of dangerous weapons has been so vitally important, and we work with and support Victoria Police. It was on the advice of Victoria Police as to how we could get the machetes, these dangerous weapons, off our streets, and I thank Victoria Police for doing that. We support Victoria Police, and this type of deliberately deceptive and misleading campaign from those opposite exposes that they are not fair dinkum about supporting Victoria Police, with their ongoing undermining of the work they do.

**Brad Rowswell:** On a point of order, Speaker, that is a pure attack on the opposition, unnecessary and untrue.

**The SPEAKER:** The Premier has concluded her answer.

### Ministers statements: Metro Tunnel

**Danny PEARSON** (Essendon – Minister for Economic Growth and Jobs, Minister for Finance) (14:24): It is great to be here, and I am delighted to update the house on the exquisite Metro Tunnel project and some of the wonderful businesses along the corridor. Sunday was a truly momentous day in the history of this state. More than 70,000 people rode the Metro Tunnel on opening day. I know most of those opposite certainly did not, but I thought I would give them all a bit of a tour of some of the incredible businesses that are thriving and prospering along the Metro Tunnel corridor.

We are going to start the journey at Arden station, where right down the road is Reeves Envico, which is delivering infrastructure that secures clean water and building climate-resilient facilities across the Pacific and was named Victoria's 2025 exporter of the year. Next is my favourite Metro Tunnel station. We all have one, and for me it is Parkville and our world-renowned Parkville precinct producing world-class research that is transforming the lives of Victorians every single day. Then you are just a few minutes away from the spectacular State Library station, and around the corner you will see HEX, an ed tech startup shaping Victoria's digital future and empowering the next generation of founders, and Victoria's international education and training exporter for 2025. A quick trip through the tunnel and you get to Town Hall station, where you can visit nearby Fluence, which my friend the Minister for Energy and Resources and I visited earlier this year – a global leader in grid-scale battery

energy storage systems. Fluence has chosen to grow its footprint here, creating more highly skilled jobs for Victorians, supported by the Victorian government. The final stop of the tour is the beautiful Anzac station. Close by you will find two wonderful Victorian export award winners for 2025: NATPAT in the e-commerce category, and Aquatech for sustainability and the green economy.

The Metro Tunnel is so much more than a transport link, it is a massive productivity booster. It is massive. While those opposite called it a waste and they called it a hoax, we know that it is a project that will define Victoria's future. We went at it alone, we funded it, we built it and now we have opened it so Victorians will be able to reap the benefits.

### Youth justice system

**Will FOWLES** (Ringwood) (14:26): My question is to the Attorney-General. This Labor government has for many years committed to reducing youth incarceration. In 2023 the Premier announced that the minimum age of criminal responsibility would be raised, first from 10 to 12 and then to 14 by 2027. In 2024 the Parliament passed the Youth Justice Act, which embedded diversion-first principles, restorative justice processes and the staged-age reform. The government has also maintained a 'detention as a last resort' framework, expanded youth diversion programs and implemented the *Wirkara Kulpa: Aboriginal Youth Justice Strategy*, which aims to make sure that Aboriginal children are not in the youth justice system and that detention is minimised wherever possible. These measures were built on the Armytage–Ogloff youth justice review and were further supported by research from the Sentencing Advisory Council, which advises government and courts on sentencing trends and has found that the younger a child is when they are first incarcerated the more likely they are to return to detention. In light of these longstanding commitments, is it still the government's objective to reduce youth incarceration in Victoria?

**The SPEAKER:** Before I call the Attorney-General, I remind members about the rule of anticipation.

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (14:27): Speaker, thank you for your instruction around the bill that is currently before the Parliament. I thank the member for Ringwood for his question. In short, the answer is yes. I do not think there is anyone in this place that wants to see children pursue a path down the criminal justice system. We want to be doing everything in our power to ensure that we are turning lives around. It is the very reason why we announced recently the establishment of a national first here in Australia in our violence reduction unit. We are creating a unit which will be specific to Victoria but modelled on a model that is working, that is working well and has been working well in Glasgow and in London to significantly reduce youth offending and turn lives around. We are working on the data. We are using data to show that we need to address the rising incidence of crime, particularly crime committed by children, that is driving fear and harm in our communities. Without pre-empting debate in this place, we have introduced a bill into this place that will address that.

At the same time, we have said it is not just about consequences. It is about early intervention. We need both, and that is exactly what the Allan Labor government is doing. We are doing it by listening to victims of crime, who are telling us we need more consequences. There need to be boundaries for children to show them that there are consequences for this kind of violent, high-harm repeat offending. At the same time, we need early interventions, because as the Premier has said again and again, violence is preventable, it is not inevitable. We need to treat it as a preventable harm, a public health approach, and that means identifying the risks, stepping in early and wrapping the support around these young people and these children to turn their lives around.

So, yes, member for Ringwood, we do want to make sure that we are reducing the rates of incarceration, but we will do it by ensuring that there are serious consequences for very serious offending that is driving significant harm in our communities. We will do it by a new model, a new approach – the violence reduction unit – which will be early intervention to help turn around the lives of these young people and put them on a path of opportunity and hope.

**Will FOWLES** (Ringwood) (14:30): The government's own press release celebrates the opportunity for there to be more children ending up in jail for crimes like aggravated home invasion rather than being diverted away from the justice system. How is that in any way consistent with reducing the number of children in custody?

**Sonya KILKENNY** (Carrum – Attorney-General, Minister for Planning) (14:31): To the member for Ringwood, I absolutely reject the categorisation of 'celebrate'. I think that is a poor choice of words here. What we have done time and time again is to say that we are listening to victims. We are listening to those victims of crime, those who are saying that when their home is invaded it is an invasion of their security, their home, their place of safety. The impacts that it has on them and the impacts on children at home as well – these impacts, this harm – can be lifelong for some of these victims. We need to recognise that harm. That means ensuring that there are consequences for this very serious, brazen offending that we are seeing. And I should say it is offending like we have not seen before. VicPol have been very clear that this is a new kind of offending that requires a new kind of intervention.

#### Ministers statements: carers

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (14:32): I rise today to update the house on the Allan Labor government's strong and ongoing commitment to supporting unpaid carers. In Victoria more than 750,000 unpaid carers provide support to family or friends with a disability, chronic or mental illness, age-related conditions or other care needs, and we know what an important role these Victorians play in our community. That is why last week I joined the Premier and the Minister for Transport Infrastructure to announce the expansion of free weekend public transport to all Victorian carer card holders from 1 February 2026.

We were fortunate to be joined by several carers on the day, people who shared with us what this will mean for them and for those they care for. Their stories made clear that this practical cost-of-living support will not only save them hundreds of dollars each year but help them stay connected with friends and family, work and study and enable them to take a break from their caring duties when they need to. For Eleni, who cares for Philip, who is a train buff, it means enjoying the new Metro Tunnel with him.

Supporting unpaid carers is central to building a stronger, healthier and more inclusive Victoria, and it is a key focus of our refreshed *Victorian Carer Strategy*. While others may dismiss the value of major projects that improve the lives of Victorians and consider them a waste, we want to make sure all Victorians can enjoy them. I want to take this opportunity to acknowledge and thank all the unpaid carers across Victoria for their enormous contribution. We will continue to be by their side each and every day.

#### Emergency services

**Danny O'BRIEN** (Gippsland South) (14:34): My question is to the Minister for Emergency Services. PAEC was told by departmental officials last week that funding from the government to the CFA for 2024–25 was \$352.6 million. Why did the minister sign a brief on 27 July this year approving funding for 2025–26 of \$345 million, a \$7 million cut?

**Vicki WARD** (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:34): I will again make it very clear for the Leader of the Nationals, because there is clearly some confusion he has, that there are no cuts to our emergency services, including CFA. I really want to thank the thousands of CFA volunteers we have across our state, who work incredibly hard to support their communities, who this government has absolutely got the back of. We are one of the most bushfire-prone regions in the world, and this is why we have more than doubled the investment since we first came to government.

**Brad Rowswell:** On a point of order, Speaker, the minister is debating the question.

**Mary-Anne Thomas:** Speaker, there is no point of order. The minister on her feet is addressing the issues and is outlining the investments that the Allan Labor government has made as part of its ongoing commitment to the CFA and our hardworking emergency service volunteers. I ask that you rule the point of order out of order.

**Danny O'Brien:** On the point of order on debating, Speaker, these are the government's own figures and the minister cannot refute them.

**The SPEAKER:** Leader of the Nationals, I cannot tell the minister how to answer the question. The minister was being relevant to the question. Minister, come back to answering the question. Actually, I think the minister has already answered it.

**Vicki WARD:** We are talking about our emergency services budgets, including CFA budgets. We know that our emergency services are put under increasing pressure because of the ongoing changes to our climate and the increased frequency of disasters that are affecting our state. As I was saying, we have doubled this investment since coming to government, and that includes \$1.5 billion for the CFA over the past four years for more trucks, new stations and more support. For example, we have also invested in this budget \$40 million in funding for a rolling fleet replacement program, and \$62 million has doubled funding for equipment grants. I know that there are many members in this place who are very glad at the doubling of investment for VESEP grants, with many brigades and many units that I have been out to visit in the last few weeks, congratulating them on their success in receiving a record amount of VESEP funding.

*Members interjecting.*

**The SPEAKER:** Member for Mildura, that is your last warning.

**Danny O'Brien:** On a point of order, Speaker, on the question of relevance, the minister still has not gone near the question I asked about a \$7 million cut.

**The SPEAKER:** The minister answered the question at the outset.

**Vicki WARD:** I will say it again because the member is obviously hard of hearing: there are no cuts to our emergency services, including the CFA. Just last week I joined the members for Wendouree, Eureka and Ripon to announce over \$22 million for the CFA through our volunteer emergency services equipment program. Let us be really clear: it is a program that they would like to cut. They would like to cut the SES out of this program. They would like to cut everything – \$7 billion when it comes –

*Members interjecting.*

**The SPEAKER:** The member for Laverton can leave the chamber for half an hour.

**Member for Laverton withdrew from chamber.**

**James Newbury:** On a point of order, Speaker, the minister is simply sledging the opposition, which is out of order.

**The SPEAKER:** There is no sledging in the standing orders, but I do ask the minister to come back to the question.

**Vicki WARD:** I was doing a compare and contrast where you have got double the funding, where you have got nearly \$2 billion in this budget invested in emergency services compared to a \$7 billion cut. Our budget builds on \$21 million we are delivering through the latest budget for seven new CFA stations – two new satellite stations across the state. We are investing in our emergency services. I will say it for a third time for those who are hard of hearing: there are no cuts.

**Danny O'BRIEN** (Gippsland South) (14:39): Why did the minister's department require a \$1.07 million Treasurer's advance to address 'emergency services organisation financial sustainability'?

**Vicki WARD** (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:39): I would have thought the member had been around long enough to understand how Treasurer's advances work. The emergency services experience disasters and challenges throughout a year that Treasurer's advances are needed to support, notwithstanding the fact that, because of the incredible pipeline of infrastructure projects that we have, there are also payments made throughout the year to contribute to those and to finalise payments. I would suggest that the member actually be very clear about what a Treasurer's advance is and stop undermining the integrity of the funding of these services.

**Danny O'Brien**: On a point of order, Speaker, on the question of relevance, the Treasurer's advance was for financial sustainability of the emergency services organisations.

**The SPEAKER**: The minister has concluded her answer.

#### Ministers statements: Metro Tunnel

**Gabrielle WILLIAMS** (Dandenong – Minister for Transport Infrastructure, Minister for Public and Active Transport) (14:40): Toot, toot! It is my great pleasure to update the house on the opening of the Metro Tunnel a whole year ahead of schedule – a project built by Victorians, for Victorians, delivered entirely by a state Labor government. The Metro Tunnel is not just five brand new, beautiful underground stations connecting Victorians to places that have never had access by rail before; it unlocks more services more often across our entire rail network for generations to come. Between now and 1 February we will be running 240 extra services through the Metro Tunnel each week. From 1 February we will make the big switch to fully integrate the Metro Tunnel into the network, delivering an additional thousand weekly services. Later in 2026 we will be adding hundreds more services each week on the Werribee line, on the Craigieburn line, on the Upfield line and on the Sandringham line. And that is just the beginning. Those opposite can no longer call this project a hoax, so the Leader of the Opposition now needs to call this project a waste. No doubt that is all part of her plan to pave the way for public transport service cuts if she gets the chance.

**James Newbury**: On a point of order, Speaker, ministers statements are not an opportunity for the government to attack the opposition.

**Mary-Anne Thomas**: On the point of order, Speaker, ministers statements are an opportunity to compare and contrast the activity of our government with those who would be leaders.

**The SPEAKER**: The minister will come back to her ministers statement without attacking the opposition.

**Gabrielle WILLIAMS**: Pleasure. Is delivering thousands of additional public transport services to meet the needs of a growing community a waste? Is connecting Victorian patients, families and workers directly to the Parkville precinct a waste? Is connecting Victorians to jobs a waste?

*Members interjecting.*

**The SPEAKER**: Order! The minister will cease inciting members.

**Gabrielle WILLIAMS**: On this side of the chamber we think connecting Victorians to opportunities is important. We think that making people's lives easier is important. That is why Labor invests in public transport. Labor builds; Liberals cut. And it is never going to change.

*Constituency questions*

**Gippsland South electorate**

**Danny O'BRIEN** (Gippsland South) (14:44): (1428) My question is to the Minister for Environment, and I ask: will the Limeburners track at Walkerville be reopened? This track, which connects Walkerville North and Walkerville South, was damaged by landslips and erosion over the last year or so and has been closed since earlier this year. I had advice from the minister's office that further geotechnical investigations were being undertaken as to whether it could be reopened, and I have certainly had a number of constituents raise with me their concerns about the fact that this track has been closed. It is one of many across Gippsland over the years that have been closed after storms and taken years, in the case of some, to actually be reopened, so I am seeking advice from the minister as to what the outcomes of those geotechnical investigations were and whether the actual track will be reopened at some point.

**Pascoe Vale electorate**

**Anthony CIANFLONE** (Pascoe Vale) (14:45): (1429) My constituency question is for the Minister for Education: how are Victorian schools helping support learning, health, wellbeing and socio-economic outcomes for families in our schools, including dental and oral health outcomes? I am very proud to highlight the incredible work of Joseph Zeid and Rami Zeid, the founders and dental practitioners of the Teeth on Wheels experience for students. As long-time local dental practitioners in my electorate at Teeth On O'Hea, situated at 37 O'Hea Street in Coburg, the brothers proudly established Teeth on Wheels for students back in 2015, providing mobile dental care to students, servicing over 80,000 students to date and now reaching 25,000 students each year across 200 schools and 200 childcare centres, employing around 35 dedicated staff, pioneering a positive dental experience for children and revolutionising the way dental care is provided to young people in local school settings, including Coburg Primary. On 26 November Teeth on Wheels celebrated its 10-year anniversary with its newest addition to its dental van fleet through the unveiling of the new clinic van *Jasmine*. The ceremony was attended by the minister for small business, Minister Suleyman; the member for Sunbury; Colin Axup, of the Victorian Association for State Secondary Principals; Michael Gray, from the Victorian Association of Catholic Primary School Principals; Andrew Dalgleish, president of the Victorian Principals Association; and many others.

**Nepean electorate**

**Sam GROTH** (Nepean) (14:46): (1430) My question is to the Premier. Southern Peninsula Community Support, a long established provider of frontline food relief and wraparound support in Rosebud, was recently unsuccessful in the 2025–26 community food relief local grants program. In fact only three grants were awarded across the entire peninsula, while Labor-held areas like Geelong seemed disproportionately represented. SPCS provides fresh food to around a thousand people every month and directly benefits about 2000 members of my community. Given the program's published criteria, which emphasise demonstrated capability, organisational readiness and community need, all of which are met by Southern Peninsula Community Support, it seems inexplicable that they would miss out. Premier, are the most vulnerable members of my community being left behind because of the government's spiralling financial crisis, or are you simply prioritising seats held by your Labor mates?

**Kororoit electorate**

**Luba GRIGOROVITCH** (Kororoit) (14:47): (1431) My constituency question is for the Minister for Outdoor Recreation. What initiatives is the government undertaking to improve access to recreational fishing opportunities for families in growing electorates like mine of Kororoit? Fishing is one of Victoria's fastest-growing outdoor recreation activities, and it is increasingly popular among families and multicultural communities in Melbourne's west. At our recent Why Not Fish? event, which was a multicultural fishing event held over the weekend, many local residents, particularly

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young people and new Australians, expressed their enthusiasm to learn how to fish and to explore more opportunities to enjoy recreational fishing in our region. I request that the minister get back to me as soon as possible.

### **Mornington electorate**

**Chris CREWTHER** (Mornington) (14:47): (1432) My constituency question is for the Minister for Planning: what is the minister doing to give clarity to Mornington Peninsula residents on the basis, intent, implications and approval process of the new proposed landslide planning controls? In recent days around 27,000 residential property owners – some 33,000 properties across the Mornington Peninsula – have received a text from the shire on behalf of the state Labor government's Department of Transport and Planning advising that their land is highly susceptible to a landslide and now subject to new mandatory planning controls, once approved by the minister. This was instigated, and the minister has the final decision with respect to this. Many affected residents are deeply confused. There are many residents who are on properties which have zero-to-no landslide risk. I note even my own property is affected as well, but there are many properties right across the peninsula. They want answers now from the minister, and they want this overreach to be put back.

### **Bayswater electorate**

**Jackson TAYLOR** (Bayswater) (14:48): (1433) I am excited to be part of a government that invests in public transport and transport infrastructure, whether it be locally with the massive upgrade to Boronia station, and of course we saw on the weekend the Metro Tunnel officially opening to all Victorians – a huge event – but of course to be part of a government that is also making it easier for people to use our public transport. So my question is to the Minister for Public and Active Transport: how many young people in the electorate of Bayswater will be able to benefit from the Allan Labor government's new policy of free PT for kids, starting from 1 January next year? This is a fantastic policy, something that will make it easier for kids to get on trains, trams and buses right across the state and in the electorate of Bayswater in the beautiful part of Knox that I am proud to represent, and I am looking forward to helping put money back in families' pockets.

### **Melbourne electorate**

**Ellen SANDELL** (Melbourne) (14:49): (1434) My question is to the Minister for Transport Infrastructure. The West Gate toll road is about to open and funnel thousands more cars onto the streets of North and West Melbourne. Seven years ago, to try to reduce opposition to this private toll road project, the state government promised \$100 million in traffic-calming projects to be delivered in North and West Melbourne before the toll road opened, but seven years later only \$11 million of that promised \$100 million has been spent. A further \$55 million worth of projects is still up in the air, and now the government says the remaining \$34 million might not even be spent at all. This is a broken promise to the people of North and West Melbourne. They feel they have been sold a lie by this Labor state government. They were promised safer streets as compensation for having thousands more cars dumped onto their local roads, but the promises have all but vanished. Minister, can you confirm if the full \$100 million that was promised will actually ever be delivered and by when?

### **Laverton electorate**

**Sarah CONNOLLY** (Laverton) (14:50): (1435) My question is to the Minister for Public and Active Transport. Just last week the Premier made yet another fantastic announcement about making public transport more affordable and accessible for more Victorians. With major transport achievements like the Metro Tunnel now opened, it has never been more easy to get around Victoria, and from 1 January public transport will be free on weekends for seniors. It will be free for young people under the age of 18 all the time, anywhere, saving up to \$755 a year for families and households, and we have just announced that we will be extending this to carers and those on disability pensions. I could not be more excited to talk about this. We know that for so many people living with a disability, driving and cars are not always an easy option and public transport is a lifeline – and that goes for the

same incredible people who care for and look after them. These could be loved ones, family and workers. These changes could save them up to \$360 a year. My question for the minister is this: how will this benefit carers and disability pensioners across the Laverton electorate?

#### **Lowan electorate**

**Emma KEALY** (Lowan) (14:51): (1436) My question is to the Minister for Roads and Road Safety, and the information I seek is: when will the seriously degraded and dangerous roads in the Lowan electorate be fixed and made safe? I was recently sent photos of a gaping pothole that has opened up on the Donald-Murtoa Road between Minyip and the Donald turn-off. This is a terribly, terribly dangerous pothole. It is over a metre wide and 4 to 5 metres long, with about a 100-millimetre drop-off. But it is not the only dangerous road and dangerous pothole in my electorate. The Wimmera Highway between Rupanyup and Marnoo has terrible bounces that are very, very dangerous for the vehicles that travel on that road. The Henty Highway, even in Horsham near the Dooen Road Milk Bar; the Glenelg Highway between Casterton and Coleraine; the Hamilton Highway anywhere along that road; and the Western Highway, which is still awaiting duplication – these roads are riddled with potholes and crumbling edges. I ask the minister: when will these roads be made safe?

#### **Cranbourne electorate**

**Pauline RICHARDS** (Cranbourne) (14:52): (1437) My question is to the Minister for Public and Active Transport, and my question is: how will the newly opened Melbourne Metro benefit students planning on studying at the University of Melbourne and RMIT? I am so conscious of the students at Cranbourne West Secondary College, Cranbourne East Secondary College, Cranbourne Secondary College, Lighthouse Christian College, Casey Grammar and St Peter's College, both the west and the east campuses. They are all making their choices about universities and about what the future holds, and I can say that this is for them. The future is bright, and now with these transport options making all of those universities and tertiary institutions so much closer, I know that you will be able to bring your aspirations to reality. I look forward to the minister's response.

**Bridget Vallence:** On a point of order, Speaker, yet again I have a number of questions that are overdue by ministers. Again, I am not sure what they are doing, and I would really appreciate responses for my constituents. Questions on notice –

**The SPEAKER:** Member for Evelyn, I ask you not to have commentary when you raise a point of order. Just go straight to the questions that are unanswered.

**Bridget Vallence:** Questions unanswered by the Treasurer are questions on notice 2421, 2512, 2777, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861 and 2862. Questions that are overdue by the Minister for Government Services are questions on notice 2763, 2764, 2765 and 2776. A question that is overdue by the Minister for Education is question on notice 2932. A question overdue by the Minister for Health Infrastructure is constituency question 1351. Questions overdue by the Minister for Public and Active Transport are questions on notice 2933, 2934, 2935 and 2936. I would appreciate responses for my constituents. I will pass it to the clerks.

#### ***Rulings from the Chair***

##### **Constituency questions**

**The SPEAKER** (14:55): I have reviewed the constituency questions from 20 November 2025. The member for Nepean asked two or perhaps three questions that, while related, were on two separate matters. One was seeking information about reasons for the closure of a specific road, and the other was about maintenance of roads across the electorate. Standing order 55A states that members may ask one oral question each to ministers. Therefore I rule the member's question out of order. The member for Cranbourne asked a broad policy question and did not sufficiently demonstrate how it was specifically relevant to her electorate or her constituents, and I therefore rule that member's question out of order.



*Members statements***Electricity infrastructure****Statements resumed.**

**Peter WALSH** (Murray Plains) (14:56): What is happening is unjust and needs to be called out. If it is good enough for the union movement to support the breaking of unjust laws, it is good enough for country people to rise up and break the Labor government's unjust laws. It is time these issues were heard in the city, and all power to those that are taking a stand to protect farmland.

**Werribee Mercy Hospital**

**Dylan WIGHT** (Tarneit) (14:56): As one of the fastest growing regions in the nation, Tarneit has carried the weight of extraordinary demand on local health services. The expansion of the Werribee Mercy emergency department is not just a new project – it will save lives right across the west. This expansion is being delivered as part of a \$280 million investment to boost capacity at two hospitals, the Werribee Mercy Hospital being one of them. Once complete, the expanded emergency department at Werribee Mercy Hospital will allow the treatment of an extra 25,000 patients each and every year. This will double the current capacity. The expansion will increase treatment spaces from 33 to 67. This includes four new resuscitation bays, 16 short-stay beds and 36 emergency care cubicles to care for a rapidly growing population.

For Tarneit, Werribee, Hoppers Crossing, Truganina and the surrounding suburbs this is not just an upgrade, it is a commitment to equity, dignity and accessible health care in the outer western suburbs. Every family deserves confidence that help is close by in an emergency, and this project delivers exactly that. I commend the Allan Labor government for its continued investment in our community's health and wellbeing, and I thank the frontline workers who make this hospital a place of care, compassion and excellence every single day.

**Geelong Arts Centre**

**Chris COUZENS** (Geelong) (14:57): I recently attended the Geelong Arts Centre's 2026 program launch alongside the CEO Rhys Holden, and I am excited to share what is in store for the upcoming season. We are all very proud of the state government's support for the redevelopment of the Geelong Arts Centre. It has become a vibrant showcase for Geelong's artistic talent, attracting world-class performances and enhancing the quality of entertainment we provide to our community. The Geelong Arts Centre is more than a cultural landmark; it is an economic powerhouse for our region. It attracts visitors from across Victoria and beyond, creating jobs and driving growth for local businesses. The Geelong Arts Centre is essential to our community, offering opportunities for local and emerging artists to perform in a world-class setting. I look forward to the 2026 season, which will feature 32 shows, some of which we had a sneak peek of at the spectacular season launch, which was MCed by Gillian Cosgriff, with Casey Donovan, Tim Campbell and Sheridan Harbridge featuring in cameo performances on the evening. We can all be very proud of the Geelong Arts Centre's role in the city's creative and artistic communities. I do want to thank Rhys and his team for the work that they are doing in engaging First Nations creatives, making sure that children and young people, no matter where they live, have access to the arts and making sure there is something for everyone.

**Thomas Mitchell Primary School**

**Belinda WILSON** (Narre Warren North) (14:59): Last week I had the absolute pleasure of visiting grade 4 at Thomas Mitchell Primary School, where they have been learning about governance. As part of their studies these students have written their own members statements reflecting on issues that

matter to them, and I am really delighted to be able to share some extracts from a couple of them. The first one is from Alex:

... I'm writing to ask that schools teach first aid and emergency preparedness. When disasters happen, people can be seriously injured, and quick, calm action can save lives. If students learn basic first aid, they can respond safely, get help faster, and support others until adults and paramedics arrive.

A short program could cover: calling Triple Zero ... giving clear information; basic CPR and how to use an AED with adult supervision; what to do if someone is choking; how to stop bleeding with pressure; the recovery position; and how to recognise serious allergies, asthma attacks ...

or heart attacks. The second one is from Kaylee:

Today, I rise to speak about something that matters to every family in our community: ... parks and playgrounds. These places are more than slides and swings. They are shared spaces where children build confidence, friendships are formed, and neighbours connect. When parks are safe, clean, and well cared for, they strengthen community spirit, support healthy activity, and help every child feel they belong. Parks are also places where families can spend time together, exercise, and enjoy the outdoors.

Our state is in good hands with these young leaders.

#### **Pascoe Vale electorate Christmas card competition**

**Anthony CIANFLONE** (Pascoe Vale) (15:00): I am delighted to announce the winners of the 2025 Pascoe Vale school Christmas card drawing competition. This year participating schools and students were asked, 'If you could wrap up our community in one gift of kindness and compassion this Christmas, what would it look like?' After receiving 300-plus and many creative entries from across local schools, I was delighted to announce that the overall winner for this year is Mila Flint from St Oliver Plunkett Primary School, who drew a wonderfully vibrant depiction of our community wrapped in a gift including St Oliver Plunkett Primary and parish, Pascoe Vale Outdoor Pool and the local state member of Parliament's office of yours truly. Mila's drawing will feature on the Pascoe Vale electorate-wide Christmas card that will be sent to many locals. But we also had many other successful drawers recognised, including from second to 12th place at St Oliver's: Eva, Isla, Florence, Sienna, Gabriella, Eva, Quorra, Panos, Allegra, Joshua and Ellie. From St Fidelis Primary School, we had first place Leo Bonacci, Maria, Andrea, Jeevan, Estelle, Poppy, Ava, Ella, Madelen, Patricia and Quinn. From St Paul's Primary, we had in first place Milania Ponte and Alexander Ponte, as joint first winners, and we had Bhisaj, Zoe and Phoebe. From St Bernard's primary, we had first place Mila Mascaro, Romina, Ivy, Allira, Zac and Harry. We had at St Joseph's primary from Brunswick West, in first place, Issy East, Arlo and Penelope. We had the winners from Antonine College, first place Tia Roma, Helen, Carla, Isaiah, Isabelle and Alyssa. All participating students will be getting a participation certificate, and I recognise the 2023 winner Ava Soares and 2024 winner Alexander Mariotti as well. I wish my whole community a merry Christmas and happy new year.

#### **Metro Tunnel**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (15:02): How fabulous is the Metro Tunnel. It was so exciting to be there on Sunday, and I just want to thank the Premier Jacinta Allan. She gets stuff done.

#### **Bills**

#### **Justice Legislation Amendment (Community Safety) Bill 2025**

#### *Second reading*

#### **Debate resumed on motion of Sonya Kilkenny:**

That this bill be now read a second time.

**James NEWBURY** (Brighton) (15:03): I rise to speak on the Justice Legislation Amendment (Community Safety) Bill 2025. I want to say at the outset that the coalition will not be opposing this legislation. We will not be opposing this legislation because we believe that this government has got

it wrong for too long in addressing the community crime crisis that is gripping our state. But you see this bill that has come to the chamber today, a bill that has only come about, frankly, because of front pages of newspapers, and you have to ask yourself: how did we get here? How did we get to a place where a government who has done everything they humanly can to avoid acting on crime and getting tough on crime can immediately do an about face, in contrast to every supposed ideological principle they have, to bring about a bill that – in theory, if you listen to the Premier – gets tough, but secretly we know that what this bill does is not very much, not enough. It is not tough enough. It is weak and it is full of loopholes, partly because it is rushed, but also partly because this government does not really want to get tough on crime.

Every time I stand to speak on a government-proposed amendment on community safety I say very early on that it does not matter what the government tells you they are doing on crime, it does not matter what the government tells you they are doing to act on the crime crisis that is gripping our state, it will not be fixed by what the government and this Premier is proposing to do today, because at the end of the day we know that this government does not want to fix it and ideologically will not be able to fix it.

When you look at the bill that is before the Parliament today, it is a gross betrayal of Victorians' trust, even in the two weeks since the government announced the bill. I will go into some detail why that is the case, though I do note that the government is so embarrassed by the substance of this bill that they will push it through this chamber in under 2 hours. In less than 2 hours the government will be guillotining – forcibly stopping – debate on this bill. Not at the end of today, but in 2 hours, because they are so embarrassed to debate this bill that they will guillotine it, force a vote and push it out of this chamber. It will not be debated today in the Council by the way, because if it was urgent, it would be in the Council half an hour afterwards. It is going to sit and collect dust until Thursday. It is going to sit there until Thursday. Can it be debated in half an hour in the Council, at 5:30 today? It could be, but it will not be because the government is so embarrassed they want to get this bill through the chamber as quickly as possible, without anywhere near the attention and scrutiny that it deserves.

I will say one small, tiny, nice thing, so let it not be said that I cannot say something nice. The Attorney briefed me on this bill, and it is the first time the Attorney has briefed me on something, so I do pay her regard for briefing me on the bill. Sadly, I will now tell the truth about the briefing in terms of the substance of the briefing. I did not find, unfortunately, there were many answers to important questions that were asked, and I will go through that.

When I asked about consultation, I was not provided with a single instance where the substance of the bill – that is, the bill itself – was shown to anybody to be consulted. When I got the bill I sent it to important stakeholders in the broader community, and any who had time to come back to me, and I thank them, did note that no-one consulted them. I am not talking about organisations that you would not expect to be consulted. I am talking about organisations that frankly should, as a matter of course, be consulted. I will note that the Law Institute of Victoria (LIV) and the Federation of Community Legal Centres were both very kind providing their insights into the bill in the very short space of a few hours. It is very important to note on the record that the law institute and the Federation of Community Legal Centres were both very kind in providing their assessment, and I will speak to some of the specifics that they went to.

We have seen a bill introduced in this chamber that, in my view, breaches the promise that the government and the Premier more specifically gave to Victorians only two weeks ago. Victorians will remember two weeks ago the Premier holding an emergency press conference and mustering all the strength that she had never found to show how strong she was: 'I am going to be tough on community safety and we are going to introduce adult time for adult crime in Victoria. Everyone look at Queensland, because we are going to introduce it in Victoria.' I think Victorians were expecting a regime of adult time similar to Queensland's –

**Danny O'Brien** interjected.

**James NEWBURY:** You would think, Leader of the Nationals, when you are introducing a regime and ripping the name off the Queensland model, that is what you would see in Victoria.

**Danny O'Brien** interjected.

**James NEWBURY:** Maybe, Leader of the Nationals, but what we have seen is a regime that has nothing much more of the Queensland model than the name. Frankly, the government has simply tried to pass off a product in Victoria that is tough like Queensland but is as weak as water. That is the problem with this legislation – it is as weak as water. But when the Premier made her announcement, she announced that eight crimes were going to be identified and fall under her policy for adult time – eight crimes. When you look at the press release – eight big bullet points in bold – you think, ‘Right. What they’ve done is they’ve modelled the Victorian system off Queensland.’ What they did in Queensland, for background, is they took 33 crimes and they said, ‘We are going to identify these crimes as serious because we have a crime crisis in Queensland. We will identify 33 crimes as serious, and when we do it we won’t just identify them as serious, we will also significantly increase the penalties – because they are serious.’ So for many of the offences they doubled the maximum sentences – massively increased the sentencing regime for those crimes.

When the Premier went out to announce her policy, the first point I made was: hang on, there are eight of the 33 in Queensland. You can understand why a couple may not transfer. Our laws are different, and certain offences in Victoria are dealt with separately, so it is not a straight translation of 33 – but eight? We are at a quarter of what Queensland is doing by way of the regime. Victorians could be forgiven for thinking the bill that is before the house designates those eight crimes as serious. That is a fair and reasonable assumption. Yet it designates five. We have lost three, and one of the five has not got an increased penalty. Of the eight the Premier identified herself in her press release with her big, bold writing and dot points, only five are designated as serious, to use the Queensland terminology, but only four of them have had an increased sentence – so only half of what the Premier passed off as being the core of her policy actually have an increased sentence. It is astonishing to think that the Premier can have so tricked Victorians with her policy announcement.

**Steve Dimopoulos:** On a point of order, Acting Speaker, impugning a member and saying the Premier tricked anybody – she has just worked hard every single day –

**James NEWBURY:** That is a point of debate.

**Steve Dimopoulos:** No, it is not. That language is not a point of debate. She has worked hard every single day to protect this community, and that is what we are doing.

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

**James NEWBURY:** There is no point of order, because it is true. As I said, the Premier tricked Victorians, passed off getting tough on crime with those eight crimes, but has only designated five of the eight as serious and only four have increased sentences. I will get to the recruitment promise separately, but to go through the Crimes Act 1958 reforms – and I have specifically referred to the eight originally promised – there are five designated offences, four with increased sentences. Now we will get to the other three, because it is worth mentioning what happened to the other three. I know I have just said one of them – one of them has not had an increased sentence – but ‘What happened to the other three?’ you ask. Two of them are only increased in terms of jurisdictional hearing if they are serious and repeated. That means that if you commit those crimes once it is not serious necessarily or repeated, and therefore that has gone from the list. It has dropped off from what a normal Victorian would have read and heard from the Premier’s initial announcement. The final one is carjacking, which the government says also has got an increased jurisdiction. This is where it gets very, very interesting, because only in crooked Victoria could –

*Members interjecting.*

**James NEWBURY:** I do not hate Victoria, Minister. But I will tell you what, this government is crooked to the core, Minister. And only in Victoria could this crooked little government propose a policy reform called ‘adult time for adult crime’ and allow the offender the right to opt out of being treated as an adult. The chamber has gone silent. I cannot hear a Labor member defending that. So a carjacker –

*Members interjecting.*

**Paul Mercurio:** On a point of order, Acting Speaker, the member for Brighton is being particularly nasty, and I would ask you to ask him to stop being nasty.

**The ACTING SPEAKER (Meng Heang Tak):** It is not a point of order, but I do ask members to speak to the bill.

**James NEWBURY:** Exactly, Acting Speaker. So what this legislation says at new section 157B is that a carjacker can decide to ask that they not be treated as an adult. So we are introducing and dealing with a proposed piece of legislation –

**Steve Dimopoulos:** I think you’ve misrepresented it.

**James NEWBURY:** No, not true. We have a piece of legislation before this place where an offender can make a request. And of course it is not a simple tick and flick – there will have to be reasons around that request being approved – but nevertheless it exists. Nevertheless, it exists that offenders will have effectively a right of request. But that says everything about Victoria, and you can understand why Victorians would be looking at this bill now and saying, ‘Well, we can see why this bill is being rushed through the Parliament.’

I mentioned earlier the government’s commitment on recruitment of people into crime. When the government made that announcement they committed to life for recruiters of criminals – serious, serious penalties for the recruitment of criminals – and from memory, the announcement was made the day after the adult crime policy was announced. This bill includes a new sentence for recruiters, lifting the maximum from 10 to 15 years. Now, I did ask the Attorney-General about that, because clearly 15 years is not life, as promised by the Premier only two weeks ago. And she said, ‘We’re going to create another offence next year. We’re doing this now. It’s something – it’s an uplift – and then we’re going to create another offence next year for aggravated recruiting. So we’re going to do a little something now and a little something later. We can’t tell you when, but at some stage.’ I will tell you what, when it comes to community safety there is a lot of ‘We’re going to do something later at some stage.’ So the bill also does that.

The bill also deems theft of a vehicle where a child under 10 is inside the car to be a carjacking. We have seen horrific crimes where, as the Attorney said to me, in many instances the carjacker did not even know the child was in the car; that may well be true, but they are horrific crimes. I would make the point that I made to the Attorney, which she accepted as legitimate but could not explain why it was the case: what will now occur in Victoria, because kidnapping was not included under this policy as it was in Queensland, is that if a youth offender kidnaps a child from anywhere other than a car, they will be dealt with in the Children’s Court and the sentence will be dishd out at a lower level in the Children’s Court. So if there is a kidnapping from a pram on a street, it will go to the Children’s Court and the Children’s Court will mete out the penalty at a lower level. But if that same youth offender kidnaps the child in a car through carjacking – by definition, kidnapping in a car – their case will be heard in an adult court and they will face a very, very serious penalty.

In no way am I suggesting they should not, because they absolutely should. But are we now at the stage where legislation is so ill thought through that mistakes of that nature can occur, where kidnapping in a car is dealt with in an adult court at a much higher rate of maximum sentence than kidnapping anywhere else, where it would be dealt with in a children’s court with a lower level sentence? I put that to the Attorney and she said, to be fair to her, that the bill responded to high-profile

crimes effectively, and the data had shown there had been high-profile crimes. I made the point that sentencing is much broader, so therefore you need to think of the implications of what you are doing, which clearly was not the case here. Further, the bill creates a new offence for the use of knives in the commission of certain indictable offences and lists specifically what those are.

I do want to, though, before going further, move:

That all the words after 'That' be omitted and replaced with the words 'this bill be withdrawn and redrafted to provide an "adult crime, adult time" regime in Victoria that will deliver consequences for a range of serious offences and a meaningful impact upon the crime crisis gripping the state.'

We want this bill to be strong, and we are happy to work with the Attorney for the rest of the day to make sure that this bill is tough enough and is passed this week in a tough way, to make sure that it is a regime that actually does something to fix the serious crime crisis we face in Victoria. As I have said, we will not be opposing the bill, but we are seeking to toughen it. We are attempting to make sure that we have a bill that goes through this chamber this week, as the government has indicated, that is tough. We have put that commitment and offer onto the table and said we will work with the Attorney for the rest of the day and into the night to make sure that it is tough, and that is what we are asking for by way of amendment.

The bill does a number of other things. I do note I promised to give my colleagues as much time as possible. I have raised a number of concerns in relation to the initial commitment and what has been delivered; the bill being narrower and incomplete by comparison to Queensland; the issues around sentencing on various crimes, because there are clearly things that have been overlooked; and the opt-out request in certain circumstances, which a court would need to approve. But it is there, and I imagine that it will be the most used request in Victorian legal history. On those matters I should also finally just point out the analysis of some of the organisations that have taken the time. I do want to refer to the Law Institute of Victoria, which:

... acknowledges current community concern around –

youth –

crime and the importance of preventative measures and providing justice for victims. However, amendments that seek to criminalise conduct that is already criminalised do not address the root causes, and only creates complications and increasing confusion in legislative interpretation.

They say:

More broadly, the LIV would observe that there is a concerning trend where the Crimes Act is amended needlessly to address specific conduct that is already addressed through other offences.

That does not go to their more broad concerns. They have raised more broad concerns with not just the bill but the announcements that were made by the government in that week. More broadly, I should put on record, they consider that exposing children to early incarceration will only serve to exacerbate their disadvantage and reduce availability for positive rehabilitation –

**Steve Dimopoulos** interjected.

**James NEWBURY:** I am putting it on the record – increases the risk of recidivism. It is important in this debate to put that on record. That does not mean that I do not think we need tough laws, but it is absolutely the right of an opposition – and in fact an obligation of an opposition – to put the concerns of those organisations on the record. The Federation of Community Legal Centres noted three concerns:

The proposed Bill has not undergone any meaningful consultation with the Victorian community ...

The proposed Bill will not make Victoria safer ...

The proposed Bill will perpetrate significant lifelong harm to children and undermines the integrity of our youth justice system.

I conclude where I started, by saying that the government have attempted to do a full spin on their long-held position that frankly they side with offenders over victims. You can see it in everything they have done. You can see it in every legislative reform where they have watered down the law and, frankly, been a central cause of the crime crisis in Victoria. I know that when I started raising home invasions the Premier at the time said that I was making it up. What a pig of a man he was. He said I was making it up. Well, it turns out now this government is amending the legislation on the crimes that I raised. Pig of a man. This legislation –

*Members interjecting.*

**James NEWBURY:** Well, he is.

**Steve Dimopoulos:** On a point of order, Acting Speaker, I question whether calling someone a pig is impugning a former member. I seek advice. Just because someone is no longer here, can you call them a pig?

**James NEWBURY:** Just because he is not here does not mean that he is not. He is. Whether he is here or he is not, he is still a pig of a man.

**The ACTING SPEAKER (Meng Heang Tak):** I will rule on the point of order. On the point of order, there is no point of order. I do ask the member to come back.

**James NEWBURY:** Thank you. I appreciate your shielding, Acting Speaker. To conclude my remarks on this bill, the coalition will not be opposing it. We have put out the offer to the government that we want to work for the rest of the day to toughen these laws. We have put that offer to the government, and I am putting on record again the need to work, hopefully by the end of today, to toughen those laws. I would very much hope that the government today can work with us to toughen them. It is a genuine offer, because we do not want to frustrate this bill from being passed before the end of today, and neither will we. We just want to make sure that it is tough and it is fit for purpose, and we can do it by the end of today.

**Tim Richardson** interjected.

**James NEWBURY:** I can tell you, member for Mordialloc, where there is a will there is a way. We can toughen it very, very quickly, I am sure. I am sure where there is a will, there is a way. We want to make sure by the end of the day this passes, but we want to make sure that it is tough and it does something about crime in Victoria.

**Tim RICHARDSON (Mordialloc) (15:29):** It is really important to rise and speak on the Justice Legislation Amendment (Community Safety) Bill 2025. Before I go to some of the points that were raised by the member for Brighton, I want to join with the Premier and Attorney-General in putting on the record our recognition of the impact high-harm crimes have had on communities and those that are victims of crime and that will live with the trauma and impact that this has had on them into the future. We must always remember that there is a human impact behind the stories of offences that happen and that people will live with those impacts through time. The many victims of crime that the Premier has had the opportunity to meet with, in her compassionate and kind way of approaching leadership in this state, demonstrates the importance that we place on having victims and victim-survivors at the forefront of everything we do. These reforms today are a recognition of listening to the impact that it has had on them and a recognition that we must do more, and we are doing more with our adult time for violent crime. It comes directly on the back of those conversations. It is important to place that on the record.

It is not since Tim Smith was Shadow Attorney-General that we have had the legal fraternity in Victoria so shudder at a lack of understanding of law reform and law in our state. Not since Tim Smith –

**Bridget Vallence:** On a point of order, Acting Speaker, on relevance, former members of this side of the house have got nothing to do with this bill. I would ask you to ask the member to come back to the contents of the bill.

**The ACTING SPEAKER (Meng Heang Tak):** I will rule on the point of order.

**Tim RICHARDSON:** I am literally talking about the Shadow Attorney-General in the role that he has undertaken in understanding the legislation. If that is not relevant, I do not know if the member for Evelyn was listening to my point; I was literally contrasting a point of debate.

**The ACTING SPEAKER (Meng Heang Tak):** I rule on the point of order that there is no point of order, but I do ask the member to come to the point.

**Tim RICHARDSON:** Down at Flagstaff right now and down at Queen Street there is a shudder going through the legal fraternity like never before, because we have one of the most fundamental lacks of understanding of requests on a legal process that we have ever had. At least the member for Brighton made the effort to get admitted and got it done, did the juris doctor at Leo Cussen or whatever to get it done in here. The former Shadow Attorney-General was not a learned friend. We have got here a complete lack of understanding of what a request made in a court process to a judge is as opposed to an opt-out. The nuance might be lost on the wider Victorian population. The nuance is not lost on legislators and the nuance is not lost on judges, on barristers, on solicitors or on anyone who has done six months of a law degree – which you have done, Acting Speaker Tak. You have done a few rounds, quite a few – five years I think the Acting Speaker might have just signalled. That is a fundamental misunderstanding of how the legislation works and operates, it is a mischaracterisation of the bill and it is a serious and egregious misunderstanding for someone who wants to be the alternative first law officer of this state. There is not an opt-out. It does not exist. It then places a jurisdictional choice, and the suggestion of that is quite troubling. There is a request made to a judicial official, the judge, to then make that consideration. The notion of an opt-out is a choice to either go to Children's Court or County Court, and that is placed in the hands of the offender. The lack of understanding of this legislation probably goes to the node of how this reasoned amendment, which delays adult time for violent crime, is a direct attack on passing this bill through. We just had a big 26-minute routine –

**James Newbury** interjected.

**Tim RICHARDSON:** A request – that is right, member for Brighton. The member for Brighton's word was 'opt-out'. It might be lost –

**James Newbury** interjected.

**Tim RICHARDSON:** The fact that the member for Brighton does not know that and does not realise the legislative difference between the two is very, very concerning. If you were before a judge and tried to play that argument out, you would be laughed out of Queen Street. You would be at Flagstaff station heading back to Brighton. And, guess what, you would be up on ethical standards if you came in with a legal argument like that. If the member for Brighton was representing me, I would want my money back, and then I would want him to do it pro bono. The lack of understanding of this legislation is extraordinary.

On government consultation, the member for Brighton made the allegation that there was none from anyone that the member for Brighton spoke to. The fact that the member for Brighton did not know opt-out and the request being made is extraordinary. I still cannot get my head around it, because there were a few blunders from the member for Kew, but I think this one is kicking it out on the full in an extreme fashion. Let us go through it: the government consulted the courts, the Office of Public Prosecutions, Victoria Police, Victoria Legal Aid, the Aboriginal Justice Caucus, the Victorian Aboriginal Legal Service, the First Peoples' Assembly and people who have been impacted by crime on how they want to see the legislation change. We know that a maximum sentence in the Children's



Court is three years, and any matter uplifted to the County Court will automatically see an increase – not the opt-out language. I know that this might make you shudder, Acting Speaker. I know you have got to keep a straight face here, but as someone who has practised before, you would be horrified by that language and the lack of understanding of that.

We know then the bill deals with these eight offences because of the uplift provisions put forward here. I was listening to the member for Brighton intently and I thought, ‘There has not been a reasoned amendment yet. There won’t be. Surely not.’ Surely with the urgency of this bill and the need to protect Victorians, they will understand that this serious high-harm crime needs to be responded to in this way. Then I see a reasoned amendment that I do not think cracks 28 words – I am not sure if it gets there – that is to basically kick it out into the never-never and put it out over the fence beyond reasonable doubt. There it goes. I do not think this makes any sense whatsoever, this reasoned amendment that has been put forward.

The opposition comes in here – and I do not know if the member for Berwick would stump up this. I do not think the member for Berwick has been talked to about this, because it makes absolutely no sense. He might be up on this. He might be able to give us a bit of flavour and the colour of movement in shadow cabinet. How you can get to saying, ‘We want urgent reforms’ – right? Tick. But we are going to kick it off into the never-never beyond January into February when we sit next and not allow this bill to go through. It does not make any sense whatsoever. I do not think some of those opposite would agree with this approach, because we need these reforms brought through – the eight offence categories. And let us be clear: those are the offence categories that we have seen Victoria Police and the police commissioner talk about. We have seen high-harm offending and a category of offence from a younger cohort of Victorians that need to face those consequences.

I am the first, as Parliamentary Secretary for Men’s Behaviour Change, to say that we need prevention at the heart of what we do as well, because the overwhelming representation of offenders are boys. Ninety-five per cent of violent crime that is committed in our state is committed by a boy or a man in our community. We have to ask why. What are the societal elements that see 19 out of 20 offences committed by men and boys? We have to front up to that. People will say, ‘Well, it’s not all boys and it’s not all men,’ but we do not say that about mental health. We have a mental health toll that is 75 per cent men and boys, and we have a collective societal effort to try to lower that. We need to have the same conversations about violence in our community that is perpetrated by men and boys and try to understand how it has come to be that we have 19 out of 20 violent offences in that space.

We see the recent category of offending that is listed, which the member for Brighton went through, which I will put on the record: aggravated home invasion, home invasion, aggravated carjacking, intentionally causing serious injury in circumstances of gross violence, recklessly causing serious injury in circumstances of gross violence, carjacking, serious and repeat armed robberies, and serious and repeat aggravated burglaries. These are the categories that we have seen play out with a higher representation of youth offenders, some as young as year 7 and year 8. We have not seen that young offender category before. It is deeply disturbing and concerning to our community. We have to wonder where these kids – kids that should be in high school – are getting into high-harm, serious crime categories. We have to have a collective approach where there are consequences and we stop crimes from happening in the first instance.

This is not unique to Victoria. We see this conversation in New South Wales, in South Australia, in Queensland and in Western Australia. We are seeing a crime crisis across our nation where younger offenders are in that category, and we must have consequences and early intervention and prevention. But we do not need reasoned amendments coming here that are less than 28 words or 27 words in length that kick the bill out after saying it is serious. And, guess what, we do not need shadow attorneys-general who cannot understand the law. Opt-in is not the same thing as a request to a judge. Tim Smith would be blushing. Tim Smith would be sitting there right now saying, ‘Get me back in, legends; get me back in’, because even without a law degree he knew that cannot be a category. It is a

big blunder from the member for Brighton. He might want to come in and correct the record before Flagstaff down there on Queen Street laughs him out of Melbourne.

**Danny O'BRIEN** (Gippsland South) (15:39): I am pleased to rise on the justice legislation amendment (copying Queensland LNP but not quite getting it right) bill 2025, because I think that is really what this legislation should be renamed. This is a government that is all at sea, and if anyone just demonstrated it, it was the member for Mordialloc, who was at his best explaining exactly how chaotic and unorganised and panicked this government is in both a political exercise and on the issue of crime.

The member for Evelyn was just reminding me that only a year or so ago this government was talking about lifting the age of criminal responsibility, and now we are locking them up for life. What has happened inside you guys? They have obviously had some serious polling that says 'Mordialloc has gone; there must be a real concern there,' because they have suddenly discovered there is a crime crisis, particularly a youth crime crisis, here in Victoria, and they think they should do something about it. The old saying is that the most sincere form of flattery is imitation, and this government cannot even get the imitation right. They simply cannot even get the imitation right. They are trying to copy Queensland but cannot even do it.

I can only assume, and I am happy to be corrected by anyone who wants to get up and talk to me about the internal workings of the Labor Party, that the left has gone, 'No way; we can't go this hard.' What was announced a couple of weeks ago has already been wound back by this government, with the Premier saying at the time that there would be eight offences that would come under the adult crime for violent time – sorry, adult time for violent crime. It is hard to get it right. You guys must be struggling with it too, because it is adult crime, adult time. When you put the whole violent thing in, it made it difficult. It again highlights that this government should have just stuck with what the Queensland LNP did because it worked politically and it is starting to work in a crime sense as well. But no, this government is hidebound by its own internal ideology and is struggling to deal with it.

The member for Mordialloc is upset that we have the temerity to suggest a reasoned amendment. We got this bill yesterday at about 4 o'clock in the afternoon. We got a briefing at 4:30. We get the bill today, we are debating it now and we are going to pass it by 5 o'clock. I say to the member for Mordialloc: if this is so urgent, where have you been for the last 11 years? Where has this government been? They have just realised that there is a crime crisis, and now they are trying to act politically and say they need it debated and gone in 5 hours, because this government has messed up crime so badly. We have seen the Attorney-General and the Premier trying to say in here that what we are dealing with is a whole set of new crimes. If they are new crimes and this is a new approach to crime, this has happened on your watch. For the Premier to come out a couple of weeks ago and start to say there have to be consequences – hello, Premier, where have you been for 22 of the last 26 years when the Labor Party has run the state here, has run the legislative agenda and has wound back bail laws and ensured that there are no consequences, particularly for youth offenders? That is the key to this that Victorians have had enough of. They are sick of the excuses of a government that now is acting belatedly and saying, 'This is so urgent, we have to act.' Where have they been for 11 years?

**Tim Richardson** interjected.

**Danny O'BRIEN**: No, we are not going to block it, member for Mordialloc, because we know that Victorians want action on this even if it is Clayton's action – even if it is the Queensland LNP legislation that you have when you are not having the Queensland LNP legislation. This is the Clayton's approach, but it is better than nothing. Victorians are pleased that finally the Labor Party has realised there is a crime crisis and that there is particularly a youth crime crisis. We can remember the former Premier, and I will not go to what the member for Brighton said, repeatedly saying there is no youth crime crisis.

**A member** interjected.

**Danny O'BRIEN:** The current one has said it, and they are still denying it. Because of the very truncated nature of this debate, I am going to leave it early so that more of my colleagues can have a say. Because this government, that just discovered crime a few months ago, is now so desperate that it needs to get this through by 5 o'clock this afternoon, I will leave it there. This government has just discovered crime. It is acting politically to try and stem the tide of a Premier that is at minus 32 per cent approval rating, not because it is worried about the safety of Victorians.

**Sarah CONNOLLY** (Laverton) (15:44): I, too, rise to speak and make a contribution on the Justice Legislation Amendment (Community Safety) Bill 2025. I am really pleased that the Leader of the Nationals has sat down. I am going to begin my contribution, and I will explain why as I go through this contribution and talk about a couple of things and make a couple of observations. The first is that it is impossible here in this place for those opposite to have a serious conversation about crime in this state. That has been entirely obvious, not just over the last three years, but over the last 11 years. Those opposite cannot be trusted to have a sensible, mature, serious conversation about crime here in Victoria. This is really the first thing I want to start with, and I do hope that colleagues and those opposite hear me when I say this: locking up and impinging on someone's liberty out in the community, locking up a child, is incredibly serious. It is incredibly serious. It is not something that should be undertaken with sudden urge. It is not something that should be undertaken recklessly. It is not something that should be undertaken without serious consultation with the organisations and the people who serve at the front line of this, and I am talking about Victoria Police, those in the legal fraternity and those in the prevention space.

It is incredibly serious to lock up a child. It is no laughing matter. On the contributions of those opposite playing political hot potato, I would caution them against speaking like that about this issue and about this bill. The second thing I wish to mention is that whilst it is incredibly serious to lock up a child, it is also incredibly serious – and should not be joked about and should not be used for political pointscoreing, which I have seen time and time again – to talk about these matters when people have died. People have had terrible things done to them; they have been maimed by knives and machetes and had terrible offences and nightmares cast upon them, not only by adults here in this state, but by young people and children. It is incredibly serious.

This bill has not come before this place without it and its implications having been seriously considered – yes, for offenders and for the children we are talking about, but also for the victims. Let us remember that some of those victims are children themselves, okay? We are also talking about victim-survivors who are children. What this bill does is make good on this government's recent commitment to introduce adult time for violent crimes. This bill is something that has been welcomed in my community. It is the bill that is going to provide, determine and undertake consequences put upon those serious young offenders in our community – yes, in the western suburbs.

I do not want anyone to doubt that community safety is one of the top priorities of this government. It needs to be a top priority of this government – of any government. It must be. Community safety must be paramount. What the changes in this bill have done is provide a whole number of changes that our government has made to tackle what really is a scourge of violent youth crime. It is appalling seeing these crimes committed. It is appalling reading about them, and let us face it, it is appalling watching the footage of these crimes when we wake up and either read the newspaper in the morning or watch the news of an evening.

Earlier this year we went ahead and introduced some of the toughest bail laws in this country, and we targeted offences like home invasion, carjacking and aggravated burglary. We introduced a new test to apply to repeat offenders who commit these crimes, yes, whilst on bail, ensuring that they are less likely to be granted bail in the first place. But what we have seen so far is that, yes, these laws are having an impact now. I know those opposite like to talk about them not having an impact. When I am out in the community, I remind my community we know they are having an impact because the number of people who have been remanded, both youth and adult offenders, has increased substantially since this time last year. But what we know as a government is that there is still more to

do and we need to take more action. That is what this bill is about. A lot has been said about these changes that we have announced over the past couple of weeks, including this one, the adult time for violent crimes.

Some have said that we are going too far. I have talked to people in the community, and they can tell me about crimes that have been committed against them by youth, or they know friends or family, or they saw it on their community pages, and they are really unsettled. Some of them are really appalled or frightened, but some of those people have said, 'Yes, it's going too far,' that we are setting these kids up for a life of misery and a cycle that will see them back in jail time and time again. Others have said that we have not gone far enough, but what I know is that these changes will make communities like mine in Melbourne's west not only feel a whole lot safer, but they will be a whole lot safer. We have seen all of these kinds of offences like aggravated burglaries, carjackings and home invasions occur, and when I talk to folks out on the streets – and I talk to a lot of people, and I am always more than happy to talk about crime – what they tell me is that crime is one of their biggest concerns. It is. And unfortunately the number one sentiment they feel is that there are not enough, if any – and we talk directly about this – consequences and that young people especially need consequences for their actions. That is exactly what this bill is about. This is going to deliver very serious consequences for very serious violent crimes.

I think folks on both sides of the house know there is a litany of reasons why children are committing these crimes. I do want to say in Wyndham the two main reasons why we are seeing young people commit crimes is firstly social media and the normalisation of knives and machetes and gangs, the normalisation of violence, and these are real. This is something that is really difficult to tackle. We have brought in a ban on social media, but we are seeing children as young as 10 and 12 commit some of these horrible, horrible offences. Tackling social media for this generation is really difficult. There is no silver bullet and no easy solutions. It will not be fixed tomorrow, and I think folks on the streets know that.

The second thing in Wyndham that I think those opposite certainly have failed to talk about for the last 11 years here in this place while we on this side have gotten on – we have spent billions; we even had a royal commission into it – is domestic violence. It is a huge scourge on our community. The ripple effect is absolutely abhorrent. But what we do know is that some of the most violent youth offenders themselves have come from homes with the horror of domestic and family violence, whether they are watching dad beat mum or they have been beaten up themselves.

The other thing I will say about Wyndham is that Wyndham in the next couple of years will have the highest population of young people. Yes, it is one of the fastest growing LGAs, not just here in Victoria but in the country. It will have the highest population of young people, and that is something that governments like ours must take seriously. Kids will need consequences for their actions. The more serious consequences will be rolled out for the serious violent crimes for these kids. But what we also know and we talk a lot about and have talked a lot about and have invested a lot and we will continue to do even more because we must do more, is look at investing in prevention strategies. What else we can do? What else is working across the globe in turning young people who are going to fall into a life of crime away and giving them a life where they can be a productive, wonderful citizen in the community?

I think what this side of the house and this government has done is walk a tightrope where they have had to have a balancing act – adult time for violent, serious crime – and then we have put in prevention measures like the early intervention measure that we announced a couple of weeks ago. We were actually at Sunshine College to announce that, and Sunshine College knows very well what happens to young people who are not steered away from the justice system and are not given opportunity. But this is a really serious bill, and I would urge members to talk about it in a much more respectful, serious way.

**Brad BATTIN** (Berwick) (15:54): The words ‘consequences’ and ‘brazen’ must have come up a lot in recent polls because they seem to be the words being mentioned the most right at the moment in this conversation. If you want to talk about consequences for crime, does anyone seriously believe bringing in a life sentence for a person who is 14 years old and who has committed an aggravated burglary is the right outcome? I do not think anyone does. Let us be honest: if you want to fix the justice system, stop focusing on the top end of it.

The problem is we have seen just today that the person who was found guilty of murdering Ash Gordon did not even get the top end of the sentence for the crime of going into someone’s home and doing a murder. Let us put it into perspective. That is the reality. We have seen people go into homes with knives and machetes and terrorise houses, terrorise victims and steal cars. Every single person in this room has spoken to someone who has been the victim of an aggravated burglary. It is just a thing that happens now, but when the perpetrators go to court, they are not getting any sentences.

The problem is the system fails them when they get out. If you are going to be fundamentally fair and fix the justice system, the first thing – and I know the member for Laverton spoke about crime prevention – is to put back the money that has been cut from crime prevention here in Victoria. We had 25 staff in the crime prevention unit here in Victoria; it is down to under four. They did not even have enough staff to put in a bid for the budget so they could get funding for the next 12 months to run programs. That is how you fix the criminal justice system: you go out and you work with Victoria Police and other organisations – not-for-profit organisations, private organisations – who can genuinely make a difference when it comes to young people here in Victoria and keeping them away from a life of crime.

I have spoken about it here before, and I will speak about it until the day I am no longer here: you are not going to arrest your way out of this problem. Yes, you can give the police the powers. Yes, we can introduce legislation, but that is not going to make a single bit of difference when it comes to sentencing here in this state, because the message here is wrong. The message should be: how do we ensure the sentencing regime gives the kids the best opportunity to come back out as better parts of our society? We have got to think differently. We can look overseas. I have read one book – I cannot remember, but I think it might have been the Deputy Premier who gave me the book.

The book that I got from the Deputy Premier was *Fist Stick Knife Gun*, and it was written by Geoff Canada about the changes that happened over in New York. If you do not intervene at the fist, you will end up at the stage of the gun. It is the process and the progress of that. Geoff Canada’s discussion and argument through that book highlights the fact that it was ignored for so long that it was nearly impossible to wind it back. By the time it got to the stage of winding it back, the entire community wanted all these kids locked up forever, but the outcome of locking them up was not getting the outcomes they needed to make the community safer. There has got to be some zero tolerance and other things, but it does not necessarily mean jail. It can also mean youth programs like Youth Start or, when we ran it, Operation Newstart – engaging with the highest risk young offenders early. Let us create opportunities for them before they go and commit the most violent crimes. Let us get to a stage where, like it used to be, aggravated burglaries were rare. No government is ever going to get rid of them, but let us make them as rare as possible, and the way to do that is to engage these younger people earlier.

Victoria Police over the years have struggled. We know the figures at the moment: there are nearly 2000 vacancies on the rosters. They struggle under the pressures when they continuously arrest someone and they know that they get bail continuously. You can argue about the stats and what figures are there at the moment, but the reality is a lot of them continuously get bail. We speak to the coppers every day who go and arrest the same kids the next day, the next day and the next day – we have seen cases where it is above 60 times. Then the coppers get frustrated. How many have sat down with frontline Victoria Police? How many have sat down with people like Sergeant Matthew Mudie, who has operated youth programs and made a genuine difference? These people out there know the programs they want to run, but they cannot because they do not have the staffing. Victoria Police now

are literally there to respond. They are not getting the staff allocation to do the crime prevention, which they used to do very, very successfully because they know prevention of crime is the best outcome.

Coppers would love to be actually getting to a position where they are putting themselves out of work. How good would that be? And there are, within Victoria Police, so many people who have the expertise who have done this in the past. There are those that are no longer there and have gone out now with the Community Advocacy Alliance, and you have got some people who have run the Blue Ribbon Foundation and the Blue Ribbon events that we have had in the past. We know the ways that this can be fixed. These are the people who have the common sense and understanding of what they have got done. Shane Smith, who used to be at Dandenong, and Ian Gillespie, formerly at Dandenong, both ran programs that actually engaged kids. At Prahran they used to run soccer events to get the kids engaged with Victoria Police and go and play soccer. Unfortunately the only game I ever got involved in we lost 9–1.

**A member** interjected.

**Brad BATTIN:** You said they still do it. Vince Manno still does it with limited funding, because he gets less funding and the staff cannot help him anymore or go on voluntary duties because they are not available on the rosters. So you cannot say they keep doing it and they still do it when they still have this position now where they are trying to do it more and more but they get held back every step of the way. That is because they simply do not have the funding and they do not have the resources to do it. That is not a dig at the police, it is a dig at the government for failing to fund it and for failing to give the police the resources they need.

And this legislation today, which has been rushed through the Parliament all of a sudden, we need to get through urgently. We even heard the member for Laverton say – I think the words, and I will not quote exactly, were along the lines of – ‘We’ve got this legislation coming in. We’ve had to work on it properly because we want to make sure that there are no negative consequences, that the outcomes are all positive and we’re going to make the community safer’. Yet it gets introduced today and has to go through here in the next hour because it is that urgent. It is that urgent that it has to get put through here in a few hours, yet the government have said that they wanted to make sure it was all good in between. Wouldn’t you then give the opposition and wouldn’t you then give external agencies the opportunity to have a look through it and let us know how it is going to have an impact? Well, no, you want to make sure it is out because when the next lot of crime stats come out in Victoria they are going to be horrendous, and we are going to see the real impact of years of failure to address the crime issue here in our state. This is just so the Premier can stand there and go, ‘We’re acting. We’re now doing something. We’ve decided that all of a sudden, now that we have got nearly 120 per cent or something increase on aggravated burglaries over the last 10 years, we’re going to start to do something.’ Too late – it is too late. If you wanted to do something, you would have done what was right, and what was right was to ensure that the programs that were preventing crime longer term were not cut – where programs like Youth You out in Narre Warren, in Hallam; like Boys to the Bush up in Bendigo; and like Operation Newstart, which were cut under this government; and like the crime prevention programs, including the graffiti programs, were cut. Because when you do cut those, the consequences are what we are seeing today, where young offenders think and know they can get away with nearly anything, with nearly any crime, and the consequence for that is people are less safe. That is why we are where we are today.

If this government truly wants to review what is happening in crime, go and speak to those that have run the best programs. Go and invest in the organisations that make a genuine change in their community. Let us try some things that are different. Let us get some of these kids – because they are pretty inventive, some of these kids, and some of them are great artists, we have seen some of the art in the street; we might not like it down the Monash Freeway, but some of it is actually pretty good – and invest in these kids and create opportunities for them. Because if we can get them away from the life in crime, if we can give them the opportunities that they should get and if we can intervene in the highest risk youths at the earliest stage, legislation like this – any language in this Parliament where

we all of a sudden want to talk about locking kids up for life – will not exist, because we will make sure that the kids are not committing the crime in the first place. Should I ever get the opportunity to be on the front bench of the other side, that will be my absolute priority – to make sure these kids never go into the justice system in the first place, making Victoria safer.

**John LISTER** (Werribee) (16:04): Firstly, I would like to thank the member for Laverton and my fellow Wyndham colleague for her contribution to this bill and framing it in terms that I will turn to as well, which is this idea that we need to have community-led solutions. Community safety does go beyond the headlines. It is about building a strong community, not just necessarily in our justice system but across all aspects of the systems that government has the honour to be able to manage and run for our people.

We have seen the results of an increasing disconnection between children and the community, something I have seen firsthand working through COVID in schools and subsequent to COVID as students returned to schools. Police and people working in this area have observed a new trend of violent offending by children. It is not necessarily those stages that the member for Berwick observed. We are seeing an escalation – ‘from zero to 100’ was the phrase that my local inspector used in a meeting just recently. I have said it several times in this place. Justice legislation is not just a set and forget. We need to regularly look at how the expectations of the community are reflected and ultimately the outcomes in reducing crime in our community and recidivism are met.

Our bail reforms have seen an increase in the number of people on remand. Further changes will come online early next year. Our nation-leading machete ban is now in force, with thousands of these dangerous weapons off the streets. We have made it easier for police to stop and search people for weapons – changes we have already been seeing used by our amazing officers from West Gate transit in targeted operations at Werribee railway station and Werribee Plaza. Operation Omni continues every night, using those laws around carjacking and home invasions to be able to hold these people to account in the Wyndham area.

However, we know that more needs to be done, and while those opposite seem content to run those same fear campaigns they have tried over and over, we have been out listening to victims and members of the community. A lot of the reforms announced as part of the package that this bill comes from, the serious consequences – early interventions package, come from work on the ground in the Werribee electorate and the Melton electorate as well. Police, youth workers and young people who have written to me have said that they want boundaries for children who commit violent offences. So today we are debating a bill around introducing adult time for violent crime.

Community legal services and our amazing refugee settlement service workers have said that they want more support for their programs in Wyndham, so we have established the violence reduction unit to coordinate this response, to make sure that it is not just up to NGOs applying for grants every year. We have actually had amazing programs continue in the Wyndham LGA to address this offending, but to make sure it is coordinated across all those systems, including our school system, which I think is particularly important.

To take up a point from the member for Berwick around our crime prevention programs, these are still operating in the places where they need to be based on data and driven by that intelligence from police and the community services they work with. We have continued the embedded youth outreach project in the Wyndham area, partnering youth workers with police on the street to respond to youth crime in our area.

We have an amazing proactive police unit running out of our Werribee police station. I had the pleasure of meeting Cam from the PPU, who works at my old school, at Wyndham Central College, with the Blue EDGE program, which works in that early intervention space with young people. A lot of those young people were aged 14 years old in that room. Some of them remembered me from year 7, which was a bit awkward. I was a strict English teacher apparently, they admitted. But these programs

continue, and they still exist. The thing is, we need to have this wraparound unit to make sure that it is coordinated and driven by data at all times.

My experience working in schools was shared with the Attorney-General and Premier on multiple meetings to help develop the policy they have to have those early intervention officers in schools. These reforms – there is a direct link between what the Werribee electorate has come to me to speak to and what we are putting to the Parliament today. It shows a government that is focused on Victorians. How did your ads go, mate? This is in stark contrast to the Liberals, who have shown the people of Werribee that they only care about broadcasting our community's issues for their own political gain. We do not need to yell and shout, post misleading bin commentary or tell people they should be afraid to go out to dinner at night. We need to get on with passing important reforms like this.

These reforms are a sensible way to make sure that we can hold young people to account in a court that is appropriate to be able to do that – the Children's Court. Doing a little bit of digging through the history of the Children's Court, there has been a form of a children's court since the 1900s, but the reforms in the 2000s formalised what we see today. It was not set up for the kind of violent offending that people in Wyndham, that people in Melton and that people all around Melbourne are seeing. That is why it is important to have the option to have violent crime tried in the County Court, a court that is set up as a trial court, where it will have juries if needed, and where it will have options to be able to pass sentences that are higher. We do not need to have an artificial throttle on judges when it comes to holding people who are guilty to account.

The reforms will commence by the end of February and target the following eight serious offences: aggravated home invasion, home invasion, aggravated carjacking, intentionally causing serious injury in circumstances of gross violence, recklessly causing serious injury in circumstances of gross violence, carjacking, serious and repeat armed robberies, serious and repeat aggravated burglaries. For the first five of those crimes, where committed by a 15- to 17-year-old, it will always be removed from the jurisdiction of the Children's Court, where the accused will face a full trial and sentencing in the County Court. When they are 14, there will be a few other things added to that for their protection as a young, vulnerable person, like many of those 14-year-olds I saw in the Blue EDGE program. They will be removed to the County Court unless the Children's Court has adequate sentencing options for that offending; there is a relevant exception, such as being in the interests of the victim for the matter to be in the Children's Court; where the offender in particular is vulnerable due to a cognitive disability or mental illness; and where there are other substantial and compelling reasons. Carjacking will also be heard in the County Court by default, unless there is an exception.

It seems the Shadow Attorney-General, speaking before and in his commentary in the media, does not necessarily understand how this bill works. His public comments about offenders having the ability to choose which court they have their matter heard in is just wrong. Let me be absolutely clear: children who are accused of these violent crimes will not choose where their matter is tried and sentenced. That will be determined through the legislation, and it will make sure that there are still those protections in place for those vulnerable children in our community.

There are also other reforms in this that I think are particularly important to highlight for the people of Wyndham, particularly around the way that we are bringing in longer maximum sentences for violent offences. It increases the maximum penalty for some of those offences, including life for aggravated home invasion and aggravated carjacking. It is important to still have judicial discretion over that, but for the most egregious of crimes we should not artificially throttle a court on what they can actually deliver in those circumstances. It is also particularly important in this, and something that I have spoken about at length in the community around the reforms that we are doing, to hold people who recruit young people into a life of violent crime to account. This is an increasing trend that our youth workers and our local police have spoken to me about, where a very significant portion of offending that they are seeing has been as a result of recruitment. This recruitment looks like lots of different things, and I have seen some of the ways that they have been doing it, particularly online, using



platforms like Snapchat to post an image with a phone number that they then text and get a Telegram link sent where they arrange for them to commit that crime for a certain price. Kids are seeing this all the time, and while there are some issues with the social media ban and how it is going to be applied, I do welcome it, because it does mean that our young people are going to be less exposed to this sort of recruitment.

It is also important to send a clear message to these people who try to recruit young people to do their dirty work: you will face up to life imprisonment if you try and recruit someone. Sure, there are conversations around how this can be applied and when it will be applied, and that is really important to have. But I think it sends a clear message to those adults who want to use children in our communities, particularly those like Wyndham and Melton, that time is up, and you cannot prey on children in our community to do your dirty work. Because in the end, the member for Berwick and I do not agree on much, but there is one thing that we do agree on, and that is the fact that we need to protect young people from living a life of crime. That is why not only is this bill important but also the raft of changes that have come from that hard work on the ground, in places like the Werribee electorate, with that direct link between what people have said and what we are getting on and doing.

**David SOUTHWICK** (Caulfield) (16:14): Many of you in this chamber would know that I used to be a DJ and I could spin some records, but I could never spin as well as the Labor Party has when it comes to crime. They are spinning so hard without any substance or detail at all, and the community do not feel any safer as a result of it. This is another example – a headline with absolutely no detail or substance – adult time for violent crime. It is just a ripped-off, Labor-lite version of what Queensland has been doing, very successfully, mind you. We have been saying for a long time: do not try and reinvent the wheel. Just look at what other jurisdictions are doing and do the same. We would not have a crime crisis like we have in Victoria if that is what this government had done.

The government want everybody in Victoria to believe that they are going to fix the crime crisis, the very crisis that they created over a decade. They believe that they are the ones to now fix the problem – to fix their own mess. No-one believes that for a second. Here you have a classic example. Queensland has 33 different offences that relate to a whole range of things: manslaughter, rape – none of the things that are covered in this area. Just let me read a few of them out. You have got rape, manslaughter, grievous bodily harm, kidnapping, armed robbery, trafficking, torture, unlawful striking causing death and vehicle-related crimes with lethal risk. None of those are in this bill, but they are in Queensland's 'adult crime, adult time'. Instead we have got a Labor-lite version of just five offences in this bill. There is no substance. It is not 'adult crime, adult time' – that is why they have not quite used the name – it is 'adult time for some violent crime'. And even then there are the penalties. The government went so hard, saying, 'We're going to give 14-year-olds life sentences.' Firstly, how draconian is it to give a 14-year-old a life sentence? But if you really look at it, they are not giving anyone life sentences at all – it is all 'maximum'. Nobody believes a word that this government is saying, so we know that it will continue to be the revolving door of crime.

That is happening at one end of the spectrum for serious crime: no consequence. That been the issue right from the very beginning: no consequence from an Allan Labor government that has been absolutely weak in delivering consequences and safety. But at the other end of the spectrum, I think many of us would agree – I know many of my Labor colleagues on the other side of the chamber in their heart believe this, but unfortunately because the government has run out of money it cannot do anything about it – is crime prevention. In Queensland, unlike what Victoria tried to rip off, there is 'adult crime, adult time' for serious offenders, but there is \$100 million of early intervention to help people, to ensure they do not commit to a life of crime or end up doing the wrong thing. The early intervention makes an absolute difference. I have heard every member talk about it. If you spend money early, you will save heaps of money down the track and you will turn people's lives around. Why wouldn't you do that? Why wouldn't you take the \$100 million that Queensland have spent and do exactly the same in Victoria? I will tell you why: because the Allan Labor government is broke. They are broke. They have wasted taxpayers money. We heard it today: \$200,000 on pot plants, not

for the Suburban Rail Loop but for the SRL head office, for fat cats. What an absolute disgrace. Money is being wasted, and we cannot spend the money on kids. We cannot ensure that kids are looked after so they do not turn to a life of crime. Spend the money early.

I know in looking at and talking to Blue Light, they have done some fantastic stuff. They want to do more, but they have not got the funding to do it. We have got Boys to the Bush. We have got lots of programs that are out there that work very much with young people at the earliest possible time. I have spoken to the Sudanese community, many in the African community and many working in youth programs. They are all calling out for help. One word: help. But what we get from the government is not help but a headline. A headline will not fix the crime crisis. A headline will not keep Victorians safe. A headline will not take machetes out of the hands of crooks and neither will a machete bin. This is a government that is all about headlines, nothing about detail. Thirteen million dollars on machete bins, and the Premier gets up and says, 'How good is this? We've got crooks handing in machetes with these machete bins.' No crook has handed one machete in to a machete bin. What a joke that law-abiding citizens are handing in their machetes and nobody is any safer as a result of it. Those attacks are still happening in shopping centres. They are still happening on the streets. They are still happening in people's homes. And we have all spent \$13 million.

**Steve McGhie** interjected.

**David SOUTHWICK:** The member for Melton says it is happening in Queensland. There has been a 40 per cent reduction in crime in Queensland. If it happened in Queensland, member for Melton, why are you copying Queensland laws? Why even use the words 'adult time for violent crime' if Queensland have got it right? Do not give me half bottle.

**Steve McGhie** interjected.

**David SOUTHWICK:** Now the member for Melton says Queensland have not got it right, yet the government want to try to copy them, so they are having a dollar each way – a big fail. That is what this government are doing, and they cannot handle the truth. They are going to get up now, because the member for Frankston cannot handle the truth.

**Paul Edbrooke:** Acting Speaker, I do not think the member for Caulfield needs to reflect on me. I have not even stated my point of order yet.

**The ACTING SPEAKER (Lauren Kathage):** What is your point of order?

**Paul Edbrooke:** My point of order is purely that the member for Caulfield needs to speak through the Chair.

**The ACTING SPEAKER (Lauren Kathage):** I believe the member for Caulfield was speaking through the Chair, and I encourage him to continue doing so.

**David SOUTHWICK:** I was speaking through the Chair. I know that Victorians want safety, not spin. They do not want headlines, they want detail. They want to ensure that those who commit violent crime end up doing time and being locked away, not committing additional crimes and threatening people on the streets and in their homes. But at the same time they want to ensure that money is spent at the earliest possible time to ensure that these young people do not commit these violent offences. That is why a Wilson Liberal government will ensure \$100 million goes to those early intervention programs, because that is where it needs to go. We need to ensure that we help people as young as possible to choose the right path.

We know that this particular bill is completely lacking in detail. What a hopeless government this is that at the very last minute, almost the last sitting before Christmas, it has turned around and said, 'Let's hurry this bill together. Let's not even consult with anybody; let's just put it through.' They have given us about an hour to debate one of the most important pieces of legislation dealing with safety, and they have said, 'You know what, just trust us because we've got it all right up until now.'

We have had a decade of crime crisis created by Labor – ‘But don’t worry, we’re going to fix it. You don’t need to have consultation, you don’t need to talk to anybody, because this is the goods.’ Well, no-one believes that. No-one believes a word that this government says.

I want to put on record the hardworking men and women of Victoria Police, who put their lives on the line each and every day for us. They will tell you, if you go and talk to the frontline men and women of Victoria Police, that it is a revolving door of crime. They catch them, and the government and the courts just release them. Catch and release is what has been happening, and nothing is going to change. If this government believed that something was going to change, they would not have shut the prison system. Because on one hand they want to get tough and they want to lock people up and on the other hand they want to close Malmsbury, they want to close Port Phillip and then maybe they want to look at reopening Malmsbury. And guess who is paying for it. Well, it is not the Labor government ministers that are paying for it – taxpayers are paying for this. Because the government are jumping at shadows – they have got no idea what they are doing. There is no plan in any of this – none of it. The government need to actually look at what other states are doing properly and learn from that.

Just in finishing, our knife crime, as we have said, is through the roof. It is one of the biggest things. Machete crime – I do not care what anybody says – is bigger in Victoria than anywhere. We have seen that, and we have had Brett Beasley down here calling for Jack’s law to be introduced. If the government want to do anything in terms of copying Queensland, they should be copying Jack’s law – copy ‘adult crime, adult time’ properly, not a Labor-lite version, and copy Jack’s law. Then we might be on the way to some kind of community safety program and not a weak carbon copy alternative or a weak, failed imitation like we have got here. This is a weak, Labor-lite imitation of ‘adult crime, adult time’. If the government had anything in them, they would withdraw this bill, go back to the drawing board and maybe call the minister in Queensland and say, ‘Give us a copy of your bill, and we’ll introduce it in the next sitting and do it properly.’ Because I know the Queensland minister would cooperate. He is ready to go, and he has got the bill ready to go. We would not even have to spend much time debating it. We could get the Queensland legislation here tomorrow and make Victorians safe the day after.

**Nina TAYLOR** (Albert Park) (16:24): I should note that community safety obviously involves the spectrum of management in terms of going from the issue of boundaries and consequences to, of course, prevention and intervention. I think it is important that whilst this particular bill, quite understandably and with absolute justification, is targeting community protection – and I will speak to that in a moment – that is not to suggest that our government is not tackling the whole gamut, the holistic elements of community safety as well. I think we have to be careful in the chamber, where we are supposed to speak to this bill, not to suggest that there is not other specific action being taken as well. I just wanted to make that comment from the outset, because I have noticed, and I have tried in earnest to understand the position of the opposition on this matter, that on the one hand they are saying the bill is rushed and on the other they are saying it is too late. They have said elements are too soft, and that it is too hard. I cannot actually rationalise the particular thread of what they are trying to put forward. I do say that with absolute respect, because I have been listening here carefully.

I will put forward henceforth what we are proposing in terms of what this bill is seeking to do. We note that whilst of course preventing crime in the first place is absolutely a very high priority, intervention is as well. I will note the many programs when we are looking across the state in terms of free kinder, mandated literacy reforms, free TAFE, vocational pathways, the Orange Door tackling family violence head-on and even backing in community sport – all these elements of government implementation are relevant when it comes to the prevention of crime. I will go further. When we look specifically at targeting crime and young people when they are noted to be at risk, the violence reduction unit is exactly that: intervention. We are taking on board a data-driven approach, tackling it from all angles: the family, schooling, whether they are truanting and other influences that are causing young people to behave in a way that is completely unacceptable. I just want to set that frame because I think it is extremely important when we are discussing the matter of community safety.

A further point I did want to make that has been mentioned in the chamber is that we are talking about very, very serious offences – situations that we have not seen before. There is a new type of crime and, particularly when we are looking at 14- to 17-year-olds, it is extremely sad to say the least to see young people making very bad choices and ultimately impacting the lives of fellow Victorians. I think it is also very important in this discussion that whilst of course prevention and intervention are absolutely paramount and certainly significant when it comes to the topic of community safety, we cannot just push aside the suffering of victims. I think of a woman who lives in my electorate who was at home with her daughter and there was a home invasion. That was two years ago, and every night she lives in fear and has trouble sleeping because she is afraid of another home invasion. To simply dismiss the victims in this situation I would deem unacceptable.

Henceforth that is why, with these uplift reforms being targeted in this bill, serious young offenders aged 14 to 17 face adult courts and adult sentencing when they are charged with certain serious and violent offences. This will occur through their matters being uplifted from the Children's Court to the County Court and the reforms will commence by the end of February. The uplift reforms target the following eight serious offences: aggravated home invasion, home invasion, aggravated carjacking, intentionally causing serious injury in terms of gross violence, recklessly causing serious injury in circumstances of gross violence, carjacking, serious and repeated armed robberies and serious and repeated aggravated burglary. We are talking about really, really serious subject matter – and it is a very sad subject matter – but we cannot just say, 'Oh, it is a pity that they committed those crimes.' There do have to be boundaries for very serious behaviour, all the while factoring in all the other interventions and matters that we have well implemented in this state, as well as those that are to be implemented.

I did want to speak to the issue of targeting those that are luring young people into these serious offences as well, because we know that we are targeting organised criminal networks using children as cheap labour. We are increasing the penalty for the offence of recruiting a child for criminal activity from 10 years maximum to 15 years maximum. It is heinous to think that one could distort the direction of a young person to the extent that you would put them at risk of hurting others, harming others and validating the invasion of a person's home. That is certainly something that is dreadful and shocking, and hence there is recognition for that but also validation in terms of the reforms being implemented through this bill.

I should say there is a further element that is important, and that is noting that currently carjacking does not cover stealing a car that has a child in it. This is just covered under the offence of theft, a broader offence which has a lesser maximum penalty. It does not reflect the terrifying trauma caused by this type of violent offending and the complete disregard for the safety of innocent children. Again, I think when we are talking about moralistic arguments in this extremely complex space of human behaviour and young offenders, we have to factor in the children who are victims of crime as well.

When you are in government you do not have the luxury – and I probably would like to seek an improved word on that – of pretending that certain offences are not happening, that people are not being harmed, that people are not being killed or stabbed or otherwise. We cannot just pretend those matters do not matter and that victims should not be heard. Absolutely when we are talking about protecting fellow Victorians we do have to factor in the suffering of those who have experienced some pretty horrific circumstances that they in no way deserved. On the other hand of course, as I said from the outset, that is not to dismiss the imperative to intervene and to seek to divert wherever we can. I do not think there is any lack of conviction, in terms of investment or otherwise, on this side of the chamber in terms of driving those outcomes. That is exactly what we want to do and are seeking to do, and actually we do have a significant number of young offenders who are able to be diverted. But the fact is there are still those offenders who are committing very serious crimes. We do have to acknowledge that, and we have to deal with it appropriately.

I just think that we do have to take care. We have heard the spectrum of arguments in the chamber when it comes to this matter, because it is disturbing. Nobody gains any particular enjoyment in any

way when we are talking about such serious subject matter. It is disturbing to all of us on the one hand to see young people descending to a level of behaviour that is truly shocking and on the other hand to see victims who may be scarred for life as a result of experiencing things that they did not deserve to experience.

I hope that I have conveyed with absolute conviction the premise that on the one hand community safety is not simple and it does have to be tackled from the spectrum of matters – that is, from boundaries to prevention to intervention. It all matters. I think that when you are talking about the ethics of these matters you have to be absolutely factual, because you cannot change what you do not acknowledge. On that note I will commend the bill to the house.

**Gabrielle DE VIETRI** (Richmond) (16:34): I rise in disgust to speak on the Justice Legislation Amendment (Community Safety) Bill 2025 and to put on the record that the Greens vehemently oppose this shameful bill in the strongest possible terms, which is why I will be moving an amendment to the reasoned amendment moved by the member for Brighton. I move:

That all the words after ‘this’ be omitted and replaced with the words ‘house refuses to read this bill a second time until the government has conducted meaningful consultation with First Nations, legal and community experts to develop an evidence-based policy.’

Today is a dark day for Victoria. The Labor government is pushing ahead with a plan that will allow children as young as 14 to be tried and sentenced as adults, with the possibility of being sentenced to life in prison. Locking up children is not community safety; that is giving up on children. That is spitting in the face of your own government’s treaty obligations. That is turning your back on human rights obligations and making us all less safe. Under this bill serious offences will be taken out of the Children’s Court and sent to the County Court. Adult sentencing principles will apply, and the maximum penalty for some of these sentences will jump from three years in youth detention to life behind bars. The longstanding principle that prison is a last resort for children will be expressly wound back.

This bill is not about careful, considered law reform. In fact I would not even use that word. This is a disturbing, kneejerk, reactionary regression. It has been rushed in as a political response to a tabloid narrative about youth crime less than a year out from a state election, which is the crucial context for these regressive so-called justice bills. What we are seeing is a Premier in campaign mode, not a government interested in evidence-based policy. The Queensland Liberals ran this ‘adult crime for adult time’ experiment already. They ripped out youth justice principles and overrode their own human rights act, and it failed. It did not fix youth crime, but it did explode the number of children in custody.

Victoria is copying the worst of this model while the ink is barely dry on our treaty commitments. Shame on this government. But it is not just the Greens who are saying this is wrong. Aboriginal-led organisations and community experts are furious. The Victorian Aboriginal Legal Service has described Victoria as a cruel and unforgiving state for children who make mistakes. They warn that these laws will see Aboriginal children, who are already massively over-represented in our prisons, dragged into adult courts and exposed to life sentences. The First Peoples’ Assembly has said that in the era of treaty a state that talks about self-determination cannot justify life sentences for 14-year-olds. Youthlaw, the Federation of Community Legal Centres, Victoria Legal Aid, Flat Out, the Human Rights Law Centre and hundreds of other reputable community organisations and experts have penned an open letter urging the Premier not to condemn children to die in prison. They work with these young people every day and their message is simple: these laws will not make communities safer. They will just lock up traumatised kids for longer and spit them back out more damaged and more likely to reoffend.

The sector briefings and the statements of advice that you have received on this bill, written by those advocates and organisations, could not be clearer about its impact. They warn that more 14- to 17-year-olds will be pushed into the County Court and adult prisons. After all, that is the intention of this bill. Aboriginal children and kids in out-of-home care will be hit the hardest. Children will spend

longer in custody, often on remand, and in already overcrowded and unsafe facilities. Reoffending rates will rise, not fall, because this will entrench trauma instead of addressing it.

The government says there is no choice, that youth crime is out of control and that only harsher penalties will fix this. The data tells a different story. Crime statistics and criminologists show that youth offending overall has not exploded and that a very small number of young people are responsible for a disproportionate share of serious incidents. One recent analysis, quoted by the Premier's government, found that less than one-tenth of 1 per cent of Victorians are linked to around 40 per cent of crime.

If you care about safety, you focus on what works with that small group. You do not deliberately design a system to throw them into adult prisons and hope that fear will scare the next kid straight. We all know that because the evidence on the ground, the data and the research are absolutely clear. Sentencing expert Professor David Brown calls deterrence sentencing's dirty secret. The idea that making sentences longer somehow scares people off crime simply does not hold up. The evidence is that increasing penalties has little or no impact on whether these people offend. What matters is being caught at all and not whether the maximum is three years or life. Worse, prison itself is criminogenic. It literally makes people more likely to offend. Internationally a former UK magistrate examined whether long jail terms actually stop crime. Guess what, her answer was no. There is no evidence that ratcheting up sentencing lengths reduces reoffending or improves safety. Over a decade in which UK sentences got longer, crime did not fall in lockstep.

When you look at children specifically, the expert view is even more damning. UNICEF, with global data and evidence behind it, keeps repeating what our government does not want to hear. Detention of children is harmful, overused and ineffective. It does not deter crime. It makes reoffending more likely. UNICEF instead calls for prevention, diversion and child-friendly justice, where custody is truly a last resort. The Victorian Sentencing Advisory Council's own work on youth offending makes the same point. Their fact sheet on children and young people concludes that sentencing alone cannot address the root causes of offending and that the best way to protect the community is to invest in measures that prevent or reduce youth crime in the first place. This government has read that evidence and decided to do the opposite. In fact the Attorney-General's own statement of compatibility acknowledges that this bill is in part incompatible with the human rights set out in their own human rights charter. It says:

The measures in the Bill constitute significant limits on the fundamental rights of children who are by their nature a vulnerable cohort, which require a very high standard of justification in order to be compatible with rights.

What a shameful act to acknowledge that and then to go on and back this bill. Shame on this government and shame on the Attorney-General. Instead of investing in what works, Labor has been cutting the very services that keep our communities safe at the same time as backing these tough-on-crime bills. Over recent budgets prevention and early intervention crime programs have been absolutely slashed. Community legal centres, youth services, family violence programs, mental health supports and alcohol and drug services are stretched to breaking points. As local MPs we all know this because those services have been contacting us, and no doubt they have been contacting the MPs opposite me and that sit around me as well. All the experts warn that children who end up in the justice system overwhelmingly come from backgrounds of poverty, disability, disadvantage and trauma and that their needs can be met better outside the criminal system, yet this bill pours money into more prison beds instead. The experts lay out the alternative: raise the age properly to at least 14, with no carve-outs; invest in intensive, culturally strong, community-led support for the small group of young people who are in frequent contact with police; expand housing, mental health and alcohol and other drug services; and use restorative justice and diversion wherever possible.

The Greens agree. We want communities to be safe. We want people to be able to sleep at night without fear of a theft or a break-in. But this charade of safety, built on rhyming slogans and cruelty

dealt out to our children, is a lie. Real safety looks like a 15-year-old who was on a trajectory towards crime being housed, supported, back in school or training and connected to family and culture, with their trauma actually being treated, not a 15-year-old sitting in a maximum security cell, learning from older, more entrenched offenders about how to be better at crime. When the government tried and in fact succeeded in surpassing the usual process and rushing this bill through today, I told the chamber that this bill was not urgent. But what is urgent, apparently, is this cowardly Premier's shameful need to look tough before the 2026 election. Like in 2018, like Queensland before us, Victoria is drifting into a race to the bottom where the major parties compete to see who can sound harsher on crime and who can seem crueller to children, regardless of the evidence, regardless of the damage it does.

That might be a way to win the headline for today, but it will cost communities dearly tomorrow in more victims, more trauma and more children lost to the prison system. Jacinta Allan's government had a choice. Faced with community fear and real harm from serious youth offending, they could have doubled or tripled down on actual prevention: more housing, youth work, mental health, community outreach programs, early intervention, family support, resources to rehabilitate young offenders and other justice reinvestment levers. They could have listened to Aboriginal leaders, to criminologists, to the sentencing council, to the legal and youth sectors. There is no shortage of good advice begging them not to repeat the mistakes of the past. Instead they chose life sentences for children. Shame on this government – deep, deep shame on all of you.

The Greens refuse to accept that this is the best that Victoria can do. We refuse to accept that this is the only way to respond to harm: to throw 14-year-olds into adult courts and call it community safety. We will keep fighting for a youth justice system that is actually just, one that treats children as children, focuses on rehabilitation and tackles the root causes of offending so that fewer people are harmed in the first place. For all of these reasons – because this bill is cruel, because it ignores the evidence, because it will make our communities less safe and because it betrays our obligations to children and to First Nations people – the Greens oppose this harmful bill in the strongest possible terms.

**Belinda WILSON** (Narre Warren North) (16:47): Thank you, Deputy Speaker. No, you are Acting Speaker. That is the word I was looking for. Thank you, Acting Speaker. Sorry, my brain has been fried from that last contribution. It is with pleasure that I stand and talk today about the Justice Legislation Amendment (Community Safety) Bill 2025. I will, for the record and for *Hansard*, correct the incorrect – well, one part of the information that was given by the member for Richmond, that 14-year-olds were going into adult prisons. That is not correct. They are not going into adult prisons. That is an incorrect statement. I guess we find it very hard to believe that the Greens would be giving out incorrect information. I know that that is quite a surprise and astonishing for everyone, but I am sure the member for Richmond got some amazing grabs for her Twitter and TikTok accounts in her contribution today.

**Will Fowles**: On a point of order, Acting Speaker: wildly irrelevant.

**The ACTING SPEAKER (Lauren Kathage)**: I did not hear that debate as I was being approached at that moment. I ask the member to continue on the debate.

**Belinda WILSON**: That is the pot calling the kettle black, isn't it? Anyway, let us move on.

**Will Fowles**: On a point of order, Acting Speaker, I take offence at the insinuation made by the member for Narre Warren North and ask her to withdraw.

**Belinda WILSON**: I withdraw.

**A member** interjected.

**Belinda WILSON**: I was just getting started. I have been sitting in this chamber for many of the contributions by both sides, and I find interesting some of the allegations and comments that have been made during my time listening. I think what is so interesting is that many people have been talking about us rushing this bill through, whereas –

**James Newbury:** Ramming.

**Belinda WILSON:** Cramming this bill through.

**James Newbury:** No, ramming.

**Belinda WILSON:** Oh, ramming – cramming, ramming. Thank you, member for Brighton. Ramming this bill through. Only a few months ago it was many members of the opposition that were crying and screaming for us to improve our justice system and improve and make some changes to what is happening. I will talk about my electorate of Narre Warren North, where I have an incredible relationship with our wonderful police force. I have spoken to them a lot about the justice system and youth crime. In Casey we have had a lot of issues, and in Narre Warren North we certainly have not been untouched by youth crime.

I have had some conversations with some community leaders, and one of the most interesting things that many of the police force, especially at Narre Warren, said to me was that we had got to a point where consequences were necessary. I think that the introduction of this bill really sets in stone and lets these perpetrators be very clear that we are very serious about this. We are very, very serious.

I think one of the other misconceptions of youth crime, and one that I know I have spoken quite a bit about, is that lots of people automatically blame certain cohorts of children. Especially in my community, they automatically blame the multicultural community. They also blame the way they have been brought up, where they have grown up and how they have been brought up. One of the interesting conversations I had when I took the police minister out to Narre Warren station was that these kids – many of them, most of them – were Anglo kids, and most of them came from great homes where consequences perhaps were not high on the priority list. I know when I was 12 I certainly was not wielding a machete, or at 14. I had a Cabbage Patch doll; there are many in this chamber who did. But kids these days and with social media are brought up differently and do lots of different things. I think that consequences are important.

I also want to talk about sport and kids. One of the other really big points that the police officers spoke to me about is that most of these kids committing these crimes did not have an interest, did not belong to a sports club, did not have a community behind them. And I know –

**Will Fowles:** The member has again strayed miles away from the bill. My point of order, Acting Speaker, is on relevance.

**The ACTING SPEAKER (Lauren Kathage):** I do not uphold the point of order.

**Sarah Connolly:** Further to the point of order, Acting Speaker, this has been a wideranging debate. I am listening very closely to the member, and I think that she is being entirely relevant to this bill before the house.

**The ACTING SPEAKER (Lauren Kathage):** The member to continue.

**Belinda WILSON:** One of our great announcements today was about the great programs being run in my community, one by Melbourne Storm – the Waka program – that has been run not only in the west but also in the south-east. This crime prevention program is absolutely incredible and one of the programs that has a really strong group of kids that really get their arms wrapped around them in school holidays, when sometimes things can go a little bit wayward, when kids are bored and do not have many things to do. These kids have actually been identified through the school program, which is actually quite extraordinary. The other amazing group in my community is also City in the Community, and they also do some incredible stuff in my schools and in the south-east in running these great programs with the youth. All of these programs make an incredible difference to our community.

I will talk about the real specifics of the bill so the member for Ringwood is happier with me, because he has certainly been picking on me today, hasn't he? This bill makes good on our government's recent



commitment to introduce adult time for violent crime and crimes that are committed by serious youth offenders. I have touched on and spoken about that and about the age of those kids in our community. I think that no-one wants to lock a 14-year-old up for life, but what we do want is to make sure that these children are aware of what the consequences are. The uplift reforms target the following serious offences: aggravated home invasion, carjacking, intentionally causing serious injury in circumstances of gross violence, recklessly causing serious injury in circumstances of gross violence and serious and repeated armed robberies, all of which are very, very strong offences.

The first five of these crimes will be removed from the Children's Court, and the matter will then face full trial and sentencing in the County Court. I do not think there are probably many Victorians that disagree on that. Carjacking will also be heard in the County Court by default, unless there are substantial and compelling reasons for a matter to stay in the Children's Court. These are very strong and serious offences that we are talking about.

We introduced a new test to apply for repeat offenders who committed these crimes whilst on bail, ensuring that these are less likely to be granted bail in the first place. I think that we have had a huge discussion about bail. I know that there were some new tighter and stricter bail laws that started on 1 December, which was yesterday, and these are all coming into effect. The other thing about bail that sometimes people do not understand actually is that when we hear that a child or somebody has been put on bail for a certain amount of time, that does not mean that they have been bailed for serious offences for the whole time. They may have been shoplifting, which is an offence that is bailed and not remanded, so I think that we need to keep an eye on that. I thank the house for listening to me, and I commend the bill to the house.

**Will FOWLES** (Ringwood) (16:56): The member for Narre Warren North says no-one wants to lock up 14-year-olds for life, but that is in fact exactly what the government's bill does. For aggravated home invasion we now have an uplift to a potential life sentence – aggravated home invasion. So what are the elements? It is a burglary – that means you are armed; sure. So entering a house while armed and someone is there, but you only need an intention to use violence, not to actually use violence. I am not saying for a second this is not a serious matter. That would be a very serious offence – to enter someone's house while armed with an intention to use violence is a serious matter. But a life sentence for a 14-year-old entering a house whilst armed with an intention to use violence but not actually using violence – this is a fundamental massive overreach. This is the single most right-wing bill that this government has brought into this Parliament in its 11-year life, the most right-wing bill and the most right-wing, truncated, obscene process, where the crossbench gets the bill yesterday and gets a briefing on it today, and we have had these 2 hours of debate – just 2 hours of debate – on a bill as fundamental as this.

I think the best comment on this matter is the comment of the Attorney-General in her statement of compatibility:

The measures in the Bill constitute significant limits on the fundamental rights of children who are by their nature a vulnerable cohort, which require a very high standard of justification in order to be compatible with rights.

The government has fallen miles short of the very high justification. This is an astounding overreach from a government that has spent so much time over 11 years trying to put downward pressure on incarceration rates of young people. They have raised the minimum age of criminal responsibility from 10 to 12. They committed to further raising the age to 14. In 2023–24 they passed age reform, diversion-first principles and restorative justice measures. They adopted a 'detention as a last resort' framework back in the Department of Justice and Community Safety youth justice strategy back in 2020 to 2023 and greatly expanded youth diversion programs, including police cautions, restorative conferencing and community-based interventions designed to keep children out of courts and custody – designed to keep children out of courts and out of custody. This bill undoes all of that work. It is a massive overreaction. It is driven solely by politics. It has got nothing to do with the policy,

because if you go to the policy there is no evidence to support the policy, no evidence whatsoever. It is being done on the flimsiest basis. The Attorney-General said there are no easy solutions to youth crime, and she is right. But if there are no easy solutions, why ram through a bill with no debate, no consultation, no policy basis and no consideration or forethought? It is an absolute disgrace, and the government should be ashamed.

**The SPEAKER:** The time set down for consideration of the Justice Legislation Amendment (Community Safety) Bill 2025 has arrived, and I am required to interrupt business. The house is considering the Justice Legislation Amendment (Community Safety) Bill 2025. The Attorney-General has moved that the bill be now read a second time. The member for Brighton has moved a reasoned amendment to this motion. He has proposed to omit all of the words after 'That' and replace them with the words which have been circulated. The member for Richmond has moved an amendment to the reasoned amendment moved by the member for Brighton. She has proposed to insert the words which have been circulated after the word 'This'. The house will deal with the member for Richmond's amendment first. Because the member proposes to omit words from the member for Brighton's amendment, the question is:

That the words proposed to be omitted stand part of the amendment.

Those supporting the amendment by the member for Richmond should vote no.

**Assembly divided on question:**

*Ayes (76):* Juliana Addison, Jacinta Allan, Brad Battin, Jade Benham, Roma Britnell, Colin Brooks, Josh Bull, Tim Bull, Martin Cameron, Anthony Carbines, Ben Carroll, Anthony Cianflone, Annabelle Cleeland, Sarah Connolly, Chris Couzens, Chris Crewther, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Wayne Farnham, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Sam Groth, Matthew Guy, Bronwyn Halfpenny, Katie Hall, Martha Haylett, Mathew Hilakari, David Hodgett, Melissa Horne, Natalie Hutchins, Lauren Kathage, Emma Kealy, Sonya Kilkenny, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Tim McCurdy, Steve McGhie, Cindy McLeish, Paul Mercurio, John Mullahy, James Newbury, Danny O'Brien, Michael O'Brien, Danny Pearson, John Pesutto, Pauline Richards, Tim Richardson, Richard Riordan, Brad Rowswell, Michaela Settle, David Southwick, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Mary-Anne Thomas, Bridget Vallence, Emma Vulin, Iwan Walters, Vicki Ward, Kim Wells, Nicole Werner, Rachel Westaway, Dylan Wight, Gabrielle Williams, Belinda Wilson, Jess Wilson

*Noes (4):* Gabrielle de Vietri, Will Fowles, Tim Read, Ellen Sandell

**Question agreed to.**

**The SPEAKER:** We will now deal with the member for Brighton's amendment. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment by the member for Brighton should vote no.

**Assembly divided on question:**

*Ayes (53):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (27):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Will Fowles, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Kim Wells, Nicole Werner, Rachel Westaway, Jess Wilson

**Question agreed to.**

**The SPEAKER:** The question is:

That this bill be now read a second time and a third time.

**Assembly divided on question:**

*Ayes (76):* Juliana Addison, Jacinta Allan, Brad Battin, Jade Benham, Roma Britnell, Colin Brooks, Josh Bull, Tim Bull, Martin Cameron, Anthony Carbines, Ben Carroll, Anthony Cianflone, Annabelle Cleeland, Sarah Connolly, Chris Couzens, Chris Crewther, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Wayne Farnham, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Sam Groth, Matthew Guy, Bronwyn Halfpenny, Katie Hall, Martha Haylett, Mathew Hilakari, David Hodgett, Melissa Horne, Natalie Hutchins, Lauren Kathage, Emma Kealy, Sonya Kilkenny, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Tim McCurdy, Steve McGhie, Cindy McLeish, Paul Mercurio, John Mullahy, James Newbury, Danny O'Brien, Michael O'Brien, Danny Pearson, John Pesutto, Pauline Richards, Tim Richardson, Richard Riordan, Brad Rowswell, Michaela Settle, David Southwick, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Mary-Anne Thomas, Bridget Vallence, Emma Vulin, Iwan Walters, Vicki Ward, Kim Wells, Nicole Werner, Rachel Westaway, Dylan Wight, Gabrielle Williams, Belinda Wilson, Jess Wilson

*Noes (4):* Gabrielle de Vietri, Will Fowles, Tim Read, Ellen Sandell

**Question agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Early Childhood Legislation Amendment (Child Safety) Bill 2025**

*Council's amendments*

**Message from Council relating to following amendments considered:**

1. Clause 117, line 1, omit "16HAH" and insert "16HAK".
2. Clause 117, page 142, line 11, omit 'regulations.' and insert 'regulations.'.
3. Clause 117, page 142, after 11 insert –

**'16HAI Direction to suspend education and care by staff member (other than a family day care educator) or volunteer**

Section 178A of the Education and Care Services National Law (Victoria) applies as a law of Victoria as if –

- (a) in subsection (2), for "provider a notice" there were substituted "provider and the relevant staff member or volunteer (as the case may be) a notice"; and
- (b) in subsection (2)(c) after "provider" there were inserted "and the relevant staff member or volunteer (as the case may be)"; and

- (c) in subsection (3), for “provider a show” there were substituted “provider and the relevant staff member or volunteer (as the case may be) a show”; and
- (d) in subsection (3)(a) after “provider” there were inserted “and the relevant staff member or volunteer (as the case may be)”.

**16HAJ Direction to suspend education and care by nominated supervisor**

Section 178B of the Education and Care Services National Law (Victoria) applies as a law of Victoria as if –

- (a) in subsection (2), for “provider a notice” there were substituted “provider and the relevant nominated supervisor a notice”; and
- (b) in subsection (2)(c) after “provider” there were inserted “and the relevant nominated supervisor”; and
- (c) in subsection (3), for “provider a show” there were substituted “provider and the relevant nominated supervisor a show”; and
- (d) in subsection (3)(a) after “provider” there were inserted “and the relevant nominated supervisor”.

**16HAK Direction requiring supervision of staff member (other than a family day care co-ordinator) or volunteer**

Section 178C of the Education and Care Services National Law (Victoria) applies as a law of Victoria as if –

- (a) in subsection (4), for “provider a notice” there were substituted “provider and the relevant staff member or volunteer (as the case may be) a notice”; and
- (b) in subsection (4)(c) after “provider” there were inserted “and the relevant staff member or volunteer (as the case may be)”;
- (c) in subsection (5), for “provider a show” there were substituted “provider and the relevant staff member or volunteer (as the case may be) a show”; and
- (d) in subsection (5)(a) after “provider” there were inserted “and the relevant staff member or volunteer (as the case may be)”.

**Ben CARROLL** (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (17:12): On the Early Childhood Legislation Amendment (Child Safety) Bill 2025, I move:

That the amendments be agreed to.

While I am on my feet, I thank the Legislative Council for their work in the chamber. These amendments are to the new sections 178A, 178B and 178C and amend how the provisions will apply to Victoria only. The intention of these amendments is to ensure procedural fairness for staff members or volunteers where these staff members will be directly impacted by the proposed direction from the early childhood regulator to an approved provider. Under the original clauses if a regulator proposed to direct an approved provider to suspend a staff member or volunteer, suspend a nominated supervisor or require a staff member or volunteer to be supervised, the regulator would be required to allow the approved provider to respond to the proposed action via a show cause process. However, these provisions do not allow the impacted staff member or volunteer to directly respond as part of that show cause process. The amendments passed by the Legislative Council have amended sections 178A, 178B, and 178C as they apply in Victoria to ensure that both the approved provider and the staff member or volunteer are able to respond to that show cause process where the regulator proposes to direct the provider to suspend the worker or require the worker to be supervised. In essence, these changes ensure that both the provider and the worker have the opportunity to respond to the proposed action of the regulator via the show cause process.

**Brad ROWSWELL** (Sandringham) (17:14): I also rise to address the house amendments from the Council in relation to the Early Childhood Legislation Amendment (Child Safety) Bill 2025. I thank the Minister for Education for his explanation of those Council amendments. I have had a conversation with the Minister for Children’s office, who have given me also an explanation of these matters. As

the opposition agreed to these amendments in the Council, we also indicate our support for these amendments in the Assembly today.

I will just make this point: when these bills – and there was a group of three of them, if you will recall – were introduced to the Assembly, being the Early Childhood Legislation Amendment (Child Safety) Bill 2025, the Victorian Early Childhood Regulatory Authority Bill 2025 and the Social Services Regulation Amendment (Child Safety Complaints and Worker Regulation) Bill 2025, and considered in this place, they were done so concurrently. That was also the case in the Legislative Council.

The bill that we are discussing at the minute is one of those bills which has been subjected to house amendments moved by the government, which we agreed to in that place and agree to in this place. The Victorian Early Childhood Regulatory Authority Bill 2025 has been passed unamended. The missing bill, however, is in fact the Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025. It is a shame that while these bills were once considered concurrently, it appears that concurrence has now been cancelled. I am concerned by that, and the opposition is concerned by that, because specifically in relation to the bill that has not yet reached this house, that bill has important amendments in it that improve the safety of Victorian children who are in some circumstances, sadly, some of our most vulnerable citizens. I think that is disappointing.

I believe that the government has perhaps overreached in their progression of this particular bill by including in it matters that do not specifically relate to or in large parts relate to child safety. Because of that, it has been held up in the other place. Because of that, the government has not been able to address a circumstance which I contend is of their own making because of their inaction in the child safety space to progress that bill to this place and to get it passed into law.

I think it is important that as we consider these amendments before the house today – which, as I have said from the outset, we agree to – we note that it is because of the government's choosing that bills that were once considered concurrently are no longer being considered concurrently. We have got a bill which has house amendments, which again we agree to, but again it is a bill which is still stuck in the other place because of the government's overreach on this particular occasion. I and my colleagues on this side of the house are concerned by that, because our intent in contributing to these bills – which has been our intent for some time – is to as soon as possible increase the safety framework around children within the early learning space, because that is our obligation.

I will not go through the history of these matters, which I addressed in my second-reading speech when these bills were considered concurrently. Although I am tempted to, I will not. Suffice to say, we do support the house amendments moved by the government on this occasion and express sincere disappointment that the government has not been able to progress the third bill in this tranche of legislation to keep Victorian children safe.

**Motion agreed to.**

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

**Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025**

*Second reading*

**Debate resumed on motion of Lily D'Ambrosio:**

That this bill be now read a second time.

**Iwan WALTERS** (Greenvale) (17:20): It is something of a surprise to be on my feet already, but I am very happy to contribute – I presume on behalf of the entire house – to this really positive amendment to the Mineral Resources (Sustainable Development) Act 1990. At its core I think it has a really simple principle, which is, in effect, to ensure that the individuals and entities that benefit from resource extraction in our state are those same individuals and entities that contribute to the

rehabilitation of sites that are subject to mining in Victoria. Failure to properly align incentives to rehabilitate with the benefits of extractive industries would create a huge issue around moral hazard and would risk shunting the responsibility and the costs of those rehabilitative measures back onto the public. There ought to be a communal benefit from extractive industries, and in the presence of effective rent taxes and royalty schemes of course there is, but also in the context of some of the declared mines in the Latrobe Valley we will be talking about in the context of this debate, they have provided energy to our state since Sir John Monash instituted the state electricity scheme in the 1920s, after the First World War, and opened up the Latrobe Valley for extractive industries and the provision of energy through brown coal.

I want to emphasise my support for the principle that lies at the heart of this bill and the measures contained within it because I am really aware that the risk of mines not being rehabilitated properly is not an abstract one, it is absolutely real. You do not have to look too far to see examples of that. In a previous life I spent quite a lot of time on the west coast of Tasmania. Others in this place may have visited as well, and those who have visited Queenstown would be aware that there is, in effect, a zone that is ecologically dead as a consequence of mining activity at Mount Lyell in the 19th century, where tailings dams were not properly secured and chemicals such as cyanide cascaded down otherwise pristine rainforest rivers. There is still mining that takes place in that area, at Rosebery and Zeehan, where tin and other important resources are extracted, but the legacy of that mining activity in the 19th century where there was not proper rehabilitation means that people in Queenstown, even today, play football on a gravel oval because grass simply will not grow in that soil. It has not seemingly been a tremendous deterrent to footballers from that community succeeding and thriving. I think of people like Daryn Cresswell and the current coach of the Brisbane Lions Chris Fagan, who, while not being an elite footballer, was an outstanding Tasmanian footballer in his time. I digress slightly, but the point is that the long-term effects of mining, if areas are not properly rehabilitated, have a real impact on communities.

Similarly, in Victoria – in the golden triangle, as it were, between Stawell and Bendigo and Ballarat – there are plenty of instances where the alluvial goldmining of the initial gold rushes has left real scarring of the landscape. Obviously in that era there were not the kinds of rehabilitation that we would expect now, and there is an interesting contrast in Stawell now where you have got the legacy of that alluvial goldmining from the 19th century and the scarring, as I say, that is still visible on the surface of the land, compared with the progressive rehabilitation that has been undertaken at a more recent goldmine at the Davis pit near Stawell, where instead of a pit it is now a rehabilitated box eucalypt forest. I think that is the kind of model that this bill is seeking to ensure takes place elsewhere in Victoria.

One of the other examples that is slightly further afield from Victoria or indeed Tasmania but not far from our own country is the rightly infamous, unfortunately, example of Ok Tedi in Papua New Guinea, where a mining disaster really has unfolded over the last three or four decades now since a tailings dam collapsed in 1984, unleashing huge volumes of toxic material into pristine river systems, which were relied upon by the Papua New Guinean people in the villages adjacent to the Ok Tedi mine. And having poisoned those rivers, it means it is really one of the most significant, crucially, man-made ecological disasters that our planet has witnessed.

Again, it is these kinds of examples that we are seeking to avoid through the measures contained within this bill. As I say, there are a couple of good examples which we can point to as instances where rehabilitation has been effectively undertaken by those who have benefited from the extractive industries and from the resources that rest beneath our feet or on the surface. And again, it is right that that should be the case. If organisations benefit in financial terms, they should be contributing to the cost or in fact bearing the cost of rehabilitation. I am well aware that while we all have the collective endowment of resources that rest beneath our feet in Victoria, it does take risk and capital for people involved in mining enterprises to extract those resources, and they do so because it creates a financial benefit for them. As such, they should be the ones who bear the cost of that rehabilitation.

We already have a robust system of mining rehabilitation in Victoria. Resources Victoria monitors and enforces this. I have spoken about progressive rehabilitation, which I think is a really important principle that underpins the response to mining activity so that there is not a vast cost left at the end of mining activity at a site, but rather once one particular pocket of a declared mining area has been fully realised or the value within it has been fully realised, the owners and operators of the mine then rehabilitate that area so that it does not leave a real sting in the tail, as it were, whereby all of the cost of rehabilitating the entire site is borne at the end. You can well imagine the risks that would be associated with not having a progressive rehabilitative model whereby there are clearly incentives for the operators of mines to phoenix, to dissolve, to declare bankruptcy and to never be seen again because the value has been extracted, and yet the cost has not been contributed and not borne in terms of the rehabilitation.

That is why it is important that this bill implements a trailing liability scheme, specifying exactly who the minister can call back to rehabilitate or fund rehabilitation if a declared mine licensee cannot meet their rehabilitation obligation. Now, the current system addresses this risk in part, because we have a system of rehabilitation bonds in place. I think that is important to ensure that councils and even private landholders and other stakeholders, if it is on private land, and the state government, on behalf of the Victorian people, can have some surety that the operators of a mine actually have the bona fides and the wherewithal to bear the cost of rehabilitation. That needs, obviously, to be paid up-front. And it is not a static process; it is something of a dynamic thing that pays heed to the underlying risk and cost associated with rehabilitating a particular site.

This bill, I think, sensibly goes further in instituting that trailing liability scheme that I talked about. It is particularly important for the Latrobe Valley, which members in this house represent – the member for Morwell and perhaps the member for Narracan in part as well – where, as I said at the outset, Hazelwood, Loy Yang A and Yallourn are slated for closure, that the various private enterprises that now operate them, having acquired those rights from what was the SEC of Victoria, bear the cost of that rehabilitation. The people of Gippsland and the Latrobe Valley deserve to have land that is properly rehabilitated and accessible and does not have toxic and other consequences that mean they cannot use that land because it or the waterway or the water table is poisoned for generations to come. It is important that people who have had mining next to them, for generations in many instances, can then look forward to a time where, while the mining activity might stop, the legacy of that is not a toxic and corrosive one for those communities. I commend this bill to the house, and I hope it has a swift passage.

**Matthew GUY** (Bulleen) (17:31): Thanks very much, Acting Speaker –

**A member** interjected.

**Matthew GUY**: Yes, welcome indeed to the chamber. It is funny, because I was sitting down with the member for Croydon today and we were working out who has been in the place the longest, and I was starting to feel quite elderly at age 51, but maybe it is my memory that is going.

When the chamber duties came around, energy is now with me of course, so here I am to make a contribution on the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025, which I am very keen to do for a number of reasons. At the outset, of course, I advise the chamber that the coalition parties will not oppose this bill. In fact, I know particularly from feedback from the member for Morwell, particularly with the open-cut mines in Hazelwood, Yallourn and Loy Yang, any clean-up and rehabilitation needs to be put in place for the long-term benefit of those communities. We would indeed support that, and we would be very keen to ensure that there is appropriate clean-up put in place.

I have a long history with the Latrobe Valley and a long history with all three of those open-cut mines – or my family does, I should say. When my mum's family came to Australia, they originally went, like many migrant families, to Bonegilla. Work was being offered by the then Victorian government to

new migrants to many parts of the state, and what they of course needed was instant labour for the big brown coal power facilities that were being constructed in the Latrobe Valley. At that stage I think the largest station would have been Yallourn A, which then became almost a semi-commercial premises for the power facilities later on. My grandfather was a fitter and turner at the Yallourn power station for many, many years. In that time there was the old town of Yallourn, which I remember from when my grandparents lived in Newborough, and my mum and her brothers lived in Newborough. As she married my father, who was then living in Warragul, they then moved to Melbourne. I do remember as a child being taken through the town of Yallourn. Yallourn of course does not exist as a township anymore. Yallourn has been dug up, and it is now part of the Yallourn open-cut mine.

Yallourn was one of only three towns in Australia that was designed by Walter Burley Griffin. From memory, one is of course Canberra, and I think the other is Cootamundra, or parts of Cootamundra. I might be corrected on that, but certainly the other was Yallourn. What I do remember of Yallourn is that it was very, very similar to old Canberra – 1920s buildings and little American picket fences. If you have seen the movie *Back to the Future*, you see the horseshoe shops, a very American design, with a community facility, a civic facility at one end, and it was very, very pretty. Ironically enough, my now father-in-law used to play cricket – he is from Sale – at the cricket ground, which was atop all of those, because it got the water coming off the hill and it had a beautiful white picket fence around it. Yallourn was a very, very pretty town.

Yallourn was built to service the workers, to service the then expanding coal facility at Yallourn A. What came of course in the 1960s was the then government's plans to expand the open-cut facilities both in Yallourn and a new power station, which was to be built in Hazelwood around the corner to replace the then ageing Morwell facility. And of course the Morwell open-cut mine was expanded to be the new Hazelwood open-cut mine. The Yallourn open-cut was to be then expanded, and the residents of the township of Yallourn were to be moved. The town of what is now Yallourn North was then constructed, Newborough was expanded up towards John Field Drive, and Newborough, up towards where the northern part of the town is, was expanded, and that accommodated residents who would then be moved out into then SEC homes which came out of Yallourn.

I think it might be Heatherdale or Heathmont, one of the two, railway stations which is the old Yallourn station, which was relocated. There were a number of houses which were cut in half; I remember seeing them being taken out at the time. And it was a shame because it is a town that nowadays would be listed by the National Trust, no doubt, with the architectural significance of what was then the old township of Yallourn. I say this because this area, which was the old township, is now part of the open-cut mine that will one day be needed, as part of this bill, for the rehabilitation works on that site. As you go westward into Yallourn you actually go into a fair-sized hill. While the brown coal is quite pure as you go into the hill, it is quite a steep drop, so it will need to have substantial rehabilitation – one of the purposes of the bill. Hence we certainly do not oppose it.

I do remember as a young boy coming down into the open-cut mine. One of my two uncles worked in Yallourn. He then went to Loy Yang. The other worked in Hazelwood. My uncle, who was then a foreman in the open cut down in Yallourn, took me. I must have been all of six or seven years old, maybe a bit older, in the days when workplace – I should not say safety – regulations were not what they are now. We went into the open cut. It used to have its own railway network to move the coal from the facility back to where the boilers were. The coal would be pulverised and then fed into the boilers. There were four of them – still are – in Yallourn W, as it was when it was opened in the 1970s. I think it is 1600 megs. I was actually sitting in a dredge back in the early 80s – please no-one go and track it down – and I remember the dredge driver telling me I was digging up what was then Yallourn. Of course you can see the purity in the brown coal, which is nowadays the equivalent of about 5000 to 6000 years supply if we were going to burn brown coal. Of course we are not, but the point is that that is how it was seen at the time. That was the Yallourn open cut, which it is today.

Hazelwood was different. Hazelwood, as this bill stipulates in relation to rehabilitation, was the old Morwell mine, which has now moved into Hazelwood, and the Hazelwood power station came before



Yallourn W. Hazelwood, from memory, was a similar size to Yallourn W, about 1600 megs originally. It had, again, four boilers, eight chimneys, fairly visible as you went down to the freeway, and you would see it on the south side. That mine was subject to a fire which was quite devastating probably about 10 years ago. I think it highlighted to everyone the fragility of that kind of facility in terms of the impact on the community and what it might mean if those mines are not being properly looked after or managed and, as this bill stipulates in terms of rehabilitation, what could be some of the issues for the community and particularly communities in the Latrobe Valley. Hazelwood is bordered by the township of what was then Hazelwood. But then there was a plebiscite about 30 years ago, and they renamed the town Churchill, after Winston Churchill. Churchill was originally the location of the town of Hazelwood, and that facility to the south of Morwell is now the obvious one, when we are talking about mine rehabilitation in the current climate and the immediacy of what needs to be done in the Latrobe Valley. Certainly at other, as I have said, examples around Australia and, as the previous speaker alluded to, even overseas there is the need to put in place a mechanism so that a mine operator cannot just up and walk away and not have a mechanism in place for the communities to make sure that some of those mines are indeed appropriately subject to clean-up and the mine operators are subject to an appropriate level of liability to make sure that what is left behind is of a decent order.

The third, Loy Yang, was much newer than Yallourn W and Hazelwood. Loy Yang came about in the 1980s, with Loy Yang A being much larger, 2200 megs, than Loy Yang B. At that stage the Cain government had negotiated its operation to feed the Portland aluminium smelter on the other side of the state, which is kind of odd as we think about it nowadays – 100 miles to the east of Melbourne compared to 200 miles to the south-west of Melbourne for the facility that it was feeding. Of course the overhead power poles were put in place by the government in the 80s to make that happen, as was seen at the time.

Loy Yang B was never built for baseload supply. It was built simply to manage the Portland aluminium smelter, which of course is a huge user of electricity and a huge draw on baseload supply. It was seen as a smaller facility that could be put in place next to Loy Yang A, which was quite a large facility, as I said – 2200 – Victoria's largest or certainly the largest brown coal facility we have had to date, which was opened I think in about 1986 or 87. The original plans had brown coal. We had not realised the impacts of brown coal. There were plans to go further east, given the extent of the Latrobe Valley's brown coal resource, and that was to go to a place called Flynn. If you go further east from Traralgon, you will go through the town of Flynn. That was all slated I think in the mid to late 1980s. Groundwork was done to look at whether another power station could be built east of Loy Yang A and B, which would be a similar size to Loy Yang A and which would replace Hazelwood. Of course that has not occurred, and thus there is no need for clean-up at that site, but that would have been the case had that facility progressed.

When most people talk about mining in Australia and they think of what the biggest mining operation is, the obvious is to look at the Pilbara or to look at Moranbah in central Queensland or whatever, but in fact my understanding is that more raw ore has been extracted from the Latrobe Valley than anywhere else in Australia, the difference being it has not been for export, it has been for domestic supply. It has been burnt for our power supply needs for decades and decades and decades, both as older power stations through, as I said, Morwell and Yallourn A and of course the current facilities that are there now. The history of raw ore extraction out of the Latrobe Valley is long and the open-cut facility – it has been a strip mining method; it has never been underground – is something that has been the historical situation in the Latrobe Valley. It is not unique. In the Hunter region in New South Wales strip mining open cut is quite substantial for the pure black coal. The seams up there in the Hunter Valley are very, very pure, which of course are now New South Wales's largest export.

As you can see from the subject of environmental debate over the last few days, certainly the coal operations in the Hunter Valley are very substantial, and I might add, the purity of the black coal that is extracted out of the Hunter Valley is considered some of the best in the world. So is the purity of black coal out in central western Queensland. What was then the company Utah, which was an

investment by the American company back in the 1970s, had a very easy operation, if you like, out of Moranbah. They built that town and they had strip mining, which is open cut. They had a very small amount of underground and made quite a lot of money out of that before the company was broken up and I think sold into part of General Electric and then part of BHP as well. Those areas will also one day need to look at the form of mine rehabilitation that we are doing today for the sake of those communities that are around them. Nothing obviously lasts forever, and those mines certainly will not, and thus the concept of saying that those private companies that either established them or the derivatives nowadays who established them or are a part of them or benefited from them do need to make sure that they are part of the clean-up for those operations.

Unfortunately, and it is a very sad circumstance to point out, other operations around Australia where there has been either underground or strip mining – in this case underground, which is Wittenoom – we all know have had the devastating impact of asbestos, and not just on the miners but also on the many people, the thousands of people, who have been horrendously affected by asbestosis and mesothelioma that came out of the asbestos mining operation that was in Wittenoom. That of course is subject to a whole town and a whole precinct clean-up, which is something that really cannot be done given the lightweight nature of the fibre and how it travels. It is airborne as well. That is not the case in what we are talking about here, and I do not want to mix one with the other, but it is worthwhile talking about that in the fact that Western Australia themselves are looking at the concept of that level of clean-up, which is quite extreme.

It is nothing like that here, of course – what we are dealing with in Victoria – thank goodness. But we do need to ensure that when mines are put in place – and Victoria does have huge opportunities for future mining, whether it might be for gold or it might be for raw minerals to the east of the state – we also look at that. As I said before, nothing lasts forever and we do need to look at what comes in terms of a clean-up once those mine sites do become redundant or surplus to a requirement.

I do remember back in the day, in the 1980s – and it just gives you an indication of how open-cut mining and strip mining methods of mining can certainly have more of an impact on residents – sometimes my grandmother used to have to wash her clothes two or three times. It depended which way the wind went, because the soot that would come out of Yallourn W would travel over and onto your washing. If you had whites out there in the 80s, I remember my grandmother, being an old European woman and very particular about this kind of stuff, would have to do the washing one or two extra times. It was very rare, but it was something that was just a feature that would be discussed at the time in the town.

As I said, we do not oppose the bill and we do not oppose the concept that the government is putting forward on this. I understand the bill enables a scheme for the minister to call back a party via a remedial direction and have that party pay or carry the costs of rehabilitation post-closure work where the minister is satisfied that it is able to be done. I think that is a reasonable provision given that many companies have made quite a lot of money out of that method of mining. It is also a reasonable precedent to say we are looking at this kind of mining operation which is close to population centres. When you look at the nature of brown coal in particular, it is wetter and it is not like a pure black coal, so it does not travel in that sense, but it can obviously when it is burnt, and the provision does need to be put in place.

A person or company subject to call back can only be called back if the minister is satisfied that it is reasonably appropriate to do so after considering whether they have or may have received a significant financial benefit for work authorised under a declared mine licence and whether they have a degree of influence or acted jointly with the mining licence. That is very straightforward and obviously that is saying those who have had an interest in mining – and in fact these three mines which have been privately run for some time now under multiple governments – and the operators of those mines, once they are considered redundant or surplus to assets, will then have the ability to be called back to make sure those works are put in place.

If you have a look at the Yallourn W mine, or the Yallourn mine as it is now in the works area, when you come off I think it is Coach Road from the cemetery running down the hill, you will see that that mine does come close to one of the roads. Just over the hill past the cemetery and what was then an old incinerator are homes at the top of Newborough. So it is actually not that far from homes in Newborough, the open-cut mine in Yallourn. The Loy Yang mine is a bit different. Loy Yang is set to the south of Traralgon, Traralgon being the largest population centre in the valley nowadays, with 27,000 to 28,000. That is set a little way back from the town, so it is not as pressing. I think we found from examples 10 or so years ago that Morwell and Hazelwood are the obvious cases in terms of seeking action for remedial work, and the community is rightly concerned. I know the member for Morwell, in advocating for his community, knows that we need to have a level of protection in place for people in Morwell and Churchill, and that is quite right. That mine is very close – reasonably close. In fact some people in parts of the old mines that have filled up nowadays with groundwater and with rainwater even waterski in it, but that is coming close to homes and that is something that will need to be worked through over time.

The intention of the provision I mentioned before is to capture parties who do have a significant relationship with the declared licensee, the obvious being a financial benefit, degree of influence or joint action for it to be reasonable for them to contribute to rehabilitation. That is not unreasonable. As I said before, that is not at all unreasonable. I think on this side of the house, while we are always cautious about the government looking at provisions such as this, the premise behind it is one where we certainly support communities feeling comfortable that there are provisions in place to make sure that any operation that is taking place around them in particular is appropriately cleaned up.

While I have been talking about communities, I think the previous member before me was quite right in saying it is not just about the community, it is also about the environmental aspect of it. I think that is important too. While that might be less directly significant in the Latrobe Valley context compared to, say, Ok Tedi and some of the others overseas, even in PNG, there are obvious environmental concerns and there are obvious concerns when it comes to groundwater, rivers and streams that might be nearby, grasslands that are close and, in a more direct economic case, farmland that might be close. Of course in Gippsland and the Latrobe Valley the soil is very strong and very solid black, it is very good quality and great for farming, and we want to make sure that if any rehabilitation work in future is not done, the remainder of redundant mines do not then compromise the farming aspects that will continue in the future, particularly dairy, which has been a feature of Gippsland.

The government does claim and does state in this legislation that it is modelled on Commonwealth legislation, specifically decommissioning facilities itself connected with the North West Shelf. And there is no doubt that the North West Shelf in Western Australia has had a long history behind it in terms of raw ore extraction operations, and I do not think this kind of legislation will be a one-off in Victoria. As I have said before, there are obvious examples around Australia, from uranium in South Australia to the obvious, as I said before, in Western Australia around the Pilbara; the Northern Territory, where I have been in the last week talking, of all things, about mining as well; and a few other states obviously on the east coast where we have had mining operations. The concept of the decommission of those nowadays says that governments do need to make sure that we have a legislative requirement in place to ensure that communities and the environment are protected from the decommissioning and the redundancy of those operations.

I think it is important that the communities, in this instance, in the Latrobe Valley are given a level of certainty to know that there are those safeguards in place for their future, for their health and for the sustainability of the Latrobe Valley. The Latrobe Valley – having had family down there for many, many decades – has gone through hard times. It has certainly been through a harder economic time since the late 1980s; there is no doubt about it. I know that from my own family, friends and others down in the Latrobe Valley, and it is connected with many aspects of it. But I see a great future for the Latrobe Valley. I see the Latrobe Valley having a renaissance when it comes to population growth. Its relationship with the east of Melbourne means opportunities in both farming and agriculture and for

different forms of industry into the future for the Latrobe Valley. The towns down there are close-knit towns. I would never say this to the member for Narracan – I know he is not in the Latrobe Valley; they get very put out in West Gippsland if you say they are anywhere near the Latrobe Valley – but certainly the towns from Trafalgar to Moe, Newborough, Morwell, Churchill, even the community around Hernes Oak, where there are still a few houses, and Traralgon are towns which have a solid economic base and towns which have a good, solid future.

I think it is still worthwhile for all governments, not just in passing legislation like this, which this Parliament will do, to also look at the future of those towns beyond just the simple concept of government jobs. Because I think in those areas, once the rehabilitation of these mines takes place, it becomes a concept of a discussion as well with the council areas down there as to what we can do with these assets. What do we do with them? They are community assets; they will go back into community hands. And will they then be used in terms of the integration of those former mines into the towns? As I have said before, it has been just community behaviour that people have waterski'd down near Hazelwood. I am not suggesting that they all become waterskiing locations – not at all; that is just not feasible – but I am saying that the use of them, the rehabilitation of them, is important, and it is an important discussion for the communities of the Latrobe Valley. We have these very large open-cut strip mine facilities, which exist right between Moe and Morwell and to the south of Traralgon – yes, they will exist – but we do need to actually do something and have a strategy as to what comes next.

I think that is what is important and an important discussion for the valley: what does come next? And my view, of course, has always been, from when I was a minister, that in the Latrobe Valley, particularly Moe westbound, we should be looking to manage population growth, decentralising population, encouraging population accommodation. It has got good freeway links back to the east of Melbourne.

Particularly if we had a brand new hospital in Warragul in West Gippsland as well, we would have through Warragul, Drouin and Moe–Newborough population accommodation which could be helping with housing affordability issues towards the east of Melbourne, preventing the expansion of the growth boundary in Melbourne so that we preserve the farmland in between, noting, as I said before, that there is very, very good quality soil around those towns and very, very good quality farming, particularly on the flats around Yarragon and Trafalgar. So we do not oppose this bill, and we are very supportive of the concept of discussing what comes next and what comes next for the Latrobe Valley post the conclusion of the open-cut mining facilities that exist there at the moment.

Having said all of that – I appreciate the concept of 30 minutes; I am going to get to 26, but 30 minutes is not too bad – I will mention for my mother that my parents were married at the Yallourn Methodist Church. There you go. They loved Yallourn. I was christened at the Yallourn Methodist Church right there, which is now a part of the open cut. My parents' wedding anniversary is at Kernot Hall in Yallourn.

**A member** interjected.

**Matthew GUY:** Nearly there. I do remember my mum in tears as we went around Yallourn and it was being demolished to be dug up. What a shame, because it was a wonderful town and it was a beautiful town. Thanks for the house's indulgence.

**Lauren KATHAGE (Yan Yean) (17:56):** What a beautiful contribution. We thank very much the member for Bulleen for that walk through the history of his family and through Victoria. I think we all benefited from his knowledge there.

I rise in support of this bill, and I cannot help but reflect on the change that we have seen in how we think about rehabilitation of mine sites. I am not intending to go into as much detail as the member for Bulleen on my family history. However, I am from a coalmining family. My ancestors were coalminers back in Germany and continued to mine coal when they came to Australia. Back in those days it was a very different sort of operation to get coal out from under the ground. They were active

in Queensland. When I say how things used to be done, we know that coalmining around Ipswich was really important for powering Swanbank, the power station, and a lot of the coal that came out of the ground there went to powering Queensland. Swanbank is now gas fired of course. But Ipswich was an important coalmining area, and there was a lot of mining activity back in the day. The evidence of that mining activity is still all around Ipswich, where sinkholes continue to open up where there was little or no rehabilitation of the underground mines and where, I guess, the concept of rehabilitation in the way that we think about it simply did not exist. Communities back then did not benefit from the same understanding that we have today. Things have progressed a lot.

I think we could say the middle ground is Ranger uranium mine in Kakadu. The Mirarr people there have been very strong and were successful in ensuring that part of the approval for the mine's operations included the need to return country to an equal sort of state to the rest of Kakadu National Park, which is of course the jewel in the crown of the Northern Territory. It is so important that the people who benefit from the profits of the mines need to be responsible for the rehabilitation. We have seen with Ranger uranium mine in Kakadu that what was initially thought to be a \$900 million job is going to end up costing more like \$2 billion to return it to an appropriate state.

The operations of Ranger uranium mine were not without difficulties. Certainly there were many, many instances of breaches of safety, with the uranium levels in the creeks surrounding the mine rising above acceptable levels and other environmental impacts that happened. It is just a bizarre coincidence that Vicky, our friend from Kakadu, contacted me today, after I guess three years, on the day that I am speaking on this bill, so we must be talking telepathically. The cost of that rehabilitation of Ranger uranium mine increased so much that a government panel ruled that Rio Tinto needed to be responsible – taking over from Energy Resources of Australia – for making sure that they kept their word and that Kakadu was returned to its state. If we just left it in the hands of companies, we all know that companies do not necessarily have the incentive to do that, and so it is important that we have legislation and regulations which mean that companies must.

One of the things I particularly like about this bill is that there is an understanding that rehabilitation should be progressive, so that as the mining operations continue, the site is progressively rehabilitated. One of the reasons that is important is it will allow the companies and the government, who are monitoring compliance, to keep up-to-date and accurate information about what is required, and that will mean that the companies will be able to budget appropriately to have sufficient funds readily available for a quick rehabilitation rather than needing to raise capital, as we have seen in the Northern Territory, where they have been surprised by the cost of rehabilitating Ranger uranium mine.

Not subject to this bill but close to home for my electorate, Southern Cross Gold is doing work around the Sunday Creek–Wandong area with critical minerals. I am taking us now to the most up-to-date end of the continuum. In my meeting with Southern Cross Gold certainly it was evident to me how seriously they take ensuring that the environment is looked after and that they very much consider themselves a part of the community and accountable to the community. I think it is great that there is dual accountability there to the government – and we are making sure of that through legislation like this; although, as I said, it does not apply to Southern Cross Gold in this instance – but also to the community and that community expectations are met. Something that is important also to recognise is that having a strong focus on rehabilitation like this opens up economic opportunities in the local community, and I am thinking particularly of traditional owners and registered Aboriginal parties. We have seen examples of Indigenous nurseries working on rehabilitating sites and the like, so economic benefits will flow from this work as well, and it is right that the economic benefit here flows to local communities and traditional owners.

We need to make sure of course that operators are doing as we expect, and so there will be regular site inspections to check compliance with work plans and rehabilitation requirements. The operators of the declared mines will need to report to government six monthly on rehabilitation progress, and they will need to be transparent about any issues that are being faced with that rehabilitation so that there is quick and transparent accountability about those things. Most importantly, there are enforcement

actions available to government: if noncompliance is found, there will be remedial notices in the first place for corrective actions, but where there is serious or repeated noncompliance, there will be the ability to pursue prosecution.

I am really happy to be standing here talking about mining, and I think it is going to be more and more the case that we talk about mining in this place. Last week in the Public Accounts and Estimates Committee it was very exciting to hear from the department about the, I want to say, \$200 billion in critical minerals that are expected to be in the ground here in Victoria. We have got the north-east of Victoria with known large deposits and deposits around where I live, around the Wallan–Wandong–Sunday Creek area, and then the other known areas where these critical and rare minerals exist. How fitting it is that the state that is so focused on moving to renewable energy, which relies on infrastructure that requires some of these minerals, is the state where there are such large deposits. What a happy coincidence that is, but what is not a coincidence is that simply through the hard graft of ministers like the minister at the table here, the Minister for Energy and Resources, we can see that the coordinated work, the overall critical minerals map or plan that is in place, means that our state is poised to take advantage of our natural resources, and how lucky we are to have a government in this state which is working to make sure that the benefit from that is shared around Victoria and that it is not just the people who can afford exploration licences and sites that will benefit but all Victorians from what we have in the ground here. I commend this bill to the house.

**Martin CAMERON** (Morwell) (18:06): I rise today to talk on the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025, and as I do rise, we are not opposing this bill. We need to have safeguards in place for my community in the Latrobe Valley so that at the end of the life of these mines they will be rehabilitated back to where they should be. What we do not want to be left with are three massive holes in the ground which cannot be used by my community. We do not want to be left with that. I talk about ‘I’ here, but it is ‘we’, as my community, do not want to be left with facilities that cannot be used by the public, that will look terrible and that will virtually just have a cyclone fence put around them with a ‘Keep out’ sign. So I thank the minister at the table, the Minister for Energy and Resources, for putting in this safeguard for the community. It is a safeguard for the whole of Victoria, because if the mine people walk away, it is going to be left to us to rehabilitate it, and we need to make sure that these safeguards are actually in place.

We are going through that stage at the moment with Hazelwood, which is actually shut, and shortly we will have Yallourn going through the process. And even though it is 2035 before the mine at Loy Yang A shuts, they are a long way down the track with getting all the infrastructure ready for the mine rehabilitation. I have sat down with ENGIE, EnergyAustralia and AGL and spoken at length about what that is going to look like, and I think the best part of it for Victoria, to explain it here, is that they are looking to make sure that the mines are full of water. I think that is the only sensible way forward that can happen. They have discussed many other ways of being able to do it, but I think everyone can see into the future that we are going to have these three big lakes, as such, covering up the coal and then whatever we use those facilities for after that. On average, I think it is going to take about 2350 gegalitres of water, so putting that into terms that we can all deal with, it is over four times the size of Sydney Harbour at the moment – that is how much water it is going to take to fill these three mining pits up after use.

Obviously Hazelwood is well underway with its rehabilitation. At the heart of the mine, at the deepest point, I think it is over 50 or 60 metres deep with water there at the moment. On being able to fill it, relying on groundwater as such to be able to do that, we need to make sure that the process is there. I know we need the mine walls safeguarded, because if we just leave them as they are – and we have had it before; we have had a mine slip at Hazelwood once before when it shut down the Princes Highway for probably three or four or five months, I think was at the time, when we had –

**Danny O’Brien** interjected.

**Martin CAMERON:** Longer – 12 months – when we had to divert around it. We have got to make sure that what we do and what we are left with in the Latrobe Valley is safe and is going to keep our community safe, because as the member for Bulleen said before, these mines are very, very close to some of the towns, especially Yallourn and especially the Hazelwood mine, which has shut. You can drive past on the freeway heading east and you could throw a rock out your window and it would go into the mine – that is how close they are. We want to make sure, whatever happens, that these mines are rehabilitated properly. It cannot just be rehabilitated and left at that; we need a purpose for these mines. We talk about, with the renewable aspect, maybe having floating solar on parts of it and having a renewable precinct. I know Yallourn let out a paper the other day about their intentions and what they think would be best suited for the mine. Yallourn is another case where it is an ageing coal-fired power station. We need to make sure that the workers that are in there now are kept safe, but we also need to make sure that we are generating enough power to keep the lights on for Victoria and Victorians.

We talk about, here in this bill, making sure that these safeguards are in place, that we are left with a facility at Hazelwood, at Yallourn and at Loy Yang that the community can be proud of. We want to be enticing people to come down and use these facilities. If they are a body of water, we need to make sure that they are usable. We do not want a body of water there that nobody can go and swim in or nobody can put a boat on, if that is the way that it is going to go. We have been a very proud community for over a hundred years which has supplied power to every region in Victoria and into other states, and we will continue down there with transitioning out of fossil fuels. We will continue to be a hub to actually supply power for Victoria, I have got no doubt about that. We have a lot of people that think outside the box of what can be done down there to be a part of the change. We do have the power stations there, working power stations that other assets can be plugged into so we can continue to stand in places like this with the lights on and people can go about their daily lives.

The engagement that we get from the three entities that own the mines at the moment is really good. Loy Yang have probably done more in this space that we do not hear about because they have actually got longer before they need to close down. But Hazelwood have been very proactive in the community, bringing them along for the ride. And they are held accountable by parts of the community that want to make sure that when the mine is finished, like what Hazelwood have done, they can follow the journey right through until it is handed back to the community for us to use. Yallourn is going through it right now. In two years time Yallourn will be shut, they will not be producing any power at all, and then they will be on their journey to actually rehabilitating the mine. It is not just filling it with water. They are trialling, especially out at Loy Yang, different grasses to see how that all takes. There is a science to the method of what goes on. And there are some other places around the world which I know the member for Gippsland South has been to to actually see what a pit looks like once it has been rehabilitated and filled. So there are blueprints around the world of what we need to do. But at the end of the day, when it is all said and done, when it is rehabilitated and the power industry has left and the mine owners have done their job, and that is going to be a long way down the track, we need to make sure that we are left with a legacy for my generation, my kids' generation and the generation after that.

One of the side things that we do have with the buffer zones coming out from the power industry is coal overlays, and we need to make sure that we can do some work in that area too. We have certain coal overlays, especially around the Loy Yang mine, which are impacting a housing development – 2000 houses or 2000 allotments – which is ready to go. There are always things that a lot of people do not see around the place that are involved in rehabilitating a mine. We can work together to actually remove these coal overlays, because at the moment we have got to wait until the Loy Yang mine is rehabilitated, which might be 40 or 50 years down the track, and we have not got that amount of time to wait for these houses to come online. And it is not that they are not ready to go – these allotments are there; they have been there for 10 years, ready to go, shovel-ready. So we need these allotments to be able to make sure that for the rest of the time our community will be safe.

**John LISTER** (Werribee) (18:17): I am pleased to speak today and contribute to the debate on the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025. Just having a good read through the bill, there has been a whole lot of hard work done by the Minister for Energy and Resources, who is at the table, and her team to bring this together. It is a very complicated part of our legislative framework when it comes to mining and holding mining companies to account, particularly as we transition away from coalmining and coal powering our state. It is an important evolution in our regulatory framework for the management, closure and rehabilitation of those declared mines, which we will speak to and which the member for Morwell spoke to quite passionately just then, and I recognise his work around this.

Mining is vital to our economy. I note the announcement last week of the exploration around Sunday Creek and the expansion there, with up to 7000 jobs in that one project alone in the coming decades involved in the exploration that they will be doing. While Sunday Creek is not necessarily part of this bill, I think the principles in this bill and what it goes to are particularly important as we see the shift in the economy of mining in this state. This state has been built on mining; we are standing and sitting in a place that was built by mining, and it is particularly important to acknowledge that mining is a significant part of the jobs in our community.

We know the critical minerals that have been spoken about. We used to call them rare earth minerals until, I do not know, we decided they were a little bit more rare and more critical, so we renamed them recently, especially out of the deal with the United States. We are seeing a transition in the type of mining that we will see across our landscape. I would like to recognise those workers and their unions who are working in this space as it evolves. There are some particularly interesting methods that are coming out of this that we need to make sure that we are meeting those future demands. We are also looking to that transition away from coal-fired power and at how we make sure that the environment – not only the physical environment but the social environment as well, and I will turn to that in just a moment – is left in a good state, because mining in this state has been about people. The immense impact of the gold rush on this state is evident not only in this building but also throughout the structures and systems that we have here in Victoria. It caused a huge demographic shift in our population, so mining is critical to the story of Victoria.

But we have seen and we have learned over those different phases of mining. Whether it be the goldmining in the 1850s – we are now seeing some of the consequences of that in the Central Highlands and places like that around groundwater management issues; whether it is coal mining, which we are now seeing transitioned out in the Latrobe Valley; or whether it is this transition to mining different minerals in our environment, we are seeing a change, and it is good. We need to make sure that our regulatory framework meets those changes as we go, because in the end it is also about the place – that is something I will speak to in just a moment – but also the people and having safeguards. The community expects, especially in this modern era, when someone does take those resources from the ground – the land and underneath the land that belongs to every Victorian – that we make sure that not only are those companies paying their fair share in royalties towards the development of our state but also that they are held accountable for how they leave that place.

I note that in the Latrobe Valley Labor has made significant investments not only in the technical transition from coal but also in the social transition away from what was a huge industry in this area. We have seen in places like Morwell those new services that have gone down there, those new agencies and opportunities to help transition people from mining to other forms of manufacturing and even into professional work.

This bill introduces a trailing liabilities regime for declared mine licensees and makes a range of technical amendments, which I know the Minister for Energy and Resources will be much better at explaining than I. It is very, very important to acknowledge that a lot of this is about that transition from coal-fired energy. It could not have happened if it was not for this government taking those steps towards transitioning away from brown coal and other forms of fossil fuels. Declared mines such as the three large Latrobe Valley coalmines at Hazelwood, Yallourn and Loy Yang – and we heard a



potted history of Yallourn just before from the member for that place in the north-east which I always forget –

**A member** interjected.

**John LISTER:** No, that is okay. I will remember soon. Matthew Guy – sorry, I did not say that, Acting Speaker.

**Iwan Walters** interjected.

**John LISTER:** Bulleen, thank you. Look, I am new to this. I am still trying to remember what everyone's official names are. We got that potted history of Yallourn, which I did appreciate listening to. These sites have long been recognised as needing to have enhanced regulatory oversight due to those geotechnical and hydrological risks the member for Morwell mentioned before – I remember the landslip on the Princes Highway those years ago – and how those risks can impact public safety, environmental values and critical infrastructure.

The important thing, and something that we have all recognised, is that as we are transitioning away from coal and as we start to see these mines, whatever form of mining they are, shut down, we need to make sure that we do not see those liabilities for rehabilitating that place disappear with changes to corporate structure or ownership, which happens in this capitalist system of ours. We have seen examples from around the world – I again note the contribution from the member for Bulleen – particularly in Papua New Guinea, which is a topic close to my heart, and how those corporate shifts have meant that a lot of the liability for repairing those damaged landscapes has become a burden for the state rather than for the people who caused the damage in the first place. We have a longstanding position that mine rehabilitation remains the responsibility of the licence-holder.

The rehabilitation bonds, the work plans and progressive rehabilitation requirements will continue to operate as they do today. This liabilities provision simply provides additional safeguards that ensure rehabilitation responsibilities cannot be evaded as mines move through ownership changes, as I mentioned, or into closure. Communities across Victoria expect that as we transition, as I mentioned before, to different forms of mining these major industrial sites will be rehabilitated in a way that leaves land safe, stable and suitable for future use. They also expect that long-term liabilities will not fall to taxpayers.

In the end, we are giving these companies the privilege of using our resources. Obviously there are economic and social benefits to this, but at the same time, they are profiting off it, and we need to ensure that these companies are held to account. Effective rehabilitation contributes to environmental protection, public safety and confidence in future land use planning. We have seen some really positive examples across the state – I did a little bit of digging into this earlier. Works at places like Fosterville, Splitters Creek and the Davis Pit demonstrate what can be achieved when obligations are defined and robustly regulated. It was quite heartening to see when I was looking into the companies behind these particular sites that they have really strong rehabilitation plans; connections with First Nations communities as well around what the land should look like after that mining operation but also trying to look back to what that land was like and make sure that that is a consideration, which is particularly important; but to also look at how that rehabilitation can support local employment and future employment, particularly through the types of engineering required in those mine closures is particularly an interesting field to be in. That consultation has been undertaken around the development of this liabilities framework, including the engagement with licensees, community groups and environmental organisations. We will have further consultation as regulations and guidelines are developed. It strengthens our preparedness for the orderly and responsible closure of major mines now approaching their end of operational life. It aligns Victoria with best practice approaches at our Commonwealth level and other jurisdictions, and I commend this bill to the house.

**Cindy McLEISH** (Eildon) (18:27): It is with pleasure that I rise to speak on the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025 and some financial assurance

bits thrown in there in a somewhat lengthy title. I am rising to speak on this because I am quite invested in the resource sector historically and understand the need for mining. Mining has copped a bad whack over the years, but everything we rely on comes out of the ground. Our phones, our refrigerators, our light bulbs – you pick it, it is drilled out, dug out or grown. Everything comes out of the ground, and I think mining gets a bad rap for that. Coal has served us very well over the years. But as we know, moving away from coal and big fossil fuel means that the mines are closing down and they have to be rehabilitated appropriately. I think that it is perfectly appropriate, as with other mines in Victoria and Australia, that when they close down that appropriate rehabilitation does take place. I know there tends to often be controversy about what should happen, and different interest groups have different opinions about whether this should happen or that should happen. We have a bill before us that the government claim relates specifically to the three Latrobe Valley mines – ENGIE's Hazelwood mine, EnergyAustralia's Yallourn mine and AGL's Loy Yang mine – but there are parts of the bill that suggest that this legislation could be used elsewhere. The government say that is not the case, but it is something that does bother me a little bit.

One of the purposes of this bill is to introduce a trailing liability scheme relating to the rehab of the declared mine. This scheme is actually quite interesting in what it means. Owners do have the responsibility as they close a mine to rehabilitate it appropriately and in line with community expectations. The provisions here will not change the existing rehabilitation obligations of the declared mine licences – because this is not something new, this is something that has been in place already – but what it will enable is the minister to call back a party via a remedial direction to carry out or pay the costs of rehabilitation and post-closure work where the minister is satisfied it is appropriate to do so. And this is where it gets a little bit murky, because how far can you go back? Often companies change ownership and those structures of ownership change. One company may no longer be in existence, and the government might be looking at that, but they might have changed the entity. Some of the global players that are in these markets, particularly Spanish companies, for example, have had some investment over here.

If they change, if they sell to a German company, at what point do you try and call back? How many years later do you try and call back? I am a little bit fuzzy around that. I think that that is possibly a risk in this situation. The opposition, though, is not opposing this bill. I do note that with the trailing liability provisions, the government, who have owned the mines that we are talking about at different points, have exempted themselves from that. They can be an irresponsible mine manager, but subsequent private sectors apparently cannot. I do not think that is quite apples and apples, but it does, I guess, take away the liability and the financial risk to the state.

Victoria, as we know, is home to more resources than we perhaps ever think about. In my area we have a couple of goldmines that have been around for a considerable time. We have got the Woods Point goldmine, Morning Star, which opens, closes, opens, closes. There is history there from the 1800s – the 1860s – when there was a gold rush. We have the A1 mine, just between Jamieson and Woods Point, and that halted production in September this year. Also I understand that the township of Reefton, which is way out the back of Warburton and sits now surrounded by national parks, was named because there is a big gold reef running through that national park. Russell from the Millgrove Residents Action Group tells me he has all of the plans that we need to know about this, and before he leaves this place he is going to drop them to my office. I do not know whether I will still be here at the time that he does that or not, but we do have strong deposits.

There has been a lot of talk lately about the rare earths, titanium and zirconium in particular, and rare earths are much more in the west of the state. This mineral production comes from the mineral sands, and they are used in things like fibre optics, pharmaceuticals and sporting goods. What sporting goods would be relying on titanium? Well, that would be my golf clubs and perhaps some tennis racquets – and also aircraft engines. In the middle we have got arsenic and antimony. Antimony is in batteries, fire retardant, cable sheathing, ammunition and paints – things that are pretty well part of our everyday life. Arsenic is in pharmaceuticals, agricultural chemicals, semiconductors and glassmaking. Mining

is so important to us, but as the mining finishes it is appropriate that the areas are rehabilitated particularly.

Prior to being elected I did quite a lot of work in the mining sector and was in mines up in north-east Arnhem Land at Nhulunbuy, Gove, with the bauxite mine. At the time I think it was Comalco, and it was a bauxite mine doing aluminium. I did some work in Tanami in the goldmine, in the middle of the Northern Territory, and a lot of work over in the west with those working in the iron ore sector. But I did see up at Nhulunbuy they would take off a few metres – they would mine a few metres of bauxite – and then they would rehabilitate it and plant trees, and then they would move on and do the next bit and the next bit, and there was quite a lot. It is quite interesting how things turn, because I did that work quite a number of years ago now, and then it was maybe 18 months, two years ago that my daughter went up there because Rio Tinto now own the mine and are moving out of mining in that town. It is a very vibrant Aboriginal community, and they have to work out how the town will survive, because they have had royalties from that mine. My daughter was involved in doing some of the strategic planning with the community about what that might look like going forward.

As we have got the closure of the mines in Gippsland, I just want to talk about how much thought must be given to the mining areas and the surrounds. I want to alert the house, because a lot of the newer members – I am looking around – were not here when there was a big barramundi release down at the Hazelwood Pondage. In April 2016 there were some 7000 barramundi that were released for \$150,000. The state government stocked the tropical fish – they are normally a warm-water fish – thinking that this was going to drive tourism down there and be a great hotspot for people from around the country because the water was heated.

It was officially opened in December 2016, four months before the power station closed, and there was a ballot to see who could get in there. It was interesting to see what happened, because as the fishing continued, the hardworking minds of government were trying to predict how they would react when the generator was switched off, and they were not really sure what was going to happen. It was not good for the barramundi. They had a person stationed there to monitor for dead fish. There were growing concerns that the water temperature would drop, which is what happened. Hazelwood shut its doors, and the main supply of hot water actually was no longer there, and it ran cold. They were then also worried about any contamination into the fish at the time, so the locals were asked to eat less barramundi as a result.

**Mathew Hilakari** interjected.

**Cindy McLEISH:** This is very serious, what your government did with the pondage around the Hazelwood mine. The food source was dying out, and then they had to stun them and move them and had to then think, ‘What are we going to do now?’ They replaced it with trout, and could you believe what happened? The rainbow trout were introduced and suffered a similar fate. Fishing was opened again, after a bit of a hiatus, in January 2018. We had a few years of experimentation where they were not really sure of what the outcomes were going to be. So my words of advice to anybody who is undertaking mine rehabilitation are: make sure you do it well and you do all of the thinking beforehand rather than trying to do it on the fly.

**Dylan WIGHT** (Tarneit) (18:37): That got to a weird place at the end, didn’t it? Save the barramundi. It does give me pleasure to rise this evening to make a contribution in this debate in favour of the legislation before the house currently. Declared mines are some of the most complex and risky things that we have to be able to rehabilitate, and they represent and present a significant challenge, one that government takes incredibly seriously, particularly when it comes to ensuring that they will be rehabilitated in full and without risk to the Victorian taxpayer. The Victorian economy, really since the industrial revolution in Australia, has been built on mining and the burning of that resource to create energy. The Victorian economy has been fundamentally built on that, because the energy created from what we have mined, traditionally out in the Latrobe Valley – although I do not discount there have been some other smaller mines around Victoria – has powered industry, has powered homes

and has powered the agricultural industry and the manufacturing industry, principally two of Victoria's largest exports. Traditionally it is what our gross state product was built on until more recent years.

But with that opportunity and what that has done for Victorians, but also particularly in more recent decades with the money and profit that has been generated for private companies, comes a responsibility. It comes with a responsibility that once that mine has closed and once the money has been made – and I do note that there are closure dates for several of those coalmines in the Latrobe Valley as we move away from coal-fired power as our principal source of electricity – there comes a responsibility to the Victorian community and particularly the local community to rehabilitate these mines to make sure that they are environmentally safe and that they are not going to create an environmental hazard, but also to make sure that they can be, as much as possible, utilised for community use.

These mines are massive. They take up an enormous amount of space, so we are making sure that they can also be used for community use into the future. The member for Morwell made a contribution about housing needs down there in the Latrobe Valley. We are making sure that in the future these mines are rehabilitated so they do not cause a risk or pose a danger, but also so things like housing and community assets can be built around them.

There are several examples of successfully rehabilitated mines here in Victoria, which I will go to at some point in the contribution, but we also have several examples around Australia of what happens when these mines are not rehabilitated properly. Unfortunately there are some 80,000 inactive mine sites around Australia that pose a risk to community and that have not been rehabilitated. Do not get me wrong, some of these sites were being utilised for mining some time ago before governments were really turning their minds to legislation such as this to make sure that environmental hazards are not created. But there are some 80,000 inactive mines across Australia that potentially pose a risk to community. We obviously in Victoria need to make sure that we are pulling every lever available to us to make sure that these mines, which have contributed successfully to Victoria and the Victorian economy over a number of years, are rehabilitated properly.

Of these 80,000 inactive mines, there are some that come to mind. One is in Queensland, the Mount Mulligan disaster, where there was a large explosion down a mine in the 1920s. The mine was reopened after that, but once it was inevitably closed, no rehabilitation work was done. It still sits there inactive, posing a risk to community, and we need to make sure in modern times that as a government we are far better than that and we are making sure that we are holding these companies accountable once they leave these communities.

There is also the question, which I know this legislation does not necessarily deal with but which speakers before me have spoken about, of the emerging critical mineral industry here in Victoria. Firstly, the opportunity that this presents to Victoria is enormous. It is really the first time since the gold rush that Victoria has had the opportunity to be front and centre in a resource boom. We have some of the largest deposits of some of these critical minerals anywhere in the world – a couple of them are the largest deposits anywhere outside of China. The recent agreement between the federal government and the United States I think is a fantastic step forward in that. I do note that the Donald project has been given major project status, which is amazing as well. The potential of this industry obviously could have economic benefits for Victoria through royalties and different things of that nature, but also there is the skills development that comes with it. We are incredibly well placed as a state to be front and centre in this industry. We have four ports and have a long manufacturing history, so there is an opportunity not just in the mining sector but also in the downstream processing and manufacturing jobs and the development of those skills. I do not know if you can hear it in my voice – I am pretty tired – but I am actually quite excited by the possibility and the prospects that this industry has here in Victoria. Like I said, I think it is the first time since the gold rush that we have had the opportunity to be front and centre in a resource boom. We have been a net exporter of gas over a period of time. I think that given what we are seeing is changing and has changed, to be front and centre in this critical minerals resource industry is incredibly, incredibly exciting.

Like I said, mining has a long, long history here in Victoria. We can go all the way back to the gold rush where the demographics of Victoria fundamentally changed for the better. We can talk about coalmining in particular but also gas exploration, but coal mining in particular in decades and decades gone past. We were not an exporter of coal, I think as the member for Bulleen said. It is brown coal in Victoria. The water content in brown coal is far too high to export. But that has formed the backbone of not the industrial revolution but of successful industry here in Victoria for some time. We know that we are moving away from coal as an energy source. We have some of the highest renewable energy targets anywhere in the world – 95 per cent by 2035. But you cannot stand here and discount what coal as an energy source has done here in Victoria but also all around Australia.

But I will repeat, there is a fundamental responsibility for the private companies that are now operating those mines and those power plants to do the right thing by the community when they leave. They have made enormous profits out of this industry, and making sure that communities around those mines are safe but also that those very large areas can be turned into community assets is fundamentally important. I commend this bill to the house.

**Ellen SANDELL** (Melbourne) (18:47): I also rise to speak on the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025. The Greens will of course be supporting this bill, which will introduce a trailing liability scheme for Victoria's three declared mines, namely the three coalmines in the Latrobe Valley – the Hazelwood mine, EnergyAustralia's Yallourn mine and AGL's Loy Yang mine.

This bill creates a failsafe against those fossil fuel giants skirting their obligations to clean up those sites simply by selling them off to some other company. Trailing liability schemes mean the minister has the power to call back relevant parties, like previous licence-holders or body corporates, to cover the costs of rehabilitation. That sends a good message to these multibillion-dollar mining companies that if you are going to rip up the earth to mine something, at the very least you need to be able to afford to clean it up at the end.

As outlined by the minister, the model is similar to the Commonwealth's provisions for decommissioning offshore infrastructure. But let us remember that was only put in place after the Northern Endeavour debacle where a billion-dollar mining company sold off ageing, rust-riddled oil vessels anchored in the Timor Sea to a newly formed company and coincidentally that new company could not pay for the clean-up, leaving everyday Australian taxpayers to pay for their clean-up costs – just another example of big fossil fuel companies leaving all of us to pay to clean up their mess. Whether it comes to climate change or whether it comes to decommissioning, it seems like a pretty common story.

Here in Victoria we have more than 400 old leaky wells in Bass Strait alone and more than 23,000 kilometres of rusty pipelines all across the state, and we are certainly not immune to corporate greed or to poor regulation. The Greens will be supporting this bill because it does go some way to reducing the risk to all of us, and it is very welcome if overdue action.

We also think, though, that the Victorian government should expand the trailing liability scheme to all mining operations within the state rather than just the declared mines. By their nature declared mines present the greatest rehabilitation risks. Under Victorian law a declared mine is a mine that has geotechnical, hydrogeological water quality or hydrological factors that may be deemed to pose significant risk of harm to the community, environment and infrastructure. But we have a Labor government here that is still committed to new offshore oil and gas projects and with several critical minerals projects in the works as well. Particularly now with this new supposed deal with the US and Donald Trump, we need to make sure that companies pay to fix up whatever damage they cause, whether they are at a declared mine site or not.

Victorians should not have to cop the cost of cleaning up after giant fossil fuel corporations after they are done digging up our land or drilling in our oceans. Around one in four wells experience integrity

issues, so if we have got 400 wells in Bass Strait we can expect around 100 of those wells to leak or fail entirely over the course of their lifetimes. That is a pretty scary thought, a hundred wells leaking into our oceans. That might be Beach Energy. What happens if they decide to cut and run on the Twelve Apostles drilling site which Labor has allowed to be drilled right next to one of our most iconic sites, next to a marine national park? We are already in a climate crisis because of the insatiable greed of fossil fuel giants and the governments, Labor and Liberal, who give them special treatment and let them get away with not only destroying our climate but not cleaning up after themselves. Taxpayers should not have to foot the clean-up bill too.

We cannot, unfortunately, rely on the Commonwealth government to do anything to help Victoria. Just this year we learned that Australians could be forking out \$500 million to clean up Chevron's oil wells in Western Australia, and that is because of a truly idiotic deal that the Australian government made in the 1980s, which refunds about half of what the multibillion-dollar American fossil fuel giant paid in royalties to help it clean up the oil wells on Barrow Island – just mind-blowing. The Albanese Labor government also just approved the North West Shelf expansion in WA despite the damage it will do not just to our climate and environment but to the sacred Murujuga rock art, the oldest rock art in the world; the damage it will do to our precious sea life on Scott Reef; and the 88 million tonnes of CO<sub>2</sub> it will spew out every year until 2070, destroying our kids' future. We are already in a climate crisis because the Labor and Liberal parties give special treatment to fossil fuel giants and their insatiable need to profit. Taxpayers should not have to foot the clean-up bill too.

Victoria needs to lead the way and make all fossil fuel companies clean up after themselves, and we need to fight to make the big polluters pay. The Greens will be introducing amendments in the upper house to extend this trailing liability scheme to all mining licences, because why should any mining company be able to get away with not cleaning up their mess, selling on their liabilities to another company that goes bust and then making taxpayers pay to clean it up? It is I think a commonsense change and one that we hope all parties will support, something that is good for the government, for the taxpayer and for the environment. It is also worth noting that the Commonwealth model for trailing liabilities is new and is yet to be tested, and it may become difficult to implement when companies are based offshore and no longer operating in Australia. That is not to say that a state scheme is not necessary, just to recognise that trailing liabilities are not necessarily a silver bullet.

That is why the Greens initiated the inquiry into decommissioning oil and gas infrastructure, which will start soon in Victoria, because we need an expansive, robust rehabilitation bond scheme, which Victoria has for onshore pipelines but not for offshore infrastructure. We also need to ensure that offshore infrastructure especially is being removed entirely, cleaned up and recycled on land in environmentally safe locations. We cannot just have companies hold onto their wells in perpetuity, pretend they are going to use them perhaps to capture carbon emissions – that old furphy that never seems to stack up – or just break off the top half of their rigs, call it a day and leave everything else in the ocean. We need genuine transparency with all of these decommissioning works, and right now it is incredibly hard to figure out just what kinds of projects we have in Victoria's lands and oceans, let alone who owns them, what rules apply to them and what kind of state they are in. The sector is incredibly opaque, almost as if it was designed not to be understood by the average person.

Yet governments cannot trust fossil fuel giants to keep themselves in check. Just last year we saw not one but two spills from offshore rigs owned by ExxonMobil in Gippsland. We even saw Woodside flub its decommissioning of a gas well and pipeline this year, releasing 200 kilograms of hard plastic waste into the ocean off Port Campbell in western Victoria. Woodside only reported that accident to the national regulator weeks later. It took volunteer beach cleaners finding chunks of plastic on Logans Beach for Victorians to know that something had gone wrong with the decommissioning of that project.

Victorians should not have had to find bits of pipeline on their beach to learn that Woodside was in the middle of decommissioning a site and was doing a really bad job of it. Proper transparency in the sector would mean working with the federal government to develop a public register of all oil and gas

infrastructure, one that is simple, updated regularly and shows Victorians exactly what kind of mining operations are being done and who owns them.

Victoria also needs a plan to retire our ageing, leaky gas distribution system. We all know we need to get off expensive, dangerous fossil gas as an urgent priority, but right now the government has no plan to retire the network of 23,000 kilometres of rusty pipeline all across the state. It is bad for communities, and it is bad for the environment, because we know big fossil fuel companies only care about the bottom line. This year Solstice Energy announced that they will permanently cut gas supply to 10 regional Victorian towns by the end of 2026. That left the government scrambling and left customers in Robinvale, Marong, Maldon and Kerang in the lurch. Victorians need confidence that when it comes to the clean-up of old mines and infrastructure the costs will be borne by the multimillion-dollar coal and gas giants which have profited from these projects and that they will clean them up properly, because mining companies will always put profits above nature, above climate, above health and above the community. That is just by their nature. You cannot open new fossil fuel mines in 2025 and still pretend to care about nature, the climate or the community. That means that if these big fossil fuel giants could find a way to pay less for clean-up costs, my word they would.

We hope that the government will support our amendments to this bill and whatever solutions we get from the Greens inquiry into gas decommissioning. We also know that gas decommissioning will create a lot of jobs. The Maritime Union of Australia was out here just last week talking about just that and how they support more investment in gas decommissioning.

Finally, the Greens are calling for a polluter-pays mechanism to fund permanent climate adaptation in Victoria, because the damage that coal and gas companies do to this incredible world does not stop at the immediate environment. The climate crisis is being caused by fossil fuel giants and corporations. It is only fair that those same companies pay for the solutions that communities need to adapt to the climate crisis, whether that is energy-efficient homes, droughtproofing on farms or cleaning up the incredible cost of the natural disasters – the floods, the fires, the storms – that we are all experiencing and will experience more into the future due to the burning of fossil fuels. In short, we need to ensure coal and gas giants pay to clean up their mess. This is a small step in the right direction, and I hope we go further.

**Steve McGHIE** (Melton) (18:58): I rise for a very short contribution, by the looks of it, today on the Mineral Resources (Sustainable Development) Amendment (Financial Assurance) Bill 2025. Firstly, I would like to acknowledge the Minister for Energy and Resources, who is at the table, and her office for their great work and thank them for the fantastic work on this bill. The Allan Labor government is phasing out the use of fossil fuels, with our great state well on the way to meet our ambitious legislated target of net zero by 2045. The point that I really wanted to make was that this bill will help protect Victorian taxpayers from a worst-case scenario where a declared mine licensee fails to or is unable to meet its rehabilitation obligations. The new provisions will reduce the likelihood that rehabilitation costs are passed on to Victorians and provide the government with a new tool to require those who derive greatest financial benefit from mining projects to be responsible for remediating the rehabilitation risks and liabilities caused by those projects.

This bill amends the Mineral Resources (Sustainable Development) Act 1990 to introduce a trailing liability scheme in relation to the three declared mines, which are the coalmines in the Latrobe Valley – namely, ENGIE's Hazelwood mine, which closed in 2017; EnergyAustralia's Yallourn mine, which is scheduled to close in 2028; and AGL's Loy Yang mine. In addition, it will make technical changes to the Mineral Resources (Sustainable Development) Amendment Act 2023. I want to commend the member for Morwell's contribution on the rehabilitation of the mines in his electorate, which are the three mines I just referred to, which will obviously make a better outcome for his constituents.

**Business interrupted under sessional orders.**

*Adjournment*

**The DEPUTY SPEAKER:** The question is:

That the house now adjourns.

**Commission for Children and Young People**

**Nicole WERNER** (Warrandyte) (19:00): (1449) My adjournment matter is for the Minister for Children, and the action I seek is simple and urgent: that the government must appoint a new genuinely independent commissioner for children and young people. The Commission for Children and Young People exists to be an independent watchdog for those who cannot protect themselves. Its role is to hold governments and organisations to the highest standards, to expose failures that put children at risk and to advocate for the safety, rights and wellbeing of children in out-of-home care, child protection, youth justice and child care, yet since March 2025, for more than eight months now, there has been no permanent principal commissioner in the top job. Where is the urgency to ensure children are kept safe? Who is meant to be ensuring schools, childcare centres, residential care providers and government departments comply with their obligations in child safety? Not the independent commissioner, because there is not one.

Instead of appointing an independent leader, the government has installed the secretary of their own department as the acting overseer. That is a blatant conflict of interest. Are Victorians seriously expected to believe that a government department is going to call itself out on its own failings? The government is marking its own homework at the very moment Victoria has faced the most serious childcare scandal in our state – in fact in our nation’s history – with children raped and abused in centres operating under the government’s watch.

Perhaps this government is avoiding oversight because the warnings were clear. Three years ago the commission told the government that ‘children will be abused’ if the reportable conduct scheme continued to be underfunded. The government failed to act, and sadly, children were abused. This is not an isolated failure. The commission has repeatedly exposed dangers the government ignored. In 2017 it revealed children in residential care were living amid violence, drugs and exploitation. In 2019 it called out the practice of placing vulnerable children in motels and caravan parks, where they were being assaulted, groomed and sexually exploited. In 2021 it warned that childcare providers were failing child safe standards and that risks to children had been unaddressed for years. It has documented case after case of grooming, sexual abuse, violence and neglect occurring in the very homes that are meant to be keeping children safe. The risks are rising. In 2024–25 alone the commissioner received 705 reportable conduct notifications. There has never been a more critical time for strong independent oversight. The government must immediately appoint a permanent independent commissioner.

**Narre Warren South electorate public transport**

**Gary MAAS** (Narre Warren South) (19:03): (1450) The adjournment matter that I wish to raise is for the Minister for Public and Active Transport and concerns the Allan Labor government’s free public transport initiatives. The action that I seek is that the minister provide an update on how these announcements will benefit constituents in my electorate of Narre Warren South. As we all know, public transport is so important for many in my community as it connects them to work, to friends, to events and to opportunities. This accessible and relatively low cost service is now providing further discounts too. The Metro Tunnel of course is now officially open, and it has marked a transformative moment for our state. My community has been incredibly excited for this milestone and the tunnel’s summer start. For people living in the outer south-east, the Cranbourne and Pakenham lines connect with the Metro Tunnel through to the Sunbury line via five new underground stations.

To celebrate the opening and say a big thankyou to Victorians for their patience while work was taking place, we have introduced free public transport for everyone on weekends throughout December and January, and there have been announcements for seniors card holders on weekends and for everyone under 18 year-round. I look forward to hearing when the under-18 Myki cards will be available. After



1 February discounts will be extended for carers and disability support pensioners, with free weekend public transport too. As we keep growing and expanding the public transport network, more and more are accessing this incredible service at discount rates. While those opposite are focused on other things – cuts, maybe – we are focused on delivery, and it is great to see people already exploring the Metro Tunnel this year. I look forward to sharing that response with my community.

### **Euroa electorate neighbourhood houses**

**Annabelle CLEELAND** (Euroa) (19:05): (1451) My adjournment this evening is for the Minister for Carers and Volunteers, and the action I seek is for the minister to guarantee sustainable, long-term funding for neighbourhood houses across my electorate of Euroa. I have recently sat with parents, carers, retirees, jobseekers and people quietly battling illness and isolation, and no matter their background they tell me the same thing: their local neighbourhood house is the one place where they feel supported, welcomed and understood. They are not just community buildings, they are lifelines. In Seymour a young mum told me that her neighbourhood house was the first place she dared to walk into after fleeing family violence. In Violet Town, Jenny White told me she uses the house for food and friendship. Mr Marshall, nearby in Strathbogie, said he relied on his neighbourhood house to keep in touch with people because he lives alone. Sen Dan from Violet Town said, 'If we do not keep it going, we will lose a sense of ourselves,' and Elaine Hayes said to me, 'This is such an important service. Please help.' Just last week at Waminda in Benalla, with the living angel Leeane Bullard, who keeps her finger firmly on the pulse of our community, I met with Summer, who turns 10 this week. Happy birthday, Summer. I cannot wait to see where your art takes you. At Waminda they also provide after-school care and meals for children who may otherwise miss out. If the minister spent time in our communities, she would see just how priceless this safety net really is.

Across my electorate we now have 10 neighbourhood houses at risk: Broadford Living and Learning Centre, Kilmore Community Centre, Nagambie Lakes Community House, Neighbourhood House Murchison, Puckapunyal and District Neighbourhood Centre, Pyalong Neighbourhood House, Seymour & District Community House, Tablelands Community Centre, Violet Town Community House and Waminda Community House in Benalla. I want to place on the record how grateful I am for every facilitator, staff member and volunteer in these houses. They are the quiet lifeline in our towns, showing up for people who are doing it tough every single day. Across Victoria nearly 200,000 people walk through neighbourhood house doors each week seeking training, food relief, childcare support, mental health support and a place to belong. Right now, because of inadequate funding, many houses are being forced to turn people away. Staff tell me they are rationing programs, running on the smell of an oily rag and relying on volunteers who are burning out. Budgets have barely grown in a decade, while demand has surged nearly 30 per cent since COVID, and without a 25 per cent increase to core funding in the 2026 election budget many neighbourhood houses will be forced to cut programs, reduce hours or close altogether. Last week the Allan Labor government issued a glossy press release about food relief grants, but beyond the spin is a very different reality. One local neighbourhood house has recently confirmed it will be forced to make staff redundant because the funding received was only one-third of what was requested. This evening I learned from Broadford Living and Learning that they have no funding whatsoever – that is 60 families who now will not have support in our community, and this is happening at this very moment. Families are choosing between paying the power bill, covering rent and putting food on the table. Our communities deserve better than this government.

### **Lara electorate youth**

**Ella GEORGE** (Lara) (19:08): (1452) My adjournment matter is for the Minister for Youth. The action that I seek is for the minister to update me on the work that the state government is doing to support young people across the Lara electorate. This evening I have been hosting some very special guests from the Geelong region, who are recent winners of the 2025 Geelong Youth Awards. A big congratulations to Parri Kaur, who won the Cultural Awareness Award; Jessie Moore, who won the Inspiration Award; Alex Serra, who won the Innovation Award; Xavier Cunningham, who won the

Volunteer Award; Rezai Rehman, who won the Citizenship Award; and Alexander Scott, who won the Recognition Award. These winners were selected from 147 nominations and were recognised for the positive impact that they are having in the Geelong community. I want to thank each and every one of them for the leadership that they are showing in our community. I also thank them for attending Parliament House this evening for a tour and a meeting with the Minister for Youth, the member for Geelong and the member for Bellarine. My adjournment tonight seemed like a great opportunity to request an update on the ways our government is supporting young people and young leaders in our community, while we have these visitors here at Parliament House. I look forward to hearing from the Minister for Youth and working with her to support young people and young leaders from the Geelong region.

### **Warrnambool Surf Life Saving Club**

**Roma BRITNELL** (South-West Coast) (19:09): (1453) My adjournment matter is for the Minister for Emergency Services, and the action I seek is for the minister to honour the hardworking volunteers of the Warrnambool Surf Life Saving Club by allocating funds in the upcoming budget for a new clubhouse and to ensure that the safety of our community and visitors is the top priority in its design and construction. This is a proud and dedicated volunteer community, recently recognised with an Australian surf lifesaving national award.

At the opening of the season last month I witnessed an incident that highlights a serious and unacceptable risk, a risk created and perpetuated by the government's neglect. Surf lifesavers on duty could not see along the beach towards Granny's Grave from either the current clubhouse or the tower because their view was obstructed by dense vegetation. This is not a new problem. The vegetation was planted in the 1980s. It is not indigenous to the area, yet the government insists it cannot be removed or altered because it is native. We all value the environment, but the idea that public safety should be compromised because of a 40-year-old planting decision is absurd. It is a failure of leadership, of common sense and of government to put people first. Other clubs, such as Port Fairy, manage this balance responsibly. I was there recently to celebrate their 100th anniversary. Its foreshore has low-growing vegetation that protects the dunes while preserving sightlines for lifesavers. Warrnambool deserves the same sensible approach, but instead we are met with excuses and inaction.

To make matters worse, the overgrown vegetation surrounding the precinct is creating danger for women and families using the popular path from the breakaway to the Hopkins River. Community members have told me they are now frightened to use this pathway because it has become unsafe and is a site for repeated incidents, including men exposing themselves. These incidents are reported, yet nothing changes. The Department of Energy, Environment and Climate Action is responsible, but the government continues to pass responsibility onto council. Council may hold the land management role, but the decision sits squarely with the minister and her department.

The community deserves better. We need a futureproofed surf lifesaving facility and a precinct that prioritises safety. The environment is important, but people's lives must never be made secondary to vegetation that does not even belong in that area of the landscape. The minister needs to stop passing the buck, take responsibility and act: fund a new surf lifesaving club for Warrnambool, fix the vegetation management and show the community that their safety matters more than bureaucratic excuses.

### **Glen Waverley electorate funding**

**John MULLAHY** (Glen Waverley) (19:12): (1454) My adjournment matter is directed to the Treasurer, and the action I seek is for the Treasurer to update the house on how successive Allan Labor government budgets have supported the Glen Waverley district. The Allan Labor government has consistently invested in families across the Glen Waverley district. Education remains central to our community's future, and I am pleased that the \$10.9 million upgrade to Forest Hill College is currently almost delivered. Vermont Primary School will also share in \$10 million in planning funding, an important step towards future redevelopment. Families will benefit from new school bus services for

the 2026 school year, including a new service at Glenallen School, ensuring students who need extra support can travel safely.

Support for local community organisations has also grown, including a \$50,000 grant to the Waverley Woodworkers, providing a safe, inclusive space for members to develop skills and build friendships. Local sport has seen sustained investment, including \$750,000 for Vermont Reserve to upgrade the oval and lighting. They are currently in the build phase of some female-friendly change rooms – go the mighty Eagles! There is \$300,000 to resurface the Central Reserve south oval for the Mazenod Panthers and the Mazenod old boys footy club and \$500,000 for a new pavilion at Brandon Park Reserve for the Mazenod Football Club. Other significant funding projects include \$10.5 million to establish ngarrak nakorang wilam park and over \$30 million for Jells Park, making it easier for local families to get outdoors, stay active and enjoy all that our neighbourhood has to offer.

There has also been continued investment in health care, supporting urgent care clinics. The Forest Hill urgent care clinic that is located on Springvale Road provides vital walk-in care for non-life-threatening conditions and ensures our community receives timely, accessible treatment – all covered by your Medicare card. Investment in the community pharmacy pilot further enables local pharmacists to treat more patients, reducing pressure on GPs and emergency departments. Supporting vulnerable youth is crucial, and I am pleased that the Holmesglen education youth foyer has received funding to continue offering a wraparound service, helping young people at risk re-engage with education and build productive lives.

As discussions are underway for the 2026–27 budget, I will continue working to secure the best outcomes for the Glen Waverley community, building on the Allan Labor government's strong record of delivering for our district. I look forward to the Treasurer's response.

### **Gippsland East electorate ambulance services**

**Tim BULL** (Gippsland East) (19:14): (1455) My adjournment tonight is to the Minister for Ambulance Services, and the action I seek is for the minister to reverse a decision to remove East Gippsland and Wellington Ambulance Victoria managers' vehicles from them when they are not on shiftwork. Presently in these areas, under what has been a relatively longstanding arrangement, these managers had their vehicles, and they would respond off duty to cover emergency situations that arose when there might have been the regular resourcing challenges for the ambos that were on duty. It worked, and there are many instances of this occurring, and indeed lives were saved because of the quicker response times from having this arrangement in place. It has been a rather unique scenario in my electorate of Gippsland East, and just touching into Gippsland South as well, because they are rural, remote areas, there are long distances to travel and they have challenging geographical needs. I am told that, despite a report that said managers were using their vehicles appropriately and the system has been working quite well, it is to be concluded this December. Why the government would choose to do this on the cusp of holiday season, when we are going to have big crowds coming into our area, is beyond comprehension.

Consider a heart attack victim, where we know seconds are vital. When the ambulance manager has the vehicle at home, he can respond directly. If this situation is removed, he will then have to go to the station, get a vehicle and then go back to the incident location. This will cost time and this will cost lives. In East Gippsland the CFA and the SES managers have similar arrangements where they are allowed to take their vehicles home so that they can respond quicker to emergency situations. I would argue that our ambulance services are perhaps even more vital, and it is more critical that they can respond quicker. I am pleading with the minister to please intervene. I am told the deadline is 8 December. I am pleading with the minister to intervene and ensure that these managers can keep their vehicles. We have seen the benefit of this on the ground. Lives have been saved in the past, and this is an arrangement that we should not reverse. It is a system, a process, that has been successful and should be kept in place.

**Bellarine electorate emergency services volunteers**

**Alison MARCHANT** (Bellarine) (19:17): (1456) My adjournment matter is for the Minister for Emergency Services, and the action I seek is an update on how the state Labor government is supporting our volunteer emergency services across the Bellarine ahead of a really busy summer season. Our volunteer emergency services on the Bellarine work tirelessly all year round to support local community members and visitors that come to the peninsula. Their dedication is exceptional, and their contribution is vital as we prepare for the heightened demand over our warmer months.

Recently the recipients of this year's volunteer emergency services equipment program were announced. This was the largest round ever delivered, with more than \$30 million allocated across Victoria. Last year this program provided essential funding for four organisations across the Bellarine, enabling them to secure critical operational equipment, vehicles, appliances and minor facility upgrades. This year I know even more local organisations were successful. Our emergency services and surf lifesaving teams are powered by incredible volunteers who contribute countless hours keeping our community safe. They prepare for every situation, and their commitment is nothing short of extraordinary. Over the past three years I have been really fortunate to have had the privilege of spending time with each of these organisations and witnessing firsthand the incredible work the volunteers do, whether it is in the ocean, on our roads or responding to dangerous weather events. I am really deeply grateful for their dedication and service. I look forward to hearing from the minister an update on how we are continuing to support our volunteer emergency services.

**WorkCover**

**Martin CAMERON** (Morwell) (19:18): (1457) My adjournment matter this evening is for the Minister for WorkSafe and the TAC, and the action I seek is for the minister to fix the serious flaws in Victoria's WorkCover system and the devastating impact on injured workers and their families. I recently met Byron Foley, a 24-year-old who suffered a catastrophic workplace injury on 13 November 2021, when a steel pipe struck his head. At the time, Byron was a 20-year-old second-year apprentice. He spent over five months in hospital and required surgery to insert a titanium skull. On this day Byron's life changed, and his family's life changed, forever. Byron will never work again. Four years on, Byron and his family are still battling the system they describe as 'fundamentally broken'. Despite the severity of Byron's injuries, the Foleys have faced endless barriers: no family assistance, no transport vouchers, no home modifications, termination of benefits, denial of necessary medical treatments and constant battles with the insurer just to secure the bare minimum.

Recent amendments to the Workplace Industry Rehabilitation and Compensation Act 2013 were intended to improve fairness and dignity for injured workers, yet Byron's experience shows this is not happening. Fortunately Byron has a strong family support system around him, but this should not be the only safety net. This family is exhausted. They are calling for urgent legislative reform, a streamlined one-stop shop for injured workers and their families, fairer compensation and better support services. How do we have a system where a young apprentice suffers a life-changing injury and the scheme designed to protect him fails? In 2023–24 Victorian businesses faced dramatic WorkCover premium hikes generating \$1.7 billion in revenue, yet this money is not reaching the injured workers who need it most. Minister, Byron's case is not isolated. It reflects a system that is failing those it is meant to protect. I urge you to act now to fix this broken WorkCover scheme.

**Dingley recycled water scheme**

**Meng Heang TAK** (Clarinda) (19:21): (1458) My adjournment matter is for the Minister for Water, and the action I seek is for the minister to provide the latest update on the Dingley recycled water scheme. This is a fantastic project that will benefit the district of Clarinda with a new pipeline delivering recycled water to local businesses, golf courses, sports ovals and parks. The first phase of the work launched in December 2023 and involved geotechnical investigation to complete the design and alignment of the new recycled water pipe, as well as an ecological survey and environmental site map. The project involves \$24.8 million in funding from the Allan Labor government to construct the

\$72 million Dingley recycled water scheme; the remaining funding comes from South East Water. The water infrastructure project will unlock up to 1800 megalitres of recycled water each year – enough recycled water to fill Albert Park Lake more than 2½ times. The project will generate \$92 million for the local economy – a fantastic result for the community in the south-east. The new 42-kilometre pipeline will deliver recycled water to 46 private and public sites, including 15 local parks, 12 golf courses, three market gardens and 13 nurseries. Investing in recycled water infrastructure demonstrates our commitment to building sustainable cities by designing the pipe to supply further water demand for our growing population, saving our drinking water supply. Further, this infrastructure will also support Victoria's response to the climate change impact, allowing parkland and golf courses to remain green during dry season, opening new horticultural business opportunities and tourism and providing better recreational outcomes for our local community. This is a fantastic project for our local community. I thank the minister and look forward to her response.

### Responses

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business and Employment, Minister for Youth) (19:23): Can I begin by thanking the member for Lara for raising the adjournment matter, and I am pleased to provide an opportunity to update how we are backing young people in the member's community, and in particular in the electorate of Lara. I would also like to congratulate the winners of this year's Geelong Youth Awards, who I had the absolute pleasure this evening to actually meet with the member for Lara. I do want to take a moment to thank and congratulate Nick, Parri, Jesse, Alex, Xavier, Rezai and of course Alexander as well. I was extremely honoured to meet such fine young leaders. Not only are they showing up and making an impact in their local community, but they are also providing guidance and support for other young people and of course vulnerable communities in the Geelong community.

There is no doubt our government has delivered a record level of funding when it comes to our youth portfolio. We have seen over \$30.9 million in this year's state budget – a budget that delivers for young people, a budget that backs the Amplify, Engage!, Future Ready and Youth Fest programs, including those programs delivered and rolled out into the Lara electorate. Of course to deliver these programs I am absolutely proud to be able to partner with a range of organisations and in particular youth organisations in the Geelong region and within that community, together with the City of Greater Geelong, local schools and many, many other young people, so that we can continue to grow and expand those programs and of course support young people.

In addition, the City of Greater Geelong and our government delivered the Nest Youth Hub. I know that this has been an absolutely active space for young people. This hub was co-designed with local young people and puts their ideas and needs first and foremost. I know the Nest has been really active. It has seen close to 500 attendees from 30 June to 30 September, so in a short period of time you can see how this hub has been able to provide support for local young people, not only wraparound services but also in particular backed with a \$400,000 investment through our Victorian youth strategy.

I know members, in particular the member for Lara, the member for Geelong and of course the member for Bellarine, had the opportunity to be at the Nest and be part of the opening celebrations. It was wonderful to join not only the young people and youth organisations but also young people really making a difference at the hub. Not only are they delivering programs and supporting young people, they are also providing six-weekly youth hub reference group meetings. They are providing, as I said, that wraparound support when it comes to mental health and wellbeing and of course delivering really important support programs to young people. I know that since the hub kicked off there have been a range of local community groups and organisations using the space. So it is not just for young people, it also includes really important groups like the Cultura youth council, CatholicCare, the Department of Justice and Community Safety and of course local schools. This is really, really an important hub, and I find that these youth hub spaces across Victoria do valuable work for young people.

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I do also want to thank in particular the member for Lara for her commitment and dedication to supporting local young people, not only in programs and leadership but also in those work experience opportunities for young people in particular in her electorate. I really do look forward to continuing to support young Victorians to be their very best and to do their very best in their local communities, because when we do provide opportunities, we know that young people will embrace those opportunities into the future. I thank you very, very much for raising this adjournment and continuing to do that great work in supporting our young people across the state.

A number of members raised matters for other ministers, and I will make sure that these matters are referred on to the relevant ministers.

**The DEPUTY SPEAKER:** The house stands adjourned till tomorrow morning.

**House adjourned 7:28 pm.**